



## **DAREBIN CITY COUNCIL**

### **FOOTPATH ACTIVITIES POLICY 2010**

Date resolved by Council #

Commencement date #

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# 1. Introduction

## 1. Intent

The aim of the Footpath Activities Policy is to manage the use of public footpaths within the City of Darebin for commercial and not for profit purposes.

This policy acknowledges the primary role of the footpath as a pedestrian thoroughfare and the importance of clear and unimpeded access for pedestrians of all abilities. Footpaths are also a location for community infrastructure including electricity poles, signs, public seating and rubbish bins. The footpath can also be a location for commercial and non-commercial activities like advertising boards, display of goods and outdoor cafes recognising that opportunities for these activities are limited.

The Footpath Activities Policy should be considered in conjunction with Council's General Local Laws 1 of 2005, which contain provisions that enable enforcement and the Darebin Planning Scheme

This policy does not address obstructing the footpath for building construction and works, festivals, any attachment to the verandah or building and temporary permits as these types of requests are handled by different departments and regulations.

## 1.3 Policy Objectives

1. Provide a safe, clear and unimpeded path of access for pedestrians of all abilities
2. Improve pedestrian accessibility in areas that attract high pedestrian volumes
3. Provide for appropriate footpath trading activities that contribute to the vibrancy and economic viability of Activity Centres
4. Enhance the urban amenity and identity of Activity Centres
5. Ensure high quality design and finish of all footpath trading activities e.g. cafe furniture, display cases and racks and signs
6. Ensure access is maintained to public infrastructure including street furniture, signs, public transport, service pits and the roadway.

## 1.5 Definitions

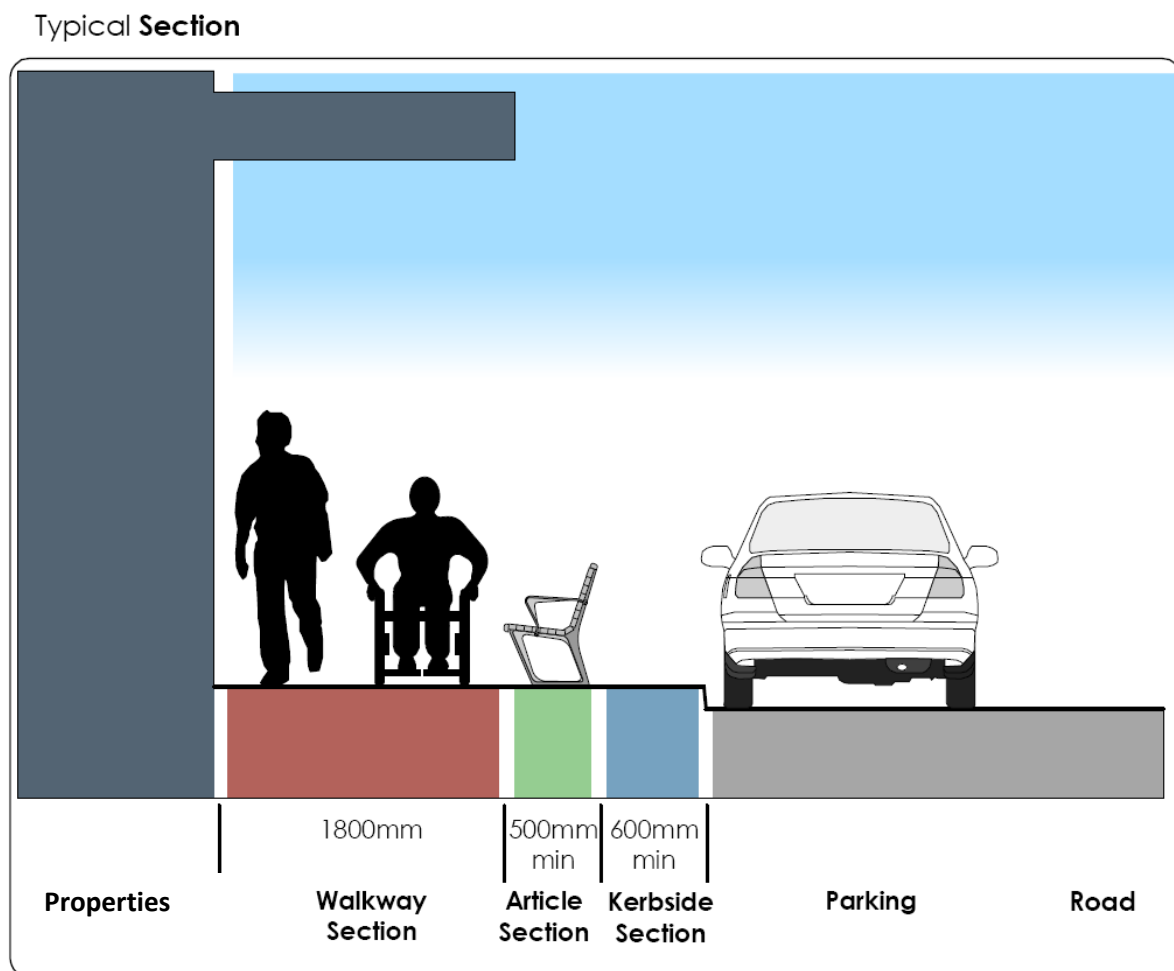
Footpath	Means the area between a property boundary and the face of the nearest kerbside of a road, which is provided for use by pedestrians
Footpath Trading Activities	Means the use of the footpath for commercial and not for profit activities including outdoor eating, display of goods and signs
Pedestrian	Means any person travelling along a footpath, including people with mobility aides
Wayfinding sign	Means sign providing directional information to major activities and community services
Flags / Totems	Refers to the different sign types used to indicate public transport roadside stops e.g. bus and tram stops and taxi ranks

