

<b>Footpath Trading</b>	Document No:	SCS-011
	Approval Date:	27 November 2018
	Approved By:	Council
	Review Date:	October 2023
	TRIM Reference	D18/118566
Responsible Officer:	Manager Business Improvement, Ranger Services and Building Compliance	
Authorising Officer:	Chief Executive Officer	

## 1. Purpose

The purpose of this policy is to control footpath trading in the Surf Coast Shire.

Footpath trading:

- adds to the vibrancy and appeal of our Shire and its streetscapes
- brings economic benefits to individual traders and the Shire
- encourages and attracts shoppers, tourists, visitors, and
- increases social interaction within our community,

but both Council and individual traders have a duty of care to pedestrians.

## 2. Scope

This policy states Council's approach to footpath trading, including the placement and use of furniture, signs and displays.

Council's Management Policy and Procedure - Footpath Trading, sets out the procedures for the issue of footpath trading permits and the regulation of footpath trading activities.

## 3. Application

This policy applies to Council staff, contractors and any business operator/trader who proposes to use Council's footpaths.

## 4. Definitions

Not Applicable.

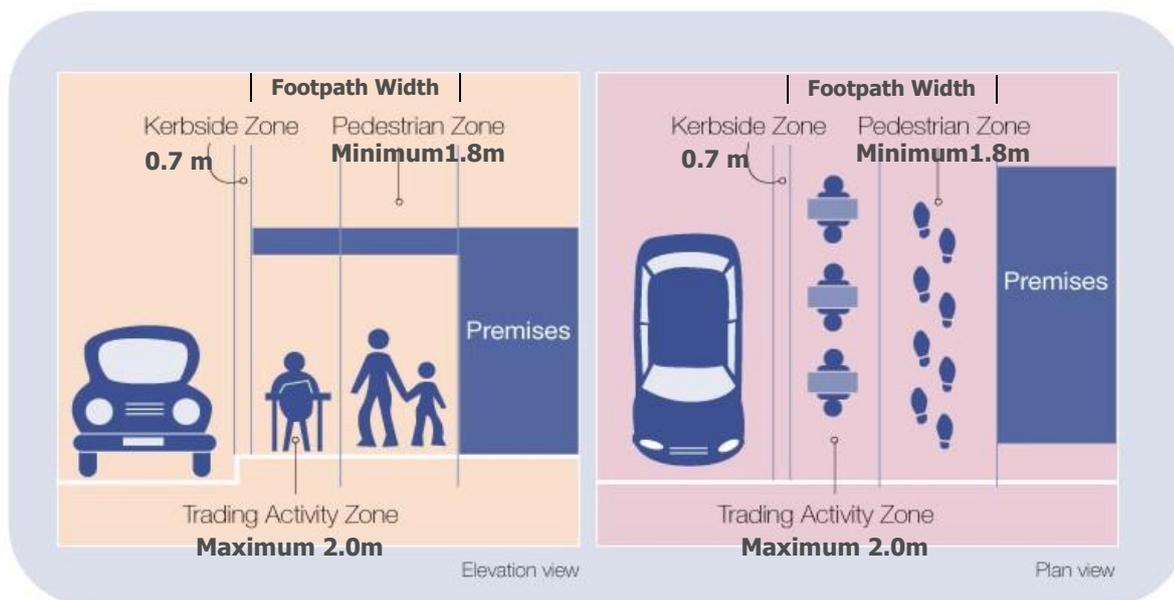
## 5. Policy

Surf Coast Shire Council:

- supports the conduct of footpath trading associated with established businesses, in shopping and business areas, in footpath trading zones (refer to clause 6)
- supports the concept that footpath trading:
  - is a privilege, not a right, and
  - must make a positive contribution to the urban character and amenity of the area and surrounding residential areas
- will regulate footpath trading to ensure that:
  - public safety and disability access are not compromised
  - pedestrians can move freely along footpaths
  - furniture and ancillary items placed on footpaths is in keeping with the character of the town, and consistent with the themes and palettes of any relevant plans that may be developed
  - business proprietors are treated equally, and
  - footpaths, irrespective of the activities permitted on them, remain as community assets
- prioritises public assets and fixtures on footpaths over commercial interests

## 6. Trading activity zone

Footpath trading will only be permitted in trading activity zones, on footpaths wider than 2.9m as shown below:



The trading activity zone gives precedence to the maintenance of a continuous accessible path of travel that is consistent, safe and unobstructed for everyone, including people who have a disability.

## 7. Fees

Footpath trading permit fees are set out in the Schedule of Fees and Charges, in the annual Budget.

## 8. Decision making and authority

Authorised Officers derive their authority for the purposes of this policy from the Surf Coast Shire Community Amenity Local Law No. 1 of 2011.

Local conditions will influence the approval of a permit. An Authorised Officer cannot permit activity where it would compromise pedestrian, cyclist or vehicle traffic safety or cause detriment to the amenity of the area.

## 9. Policy review

The Surf Coast Shire Council will review this policy from time to time as required and reserves the right to make any alterations it deems necessary.

## 10. Management Policy and Procedure - Footpath Trading

Surf Coast Shire Council's Management Policy and Procedure - Footpath Trading, sets out conditions for the issue of footpath trading permits and the regulation of footpath trading activities.

## 11. Records

Records shall be retained for at least the period shown below.

Record	Retention/Disposal responsibility	Retention period	Location
Application forms	Ranger Services team	For the period of the licence	Trim file F11/335

## 12. Attachments

Not applicable.

## 13. References

Disability Discrimination Act

Surf Coast Shire MPP-010 Management Policy and Procedure - Footpath Trading

Surf Coast Shire Tourism, Directional and Commercial Signage Policy SCS-012

Surf Coast Shire Tourism, Directional and Commercial Signage Management Procedure MPP-012

Surf Coast Shire Community Amenity Local Law No. 1 of 2011

Surf Coast Shire Annual Budget - Appendix D - Schedule of Fees and Charges.