



WAVERLEY  
COUNCIL

# APPLICATION FOR Footpath Seating/Dining

Made under Section 125 of the Roads Act 1993

## About this form

Use this application for the use (or renewal) of outdoor seating/dining on the public footway adjacent to an approved restaurant or cafe. Refer to [Waverley Development Control Plan 2022 – Part D2 – Outdoor Dining](#) for guidance.

## Applicant details

Title: ☐ Mr ☐ Mrs ☐ Ms ☐ Other

First Name:  Family Name:

Company Name (if applicable):

ABN/ACN (if applicable):

Mailing Address:

Suburb:  State:  Post Code:

Email Address:

Daytime Telephone No. (Home/Work):  Mobile No:

Are you the operator of the premises ☐ Yes ☐ No If no, please provide the operators full name:

Operator's Address:  Post Code:

Operator's Phone Number:  Email:

## Business and property details

Name of Premises:

Shop or Tenancy Number  Unit /Street number:

Street:  Lot and DP/SP Number:

Suburb:  Post Code:

What type of business do you operate at the premises? (Select all that apply)

☐ Cafe ☐ Restaurant ☐ Small Bar ☐ Pub ☐ Takeaway (please specify)

☐ Other (please specify)

What type of products do you sell?

CM reference: 024/119926 | Last updated: 18/11/2024

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### Postal address

PO Box 9, Bondi Junction NSW 1355  
ABN 12 502 583 608

### Waverley Council Service Centres

Bondi Junction Customer Service Centre, 55 Spring St, Bondi Junction NSW 2022  
Bondi Pavilion Customer Service, Queen Elizabeth Drive, Bondi Beach NSW 2026

W [waverley.nsw.gov.au](http://waverley.nsw.gov.au)

E [info@waverley.nsw.gov.au](mailto:info@waverley.nsw.gov.au)  
T (02) 9083 8000

You can contact us through the [National Relay Service](#) if you are deaf or have a hearing or speech impairment.

[Translating and Interpreting Service \(TIS\)](#)  
131 450

[TTT/Voice Calls](#)  
133 677

[Speak & Listen](#)  
1300 555 727

Current consent  
(outdoor dining can only be granted where there is a valid consent for the premises)

DA / CDC reference number to which the premises has consent to operate:

Refer to [Council's DA Tracker](#) for lodged and determined applications

Details of the proposal

Does this application seek:

☐ New outdoor dining

☐ Renewal of outdoor dining approval

Please outline the existing (if applicable) and proposed hours of operation for the outdoor dining area:

	Existing Hours:	Proposed Hours:
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

Total number of existing indoor seats at the premises

Please note that if indoor and outdoor seats exceed 20 seats combined, toilet facilities are required to be provided.

Number of Outdoor Tables:

Number of Indoor Tables:

Please note minimum dimensions of 600mm x 600mm per seat and 600mm x 600mm per table is required

Total Number of toilets:		
Male Toilets:		
Female Toilets:		
Accessible Toilets:		
Are toilets the provided:	<input type="checkbox"/> Private use of your customers only	<input type="checkbox"/> Shared Facilities
Square metres to be occupied for outdoor dining:		
Footpath clearance between kerb and seating zone:		

Please note a minimum distance of 2.5m is to be maintained for clear unobstructed pedestrian thoroughfare. See [Waverley DCP 2022 Part D2, Section 2.1](#) for more information

Liquor licence

Does the premises have or intend to have a liquor licence? [ ] Yes [ ] No
If yes, what is your liquor licence number?

What type of liquor licence? please provide a copy of the liquor licence with this application.
[ ] General Bar Hotel Licence [ ] Hotel Licence [ ] Club Licence
[ ] Small Bar Licence [ ] On Premises Licence [ ] On premise with primary service authority

Application checklist

Use this checklist to ensure that you have the correct information prior to lodging your application to avoid delays or having your application refused. Applications will not be accepted unless all plans and supporting documentation are provided in accordance with this checklist and labelled in accordance with Council’s Electronic Lodgement Guidelines.

Requirements	Applicant Use		Office Use	
Plans	Yes	No	Yes	No
1. Site plans and details. A location plan showing the property in relation to the street and the nearest cross street	[ ]	[ ]	[ ]	[ ]
2. A detailed and dimensioned plan to scale (1:50 or 1:100). See plans in Waverley DCP 2022 Part D2,Annexure D2-1 as an example. The plan must show:				
a) proposed outdoor dining layout, including the number of tables and chairs.	[ ]	[ ]	[ ]	[ ]
b) the existing number of tables and chairs inside the restaurant/café.	[ ]	[ ]	[ ]	[ ]
c) the existing number of tables and chairs inside the restaurant/café.	[ ]	[ ]	[ ]	[ ]
d) any accessories including umbrellas, barriers and heaters.	[ ]	[ ]	[ ]	[ ]
e) proposed area to be used for outdoor dining, including dimensions from edge of the area to kerb line, shop front, doorway openings and other fixtures e.g. bus stop, pedestrian crossing, street furniture, bench, litter bins etc.	[ ]	[ ]	[ ]	[ ]
f) total area to be occupied in square metres.	[ ]	[ ]	[ ]	[ ]
g) a minimum allowance of 600mm x 600mm for every seat and 600mm x 600mm for every table.	[ ]	[ ]	[ ]	[ ]
h) washing up facilities, location and number of toilets, including any shared facilities in the building.	[ ]	[ ]	[ ]	[ ]