## 2. Footpath Sections and Setbacks

### 2.1 Footpath Sections

The footpath is defined by four sections that govern its use including the Walkway Section, the Kerbside Section, the Articles Section and the Access Section.

The setbacks associated with each section are intended to provide for pedestrian access and surveillance, safe driving conditions, and access to infrastructure, public transport, the roadway and intersections. These setbacks are consistent with requirements and guidelines established by *Austrroads Handbook Guide to Traffic Engineering Practice*, *VicRoads Bus Stop Guidelines*, *Victorian Road Rules (2009)*, *relevant Australian Standards* and *Disability Discrimination Act (1992)*.



### **2.1.1 Walkway Section**

The Walkway Section is the area of the footpath adjacent to the building or property line and should provide a continuous accessible path of travel for people of all abilities. The Walkway Section also includes the area above the footpath to a height of 2.4m. No items should protrude into the Walkway Section.

The minimum width of a Walkway Section is 1.8m and 2.4m in height.

The Walkway Section can be reduced to 1.5m where footpaths are too narrow to accommodate a 1.8m Walkway Section and are not located in Principal, Major and Neighbourhood Activity Centre as defined by Council's *Retail Activity Centre Strategy* and the entire length of High Street from Westgarth to Reservoir.

### **2.1.2 Kerbside Section**

The Kerbside Section provides a buffer section between the footpath and the roadway. It also allows for access to and from parked vehicles.

The Kerbside Section is 0.6m extending from the face of the footpath back toward the property line.

Council will consider a reduced Kerbside Section to no less than 0.45m to achieve a 1.8m Walkway Section, however no reduction can be considered where the location is adjacent to angle carparking where a minimum 0.6m kerbside setback is required.

### **2.1.3 Article Section**

The Article Section is the area that exists between the walkway and the Kerbside Sections that has been allocated for footpath trading activities. The Article Section varies according to the width of the footpath and other conditions that may influence it and may not always be available. There are a number of setbacks that apply to the Article Section:

- a) Items within the Article Section to be setback 1m from footpath infrastructure including street trees, rubbish bins, bicycle racks, public seating, telephones, wayfinding signs and fire hydrants.
- b) Permanent café screens to be setback 1m from service pits (underground infrastructure).
- c) The Article Section to be setback 9 metres from the bus flag/totem on the approach to the Bus Stop.
- d) The Article Section to be setback 20m from the tram flag/totem on the approach to the Tram Stop.
- e) The Article Section to be setback 6m from a taxi totem/flag on the approach to a Taxi Rank
- f) The Article Section to be setback 1.6m from the kerb when adjacent to a disabled carpark.

