

Commercial Activities on Footpaths Policy

Policy No.

This Policy is a tool that will guide and control the use of footpaths for commercial activities, while providing clear guidelines for the assessment and determination of requests for the use of footpaths for commercial activities to ensure continuous, safe and equitable pedestrian access for all.

The objectives of this Policy are to:

- Provide a practical balance between the competing needs and interests of pedestrians and businesses.
- Educate both the wider community and the business community of their respective rights and obligations when using public land.
- Provide access for all consistent with the Disability Discrimination Act 1992 and encourage businesses and Mornington Peninsula Shire to strive for best practice in accessibility.
- Seek to protect pedestrians, motorists and businesses from harm resulting from unsafe layout.
- To acknowledge that the use of public footpaths for commercial activities is a privilege afforded to business operators and not a right.
- Ensure that commercial activities complement the commercial precinct, while still allowing unimpeded pedestrian navigation and flow.
- Provide clarity of the application process for businesses seeking to use footpaths for commercial activities.
- Ensure that all commercial activities on footpaths are compatible with existing streetscapes and street furniture.
- Improve awareness that the concept of “Access for All” embraces the whole community – including disabled persons, elderly, parents with prams, customers with shopping trolleys, delivery/courier services etc.
- Encourage diversity and help promote the Mornington Peninsula’s strip shopping areas as vibrant commercial and community precincts.

This Policy was adopted by Council on 13 October 2008

The primary responsibility for its implementation lies with the Manager of Economic Development.

CORPORATE FRAMEWORK

Vision and Sustainability

This Policy is consistent with Council’s vision for the municipality. Mornington Peninsula Shire is committed to a ‘Sustainable Peninsula’ by achieving outcomes that are environmentally, economically and socially sustainable. The Shire’s Sustainability Framework provides guidance to ensure sustainable outcomes are delivered through Shire policies and strategies.

The Shire values vibrant commercial centres for the enjoyment of residents and visitors. During the summer season the Peninsula population expands by over 60,000 people, who come to enjoy the beaches, countryside and other attractions the Peninsula offers. The use of footpaths for commercial activities accommodates for these growing demands and can be achieved with benefits for the business operators and residents of the Peninsula.

The aim of this Policy is to ensure that the community’s enjoyment of, and access (both to and through) public land is not unduly compromised by the use of footpaths by businesses.

Mission

The Policy's primary role is to facilitate a balance between the use of footpaths for commercial activities and the need to ensure that there is continuous, safe and dignified access provided to all. It will assist Council in undertaking its missions of:

- Engaging with the community, representing the community and governing in a responsive, open and accountable manner.
- Providing sustainable services and infrastructure that respond to the needs of our diverse communities.
- Facilitating a sustainable local economy.

Values

Consistent with the Shire's Values this Policy will assist Council towards:

- sustainability as a guiding principle
- open and effective community consultation
- our diverse communities
- responsible stewardship in managing community assets
- responsiveness to community needs
- just, healthy and efficient outcomes

Key Policy Statement

Through this Policy, Council will ensure that the use of footpaths for commercial activities can occur, provided that there is safe and dignified pedestrian access for all users of public areas.

Some key outcomes of the adopted process will be to minimize community conflict while providing a process that is open and transparent in a manner that is fair to all.

STRATEGY

Strategic Objective 1

To manage the use of commercial activities on the footpath in a fair and equitable manner that maintains safe, continuous and dignified access.

- | | |
|------------|--|
| Action 1.1 | To ensure that relevant approvals are sought and, where appropriate, obtained for existing footpath users. |
| Action 1.2 | To provide a mechanism for new applications for commercial activities on the footpath to be assessed in accordance with this Policy. |
| Action 1.3 | Ensure that all requests and plans for commercial activities on footpaths are assessed in accordance with this Policy. |

Strategic Objective 2

To ensure the wider community, in addition to the business community, are aware of the content and rationale of the Policy.

- | | |
|------------|---|
| Action 2.1 | Provision of information through Peninsula Wide and the Shire's website |
| Action 2.2 | Provision of information through direct contact and correspondence with traders. |
| Action 2.3 | Provision of information through Economic Development activities including Peninsula Prospects, MPBOnline, Business Start-up Kits etc |

Strategic Objective 3

To ensure that the implementation of the Policy is cost neutral to Council.

- Action 3.1 Ensure that sufficient income is generated through issuing of appropriate approvals and supervision of the Policy.
- Action 3.2 Structure the fees and enforcement fines in accordance with this Policy so that they are fair and equitable.
- Action 3.4 If/Where there are funds raised that exceed the amount required to enforce this Policy, the additional funds are directed towards:
- a. Ongoing education
 - b. Assistance with any minor modifications required to improve access to and from the footpath.
 - c. The trader groups of the Mornington Peninsula to assist with local business community projects. This could be enacted through a similar system as the Shire's Community Grants Program or the Community Event Grants.

INDEX

1. Scope	Page 4
2. Definitions & Diagrams	Page 4
3. Technical Papers - Procedure	Page 10
a. Core Provisions	Page 11
b. Hours of Operation	Page 11
c. Moveable Advertising Signs.....	Page 11
d. Display of Goods	Page 12
e. Bulky Goods	Page 12
f. Outdoor Dining Facilities	Page 13
g. Food Safety and Liquor Licences.....	Page 14
h. Screens	Page 14
i. Blinds, Awnings and Umbrellas.....	Page 15
j. Gas Heaters	Page 15
k. Cash Registers and Counter Facilities	Page 15
l. Planter Boxes	Page 15
m. Road Widening and Inset Building Frontages	Page 16
n. Amenity.....	Page 17
o. Obligation to insure and principals indemnity	Page 17
p. Existing Street Furniture	Page 17
q. Markets.....	Page 18
r. Busking and Fundraising	Page 18
s. Permits, Licences and Leases	Page 19
t. Conflicting Uses.....	Page 20
4. Responsibility	Page 21
5. Related Policies.....	Page 21
6. Related Legislation.....	Page 21
7. References.....	Page 21
8. Review	Page 21
9. Process Flow Chart	Page 22
10. Application Form	Page 25

1. **SCOPE**

This Policy applies to all individuals, organisations and businesses who seek to use public footpaths to conduct commercial activities within the following Shopping Precincts:

- Balnarring
- Baxter
- Blairgowrie
- Crib Point
- Dromana
- Flinders
- Hastings
- McCrae
- Mornington
- Mount Eliza
- Mount Martha
- Portsea
- Red Hill South
- Rosebud
- Rosebud South
- Rosebud West
- Rye
- Safety Beach
- Somerville
- Sorrento
- Tyabb

Outside of these commercial districts, the siting of any commercial activity on the footpath must still comply with this Policy, Local Law No. 5 - Streets and Roads (2005), the Mornington Peninsula Planning Scheme and any other related legislation. Fees for the placement of commercial activities on the footpath are only applicable in areas listed above.

Where a liquor licence is being sought or permanent structures being placed on the footpath (regardless of whether or not this is proposed in one of the Shopping Precincts listed above), a licence/lease to occupy the footpath must be obtained along with an associated planning permit.

2. **DEFINITIONS & DIAGRAMS**

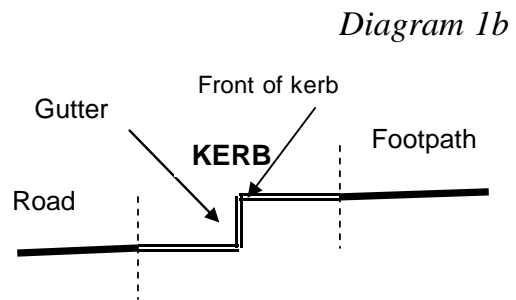
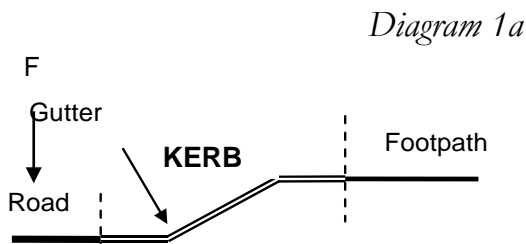
- **Access**
Visually and physically clear path of travel.
- **Bulky Goods**
Any item for display that can not fit one or more of the prescribed sizes of a display of goods unit.
- **Busking**
Provision of any form of entertainment by a person(s) to other persons who are either on a Footpath, Mall, Public Place, Reservation, Reserve or Road and that person is soliciting, inviting or accepting donations or fees.
- **Commercial Activity**
Any activity that is associated with the operation of an abutting business. For the purpose of this Policy it includes (but is not limited to) outdoor dining facilities, A-frames, display of goods, busking, markets. (*Refer Diagram 2*). The term Commercial Activity in this Policy is interchangeable with 'Kerbside Trading', 'Kerbside Activity', or 'Footpath Trading'.
- **Commercial Activity Zone (refer to Diagrams 2-4)**
The area of public land that is located in between the Pedestrian Zone and the Kerbside Zone that may be used for Commercial Activities.
- **Display of Goods**
The offer, display or exposure of any goods, merchandise, wares, article or thing on the footpath. Includes items that could reasonably be considered bulky goods, (see Bulky Goods definition).
- **Footpath**
The area between a property boundary and the nearest kerbside of a road, which is provided for use by pedestrians and not vehicles - includes nature strip, splay corners and entry areas not in private ownership. Where a road is closed for a special event it is deemed to be a footpath and all access considerations come into effect.
- **Fundraising and Community Awareness Activities**
To solicit or receive any money or benefit (including any gain or reward), increase awareness or solicit support.

