

# Application for permission to use the footpath

Absolutely Positively  
**Wellington City Council**  
Me Heke Ki Pōneke

This Licence is granted under the Wellington Consolidated Bylaw 2008 & Footpath Management Policy 2007.

**Post To:**

Approvals  
Public Health Team  
Wellington City Council  
PO Box 2199  
Wellington, 6140

**Deliver to:**

Wellington City Council service desks at:  
Te Awe Library, 29 Brandon Street,  
8am–5pm, Monday to Friday  
Johnsonville Library, 34 Moorefield Road,  
10am–5pm, Monday to Friday

**Email To:**

foodapplications@wcc.govt.nz

**Application for permission to use the footpath is made in accordance with the details set out below.  
Please PRINT clearly.**

**Applicant details** *(please complete all fields)*

Applicant name:

Premises physical address:

Premises trading name:

Postal address:

Suburb:

Postcode:

Contact name:

Phone/s:

Mobile:

Email address:

**Details of the Proposal**

Reason for application

Number of table and chairs to be placed on the pavement

Total area to be used for tables and chairs *(in square metres)*

Proposed hours and days of use of the pavement

Will customers be allowed to smoke in the approved area?

Yes

No

If the area will be smoke free, please describe what steps you will take to ensure your customers do not smoke in the area?

Is alcohol to be supplied/served/consumed in an approved area?		Yes	No
* Note: you can only serve alcohol in the area if it is covered by an alcohol licence. If you already hold an alcohol licence you will need to apply to have the pavement area added to your licence.			
Describe the furniture you will use in the outdoor area			
Are you intending to have any other furniture in the area? (eg heater, planters)		Yes	No
Will the area be covered? eg by marquee or similar		Yes	No
<b>Tables</b> Dimensions (WxHxD): Material:	<b>Planters</b> Dimensions (WxHxD): Material:		
<b>Chairs:</b> Dimensions (WxHxD): Material:	<b>Other</b> Dimensions (WxHxD): Material:		

**Supporting Information:** Please provide the following with your application.

A completed application form and application fee.

An aerial scale plan of your premises marked to show the footpath area you wish to use.

Please refer to the guidance page provided. This should include the following:

- The front of your premises with the location of any entrances marked.
- The kerb with measurements from the front of your premises.
- Location of any existing street furniture eg bins, gardens or trees.
- Proposed placement of tables and chairs with measurements.
- Proposed placement of any other temporary furniture eg planters, umbrellas, with measurements of size and height.
- Location of any heating devices and safety features and requirements.
- Location of any veranda covering the site or part of the site.

Photo or product image showing the outdoor furniture you intend on using

Evidence you hold public liability insurance of NZ\$1million for the area you wish to use. This public liability insurance must remain current while the approval is in force. Please note, that your application will not be approved without this.

By signing this application:	
1. I acknowledge I have read and understood the attached conditions for the operation of outdoor seating. If the application is approved, I agree to comply with those conditions.	
2. I confirm that I currently have public liability insurance, with a limit of cover of not less than \$1,000,000 for the premises/ address. I will ensure that this insurance remains in place for the duration of the approval.	
3. I agree to indemnify the Wellington City Council against any liability arising from the use of the pavement by the applicant, or the Applicant's agents, contractors, invitees, or customers, outside of the above premises.	
4. <i>If you have selected smoke free</i> I understand that it is my responsibility to ensure the area remains smoke free and that if smoking is observed in the area I will be charged lease fees for the use of the area.	
Signature	Date
Applicant's name (please print clearly)	

**Questions? Please contact us.**

In person: Wellington City Council service desks at:  
Johnsonville Library, 34 Moorefield Road, 10am-5pm, Monday to Friday  
Te Awe Library, 29 Brandon Street, 8am-5pm, Monday to Friday

Email: [publichealthenquiries@wcc.govt.nz](mailto:publichealthenquiries@wcc.govt.nz)