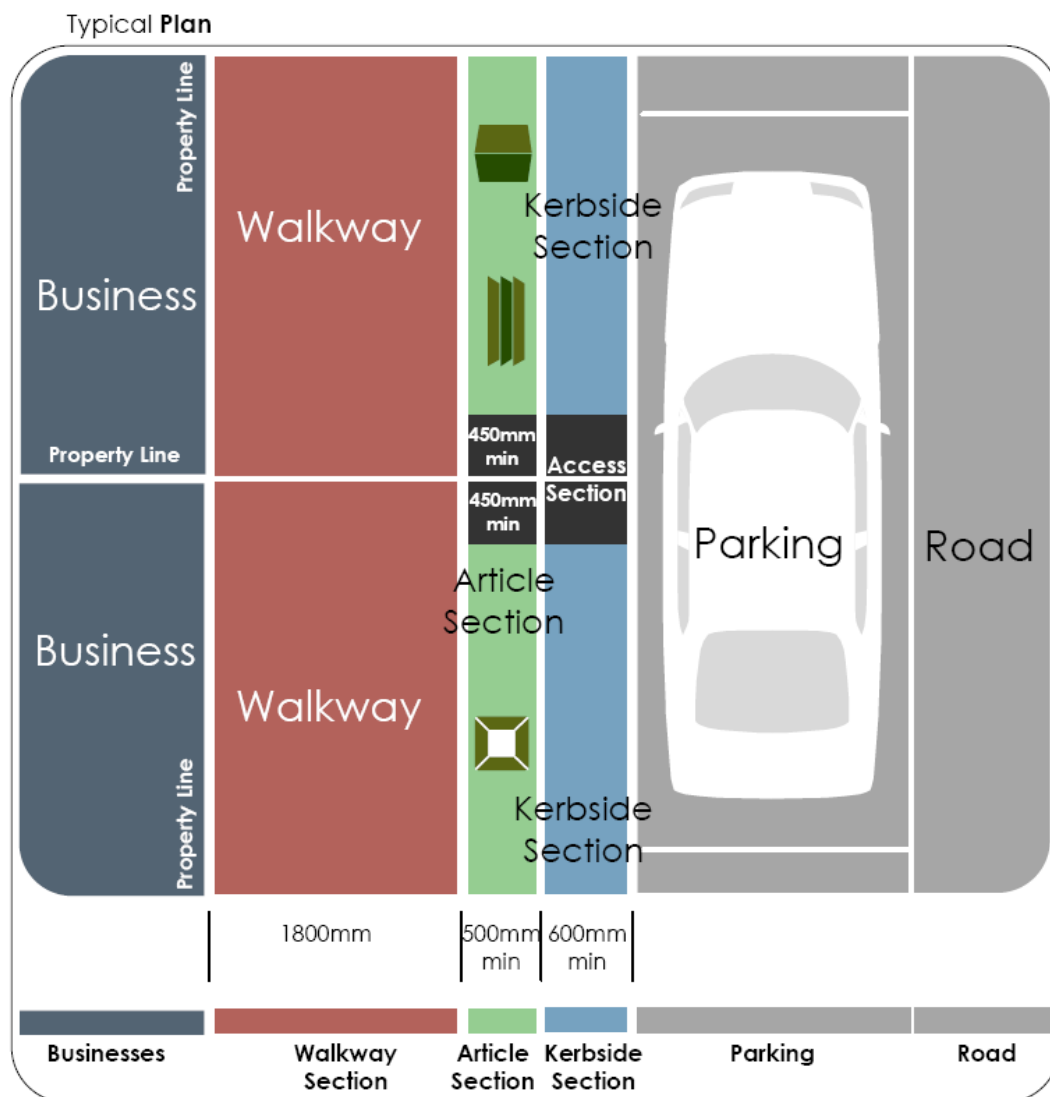
- g) The Article Section to be setback 0.6m from the kerb when adjacent to a Loading Zones. No permanent or temporary cafe screens are permitted when adjacent to a Loading Zone.
- h) The Article Section to be setback 0.6m from pram crossovers on any approach.
- i) An Application for use of the Article Section that is adjacent to an intersection (may affect 2 – 3 properties within the vicinity of an intersection), vehicle crossover, pedestrian crossing, public transport superstop and kerb outstands will be assessed by Council to determine the required setbacks.

**2.1.4 Access Section**

The Access Section enables pedestrian access to and from the roadway to the Walkway Section and is located adjacent to the boundary line of each adjoining property. The Access Section must be clear of all items.

The Access Section is 0.45m from the adjacent property which provides a 0.9m access point.

Council will determine additional access points in circumstances where a property front exceeds 9.5m and the applicant applies to use the entire front for footpath activities.