- **Kerbside Zone (refer to Diagrams 2-4)**

The area of public land that is located between the Commercial Activity Zone and the front of the kerb. This section of the pavement provides a buffer between pedestrians and vehicles, while also giving vehicles on the road sufficient room to manoeuvre, park, and open their doors. The Kerbside Zone must not be used for commercial activities.

- **Kerb**

Concrete edging between footpath and road trafficable surface. May be vertical or at an angle (generally with a 150mm width and 150mm height). May be accompanied by a channel/gutter. (see Diagrams 1a & 1b). For the sake of this Policy the measurement of the Kerbside Zone is taken from the front of the kerb - where it starts to descend (vertically or at an angle) towards the gutter.



- **Lease to occupy land**

An agreement between the Shire (as land manager/land lord) that provides exclusive occupancy to an operator of a commercial activity (the Tenant) for the term of the lease. The Lease may be mortgaged, assigned or transferred to another person with the consent of the Shire. Additional approvals may need to be granted if the use of the land changes.

- **Licence to occupy land**

A contractual agreement between the Shire (as land manager/land lord) and an operator of a commercial activity (the Licensee) to occupy land. This agreement does not provide the Licensee with exclusivity to the licensed area. Licenses can not be assigned, transferred or mortgaged to another party.

- **Movable Advertising Sign**

Any movable board, notice, structure, banner or similar device used on a temporary basis for the purposes of notifying of a sale, soliciting sales or notifying people of the presence of an adjacent property where goods and services may be obtained, including menu boards. The term 'Movable Advertising Sign' is interchangeable with 'A-Frame Sign' in this Policy. For the purpose of this Policy, it excludes commercial signage mounted on vehicles and/or trailers.

- **Outdoor Dining**

The use of public land (including footpaths) for the purpose of extending the services of the abutting business – whose main function is for the provision of food and/or beverages to the public. Outdoor Dining and the provision of outdoor dining facilities may only occur when the abutting business is open. This also includes tables and chairs provided for the consumption of food where no table or waiter service is provided. The term 'Outdoor Dining' is interchangeable with 'Kerbside Café' or 'Alfresco Dining' and includes takeaway businesses.

- **Pedestrian**

Any person traveling along a footpath whether walking, using a wheeled recreational vehicle, pram/stroller/shopping/delivery trolley, a guide dog or other assistance animal or a mobility aid such as a wheelchair, motorized scooter, walker, crutch or walking frame, or any other aid to assist mobility or orientation.

- **Pedestrian Zone (refer to Diagrams 2-4)**

The area of public land that is immediately adjacent to the property boundary and that is for the exclusive use of pedestrians. Where the property boundary is inset (ie. due to a road widening reservation) and this results in irregular front property boundaries - the pedestrian zone will be taken as being a consistent line with other surrounding properties so as to provide a continuous accessible path of travel.

- **Planter boxes**

A container made of any material used as a display (whether containing live plants or not) on footpaths and/or for segregating different parts of the footpath. All dimensions and setbacks relating to Planter Boxes within this Policy include the container, support structures and any vegetation or other contents.

- **Road**

For the purpose of this Policy a Road is an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving, or riding of motor vehicles; or a place that is a road by virtue of a declaration under Section 3, sub-section (2)(a) of the Road Safety Act 1986. 'A Road' includes car parking spaces.

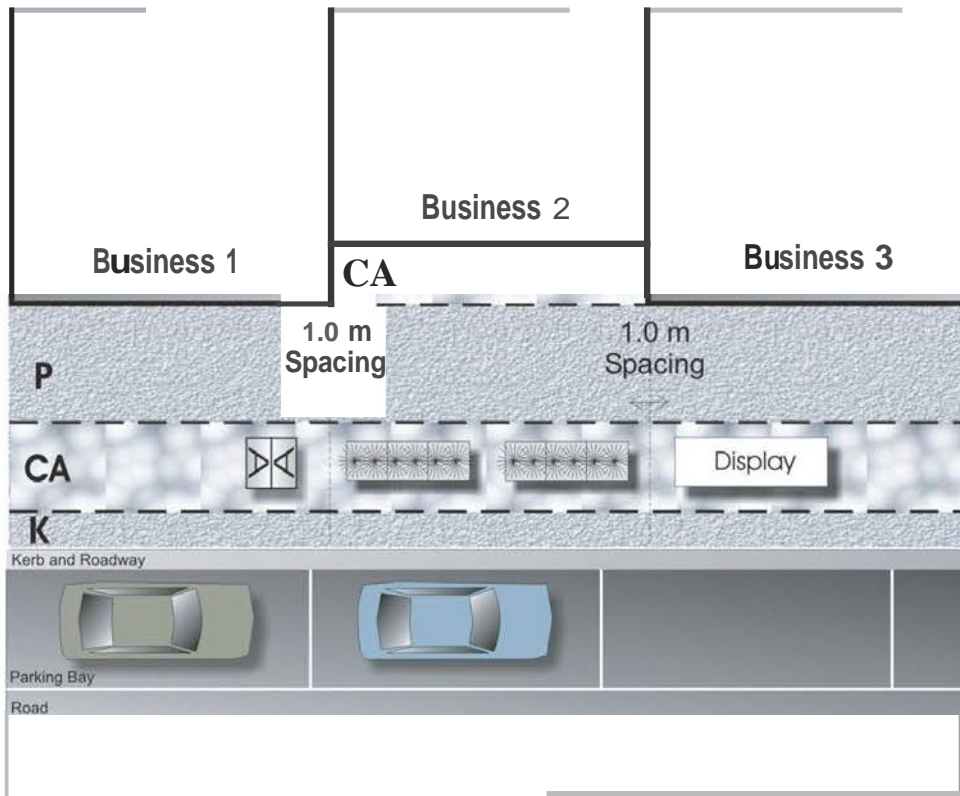
- **Screens**

Furniture used to provide a barrier between outdoor dining facilities and the road. Screens may be fixed to the pavement subject to the approval and satisfaction of the Shire (in a non-permanent manner) or they may be temporary and able to be removed each night.

- **Shopping Precinct**

Land within a Business Zone of the Mornington Peninsula Planning Scheme.

Diagram 2



EXAMPLE OF PLACEMENT OF DISPLAY OF GOODS WITHIN COMMERCIAL ACTIVITY ZONE



Planter Boxes

Maximum Height: 1.2 metres (Planter Boxes)

Maximum Length: 1.8 metres (Planter Boxes)

Maximum width: 0.9 metres
Maximum height: 1.2 metres

A-Frame

Display

Maximum width: 1.0 metres
Maximum height: 1.7 metres
Maximum length: 1.8 metres

Goods on Display

FOOTPATH ZONES

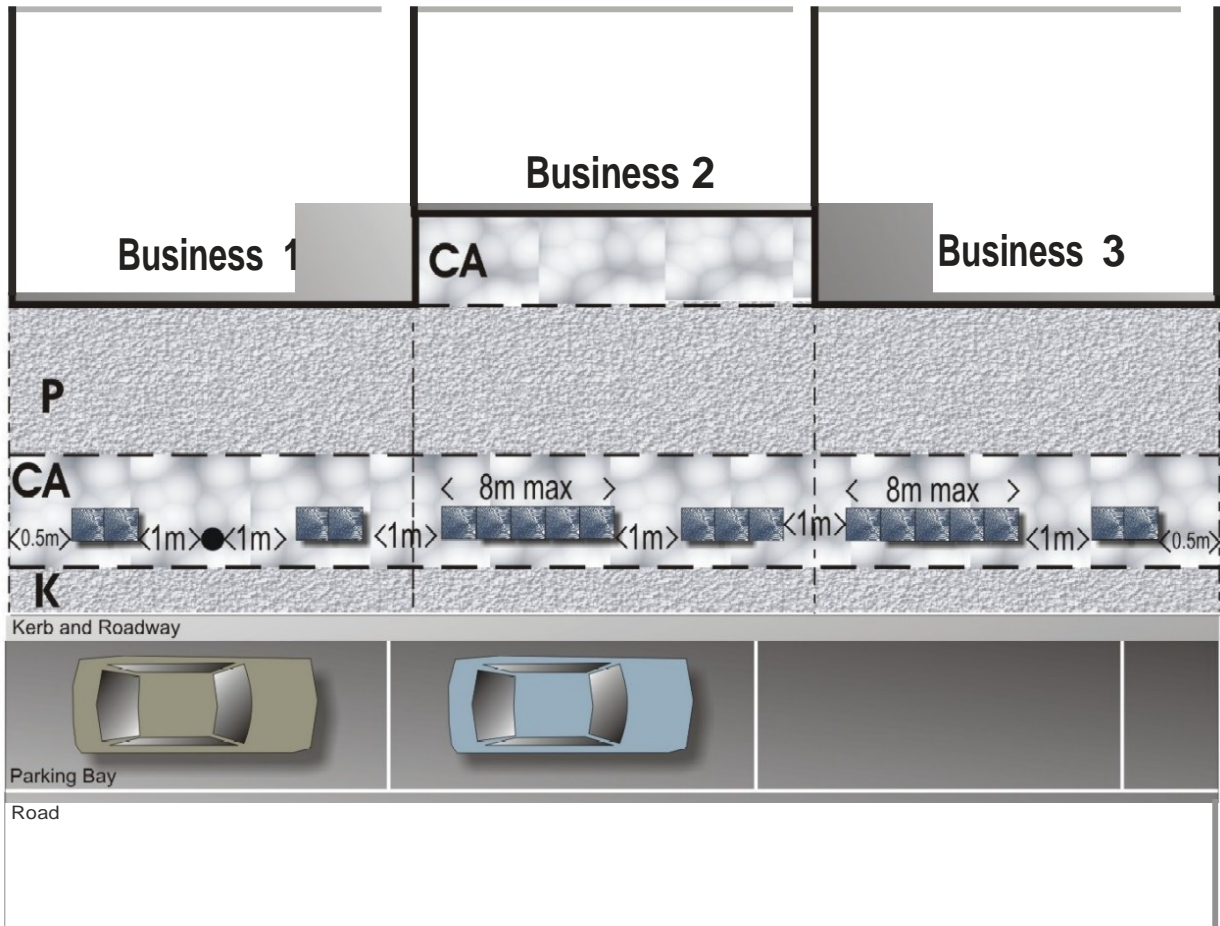
Pedestrian Zone - Minimum Width 1.8 Metres



