## Real Estate Advertising

The Whitehorse City Council Community Local Law 2024 ( PDF 973.95KB) S2.12 requires Real Estate agencies to have a permit before temporarily displaying boards or signs to advertise activities such as ‘for sale’, ‘open for inspection’, ‘auction’ or ‘for rent’ in public places including footpaths, nature strips, Council managed land or any other location likely to impact residents or visitors.

A permit is required from Council to use any Council-managed footpath, nature-strips or land for any trading activity. Permits are subject to guidelines ( PDF 547.5KB) and conditions, primarily to ensure pedestrian access, community safety, and amenity is not compromised. A 50% pro-rata permit fee applies to new applications after 1 March each year.

## Displays allowed

- A sign with a size of less than 10 square meters publicising the sale or letting of up to 20 real estate lots. Only one sign may be displayed outside the property, it must not be an animated sign and it must not be displayed longer than seven (7) days after the sale/letting date.
- A sign larger than 10 square meters publicising the sale or letting of more than 20 real estate lots. Only one sign may be displayed outside the property, it must not be an animated sign and it must not be displayed longer than seven (7) days after the sale/letting date.
- Two portable directional A-frame signs per property
- One A-Frame sign and or goods to be placed outside your business premise in Whitehorse. Refer to the Footpath trading guidelines.

## Display permit zones

In order to provide unobstructed access for pedestrians, the following zones have been created.

- Pedestrian zone
- Trading activity zone
- Kerb-side zone
- Exclusion zone.

These zones are outlined in the diagrams below.

Footpath Zones – Figure A (as per Footpath trading guidelines)

Footpath Zones – Figure B (as per Footpath trading guidelines)

Corner Location (as per Footpath trading guidelines)

**Permit Period**

Permits are valid from September to August each year and must be renewed annually.

**Fees for new applications**

$577 (GS exempt)

**Lodge an application**

You will need the following details to submit a new application:

- Public Liability Insurance certificate of currency (mandatory) for $20 million from your insurance company detailing coverage that extends to all items placed on footpath
- Any images or supporting documentation for your application
- Application fee (mandatory)

Once you have submitted an application, Council will arrange to inspect your premises to assess the permit application. After the assessment, if your application is successful, a permit will be sent to you. If your application is unsuccessful, any fees paid will be refunded.

**Lodgement Options**

**Online**

The fastest way to loge an application is online:

Real Estate Agents Advertising Permit Online Application

**Email**

Scan or attach a completed Real Estate Advertising form ( DOCX 49.62KB) and all relevant supporting documentation, and email them to customer.service@whitehorse.vic.gov.au

**Letter**

Print out and complete the Real Estate Advertising form ( DOCX 49.62KB), and mail it with your supporting evidence to:

Whitehorse City Council, Locked Bag 2, Nunawading DC, NUNAWADING VIC 3131.

**In Person**

Hand it into a Council Services Centre.

We'll respond in writing to the provided email address. Please regularly check for a message from Council in both your email inbox and junk mailbox.

**Permit conditions and breaches**

**Permit Conditions**

- The permit holder must ensure that all the permit conditions are complied with at all times.
- The permit holder must provide evidence of $20 million of public liability insurance for the permit period.
- The permit is not transferrable:
    - Permits are not to be photocopied and the copies used by someone not named on the permit
    - Permits are not to be leased, sold or given away
    - No form of advertising of a permit for rent, lease, sale profit or other beneficial or fraudulent consideration of causing such an advertisement to be published is permitted.
- The permit holder must set up in accordance with the *Disability Discrimination Act 1992* principles and relevant codes and standards to provide unobstructed access to others using the area.

- A minimum unobstructed distance of 1.8 metres must be maintained from the property line and 0.5m from the kerb at all times.
- The permit allows for the following:
    - A maximum of three portable display boards such as an A-Frame or teardrop flag may be deployed for a property sale site. One sign/display may be kept to the front of the promoted property for sale situated in the City of Whitehorse and the other two at two sites leading to the promoted property for sale. They may only be deployed during the advertised property inspection times.
    - One portable display board such as an A-Frame outside a real estate office located in the City of Whitehorse which can only be deployed during the office business hours.
    - One flag not exceeding two (2) square metres may be displayed on a property for sale providing that the property is not a display home. The flag may only be displayed, on the day(s) in which the building and property is either open for inspection to the public or is to be sold by public auction.
- Signs/display boards or flags and banners must be securely fixed and displayed so that the possibility of injury to any person or damage to any facility is avoided.
- Signs/display boards must comply with Clause 52.05 of the Victorian Planning Requirements and may not:
    - Be reflective or flashing
    - Be secured to trees or safety rails or bollards, or in such a manner that Council assets are damaged or public safety is compromised
    - Advertise alcohol, cigarettes, or tobacco products
    - Be worded or contain illustrations that are likely to cause offence to any person or organisation.
- Display flags are required to:
    - Have a clearance height of 2.5 meters from the bottom of the flag to the footway.
    - Not obstruct the movement or safe operation of pedestrians or vehicular traffic along a road or footpath.
    - Not impair the vision of pedestrians or drivers of vehicles along a road.

    - Have a mounting point on or within the boundary of the property.
    - Be removed immediately upon the completion of the public auction or inspection.
- The handing out of loose flyers is permitted under the Whitehorse City Council Community Local Law 2024 ( PDF 973.95KB) S2.14. Discarded items are to be collected by the permit holder and disposed of legally.
- No sound amplification equipment may be used when conducting real estate activities on Council land.
- Council will NOT allow, without a valid Council permit, the installation of permanent structures, including electrical lighting and sound systems on Council land.
- At the conclusion of the permit period a new application form must be submitted with the required documentation and application fee.
- The permit must be produced for an Authorised Council Officer on request. The permit sticker must be prominently displayed in the window of the permitted business location so it may be clearly seen from outside the business premises.
- The permit holder will comply with all directions by a member of Victoria Police or Authorised Council Officer, including a direction that real estate activity ceases at that site.

**Permit Condition Breaches**

If the permit holder breaches the permit conditions:

- The permit may be cancelled.
- Fines may be issued.
- Costs incurred by Council may be charged directly to the permit holder.
- Goods or equipment may be impounded.
- Future permit applications may be declined.

**Renewing a permit**

If you have an existing permit, we will send you a renewal notice before September each year. Payment is due by 1 September.

It is a mandatory requirement that you submit a current certificate of currency from your insurance company with $20 million liability as part of your renewal and pay the required fee.

Payment for the renewals can be made online. Please use the payment reference id supplied by Council.