

Guidance for Footpath Trading

Footpath trading is an important part of the retail environment and can significantly add to the ambience and enjoyment of an area.

Council must balance this with the need to provide a safe environment for all people who use the network of footpaths throughout the municipality. As such, footpath trading activities must be managed to ensure safe and dignified pedestrian access can be maintained at all times.

A permit is required for all trading on community footpaths, and including the placing of:

- advertising signs;
- goods;
- tables and chairs;
- windbreaks;
- umbrellas; and
- heaters.



This guidance complies with the Footpath Trading and Activity Guidelines 2014 and the Local Laws No.6 Clause 19.

Trading Zones and Areas

In order to provide a clear and consistently unobstructed footway for pedestrian access, the footpath is divided into specific zones and areas. The varying width of footpaths provides a different landscape to manage, creating both opportunities and restrictions.

Footpaths with a width of 2.9 metres and greater need to comply with the Guidelines in relation to the following zones and areas:

- pedestrian zones;
- trading zones; and
- kerb zones.

No items may be placed in the pedestrian zone or kerb zone. Council reserves the right to request traders to remove all or part of their display, goods or items whenever necessary. The cleanliness of the trading zone is to be maintained by the permit holder.

Footpaths with a width of less than 2.9 metres cannot be used for footpath trading.

Trading zone

The only area of the footpath where goods, café 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. Please see section 'Placement of goods, furniture and signs within the trading zone.'

Kerb zone

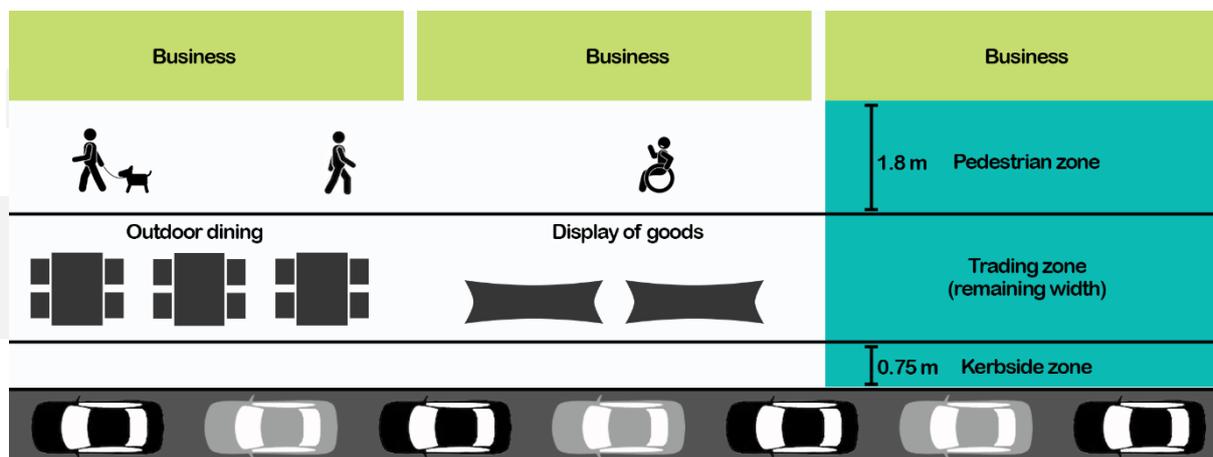
Measured from the kerb towards the face of the building, a 0.75 metre buffer from the kerb to allow for access to and from parked vehicles is required. A 1.5 metre allowance is required where there is a disabled parking bay. A setback of 1 metre from the kerb is required beside a loading zone.

Pedestrian zone

Extends from the building line or shop front of premises for a minimum of 1.8 metres. No items may extend into this zone at any time.

Example of trading zones

Tables and chairs and goods/services are permitted only outside your premises. They must not encroach on your neighbouring properties or within a pedestrian zone.



Public infrastructure on footpaths has priority over commercial interests (footpath trading) at all times.

As a general rule, public infrastructure already in place will not be moved or removed (relocated or repositioned) as a result of unavailable space to trade. If there is existing infrastructure at the front of your shop, an application to vary permit requirements may be made and a decision may be made to remove or relocate the infrastructure. All costs for removal and pavement reinstatement will be borne by the person applying for the permit. Traders should take this into account when selecting a site.

Existing street furniture and infrastructure must not be used for any trading purposes, including for business signage or displays.

Alfresco Dining

Tables and chairs

- Must remain within the trading zone and be removed at the close of business.
- Must be of a high standard in appearance and style in keeping with the amenity of the area.
- Placement must commence 0.75 metres from kerbside edge (a 1.5 metre set back applies for disabled parking bays).
- Items which are placed on the footpath must be stable and of good design.
- Items should not damage the footpath or any other infrastructure. It is recommended that rubber or other suitable materials be fitted to the base of chair and table legs.
- Should be made of a contrasting colour to their background (to aid the vision impaired).
- Should not back onto the kerb or the pedestrian zone.
- Tables and chairs are permitted only outside the premises to which they relate and should not encroach on neighbouring premises.