Commercial Activity Zone

Kerbside Zone - Minimum Width 0.7 Metres

Diagram 3



EXAMPLE OF PLACEMENT OF PHYSICAL BARRIERS WITHIN COMMERCIAL ACTIVITY ZONE

< 8m max >



Physical Barriers between footpath and road may be Screens (temporary or fixed), planters, display of goods etc.

< 1m >

Minimum distance in metres



Street Furniture, examples are power poles, phone box etc.

FOOTPATH ZONES

liB

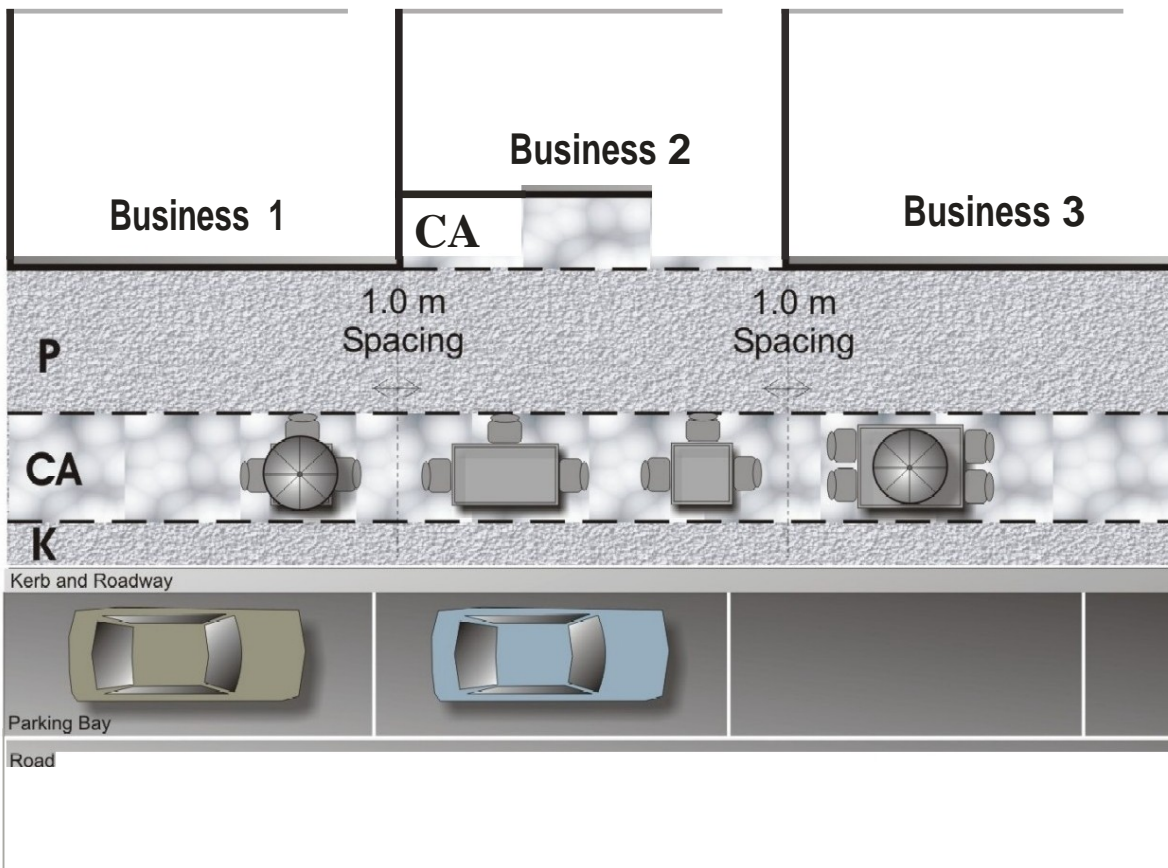
Pedestrian Zone - Minimum Width l.B Metres

|CA|

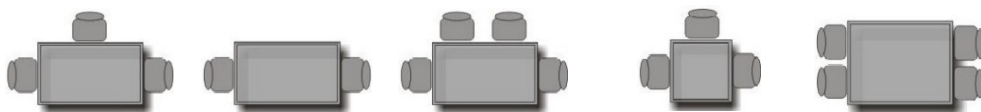
Commercial Activity Zone

Kerbside Zone- Minimum Width 0.7 Metres

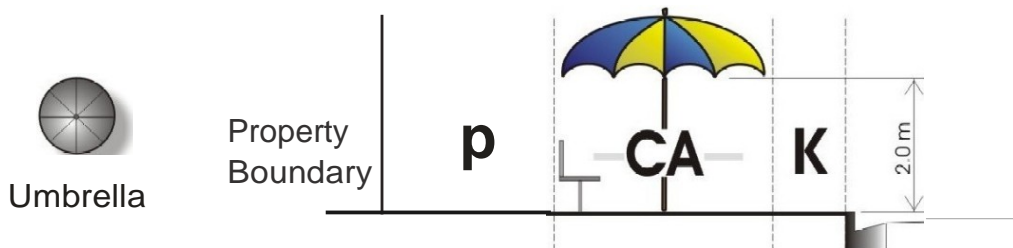
Diagram 4



EXAMPLE OF PLACEMENT OF TABLES AND CHAIRS WITHIN COMMERCIAL ACTIVITY ZONE



EXAMPLE OF PLACEMENT OF UMBRELLAS WITHIN COMMERCIAL ACTIVITY ZONE



FOOTPATH ZONES

Pedestrian Zone- Minimum Width 1.8 Metres

 Commercial Activity Zone

 Kerbside Zone - Minimum Width 0.7 Metres

3. TECHNICAL PAPERS - PROCEDURE

Both the operator of the commercial activity and Mornington Peninsula Shire have the responsibility to ensure that any items placed on the footpath are positioned in such a way that safe, dignified and equitable access is maintained along the footpath. Similarly access between the road and footpath must also be provided and sightlines maintained at all times.

As the ability to use public land for commercial activities is a privilege afforded to businesses and not a right, it is important to ensure that all commercial activities occurring on footpaths are regulated in order to preserve pedestrian safety and access. As such these activities require prior consideration and approval from Mornington Peninsula Shire. This approval may be in the form of a Local Law Permit, and/or a licence/lease. (Other approvals, such as planning approval, building permits, Food Act Permits should be obtained where required).

Those businesses that are permitted to undertake a commercial activity on the footpath adjacent to their business will be required to display a current permit sticker at all times in their business premises window. This sticker will clearly identify what approvals the business has obtained (*e.g. - approval to place two tables, four chairs, and screens on public land*).

Where an authorised officer of Mornington Peninsula Shire believes that the use of the footpath for commercial activities will compromise pedestrian or motorist access and safety, or lines of sight, approval to use the footpath for commercial activities will not be granted.

Where conditions change to detrimentally impact on pedestrian or motorist access and safety, or lines of sight any permit, licence or lease may be rescinded.

All furniture, furnishings and equipment must be placed along the road side of the footpath in the Commercial Activities Zone, not on the building side (within the Pedestrian Zone)

The use of footpaths for commercial activities will be strongly influenced by the local conditions including:

- The width of footpath,
- Existing street furniture and signage,
- Parking alignment,
- Landscaping,
- Access points to utility services,
- Proximity to bus stops, pedestrian crossings, pedestrian ramps, Designated Access Parking spaces, post boxes, public telephones and loading zones, power poles etc,
- Potential impact upon sight lines of pedestrian and vehicular traffic,
- The location of verandah posts,
- Other uses of the footpath

Where there are streetscape works or an Urban Design Framework being planned for a commercial precinct, consideration shall be given to the use of different surfaces (colour, texture, materials) between the different zones (Kerbside, Commercial Activity and Pedestrian Zones) or other methods approved by Mornington Peninsula Shire of defining the edges to clearly identify the change of zones.

