



Footpath Trading *Guidelines*

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Introduction

Council encourages vibrant and economically viable shopping precincts with safe and accessible pedestrian spaces. As the popularity of outdoor dining and footpath trading increases, there is a need to provide clear guidelines for the use of public footpaths for the purpose of outdoor dining and product display.

These guidelines apply to all public footpaths and public thoroughfares in shopping centres in Manningham, on both Council-owned and private property. The guidelines provide clear direction to traders applying for a Footpath Trading Permit.



Guiding principles for footpath trading in Manningham

- Provide clear, safe and unobstructed access for pedestrians of all abilities at all times on footpaths and public spaces within Manningham in accordance with Council's statutory requirements
- Footpath trading activity makes a positive contribution to the character and amenity of shopping centres and surrounding residential areas
- Any commercial use of footpath space needs to be in accordance with these guidelines and will require approval from Council and payment of an annual fee.



What type of approval do I need?

If you are planning to use the footpath for trading or product display, then you will need to fill in one of two application forms. Please use the checklist below to determine which form is the right one for you.

Checklist one:

- Do you plan to occupy less than 6m² of footpath?
- Do you plan to bring all of your furniture and displays in at night?
- Can you confirm that you are not changing the use of your premises? (e.g. from a newsagent to a bakery)

If you answered yes to **all three** of the above questions, then you are required to complete a **Footpath Trading Permit Application Form**.

Footpath Trading Permit Application Forms are available from the Manningham Civic Centre, 699 Doncaster Road, Doncaster or at www.manningham.vic.gov.au/footpathtrading

Steps to completing a Footpath Trading Permit Application:

- Print off and fill in the application form
- Attach a copy of your current Public Liability Insurance
- Attach a basic plan showing the outline of the area you plan to use for outdoor dining or product display. Please include measurements from the building and from the roadway
- Pay the Footpath Trading Permit Application fee.

If you are unable to answer yes to all three of 'checklist one' questions, please go to 'checklist two' over the page.

What type of approval do I need?

Checklist two:

- Do you plan to occupy more than 6m² of footpath?
- Do you plan to install permanent structures (e.g. glass café barriers, permanent umbrellas, etc.)
- Do you plan to change the use of your premises? (e.g. from a newsagent to a bakery or from a shop to a restaurant?)
- Do you plan to increase the area of your liquor license?
- Do you plan to increase your customer numbers or seating numbers?

If you answered yes to **any** of the questions in checklist two, you will need to complete a **Planning Permit Application**. This one application will deal with both the Planning Application and the Footpath Trading Permit Application.

For assistance with applying for a planning permit, call Council's Statutory Planning Unit on 9840 9495.

Information can also be found at www.manningham.vic.gov.au/footpathtrading

Footpath zones

Footpaths and public walkways in shopping centres are divided into four zones, (see figure 1):

1. Pedestrian walkway

The pedestrian walkway must be a minimum of 1.5 metres wide to provide unobstructed pedestrian movement. No furniture or displays are permitted within the pedestrian walkway.

2. Kerbside zone

The kerbside zone must be a minimum of 0.6 metres wide to allow for the overhang of cars or opening of car doors. No furniture or displays are permitted within the kerbside zone. In instances where cars park perpendicular to the kerb, a greater set back is recommended to ensure the safety of your patrons and footpath furniture.

3. Trading area

The trading area is the area remaining after setting out the minimum widths for the pedestrian walkway and kerbside zones.

4. Access way

Access ways are the gaps required to be provided to allow pedestrians to move from the roadway or carpark to the pedestrian walkway. Access ways must be a minimum of 1 metre wide and must be provided every 6 metres. Where an access way aligns with the property boundary of two shops, the width of the access way is to be shared.

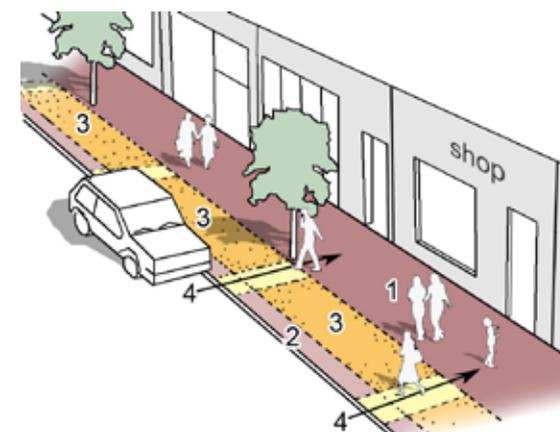


Figure 1: Footpath zones

Your guide to footpath trading

Below is a list of mandatory Council requirements designed to ensure that you are providing a safe, attractive and accessible footpath trading environment.

