

# Footpath Trading

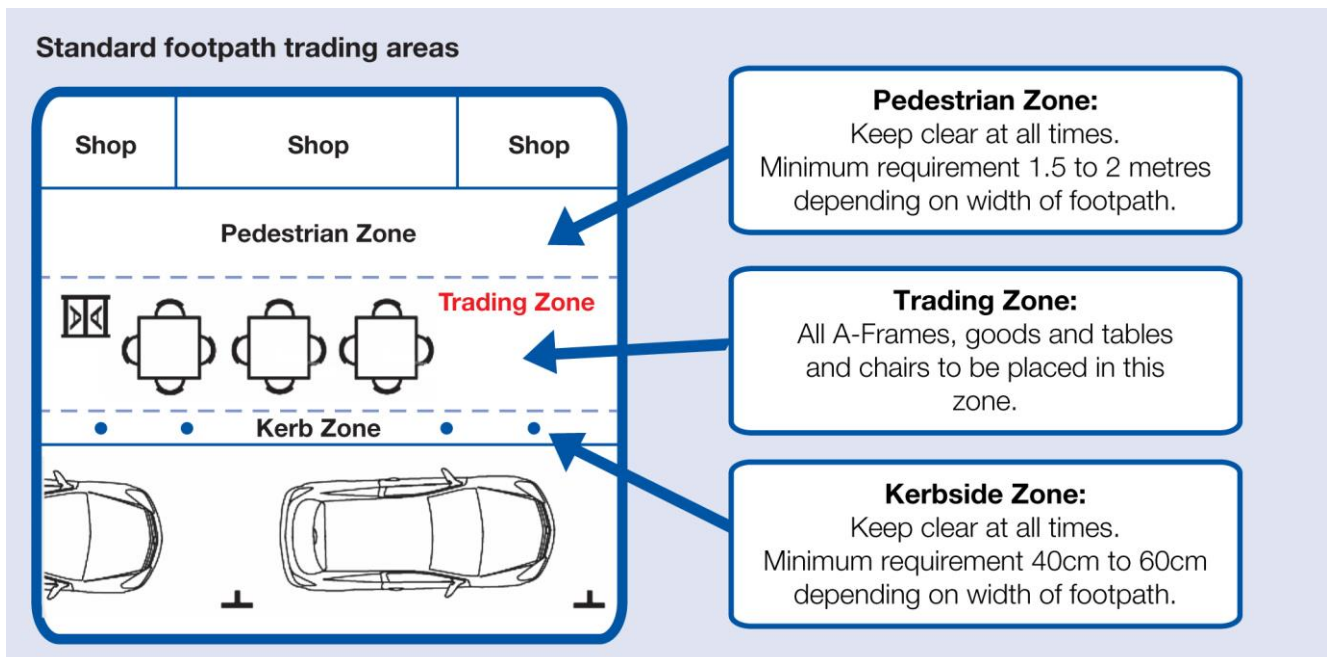


## To display articles on Council land pursuant to part 7 of Council's Local Law No. 2 – Neighbourhood Amenity

Local Law provisions for footpath trading activity have been in place since the mid 1990's and in that time, there has been a significant increase in footpath trading activity. Application of legislation such as the Disability Discrimination Act through rulings by the Human Rights and Equal Opportunity Commission on accessible path of travel for people with vision impairment on footpaths has defined the current best practice.

Bayside City Council is committed to supporting and enhancing the sustainable growth of local business and street activity and in April 2012 incorporated the *Footpath Trading Policy* into the new Local Law No. 2 – Neighbourhood Amenity. The Local Law has been designed to ensure that footpaths are unobstructed and pedestrians have safe access to them at all times, while maintaining the visual amenity of our city's streetscapes.

Local business owners and shop owners are required to hold a current footpath trading permit if they wish to place tables and chairs, goods for display or advertising signs on the footpath. All tables and chairs, goods and advertising signs must be placed kerbside within the trading zone and removed from Council land at close of trading. Permits are for a 12 month period and expire on the 31 August each year.



## All articles to be placed kerbside

All goods, A-frames, tables and chairs must be placed kerbside within the trading zone.

Where footpath width is between 2.5m – 3.5m

Pedestrian Zone: extends from building line for a minimum of 1500mm

Kerbside Zone: 400mm buffer from kerb

Where footpath width is between 3.5m – 4m

Pedestrian Zone: extends from building line for a minimum of 1800mm

Kerbside Zone: 500mm buffer from kerb

Where footpath width is 4m or wider

Pedestrian Zone: extends from building line for a minimum of 2000mm

Kerbside Zone: 600mm buffer from kerb

## Café barriers

Standard moveable café barriers do not require a footpath trading permit and may be placed where there are tables and chairs for safety reasons. If you are considering placing non-standard café barriers or fixing barriers to the footpath, contact Council's Footpath Trading Compliance Officer on 9599 4444.