The business operator must at all times ensure that any items that they place on the footpath are not liable to become a trip hazard or impede the safe flow of pedestrian traffic. The business operator must also ensure that all items remain secure or are kept inside during inclement weather.

There are many different aspects of conducting Commercial Activities on a footpath, and these are addressed individually.

a. Core Provisions

The following core provisions or requirements may not be varied. Where these requirements can not be complied with, commercial activities will not be considered:

- The minimum footpath width required to undertake a commercial activity is 2.5 metres wide (allowing 0.7m width for the kerbside zone and 1.8m for the pedestrian zone).
- The minimum width of the pedestrian zone shall be 1.8m and the minimum width of the kerbside zone shall be 0.7m.
- Commercial activities shall be placed on the road side of the Commercial Activities Zone. Any unutilised space within the Commercial Activities Zone must be left clear for pedestrian access.
- All furniture, furnishings and equipment must be placed along the road side of the footpath at all times that they are on the footpath - even in inclement weather.
- Where an officer of the Shire or the relevant road authority deems that there is a safety risk due to the undertaking of a commercial activity on a street corner no commercial activities will be permitted.
- No commercial activity may be placed directly adjacent to a designated access carparking space, bus stop, formalised pedestrian crossing, loading zone or fire hydrant.
- Advertising area on screens shall be restricted to the business name or logo, or the key product (eg. the brand of coffee or mineral water that is available at that business that is subsidising the cost of the screens). This must not exceed 20% of the total area of each screen.
- Temporary screens may not be greater than 1.2m in height and fixed screens may not be greater than 1.5 m in height.
- Planter boxes may not display advertising material.
- Permits for commercial activities must be displayed prominently at the front of the business.

b. Hours of Operation

The footpath may only be used for commercial activities during the hours of operation of the business or in accordance with the trader's planning permit, lease or licence, liquor licence or local law permit. Where there appears to be conflict in these different hours of operations, the lesser number of hours will apply.

After closing, all items must be removed from the footpath (other than items that have prior written approval from Mornington Peninsula Shire to remain on the footpath) and the area cleared of all litter etc.

c. Moveable Advertising Sign (A-Frames) (refer to Diagram 2)

Where a business is undertaking any other commercial activity on the footpath the display of moveable advertising signage is not permitted.

Each business premise, which is at/partly at street level, may only display **one** sign for each street frontage of that business.

Any movable advertising sign must:

- be not greater than 1.2 metres in height and 0.9 metres in width, or have a total advertising area of 2.16 metres²;
- refer to a business premise at street level or partly at street level;
- be displayed directly in front of the business premise to which it refers;
- be weighted or fixed to prevent the sign from being blown over;
- not obstruct the safe, continuous and dignified access of pedestrian traffic along the footpath;
- not obstruct the movement or safe operations of vehicular traffic along a road or intersection;
- not impair the vision or lines of sight of pedestrians or drivers of vehicular traffic along a road or at an intersection of a road (or private access);
- Be positioned wholly within the Commercial Activity Zone.
- Be non illuminated (internally/externally)
- Not comprise any moveable parts (e.g. spinning, flapping etc)
- Be removed as requested to do so by an Authorised Officer of the Shire
- Be colour contrasted with surrounds to ensure that it does not blend into the surrounds.

d. Display of Goods (refer to Diagram 2)

Any display of goods must:

- Be placed directly in front of the business premises to which it relates;
- Be kept in a clean and tidy state including the area surrounding the display;
- Be positioned and contained wholly within the Commercial Activity Zone in accordance with Schedule 7;
- Goods displayed may only be displayed on a sturdy table, stand or rack to the satisfaction of the Shire with a minimum height of 0.7 metres;
- Each Display of Goods Unit may be a maximum width of 1.0 metre, maximum height of 1.7 metres and a maximum length of 1.8 metres. Where a single item displayed on the footpath exceeds any one of these dimensions or can not be displayed on an approved stand, they will be classified as a bulky good.
- Multiple Display of Goods Units may be displayed to a maximum of **three** units providing a permit has been obtained for each;
- Be weighted or fixed to prevent the display from being blown over;
- Not have sharp, pointed, jagged edges, corners or protrusions;
- Be non illuminated (internally/externally);
- Not comprise any moveable parts (e.g. spinning, flapping etc);
- Be removed as requested to do so by an Authorised Officer of the Council;
- Only occur during times at which the Premise is trading to the public;
- Be the only commercial activity to be displayed on the footpath at any one time. A-frame signage is not permitted when displaying goods.

A display of goods unit may include:

- (a) advertising on units in the form of a well designed/professional standard. However advertising is only permitted under one of the following conditions:
 - i. business name or town name/logo (as organised by trader groups) may be displayed at the back of the unit but not exceed 40% of the bottom half of the unit;
 - or
 - ii. business name, services provided and business phone number may be displayed on the sides of the unit but not exceed 40% of the bottom half of either side.
- (b) a description of the product and the price provided that it is affixed to the front of the display and no other provisions of this Local Law or the "*Commercial Activities on Footpaths Policy*" are contravened.

**Please note that a photo or drawing of the stand to be used as well as any proposed advertising must be submitted at the time of application.*

e. Bulky Goods

Any item for display that can not fit one or more of the prescribed sizes of a display of goods unit.

Businesses may apply for a Bulky goods display area of up to 4 square metres (e.g. 2 x 2 metres) for the display of Bulky Goods.

Any display of Bulky Goods must:

- Be placed directly in front of the business premises to which it relates;
- Be kept in a clean and tidy state including the area surrounding the display;
- Be positioned and contained wholly within the Commercial Activity Zone in accordance with Schedule 7;
- Multiple Bulky Good Display areas may be permitted to a maximum of **three** (12 square metres) providing a permit has been obtained for each;
- All items must be weighted or fixed to prevent being blown over;
- Not have sharp, pointed, jagged edges, corners or protrusions;
- Be non illuminated (internally/externally);
- Not comprise any moveable parts (e.g. spinning, flapping etc);
- Be removed as requested to do so by an Authorised Officer of the Council;
- Only occur during times at which the Premise is trading to the public;
- Be the only commercial activity to be displayed on the footpath at any one time. A-frame signage is not permitted when displaying goods.

f. Outdoor Dining Facilities (refer to Diagram 4)

Where a business is providing outdoor dining facilities on the footpath, the display of A-frame signage, including menu boards, is not permitted.

Outdoor dining facilities must:

- Be positioned and contained wholly within the Commercial Activity Zone;
- Be kept in good repair to the satisfaction of the Shire;
- Not have sharp, pointed, jagged edges, corners or protrusions (including legs of chairs) that may cause injury to persons or act as a trip hazard or damage the pavement surface;
- Be windproof and not of a light material that may be blown around;
- Be of an accessible design.
- Only be placed directly in front of the business to which it relates unless otherwise approved in writing by an authorised officer of Mornington Peninsula Shire.

Tables and chairs directly adjacent to the Kerbside Zone are to be configured so that no patron of an outdoor dining facility has their back towards the road unless they are protected by a fixed screen (Diagram 4).

The business must provide windproof ashtrays for patrons at all times and regularly empty the ashtrays into bins kept inside the premises. Full ashtrays must be emptied promptly. Failure to provide and maintain suitable windproof ashtrays may result in the cancellation of the permit to operate on the footpath.

If a business is found sweeping cigarette butts or other waste generated by the outdoor dining facility into the gutter or disposing of them in street bins, the business may forfeit all rights to operate on the footpath and any permit, licence or lease may be suspended or cancelled.

If providing tables and chairs on the footpath, the business must ensure there is a sufficient number of toilet facilities and accessible toilet facilities for the total number of patrons in accordance with the Building Code of Australia.

The business operator must ensure that the placement of any commercial activity on the footpath does not cause a nuisance or detrimentally affects the amenity of the surrounding area.

Should table service be provided, all staff providing the service must provide right of way to pedestrians using the footpath.

Where a liquor licence is to be extended over the footpath area or permanent structures are to be placed on the footpath a licence/lease to occupy the footpath must be obtained along with an associated planning permit.

All relevant legislation, permits, licences, leases, local laws must be complied with at all times.

Permission to place Tables and Chairs on unoccupied footpath in front of a neighbouring business will be decided on a case by case basis and will only be considered where no liquor licence is sought. The total *combined* area to be used must not exceed 8 metres in length or comprise of more than 12 chairs.

An operator may apply to occupy the footpath in front of one immediately neighbouring business only and must provide Mornington Peninsula Shire with letters of consent from the property owner or Body Corporate and occupier of the neighbouring property. The letter(s) of consent should be provided on official letterhead and must have a contact phone number.

Consent must be sought each year and provided with the renewal application. Should the occupier of the neighbouring property change, trading in front of that business must cease until such stage as written consent has been obtained from the new occupier. No refund will be made in respect of fees should consent be withdrawn.

