

Section 1

Civic Centre: 158 Russell Street Correspondence: Private Mail Bag 17 BATHURST NSW 2795 Telephone 02 6333 6111 Facsimile 02 6331 7211 council@bathurst.nsw.gov.au www.bathurst.nsw.gov.au

OFFICE USE ONLY

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

Applicant details

- 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.

Name:				
Company name:				
ABN:				
Postal address:				
r cotar address.				
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		St		e
Contact Nos:	Mobile:	Work	Home	
Section 2	Frading business d	etails		
ъ .				
Business name:				
Street Address:				
Suburb:				
Section 3	Public liability insu	rance - A COPY OF YOUR CU	RRENT INSURANCE MUST BE	ATTACHED
D-5 00 00040/000		Jeans Date: 4 July 2002	Daview Date: 20 luna 2004	Dogg 1 of 4
Ref: 08.00016/038		Issue Date: 1 July 2023	Review Date: 30 June 2024	Page 1 of 4

applica	Council requires a copy of your <u>CURRENT</u> 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 perior	d (ie expiry date) of the p	olicy:				
	•	NOT LESS THAN \$20 m					
		·					
	_		ed party in respect to footpath obstructions.				
If the a	any of the above info	rmation is not provided it	may result in the application being delayed or returned.				
Section	on 4 Indemn	ty – THIS SECTION <u>N</u>	MUST BE SIGNED AND DATED				
Name	of applicant:						
			athurst Regional Council (referred to hereafter as the Council) harmless, and				
			ndemnified, from and against all actions, suits, claims, demands, costs, ts, agents or employees may be held liable in respect of any loss damage,				
			however sustained or occasioned and whether to property or persons in				
			work connected therewith pursuant to this permit but excluding such liability on the part of Council, its servants, agents or employees either solely or in				
	oution thereto	,, -	p				
Signatu	ure:		Date:				
Section	on 5 Hours o	f service					
	Day only	Hours of Trade From	pm				
	Day and evening	Hours of Trade From	pm				
	Weekdays only	Hours of Trade From	pm				
	Weekend only	Hours of Trade From	pm				
_	-		an topiii				
	Seven days	Hours of Trade From	am topm				
	Seven days	Hours of Trade From	am topm				
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Merchandising Display Area					
Please provide photo, illustration or description of the following:					
Details: description, numbers, etc and total area					

- Plastic furniture or furniture which manufacturers specifically states is not for commercial use will not be accepted.
- All furniture and proposed embellishments are to be stored off the footpath when not in use. Please illustrate storage area on the plan.
- Applicant must maintain furniture and replace if required.
- Applicant must comply with conditions of current development consent.
- Applicant must comply with requirements under the Building Code of Australia

Section 7 Plan of proposed permit area - A PLAN MUST BE SUBMITTED

Please check that the following are on the plan to be attached to this application.

- Legible, drawn in ink to a metric scale not less than 1:100 (freehand drawings will not be accepted)
- Show existing shop frontage (doorways, windows, service entries etc) adjoining properties, location of kerb or other definition
 of public area, existing street furniture (trees, bins, bollards, planter box, walls, service pit lids and sign posts).
- Dimensions of the proposed permit area and unobstructed access.
- Illustrate layout of furniture, proposed embellishments and storage areas.

Section 8	Permit fees			
Fees for footpath advertising signs and merchandising displays are payable annually – The rental period is 1 July to 30 June each year .				
For business premises on a corner property with two signs, the fee is applicable to <u>each</u> sign.				
Advertising sign	fee: Number of signs \$127.00 per annum per sign			
Merchandising of	display fee: (excludes A-frame signs) Calculation as below:			
Annual license	fee: \$127.00			
PLUS area per	m2: m2 x \$117.50 per m2 (of footpath area utilised)			
TOTAL:	\$			

The information on this form is being collected to allow Council to process your application and/or carry out its statutory obligations. All information collected will be held by Council and will only be used for the purpose for which it was collected. An individual may view their personal information and may correct any errors.

Fees	OFFICE USE ONLY			
Application Type	Receipt type			<u>Amount</u>
Advertising sign	316	@ \$127.00 per sign		
<u>OR</u>				
Merchandising dis Base permit	<u>splay area</u> 043	m2 @ \$117.50 per m2		
Application	316	\$127.00	\$	127.00
TOTAL MERCHA	NDISE DISPLAY		\$.	
Total Fees Paid:		Receipt No	Date:	

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:

- 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.