

FOOTPATH TRADING PERMIT

Note: Permit applications will be processed within **twenty-one (21) business days** of receipt providing all relevant information is received.

APPLICATION TYPE

New Application Amendment to Existing Permit Renewal of Existing Permit

Existing Permit Number:.....

APPLICANT'S DETAILS

Applicant's Name:

Business Trading Name:

ABN:

Business Address:

Suburb: Post Code:

Telephone: Mobile:

Business: Fax:

Email:

Operating Hours: (Mon-Fri) (Sat-Sun)

PERMIT DETAILS

Type of permit: A Frame Sign Goods Displayed Real Estate Signage

Outdoor Dining Is your establishment Licensed? Y N

Number of Tables Required:

A COPY OF YOUR CURRENT PUBLIC LIABILITY MUST BE ATTACHED/SUBMITTED WITH THIS APPLICATION OR YOUR PERMIT WILL NOT BE GRANTED

DECLARATION

I hereby submit my application for a Footpath Trading Permit and agree to abide by the conditions of Wyndham City's Footpath Trading Policy and Guidelines. I hereby consent to the disclosure of any information and publication of any document or part thereof as may be required by the Mayor, Councillors and staff of Wyndham City with respect to my application. I declare that all of the information contained in my application is true and correct to the best of my knowledge.

INDEMNITY CLAUSE

The applicant agrees to indemnify and keep indemnified Wyndham City (The Council) and its servants and agents and each of them from and against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever which may be brought or made or claimed against them, or any of them, arising out of or in any way related to the granting of this permit and be directly related to the negligent acts, errors or omissions of the Applicant. The Applicant's liability to indemnify the Council shall be reduced proportionately to the extent that any act or omission of the Council, contributed to the loss or liability. The Applicant also agrees to hold harmless the Council, its servants and agents, and each of them from claims resulting from damage, loss, death, or injury whatsoever which may otherwise be brought or made or claimed by the Applicant against the Council, except to the extent that the Principal is negligent.

I/we have read and understand the Footpath Trading Policy and Guidelines and the above indemnity clause and agree to accept responsibility as set out in these documents.

Signature: Date:

Name:

Position/Authority:..... *If acting on behalf of the proprietor*

PRIVACY COLLECTION STATEMENT: Your personal information is being collected by Council for a Footpath Trading Permit. Your information will be stored in Council's Customer Database and used to identify you when communicating with Council and for the delivery of services and information. For further information on how your personal information is handled, visit Council's Privacy Policy at <https://www.wyndham.vic.gov.au/privacy-policy>

| | | |
|---------------------|---|--|
| OFFICE USE ONLY | Approved: <input type="checkbox"/> Y <input type="checkbox"/> N | Permit No: |
| | Furniture Type: | Expiry Date: |
| | GL | Narrative |
| | 1LL Permit No GST | Footpath Trading Permit |
| New Application Fee | | Receipt No: |
| | | Fees do NOT fall within the scope of the GST |

FEES CALCULATE YOUR FEES HERE

New Application Fee **Non Refundable** **\$313.15** **\$** +
Not applicable to amendments/Renewals *Plus additional Annual Fees below*

PLUS Annual Fees: All fees **MUST** be paid pro-rata from the current date until **31 August** (common expiry) **Non Refundable**

| | | | | | | |
|---|----------------------------|-----------------|---------|--------------------------|------------------|------------|
| <input type="checkbox"/> Real Estate Signage | City Wide Permit | \$70.45 / month | x..... | Months | = \$ | + |
| <input type="checkbox"/> A Frame Advertising Signage | 1 sign / premises | \$ 9.15 / month | x..... | Months | = \$ | + |
| <input type="checkbox"/> Goods Displayed | | \$22.15 / month | x..... | Months | = \$ | + |
| <input type="checkbox"/> Tables & Chairs Licensed | Per table | \$26.85 / month | x..... | Months | = \$ | + |
| <input type="checkbox"/> Tables & Chairs Unlicensed | For up to 2 tables | \$ 8.65 / month | x..... | Months | = \$ | + |
| | For every table thereafter | \$15.70 / month | x | additional tables x..... | Months | = \$ |
| <input type="checkbox"/> Screens, Umbrellas, and Heaters | | \$ 0 | | | \$ | + |
| TOTAL | | | | | = \$..... | |

IN PERSON

Payment can be made with cash, cheque/money order, eftpos and credit card in person at:
Civic Centre, 45 Princes Hwy, Werribee.

BY POST

Forward your cheque/money order along with your completed application form and all additions documents to:
Wyndham City Council, PO Box 197, Werribee 3030.

CHEQUES/MONEY ORDERS SHOULD BE MADE PAYABLE TO WYNDHAM CITY COUNCIL AND BE CROSSED WITH NOT NEGOTIABLE. POST DATED CHEQUES WILL NOT BE ACCEPTED

CREDIT CARD

Please complete the credit card authority below and return to Council with your completed application form and all required documents to the above postal address.