Prior to the issuing of any permit the applicant must also demonstrate that their Public Liability insurance covers the footpath area adjacent to the neighbouring address.

g. Food Safety and Liquor Licences

No food or drink is to be prepared, cooked or heated at any outdoor dining facility.

Preparation of food on the footpath for special events or community groups on a 'one-off' basis may only occur with a Temporary Food Premises Permit and a Street Stall Effort Approval.

Liquor is not to be sold, consumed or served to Outdoor Dining facilities unless the business operator has the appropriate Liquor Licence (in accordance with the Liquor Reform Act 1998), planning approval and a Licence to occupy the footpath from Mornington Peninsula Shire.

At all times, the business operator must ensure that patrons consuming liquor at their outdoor dining facility are behaving in an orderly manner and not creating a nuisance to other patrons or other users of the footpath.

h. Screens (fixed and temporary)

The form and structural strength of any screen must be adequate to meet functional requirements, including wind loads, reasonable resistance to vandalism and impact from pedestrians to the satisfaction of the Shire.

All screens (including supports) must be contained wholly within the Commercial Activity Zone - at least 0.7 metres setback from the kerb, while still maintaining a minimum Pedestrian Zone width of 1.8 metres.

A total spacing between screens of not less than 1.0 metres (0.5 metres each side of the property 'boundary') must be provided at the 'boundary' of adjoining businesses (*refer to Diagrams 2 and 3*). Additionally, should there be more than 8.0m of screens outside a business, a 1.0 metre spacing must be provided every 8.0metres to ensure access between the footpath and the road.

No screen may be placed adjacent to a designated access parking space or pedestrian ramp leading from a car parking area.

All screens must follow the Shire's Furniture Style Guide (for Commercial Streetscapes) - and will be assessed accordingly.

Advertising on screens in the form of a well-designed/professional standard business name or business logo may be permitted in accordance with the Mornington Peninsula Planning Scheme. Advertising (including brand-names) must not exceed 20% of the total area available on each screen. All advertising may only be displayed to a maximum height of 1.0 metres from the pavement so as not to impede sight lines.

A minimum clearance of 0.15 metres must be provided from the bottom of the screen to the pavement to allow for street cleaning activities.

Temporary screens may be no taller than 1.2 metres.

Temporary screens must be weighted to prevent blowing over and must be removed from the footpath when the business is not open. Temporary screens must be erected so that no part of the screen (including supports) interferes with the safe access of pedestrians (i.e. do not become trip hazards).

Fixed screens may be no taller than 1.5 metres. Where a fixed screen is made of a clear material, a contrasting coloured strip of not less than 75mm wide must be placed on the screen (for the entire length of the screen) at a height of 0.9 - 1.0 metres above the footpath in keeping with Australian Standards requirements (CI 7.5/AS 1428.1). This strip must be provided to ensure that the screen(s) is easily distinguished from surrounding buildings, paths and furnishings.

Fixed screens may be secured by sliding into a 'cuff' in the footpath. The opening of the footpath surface to install the cuffs may only occur with the prior written consent of Mornington Peninsula Shire and may only be undertaken by a contractor approved by the Shire and to the minimum specifications required by the Shire. The cuffs need to be flush with the surface of the footpath and will need to have a cap when not in use or be designed in such a way as to ensure that they do not become a trip hazard.

The business operator may be asked to remove the *fixed screens* to provide access to utilities and footpath maintenance. Where possible, two weeks notice will be given and the business operator will need to remove the screens until such stage as they are advised that it is safe to re-erect them.

If any screen is vandalised or damaged the business operator will be required to remove the screen until such time as it is repaired. The business operator must ensure that all remaining screens are secure and do not pose a safety risk.

i. Blinds, Awnings and Umbrellas (refer to Diagram 4)

Structures associated with commercial activities on the footpath shall not enclose public spaces or adversely affect the openness of the footpaths or create the effect of an 'outdoor room' (ie alienate or discourage use of footpath). Accordingly blinds extending down from the business (including from verandah or eaves of a building) may only be placed on one side of the commercial activity zone directly in front of the business for the purpose of providing protection from the wind or sun. These blinds may not be used to display advertising other than the business name. These blinds must be securely fastened so that they do not become a safety or trip hazard. The blinds must not be secured to any other street furniture.

Retractable awnings extending from the building that do not require any support structure or anchoring to the footpath (or any other structure permitted within the footpath) may be erected. Any awning must maintain a minimum vertical distance of 2.4 metres between the underside of the awning and the footpath in accordance with the Building Regulations of Victoria.

Umbrellas must be positioned in accordance with the siting requirements of Outdoor Dining facilities. There must be a minimum height clearance of 2.0 metres at all times between the underside of the umbrella and the footpath.

All umbrellas must be weighted and/or secured in such a way that they do not pose a safety hazard. The base must be designed in such a way as to ensure that it is not a trip hazard.

j. Gas Heaters

The use of outdoor radiant heaters must be undertaken in accordance with Australian Standard AS4565.

They may only be used in association with, and sited in accordance with, the siting guidelines for outdoor dining facilities.

They must not be positioned where they may present a fire hazard (e.g. in close proximity to awnings/umbrellas).

k. Cash Registers and Counter Facilities

Separate cash registers, counter facilities and dumb waiters are not permitted on the footpath.

l. Planter Boxes (refer to Diagram 2)

Planter boxes may only be positioned within the Commercial Activity Zone - at least 0.7 metres setback from the kerb, while still maintaining a minimum pedestrian zone width of 1.8metres.

Planter boxes may be used in conjunction with outdoor dining areas (in place of screens), however, the minimum setback distance from the kerb (0.7 metres) and the minimum pedestrian zone width of 1.8metres must be maintained at all times.

Planter boxes must not exceed 1.2metres in height above the level of the footpath (including vegetation) and 1.8 metres in length.

No planter box shall be placed adjacent to a designated access parking space or a pedestrian ramp leading from a car parking area.

All planter boxes must follow the Shire's Furniture Style Guide (for Commercial Streetscapes) - and will be assessed accordingly.

A total spacing between planter boxes of not less than 1.0 metre (0.5 metres each side of the property 'boundary') must be provided at the 'boundary' of adjoining businesses (refer to Diagram 2).

Additionally, should there be more than 8.0 metres of planter boxes outside a business, a 1.0metre spacing must be provided every 8.0 metres to ensure access between the footpath and the road.

The physical appearance of planter boxes, including material and style, must be consistent with the streetscape character and other elements of the streetscape to the satisfaction of the Shire. The planter boxes must be constructed out of durable materials that are able to withstand the extremes of weather conditions on the Mornington Peninsula and must be colour contrasted with the immediate surrounds.

Planter boxes must not have sharp corners or edges, or any protruding material, and need to be frangible in case of collision by a car.

Planter boxes must be slightly elevated (approximately 0.15metres) above the footpath to allow for drainage.

Planter boxes may not display advertising material. A small plaque (maximum 0.1m x 0.1m) may be placed on the planter box stating that "This Planter Box is maintained by.....". As soon as the Shire believes that the planter box is falling into disrepair this plaque will be removed, and/or the business operator will be required to repair or remove the planter box.

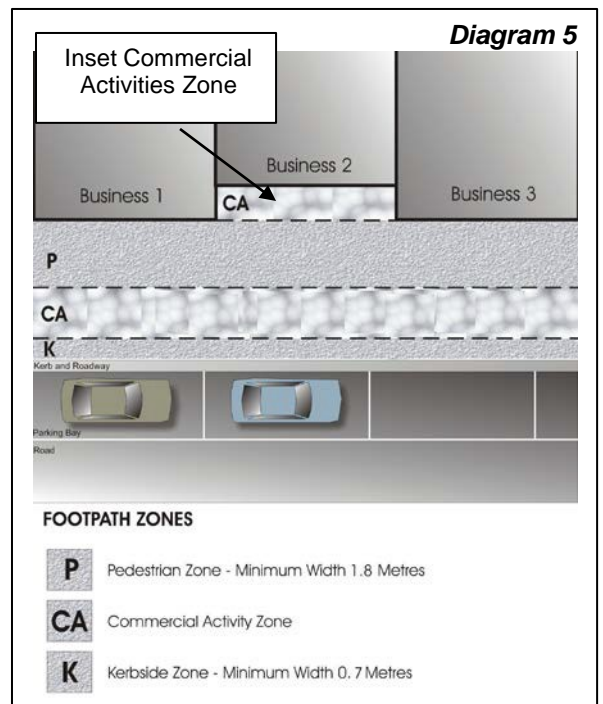
The business operator is responsible for the care, maintenance and replacement of planter boxes. Plant species must be suitable both in form, shape, hardiness, appropriateness to the area, and ability to be maintained. Vegetation shall also be maintained so as to ensure no overhanging or outcropping vegetation will form a trip hazard or an impediment to continuous and safe pedestrian access. Failure to maintain the planter box may result in a direction to the business operator to remove the planter box at the operator's expense.

m. Road Widening and Inset Building Frontages (Diagram 5)

Where the front of buildings are setback or inset on the street (eg due to proposed road widening schemes etc) such that they form an irregular line of building frontages commercial activities may occur in the inset section. However, a straight line drawn along the line of the property frontages of other non-inset buildings/properties (eg. Business 1 and 3 as shown on Diagram 5) will mark the interface between the Pedestrian Zone and the inset Commercial Activity Zone.

