

FOOTPATH ADVERTISING SIGN/MERCHANDISE DISPLAY PERMIT APPLICATION
Section 126 Roads Act 1993

- Please read this form and supplied information carefully before filling in the application.
- Council will not accept incomplete applications or illegible information.
- Application fee to be paid at time of lodgment
- Advertising signs incur an application fee only per sign
- Merchandising displays incur an application fee and a fee per square metre
- By signing this application the applicant acknowledges that he/she is authorised to act on behalf of the business/company named below.

Section 1 Applicant details	
Name:
Company name:
ABN:
Postal address:
	Suburb State P/Code
Contact Nos:	Mobile: Work Home

Section 2 Trading business details	
Business name:
Street Address:
Suburb:

Section 3 Public liability insurance – A COPY OF YOUR CURRENT INSURANCE MUST BE ATTACHED	

Council requires a copy of your CURRENT Certificate of Currency confirming your public liability insurance to accompany this application. Use the following checklist to ensure the following details are clearly shown on the policy provided:

- the name of the insured;
- the address of the insured property;
- the policy number;
- the insurance period (ie expiry date) of the policy;
- the sum insured for NOT LESS THAN \$20 million; and
- Bathurst Regional Council as an interested party** in respect to footpath obstructions.

If the any of the above information is not provided it may result in the application being delayed or returned.

Section 4 Indemnity – THIS SECTION MUST BE SIGNED AND DATED

Name of applicant:

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

Signature: Date:

Section 5 Hours of service

- Day only** Hours of Trade From am to pm
- Day and evening** Hours of Trade From am to pm
- Weekdays only** Hours of Trade From am to pm
- Weekend only** Hours of Trade From am to pm
- Seven days** Hours of Trade From am to pm

Section 6 Proposed advertising sign/merchandising display area

Advertising Sign

BUSINESS PREMISES ON A CORNER ALLOTMENT ONLY HAVING TWO STREET FRONTAGES MAY APPLY FOR A SECOND SIGN TO BE LOCATED ON THE SECOND STREET FRONTAGE

Please provide photo, illustration and/or a description of the display sign and note the following details of the sign:

Type Size Other

Second Sign

Please provide photo, illustration and/or a description for the second display and note the following details of the sign:

Type Size Other

Advertising signs should be structurally sound and adequately anchored to ensure no movement (eg lockable casters, attached to building etc.)

CONDITIONS

Section 126 of the Roads Act 1993 provides that Council may approve the use of part of the footpath for advertising sign purposes.

Applications for the use of footpaths for advertising signs should be made to Council in the prescribed form together with the application fee shown in Section 8 Permit Fees.

Assessment of permit applications will consider the Guidelines for footpath use as shown below:

1. An application fee, as determined from time to time by Council, is to be paid on lodging this application.
2. Council will give consideration to applications for advertising signs where an unobstructed footway for pedestrians is maintained.
3. Any proposed permit is subject to the following:
 - a) The permit will be based on and in accordance with Council's Policy for footpath occupation.
 - b) Footpath to be cleaned and maintained to Council's satisfaction.
 - c) This application form and the contents of Council's Policy for advertising signs in public areas provide the basis of the permit agreement.
 - d) Council has the right to terminate the permit at any time, with one month's notice.
 - e) The provisions of Local DCP's/LAP's must be considered in designing advertising areas.

As standard conditions, a permit will require:

1. Agreement to and payment of the annual permit fee prior to approval being given.
2. Compliance with the definition of the permit area as outlined in the application form.
3. Compliance with other standardised conditions addressing obligations in terms of maintenance of equipment, off footpath storage, keeping area clean.
4. Acknowledgment that the permit does not confer exclusive rights to or possession of the permit area and the permit area shall be used as a pedestrian access way by members of the public.
5. Compliance with all statutes, regulations by laws or ordinances affecting the use of the permit area in particular, the Companion Animals Act 1998, the Work Health & Safety Act (2011) and indemnification of Council against any failure to comply.
6. Compliance with any notice or orders given from time to time by any authorised Council officer in respect of the use and maintenance of the permit area.
7. Agreement to indemnify Council against all claims in respect of the use of the permit area and keep effected a public liability insurance cover (minimum \$20 million) with an approved insurance company against any demand claim or action in respect of injury, loss or damage to any person or property however sustained arising from the use of the permit area at any time during the term of the permit. Such a policy must be produced at any time on demand.
8. The permit details being displayed in such a way as to be clearly visible to the public.

A new application is to be lodged for change of ownership/lessee or where an increase or decrease of permit area occurs. Fees paid in advance for footpath rental are transferable to new owner(s)/lessee(s). Permit is not transferable.