

Outdoor Alfresco Dining Application - Temporary

Section 68 Local Government Act 1993, Section 125-127 of the Roads Act 1993, Crown Lands Management Act 2016 relating to Subdivision 20B or 20C of the State Environmental Planning Policy (Exempt and Complying Development) 2008



Use this form to apply for **Temporary Alfresco dining** identified as exempt development under Subdivision 20B or 20C under the State Environmental Planning Policy (Exempt and Complying Development) 2008 (the SEPP).

This is an application for outdoor trading area under the "SEPP" for Temporary Alfresco Dining.

You are advised that when assessing an application CN must consider a number of matters, including public health, safety and convenience, existing development controls relating to the existing use of the business, hours of operation, the maximum capacity of the venue, waste management, food safety pollution control, and the public interest.

Note:

1. Any works consented to under this application are temporary and will be required to be **removed by the 31st December 2023**, unless otherwise advised by CN. Requests for permanent outdoor trading arrangements located in the "road reserve" should complete an application for [Outdoor Trading](#).
2. The capacity of the venue cannot exceed that permitted by the most recent development consent for the food and drink premises.
3. Owner's consent for applications on Community Land are subject to a 28 day public notification process under the Local Government Act and the issue of a licence to use the space. Alternatively the area can only be used for a maximum of 3 days (not including Saturday and Sunday) e.g. removed on Monday or Tuesday.

Part 1: Applicant and Site Details

1. Applicant Details

Name or Company	
ABN (Required if company)	
Email	
Phone	
Postal Address	
Contact Person (if company)	
Will your correspondence be 'care of' another company?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name or Company	
ABN (Required if company)	

Phone	
Email	
Postal Address	

2. Location and title description of the property

Unit No		House No		Street Name	
Suburb				Post Code	
Lot(s)			Section		
Deposited Plan				Strata Plan	

3. What is the current use of the area where temporary outdoor dining is being proposed?

a) Community or Crown land e.g. park, reserve, public space. Enter details:

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b) Road Reserve e.g. car parking space, loading area. Enter details:

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4. Does the business have an existing approved outdoor trading area?

Yes

No

5. Who owns the business?

Business Owner 1	
Address	
Phone	
Email	

Business Owner 2	
Address	
Phone	
Email	
6. Is the land owned or managed by CN?	
<input type="checkbox"/> Yes <input type="checkbox"/> No. Consent of the owner of the land is required to submit this application.	
Part 2: Details of area and proposed purpose	
7. Describe the proposed outdoor trading	
Length of outdoor trading area (m)	
Width of outdoor trading area (m)	
Area (m ²)	
Proposed number of seats	
Substantive purpose/ articles placed in outdoor trading area	
Consent associated with the business i.e. DA of CDC number	
Days of operation	
Hours of operation	
Licenced Venue	<input type="checkbox"/> Yes (a plan of management will be required) <input type="checkbox"/> No
<p>Applications associated with a licenced venue must include one of the below completed forms</p> <p>AM0521 Liquor licence temporary change of boundaries – footpaths and roads</p> <p>AM0522 Liquor licence temporary change of boundaries – outdoor land excluding footpaths and roads</p> <p>(CN will provide this application to NSW Liquor & Gaming NSW if the application is approved)</p>	

Part 3: Information to be included when submitting application

A Site Plan

The site plan is to drawn to scale and include the location of proposed articles, goods and furniture, whether for sale or not and existing obstructions e.g. bike racks, stop valves, manholes, trees, rubbish receptacles, traffic lights and street signs (parking restrictions, bus stops etc.)

Photos of the type of furniture to be used

A Plan of Management, for Licenced Venues only. Guidance on what to provide in the plan is available in this [fact sheet](#).

Owner's consent, where the land is not owned by CN or the business owner

You are advised that if the application is approved you will be required to provide a copy of a Certificate of Currency for Public Liability Insurance for the business. The Certificate must include:

- Insurance coverage to the amount of \$20 million; and
- Newcastle City Council as an interested party.

Part 4: Business Owner/s consent and applicant's declaration

8. Probity

Are parties with pecuniary or non-pecuniary interest:

- a) A staff member, councillor, contractor or related to someone who is a staff member, councillor, contractor of CN? or,
- b) A State or Federal Member of Parliament?

Yes, state the relationship.....

No

9. Who signs the form?

The Business Owner/s

Business Owner/s Declaration

As the Business Owner/s:

- I/we consent to the application and to any authorised officers of City of Newcastle entering onto the land to carry out inspections, take measurements or photographs.
- I apply for consent to operate temporary alfresco dining until the 18 April 2022, in a portion of the public street/ road as detailed in this application, under the provisions of Subdivision 20B or 20C under the State Environmental Planning Policy (Exempt and Complying Development) 2008.
- I declare that all the information given is true and correct.
- I declare that the electronic data has been named correctly and there are no security settings applied.
- I understand that if incomplete, the application may be delayed, rejected or returned.
- I understand that the information supplied on this form and any related document may be made available to the public.

Business Owner/s Signature

Name of person signing	
Authority	
Signature	
Date	
Name of person signing	
Authority	
Signature	
Date	

How to lodge this application

Lodgement Methods

Email

Enter the address of the property and the type of application (e.g., 1 Sample Street Newcastle – Application for Temporary Alfresco Dining) in the subject line of the email. Emails are to be sent to business-support@ncc.nsw.gov.au.

Mail

City of Newcastle
PO Box 489
Newcastle NSW 2300

In person

At our Customer Contact Centre, located at 12 Stewart Avenue Newcastle West NSW 2302.

Fees

In accordance with the resolution of Council no fees are currently charged for the assessment of this application. However, you may be charged for the placement of markers in the allocated area. If the circumstances of the application warrant the placement of markers, you will be advised. Fees are charged as per CN's [Fees and Charges](#) document.

Protecting your privacy

City of Newcastle (CN) is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and CN's Privacy Management Plan.

You are advised the information you provide in this application will enable your application to be assessed by CN and any relevant state agency. Your application will be advertised to the public for comment if the outdoor trading area is located within a residential zone as per CN's [Outdoor Trading Policy](#).

The application and all plans and supporting documentation will be kept in a register by CN that can be viewed by the public at any time. Please contact CN if the information you have provided in your application is incorrect or changes.

Purpose of collection:	To enable CN as the consent authority to assess your proposal
Intended recipients:	CN staff and other government agencies that may be required to assess the proposal
Supply:	The information is a statutory requirement related to the assessment of the application.
Consequence of non-provision:	Your application may not be accepted or processed due to a lack of information.
Storage and Security:	City of Newcastle, 12 Stewart Avenue Newcastle 2302 will store details of the application. Individuals can access the details of the application under the <i>Government Information (Public Access) Act 2009</i> .
Access:	Your information can be checked for accuracy by calling (02) 4974 2000.

[City of Newcastle](#)

Phone: 02 4974 2000

Address: 12 Stewart Avenue Newcastle West NSW 2302