No commercial activity occurring in the inset Commercial Activity Zone shall interfere with the safe and unimpeded use of the Pedestrian Zone.

An outdoor dining facility may utilise both Commercial Activity Zones (inset and roadside), although all other commercial activities must be restricted to one.



n. Amenity

Any business conducting any Commercial Activity on the Footpath must ensure that the footpath is kept in a clean and tidy manner to the satisfaction of the Shire.

No sound amplification equipment shall be placed or used on the footpath for the purpose of announcements, broadcasts, playing of music except with the prior written consent of Mornington Peninsula Shire.

Business operators must not hang any items for sale from the building (including walls and permanent awnings).

Signage may be fixed to walls providing the sign is no more than 0.9 metres in height and 0.6 metres in width

Any sign must not protrude more than 50mm from the wall and should be secured in such a way as to not pose a safety hazard.

A business may fix a maximum of two (2) brochure holders to the outside of the building providing holders protrude no more than 50mm from the wall and are a maximum of 210 x 297mm (A4) in size.

All other promotional material, festive decorations etc may only be displayed where a minimum 2.4 metres clearance between the protruding or hanging object and the footpath can be maintained. Consent will not be given to reduce this clearance distance. The item should be secured to the satisfaction of the Shire to ensure it does not interfere with pedestrians.

o. Obligation to Insure and Principals Indemnity

The property owner shall at all times during the period of the permit, be a holder of a public liability policy of insurance in respect of the activities specified in the permit in the name of the property owner, providing cover for at least \$10,000,000.

The public liability policy shall cover such risks and be subject to such conditions and exclusions as are approved by Mornington Peninsula Shire and shall be extended to provide a Principals Indemnity to the Mornington Peninsula Shire in respect to claims for personal injury or property damage arising out of the negligence of the property owner.

The property owner agrees to indemnify and keep indemnified by way of entering into a deed of indemnity, and to hold harmless Mornington Peninsula Shire, 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 from the property owners exercising the rights granted by the permit and be directly related to the negligent acts, errors or omissions of the property owner.

A copy of the certificate of currency of the insurance policy or deed of indemnity must be provided to an Authorised Officer of Mornington Peninsula Shire on being requested to do so.

p. Existing Street Furniture (*refer to Diagram 3*)

Clearance of 1.0 metre is required from the following public infrastructure at all times - fire hydrants, litter bins, payphones and other items as determined by Mornington Peninsula Shire. Where Mornington Peninsula Shire determines that a commercial activity is interfering with the safe and easy enjoyment of any street furniture then the 1.0 metre clearance will be applied.

No commercial activity is permitted to lean upon or be fixed/secured to any street furniture. The business operator must ensure that their commercial activity does not cause any damage to any street furniture. The cost of repairing any damage caused by a commercial activity must be borne by the business operator unless otherwise agreed by the Shire or the owner of the asset.

The business operator must immediately remove any commercial activity should Mornington Peninsula Shire, Victoria Police, VicRoads or any other authority require access to street furniture for maintenance, replacement, relocation etc purposes.

Mornington Peninsula Shire may consider modification to footpaths - including relocating existing street furniture (e.g. bins, fixed seats, benches, tables, bike racks) to facilitate outdoor dining facilities.

When considering any modification to the footpath - including relocating existing street furniture the Shire will take into consideration:

- The need for the furniture to remain to service pedestrians or other adjacent businesses;
- Loss of car parking spaces or designated public gathering areas / open space;
- How recently the street furniture was installed or the footpath developed as part of a streetscape;
- Whether there are other appropriate locations;
- Whether there are other means of allowing the outdoor facility to occur without the need to relocate street furniture;
- Street furniture must provide accessible seating and table arrangements (DDA 1992).

Modification to the footpath, including the removal or relocation of existing street furniture, may only occur with the prior written consent of Mornington Peninsula Shire and may only be undertaken by Contractors appointed or approved by Mornington Peninsula Shire.

The cost of any modification to the footpath - including relocating any street furniture is to be borne by the business operator that wants the furniture relocated.

As part of the relocation process, the business seeking the relocation of the street furniture must obtain a written statement of 'no objection' from the business in front of which the street furniture is to be relocated. Mornington Peninsula Shire will not consider the relocation of street furniture if this written confirmation of 'no objection' is not received. Feedback must also be sought from the local trader group or Chamber of Commerce.

If it is determined that a business operator has relocated street furniture without the prior written consent of Mornington Peninsula Shire, the Shire will organise for the furniture to be returned to its original location at the expense of the business operator.

q. Markets

Markets may only be established on a footpath where the minimum dimensions of the Pedestrian Zone (width of 1.8 metres) and the Kerbside Zone (width of 0.7 metres) can be maintained. It is the responsibility of the market operator to ensure that stalls are located in accordance with the Commercial Activities on Footpaths policy and that all stall holders are aware of and comply with these conditions. When allocating stall sites the market organiser must allow a minimum of 0.5m within the Commercial Activity Zone at the front of each stall for customers to stand when purchasing goods.

Markets may only operate on the footpath in accordance with the Planning Permit and Food Act Registrations for that market and its stall holders.

The Market Operator must enter into a licence agreement to occupy public land with Mornington Peninsula Shire prior to the commencement of the operation of the market.

r. Busking and Fundraising

A permit must be obtained prior to any person or persons busking in accordance with General Purposes Local Law 2012.

Where there is a trader group or Chamber of Commerce operating within a commercial precinct their consent must be obtained.

A busker or person(s) fundraising may only carry out their activities within the Commercial Activities Zone. Where power is required busking should only occur in inset Commercial Activities Zones.

Should there be any complaints received by the Shire about the activities of person(s) busking or fundraising, the Shire may ask them to relocate or may withdraw the permit should circumstances require it.

Where the activity is for an endorsed charitable fundraising purpose or trader group, Mornington Peninsula Shire may choose to waive the Local Law Permit Fee.

s. Permits, Licences and Leases

The control and management of activities on footpaths is vested in Council. All commercial activities that occur on footpaths require a permit (and/or a licence/lease) from Mornington Peninsula Shire.

The following activities require a permit under the Local Law:

- Display of Goods
 - \$50 for the first display unit
 - \$150 each for each subsequent display unit

- Bulky Goods Display area (4sq metres)
 - \$50 for the first display area per year
 - \$150 each for each subsequent display area per year.

- Display of A-frame signs
 - Sign Size - 0.9 metres x 0.6 metres - \$50 per year
 - Sign Size - 1.2 metres x 0.9 metres - \$100 per year

- Alternating between a single Display of Goods unit and an A-frame Sign (Please note/ when displaying goods no A-frames can be displayed and vice versa.)
 - Sign Size - 0.9 metres x 0.6 metres - \$75 per year
 - Sign Size - 1.2 metres x 0.9 metres - \$125 per year

- Planter boxes - \$50 per year

- Outdoor Dining Facilities (no liquor licence or infrastructure)
 - \$250 for the first eight chairs per year
 - \$50 per chair thereafter per year
 - \$100 for fixed screens per year
 - No fee for temporary screens

Outdoor Dining (with liquor licence or infrastructure)

Where there is infrastructure to be secured to public land including the footpath or if the footpath is going to be part of the business owners licensed area for the serving or consumption of liquor a lease or Licence to Occupy the land under the Local Government Act 1989 is required, and a Planning Permit under the Planning and Environment Act 1987 may be required.

The municipal site value of the licensee's property is used as a basis to calculate the value of the footpath space used for commercial activities. A discount of 50% is applied to the footpath value to allow for the limited occupancy rights of the licensee. The licence fee is then calculated as follows depending on the degree of exclusivity provided and the permanent nature of the use:

1. Liquor licensed area with restricted hours of occupancy (no permanent fixtures) – 8% of encumbered value/m².
2. Areas with non-restricted hours of occupancy (exclusivity) with or without Liquor Licence – 10% of encumbered value/m².

These percentages may be varied to reflect current market conditions. However, at all times the minimum amount of \$1,000 will be applied.

The fee to use public land for commercial activities may vary as part of the Shire's annual budget process.

Where a licence is issued, the Licensee must ensure that the public can gain access to the licensed area and to any publicly owned street furniture or assets. However, the Licensee does have the right to refuse the public using tables and chairs that are owned by the Licensee.

The Shire retains the right to vary, suspend or cancel a licence, lease or Local Law permit at any time.

Except where there are other prior arrangements in place (e.g. current Planning Permit, local law permit or current Licence/Lease) compliance with this Policy is mandatory. Previous use does not create an entitlement to use the footpath that is not in compliance with this Policy. Where a prior arrangement (e.g. Planning Permit, local law permit or Lease/Licence) expires, compliance thereafter is mandatory.

t. Conflicting Uses

Where approval may have been granted for several uses in the one location, the following hierarchy may be applied to determine which activity has the right to use/occupy the land:

1. Where a Lease/Licence and a Planning Permit for the same use have been issued
2. Where a Planning Permit has been issued
3. Where a Local Law Permit has been issued
4. Where a Lease/Licence has been issued

Where two uses conflict and the uses have both been granted the same level of right (eg. both have a Local Law Permit), Mornington Peninsula Shire will negotiate with the relevant parties to ensure an appropriate and fair outcome.

