

REGULATIONS FOR MALL SPACE LEASING IN CENTRAL SQUARE
EFFECTIVE 30 APRIL 2004

Preamble:

The centre is insured by Chubb Australia for PUBLIC LIABILITY being one of the only two insurers of Shopping Centres in Australia. A risk assessment has been undertaken by a staff member of Chubb Australia - Mr Ian Micallef and he requires amongst a number of other items that we change arrangements for Mall Space casual leasing.

Introduction:

From 30th April 2004 there will only be two instances when a tenant may place any item outside of the tenancy line.

ANNUAL SEMI-PERMANENT ENCROACHMENT LICENSE.

- 1) A annual Semi-permanent encroachment license issued by Centre management on receipt of a RISK ASSESSMENT completed and signed by the Centre manager or marketing manager. With attached photograph clearly showing the stand or rack and its permitted location this may not be changes without a new license application. Licenses will run for 12 months concurrent with insurance policies. This is for encroachments no further than 300mm over the tenancy line or the outside edge of the black granite tiles (whichever is the further from the tenancy line). In addition a certificate is required from the tenants insurers confirming that this rack as per the attached photo is covered for all public liability claims arising from its placement outside of the tenancy line.
The onus for TOTAL compliance is on the tenant – ALL THREE OF THE FOLLOWING ARE REQUIRED IN YOUR APPLICATION
 - 1) Clear photograph (s) of the encroachment -
 - 2) Completed approved risk assessment form -
 - 3) Insurers confirmation of cover specific to item in the photograph or the policy must cover all Public Liability risks at Central Square. It is insufficient for the cover to state “relating to Shop 14 Central Square Shopping Centre” as this only covers PL behind the tenancy line.

AD HOC ENCROACHMENT LICENSE VIA MALL SPACE CASUAL LEASING FORM.

- 2) As is current practice - for all encroachments other than those covered by ANNUAL SEMI-PERMANENT ENCROACHMENT LICENSES for the use of trestle tables/stages a Casual License form must be completed and the standard fee \$20 per day per trestle table or part thereof.
As is standard practice the fee must be paid in advance or a company purchase order produced and evidence of PL cover extending to include the outpost / table provided.

A RISK ASSESSMENT must be completed and signed by the Centre manager or marketing manager.

A photograph must be taken of the table/rack/object and its location and a plan with measurements – both of which must be signed by both parties.

LEASE LINES

In general terms your lease line follows your roller door line or the inside of display windows where these protrude beyond this. Most lease lines follow the inner boundary of the black granite tiles or the roller door line where is not in line with the granite inner boundary.

Centre management will provide on request a Land Surveyors plan which clearly identifies the lease line so as to avoid any mis-understanding where lease line runs.

PERMANENTLY PROHIBITED ITEMS FROM BEING OUTSIDE TENANCIES

Mr Micallief has identified certain items that can never under any circumstances be placed outside of lease lines.

These BANNED ITEMS are :-

- 1) HEAVY ITEMS
- 2) GLASS ITEMS
- 3) SHARP OBJECTS –knives-scissors
- 4) EYE HAZARDS IE SPIKES OR PEGS
- 5) SPILLABLE ITEMS
- 6) CHEMICALS.
- 7) ANY THING ON WHEELS WITHOUT WHEEL LOCKS
- 8) ANY THING THAT HAS THE POTENTIAL TO TOPPLE
- 9) ANYTHING THAT IS LOW AND CAN BE FALLEN OVER OF THE BENCHES IN MYER MALL BEFORE BINS ATTACHED.

Attached:

RISK ASSESSMENT PRO FORMA

ANNUAL SEMI-PERMANENT ENCROACHMENT LICENSE.

YOUR SHOP PLAN

EXAMPLE OF A CORRECTLY COMPLETED FORM FORM/RISK ASSESSMENT/AND PHOTOGRAPH.

APPLICATION FOR A
ANNUAL SEMI-PERMANENT ENCROACHMENT LICENSE.
CENTRAL SQUARE SHOPPING CENTRE - BALLARAT

Application from

Tenant:..... Shop No.....

Date From..... Date To.....
(Must match PL Cover Exp date)

Name & Signature of Applicant:	
Position held:	Date of application:
Nature of semi-permanent outpost:-	

OUTPOST A) PHOTO ATTACHED

..... PHOTO ATTACHED

OUTPOST B) PHOTO ATTACHED

..... PHOTO ATTACHED

OUTPOST C) PHOTO ATTACHED

..... PHOTO ATTACHED

CHECKLIST – FOR EACH OUTPOST A B C (TICK BOXES)

RISK ASSESSMENT FORM

PHOTO

EVIDENCE OF PL EXTENSION

Approved	YES / NO	CENTRE MANAGEMENT
NAME.....		SIGNATURE.....
DATED.....		LICENSE. NO.....

**- RISK ASSESSMENT PRO-FORMA -CENTRAL SQUARE S.C.-
- TENANT ENCROACHMENTS ON COMMON MALL AREA -**

WILL STAND BE CUSTOM BUILT - DESIGNED TO FREE STAND - DOES IT WOBBLE ?	
WILL STAND BE STABLE ie UNABLE TO TOPPLE IF KNOCKED OR CHIL D STANDS ON BASE LEANS ON POST ?	
WHEELS - IF PRESENT ARE THESE WITH LOCKS - TO PREVENT CREEP AND MOVEMENT ?	
HEIGHT OF STAND/TABLE - WILL IT BE A TRIP HAZARD ie BELOW KNEE HEIGHT ?	
WILL ITEMS BE SECURE ON TOP OR CAN THESE FALL OFF AND BREAK - PRESENT A FURTHER HAZARD ?	
ANY SHARP PROJECTIONS OR CORNERS TO INJURE EYE OF CHILD/PERSON IN WHEELCHAIR/ OR ADULT ?	
SIZE AND BULK - WILL IT HAMPER OR IMPEDE EGRESS ALONG MALL TO FIRE EXIT DOOR OR EXTINGUISHER CUPBOARD (3 M) ?	
WILL IT IMPEDE SIGHTLINE TO ADJOINING SHOP FRONTAGE ?	
CAN A CHILD TOPPLE THE STAND TABLE ONTO HIM/HERSELF ? IF SO WOULD IT INJURE ?	
LOAD - WILL THE STAND/TABLE BE OVERLOADED ?	
WILL THE STAND BE CLIMBABLE ? COULD A CHIL D CLIMB AND THEN FALL HITTING HEAD ON TERRAZO FLOOR OR FALL THROUGH A WINDOW ?	
WILL THERE BE A PROHIBITED ITEM ON THE OUTPOST - # ITEM OF GLASS/POTTERY WHICH WHEN SHATTERS LEAVES SHARP SHARDS # HEAVY THROWABLE PROJECTILE # KNIFE OR SHARP INSTRUMENT # CONTAINER WITH LIQUID CONTENT # CONTAINER WITH CHEMICAL CONTENT	
Approved YES / NO CENTRE MANAGEMENT	
NAME..... SIGNATURE..... DATED..... LICENSE NO..... A...B...C.	

<<PHOTOGRAPH OF THE PROPOSED TENANT OUTPOST>>

Appended to

1) ANNUAL SEMI-PERMANENT ENCROACHMENT
LICENSE NO......A.....B.....C.....(circle)

Or

2) AD HOC ENCROACHMENT LICENSE VIA CASUAL LEASING FORM.

Tenant:.....Shop No.....

Date From.....Date To.....