

# MARIBYRNONG CITY COUNCIL

**2023/2024**

## **Application for Commercial Street Furniture Permit**



**Prepared by the Parking and Local Laws Department**

**Supplementing General Purposes Local Law 2015**



## CONTENTS

What do I get for my money? .....	3
How will my application be assessed? .....	3
Guidelines for Display of Advertising Signs .....	4
Example: Advertising Signs .....	5
Guidelines for the Display of Goods on Footways .....	6
Example: Plans for Goods on Footway .....	7
Guidelines for Outdoor Seating .....	8
Example: Plans for Outdoor Seating .....	10
Renewals .....	11
Enforcement .....	11
Insurance - Public Liability .....	11
Indemnity .....	12
Drawing of footway, and proposed layout of street furniture .....	13
Commercial Street Furniture Application Form .....	14
Check List .....	15

## Contact Details

### Maribyrnong City Council

Postal Address  
PO Box 58, West Footscray, Victoria 3012

Street Address  
Corner Hyde and Napier Streets,  
(61 Napier Street)  
Footscray 3011

Phone: (+613) 9688 0200  
Phone After Hours Emergency: (+613) 9688 0200  
Fax: (+613) 9687 7793  
Email: [email@maribyrnong.vic.gov.au](mailto:email@maribyrnong.vic.gov.au)

TTY (Hearing Impaired): 133677

## What do I get for my money?

When a permit is granted for commercial street furniture, the permit enables the holder to the use of public land for a commercial activity. In most cases they receive added exposure for their businesses in the retail area.

A permit sticker will be issued once the application is approved. The permit sticker must be adhered to the front window of the premises.

## How will my application be assessed?

An Authorised Officer will assess each application on its own merit and will include an inspection of the location where the street furniture will be placed.

From time to time temporary permits may be granted to allow for an application to conform to specific guidelines or requests.

When assessing applications, an Authorised Officer will give particular consideration to the following criteria:

The application must meet the policy conditions and:

- must not negatively impact on the streetscape and appearance of the area;
- must not negatively impact on vehicular traffic flows and safety, including bus and loading zones;
- must not negatively impact on pedestrian movement and safety;
- must not prejudice any proposed road widening, installation of traffic lights, building setback or a Council Planning Policy
- must not damage Council footpath or any Council assets
- must take into account any relevant urban design guidelines and/or health and safety issues.

## Guidelines for Display of Advertising Signs

Permits will be granted under General Purposes Local Law 2015, Part 8, Section 24 for the display of signs on the following conditions:

Businesses displaying the boards must:

- Complete the application form.
- Obtain approval by an Authorised Officer if the business requires more than 1 'A' Board.
- Only standard size boards will be licensed in the Footscray, Yarraville Village, Seddon and West Footscray shopping centres. (See Page 5).
- Forward together with the completed application a current copy of the Public Liability Insurance Policy and certificate of currency of the policy.