## 2.2 Summary of Setback Requirements

Conditions		Setback
1.	Setback of Article Section from property front	1.8m (minimum) *
2.	Setback of Article Section from Kerbside(Kerbside Section)	0.6m *
3.	Setback of Article Section from adjoining property boundary (Access Section)	0.45m
4.	Setback of footpath trading items from infrastructure e.g. street trees, rubbish bins, bicycle racks, public seating, telephones, wayfinding signs, fire hydrants	1m
5.	Setback of permanent cafe screens from service pits (underground infrastructure)	1m
6.	Setback of Article Section from Bus Stops	Prohibited in the area from the bus flag to 9 metres on the approach to the bus flag/totem *
7.	Setback of Article Section from Tram Stops	Prohibited in the area from the tram flag to 20 metres on the approach to the tram flag/totem *
8.	Setback of Article Section from disabled carparks	1.6m
9.	Setback of Article Section from Loading Zones	0.6m* No permanent or temporary cafe screens permitted
10.	Setback of Article Section from Taxi Ranks	Prohibited in the area from the taxi totem/flag to 6 metres on the approach to the taxi totem/flag *
11.	Required Clearances for properties adjacent to intersections and crossovers (may affect 2 – 3 properties near an intersection)	To be assessed by Council's Transport Management and Planning officers
12.	Pedestrian Crossings	Prohibited in the area of the crossing to a distance of 1.8m on any approach
13.	Pram Crossovers	Prohibited in the area to a distance of 0.6m on any approach
14.	Public Transport Super stops and kerb outstands	To be assessed by Council's Transport Management and Planning officers

\* Dispensation may apply

### **3. Operation and Design Guidelines**

#### **3.1 General Requirements**

Footpath trading activities must:

- a) Only be placed in the Article Section of the footpath and where applicable within Council installed markers.
- b) All activities placed within the Articles Section must align to the boundary adjacent to the Kerbside Section to maximise the amount of space for pedestrian movement.
- c) Not be of a permanent nature or of a fixed installation (with the exception of approved cafe screens).
- d) Be of a high quality design, construction and finish that Council considers attractive and will complement the character of the streetscape and contributes to the visual and urban amenity of the area.
- e) Be of sturdy and safe construction.
- f) Not include sharp, protruding or moving parts.
- g) Not be fixed to any Council or other infrastructure.
- h) Not cause damage to the footpath.
- i) Not be illuminated, reflective, flashing or animated in any way or can be mistaken for a traffic sign.
- j) Does not obstruct a driver line of sight, distract or confuse a driver.
- k) Contrast with the background to assist people with impaired vision.
- l) Must be maintained to an appropriate standard at all times as determined by Council.
- m) Only be placed on the footpath during the normal trading hours of the business to which they relate and must be removed during the hours 11.00pm and 7.00am to enable footpath cleaning (with the exception of fixed café screens).



### 3.2 Advertising Signs (A-Frames)

- a) A maximum of one (1) advertising sign per ground floor rateable property. Where a property has multiple frontages on different streets or roads e.g. properties located on intersections Council will consider (1) one advertising sign for each different street frontage. This does not apply to properties that have multiple adjoining street frontages on the same street or road e.g. a double fronted property.
- b) Council will consider the location of one (1) sign adjacent to an access for properties that are located upstairs, downstairs or to the rear of the property. Council **will not** permit additional signs for properties occupied by multiple tenants that share a common access.
- c) Only be placed on the footpath during the normal trading hours of the business to which they relate and must be removed during the hours 11.00pm and 7.00am to enable footpath cleaning.
- d) Must not exceed the total height of 1.2m and total width of 0.75m. (*Council's preferred size is 0.9m x 0.6m.*)
- e) Must be removed from the footpath during unsuitable weather conditions e.g. excessive wind.
- f) Must be of a design and construction approved by Council.
- g) Must not cause undue obstruction for pedestrians or road users.
- h) Must not contain information that Council considers offensive or is illegal or offensive.

### 3.3 Display Cases and Racks

- a) Display Cases and Racks must be designed specifically for display purposes. Council will not permit improvised devices such as shopping trolleys, milk crates, laundry baskets, moving trolleys and market style shopping carts.
- b) The maximum dimensions for a Display Case and or Rack inclusive of product are:

Height – 1.2m

Length – 1.8m

Width - 0.75m

- c) There is a maximum limit of two (2) display cases or racks in front of any one property. Council will consider applications for more than 2 display cases or racks where a property has multiple frontages or a frontage that exceeds 6m.
- d) Must be of a design and construction approved by Council.
- e) Display Cases and Racks must be secured by a Council approved locking devise. Improvised locking devices such as sand bags, bricks, books etc are not permitted.
- f) Goods can only be displayed in an approved Display Case or Rack and not placed directly on the ground.
- g) Display Cases and Racks to be free of all coverings.
- h) Display of foodstuffs must comply with Council's health services requirements.
- i) Apart from the business name, no other advertising or information is permitted on the Display Case or Rack. Display of the business name should not exceed 25% of the Display Case or Rack. If prices are displayed on goods, they must be placed inside the Display Case or Rack.

