

<b>PLANNING AND ECONOMIC COMMITTEE</b>	<b>6</b>
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<b>9 APRIL 2014</b>	<b>6</b>
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**BEST PRACTICE USE OF FOOTPATHS POLICY – ADOPTION AND AMENDMENTS**

Toni Johnston: TJ:18/46/1 : #4283734v2

**RECOMMENDATION:**

1. **That Council adopts the following amendments to the Best Practice Use of Footpaths Policy:**
  - a. **Existing building side dining be permitted until either the business changes ownership or a new business opens;**
  - b. **Umbrellas may be used under awnings and verandas for improved weather protection;**
  - c. **To ensure clear pedestrian access and public safety, a business is not permitted to have footpath dining on both sides of the footpath concurrently;**
  - d. **Semi-permanent furniture is only permitted on footpath for businesses which remain open over extended trading periods;**
  - e. **Inclusion of a Market Precinct Specific Policy in Appendix Two;**
  - f. **Allow removable barriers on four (4) sides of a footpath dining area upon application and in suitable locations; and**
  - g. **The Best Practice Use of Footpaths Policy currently applies only to the Cairns Central Business District.**
2. **All other requirements of the Best Practice Use of Footpaths Policy remain unchanged.**

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**EXECUTIVE SUMMARY:**

At the Ordinary meeting on 18 December 2013, Council passed the following resolution:-

1. *Council notes that there has been concerns expressed by CBD traders in regard to the new “Best Practice Use of Footpaths Policy” as adopted by Council at its November, 2013 Ordinary meeting.*
2. *In recognition of the concerns expressed by CBD traders and until further determined by Council place a “compliance moratorium” on outdoor dining of the recently adopted “Best Practice Use of Footpaths Policy”.*

3. *As a matter of urgency Council officers continue to consult and liaise with CBD traders in order to determine what amendments might be necessary to the new policy and bring these amendments before Council as soon as possible.*
4. *Third quarter invoices be issued for footpath dining in January 2014 as is normal practice.*

The following report provides a summary of the matters raised by businesses, residents, and visitors during the consultation period and suggests proposed amendments to the Policy as outlined in the recommendation to resolve these concerns.

### **BACKGROUND:**

At the Planning and Economic Committee Meeting on the 13 November 2013 Council adopted the Best Practice Use of Footpaths Policy (the Policy) which commenced on the 1 January 2014.

The policy provides a clear, concise and well-defined framework for the sustainable use and management of footpaths in the Cairns Regional Council area. It incorporates the management of portable advertising devices, display of goods, and footpath dining, with the aim of improving safety and amenity of the footpath and assisting with the revitalisation of the Central Business District ahead of upcoming key events, such as the Australian Tourism Exchange and the G20 Finance Ministers and Central Bank Governors Meeting.

The Policy objectives are to promote a vibrant street life which balances the interests of residents, ratepayers and visitors to the city and to achieve fairness and consistency between traders in the use of footpaths.

### **COMMENT:**

Overall, the policy has been well received within the CBD, indicated by high levels of compliance. It has gained support from business members of the Cairns Chamber of Commerce and received positive feedback from business owners, residents and visitors to the city.

Specific feedback was sought regarding Footpath Dining from meetings with individual business owners and the following provides a summary of the matters raised by businesses during this consultation period.

The consultation processes also involved distribution of supporting fact sheets (Appendix one) and discussions regarding alternative options for advertising and the display of goods on the footpath.

### **Footpath Dining**

In relation to footpath dining activities in the CBD a detailed audit found 78% of businesses already traded in compliance with the policy and did not require any change to their current business operations.

The remaining businesses would be impacted in varying measures by the policy and would be required to either move from building side to kerbside trading and/or to cease operating footpath dining on two sections of the footpath (both building side and kerb side).

During discussions with businesses affected by this policy position the following points were raised:

#### Inclement Weather / Umbrellas

In circumstances where existing shade is not available, the current policy provides an option to install a retractable screen, attached to the existing veranda or awning.