PAYMENT AUTHORITY

Card Type: Visa MasterCard *No other card types accepted*

Card Number:

Card Expiry: /

Card Holder's Name:

Address:

Suburb: Post Code:

Telephone: Mobile:

I authorise Wyndham City Council to collect this information for the purpose of processing my payment. It will not be disclosed or used for any other purpose and may be accessed by me upon request.

Signature: Date:

OUTDOOR DINING AREAS

OCCUPYING PUBLIC SPACE IN FRONT OF ADJOINING PREMISES

CONSENT

Consent must be granted where the applicant seeks to occupy a public place, immediately adjacent to the Outdoor Dining Area, consent from the owner/occupier of the adjacent building is required. Should the owner/occupier wish to withdraw their consent, Council must be notified in writing.

I
(owner of adjoining premises)

and/or I
(occupier of adjoining premises)

of the adjoining premises at
(address)

hereby give ongoing consent to
(applicant's name)

of the premises at
(applicant's trading address)

to trade across the front of my premises.

Owner/Occupier Signature:

Date:

FURTHER INFORMATION

NEW APPLICATIONS

New applicants must submit a completed application (including all required information), payment of fees and description/photo's of your furniture type and design; Council will assess the trading operation in accordance with the Footpath Trading Policy and Guidelines.

AMENDMENTS TO AN EXISTING PERMIT

Permit holders must submit an application in writing for any amendment to their existing Permit. Amendments may include changing furniture design, adding furniture or increasing advertising. The council will notify the Permit holder at their earliest convenience of their decision on the amendment.

TRANSFER OF OWNERSHIP

A Footpath Trading Permit applies only to the premises for which it is issued and is not transferable from one premises to another or one proprietor to another. A new owner of a premises with an existing Footpath Trading Permit, must submit a New Application for a new permit for that premises. The previous owner may apply for a **pro-rata refund** of annual fees on their cancelled permit but the application fee is non-refundable.

RENEWAL OF EXISTING PERMIT

Permits are valid from the date of issue for 12 months or until 31 August (common expiry for all Footpath Trading Permits), after which time it is the applicants' responsibility to apply for a renewal no later than 30 days before their current permit expires. If you are applying for a renewal **without alterations**, then the only fees payable are the signage, goods and/or furniture fees. If you are applying for a renewal **with alterations**, (if approved) then the application fee and signage, goods and/or furniture fees are to be paid. Failure to provide all renewal documentation and fees will result in the cancellation of the permit.