Requirements	Applicant Use		Office Use	
3. <b>Furniture Details.</b> A photo or brochure of the outdoor dining furniture proposed to be used, including any accessories such as umbrellas, barriers and heaters. See examples in Waverley DCP 2022 Part D2, Annexure D3-2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. <b>Plan of Management (if applicable).</b> Required for all premises with liquor licenses only.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. <b>Liquor Licence.</b> A copy of the liquor licence is to be provided (if applicable).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Applicant declaration

- I apply for consent to provide outdoor dining as described in this application.
- I also understand that if incomplete, the application may be delayed, returned or rejected and more information may be requested to process my application.
- I declare that all the information is true and correct, and electronic plans and documents submitted on electronic storage medium are an exact reproduction of the original source of documents submitted with this application.
- I give permission to Waverley Council (‘Council’) to make copies, including electronic copies, of all submitted documents, including plans, for the purposes of assessing and determining this application (and related purposes) under the *Environmental Planning and Assessment Act 1979* and to provide copies, including electronic copies, of all submitted documents, including plans, to members of the public, and to publish them on Council’s website, in accordance with the *Government Information (Public Access) Act 2009*. This application form will not be published on Council’s website.
- I warrant that if I am not entitled to copyright in respect of any submitted document, I have obtained permission from the copyright owner for Council to use the documents lodged with this application in accordance with the above paragraph.
- I indemnify the Council against all claims and actions in respect of a breach of copyright arising from the Council copying, issuing copies, reproducing or publishing any documents lodged with this application.
- I declare that I authorise the council to disclose my personal information to the Department of Planning, Housing and Infrastructure (as required) for the purpose of assessing my application, and that my personal information will be disclosed to other NSW Government agencies (as required) for the purpose of assessing my application.
- The personal information required on this form may be available for public access under various legislation.
- I acknowledge that the outdoor dining rent calculation will be based on the area of footpath occupied.
- I acknowledge that the outdoor dining bond required is equivalent to three (3) months’ rent.
- By signing this application, I agree to the above terms and conditions.

Applicant Name

Applicant Signature

Date: /  /

## Privacy notice

Waverley Council (55 Spring Street, Bondi Junction NSW 2022) is collecting and holding your personal information for the purpose of processing your request or application. The intended recipients of your personal information are Council officers and other service providers necessary to process your request or application, if applicable. We will not disclose your personal information to anybody else unless you have given consent, or we are authorised or required to do so by law. This form is classified as open access information under the *Government Information (Public Access) Act 2009* and may be disclosed to members of the public on request. If you do not provide your personal information, we may be unable to process your request or application. To access or correct your personal information, please contact [info@waverley.nsw.gov.au](mailto:info@waverley.nsw.gov.au) or call 9083 8000. For further details on how Council manages your personal information, please refer to the Privacy Management Plan on our website: [waverley.nsw.gov.au/privacy](http://waverley.nsw.gov.au/privacy)

## How to lodge this application

You can lodge your completed application form and any required supporting documents by email to [planningcounter@waverley.nsw.gov.au](mailto:planningcounter@waverley.nsw.gov.au). Please ensure all digital documentation meets the requirements of the [Council's Electronic Lodgement Guidelines](#) Lodgement Guidelines. Once your application has been checked for completeness, you will be contacted by Council for payment of the application fee. Once the fee has been paid, the assessment of the application will commence.

## Fees

Application fees and rental fees are payable in accordance with Council's Fees and Charges Policy, which are provided below. Once your application has been received, you will be contacted to pay the Application Fee. It is requested that the fee be paid within 48 hours of receiving the invoice. We cannot start the assessment process until the fees are paid. Fees can be paid either in person at the Customer Service Centre at 55 Spring Street BONDJ JUNCTION or by calling the Call Centre on 9083 8000 (Monday to Friday 8:30am-5.00pm). Fees may be paid by online on Council's website and EFTPOS. Please contact Council should you wish to pay with cash or cheque. Personal & Bank Cheques (please make cheques payable to Waverley Council).

## Copyright disclaimer

If you copy, reproduce, republish, transmit or distribute any plans or other documents subject to copyright, contrary to the *Copyright Act 1968* (Cth), you will be taken to have indemnified Waverley Council against any claim or action in respect of breach of copyright.

# Footpath Fees and Charges FY 24/25

Category	Unit	24/25 Fee \$	GST	Pricing Policy
<b>Footway Restaurants (Section 125 Roads Act 1993)</b>				
Application fee	per application	\$ 461.00	Exempt	B
Notification and Advertising fees	per application	\$ 309.00	Exempt	B
<b>FY 24/25 Fees payable on footpath application</b>		<b>\$ 770.00</b>		
Provision of footpath markers	per application	\$ 230.50	Exempt	B

<b>Footpath Seating</b>				
Bond Fee for footpath seating permit (refundable)	per approval	Equivalent to 3 months footpath seating fees	Exempt	G
Location A: Oxford Street Mall, Bondi Junction	per m2 annually	\$ 847.00	Exempt	D
Location B: Waverley Street Mall, Bondi Junction	per m2 annually	\$ 720.00	Exempt	D
Location C: Campbell Pde (between Lamrock Ave & Beach Rd including Roscoe St Mall (DCP)	per m2 annually	\$ 1,025.00	Exempt	D
Location D: Bronte Road, Bronte Beach per m2	per m2 annually	\$ 806.00	Exempt	D
Location E: Hall Street and Campbell Parade (outside areas) per m2	per m2 annually	\$ 720.00	Exempt	D
Location F: Other areas	per m2 annually	\$ 582.00	Exempt	D

<b>Surcharges</b>				
Outdoor dining under Council umbrella	per m2 annually	5.0% per m2 for Location A - F	Exempt	E
Parklets	per m2 annually	20% per m2 for Location A - F	Exempt	E