



KATHERINE
TOWN COUNCIL

24 Stuart Highway
PO Box 1071
Katherine NT 0851
records@ktc.nt.gov.au
Ph: 08 8972 5500
Fax: 08 8971 0305
ABN 4783 6889 865

**APPLICATION FOR APPROVAL TO OPERATE A MOBILE FOOD VAN/ROADSIDE
VENDOR/SIDEWALK CAFE**

I, (please print) _____ of _____

Request permission to _____ in a Public Place at:

- Lindsay Street Complex Carpark
- Showgrounds Carpark (off Victoria Highway)
- Information Bay (North Bound), Stuart Highway
- Information Bay (South Bound), Stuart Highway
- Information Bay (West Bound), Victoria Highway
- Other (Subject to Council Approval): _____

Food / Beverage/ Consumable goods: _____

e.g menu range

Operating days and times (please circle) or attach a proposed operating schedule

Monday	6.00 am to 9.00am	5.00 pm to 9.00 pm
Tuesday	6.00 am to 9.00am	5.00 pm to 9.00 pm
Wednesday	6.00 am to 9.00am	5.00 pm to 9.00 pm
Thursday	6.00 am to 9.00am	5.00 pm to 9.00 pm
Friday	6.00 am to 9.00am	5.00 pm to 9.00 pm
Weekends/Public Holidays	6.00 am – 9.00 pm	

Please note: No operator shall conduct business for more than three (3) days in any seven (7) day period and no operator shall conduct business for longer than four (4) hours within a calendar day. Special events running for longer hours or over multiple days will be exempt from the above hours of operation, when the operator is engaged as part of the event.



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CONDITIONS OF PERMIT

- Must comply with the provisions of the Local Government Act and the By-Laws made thereunder;
- The exercise of the Council and its servants of the power of such an Act and By-Laws conferred;
- Cancellation, should provisions of the said Act and By-Laws be infringed;
- Public Liability details must be supplied with minimum \$10,000,000 cover;
- Goods displayed must not be of an offensive nature to the public;
- Goods must be must not obstruct pedestrians on footpath or the vision of road users;
- **Permit Fee** as per current Fees & Charges;
- This permit may be cancelled at any time at the discretion of Katherine Town Council;

I agree to abide by the conditions set by the Katherine Town Council in the operation of a Mobile Food Van/ Roadside Vendor/ Sidewalk Cafe

Insurance Company_____

Policy No_____ Expiry date_____

Name_____ Date_____

Phone_____ Email_____

Signature_____



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Conditions for Sidewalk Cafes

- That the Council permits the operation of *Side Walk Cafes* under the following conditions:
- The Permit Holder is prepared to enter into an agreement between themselves and the Katherine Town Council and pay an annual license fee as per the current Fees & Charges book.
- The Permit Holder must currently be operating a food outlet. Side walk cafes must be located adjacent to the frontage of the applicant's premises and shall not extend more than half the distance between the frontage of the premises and the footpath kerb and shall not extend beyond the width of the frontage of the premises.
- The Permit Holder must provide at least one garbage bin for each four tables within a side walk cafe and will be responsible for the emptying of the bins and removal of garbage.
- All furniture used for a side walk cafe must be of a sturdy design and of a type which is easily cleaned and maintained by the Permit Holder.
- The Permit Holder shall remove all side walk cafe furniture and associated articles at the close of business each day.
- The Permit Holder shall, at his own cost, always keep the area of the side walk cafe in a clean and tidy condition , to the satisfaction of the authorised Officer of the Council.
- All furniture within a side walk cafe must be cleaned regularly at the expense of the Permit Holder to the satisfaction of the Authorised Officer of the Council.
- The Permit Holder shall at all times ensure the good conduct of patrons within the area of the side walk cafe.
- The duration of a permit granted for a side walk cafe shall not exceed 12 months.
- Pedestrian thoroughfare shall always be guaranteed past the site .
- The Permit Holder shall effect and maintain, in respect of the site, public risk policy of insurance in sum on not less than \$10,000,00 with a reputable insurer approved by the Council , together with such other insurances (including), but without limiting the generality of the foregoing, any insurance required under and pursuant to the Work Health Act that the Permit Holder shall be required by law to hold and maintain in force. The Permit Holder shall, as the Council may from time to time reasonably require, increase the amount of the cover under the said policies of insurances and shall forthwith, upon execution hereof and upon the renewal of extension of any such policy of insurance, produce and deliver to the Council the policy in respect of the said insurance and receipts for payment of the premiums thereunder.