***Please note that annual renewal date is 1 July each year.***

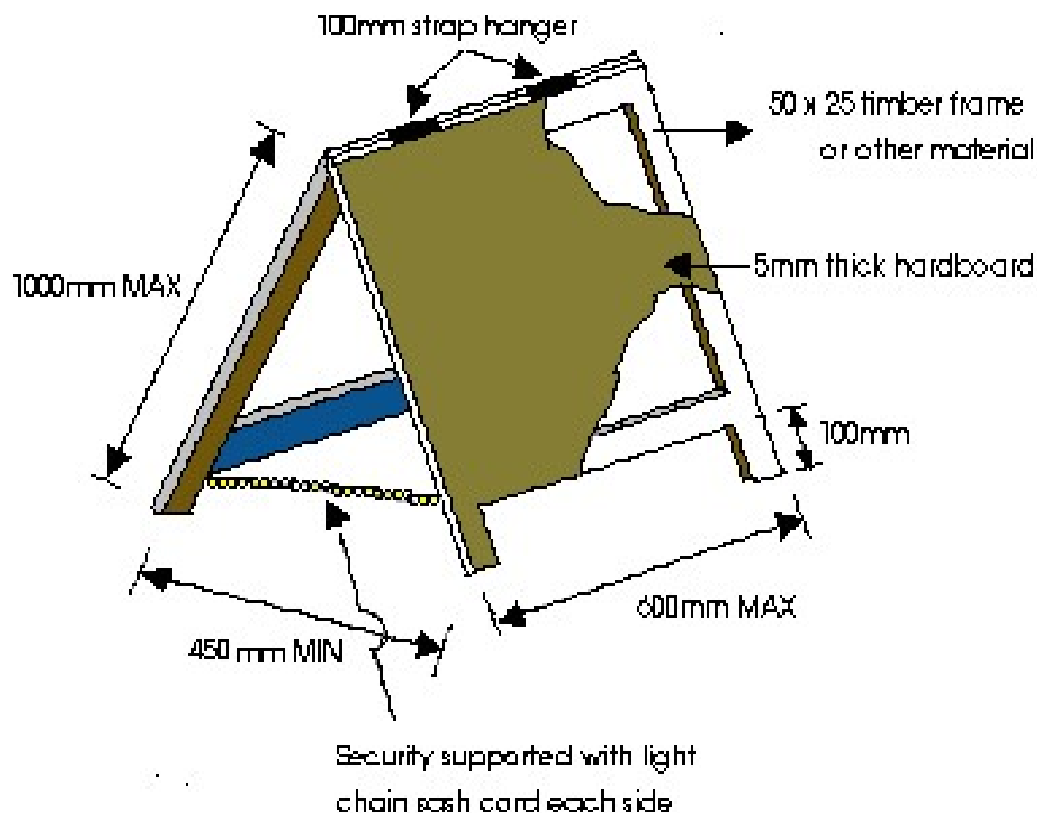
A permit may be granted to place a portable sign, such as an 'A' Board on the footway immediately outside the premises, subject to the following conditions being met:

- A minimum clear footpath width of 1.5 metres from the property line shall be maintained at all times.
- Unless permission is given by an Authorised Officer an 'A' Board must not be located within 600mm of the kerb and channel.
- Unless otherwise permitted, only one 'A' Board per business can be placed on the footpath.
- Unless otherwise permitted the 'A' Board is to be placed directly outside the business's frontage.
- Permission may be sought on special trading promotions such as Mother's day or other similar occasions for temporary locations away from the actual premises where 'A' Board can be located.
- The 'A' Board must be placed where it does not cause any obstruction to either pedestrian or vehicular traffic.
- The 'A' Board must be constructed from quality materials (no hand written signs permitted, menu boards excepted) and weighted sufficiently to avoid causing damage in windy conditions.
- 'A' Boards must not have any sharp, pointed, jagged edges, corners or protrusions.
- 'A' Boards can not be placed on the roadway or plantation, or placed on or affixed to vehicles, poles, seats and litter bins.

## Guidelines for Display of Advertising Signs (Continued)

- Can only be displayed **during** the hours in which business activities are conducted on the property to which it relates, and to be removed at the end of each trading day.
- The regular maximum dimensions of all portable advertising signs should be 1 metre in height, and 0.6 metres in width. Where the business proprietor wishes to have a larger sign, he or she must consult with a Council Officer before the sign is purchased.
- 'A' Boards are to be constructed in accordance with the details shown in the diagram below.
- 'A' Boards must conform with any urban design guidelines which may apply to the local area (i.e.: Yarraville Heritage colours).
- Must not damage Council footpath or any Council asset

