



# APPLICATION FOR STREET FURNITURE PERMIT

## LOCAL LAW PART9 DIVISION 9.2

*Street furniture includes: Tables, Chairs, Portable Wind Barriers / Umbrellas, Advertising Signs / Flags and Goods For Sale on Footpaths or Nature Strips*

### Business / Organisation Details:

Property Address (Location of Items): \_\_\_\_\_

Trading Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

### Street Furniture Details:

- Tables** – Number and Size \_\_\_\_\_
- Chairs** – Number per table and size \_\_\_\_\_
- Portable Wind Barriers** – Type, size and number: \_\_\_\_\_
- Umbrellas** – Type, size and number: \_\_\_\_\_
- Signage** – Type and size \_\_\_\_\_
- Goods** - Type of goods for sale \_\_\_\_\_
- Map of site** – Please attach a scaled plan of your premises showing the location and proposed arrangement of the items you have listed above.
- Timings** – Monday to Friday -----to----- Saturday -----to-----  
Sunday -----to-----

### Public Liability Insurance

Council has obtained public risk insurance on behalf of property owners who obtain footpath permits from the Council with the premium being incorporated in the annual charge. This replaces previous requirements that specific wording referring to Council be incorporated and supplied on a certificate of currency.

1. The policy excess fee is currently \$250 excess (Subject to change upon renewal of Council's insurance policy).
2. In the event of a claim being made as a result of the street furniture, goods for sale and or signs, the permit holder accepts full responsibility for the payment of the excess fee.
3. Failure to comply with the conditions on the reverse of this application will result in the permit being revoked.

- Please attach a copy of your Certificate of Currency for Public Liability Insurance.**

### Permit Validity

Street Furniture Permits are valid for 3 years.

## **General Permit Guidelines**

In deciding whether to grant a permit for placement of outdoor furniture under Clause 920 to 923 inclusive, Local Law No.2 of 2014, Division 9.2, the Council may consider-

- (a) where the furniture/goods/signs and flags will be displayed outside the applicant's premises;
- (b) whether the furniture/goods/signs and flags may be of such material, layout or construction, or in such a position which could be hazardous to pedestrians;
- (c) whether persons who may be liable for injury caused by the placing of the eating facilities are insured against that risk;
- (d) whether the applicant has provided a written indemnification of Council against liability arising from activities authorized by the permit or the Council has undertaken to provide this indemnity itself; and
- (e) any other relevant matter.

## **Permit Conditions**

- (a) The tables, chairs, portable wind barriers, umbrellas, flags, signs or goods shall be placed in the position designated in the approval;
- (b) Approval will be reviewed at regular intervals, and any breach of conditions will result in the immediate withdrawal of approval;
- (c) A 2.0metre trafficable width for pedestrians shall be available at all times;
- (d) The number of tables, chairs, portable wind barriers, umbrellas, flags, signs or goods permitted will be determined by the Council and will only be permitted outside the commercial premises of the applicant;
- (e) Tables, chairs, goods, flags and signs shall not be permitted within 2.0metres of the front building line;
- (f) Tables, Chairs, portable wind barriers, umbrellas, flags, goods or signs must be suitably constructed and weighted to withstand windy conditions;
- (g) All tables, chairs, portable wind barriers, umbrellas, flags, goods or signs must be made unserviceable in a location approved by Council or alternatively completely removed from the area by 10.30pm;
- (h) All items which are not, by the direction of the Council, required to be secured must be removed at the close of day's business;
- (i) The tables, chairs, portable wind barriers, umbrellas, flags, goods or signs on the footpath must not be placed so as to restrict pedestrian travel, particularly from car parking/disabled parking bays and general parking ;
- (j) The size of any sign shall not exceed 1.1metres high and 0.9metres wide.
- (k) The permit holder must provide an ash tray per setting or other approved device.
- (l) The permit holder must clean up any small items of litter, cigarette butts, etc. from the permitted area at the close of each day's business;
- (m) The permit holder shall be responsible to keep the permitted paved footpath surface area clean from stains, grime, etc. at all times to the satisfaction of Council.
- (n) The permitted area for the placement of tables, chairs, goods, flags and signs shall be clearly delineated on the footpath at all times;
- (o) The permit holder shall ensure at all time that the tables, chairs, goods, flags and signs are kept within the permitted area;
- (p) A permit is not transferable on sale of a business;
- (q) In the event of a claim being made as a result of the tables and chairs the permit holder is responsible for the payment of the \$250.00 excess;

- (r) Permit holders must be in possession of the Permit at all times whilst the permitted activity is being conducted;
- (s) Subject to conditions (a) to (r) the permit shall expire on \_\_\_\_\_

**Other Information**

- (a) Items other than those approved under this policy, must be removed or they may be confiscated by Council.

**STATEMENT BY APPLICANT**

I have read the conditions pertaining to this application and if the permit is granted, I agree to abide by those conditions.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

**ATTACHMENT CHECKLIST**

- \$180 fee (*Please note there is no GST liability on this permit*)
- Map of site with proposed arrangement of street furniture
- Copy of Certificate of Currency for Public Liability Insurance

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**OFFICE USE ONLY**

**Date Received:** \_\_\_\_\_ **Receipt Number:** \_\_\_\_\_

**Local Laws Officer Comments:**

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**Recommendation:** Grant Permit / Refuse Permit    **Date:** \_\_\_\_\_

**Authorised Officer:** \_\_\_\_\_

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