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- The Permit Holder shall obtain the relevant insurances if the licensee contracts with or employs any person to perform duties related to the provision of his service under the Work Health Act.
- The Permit Holder shall, at all times, indemnify the Council and keep it indemnified against all actions, proceedings, accounts, claims and demands whatsoever on the part of any person or persons and from all costs, damages, expenses, losses and liabilities which may arise out of or incidental to the operation of the side walk cafe.
- The Permit Holder shall comply with all reasonable requests from the Council and with all written directions given to the licensee from time to time by the Council.
- The Permit Holder shall not transfer, assign, sublet or otherwise dispose of this agreement without the prior written consent of the Council. Such consent shall not be unreasonably withheld notwithstanding that the Council shall retain the right to review the fee upon permission to assign benefit hereof.
- If the Permit Holder shall substantially or persistently breach this agreement then the Council may, by giving notice to the licensee in writing, forthwith determine the license hereunder.
- The Permit Holder shall give a minimum of 30 days' notice to the Council should the licensee wish to terminate this agreement for any reason.
- The Permit Holder shall seek and obtain all necessary consent prior to commencement of operations and provide the Council with all such consents including but not limited to consent from the

Conditions for Mobile Food Van/ Roadside Vendor

- The Permit Holder covenants and agrees to operate the said facility in a workman like manner in accordance with such written direction that may be given to it from time to time by the Council and in compliance with all Katherine Town Council By-laws.
- The Permit Holder shall display their current Food Business Registration as granted by the Department of Health & Families NT.
- The Permit Holder will cordon off the area appropriately, with either brightly coloured Safety Cones and/or appropriate and/or clearly indicated poles to the satisfaction of the Council.
- The Permit Holder shall not use or suffer or permit the site to be used in any obnoxious, immoral, noisy or offensive manner or to do, or permit to be done, on the site anything which, in the opinion of the Council, may be or may become a nuisance, disturbance or the cause of any damage to any member of the public or to the occupier of any adjoining property.
- There shall be no objections from or on behalf of permanent businesses selling the same lines of merchandise/products/produce.



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- The Permit Holder shall, during the period of this permit or during any use of the site by the Permit Holder or its servants, invitees or customers:
 - Keep, repair and maintain the site in good, sufficient and substantial repair as may be required by the Council from time to time and undertake such repairs and maintenance works in relation to the same as may be required by the Council from time to time;
 - No sullage water shall be permitted to discharge into any street or public place;
- The Permit Holder shall provide garbage bins for all litter generated by the issue of this permit and which must be removed by the Permit Holder; all facilities must be maintained and conducted in accordance with those conditions as are required by the Department of Health and Community Services or other relevant Government instrumentalities.
- If the Permit Holder receives any notice from any statutory or public authority relating to the site or the land, it shall forthwith give notice thereof in writing to the Council.
- The Permit Holder hereby indemnifies and agrees to keep indemnified the Council from and against all actions, suits, claims, demands, losses, damages, costs and expenses whatsoever arising from loss, damage or injury to property or persons caused or contributed to by the use or occupation of the site by the Permit Holder, its servants, agents, invited customers or other persons.
- The Permit Holder shall effect and maintain, in respect of the site, public risk policy of insurance in sum on not less than \$10,000,00 with a reputable insurer approved by the Council, together with such other insurances (including), but without limiting the generality of the foregoing, any insurance required under and pursuant to the Work Health Act that the Permit Holder shall be required by law to hold and maintain in force. The Permit Holder shall, as the Council may from time to time reasonably require, increase the amount of the cover under the said policies of insurances and shall forthwith, upon execution hereof and upon the renewal or extension of any such policy of insurance, produce and deliver to the Council the policy in respect of the said insurance and receipts for payment of the premiums thereunder.
The Permit Holder shall obtain the relevant insurances if the licensee contracts with or employs any person to perform duties related to the provision of his service under the Work Health Act.
- This agreement may be determined by the Council forthwith upon the Permit Holder failing, for a period of 14 days, to pay the permit herein provided or failing to observe or perform any covenant or agreement on the part of the Permit Holder herein contained and such failure continues for a period of 14 days.
- Any waiver by the Council of any breach of any provision herein contained or implied shall not operate as a waiver of any other breach of same or of any other provision herein contained or implied.
- Any notice or consent requirement or other communication to be given to the Permit Holder or served hereunder shall be deemed to have been duly given or served if handed to the Permit Holder personally or left at or sent in prepaid registered letter to the address or place of business of the Permit Holder. A notice sent by post shall be deemed to have been given or services 48 hours after the time of posting.



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- The permit hereby granted is personal to the Permit Holder and the Permit Holder shall not assign or attempt to assign the benefit thereof or part thereof to any person without the prior written consent of the Council. Such consent shall not be unreasonably withheld notwithstanding that the Council shall retain the right to review the fee upon permission to assign benefit hereof.

I / We the undersigned, hereby agree to these permit conditions, and understand that non-conformance with any of the listed conditions shall result in the withdrawal of the approval to operate the van/sidewalk café.

Signed by the said Permit Holder(s) _____

In the Presence Of: _____
(Council Officer Name & Title) _____

Dated: _____

Privacy Statement

The information requested by this form is being collected by the Council for the purpose of providing appropriate services to ratepayers, carrying out the Council's functions, and in some cases, for compiling or reporting statistics. If you do not provide the information Council may not be able to process your application. The Council may disclose the information provided by you on this form to other government bodies, as required or authorised by By-Law 86, or in accordance with our Privacy Policy, which is available on our website www.ktc.nt.gov.au or on request from the Council office. You may obtain access to your personal information held by Council by submitting an application form that is available at Council or by contacting the Customer Service Officer (08) 8972 5500.