4. RESPONSIBILITY

The responsibility areas for Commercial uses on the footpaths are outlined as follows:

Statutory Planning Unit

Receipt and assessment of applications for planning approval for licensed (liquor) outdoor dining facilities and to ensure that all outdoor dining facilities comply with the Mornington Peninsula Planning Scheme (e.g. parking, signage etc). Triggers include:

- Should an outdoor dining facility be located within a B1Z and there are to be fixtures.
- Should a liquor licence be sought for the outdoor dining area within any zone
- Should an outdoor dining facility be located within a RDZ1 (may also require VicRoads comment)
- Should the footpath be affected by a Heritage Overlay.

Environment Protection Unit

- Resolving of complaints and problems relating to the use of public land for commercial activities in partnership with the Managers responsible for Economic Development and Infrastructure Planning.

Infrastructure Strategy Unit

- Assessment of requests for the relocation of street furniture, and ensuring that the works undertaken by an approved contract (or) comply with the Shire's minimum standards.

Economic Development Unit

- Issuing of Local Law permits to undertake commercial activities on the footpath
- Assessment of Licence and Leases for Outdoor Dining Facilities.
- Assessment of applications for, and the control and management of licenses or leases to occupy land for the purpose of conducting commercial activities on the footpath.
- Liaison with other relevant Units of the Shire to ensure compliance with this Policy.

5. RELATED POLICIES

- Mornington Peninsula Shire Council General Purposes Local Law 2012.
- Mornington Peninsula Shire Health and Well Being Plan
- Mornington Peninsula Shire Access and Equity Policy - 'Just, Not Just the Same'

6. RELATED LEGISLATION

- *Disability Discrimination Act 1992*
- *Planning & Environment Act 1987*
- *Planning & Environment (Fees) Regulations 1989*
- General Purposes Local Law 2012
- *Liquor Reform Act 1998*
- *Building Code of Australia 1996*
- *Road Safety Act 1986*
- *Australian Standards*
- Mornington Peninsula Planning Scheme

7. REFERENCES

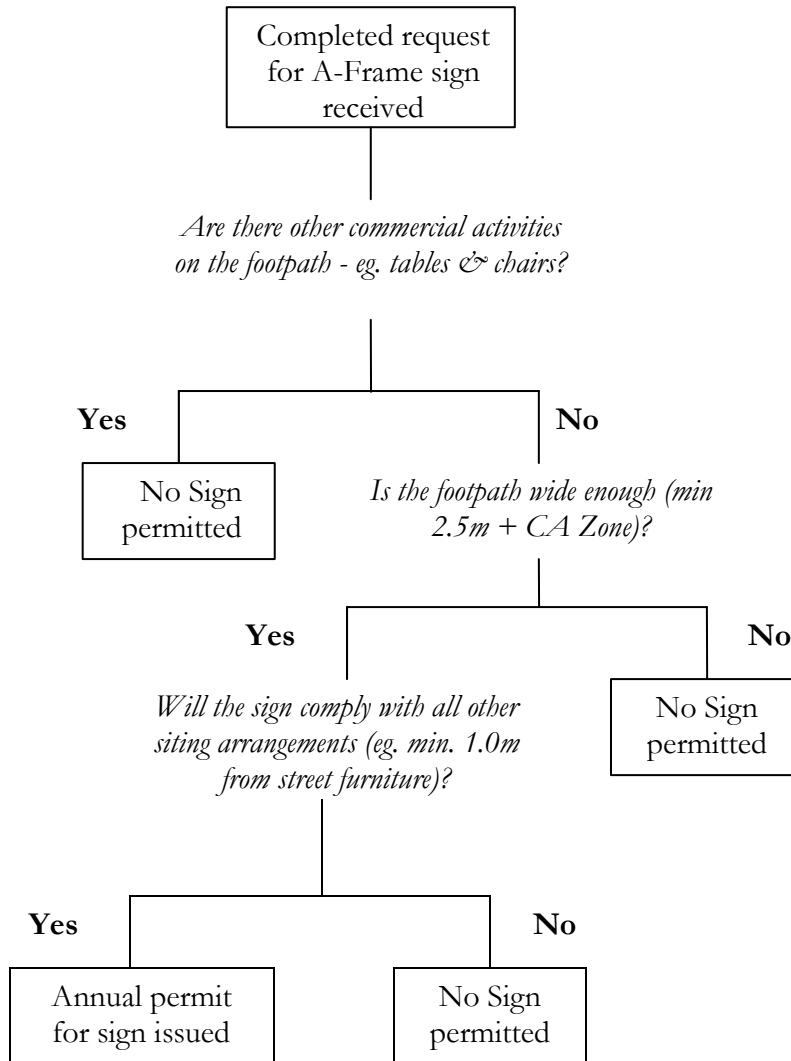
- Mornington Peninsula Shire Furniture Style Guide (for Commercial Streetscapes)

8. REVIEW

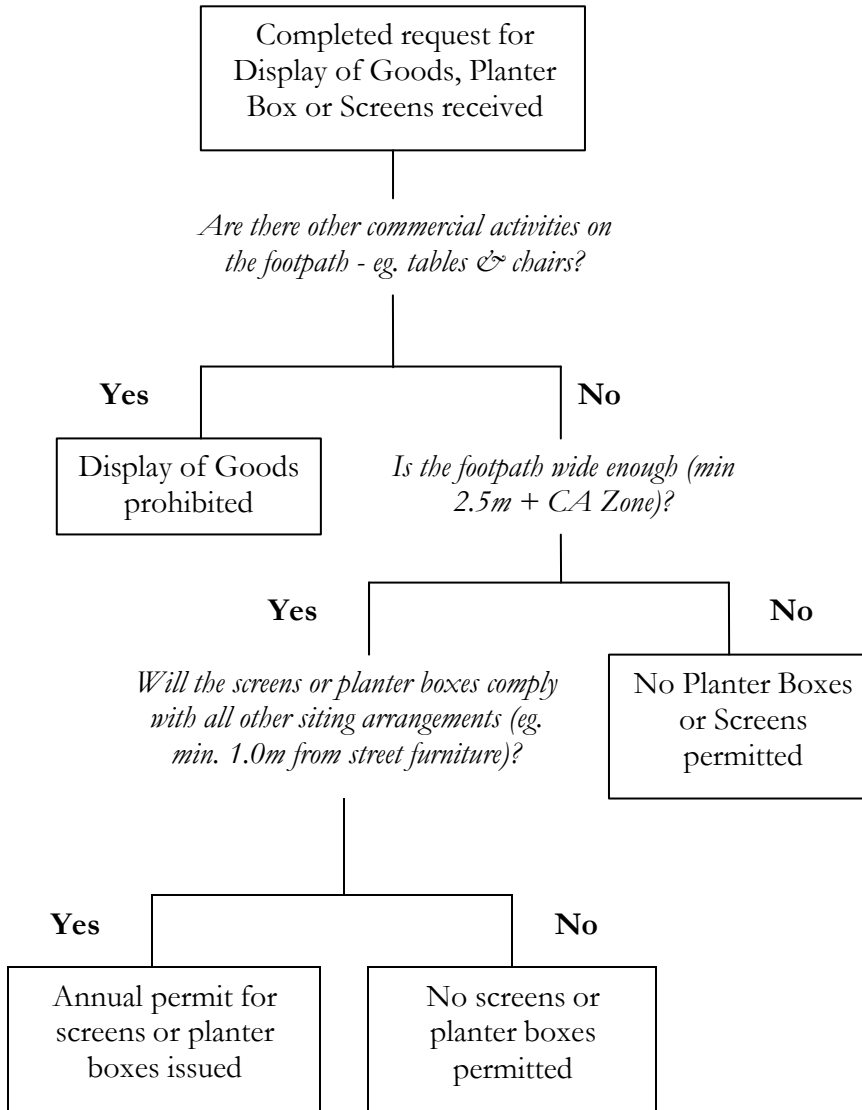
This Policy shall take effect for three (3) years following Council approval and be subject to review not later than June 2012

