

Hindmarsh Shire Council is responsible for ensuring roads, footpaths and public areas within the town precinct are safe for use by pedestrian traffic. Through the Permit Application process, Council is able to assess safety aspects of proposed Street Furniture and ensure placement complies with Local Laws and other relevant legislation.

Street Furniture includes moveable signs, goods or items displayed, advertising flags, wind barriers and tables and chairs within a road reserve or on a footpath or on public land.

What you must do:

Lodge an Application for Street Furniture Permit with Council. The application must include:

- A completed Application Form (this form)
- A Certificate of Currency of Public Liability Insurance Policy with a minimum cover of \$20 million. The Certificate can be obtained by contacting your insurance provider and must be renewed annually and cover all proposed footpath furniture. Please note a tax invoice, a schedule of insurance or any other similar document is not a Certificate of Currency.
- A detailed Site Plan showing the proposed location of the street furniture, relative and dimensioned to all buildings (incl. openings), structures, permanent fixtures and infrastructure, footpath, kerb, car parking and pedestrian zones

Pay the lodgement fee of \$150.00:

- A lodgement fee of \$150.00 will be invoiced to the permit applicant at the time the application is registered with Council (usually within one week of lodgement). Payment of the fee is required prior to the issuing/receipt of the Permit.

Note:

- Permits are valid for a period of three (3) years.
- On expiry of the Permit, it is the responsibility of the Permit holder to ensure a new Application for Street Furniture Permit is lodged with Council.
- Permit holder(s) will be responsible for the currency of their Public Liability Insurance for the duration of the Permit. Failure to keep current Public Liability Insurance will instantly render the Permit as invalid.
- Council may request evidence of your Public Liability Insurance at any time during the Permit period.

Areas marked with a red asterisk (*) must be filled out.

Applicant Details*:

Business/Organisation/Individual Name:

Business/Organisation/Individual Address:

Trading Hours (days and times):

Contact Person Name:

Phone Number:

Email:

Street Furniture*:

No.	Item	Description
	Tables	
	Chairs	
	Portable Wind Barriers	
	Advertising Flags	
	Moveable signage	
	Goods/Items displayed	
	Other	

General Permit Guidelines

In deciding whether to grant a Permit for placement of Street Furniture, Hindmarsh Shire Council may consider-

- compliance with *Disability Discrimination Act 1992* requirements (the preferred offset from the building line is 2m, or 1.8m depending upon the width of the footpath)
- that furniture does not obstruct clear access to shop fronts, buildings, structures or emergency services infrastructure
- if it considers loading zone requirements and unloading points
- if it is setback sufficiently from the back of kerb to minimize the potential for vehicle damage due to reversing, unloading and overhang (typically 800mm or no less than 600mm)
- that it does not clutter or hinder access to other streetscape or park features (eg Way Finding signage, interpretive signage)
- that it avoids conflicts or issues with other uses or functions of the street or park
- that it is easily accessible so that it effectively performs the function that it is intended for
- the number of items such as tables and chairs are consistent with demand (eg the amount of pedestrian traffic, the proximity to other facilities or the frequency of use)
- if it considers social and interactive behavior patterns
- that it groups furniture together that have related functions where the furniture/goods/signs/flags will be displayed outside the applicant's premises
- whether the furniture/goods/signs/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 that Council has undertaken to provide this indemnity itself
- (e) any other matter that Council considers relevant

Collection Notice

We will handle any personal information you have provided in this form in accordance with the *Privacy and Data Protection Act 2014*. Your information will be stored in Council's Records Management System and used to identify you when communicating with Council and for the delivery of services and information. Our privacy policy contains information about how you may access your personal information and seek correction of such information; as well as how to complain about a breach of the Australian Privacy Principles and how we will deal with such a complaint. For more information, please see our [Privacy Policy](#) or contact our team on (03) 5391 4444. Your personal information will not be disclosed to any other party unless Council is required to do so by law, has gained your consent to do so or an information privacy principle exemption applies.

Statement of Indemnity

The applicant or authorised representative, in signing this application form, agrees to comply with Permit conditions & guidelines and to indemnify Hindmarsh Shire Council (Council) from and against any loss, damage or expense (including legal costs) arising from any claim, demand, action, suit or proceeding that may be brought by any person against Council in respect of the death or injury of any person or the loss or damage to any property, where such death, injury, loss or damage arises out of or in connection with the owner's actions on any land owned or managed by Council and is caused by the negligent act or omission of the owner or the owner's employee, agent, contractor or client. Provided that the owner shall not be liable for any liability or loss to the extent that such loss or damage is caused by the error, omissions or actions of Council. Where negligence is found to have been contributory, each party shall bear full responsibility in accordance with the party's fault.

Statement by Applicant*

By signing this form, I confirm that I have read and understood the conditions pertaining to this application and if the permit is granted, I agree to abide by those conditions.

Signature*:

Name printed:

Date:

Application Attachment Checklist:

Please attach the following documents in support of this application:

Site Plan
Copy of Certificate of Currency for Public Liability Insurance

Submitting your permit application:

Please return this completed application form and required documentation by:

- **Email:** to info@hindmarsh.vic.gov.au
- **Post:** PO Box 250, NHILL VIC 3418
- **In-person:** at your closest Hindmarsh Shire Council Customer Service Centre