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WILLOUGHBY CITY COUNCIL

## APPLICATION FOR FOOTWAY MERCHANDISE DISPLAY PERMIT

APPLICATION FOR:  Merchandise Display on a footway\*

\*Please note: Merchandise Displays are not permitted within the Chatswood Mall area.

### SITE AND BUSINESS DETAILS

Name of business \_\_\_\_\_ ABN \_\_\_\_\_

Address of business (including shop number) \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Contact phone number/s \_\_\_\_\_ Email Address \_\_\_\_\_

Development Consent number (for existing businesses) \_\_\_\_\_

Proposed duration of the Permit \_\_\_\_\_

### INSURANCE DETAILS (A certificate of currency for this insurance MUST be attached to this application)

Name of insurance company \_\_\_\_\_ Policy number \_\_\_\_\_

Period of insurance from: \_\_\_\_\_ to: \_\_\_\_\_

Limit of indemnity (at least \$20,000,000) \_\_\_\_\_

Name of policy holder \_\_\_\_\_

### INDEMNITY CLAUSE

I (name of applicant) \_\_\_\_\_ (referred to hereafter as the Permit Holder) holds Willoughby City Council (referred to hereafter as Council) harmless, and releases and indemnifies and keeps released and indemnified from and against all actions, suits, claims, demands, costs, charges and expenses from which Council, its servants, agents or employees may be held liable in respect of any loss, damage, accident or injury whatsoever nature or kind and however sustained or occasioned and whether to property or persons in the connection with the use of this public area and any work connected therewith pursuant to the Permit but exceeding such liability arising from any negligent act, default or omission on the part of Council, its servants, agents or employees either solely or contribution hereto.

Signed \_\_\_\_\_ Date \_\_\_\_\_

### FEES Payable on lodgement

Application fee \$ \_\_\_\_\_

Annual rental is charged per square metre/per annum, GST inclusive.

Fees and charges are available on [www.willoughby.nsw.gov.au](http://www.willoughby.nsw.gov.au) or by phoning (02) 9777 1000 for details.

Office Use Only: Application no. \_\_\_\_\_ Amount \$ \_\_\_\_\_ Receipt no. \_\_\_\_\_ Date \_\_\_\_\_

NOTE: A copy of the approved Permit must be kept on site to be viewed by Council Officers on request. Council Officers can request the temporary removal of structures if the applicant has not complied with Council policies, if the structure poses a threat to public safety, or in the event of a public event occurring.

# CHECKLIST FOR FOOTWAY MERCHANDISE DISPLAY



REFERENCE: Footway Merchandise Policy, Willoughby City Council

All applications MUST satisfy the following parameters:

- Merchandise displays will not be permissible within the Chatswood Mall area or on the footpath in Victoria Ave, Chatswood between Anderson and Bertram Sts, and in Archer St 50m north of Victoria Ave, and in Anderson St 50m south of Victoria Ave.
- The applicant must consult the Footway Merchandise Policy before making an application.
- All premises in commercial zones abutting footpaths over 3m in width may apply for a Merchandise Display Permit to be located directly outside the premises on the footpath (see Policy for exceptions).
- A clear distance of 2m is to be maintained between merchandise and the kerbline or any other street furniture, on the footpath or plaza.
- The permit area is not to exceed 20% of the total footway area between the property boundaries and the kerbline.
- If the operation of the merchandise display is found to cause undue inconvenience or disruption to pedestrian circulation or to the adjoining business premises, or cause danger to pedestrians, or maintained in an untidy state, Council may terminate the permit.
- When the merchandise display is not in use, the permit area shall be made available to the public for normal pedestrian use.
- No permanent structures will be permitted to be erected on public footways for the purpose of merchandise displays as part of this policy.
- Temporary structures will be permitted for the display of merchandise on public footways provided:
  - they do not exceed 1.5m in height, measured from the surface of the footway to the highest point of the structure
  - they are stable and do not provide a risk to public safety
  - they are removed from the permit area at the end of normal business hours.
- All structures and operations of the merchandise display shall remain within the permit area at all times.
- The Permit Holder shall not allow amplified music to be played or spruiking by use of microphone or similar equipment within the permit area.
- No entertainment shall be permitted within the permit area without the consent of the Council's General Manager.
- Hours of operation shall be restricted to the normal business hours of the premises.
- Merchandise on display must be kept clear of all required fire exits of the premises or of adjoining premises.

- The Permit Holder shall maintain the permit area in a clean and tidy condition, free of any litter, rubbish or disfigurement.
- Any rubbish which is collected from the land must be disposed of inside the premises. Public bins must not be used for this purpose.

The following information is required to be submitted with the application.

- Site plan drawn to a scale of 1:50 (A4 size) showing the following details:
  - From the edge of the kerb, the full width of the footpath to your shop boundary and extending a least 2 metres to either side of your shop
  - The use of the adjoining buildings/premises and names of those shops
  - The access points of your shop and adjoining premises
  - The proposed layout and positioning of the merchandise display
  - Any trees, planter boxes, post boxes, bus stops, sign posts, rubbish bins, telegraph poles, traffic sign boxes, fixed seating and any other obstructions
- Details of the method to secure the display.
- A plan (1:10 scale) showing the overall measurements of the display.
- Certificate of currency for public liability insurance (minimum \$20,000,000).
- A statement detailing proposed merchandise to be displayed

## INSURANCE AND INDEMNITY

A Merchandise Display Permit shall only be issued when a public liability insurance policy covering the use of the area is held by the permit holder. The minimum public liability insurance indemnity is \$20,000,000. You are required to submit a certificate of currency for your public liability insurance policy which notes Council's interest and extends the insurance cover to the use of the merchandise display.

I (name of applicant)

\_\_\_\_\_

have read and understand the A-frame Signs on Footway Application Form and Checklist and will comply with the conditions of approval.

Signed \_\_\_\_\_ Date \_\_\_\_\_