9. PROCESS FLOW CHART

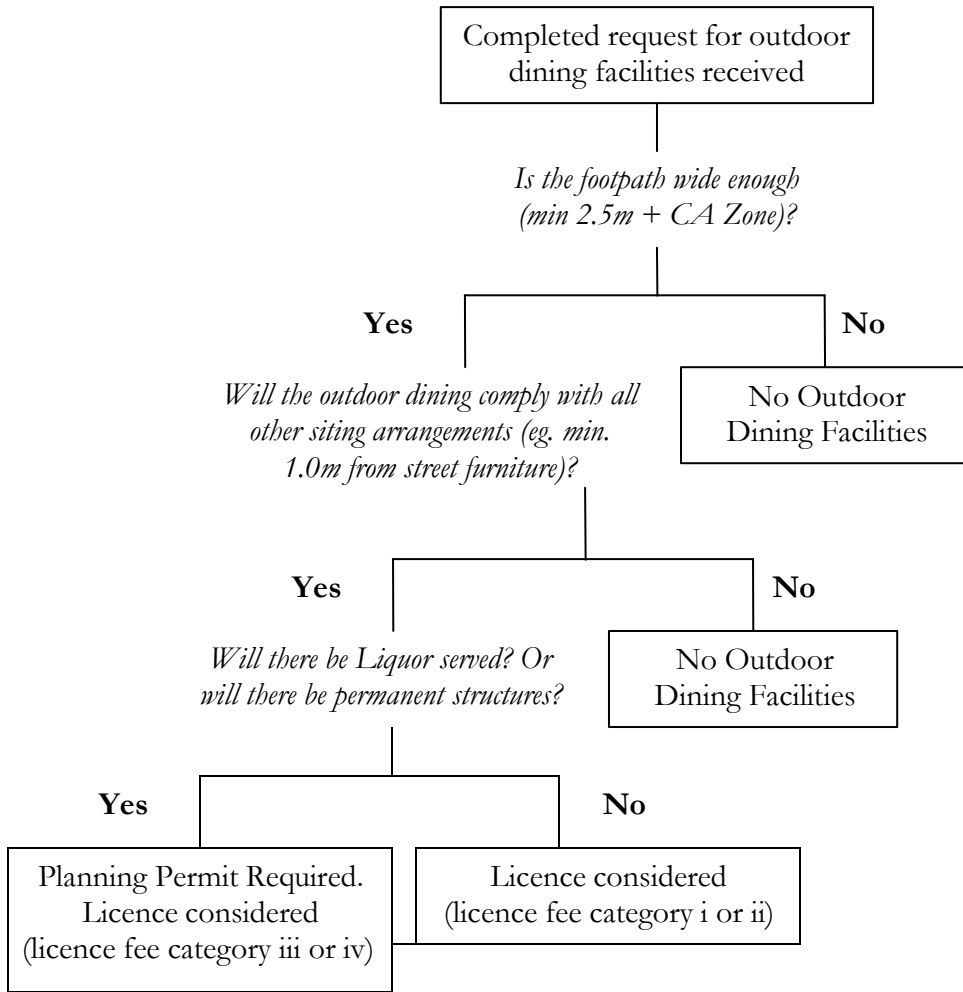
A-Frame Signs



Display of Goods / Planter Boxes / Screens



Outdoor Dining Facilities



Commercial Activities on Footpaths

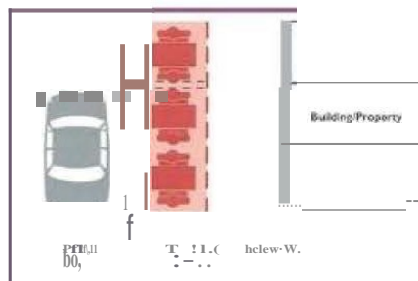
Footpaths were traditionally designed for pedestrian traffic; however in recent decades Australia has seen the introduction of alfresco dining which has led to an increased commercial demand on this community asset.

While it is recognised that street trading adds interest and colour to our townships, it is also important for Council to manage and maintain pedestrian safety, traffic flow and improve visual amenity. Commercial trading on community footpaths should be considered a privilege, not a right. Trading must not obstruct access or create an unsafe or unsightly environment for any community users.

Council will ensure that the use of footpaths for commercial activities can occur, provided that there is safe and dignified pedestrian access for all users of public areas.

Permitted commercial activities on footpaths in Mornington Peninsula Shire include:

- displaying goods
- bulky goods
- a-frame signs
- tables and chairs
- screens
- planter boxes



Pedestrian Zone — Extends from the building line or shopfront of premises for a minimum of 1.6 metres. No items may extend into this zone at any time.

Trading Zone • Commercial Activity Zone — The only area of the footpath where goods, furniture and ancillary items or activities—subject to this policy—may be placed. Where premises are adjacent to an intersection, the trading zone must not extend into the corner exclusion zone. Location of items within the trading zone is also subject to conditions.

Kerbside Zone—Measure from face of kerb, a 0.7 metre buffer from the kerb to allow for access to and from parked vehicles is required.

Core Provisions

The following core provisions or requirements may not be varied. Where these requirements can not be complied with, commercial activities will not be considered:

- The minimum footpath width required to undertake a commercial activity is 2.5 metres wide (allowing 0.7m width for the kerbside zone and 1.8m for the pedestrian zone).
- The minimum width of the pedestrian zone shall be 1.8m and the minimum width of the kerbside zone shall be 0.7m.
- Commercial activities shall be placed on the road side of the Commercial Activities Zone. Any unutilised space within the Commercial Activities Zone must be left clear for pedestrian access.
- All furniture, furnishings and equipment must be placed along the road side of the footpath at all times that they are on the footpath - even in inclement weather.
- Where an officer of the Shire or the relevant road authority deems that there is a safety risk due to the undertaking of a commercial activity on a street corner no commercial activities will be permitted.
- No commercial activity may be placed directly adjacent to a designated access carparking space, bus stop, formalised pedestrian crossing, loading zone or fire hydrant.
- Advertising area on screens shall be restricted to the business name or logo, or the key product (eg. the brand of coffee or mineral water that is available at that business that is subsidising the cost of the screens). This must not exceed 20% of the total area of each screen.
- Temporary screens may not be greater than 1.2m in height and fixed screens may not be greater than 1.5 m in height.
- Planter boxes may not display advertising material.
- Permits for commercial activities must be displayed prominently at the front of the business.

The property owner shall at all times during the period of the permit, be a holder of a **public liability** policy of insurance providing cover for at least **\$10,000,000**.

The following activities require a permit under the Local Law, the yearly (July to June) fee is as follows:

- Display of Goods
 - \$50 for the first display unit
 - \$150 each for each subsequent display unit
- Bulky Goods Display area (4sq metres)
 - \$50 for the first display area per year
 - \$150 each for each subsequent display area per year.
- Display of A-frame signs
 - Sign Size - 0.9 metres x 0.6 metres - \$50 per year
 - Sign Size - 1.2 metres x 0.9 metres - \$100 per year
- Alternating between a single Display of Goods unit and an A-frame Sign (Please note/ when displaying goods no A-frames can be displayed and vice versa.)
 - Sign Size - 0.9 metres x 0.6 metres - \$75 per year
 - Sign Size - 1.2 metres x 0.9 metres - \$125 per year
- Planter boxes - \$50 per year
- Outdoor Dining Facilities (no liquor licence or infrastructure)
 - \$250 for the first eight chairs per year
 - \$50 per chair thereafter per year
 - \$100 for fixed screens per year
 - No fee for temporary screens

(Note: no A-Frame sign, including menu boards, can be displayed with Outdoor Dining facilities)

COMMERCIAL ACTIVITIES ON FOOTPATHS

APPLICATION FORM

Business Name:

Business Address:

Postal Address:

Contact Name:

Daytime Phone No:

Email Address:

Business Hours:

No. I AM APPLYING FOR:

- Display of Goods: *Please specify number of displays – maximum 3 (Note: When displaying goods no A-Frame can be displayed.)*
- Display of A-Frame Sign: **ONE ONLY** (Please tick sign size) 0.9m x 0.6m 1.2m x 0.9m
- Alternate between a Display of Goods and an A-Frame Sign
- Planter Boxes
- Bulky Goods Display: *Please specify number of display areas – maximum 3 at 2metres x 2metres each*
Type of Bulky Good to be Displayed
(e.g. Wheelbarrows, Bicycles)

Outdoor Dining: *
(Note: No A-Frame signs, including menu boards, can be displayed with Outdoor Dining facilities)

- How many chairs are you seeking to provide
- How many temporary screens are you seeking to erect
- How many temporary umbrellas are you seeking to erect

Please name any other equipment/furniture you are seeking to place on the footpath eg; gas heater
etc.....

* Please note you may be contacted separately about this. *If you wish to serve Liquor to the Outdoor Dining area or to erect permanent structures please contact Kerri Polites on 5950 1842.*

**REQUIREMENTS FOR APPLICATION PROCESSING –
only upon receipt of all items listed below will application be processed**

- A **site sketch** plan showing the location and number of item/s to be placed on footpath
- A **photo/image** of the item/s to be displayed on footpath
- A copy of the Certificate of Currency of Public Liability insurance – (Minimum \$10 million coverage) Business name, Business address and expiry date.**
- Paid the appropriate **fee** – (Please note all permits are renewed in July)

I acknowledge that I am not able to place any items on the footpath relating to my business until such stage as I have received written consent from Mornington Peninsula Shire. Failure to comply may result in the impounding of these items and a fine. I understand that this form is an application form, and does not constitute approval.

SIGNATURE OF AUTHORISED PERSON:..... **DATE:**.....

Office Use Only:	Date Received: _____	Permit No: _____	
(Quick Code: 054)	Account No.: 01 2844 1460	Amount Paid: _____	Receipt No. _____