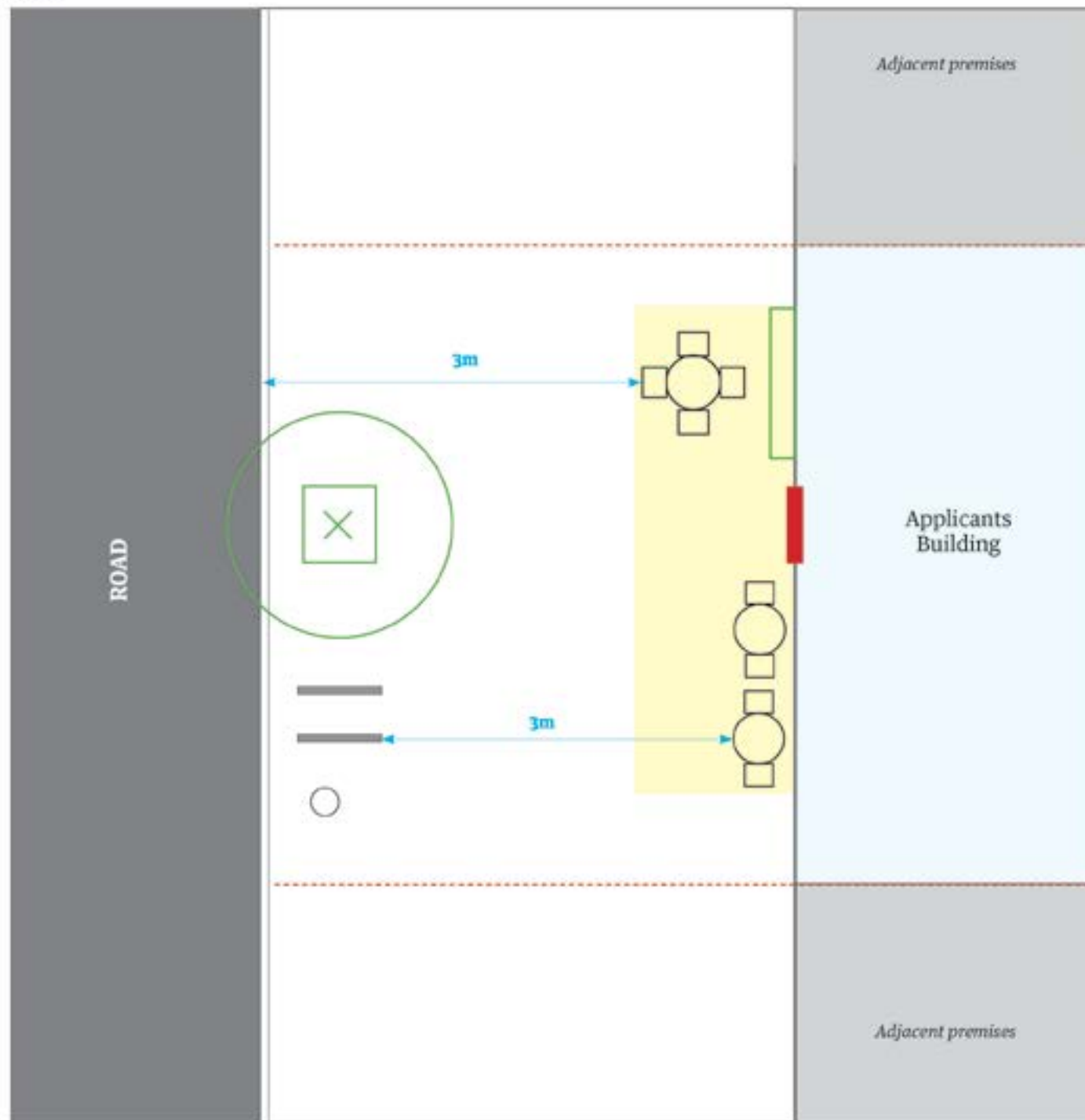
Phone: (04) 499 4444

**Conditions:**

The following conditions will apply if your application is approved.