Businesses raised concern in relation to inclement weather (both sun and rain) and the current policy position of umbrellas not being permitted where existing shade is provided by awnings, verandas or street trees. Moving kerbside would potentially place diners into inclement weather situations with concerns that the cost of installing protective structures such as awnings is often expensive.

It is proposed that Council revise the policy position to permit the use of umbrellas under awnings and verandas.

#### Public Safety

This issue was raised in relation to bicycles being ridden on the footpath and the risk of injury to employees serving food across the pedestrian zone of the footpath.

Anecdotal reports from businesses currently operating footpath dining areas kerbside indicate that incidents of this nature rarely occur.

Riding bicycles on the footpath is a permitted activity in accordance with State legislation. To assist in alleviating cycle use on CBD footpaths Council provides designated bicycle paths which navigate cyclists around the city centre.

Footpath dining kerbside is currently conducted in very high visitation areas of the city, such as the Esplanade precinct and Grafton Streets. Metropolitan cities such as Brisbane, Melbourne and Sydney also have kerbside dining, where pedestrian flows are optimum and there are no significant issues with regards to public safety.

A requirement of a footpath dining permit is for the business to hold a \$20 million public liability insurance policy which indemnifies Council insures businesses against accidents within the footpath trading zone. A recent Local Laws survey indicated significant community support for the requirement for businesses to hold this insurance.

It is proposed that kerb side dining remain the default position under the policy as 78% of businesses already operate in this manner. To provide some flexibility it is proposed that businesses that currently operate on the building side continue to be permitted to do so until such time as the business ownership changes or a new business opens in the CBD.

### Dining both sides of the footpath

Dining located on two sections of the footpath (building and kerb side) occurs at very few businesses in the CBD.

Site visits to these properties demonstrated that the configuration of tables and chairs on both sides of the footpath adversely impacts pedestrian access and gives the perception of exclusive use / privatisation of the footpath. Access is impeded as pedestrians are confined within a small section of the footpath making an uncomfortable and in some circumstances unsafe experience for the pedestrian.

Discussions indicated that the provision of tables building side provided a “buffer” for employees when serving food to tables on the kerbside of the building.

In addition, concerns were raised from some businesses over the potential loss of income if the dining areas were reduced. It should be noted that outdoor dining fees are substantially less than commercial rents in the CBD.

It is proposed that businesses be required to cease trading on both sides of the footpath following the adoption of the recommendations outlined above. Whether it is appropriate for these businesses to continue trading kerb side or building side will be considered on a case by case basis. Having said that, the businesses impacted by this decision have substantial structures in place to support kerb side dining and this is likely to be the most suitable outcome in most instances.

### Permanent furniture on Footpath

Currently the policy states that tables and chairs must be removed from the footpath at the end of trading. It was identified during consultation that consideration is to be given to accommodating more permanent styled furniture on the footpath, particularly for businesses that operate dining areas for extended trading hours. This would include businesses that operate a footpath dining area for more than 12 hours over a 24 hour period.

Permitting semi-permanent furnishings would ensure that furniture could remain on the footpath and not be easily moved by patrons but also be completely removed at Council request.

It is proposed that businesses that meet this requirement be permitted to leave furniture on footpaths for extended periods. All other furniture must be stored inside the premises when the business is not operating.

### Barriers

Some business operators raised the issue of barriers being placed around all four sides of the footpath dining area, as currently the policy permits a maximum of three barriers. Businesses suggested that increasing the number of barriers to four, would assist with the safety of their patrons, particularly where alcohol service is available.

It is proposed that Council amend the Policy to permit barriers to be placed on all four sides of a footpath dining area, subject to Council approval on a case by case basis giving specific consideration to those establishments that predominantly serve Alcohol in their footpath dining area.

### Market Precinct Specific Policy

During the consultation process it was identified that a market precinct specific policy be developed for Rustys Markets in recognition of the unique characteristics and environment this precinct offers and the variation of footpath use in this area. (Appendix One). The market precinct will still meet the objectives of the policy as, similar to the northern section of the Esplanade precinct, trading has been placed building side in keeping with the attributes of this area.

