

BOROUGH OF QUEENSCLIFFE

APPLICATION FOR PERMISSION TO PLACE GOODS FOR DISPLAY ON THE FOOTPATH

Name of Applicant:

(Individual Only)(Not a Business Name)

Address of Applicant:

Name of

Business: _____

Address of

Business: _____

Type of

Business: _____

Business Phone No: _____

Public Liability Insurance Policy

Before this application will be considered by Council, a Certificate of Currency for a public liability insurance policy must be provided. It must clearly state that:

1. The policy covers liability for the death or injury to any person or damage to any property, arising out of the activity/display authorised by the permit;
2. Council is named as an 'interested party' on the policy;
3. The policy contains a 'cross liability' clause between Council and the applicant;
4. The amount of cover is at least \$10 million Indemnity Clause

Indemnity Clause

The applicant agrees to indemnify and keep indemnified, and to hold harmless the Council, its servants and agents, and each of them from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against them, or any of them, arising out of the activities authorised by the permit.

Privacy Note : Council collects personal information to fulfil its statutory obligations, and to ensure that it can provide services to you. In some instances Council cannot provide some of its services unless you provide us with necessary information. Council will only use personal information for the purposes for which it was collected. Council staff are happy to discuss your privacy queries, however if you require further assistance you should contact our Privacy Officer on 5258 1377.

TYPE OF PERMIT REQUIRED

REQUIREMENTS APPLYING TO PLACING GOODS FOR DISPLAY.

TYPE OF PERMIT REQUIRED (Please tick box)
(a separate form is required for each individual permit)

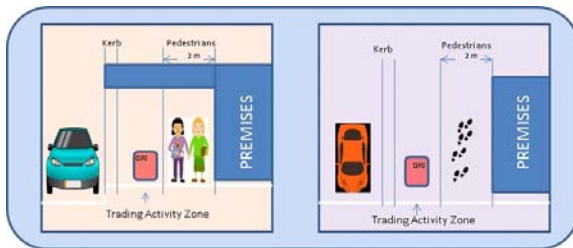
Display Goods

Fee \$108.50

Type of Display to be placed:

Number of Display items (E.g. 1 x rack)

(Draw a plan in the space provided below showing the location of your display. The plan must show the other street furniture and the width of the footpath.)

	 <p>Example – Requirements for placing of Display Items (Goods for DISPLAY)</p>
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I have read and fully understood Council’s Policy and Conditions relating to the placement of display, and/or street furniture.

I understand that my permit may be revoked by Council for any breach of these conditions. (If signing on behalf of a Company, indicate position/authority).

SIGNATURE OF APPLICANT: _____

(If signing on behalf of Company, indicate position/authority)

DATE OF APPLICATION: _____

Office use only

PART 2 – REQUIREMENTS APPLYING TO FOOTPATH DISPLAY ITEMS .

1. OBJECTIVES

The objectives of this Part of the Policies and Procedures Manual are to:

- (a) To regulate the placing of display items on road reservations.
- (b) To minimise public risk, obstruction to the public and visual clutter.
- (c) To encourage thoughtful use of items in a way that adds to the character of the area.
- (d) To ensure the items take account of the heritage and urban character of the area.
- (e) To comply with any relevant guidelines such as streetscape or heritage guidelines.

2. CONTROLS

- (1) This policy relates to matters out of or applying to clause 14 of General Local Law 2021.
- (2) This policy directs officers authorized to consider applications for a permit under the provision of clause 14 of the Local Law.

3. DEFINITIONS

Display Items	means any placement of any item used to display goods On the footpath.
Footpath	includes every path, lane or other place within the Municipal district habitually used by pedestrians
Road	has the same meaning as 'Road' in the Act and means any road in the municipal district for which the Council has responsibility under the Road Management Act 2004.

4. APPLICATION

A permit to place any display item on any road will not be granted unless the provisions of this policy are complied with.