## Example: Advertising Signs



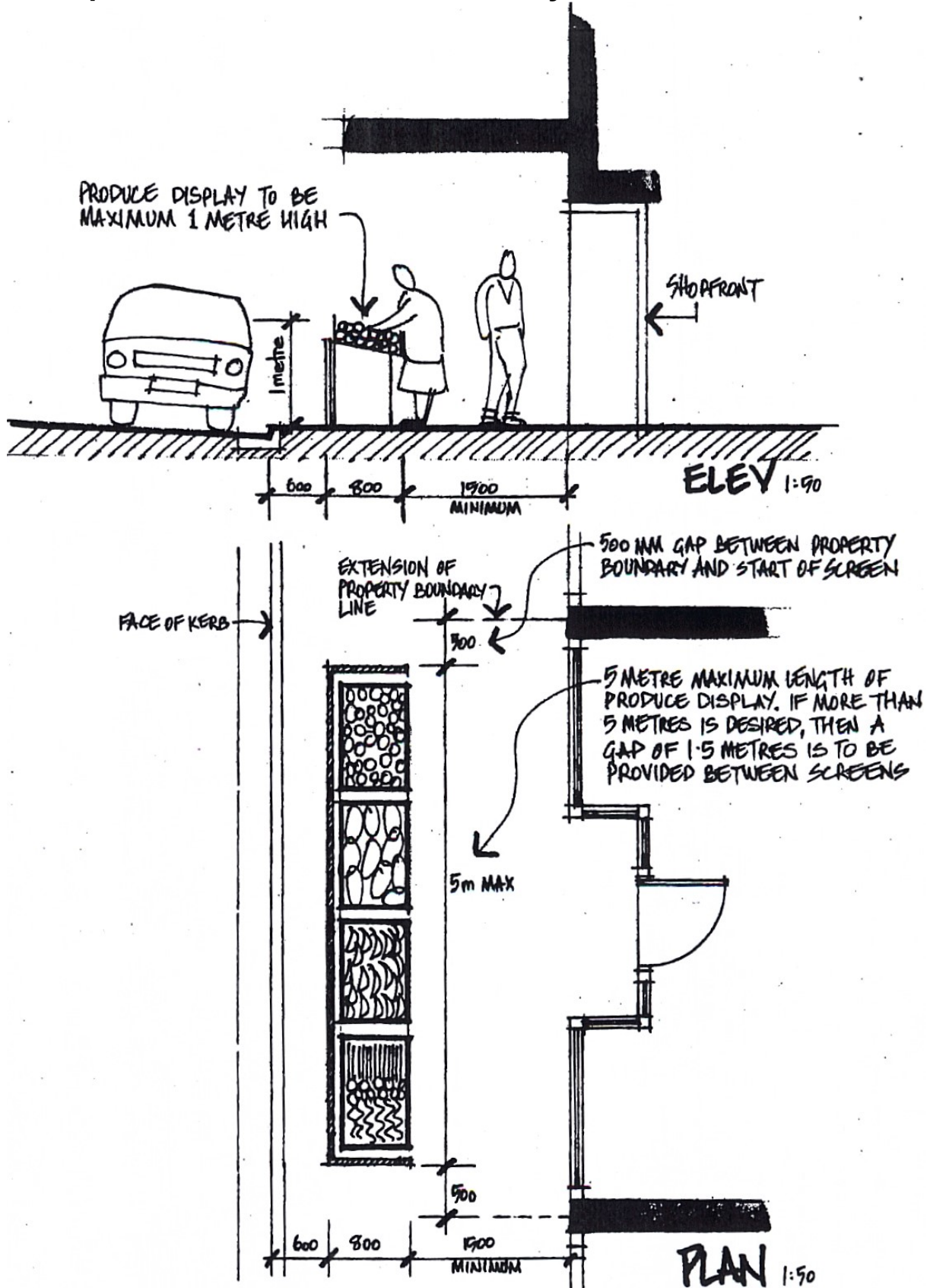
## Guidelines for the Display of Goods on Footways

