

# Application for a new permit to occupy a public space (outdoor dining)



City of HOBART

## When to use this form

Use this form if you are **making a NEW application** to occupy a public space within the Hobart municipal area with any of the following:

- tables, chairs, benches and gas heaters (for outdoor dining)
- furnishings and/or infrastructure associated with licenced beverage services such as area barriers
- umbrellas
- other (such as bean bags).

This could include occupying:

- a public space directly outside your business
- a public space that is not directly outside your business premises but is in front of an adjoining property
- another space such as a car parking space, laneway or other public space.

A fee normally applies for occupying a public space. This will depend on the size of the area and the location.

Fees associated with this permit however, have been waived until 30 June 2020.

A permit will only be issued if the safe and convenient access and movement of pedestrians is maintained.

For your application to be considered please provide the supporting documentation listed below:

- a copy of your current public liability insurance in the name of the individual or company making this application, and a confirmation (such as a Cover Note or other communication from your insurer) that this coverage can be extended to include the area proposed for occupation.
- a plan of the proposed area (in relation to the front and side property boundaries of the business or residence) clearly identifying the businesses which adjoin the proposed area. This does not need to be a professional drawing, a sketch of the area to be used, including dimensions, doorways, location of kerbs, light poles and the like will do.
- the written agreement of the occupiers of any premises directly in front of, or adjacent to, the public space proposed to be occupied (once we have received the application, we may need to liaise with other stakeholders in relation to the application).

Describe how this application will support your business' operation, for example:

- provides additional space for queuing (for takeaways, waiting for a table/service etc).
- provides additional seating for service.
- helps achieve compliance with physical distancing requirements for passing pedestrians and customers (e.g. your COVIDSafe plan).

Any permit granted for **areas not directly in front your business premises** will be reviewed at the end of September 2020, or as determined by the General Manager.

Applications for **new** outdoor dining areas in the Sullivans Cove Planning Area will require a planning permit. For information about the planning scheme please visit the [City's website](#). For information about applying for a planning permit please visit the [City's website](#).

For further information on applying to occupy a public space please visit the [City's website](#) or contact the Executive Manager City Placemaking, Philip Holliday on 03 6238 2589 or [hollidayp@hobartcity.com.au](mailto:hollidayp@hobartcity.com.au) <mailto:hollidayp@hobartcity.com.au>.

Issued under Part 2 Division 1 Clause 6 of the Public Spaces by-law 2018.

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## Applicant details

**Are you applying as an individual or a company? (Select 1 option)** Required

- individual
- company

Complete this field if you selected 'individual ' in *Applicant details: Are you applying as an individual or a company?*

**First name** Required

Complete this field if you selected 'individual ' in *Applicant details: Are you applying as an individual or a company?*

**Last name** Required

Complete this field if you selected 'company ' in *Applicant details: Are you applying as an individual or a company?*

**Company name** Required

**Business trading name** Required

Complete this field if you selected 'company ' in *Applicant details: Are you applying as an individual or a company?*

**ABN/ACN** Required

(please note your ABN / ACN must match the company name provided)

**Email address** Required

**Telephone number** Required

**Street address** Required

**Is this your postal address? (Select 1 option)** Required

- yes  
 no

Complete this field if you selected 'no' in *Applicant details: Is this your postal address?*

**Postal address** Required

Complete this field if you selected 'individual ' in *Applicant details: Are you applying as an individual or a company?*

**Are you the contact person? (Select 1 option)** Required

- yes  
 no

Complete this field if you selected 'yes' in *Applicant details: Are you the contact person?*

**Preferred contact method (Select 1 option)** Required

- email
- telephone
- Australia Post

Complete this section if you:

- selected 'no' in *Applicant details: Are you the contact person?*

Or if you:

- selected 'company' in *Applicant details: Are you applying as an individual or a company?*

## Contact person details

**First name** Required

**Last name** Required

**Email address** Required

**Telephone number** Required

**Street address** Required

**Is this your postal address? (Select 1 option)** Required

- yes
- no

Complete this field if you selected 'no' in *Contact person details: Is this your postal address?*

**Postal address** Required

**Preferred contact method (Select 1 option)** Required

- email
- telephone
- Australia Post

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## Application details

**What space are you applying for? (Select 1 or more options)** Required

- occupy public space directly outside your business.
- occupy public space that is not directly outside your business, but is in front of an adjoining property.
- occupy another space such as a car parking space, laneway or other public space.

**What are you seeking permission to install? (Select 1 or more options)** Required

- tables, chairs, benches and gas heaters (for outdoor dining).
- furnishings and/or infrastructure associated with licenced beverage service, such as area barriers.
- umbrellas.
- other (such as bean bags).

## Detail of occupancy

**Please provide a description of what you would like to do** Required

**Start date** Required

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**End date (if there is no end date leave blank)**

Note: Any permit granted **for areas not directly in front of your business** will be reviewed at the end of September 2020, or as determined by the General Manager.

**Time(s) required** Required

## Location

**Street number (or other location e.g. Princes Park)** Required

**Street name** Required

**Suburb** Required

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## Supporting documentation

As part of your application please make sure you have attached your supporting documentation as required below.

**Copy of Public liability insurance**



Please attach all files to the end of this form before submitting it.

### A plan of the proposed area (in relation to the front and side property boundaries of the business or residence)



Please attach all files to the end of this form before submitting it.

## Indemnity and declaration

### Indemnity statement

a. If a permit is issued by the Council as requested by this application then the applicant is responsible for and indemnifies and will keep Council and each of Council's officers, employees, agents and contractors (Indemnified Persons) indemnified in respect of any claim, demand, action, damage, loss, liability, cost, charge, expense, outgoing or payment which Council or any of the Indemnified Persons pay, suffer, incur or are liable for as a consequence of or arising directly or indirectly from any or all of the following:

- (i) any breach or failure to comply with the conditions of the permit by the applicant and/or the applicant's employees, agents, contractors or invitees;
- (ii) any unlawful, wilful or negligent act or omission of the applicant and/or the applicant's employees, contractors, agents or invitees;
- (iii) any event, circumstance, matter or thing being at any time found to be other than as warranted or represented by the applicant, whether in the application, the permit or otherwise.

b. By making this application, the applicant is offering to be bound by this indemnity and this may be relied upon by the Council as a binding agreement if a permit is granted.

c. This agreement to indemnify does not merge on the expiry or cancellation of the permit, and the applicant will remain bound by the indemnity after the permit has expired or has been cancelled.

### Declaration

#### I have attached the following documents as part of my application: (Select 1 or more options)

- copy of public liability insurance.
- a plan of the proposed area (in relation to the front and side property boundaries of the business or residence) including identifying any businesses which adjoin the proposed area.
- agreement of the owner and/or occupier of any premises directly in front of, or adjacent to, the public space proposed to be occupied.
- details of how physical distancing will be complied with.

#### In making this application: (Select 1 or more options)

- I declare that the information and attachments I have provided are true and correct and I agree to comply with all clauses of the indemnity statement outlined above. **Required**
- I agree that by typing my name below I have signed this application. **Required**

Complete this field if you selected 'company' in *Applicant details: Are you applying as an individual or a company?*

#### (Select 1 or more options)

- I am duly authorised to sign on behalf of the company or business named as the applicant. **Required**

**Name of signatory** Required

**Date** Required

(submitting online? Use the calendar icon on the right to select the date)

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For information on how Council manages, handles and protects personal information it collects please refer to the [Privacy Statement and Policy](#).

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*End of form*

*Don't forget to attach all files before submitting this form*