



# Hobsons Bay Fixed Infrastructure Application Form

## Overview

The purpose of the Hobsons Bay Fixed Infrastructure Application Form Guidelines is to enable businesses to apply for the installation of fixed infrastructure in footpaths across Hobsons Bay. The document should be read in conjunction with the Hobsons Bay Fixed Infrastructure Guideline 2023 and Council's Community Local Law which can be found at [www.hobsonsbay.vic.gov.au](http://www.hobsonsbay.vic.gov.au) under Local Laws and sits alongside Hobsons Bay [Footpath Trading Program](#).

Advise when completing the form:

- Where possible, please type responses. If completing the form in writing, please use **BLOCK** letters.
- Proposed Plans **MUST** be submitted with the application form and will **NOT** be assessed without them.
- Please email completed form and relevant documentation (e.g. plans, photos, title, etc) to [business@hobsonsbay.vic.gov.au](mailto:business@hobsonsbay.vic.gov.au)

## Applicant Details

Applicant details	
First Name	Surname
Postal address:	
Street Address:	
Telephone:	Mobile:
Email address:	

## Business Details

Business details (if same as above, state "AS ABOVE")	
Business Name:	
Business Trading Name:	
ABN:	
Property / House No:	
Street Address:	
Suburb:	Post Code:

## Fixed Infrastructure Request

Please select which type of fixed infrastructure you require:

- Lock-in-devices (sockets and sleeves)
- Fixed Screens
- Lighting

## Description of the proposal

Please provide a short description of the proposal in the box below (100 words max.) Please outline why you wish to install the fixed furniture and specify its type, quantity, and proposed location. Ensure you provide all documentation as outlined in the supporting documentation checklist.

### Description of the proposal

## Supporting Documentation Checklist

**Please attach all documents to support your application**

- A site plan showing the outdoor area layout with the location of the proposed fixed infrastructure to be installed to ensure no overlap with neighbouring businesses or pedestrians (appendix B)
- The installation contractor's insurance certificate of currency
- The applicant's public liability insurance certificate of currency
- Photos and manufacturer's specifications of the design of the fixed infrastructure (appendix D)
- Other documents in support of your application (please specify):

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## Fee Summary

The construction and maintenance of the fixed infrastructure is the responsibility of the Applicant. Fixed infrastructure fees for the 2022/23 financial year includes an application fee, renewal fee and a make-good bond and are outlined in the following table.

Fee Type	Glass Screens	Lighting	Lock-in-devices (sockets and sleeves)
Fixed Infrastructure Permit Application Fee*	\$250 (one off)		
Fixed Infrastructure Annual Renewal Fee**	\$275 (annual)	\$218 (annual)	\$50 per socket (annual)
Make Good Bond*** Refundable at termination of The Permit	\$1,000	\$500	\$500
* Non-refundable **The Fixed Infrastructure Annual Renewal Fee is subject to change per financial year. *** See appendix D for further information			

## Applicant Declaration

### I confirm and declare that:

- I have read and understood the relevant conditions and wish to apply in accordance with these conditions
- all activities will comply with relevant legislation, Hobsons Bay City Councils Local Laws and all conditions of approval
- all information provided is true and correct
- I understand it may be an offence under relevant legislation to provide false or misleading information and that permit misuse may be referred to Victoria Police for investigation
- I acknowledge application fees are not refundable, unless required by law.
- I acknowledge that it is the property owner or lease holders' responsibility to repair any damage to fixed infrastructure assets. Any damages to Council property will be repaired by the Council at the permit holder's

Applicant Name: .....

Applicant Signature: .....

Date: .....

## Next Steps

Please email completed form and relevant documentation (e.g., completed application form, site plan, design, and photo of proposed fixed infrastructure assets) to [business@hobsonsabay.vic.gov.au](mailto:business@hobsonsabay.vic.gov.au).

A council officer will review your application as soon as possible. Any missing information will be requested by you.

If successful, an invoice for the amount will be raised and a temporary fixed infrastructure permit will be issued.