1. For outdoor seating, the Pavement Permission and approved site plan must be displayed in the licensed area, or in the business's window, so that it is visible at all times and able to be easily read by persons outside.
2. Tables and chairs are to be high quality, durable, waterproof and weather resistant, designed for outdoor use, be well maintained and must comply with NZS4121.
3. The outdoor seating area will not interfere with safe and efficient pedestrian movement and the minimum unobstructed footpath width as outlined in the Policy and Pavement permission is maintained.
4. The outdoor seating area must allow for unobstructed access to and from the premises.
5. The layout and orientation of furniture in the proposed seating area must allow for at least 0.8m to the adjacent kerb line to ensure safety of patrons (this is the area between the seating and kerb line).
6. Adequate space is to be provided within the area to allow for easy movement and chair use.
7. Sandwich boards used for advertising are not permitted in outdoor seating areas.
8. All temporary obstructions, including seating, tables, umbrellas and heating devices must be removed from the footpath outside of the business trading hours and stored away from the public area.
9. The pavement permission holder is responsible for ensuring that patrons keep the outdoor seating within the approved boundaries of the outdoor seating area.
10. Temporary barriers in outdoor seating areas must have separate approval by Council. They are to be located within the approved outdoor seating area.
11. The pavement permission holder is required to clean the approved seating area including tables, chairs and the immediate footpath surrounds. Ashtrays or other suitable devices must be provided and maintained.
12. The maximum number of tables and chairs specified above may not be exceeded. No other item, structure or object whatsoever may be placed on the footpath without the prior written permission of the Council.
13. Tables are only permitted to be located within the area marked in yellow on the photograph and map attached to your permission. Up to a maximum of ..... chairs may be placed around each table, OR up to a maximum of .....tables and ..... chairs may be placed within the designated area. All other footpath areas are to be kept clear at all times.
14. The area for which permission is granted may not be used outside of the permitted hours of use specified above. All tables and chairs are to be removed and the footpath kept clear outside of the permitted hours of use, unless otherwise approved in writing.
15. The pavement permission holder must keep the area covered by the permission, and the adjoining footpath, street channels and drains, clean from litter (including cigarette butts) and spillages at all times.
16. This pavement permission does not give the pavement permission holder a right of uninterrupted use of the area covered by the permission. There may be interruptions to the permission holder's use from road works or other activities on nearby road. Council may require all tables and chairs to be removed at any time (including during the permitted hours of use) to allow road works or other activities to occur. Council will not be liable for any loss of business or other costs caused by any interruption in the permission holder's use of the area covered by the permission regardless of the cause of the interruption or its duration.
17. All liquor licensing and health requirements are to be observed. Any instructions given by Police or Council Officers are to be complied with immediately.
18. Compliance with these conditions does not relieve the permission holder of the obligation to comply with any other conditions or requirements relating to use of the footpath (e.g. as part of a building consent, resource consent or other Council requirement).
19. Council may withdraw this pavement permission on one (1) month's notice in writing to the permission holder at the address given above.
20. This permission is given solely to the permission holder named above. It may not be transferred or assigned to anyone else. Any change of ownership of the permission holder's business will require the new owner(s) to seek a new permission.
21. Council reserves the right to withdraw the permission at any time without notice.
22. Unless withdrawn earlier by the Council, this permission expires at midnight on the expiry date set out in the Pavement Permission. If the permission holder wants to continue to use the relevant footpath area after the expiry date a new permission should be sought prior to the expiry date.
23. The area covered by this permission may not be used for live entertainment and speakers and / or amplifiers may not be placed or used in or on the area. The holder of this permission is reminded of his / her obligation not to exceed the prescribed noise emission levels in the Wellington City District Plan and of the obligation under section 16 of the Resource Management Act 1991 to ensure that the emission of noise does not exceed reasonable levels.
24. The holder of the pavement permission must comply with any liquor management plan provided with the application at all times when the outside area is used.
25. The holder of the pavement permission must hold current public liability insurance, in all respects satisfactory to the Council, with a limit of cover of not less than NZ\$1 million for the duration of the Pavement Permission. Where the holders public liability insurance expires prior to the expiry date set out in the Pavement Permission the holder must, prior to expiry of the public liability insurance, provide Council with evidence of renewal of the public liability insurance on no less favourable terms, to a date after the expiry of the Pavement Permission.

# Plan



## Key

- Premises boundary line
- == Bike racks
- Street pole
- ⊗ Street tree (may have tree guard)
- Outdoor seating area sqm
- Premises entry
- Proposed table and chairs
- Proposed planter

*Note: A key is not necessary as long as items are clearly identified or named*