Permits will be granted under the Local Law for the display of goods, directly in front of corresponding business premises subject to the following conditions:

- At all times a minimum of 1.5 metres of clear footway from the property line must be maintained. In areas of extremely heavy pedestrian use this distance may be increased. An inspection by an Authorised Officer will be necessary prior to the issue of any permit.
- Unless permission is given by an Authorised Officer no goods can be displayed within 600mm of the kerb and channel.
- The display structure is to be maintained in accordance with the submitted plan (on application).
- Maximum height of display to be one metre.
- The maximum continuous length of a display must be no more than 5 meters.
- A detailed plan showing the type of display structure or containers must be provided with the application.
- All food for human consumption to be raised at least 600mm from ground level.
- Premises selling food must supply a copy of their "Registration as a food premises".
- Applications from Traders at Aquatic Drive Highpoint Shopping Centre will be assessed in consultation with centre management.
- Screens may be placed around the goods for added security, but must be within the size limits as specified for screens and kept within the footprint of the Trading zone.
- Display or any items on display must not damage Council footpath or Council assets.
- A Road Opening Permit is required prior to any excavation in the nature strip. This is available over the counter at the Town Hall.
- You must carry out a 'Dial Before You Dig' request prior to any excavation to identify the alignment of any underground services – free service – call 13 11 11.
- Careful excavation by hand only, to a maximum depth of 200mm.
- The umbrella bases are to be flush with the surface level, with the granitic sand surface reinstated and compacted, to the satisfaction of Council.
- Should the Footpath Trading Permit lapse, all installations are to be removed immediately, and the granitic sand surface reinstated to its original condition.



## Example: Plans for Goods on Footway



## Guidelines for Outdoor Seating

A Permit to establish and operate outdoor seating can only be granted in association with a registered food premises so that the food can be prepared and served in accordance with the relevant health regulations.

Permits for the establishment of outdoor seating (kerbside cafes) on streets, roads (including shopping mall) or footways may be granted subject to Council's Local Laws and the following conditions:-

- At least 1.5m of footway clear of obstruction from the property line is maintained at all times for pedestrian movement.
- Unless permission is given by an Authorised Officer outdoor seating must not be placed within 600mm from the kerb and channel.
- A detailed plan showing the type of display structure or containers is required with the application.
- No chair is to be arranged so that its back faces the kerb.
- The area occupied by the tables and chairs is to be confined to the frontage of the premises.
- The tables and chairs shall be displayed only during normal business hours of the related premises and shall be removed from the footway, or shopping mall overnight.
- No food or refreshments shall be prepared, heated or cooked at the outdoor seating.
- The area of the outdoor seating is to be maintained in a clean condition at all times including removal of litter and associated rubbish including cigarette butts.
- Appropriate advertising is permitted on the furniture and equipment used in the kerbside café. No cigarette advertising is permitted.
- Pedestrians using the footway or shopping mall shall not be obstructed by the operation of the outdoor seating.
- Vehicles using the road and parked at the kerbside shall not be obstructed by the operation of the outdoor seating.
- A maximum of four chairs per table will be permitted. Should the footway be narrow, this number may be reduced to two and the table size may also be restricted.
- Benches will not be permitted without written permission from an Authorised Officer.
- The design and placement of the tables, chairs, advertising, and additional furniture such as umbrellas, heaters and pot plants shall be to the satisfaction of an Authorised Officer and shall be maintained in accordance with the permit conditions.