## Appendix A – Fixed Infrastructure Design criteria and Specifications

### Fixed Screens

**Objective:** *To enable the installation of high-quality fixed screens that are easily maintained and align with or improve the amenity of the streetscape.*

#### Considerations

- Screens should not adversely affect the openness and streetscape of the area or the heritage character of heritage precincts
- Glass screens are the preferred material, rather than steel fences or other non-transparent structures, to enable openness and minimise amenity impacts
- Council is unlikely to permit glass screens where they create a cluster of continuous glass screens along the footpath
- Council encourages innovative and quality design for fixed glass screens.
- To avoid cluttering the street, glass screens are to be simple in design and should appear as a decorative element
- The use of 1200 – 1500 mm high screens is recommended
- Screens in heritage precincts will be subject to additional considerations to ensure impacts on the heritage significance of the precinct are considered, and will be assessed on a case-by-case basis, and may require input from Council's heritage advisor
- The design and construction of glass screens should conform to the specifications below.

#### Specifications

- Laminated glass must be used for glass screens with a minimum thickness of 10.38mm in accordance with standard safety requirements specified under building regulations.
- Poles must be 48mm diameter extruded aluminium and finished in clear anodised aluminium.
- A base should be constructed of aluminium.
- Poles that support glass screens must be fixed into the ground with an approved socket.
- A gap of 100mm is required from the ground to the base of the glass panel.
- No other structure can be attached to the glass screens at any time.

#### Placement and Storage

- Screens are not permitted between the building line and the edge of the outdoor area.
- The side of the outdoor trading area facing the building should remain open.
- A clearance is required between neighbouring outdoor café boundaries, where furniture such as screens are fixed in place. A minimum of 375mm clearance is required from the boundary of each outdoor café giving a total of 750mm.
- A 1500mm break must be provided in the centre of an outdoor café that has a total length of 12 metres or greater.
- If an applicant wants to install glass screens next to an existing business with glass screens, and the total screen length exceeds 12 metres, that applicant is required to reduce the length of the screens by 1500mm.
- At no time can screens extend beyond the property boundary.
- Glass screens must be semi-fixed to the pavement via a socket or sleeve system

- Glass screens are generally not required to be removed from the public place at the end of permit trading hours.
- No other structures can be attached to the glass screens at any time.

### Approvals

- Details of screens must be provided on the plans submitted with an application.
- Glass screens must be certified by a structural engineer particularly in relation to fixing and impact loads (comparable to AS 1170.1 balustrading).

### Lighting

**Objective:** *To provide guidance for the installation of high quality temporary lighting within outdoor trading areas.*

#### Considerations:

If an outdoor area is deemed suitable for electrical lighting, the following criteria must be met:

- the existing power supply is to be checked to ensure it has sufficient capacity.
- the electrical installation is to be undertaken by a qualified electrician and a certificate of electrical safety is to be provided.
- lighting must be metered.
- lighting installation must be approved by local power provider.

#### Specifications:

The selected lighting will need to comply with the following requirements:

- The lighting used will need to be water and dust proof to a rating of IP65.
- The lighting is not permitted to cast focused light upwards.
- No lighting is permitted to be present in, or attached to, trees.
- The illuminance of the lighting is not allowed to exceed 5 lux.
- The connection between the lighting solution and power outlet is not permitted to be accessible by patrons or other non-authorized personnel.
- When using solar panels to power lights, ensure they are attached to a pole or on top of appropriate furniture that is sturdy and durable, and will not fail under common weather conditions.
- When using lighting with wiring required to be at ground-level, ensure the wiring is buried to a minimum depth of 600mm and is traceable.
- Lighting proposals within a residential area must not significantly impact amenity.

