FOOTPATH TRADING
OUTDOOR DINING
AND
STREET ADVERTISING ACTIVITIES
GUIDELINES
Footpath trading is an important part of the retail environment and can significantly add to the ambience and enjoyment of an area.

However, the council must balance this with the need to provide a safe environment for all people who use the municipal network of footpaths. Footpath trading activities must be managed to ensure safe and dignified pedestrian access can be maintained at all times.

These guidelines comply with best practice guidelines issued by the Human Rights and Equal Opportunity Commission and Wodonga Council's Local Law 1/2014 and identify how this balance should be maintained.

The council’s local laws and guidelines can be accessed on the website at wodonga.vic.gov.au/About-Council/Our-City/Local-Laws

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

- Advertising signs;
- Goods for display/sale;
- Tables and chairs;
- Windbreaks,
- Umbrellas, and,
- Portable gas/electric heaters.
TRADING ZONES AND AREA DESCRIPTIONS

TRADING ZONE

The trading zone is the only area of the footpath where goods, café furniture and ancillary items or activities — subject to this policy — can 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.

PEDESTRIAN ZONE

The pedestrian zone extends from the building line or shopfront of premises for a minimum of 1.8 metres. No items can extend into this zone at any time.
**KERB ZONE**

Measured from face to kerb, the kerb zone is a 0.5 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 one metre from the kerb is to be maintained beside a loading zone.

**ACCESS AREA**

Measured from the adjoining property boundary line, allow a 0.5 metre buffer zone from either side of the adjoining property boundary to enable pedestrian access from the kerb or parking zone on to the footpath. This will allow a one metre access for pedestrians where neighbouring properties are both trading. Trading must commence from 0.6 metres from kerbside edge to allow maximum clearance for pedestrian access — allow a 1.5 metre clearance for disabled parking bays.

**CORNER EXCLUSION AREA**

A 45-degree corner exclusion area is considered the minimum requirement, if there is not a barrier already placed within this zone, to ensure safe vehicle and pedestrian movements around corners. The council can increase this exclusion area for safety reasons.

The diagram shows the minimum line of sight and allowable trading area.
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 that are 2.9 metres or wider need to comply with the guidelines in relation to the following zones and areas:

► Pedestrian zones
► Trading zones
► Kerb zones
► Access areas
► Eorner exclusion areas

No items may be placed in the pedestrian zone, kerb zone, corner exclusion area or access area. The council reserves the right to request traders to remove all or part of their display, goods or items whenever necessary to ensure safety and clear passage. The cleanliness and control of risks in the trading zone is to be maintained by the permit holder.

Footpaths with a width of less than 2 metres cannot be used for footpath trading but street advertising may be permitted.

Tables and chairs and goods and services are permitted only to be place directly outside the trader’s premises. They must not encroach on neighbouring properties or within the 0.5 metre access area, unless an exemption to your permit has been granted.
EXISTING PUBLIC INFRASTRUCTURE

The following clearances apply to existing public infrastructure and public street furniture.

► 0.5 metre clearance - Bollards, telecommunication pits, planters, poles and trees.

► 1 metre clearance - Fire hydrants, bins, pay phones, public seats, bike stands and loading zones.

► 1.5 metre clearance - Disabled parking bays.

► 2 metre clearance - Pedestrian crossings, and the front and rear of bus zones. This is to allow clearance for passengers to alight from buses safely. This distance may be reviewed if goods do not interfere with safe pedestrian movement.

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 a premises, an application to vary permit requirements may be made and a decision may be made to the council who will decide 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.
TABLES AND CHAIRS

- Must not back on to the kerb or the pedestrian zone.
- Must remain within the trading zone and be removed at the close of business.
- Must be of a high standard in appearance and in a style in keeping with the amenity of the area. Any requests for alternative seating will be assessed by the council on a case-by-case basis.
- Placement must commence 0.6 metres from kerbside edge (a 1.5-metre setback applies for disabled parking bays).
- Must be constructed from high-quality materials that are safe and durable.
- Legs of chairs must not extend on an angle that would cause tripping points to pedestrians.
- Table and chair legs should have a minimum 30mm rubber stopper installed.
- Must be windproof (lightweight plastic furniture is not acceptable).
- Should be made of a contrasting colour to their background (to aid the vision impaired).
- No café or commercial advertising is allowed on chairs or tables unless required for identification purposes only. Property owner identification must be placed discretely.

- Tables and chairs are permitted only directly outside the premises to which they relate.
- Windbreak or screening barriers must be provided to suit the amenity of the area.

Chairs must not back on to a pedestrian zone.
SCREENS/WINDBREAKS/awnings

► All barriers must be installed, so not to obstruct the access area, allowing a 0.5 metre clearance from either side of the adjoining property boundary (giving one metre access clearance between display barriers).