The Footpath Policy standards will be met through the continuation of the footpath being divided into the three standard zones (Pedestrian, Trading, Kerb) however the trading zone has been relocated to the building side. This enables market stalls to extend 1.9m onto the footpath whilst still providing the minimum 2m pedestrian zone. The Kerb Zone remains consistent with the city footpaths at 1m in width.

Costs for trading on the footpath will be applicable and are based on a square meter rate in line with the current footpath fees for this section of the CBD.

### Regulation to the balance of Cairns

It is proposed that the policy be amended to apply to the Cairns Central Business District (CBD) as currently the policy applies to all footpaths managed by Cairns Regional Council. This enables Council to make further policy decisions about the use of portable advertising devices, such as A-frames and the display of goods on footpaths outside the CBD.

### **Suggested amendments to Policy**

To address the matters raised by the community and business through the consultation process, as highlighted in the report, it is suggested the following Policy amendments be made:

1. Existing building side dining be permitted until either the business changes ownership or a new business opens;
2. Umbrellas may be used under awnings and verandas for improved weather protection;
3. To ensure clear pedestrian access and public safety, a business is not permitted to have footpath dining on both sides of the footpath concurrently;
4. Semi-permanent furniture is only permitted on footpath for businesses which remain open over extended trading periods;
5. Inclusion of a Market Precinct Specific Policy in Appendix Two;
6. Allow removable barriers on four (4) sides of a footpath dining area upon application and in suitable locations; and
7. The Best Practice Use of Footpaths Policy currently applies only to the Cairns Central Business District.

**OPTIONS:**

1. That Council adopts the proposed amendments to the Best Practice Use of Footpaths Policy;  
Or
2. That Council withdraws the compliance moratorium on footpath dining adopts the Best Practice Use of Footpaths Policy with no amendments.

**CONSIDERATIONS:**

Risk management:

The policy will reduce liability and risk to Council as commercial activities are now located in a defined footpath zone. Further, businesses trading on the footpath are required to hold public liability insurance for \$20,000,000 (noting Council's interest) at a minimum in respect to any single occurrence, which is consistent with Council's current policy requirements.

Financial:

It is not envisioned that the adoption of the policy with amendments will have any significant financial impacts.

Corporate and Operational Plans:

The policy is in line with Council's four strategic directions outlined in the 2013-2018 Corporate Plan:

Providing a vibrant, inclusive and healthy community  
Ensuring a strong, diversified and sustainable regional economy  
Balanced, well-managed, healthy and sustainable environment  
Effective governance.

Statutory:

Local Law No.1 (Administration) 2011  
Subordinate Local Law No.1 (Administration) 2011  
Local Law No.59 (Commercial Use of Roads) 2002  
Subordinate Local Law No.59 (Commercial Use of Roads) 2002

Policy:

Best Practice Use of Footpaths Policy

**CONSULTATION:**

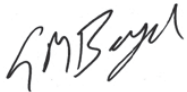
Cairns Chamber of Commerce  
CBD Businesses and traders

**ATTACHMENTS:**

Appendix One – Fact Sheet New Footpath Policy  
Appendix Two – Fact Sheet Footpath Dining  
Appendix Three – Fact Sheet Footpath Use  
Appendix Four – Fact Sheet Advertising  
Appendix Five - Market Precinct Specific Policy  
Appendix Six – Map of CBD indicating Footpath Dining Fee Zones



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**General Manager Planning and Environment**

Appendix One



Best Practice  
Use of Footpaths Policy  
Fact Sheet

**NEW FOOTPATH POLICY**

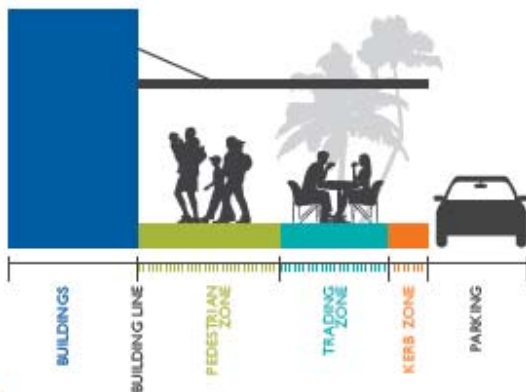
Council has developed the *Best Practice Use of Footpaths Policy* to help business owners determine how to trade on the footpath. The policy has been developed in consultation with business owners, traders and stakeholders to provide a framework for the sustainable use and management of footpaths in the Cairns Regional Council area.