### **3.4 Outdoor Cafe Areas - General**

- a) All items associated with outdoor cafe areas including tables and chairs, umbrellas, cafe screens, and outdoor heaters may only be placed outside a premises registered under the *Food Act (Vic.) 1984* to serve food and/or beverages. It is the responsibility of the applicant to show evidence of current registration.
- b) The outdoor cafe area is to be kept clean and tidy at all times.
- c) All items are to be placed in the Articles Section only and the business must monitor and relocate items that may be moved by patrons into the Walkway, Kerbside and Access Sections.
- d) Ensure that patrons do not move furniture or block the Walkway Section with chairs and their own items e.g. prams and pets when using the area
- e) Waiting staff at the premises must prioritise and facilitate access by all footpath users.
- f) Liquor is not to be sold, consumed or served within the Article Section unless registered by the Liquor Licensing Commission pursuant to the Liquor Reform Act 1998. Any premises where alcohol is served or consumed on the footpath must include the footpath as part of the “licensed area” on its liquor licence and evidence provided when applying for a Footpath Trading Activities permit.
- g) Cash registers, counter, waiting stations, storage facilities or other items of this nature are not permitted on the footpath.
- h) No food or drink is to be prepared, cooked or heated on the footpath except where a permit has been granted by Council’s Health Department for a temporary food premises.
- i) The applicant will reimburse Council the cost of reinstating any damage to the footpath or nearby Council infrastructure as a result of the applicant use of the footpath area.

### **3.5 Tables and Chairs**

- a) Must be safe, sturdy, portable and windproof.
- b) Should have rubber stop on the legs to prevent damage to footpath.
- c) Tables should not have a perforated top.
- d) Must be of a design and construction approved by Council.

### **3.6 Umbrellas**

- a) Must provide an underside clearance from the footpath of 2.4m.
- b) Must be removed from the footpath during unsuitable weather conditions e.g. excessive wind.
- c) Rain water from umbrellas should be discharged outside the “Walkway Section”.
- d) Must not cause undue obstruction for pedestrians or drivers.
- e) The design must include an appropriate locking devise approved by Council. Sandbags, bricks and improvised devices are not permitted.
- f) Business identification and promotional advertising on umbrellas must not exceed 25% of the total area of umbrella. This provision is subject to relevant provisions within the Darebin Planning Scheme.

- g) Promotional advertising to be limited to products or services sold by the business excluding tobacco, alcohol, gambling or any offensive material. Other information and photography are not permitted.

### **3.7 Café Screens**

Cafe screens generally delineate an outdoor cafe area and provide a level of protection from the wind and weather. Council allows either fixed glass screens or temporary canvas style cafe screen designs. Glass cafe screens are of a fixed nature e.g. do not require removal outside trading hours and canvas cafe screens are installed during trading hours only.

Applications for café screens require assessment by a number of Council Departments. Installation will be managed by Council at the applicant's cost. The applicant will be required to pay costs prior to any installation occurring and is also responsible for costs associated with the removal of structures in the event they are no longer required.

Provisions for limited advertising on both fixed and temporary cafe screens are provided below. An application for a cafe screen that includes advertising may require a planning permit under the Darebin Planning Scheme. If required, Council will advise the applicant and endeavour to minimise and coordinate the process in-line with issuing the Local Law permit.

### **3.8 Fixed Screens**

- a) Must only be associated with the use of the footpath for an outdoor eating area.
- b) Must be a fixed height of 1.5m.
- c) Must contain transparent panels of toughened safety glass or equivalent that will not easily deteriorate or discolour.
- d) Must be of a stable and safe construction and installation.
- e) The design is limited to one section located parallel to the roadway and cannot include any other sections including fixed end sections or folding end panels. Previous designs that included fixed and folding end sections will be phased out by June 2011.
- f) Must be constructed from materials that are fire resistant.
- g) Design effects that limit screen transparency in anyway are not permitted.
- h) Business identification and promotional advertising on cafe screens must not exceed 25% of the total area of each panel of the cafe screen. This provision is subject to relevant provisions within the Darebin Planning Scheme.
- i) Promotional advertising to be limited to products or services sold by the business excluding tobacco, alcohol, gambling or any offensive material. Other information and photography are not permitted.
- j) The writing of menu's and specials is restricted to the end sections of fixed glass café screens and must be positioned below 1.2m, be hand written with a removal marker and be specific too menu items, costs and daily specials only.
- k) Council will advise of required access points for proposed screens that exceed 9.5m in length

- l) Fixed screens must be maintained at all times and cleaned regularly. Any failure to maintain the fixed screen including immediate replacement of cracked or broken glass panels and repair of damage to the frame structure will result in cancellation of the permit and removal of the screen at the applicant's cost.
- m) If a permit lapses, the fixed screen will be removed by Council at the applicant's cost.
- n) The applicant will reimburse Council the cost of removing a fixed screen, and repairing or replacing any damage to the footpath or nearby Council infrastructure as a result of the applicant use of the footpath area.