### **Guidelines for Outdoor Seating (continued)**

- Screens/barriers around cafés are required to ensure distances are maintained from the kerb for safety.
- Tables or chairs or any related outdoor item must not damage any Council footpath or Council asset
- Fixed, immovable furniture is prohibited

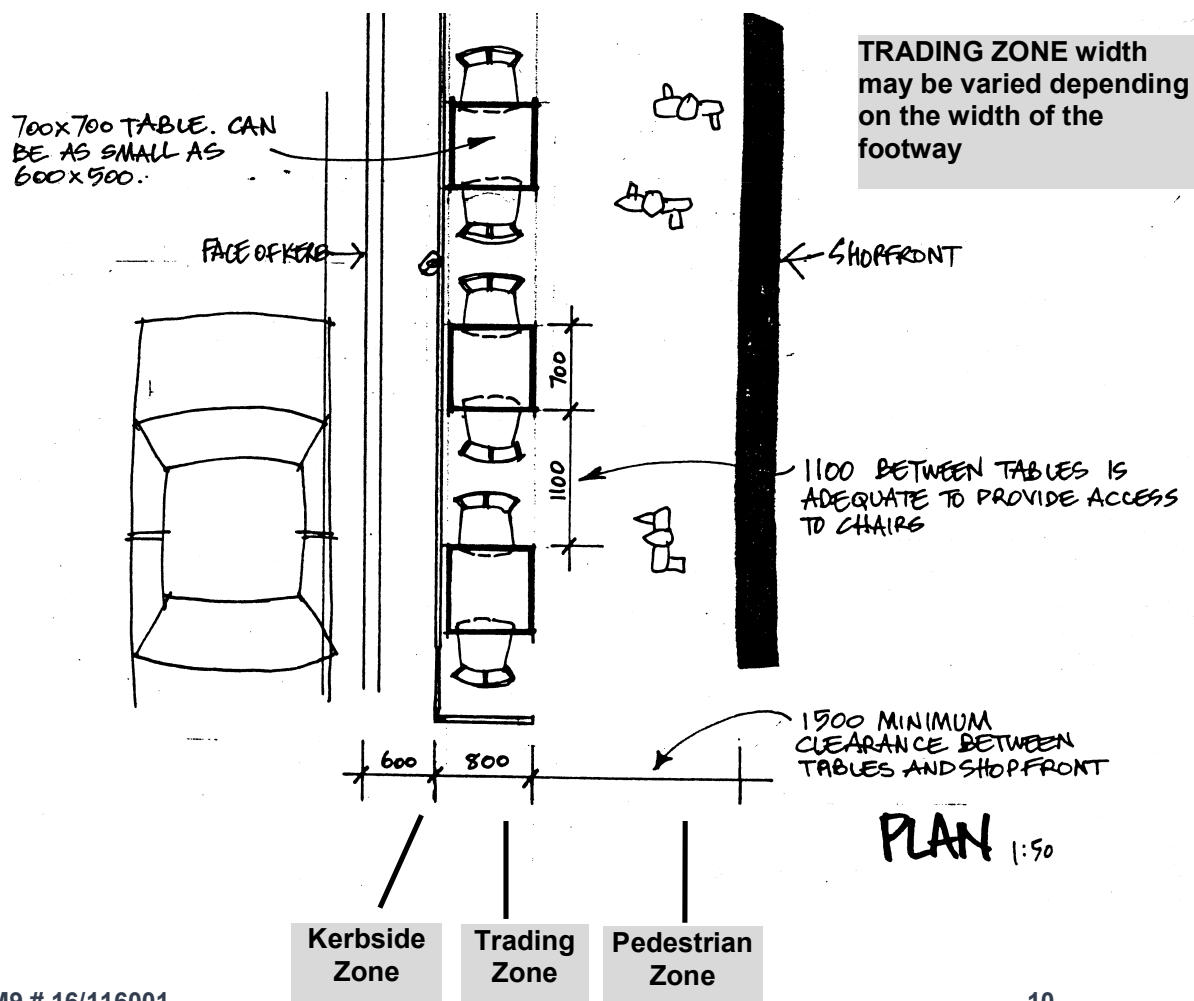
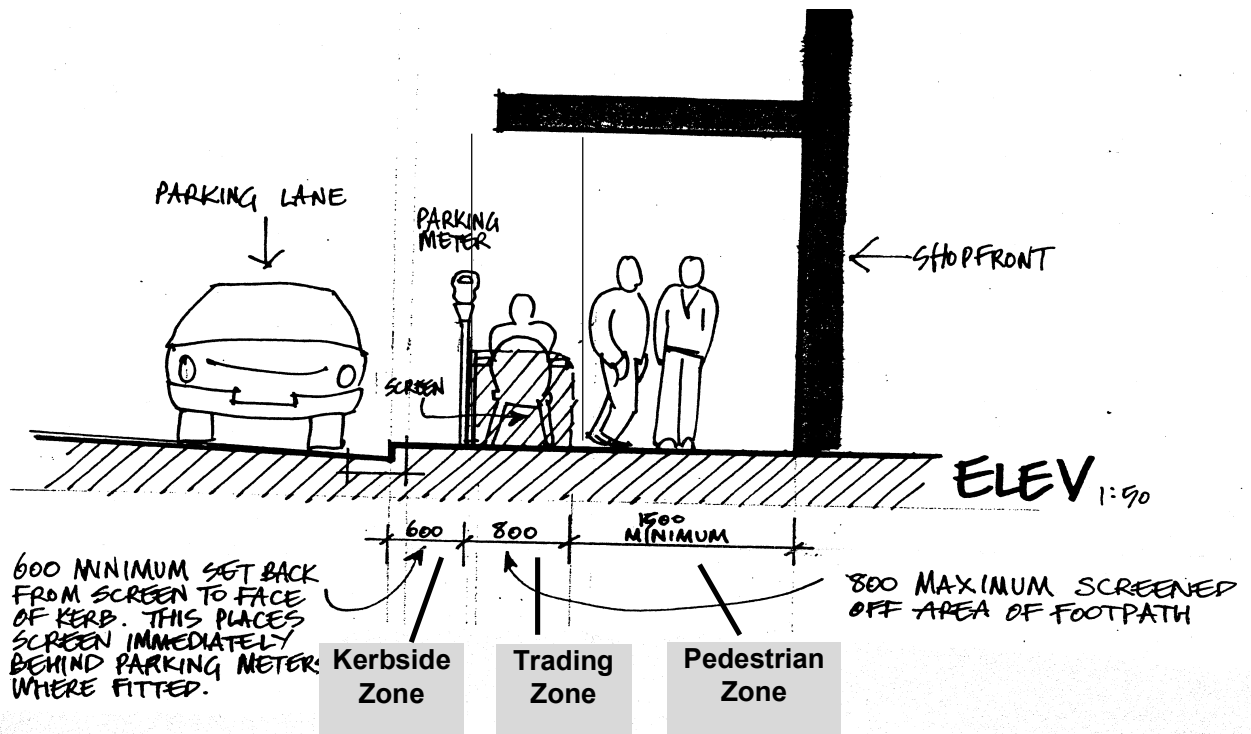
### **A permit will not be issued until:**