A-frame signs	Tips and advice
A-frames must not exceed a height of 1.1 metres and a width of 0.9 metres. (See figure 2)	Use your A-frame sign to advertise daily specials and promotions – a sign with a changing message will attract attention.
A-frames must be located within the trading area. (See figure 1)	
Each business is permitted a maximum of two A-frame signs.	
A-frame colour is to contrast with the background environment to assist people with a visual impairment.	
Placement of A-frames is not permitted on roadsides, roundabouts or median strips.	

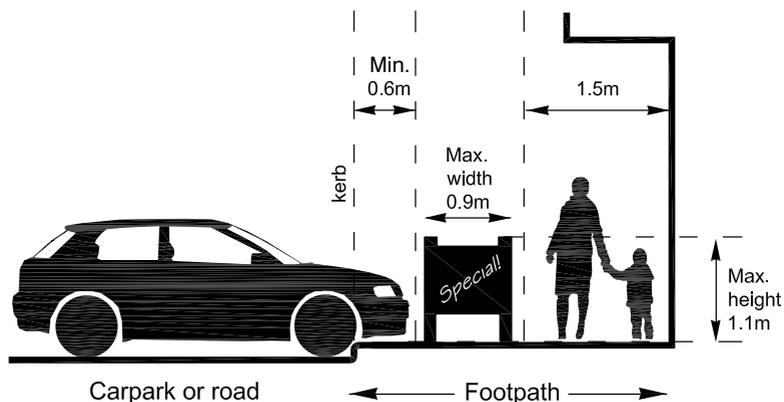


Figure 2: A-frames

Awnings	Tips and advice
A Building Permit is required for awnings attached to buildings or verandas.	Call Council's Building Services Unit for assistance with preparing a Building Permit application. There are lots of awning products available. Consider the use of clear or tinted materials to maintain access to natural light while also providing weather protection.
Horizontal awnings must have a vertical clearance of at least 2.4 metres from the ground to the underside and must not extend over the roadway or carpark. (Refer figure 4)	
Vertical awnings are not recommended. For situations where a vertical awning is the only option available, a vertical clearance of at least 2.4 metres must be maintained. (Refer figure 5)	



Figure 3: Awning example

Awnings continued

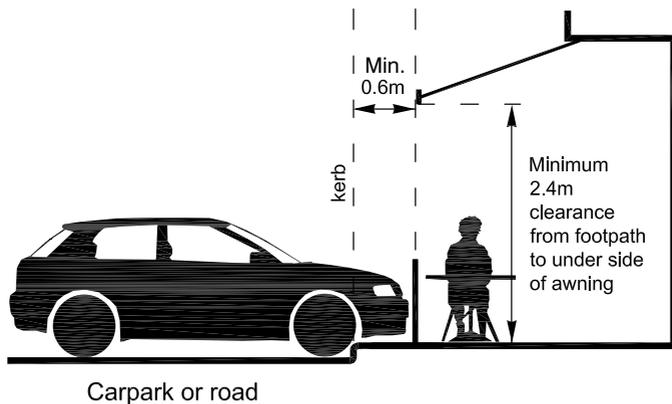


Figure 4: Horizontal awnings

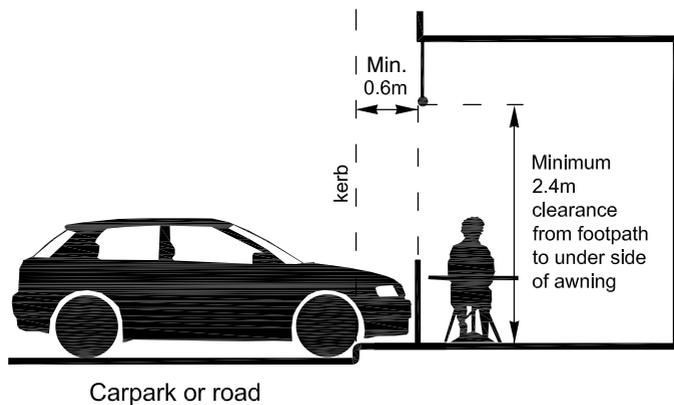


Figure 5: Vertical awnings

Café screens – temporary

Café screens must be self-supporting so that they cannot be blown over by the wind.