### **3.9 Temporary Cafe Screens**

- a) Must only be associated with the use of the footpath for an outdoor eating area.
- b) Must not exceed a total fixed height of 0.9m.
- c) Temporary Cafe Screens must secure to a lock in device located in and flush to the footpath. Any footpath construction will be managed by Council at a cost borne by the applicant. Council will require an up-front full payment prior to proceeding with any works.
- d) Business identification and promotional advertising on cafe screens must not exceed 25% of the total area of each panel of the cafe screen. This provision is subject to relevant provisions within the Darebin Planning Scheme. Other information and photography are not permitted.
- e) Promotional advertising to be limited to products or services sold by the business excluding tobacco, alcohol, gambling or any offensive material.
- f) Must be constructed from durable material.
- g) Must not be a fluorescent, neon or reflective colour.
- h) Only be placed on the footpath during the normal trading hours of the business to which they relate and must be removed during the hours 11.00pm and 7.00am to enable footpath cleaning.
- i) The applicant will reimburse Council the cost of removing the lock in device and repairing or replacing any damage to the footpath or nearby Council infrastructure as a result of the applicant's use of the footpath area.

### **3.10 Outdoor Heaters**

- a) Must comply with the relevant safety standards specified by the Office of Gas Safety. (Refer to the *"Safety Guide for Use of Portable Heaters in Public Places"* and related guidelines for staff and employers – [www.ogs.vic.gov.au](http://www.ogs.vic.gov.au) and Australian Standard AS4565.)

Applications for outdoor heaters that are attached to the verandah require Building and Planning approval and are not managed under this policy.

### **3.11 Blinds and Awnings**

Blinds and Awnings are generally attached to building verandahs for the purpose of providing shade and protection to the footpath area, e.g. outdoor café or produce (i.e. meat or other food stuffs displayed in the window).

Blinds and Awnings require Building approval and is not managed under this policy. Given the context in which they are installed, design guidelines have been included below will guide Council's assessment of an application.

Blinds and Awnings:

- a) Must be of a design and appearance that provides a positive contribution to the amenity of the area.
- b) Must not create an unsafe environment for pedestrians.
- c) Must be constructed from durable material that will not easily deteriorate or discolour.
- d) Must not be a fluorescent, neon or reflective colour.
- e) Must not substantially restrict light onto the footpath.
- f) Must be fitted within the Article Section of the footpath only.
- g) Must be designed, constructed and secured to the approval of Council's Building Department.
- h) Must have no moving parts.
- i) Must be installed at 90 degrees to the footpath.
- j) Must not be an obstruction to footpath cleaning equipment.
- k) Must allow for the 0.45m setback from the property boundary to provide for the Access Section.

### **3.12 Planter Boxes**

- a) No permanent planter boxes are permitted.
- b) Must contribute to the improved visual amenity of the area.
- c) Must not exceed 1.2m in height about the footpath level (inclusive of plant).
- d) Must be of a design and construction approved by Council.
- e) Planter boxes on wheels must include a wheeled locking device approved by Council.
- f) Plants must be kept healthy and well maintained.
- g) Plants must be of an appropriate species that is permitted by Council.
- h) Planter boxes must be kept free of all litter including cigarette butts.
- i) Existing permanent planter boxes will be phased out by June 2011.

## 4. General Management

### 4.1 Application Process

The use of a Council footpath for footpath trading activities is determined by this policy and related legislation and permissible only through the issue of and compliance with a Footpath Trading Activities permit.

The first step in obtaining a permit is to complete and submit the application form. Council will then assess the application in accordance with this policy and related statutory requirements and refer it to other departments if required. Council officers will contact the applicant to discuss conditions and modifications if required. If all the policy conditions can be met and the applicant agrees to these conditions Council will issue the invoice and permit. A permit becomes valid once the fee has been paid and a sticker must be displayed in the front window of the business to show the permit is current.