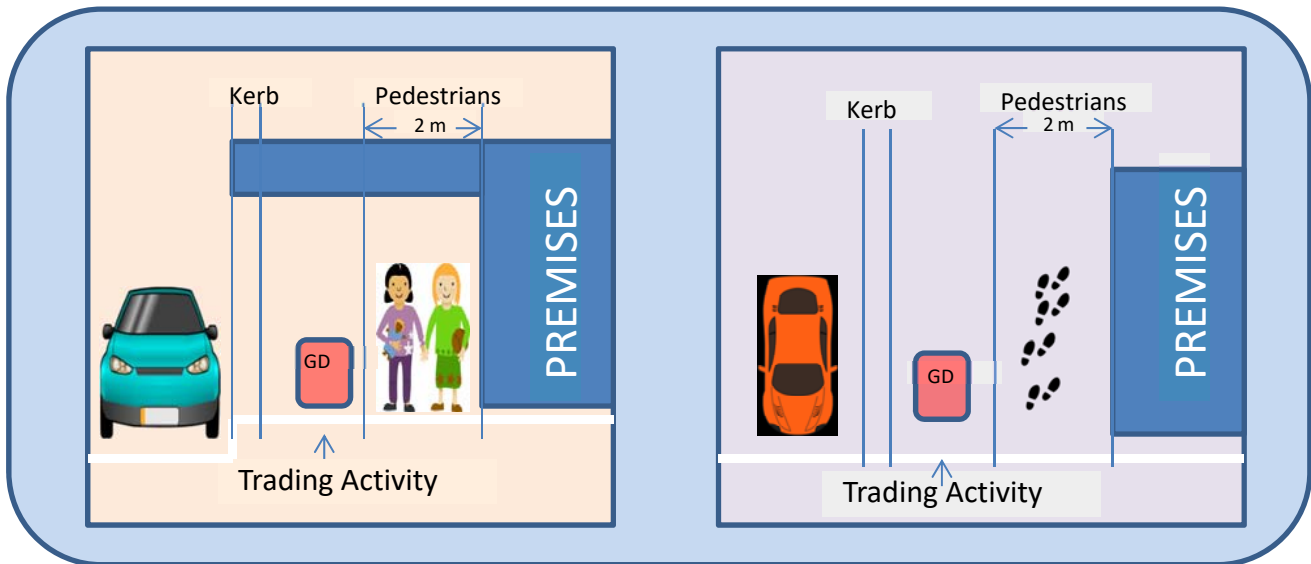
5. INFORMATION TO BE SUBMITTED

An application for a permit must contain the following information:

- (a) Location and size of area to be occupied (may only be placed kerb side of footpath)
- (b) building line (no obstructions to be placed along building line)
- (c) kerb (area in close proximity to which display items may be placed)
- (d) existing street furniture, fixtures and fittings
- (e) width of footpath
- (f) information to be contained on sign, such as text, colour
- (g) style of furniture
- (h) demonstrate the proposal complies with Heritage or Urban Character values of the area.

7. RESTRICTIONS

- (1) No item may be affixed to any sign, rubbish container or other fixture controlled or owned by the Council (Council fixture), without Council's prior approval.
- (2) No items or goods may be placed in such a way as to interfere with or otherwise obstruct the use of any Council fixture or item of furniture.
- (3) Items or goods may only be placed outside a business operated by the applicant.
- (4) Items or goods may only be placed on land contained within a Mixed Use Zone or Business 1 Zone as defined in the Queenscliffe Planning Scheme, except where the property has frontage to the Bellarine Highway.
- (5) Sufficient space must be maintained at all times to allow safe and unobstructed pedestrian movement from the roadway onto the footpath and vice versa.
(2 metre's clear space from building line should be observed)
- (6) Any display items must be maintained in good order and appearance otherwise an authorised officer may direct its removal.



9. PLANNING REQUIREMENTS

Erection of permanent advertising signage may also require planning approval. Applicants should consult with the Planning Department of Council.

10. INSURANCE/INDEMNITY

An authorised officer will not grant a permit unless the applicant:

- (a) is the holder of an acceptable and current public liability insurance policy of at least \$10 million; and
- (b) that Council is named as an "interested party" and that the policy contains a "cross liability" clause between Council and the applicant.

11. QUANTITY

Will depend on available space outside applicants premises.

13. PROHIBITIONS

- (1) No items may be placed on any carriageway, driveway crossover, footpath or emergency vehicle access way.
- (2) No items may be placed in such a way as to restrict the line of travel to and from disabled parking bays or loading zones.
- (3) No items may be located within 1 meter of an intersection or pedestrian crossover.

14. DURATION OF PERMIT

- (1) A permit remains valid from the date of issue until the next 1 July.
- (2) A permit applied for after 1 January in each year will only be required to pay 50 per cent of the full permit fee.
- (3) Upon expiry of a permit the relevant items must be removed unless a new permit has been issued.

15. FEES

- (1) A \$107.50 permit application fee applies. Other charges, as determined by Council, may apply. (fees are subject to change and should be checked by the applicant prior to submitting an application)
- (2) Council may, at its discretion, reduce or waive fees for signs associated with community activities, service clubs or the like.
- (3) The permit application fee is due at the time of applying for a permit and display items must not be placed until this fee has been paid and the permit issued.

16. PERMIT REVOCATIONS

The Council reserves the right to withdraw its approval to the granting of a permit, to cancel or not renew any permit granted or to alter or modify the conditions of approval of any permit, at any time, if it so thinks fit. Such a withdrawal, cancellation, alteration or modification could be made necessary by changes in pedestrian volumes and other matters affecting the use of the footpath. Prior to any withdrawal, cancellation, alteration or modification, Council must provide the permit holder with an opportunity to comment on Council's proposed actions.

17. AMENITY

- (1) An authorised officer may reject an application if it is likely to cause detriment to the amenity of the area.

18. HOURS

Display items must be removed when the premises is not open to the public.

19. COLOUR

- (2) Fluorescent and iridescent colours are not permitted.

20. PERMIT TRANSFERS

(1) Permits may be transferred where there is a change in the ownership of a business.

(2) In the event of any change in the ownership of the business, the Council must be notified immediately of the name(s) of the new proprietor(s).

Display items placed at incorrect locations may be impounded by Local Law Enforcement officers.

Impounded display items may be reclaimed on the first occasion on payment of an impound fee.