► Allow 0.5 metre clearance of kerb edge or 1.5 metres where there is disabled parking.

► Barriers may have commercial advertising but not more than 33 per cent of the total surface area and no more than 20 per cent on each panel. A planning permit may be required for advertising.

► 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.

► Lock-in or fixing devices will require the approval of the council’s Projects and Design team before a permit can be granted.

► Irrespective of the issue of the permit, the council at all times remains entitled to access and use the footpath and the permit holder shall cease footpath trading and remove the permitted items whenever directed by the council to do so. If the permit holder fails to comply with any such direction, the Council may remove the items at the cost and risk of the permit holder.

PLANTER BOXES

Planter boxes may be approved on application to the council. For further information contact Customer Focus on (02) 6022 9300.
UMBRELLAS

► Can be used in areas where there are no canopies overhead or where the use of the umbrella will not interfere with or damage existing items.

► Must be of a minimum of (at the lowest point) 2.2 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 or parking bays.

► They must be of robust design and secured at all times.

► Must be adequately fixed or weighed down to prevent dislodgement.

► 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 33 per cent of the total area of panels. May be subject to planning approval.

► May have commercial advertising on each panel but not more than 20 per cent of the surface area.

No items or article including bracing is permitted to be fixed to council paving or other assets without prior approval.
HEATERS

► Any heating device must be certified by the Australian Gas Association and be installed in accordance with the relevant Australian standards.

► 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 and clear from contact with awnings, umbrellas or wooden structures and in line with the warnings associated with the users instructions associated with those devices.

► Free-standing heaters must be removed at the end of each day.

► Wherever possible, be affixed to the awnings or verandas so as to be located off the footpath but only if a minimum height clearance of 2.7 metres can be achieved. A planning permit may be required to undertake this activity.

► Installation, training and safe use of portable heaters must comply with the Safety guide for use of portable gas heaters in public spaces including Guidelines of staff and Guidelines for employers prepared by Energy Safe Victoria in collaboration with other relevant organisations.

► For further details, contact Energy Safe Victoria on 03 9203 9700 or visit esv.vic.gov.au
TRADING GOODS AND DISPLAYS ON FOOTPATHS

TRADING GOODS AND DISPLAYS ON FOOTPATHS

► Must not exceed a height of 1.5 metres unless an exemption has been granted by the council.

► Must not exceed a width of 0.75 metres (appropriately designed displays can, upon approval from the council, exceed this measurement if in the opinion of the council the stand enhances the amenity of the streetscape and meets with safety considerations).

► Must be located within the trading zone.

► Must start from 0.5 metre from the kerbside edge — giving maximum clearance (1.8 metres) for pedestrians (a 1.5 metre setback applies for disabled parking bays).

► Must only be placed on the footpath during the normal business hours.

► Goods are permitted only directly outside the premises to which they relate.

► Must be secured, protected and displayed in an approved barrier 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 the council’s footpath.

► Have a contrasting colour to their background to assist the vision impaired.

Goods must not be unsightly

Goods must be secured, protected and displayed in an approved barrier. Displays must enhance the amenity of the streetscape.
DISPLAY FURNITURE DESIGN

► Must enhance the amenity of the shopping precinct.
► Be constructed to a high standard.
► Be made of quality materials, with finishes that are safe and durable.
► Be wind protected and resistant.
► All goods on footpaths will require protection through the use of safe, quality displays by a windbreak or barriers.
PORTABLE ADVERTISING SIGNS (A-FRAMES) AND TEAR DROP FLAGS

► Only one A-frame sign per premises will be considered for permit, unless a variation is granted by the council.

► An advertising sign must not exceed a height of 1 metre, width of 600mm.

► The placement of the sign must start from the 0.5 metre clearance from kerb edge, or 1.5 metre clearance to allow for disabled parking.

► Must be securely placed and windproof.

► Up to two standard height tear drop flags are permitted but must not be more than 2.5 metres in height.

► Portable electric, illuminated or flashing, inflatable, revolving/spinning signs are prohibited at all times.

► Signage can only be displayed during the business’ 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.

► Permission may be granted for an application where the business has no street frontage providing the owner of the premises knows where the sign is to be placed. Written permission must be provided and there must be public liability extended to cover the goods/sign. Permission will need to be renewed annually or on change of business ownership.

► A-frames must not be placed within a corner exclusion area or within two metres of a pedestrian crossing or bus zone (unless special requirements exist).

► A-frames must have 0.5 to one metre clearance from public infrastructure.
ADVERTISING

The 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 33 per cent of the total area of the panels, and no more than 20 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.

► Heritage buildings may require a planning permit for any form of advertising or attachments, such as blinds or signs. Contact the council for further advice.