## Fixed Screens

Applications for permits for fixed glass screens must be accompanied by a detailed site plan. Please see Council's Footpath Trading Policy for further details.



Further details of Footpath Trading permit requirements can be obtained from Council's website [www.bayside.vic.gov.au](http://www.bayside.vic.gov.au) or contact the Investigations Compliance Officer, on 9599 4444.

# Application for Footpath Trading Permit 2018-2019

Name of applicant: \_\_\_\_\_

Address for correspondence: \_\_\_\_\_

Contact phone nos.: \_\_\_\_\_ Email: \_\_\_\_\_

Business name: \_\_\_\_\_

Address for permit: \_\_\_\_\_

**Please circle / indicate the number of articles required and enter fees payable:**

PERMIT TYPE	QUANTITY	FEE	SUBTOTAL
New application / transfer of permit ownership		\$82.00	\$82.00
Sign ( <i>Moveable advertising sign, A-frame – 1 per site</i> )		\$349.00	
Goods ( <i>display tables – each</i> )		\$528.00	
Tables & chairs ( <i>maximum 4 chairs per table</i> )	1	\$367.00	
	2	\$734.00	
	3	\$1346.00	
	4	\$1958.00	
	5	\$2790.00	
	6	\$3622.00	
	6+	Add \$1060.00 for each extra table	
Fixed screens		<i>No. of tables fee x 50%</i>	
<b>TOTAL</b>			

I hereby make application for a Permit to display or place the abovementioned object(s) on Council Land outside the above premises. I have read and understood the conditions under which a permit may be granted by the Council, and agree to abide by all of those conditions for the duration of any permit so granted. I also guarantee to indemnify the Council for any financial loss as a direct result of negligence resulting from any articles belonging to the business and placed on Council Land.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**OFFICE USE ONLY**

**INVESTIGATIONS – GOODS / SIGNS / TABLES & CHAIRS**

T285: Application Fee AMOUNT: \$ 82.00

T286: Articles on footpath (As outlined above) AMOUNT: \$ \_\_\_\_\_



RECEIVED FROM: \_\_\_\_\_

## Form of Indemnity

I, \_\_\_\_\_ (Name)

of \_\_\_\_\_ (Address)

in the State of Victoria,

holding the position of \_\_\_\_\_ (role or position in business)

in the business named \_\_\_\_\_ (business name)

with ABN or ACN \_\_\_\_\_ (Australian Business  
or Company Number)

of \_\_\_\_\_ (business address)

for which business I am duly authorised to sign this indemnity, in consideration of the permit for

\_\_\_\_\_ (nature of the permit)

on the footpath, being granted to \_\_\_\_\_  
(name of person or incorporated business name on the permit)

(referred to as "the Permit Holder") HEREBY COVENANTS with BAYSIDE CITY COUNCIL (hereinafter referred to as "the Council") that unless caused by a breach of statutory duty or common law by the Bayside City Council or any of its officers, agents, employees or contractors, the Permit Holder agrees to indemnify the Council and keep the Council indemnified from and against all and any damage, loss, cost or liability incurred or suffered by any person as a result of the Permit Holder's failure to comply with any conditions of the Permit granted by the Council, or any other failure to comply with any relevant law, lawful duty or obligation giving rise to any damage, loss, cost or liability incurred or suffered by any person as a result of or in any way associated with the exercise of this Permit.

SIGNED SEALED AND DELIVERED by

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Sign)

\_\_\_\_\_  
(Print Position)

\_\_\_\_\_  
(Date)

in Victoria in the presence of:

\_\_\_\_\_  
(Print Witness Name)

\_\_\_\_\_  
(Witness Sign & Date)



## Insurance details

Please attach a copy of your certificate of currency for public liability insurance - \$10 million minimum. (Please request a Certificate from your insurance company – do not attach your policy renewal document).

## Site diagram

Application checklist		✓
1	Signed application form (includes indemnity and site diagram)	
2	Copy of certificate of currency for public liability insurance \$10 million minimum	
3	Fee (payable over the counter, or please attach a cheque/money order)	

**Please return completed application and attachments and payment to:**

In person: Bayside City Council, 76 Royal Avenue, Sandringham  
By mail: Bayside City Council, P O Box 27, Sandringham, Victoria 3191