Branding and advertising should take up no more than 25 per cent of the screen space.

Tips and advice

The use of sand bags, or similar, to stabilise screens is discouraged. A secure sleeve in the ground is recommended to avoid tripping hazards and to improve occupational health and safety for staff.



Figure 6: Temporary café screen example

Footpath trading guidelines Council requirements

Café screens – permanently fixed to the ground	Tips and advice
Before installing permanent café screens, you will need to apply for a Planning Permit.	<p>Call Council's Statutory Planning Unit on 9840 9495 or download an application form from Council's website www.manningham.vic.gov.au/footpathtrading</p> <p>All reputable café screen suppliers will be able to provide you with a compliance certificate. Ask up front. If they can't, then use a supplier who can.</p>
Graphics applied to glazed panels are to be limited to frosting (i.e. colourless and opaque) and should take up no more than 25 per cent of the screen space. (See figure 6)	
Posts are required to be finished in clear anodised aluminium with no other structures attached.	
All glazing is required to be permanent safety glass.	
A copy of the manufacturer's certificate of compliance for manufacture and installation is required to be submitted with your application.	

Umbrellas	Tips and advice
The lowest part of the umbrella canopy must be 2.4 metres above the footpath. (See figure 8)	<p>Consider using light coloured umbrella materials to reflect summer heat and allow diffused light through to the footpath.</p> <p>A lockable socket and sleeve system is preferable to using weights and sand bags. Permanent sleeves must be installed in accordance with Council standards. A copy of the standard construction drawing and further information is available at www.manningham.vic.gov.au/footpathtrading</p>
Umbrellas must be securely anchored to the footpath to Council's approved standards.	
Advertising must be restricted to 25 percent of the umbrella canopy.	



Figure 7: Permanent glass café screen example

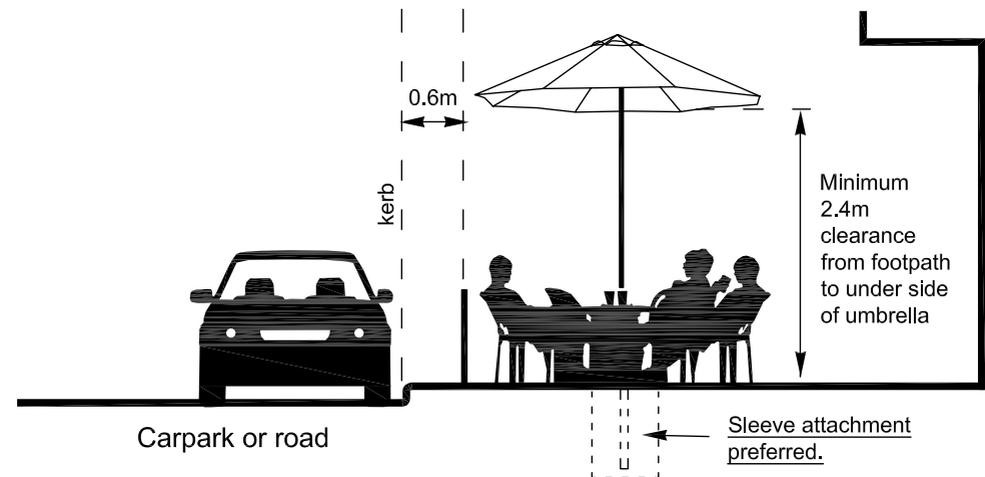


Figure 8: Minimum setback and clearance

Heaters	Tips and advice
Must be maintained and managed in accordance with Australian standards.	Search for a product that maximises efficiency and minimises energy use.
If using gas, a fixed line gas supply is preferred to a bottle. Where a portable gas bottle is the only option available, ensure that guards are put in place to restrict children from accessing hoses, taps and hot surfaces.	
The operators' public liability policy needs to cover the use of outdoor heaters.	