### Lock-in-devices (sockets and sleeves)

**Objective:** *Sockets are compulsory for some furniture items (e.g., umbrellas and fixed screens) some removable screens.*

#### Considerations:

- All lock-in devices must be approved by Council

- If a lock-in device is fitted without prior Council approval and the required specifications are not met, an authorised officer will require that the lock-in device be removed and the footpath be re-instated to its original condition at the traders expense
- All lock-in devices must be maintained and repaired by the current trader using that device
- If a premises changes ownership, and the future operator will not be using the lock-in devices, the current trader will be responsible for re-instating the footpath to its original condition, to the satisfaction of the authorised officer prior to vacating the premises
- The integrity of the footpath is the installer's responsibility and any damage must be reported to Council
- The installer must check for underground services
- The installer must ensure underground services are not damaged during installation
- The permit holder is responsible for the ongoing maintenance and condition of the sockets

**Specifications:**

- Sockets must be made of stainless steel and have an auto shut lid to prevent the lid staying open and creating a hazard on the footpath.
- Sockets must be installed in a concrete slab to ensure that if any footpath rehabilitation is required sockets are not removed.
- For concrete footpaths the concrete slab is to be a saw-cut joint.
- Sockets must be installed flush to the level of the footpath, and no parts should project above footpath level when not in use.
- Sockets must be installed in accordance with manufacturer's specifications.

## Appendix B: Fixed Infrastructure Site Plan Requirements

A drawn site plan must be submitted with the fixed infrastructure application and should extend 10m on either side of the business footprint. Photos should be included, clearly showing the proposed fixed infrastructure assets, parking space(s), traffic conditions, location relative to buildings, adjacent properties, driveways, residential dwellings or residential buildings and existing features in the footpath.



## Appendix C - Public Liability Insurance FAQs

### Why do I require public liability insurance?

Having public liability insurance could serve as a safeguard for you or your organisation providing coverage in the event of a claim for compensation or costs due to personal injury or property damage caused by negligence. This insurance is a requirement if you're seeking a permit for activities in municipal public spaces. Your insurer will provide you with a certificate of currency, which we will request when you apply for a permit.

### What are the public liability insurance requirements?

Applications must include a Certificate of Currency for Public Liability insurance to the sum of \$20,000,000 and noting "Hobsons Bay City Council" as an interested party, and commitment to maintaining currency.

Your public liability insurance must also meet all the following requirements:

- The cover is for a value of at least \$20 million for a single claim.
- The person (or company) applying for the permit is named on the certificate as being insured by the policy.
- The insurance is for public and products liability, or general liability.
- The insurance class is relevant to the activities being undertaken.
- Hobsons Bay City Council is named as an interested party for their respective rights and interests under the policy.
- The insurer is based in Australia. If not, they have a local claim management agent that is bound by Australian law.
- The certificate of currency is signed or has the name and contact details of the insurer.

If your certificate doesn't meet the above requirements, your permit may not be issued or renewed.

## Appendix D: Fixed Infrastructure Extension, Change of Ownership or Removal

### Fixed Infrastructure extension

Approved permits will be automatically extended 12 months at the conclusion of the agreed term provided the permit holder:

- Pays the required Fixed Infrastructure Permit Annual Renewal Fee.
- Provides proof of valid public liability insurance for the duration of the new Permit term.
- Has not amended the quantity or type of fixed infrastructure
- Has not received in the preceding 12 months a written warning or infringement notice by Council in relation to the Permit.

### Request to transfer the permit to a new business

The permit holder may request a transfer of the permit to a new business. This involves:

- The current Permit Holder completing a Transfer Parklet Permit Form
- The New Permit Holder signing the agreement and paying the Make Good Bond
- Upon receipt of the New Permit Holder's payment, the current Permit Holder's Make Good Bond will be returned to their nominated bank account.

### Cancel the permit and remove the fixed infrastructure

At the end or earlier termination of a fixed infrastructure permit, the permit holder will be required to 'make good' – removing any fixed infrastructure or equipment and returning the land to its original state.

Upon successful removal of the fixed infrastructure, Council will refund to the permit holder's nominated account the Make Good Refundable Bond.

Failure to 'make good' will result in Council retaining the Make Good Refundable Bond and obtain ownership of the fixed infrastructure. Council then reserves the right to remove the fixed infrastructure.

If the fixed infrastructure is not formally transferred or cancelled Council reserves the right to remove the fixed infrastructure within 14 days of issuing written notice to new business owners.