The *Best Practice Use of Footpaths Policy* governs use of footpaths in the Cairns region. It outlines the responsibilities involved in managing the footpath area, design requirements, legal obligations, costs involved and other matters that are important prior to making an application to Council.

The policy aims to:

- Promote a vibrant street life which balances the interests and needs of residents, ratepayers and visitors to Cairns.
- Regulate and control the placement of objects on footpaths to achieve fairness and consistency between traders in the use of footpaths.

The footpath is a valuable use of public space. It can improve the look of our streets and add life and vibrancy to shopping strips. It supports the prosperity of the local economy and provides opportunities to dine outside.



This fact sheet provides a snapshot of the policy changes, including:

- Introduction of footpath zones
- Trading Zone
- Footpath dining
  - Public Liability Insurance requirements
  - Displaying permits
  - Barriers
  - Menu displays
  - Planter boxes
  - Advertising
  - Tables and chairs
  - Umbrellas
  - Delineation markers
- Complying with the policy
- Development of precinct-specific policies

**Footpath zones**

Cairns Regional Council describes the footpath as being made up of three zones.

**Pedestrian Zone**

The **Pedestrian Zone** is the area of the footpath, measured from the property boundary, that is for the exclusive use of pedestrians. The **Pedestrian Zone** is a minimum of 2.0m, however the width of the zone will vary from street to street, depending on the overall width of the footpath, pedestrian activity and safety.

Get the facts at [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au)



## NEW FOOTPATH POLICY



### Trading Zone

The **Trading Zone** is the footpath area between the **Pedestrian Zone** and the **Kerb Zone**. This area is exclusively for footpath dining. No other form of trading is allowed. The **Trading Zone** will vary in area from street to street depending on the overall widths of the footpath, the **Pedestrian Zone** and the **Kerb Zone** and any clearances from infrastructure located within the **Trading Zone**.

### Kerb Zone

The **Kerb Zone** is the area between the face of the kerb and the **Trading Zone**. This zone is important for the safety of pedestrians crossing the road and to allow passengers to gain access to parked vehicles. The zone must remain clear of any items approved for use in the adjacent **Trading Zone**.

Table 1. Minimum Pedestrian Clearance

Footpath width	Minimum pedestrian zone requirements	Examples
2.49m or less	2.0m (trading prohibited)	
2.5m - 3.0m	2.0m (trading prohibited)	
3.1m - 4.0m	2.0m	Spence St / Lake St
4.1m - 5.0m	2.0m	Grafton St
5.1m - 6.9m	3.0m	Esplanade

### Trading Zone changes

Footpath dining and associated infrastructure, such as planter boxes, umbrellas, barriers and menu display stands, are permitted in the **Trading Zone**. To ensure clear pedestrian access to dining areas and shops, the sale of goods and advertising signage is not permitted in this zone.

Table 2. Indicates activities permitted in the Trading Zone

Trading Zone	Permitted Permit Required	Not Permitted
Awnings	✓	
Transparent drop-down blinds	✓	
Footpath dining furniture	✓	
A-frames		X
Portable signage		X
Advertising on blinds / awnings		X
Display of goods		X
Flags		X
Banners		X
Public seating (chairs and tables)		X
Decks		X

### Footpath dining changes

**Public Liability Insurance requirements** – policies will increase to \$20million in January 2014.

**Displaying permits** – current permits for footpath dining must be displayed on the shop front window.

**Barriers** must be used in outdoor dining areas to contain furniture within the approved **Trading Zone**. To preserve the general appearance and openness of the streetscape, the maximum height of removable barriers is 0.9m.