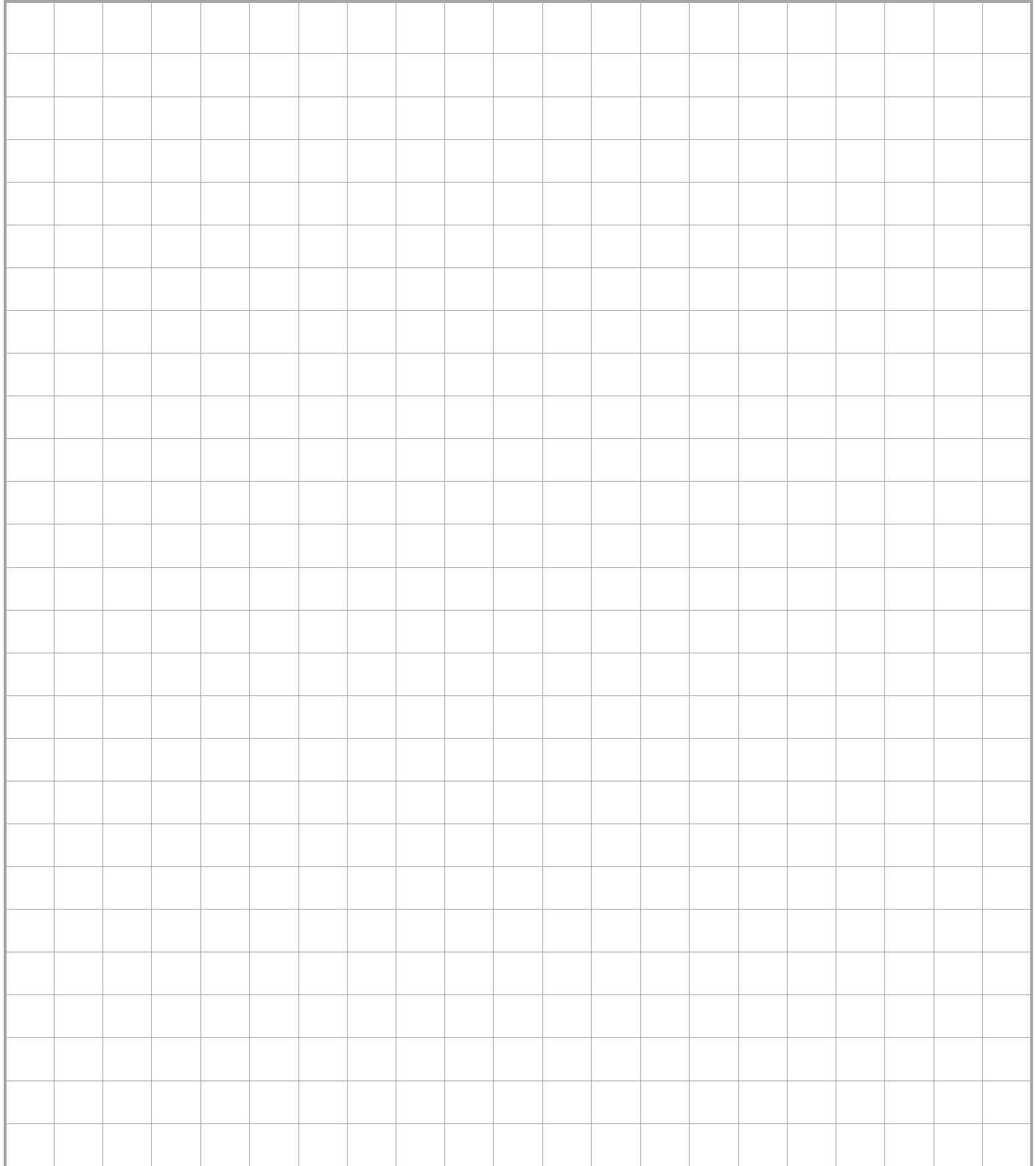
DISPLAY OF PERMIT STICKER

Permit holders must display a current Permit Sticker clearly and legibly on the shop front window. Failing to display the current Permit Sticker is a breach of the Permit Conditions.

NOTE: A FOOTPATH TRADING PERMIT APPLIES ONLY TO THE PREMISES FOR WHICH IT HAS BEEN ISSUED. NO GOODS, SIGNS OR FURNITURE ARE TO BE DISPLAYED OUTSIDE OF THE BUSINESS OPERATING HOURS. NO GOODS, SIGNS OR FURNITURE ARE TO BE DISPLAYED UNTIL YOUR APPLICATION HAS BEEN APPROVED AND A PERMIT STICKER IS DISPLAYED.

SITE PLAN DRAWING

PLEASE PROVIDE A DRAWING OF THE EXISTING AND THE PROPOSED SITE



DRAWINGS SHOULD SHOW THE FOLLOWING MEASUREMENTS:

- Width of the Shop Front
- Width of the Footpath
- Pedestrian, Trading and Kerb Zones
- A Frame Sign Dimensions (H x W)
- Location of the Sign, Furniture or Goods
- Existing Public Infrastructure

APPLICATION PROCESS

REQUIRED DOCUMENTS

Please use the following checklist to ensure you have included all required information

Have you...

- Read and understood Council's Footpath Trading Policy and Guidelines**
It is recommended that you read and familiarise yourself with the Code of Practice so that you understand the design requirements, legal obligations, costs and responsibilities involved in managing Council land.
- Completed application form**
All questions must be completed to ensure prompt processing of your permit application.
- Completed Site Plan of proposed Footpath Trading activity**
Sketch of the site accurately showing the area layout of the proposed footpath activity. This includes the proposed location of chairs, tables, screens, heaters, umbrellas, advertising signs etc
- Provided Details of Furniture**
Colour photographs or detailed design drawings and measurements of proposed furniture to be used including screens, planter boxes, heaters and umbrellas.
- Provided Details of Advertising**
A colour photograph or detailed design drawings of any proposed advertising logo and clear indication of its size and all locations within the Trading Zone.
- Attached a copy of your Public Liability Insurance**
Council requires the policy to be for the amount of **no less than \$10 million** in respect of any single occurrence. Public Liability insurance must remain current and valid for the life of the Permit and a Certificate of Currency must be produced annually at the time of application, at renewal or upon request by an Authorised Officer.
- Completed the Indemnity Clause**
This indemnifies Council against all claims of any kind arising from any negligent act either by the Permit holder or the Permit holder's agents and users.
- Attached a copy of your Liquor Licence**
(If applicable) For licensed outdoor dining areas only.
- Attached a copy of your current Planning Permit**
(If applicable) For outdoor Dining areas only.
- Completed Consent from adjoining premises**
Consent is required from the adjoining premises owner and/or occupiers if the applicant wishes to operate in front of the adjacent property. This permission must be submitted to Council each year and be included in the application.
- Included Payment of the Permit Fees**
Cash, cheque, money order or credit card payment can be utilised for payment of your application fees and must be made at the time of lodgement of your application.

FAILURE TO SUMIT THE REQUIRED INFORMATION MAY RESULT IN DELAYS IN PROCESSING THE APPLICATION OR A REFUSAL OF THE APPLICATION

On receiving your completed application form along with your public liability and payment, Council will:

1. Check that all relevant information has been submitted
2. Check that the footpath trading would be associated with a land use legally established under the Planning and Environment Act 1987
3. Check the application to ensure it meets the intent and requirements of Wyndham City's Local Law and the Footpath Trading Policy and Guidelines and any other relevant legislation
4. Inspect the site and check accuracy of submitted application plans
5. Undertake an assessment of compliance with the Permit conditions
6. Take into consideration any other information that the applicant may wish to provide to Council
7. Approve or refuse the permit application