Screens, windbreaks, awnings

- Allow 0.75 metre clearance of kerb edge or 1.5 metres where there is disabled parking.
- Barriers may have commercial advertising on no more than 30 per cent of the total surface area and no more than 10 per cent on each panel. A planning permit may be required.
- Details of any proposed signage on furniture must be submitted with any application to trade on the footpath.
- Must be adequately fixed or weighed down.
- Locked in or fixed devices will require the approval of Council's Infrastructure Department before a permit can be granted.
- Barriers, whether fixed or temporary, shall be a minimum of 1 metre high from ground level to avoid trips and falls.
- Screens must not exceed 6 metres in length and for larger shop frontages where there may be multiple screens, there must be a break of a minimum 1 metre between screens to allow for pedestrian access from the Kerbside Zone.

Planter Boxes

- Must be placed within the trading zone.
- Must provide a positive contribution to the visual amenity of the footpath.
- Boxes must be well maintained with healthy plants and must be kept clean of litter.

Umbrellas

- Must be of a minimum of (at the lowest point) 2.5 metres above the level of the footpath (minimum clearance of 2.2 metres).
- All umbrellas must be removed at the end of the day.
- Umbrellas must not extend into the kerbside zone/parking bays.
- They must be of robust design and secured at all times.
- Must be removed or closed in times of strong winds or storms.
- The name or logo of a business may be displayed on each panel of an umbrella as long as the size and/or logo covers no more than 30 per cent of the total area of panels. This may be subject to planning approval.

Heaters

- Any heating device must be certified by the Australian Gas Association and be installed in accordance with the manufacturer's instructions.
- Heaters are to be approved as part of a permit and shown to be covered by trader's public liability insurance.
- Must be located within the trading zone only.
- Must be clear of passing pedestrians.
- Where possible, be affixed to the awnings or verandas to keep them off the footpath. A planning permit may be required to undertake this activity.
- Free standing heaters must be removed at the end of each day.
- Installation, training and safe use of portable heaters must comply with Energy Safe Victoria guidelines. For further details, contact Energy Safe Victoria on 9203 9700 or visit www.esv.vic.gov.au.

Trading Goods and Displays on Footpaths

Trading goods and displays on footpaths

- Must be at least 1 metre high and not exceed a height of 1.5 metres, unless an exemption has been granted by Council.
- Must be located within the trading zone.
- Must only be placed on the footpath during the normal business hours.
- Goods are permitted only outside the premises to which they relate.
- Must be secured, protected and displayed appropriately so they are not displaced by wind or other elements or create an unsightly display on a public thoroughfare.
- Displays must enhance the amenity of the streetscape and meet all safety considerations.

- Must not be fixed to any footpath, building, asset, pole or other structure unless approval is given for approved methods of connection to Council's footpath.
- Have a contrasting colour to their background to assist the vision impaired.

Portable advertising signs (A-frames)

- Only one sign per premises will be considered for permit, unless a variation is granted by Council.
- The sign must be between 1 – 1.2 metres in height and no more than 0.65 metre wide.
- The placement of the sign must start from the 0.6 metre clearance from kerb edge, or 1.5 metre clearance to allow for disabled parking.
- Must be securely placed and windproof.
- Portable electric, illuminated or flashing, inflatable, revolving/spinning signs are prohibited at all times.
- Signage can only be displayed during the business's normal hours of operation and must be removed from the trading area at the close of business.
- A-frames or advertising signs must not be fixed to any footpath, pole or other structure.
- A-frames must not be placed within a corner exclusion area or within two metres of a pedestrian crossing.
- A-frames must have a 0.5 metre clearance from public infrastructure.

Advertising

Council allows for identification and promotion signs that meet not only the needs of the business, but the amenity of the area and streetscape appearance for the whole community.

- The name or logo of a business may be displayed on each panel of a café screen or umbrella as long as the size and/or cover is no more than 30 per cent of the total area of the panels, and no more than 10 per cent of the surface area on each panel. Please note: a planning permit may be required.
- No café or commercial advertising is allowed on chairs or tables unless required for identification purposes only and placed in an unobtrusive manner allowing for identification of business property for traders.
- Advertising on any awnings or blinds, which are affixed to the building may require a planning permit and have size limitations.
- Advertising signs, fixed or temporary, may require a planning permit and have size limitations.
- Heritage buildings may require a planning permit for any form of advertising or attachments, ie. blinds and signs.

For further information on advertising requirements please speak with our Planning Department on 1800 065 993 or email us at info@strathbogie.vic.gov.au.

How to apply for a footpath trading permit

Before you apply for a footpath trading permit, please ensure you understand the requirements outlined in this document.

Your application must include the following information:

- Public Liability Insurance Policy certificate with a minimum coverage of \$10 million
- Two clear photographs of the footpath trading area outside your business, taken within the last two weeks
- Apply online or download the form and return it to council.

Options for submitting your Footpath Trading Form

The application form can be found at <https://www.strathbogie.vic.gov.au/council/activities-on-council-land/footpath-trading>.



Options for payment

The Footpath Trading Application Form will ask for your preferred method of payment. Payment will occur after the form is submitted. If taking your form into Council you will be able to submit and pay at the same time.

The cost of an Annual Footpath Trading permit is \$85 for a single item or \$137 for multiple items (2019/20 fees).



Permit Assessment

Once we receive your application, one of our officers will assess it. If your application is successful, you'll receive your footpath trading permit via email.

We usually process footpath trading permit applications within five business days of receiving payment.