Planter boxes	Tips and advice
Must only be located in the Trading Area. (Refer figure 1)	Planter boxes can assist in defining trading areas and adding character to the streetscape. Your centre co-ordinator can assist in the development of a consistent theme for planter boxes in your centre.
Planter box and vegetation should not exceed 1.4 metres in height.	
Plants must be kept free of litter and in a healthy condition by the trader.	
Plants should be evergreen, drought tolerant, non-toxic, low pollen producing and not prickly.	



Figure 9: Heater integrated with umbrella



Figure 10: Well maintained planter box

Outdoor dining	Tips and advice
Outdoor dining furniture and activity must be set back a minimum of 1.5 metres from the shopfront to allow for unobstructed pedestrian movement. (See figure 11)	<p>Consider the comfort of your customers:</p> <ul style="list-style-type: none"> • Provide shade • Provide adequate room between tables • Keep pavement area clean. <p>To achieve consistency in your shopping centre, your centre co-ordinator can assist in the development of dining furniture standards.</p> <p>In instances where cars park perpendicular to the kerb, a greater set back is recommended to ensure the safety of your patrons and footpath furniture.</p>
Outdoor dining furniture and activity must be set back a minimum of 0.6 metres from the road or carpark edge. (See figure 11)	
Outdoor dining areas must be no longer than 6 metres with a 1 metre gap between neighbouring footpath trading areas to allow pedestrian access from the road to shops. (See figure 1)	
Dining furniture (seats, tables and umbrellas) must be removed from the footpath at the close of business each day.	

Outdoor displays	Tips and advice
Product displays and activity must be set back a minimum of 1.5 metres from the shopfront to allow for unobstructed pedestrian movement. (See figure 12)	<p>Your display stands say a lot about your business:</p> <ul style="list-style-type: none"> • Do not over-brand or cram too much information onto displays • Remember “eye level is buy level” so put your best/newest stock where it can be seen • Undertake regular maintenance • To keep your display inviting, ensure aisles are wide enough for prams or wheelchairs and are clear of boxes and excess stock • Taller displays block natural light and reduce pedestrian visibility • Maintain a clear view from inside the shop premises to the outdoor display area for surveillance • Allowing gaps between long displays will improve customers' access to your shop.
The total height of an outdoor display stand and product must not exceed 1.4 metres.	
Display stands must be no longer than 6 metres with a 1 metre gap between to allow pedestrian access from the road to shops. (See figure 1)	
Display stands must be secure in adverse weather conditions with no items tied to or leant against Council street furniture and/or trees.	
Display stands must be removed from the footpath at the close of business each day.	

