



Alfresco Dining Permit Application

Applicant details:

Name: _____

Address: _____

Contact phone number: _____ Email: _____

Preferred contact method: Phone: Email:

Business name: _____

Business address: _____

Days/times alfresco dining required: _____

Will any roads or footpaths need to be closed or restricted? Yes No

Provide a plan of the intended layout of equipment etc for area planned for alfresco dining area
(alternatively the plan can be provided on a separate A4 page)

Number of chairs to be used: _____

Number of tables to be used: _____

I am the owner or person authorised on behalf of the owner of the business described in this section who currently trades in the City of Bayswater. I have read this application and provide support and consent for the activities described.

I confirm that:

- the area will be clearly demarcated
- there will be a minimum 1.8m clear for pedestrians
- tables and chairs will not obstruct kerb/parking
- the alfresco area will be safe from traffic
- I will provide a copy of a current public liability insurance certificate of currency, minimum \$10 million, prior to operating the alfresco area.

Supporting documentation to be provided:

- A current certificate of currency for your public liability insurance, minimum \$10 million, prior to operation of alfresco area.

Declaration:

I understand by signing this agreement that the City of Bayswater does not accept any liability for any injury, damage or loss as a result of the alfresco dining.

Name of applicant: _____

Signature: _____ Date: _____

CITY OF BAYSWATER OFFICE USE ONLY:

Date application received by Rangers and Security: _____

Processing officer's name and signature: _____

Application finalised and ECM'd date: _____

General Conditions of Alfresco Dining

Refer to City of Bayswater [Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Laws](#) PART 10 OUTDOOR EATING FACILITIES ON PUBLIC PLACES for further information

PART 10 - OUTDOOR EATING FACILITIES ON PUBLIC PLACES

10.1 Interpretation

(1) Subject to the provisions outlined being met prior to commencing operation of an alfresco dining area on a footpath or other public place this permit application is approved provided that-

- (a) The alfresco dining area abuts a food business;
- (b) The alfresco dining area is conducted in conjunction with or as an extension of the abutting food business;
- (c) The abutting food business is registered in accordance with the Food Act 2008 and the use of the premises of the food business is permitted or approved under a town planning scheme;
- (d) The alfresco dining area complies with the Australia and New Zealand Food Standards Code, Tobacco Products Control Act 2006, Liquor Control Act 1988 and
- (e) The alfresco area complies with any written law or policy regarding outdoor eating facilities on public places within the district.

(2) Subclause (1) does not apply to an alfresco dining area located on private property.

10.2 Removal of alfresco dining area unlawfully conducted

Where an alfresco dining area is conducted in contravention of this local law or a condition of its permit, any tables, chairs, umbrellas or other equipment may be removed by an authorised person and impounded in accordance with the Act.

10.3 Use of an alfresco dining area by the public

- (1) A person shall not occupy a chair or otherwise use the equipment in an alfresco dining area unless the person uses them for the purpose of consuming food or drinks provided by the permit holder.
- (2) A person shall leave an alfresco dining area when requested to do so by the permit holder.

10.4 Temporary removal of alfresco dining area may be requested

- (1) A permit holder is to temporarily remove the chairs, tables and other structures set up on the alfresco dining area when requested to do so on reasonable grounds, including for street events, by an authorised person or a member of the Western Australian Police Force or an emergency service.
- (2) A permit holder may replace the chairs, tables and other structures removed under subclause (1) as soon as the person who directed her or him to remove it allows to be replaced.