



Street Furniture

1. Intent of Policy

The placement of furniture on Council streets requires the approval of Council (Section 68 Local Government Act, 1993).

The intent of this policy is to establish guidelines and principles for businesses and individuals to address in the placement of furniture on Council streets through an application that will facilitate an ambience into the street environment and will reasonably minimize risk by addressing potential safety hazards.

2. Scope of Policy

The policy applies to all tables, chairs, umbrellas, plant containers, advertising signs or other equipment placed on a council road reserve (which includes a footpath).

Under the provisions of the Roads Act, 1993 an approval to place street furniture in Oberon Street, or other classified roads also requires the concurrence of the Roads and Traffic Authority (Section 138). Oberon Council will request this concurrence during its determination of the application.

This policy does not permit the sale and display of goods from the footpath.

Relevant Statutory Requirements specific to this policy;
Local Government Act, 1993
Roads Act, 1993

Relevant Council Policies specific to this policy
1113 - Risk Management Policy

3. Guidelines

Street Furniture

Street Furniture is to be sturdy, durable and of a colour and design that does not detract from the aesthetics of the street environment. Generally street furniture is required to be located on the footpath within the property frontage and within 1.8 metres from the front boundary of the property. Council will consider variations to these requirements based on the merits of the individual case.

Umbrellas may contain advertising provided it does not detract from the aesthetics of the street environment. They must have a base that will reasonably limit the risk of injury to people and damage to property and motor vehicles.

Plant containers cannot be larger than 800 mm in diameter or height and of a colour and design that does not detract from the aesthetics of the street environment. Plant containers are required to be located immediately adjacent to the front boundary of the property.

Advertising signs are to be limited to a maximum size of 1000 mm x 750 mm wide.

General

Corner properties are only permitted one frontage for the placement of street furniture.

Under no circumstances is street furniture permitted to be located in Council garden beds.

Street furniture must not obstruct pedestrian traffic or emergency egress from any premises.

Street furniture is to be removed at the end of business on each day.

Public Liability Insurance

It is the applicant's responsibility to continuously assess the risk associated with their street furniture and to minimise hazards to their lowest reasonable level. If Council is made aware of an unreasonable risk it may order the removal of the furniture.

The applicant will be required to provide a copy of a current certificate of public liability insurance with their application for approval. This insurance should be to the value of at least five million dollars (\$5,000,000). The interests of the Council are required to be noted on the Public Liability Policy as joint insured in respect of liability arising out of the use of the footpath for the placement of street furniture.

The applicant must maintain a current policy while ever the street furniture is placed on Council's Road Reserve (including footpaths).

Applications

An application, pursuant to Section 68 of the Local Government Act, 1993 is to be made and approval obtained prior to any street furniture being placed upon the footpath.

The Director of Development will be responsible for ensuring that the application form is designed to reveal sufficient information for the lodgement of an application.

Approving Authority	Oberon Council
Contact	Director of Development
Approval	Ordinary Meeting – 11 November 2008: Item B3, Minute 14
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