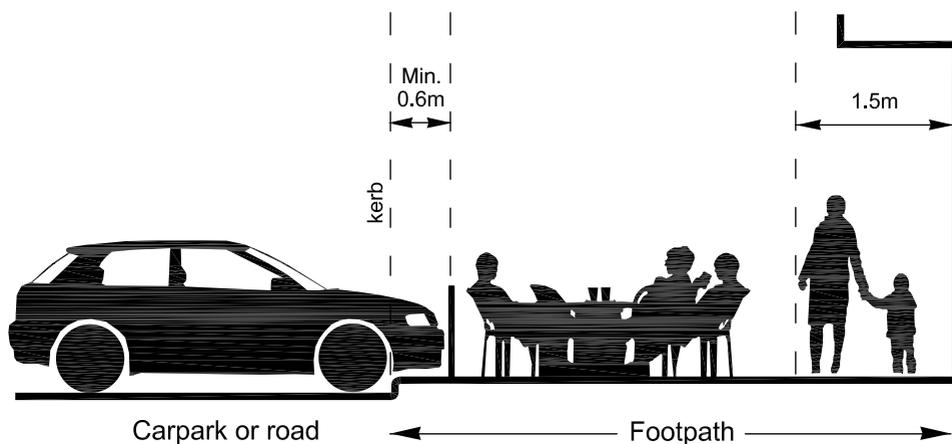


Figure 11: Outdoor dining – minimum setbacks

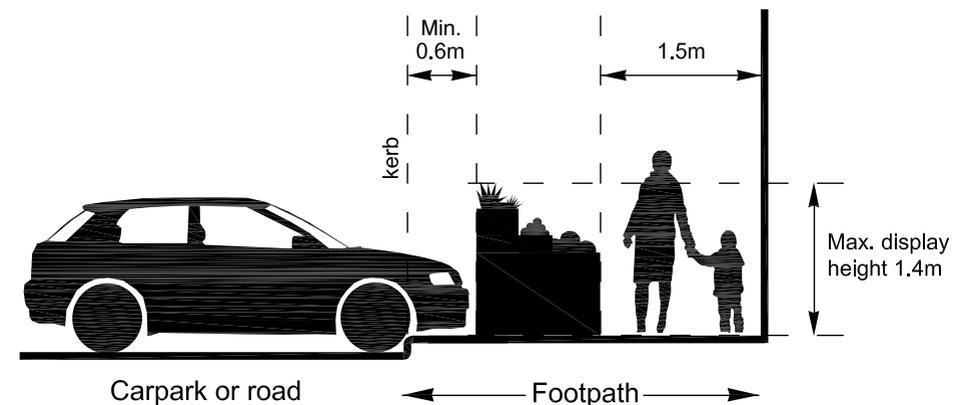


Figure 12: Outdoor displays – minimum setbacks and maximum height

Street trees, street furniture and other public infrastructure	Tips and advice
All footpath trading furniture or displays must be set back a minimum of 1.5 metres from any Council owned street furniture and/or utility infrastructure. (See figure 13)	Ask Council for advice on the best way to accommodate footpath trading in front of your business if there is other infrastructure or a pedestrian crossing nearby.
All footpath trading furniture or displays must be set back a minimum of 1.5 metres from bus stops, pedestrian crossings and paths connecting to pedestrian crossings.	

Responsibilities of a permit holder

A permit holder is responsible for:

- Complying with these guidelines
- Complying with the conditions contained in their Footpath Trading Permit, Planning Permit (if required), and Building Permit (if required)
- Complying with all laws relevant to trading on footpath areas
- Maintaining a minimum of \$20 million Public Liability Insurance.

Responsibilities of Council

- Council regularly cleans and maintains public footpaths. Furniture or fixtures must not impede this activity
- Council reserves the right to revoke a permit for footpath trading where there has been a breach of a permit condition
- Council Local Laws, Urban Design, Statutory Planning, and Building Officers, are available to provide on-site assistance and explain the application process.

For more information:

For more information on Footpath Trading in Manningham, please call Council on 9840 9333, or visit www.manningham.vic.gov.au/footpathtrading

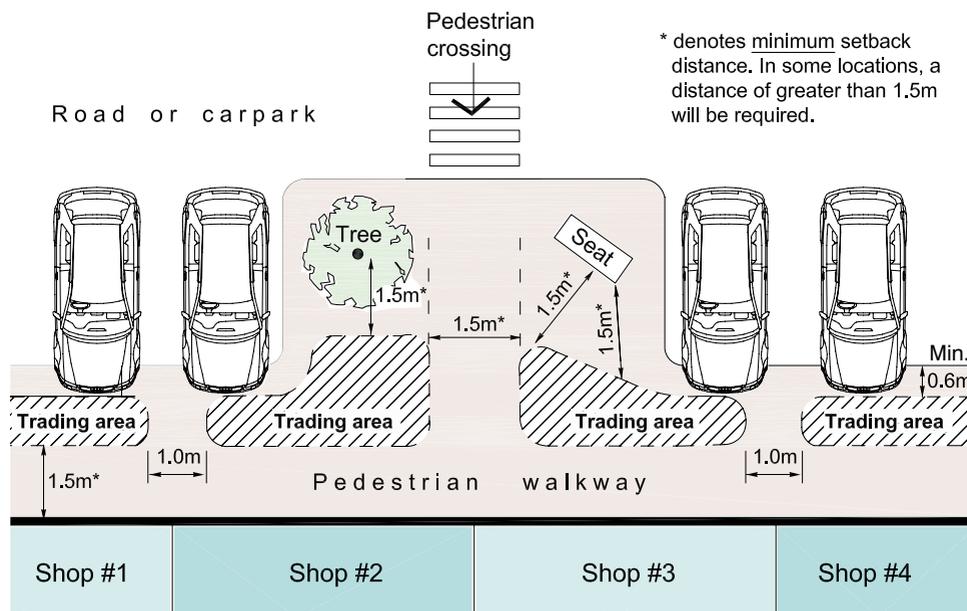


Figure 13: Minimum setbacks from street trees, street furniture and other public infrastructure



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