### 4.2 Information to be included with Application

The Application should be accompanied by the following information to enable Council officers to commence the assessment process:

- a) A site plan or sketch that shows:
  - a. Width of the property frontage
  - b. Distance from property boundary to the kerb
  - c. Existing conditions e.g. location of trees, light poles, signs, seats, bins, bicycle racks, pits, fire hydrants and any other public infrastructure.
  - d. Proposed layout of the footpath activity including each item and its proposed location
- b) Details of all proposed items including colour photographs and detailed design drawings including locking and other securing devices.
- c) Details of any proposed advertising including a colour photograph or detailed design drawings of the advertising and an indication of its size.
- d) Details of the hours of operation of the business to which the activity relates and the hours of operation proposed for the footpath activity.
- e) Evidence of **current public liability insurance** to a minimum of \$10 Million. The certificate of currency must include the footpath area proposed within the application and that Darebin City Council is listed as an interested party.
- f) Any other relevant details where applicable including:
  - a. Current registration to serve food and/or beverages under the *Food Act (Vic.) 1984*
  - b. Liquor license that includes the footpath as part of the "licensed area" when alcohol is to be consumed or served in this area
  - c. If an application includes advertising on a cafe screen, Council requires photographs of the external business premises (front and sides as applicable) showing all advertising in context with the building.

Council officers may request additional information.

Council will consider the relocation of street furniture including public seating, bicycle racks and rubbish bins on the following basis:

- a. Council officers are able to locate an alternative and suitable location
- b. The applicant agrees to the up-front cost of relocation

The relocation of street furniture can be a time consuming activity and applicants should be aware that an alternative location may not always be available or achieved in the timeframe desired by the applicant or not at all.

#### **4.3 Council Assessment**

Council officers consider applications in line with this policy and the following statutory documents:

Guide to Traffic Engineering Practice – Pedestrians, Austroads Handbook HB 69.13-1995  
(also supported by Standards Australia)  
Australian Standards – AS1428 (Design for Access and Mobility), AS2890 (Parking Facilities)  
VicRoads – Bus Stop Guidelines  
Road Rules (Vic) 2009  
Road Management Act (Vic) 2004  
Disability Discrimination Act (Vic) 1992  
Darebin Planning Scheme  
Other strategic documents will be developed that will impact the assessment process including Urban Design Guidelines

Depending on the nature of the application, Local Laws may refer an application for assessment by another Council department including:

- Statutory Planning – for issues pertaining to advertising on cafe screens
- Open Space – for issues pertaining to good design
- Transport Management and Planning – for issues pertaining to access and traffic

The referral of an application may lengthen the time required to assess an application.

#### **4.4 Annual Permit**

- a) Council only issues annual permits and all permits expire on 30 June each year.
- b) Upon approval of an application, Council will issue a Tax Invoice and permit sticker. The sticker must be displayed at the front of the premises i.e. window or door that is obvious to Local Law Officers.
- c) Council will send current permit holders a renewal application however renewal is not automatic and it is the applicant's responsibility to complete and submit the renewal application within the appropriate timeframe to avoid the permit lapsing.
- d) Annual permits are not transferrable.
- e) Permits are only valid during the hours the premises is open for business and footpath trading activities must be removed from 11.00pm – 7.00am to enable footpath cleaning.
- f) Permit holders must maintain current public liability insurance to a minimum of \$10 Million through-out the life of the permit. The lapsing of public liability insurance would void the permit and under these circumstances it is the responsibility of the permit holder to notify Council if public liability insurance lapses or is cancelled and or provide evidence of a new policy as per 4.2 (e).

- g) Council may revoke a permit in the event that the applicant breaches the conditions prescribed in the policy (see 4.6 Compliance) or:
  - a. A change in a law or regulation that impacts the conditions upon which the permit was issued.
  - b. Council is required to make changes i.e. carparking or the footpath environment that impacts the conditions upon which the permit was issued.
- h) Under defined conditions outlined in Section 2. Footpath Sections and Setbacks, Council will consider dispensation. Dispensation can only be issued by Council and the reduced widths will be specified in the permit.

#### **4.5 Transition Period**

- a) Existing permit holders that are impacted by the policy changes listed below will not be required to comply with the new policy provisions until 1 July 2013.
  - a. New height requirement for A-Boards and Display Racks and Cases
  - b. Limitations to the number of permitted A-Boards and Display Racks and Cases
  - c. Provision that all goods to be displayed in an approved Display Rack and or Case
  - d. Fees for fixed café screens and planter boxes
- b) Current permit holders will be required to comply with relevant provisions under the *Goods on Footpath Policy 2008*.
- c) Existing permit holders that maintain a current permit for fixed café screens and planter boxes will not be charged fees for these items until 1 July 2013.
- d) Council will consider applications from existing permit holders that experience hardship as a result of the new policy.