1. An Authorised Officer has inspected the location.
2. The applicant has produced a current copy of the Public Liability Insurance Policy Indemnity to Council, this policy must remain valid for the length of the permit.
3. The applicant has produced or an Authorised Officer has sighted a copy of Food Act registration from Councils Environmental Health Services, this policy must remain valid for the length of the permit.
4. The appropriate fee has been paid.

Applications from Traders at Aquatic Drive, Highpoint Shopping Centre will be assessed in consultation with Centre Management.

*Non-compliance with any the above conditions may result in seizure of materials, revocation of the permit and/or fines being issued.*

## Example: Plans for Outdoor Seating



## Renewals

Permit renewal fees must be paid annually by 1 July. Renewal notices will be sent to permit holders.

Renewals are subject to inspection and subsequent approval by an Authorised Officer. An Authorised Officer will consider whether the guidelines have been met, whether the quality of the commercial street furniture, including signs and screens, has been maintained, and if all reasonable requests made by an Authorised Officer have been complied with.

Where Council considers a renewal is not appropriate, permit holders will be notified in writing of the reasons why their permit is not being renewed.

## Enforcement

Council's enforcement philosophy is that a cooperative approach will achieve compliance with the guidelines.

## Insurance - Public Liability

A copy of the business Public Liability Insurance Policy or a Certificate must accompany each application. A minimum amount of 10 million dollars must apply. This policy must remain valid for the length of the permit.

Please contact your insurance company and arrange for the following words under the Public Liability clause:

- ***“Interested Party: Maribyrnong City Council”, or***
- ***“Maribyrnong City Council are noted for their respective rights and interests”.***

The above Public Risk Policy indemnifying the Maribyrnong City Council is to be kept current and may be subject to scrutiny from time to time. Failure to comply automatically invalidates the permit.

## Indemnity

The applicant, by agreeing to the terms and conditions of the application HEREBY RELEASES, DISCHARGES, INDEMNIFIES AND HOLDS HARMLESS the City of Maribyrnong:

From any legal liability whatsoever arising from the participation or use by the applicant and/or any other persons associated with the applicant and in the activity of conducting the business operations at, and/or occupying the demised premises and in all activities in connection therewith;

From any and all loss, damage, expenses, claims, demands, actions and causes whatsoever which might be made or instituted or suffered or incurred or sustained by any person or body for injury, loss or damage arising in any manner from the said participation or use; and

For all loss or damage to any property buildings, equipment or materials of the applicant and/or other persons on or outside the location caused by the applicant and/or any persons associated with the applicant arising in any manner from the said participation or use; and

From any and all loss, damage, injury or illness, including death, sustained or incurred by the applicant and/or any persons associated with the applicant due to the said participation or use.

Name of Applicant .....

Signature .....

Date ..... / ..... / .....

### VIETNAMESE

**Trước khi được cấp giấy phép quý vị phải sắp xếp để đoạn văn trên được trích dẫn trong ' PUBLIC LIABILITY INSURANCE POLICY' của quý vị và nộp một bản cho Hội Đồng Thành Phố.**

## Drawing of footway, and proposed layout of street furniture



## Commercial Street Furniture Application Form

From 1 July 2023 to 30 June 2024

### APPLICANT'S DETAILS

Given Name:

Surname:

Company Name:

Mailing Address:

Telephone :

Mobile:

Facsimile:

Email :

### BUSINESS DETAILS:

Business Name:

Business Address:

Contact Person: (Manager/Owner)

Please indicate the number of items you require in the box

Standard 'A' Board

\$120.00

Small display for each shop front

(Less than one metre in length)

\$195.50

Large Board (>0.7m<sup>2</sup>)

\$180.00

Goods displayed for each shop front

\$340.00

X-Large Board (1.2m<sup>2</sup>-2m<sup>2</sup>)

\$340.00

For each table set (Max 4 Chairs)

\$195.50

### Declaration

*I have read the attached guidelines and understand the conditions of issuing the permit is subject to a site inspection by a Council Officer.*

Print Applicant Name: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

### OFFICE USE ONLY:

Date Application Received: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Date Permit Issued: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Receipt Type: 644

Permit No: \_\_\_\_\_

Total Amount : \_\_\_\_\_

Public Liability Policy Supplied: YES / NO

Public Liability Policy Signed: YES / NO

Approved By

Officers Name: \_\_\_\_\_

Officers Signature: \_\_\_\_\_

## Check List

Is your application form completed with:

- ☐ Applicant name, Position held (Manager/Owner), Home or company address
- ☐ Business name, address
- ☐ Number of signs/Displays/Tables
- ☐ Signature of the applicant
- ☐ A copy of the business's Public Liability Insurance, which must be current, and that the Council is noted on the policy? Must be included with the application  
(See page 11 - Insurance - Public Liability)