

Alfresco Dining Permit Application

Alfresco dining areas located on a footpath or other public place require a permit under Part 10 – Outdoor Alfresco Dining Area of the City of Bayswater *Activities in Thoroughfares and Public Places and Trading Local Law 2020*.

An Alfresco Dining Permit is required prior to the establishment or operation of any alfresco dining area on public land. Alfresco dining areas located wholly on private property are not subject to the requirements of Part 10 of the Local Law.

No fee currently applies to the issue of an Alfresco Dining Permit.

1 · APPLICANT DETAILS – FULL NAME IN BLOCK LETTERS

Given Name		Surname	
Date of Birth (DD / MM / YYYY)		Email Address	
Telephone (Home)	Telephone (Work)	Telephone (Mobile)	
Residential Address			
Suburb		Post Code	
Postal Address (if different to above)			

2 · BUSINESS DETAILS

Business Name	
Business Address	
Days / Times Alfresco Dining Required	
Will any roads or footpaths need to be closed or restricted?	☐ No ☐ Yes
Number of Chairs to be Used	Number of Tables to be Used

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3 · LAYOUT PLAN

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

4 · DECLARATION & CONFIRMATION

I am the owner or person authorised on behalf of the owner of the business described in this application 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 \$20 million, prior to operating the alfresco area.
- ☐ I confirm the alfresco dining area abuts and operates in conjunction with a registered food business.
- ☐ I have obtained the consent of the owner of the adjoining business premises (if applicable).
- ☐ I acknowledge that the permit holder is responsible for maintaining the alfresco dining area in a clean and safe condition.
- ☐ I acknowledge that the City may require the temporary removal of the alfresco dining area for events, maintenance works, emergencies or other authorised purposes.

Supporting Documentation Required

- ☐ A current certificate of currency for your public liability insurance, minimum \$20 million, must be provided **before** commencing operation of the alfresco area.

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
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★ FOR OFFICE USE ONLY ★ – Do not write below this line

Date Received	CRM / Reference Number	Permit Number
Assigned Officer	Branch / Team	Date Permit Issued
Insurance Certificate Verified ☐ Yes ☐ No	Permit Expiry Date	Outcome ☐ Approved ☐ Refused

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5 · PERMIT CONDITIONS OF ALFRESCO DINING

Refer to the City of Bayswater *Activities in Thoroughfares and Public Places and Trading Local Law 2020* – **Part 10: Outdoor Eating Facilities on Public Places** for full information.

10.1 Interpretation

Subject to the provisions outlined being met prior to commencing operation, this permit is approved provided that: (a) the alfresco dining area abuts a food business; (b) it 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 its use 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. This clause 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

(1) A permit holder is to temporarily remove the chairs, tables and other structures 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 as soon as the person who directed their removal allows.

Permit Holder Responsibilities

The permit holder must notify the City of Bayswater within 14 days of any change to the approved alfresco dining layout, business ownership, business name, public liability insurance, or food business registration status.

Permit Duration

Alfresco Dining Permits issued by the City of Bayswater are valid for a period of three (3) years unless otherwise specified on the permit, cancelled, surrendered, or revoked in accordance with the City of Bayswater *Activities in Thoroughfares and Public Places and Trading Local Law 2020*.

Standard Collection Notice – Alfresco Dining Permit Application

The City of Bayswater collects personal information, including sensitive information where applicable, for the purpose of assessing, administering and managing applications for Alfresco Dining Permits on public places.

Personal information is collected under the authority of the *Local Government Act 1995 (WA)* and the *City of Bayswater Activities in Thoroughfares and Public Places and Trading Local Law 2020* and is used to assess permit eligibility, administer approved permits, monitor compliance with permit conditions, and communicate with applicants regarding their application.

The types of information collected include the applicant's name, business name, contact details, postal and email addresses, business registration details, site information, and any supporting documentation required to assess the application.

Personal information may be disclosed to relevant City officers, contractors, service providers, government agencies, regulators or other parties where authorised or required by law.

Providing this information is **mandatory**. If the requested information is not provided, the City may be unable to process the application or issue an Alfresco Dining Permit.

The City takes reasonable steps to protect personal information from misuse, loss, unauthorised access, modification or disclosure.

Information is retained in accordance with the *State Records Act 2000 (WA)*, approved retention and disposal schedules, and the City's information management practices.

The City does not use automated decision-making processes to determine the outcome of Alfresco Dining Permit applications. All applications are assessed by authorised City officers.

For more information about how the City manages personal information, the Privacy and Information Handling Policy can be found [here](#).

To access or correct personal information, contact the City of Bayswater on (08) 9272 0622 or email mail@bayswater.wa.gov.au.