#### **4.6 Application for Dispensation and or Hardship**

- a) Applications for dispensation, hardship or matters not covered by the policy will be referred to the Director Development and Amenity for a decision. Guidelines will be developed to assist the decision making process.

#### **4.7 Compliance**

At different times Council will inspect footpath areas to ensure permit holders are complying with this policy and the related statutory requirements. Council also responds to complaints made about footpath obstructions from local residents, visitors and businesses. Compliance action will be taken in the event that Council learns a permit holder is in breach of this policy and the permit issued.

Council can issue notices, on the spot fines, revoke a permit or take Court action for any breach to this policy or offences under Council's Local Laws.

Depending on the seriousness and regularity of the breach, the general process for compliance consists of:

1. Verbal warning
2. Notice to comply
3. Penalty Infringement Notice

A Penalty Infringement Notice will result in the cancellation of the permit and restrict eligibility to obtain another permit for a minimum of twelve (12) months from the date the permit is cancelled.



## 5. Fees

- a) Council charges annual fees for the placement of items on the footpath as per the schedule of fees below.
- b) New applications that have never been issued a permit by Council will be issued at half the fee prescribed in the schedule of fees when the application is received from 1 January to 1 June.
- c) Once approved, Council does not issue fee refunds unless Council has been required to cancel the permit due to:
  - a. A change in a law or regulation that impacts the conditions upon which the permit was issued.
  - b. Council is required to make changes i.e. carparking or the footpath environment that impacts the conditions upon which the permit was issued.
- d) Council will consider a transfer of fees when a business relocates to an address within the City of Darebin pending the successful approval of a new application.
- e) Future items that will attract a fee include new applications for fixed café screens, canvas café screens and planter boxes.
  - a. Existing permit holders that maintain a current permit for fixed café screens and planter boxes will not be charged fees for these items until 1 July 2013.
- f) Fees are reviewed annually as part of Council's budgeting process.

### 5.1 Schedule of Fees (to 30 June 2010)

Advertisement Sign (A Board)	\$80.00 per sign
Display of Goods for Sale	\$120.00
Outdoor Café – Tables and Chairs	\$120.00
Outdoor Heater	\$30.00 per heater
Umbrella	\$30.00 per umbrella
Fixed & Temporary Café Screen	No charge (proposed \$125.00 from 1 July 2010)
Planter Boxes	No charge (proposed \$32.00 from 1 July 2010)

\* Existing permit holders that maintain a current permit for fixed café screens and planter boxes will not be charged fees for these items until 1 July 2013.

## 6. Appendices

### 6.1 City of Darebin Retail Activity Centre Hierarchy

Level of hierarchy	Summary description of role/function	Centres in Darebin
Principal Activity Centre (Regional Shopping/Entertainment)	Location for regional shopping services, cinemas and other entertainment functions, and limited non-retail activities such as community/medical/office.	Northland Shopping Centre
Principal Activity Centre (Multi-Functional Centre)	Wide mix of retail, office, civic and community functions, with key opportunity to develop as a multi-function precinct	Preston Central
Major Activity Centre (Sub-regional Shopping)	Location for shopping facilities that serve a sub-regional market (and including discount department store shopping); Northcote also has potential to develop as a significant multi-function location including high density housing	Northcote (including Plaza/Central and High Street shops);
Major Activity Centre (Community)	Key location for the integration of retail, civic, community and transport infrastructure	Reservoir Village
Primary Neighbourhood Activity Centre	Major neighbourhood shopping locations providing weekly grocery shopping and, in some cases, limited specialty store shopping	Fairfield; Broadway; South Preston; Summerhill / Target; Thornbury Village
Other Neighbourhood Activity Centre	Smaller groups of shops serving a neighbourhood catchment, typically with a small supermarket as a key tenants; Westgarth also has a wider specialty/arthouse/café role	Link Street; Westgarth Village; Miller on Gilbert Lancaster gate (approved)
Local Convenience Centres and other specialised locations	Small groups of shops serving a limited catchment, and typically providing for the daily convenience needs of residents in the surrounding area	Approximately 55 local convenience centres in Darebin (refer Table 5.2), plus other centres serving highway role/convenience restaurants, etc
Cluster Centre	Nominated location for the clustering of major bulky goods retail activities	Northland Bulky Goods precinct Bell Street Bulky Goods precinct

Source: City of Darebin Retail Activity Centre Strategy, 2005