**Menu displays** are only to be located in the **Trading Zone**. Menu displays may also be placed on building frontages.

**Planter boxes** can be used to improve the look and feel of an outdoor dining area. A footpath approval must be obtained for the use of planter boxes or planters as barriers.

**Advertising** is not approved on tables and chairs or transparent blinds. Applicants may feature the name of their business or relevant product name on barriers, retractable blinds and umbrellas.

**Tables and chairs** must, at all times, be confined within the **Trading Zone**. The type and design of tables and chairs must be approved by Council.

**Umbrellas** should only be used where existing shelter, such as verandas, canopies, trees and awnings, does not provide sufficient sun protection. The use of umbrellas under existing awnings and verandas is not permitted.

### Precinct-specific policies

Precinct-specific policies have been developed for certain areas in the Cairns Regional Council area. The Esplanade Precinct-Specific Policy has been developed and can be found at Council's website [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au) (under the Local Laws tab).

In areas not covered by a precinct-specific policy, or if a precinct-policy is applied but does not include a specific matter, the *Best Practice Use of Footpath Policy* applies.

### Complying with the policy

**The Best Practice Use of Footpaths Policy comes into effect on 1 January 2014.**

Holders of Footpath Dining Permits will need to renew their permit for the year starting 1 January 2014. Once an application has been lodged, Council officers will inspect the footpath dining area and assist with implementing policy changes. Portable Signage Permits and Goods on Footpath Permits will expire on 31 December 2013.

### More information

New applications and further information can be obtained from Council's Licensing and Approvals Unit on 4044 3044 or on Council's website [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au) (see *Local Laws and Policies* under the *Laws Regulations & Forms* tab).

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Appendix Two



Best Practice  
Use of Footpaths Policy  
Fact Sheet

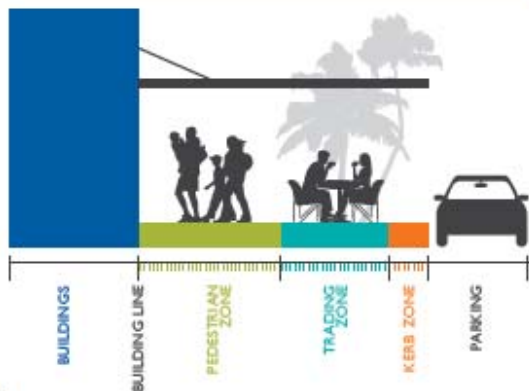
**FOOTPATH DINING**

Council has developed the *Best Practice Use of Footpaths Policy* to help business owners determine how to trade on the footpath. The policy has been developed in consultation with business owners, traders and stakeholders to provide a framework for the sustainable use and management of footpaths in the Cairns Regional Council area.

The *Best Practice Use of Footpaths Policy* governs use of footpaths in the Cairns region. It outlines the responsibilities involved in managing the footpath area, design requirements, legal obligations, costs involved and other matters that are important prior to making an application to Council.

- The policy aims to:
- Promote a vibrant street life which balances the interests and needs of residents, ratepayers and visitors to Cairns.
  - Regulate and control the placement of objects on footpaths to achieve fairness and consistency between traders in the use of footpaths.

The footpath is a valuable use of public space. It can improve the look of our streets and add life and vibrancy to shopping strips. It supports the prosperity of the local economy and provides opportunities to dine outside.



**Footpath dining**

Cairns Regional Council describes the footpath as being made up of three zones.

**Pedestrian Zone**

The **Pedestrian Zone** is the area of the footpath, measured from the property boundary, that is for the exclusive use of pedestrians. The **Pedestrian Zone** is a minimum of 2.0m, however the width of the zone will vary from street to street, depending on the overall width of the footpath, pedestrian activity and safety.

**Trading Zone**

The **Trading Zone** is the footpath area between the **Pedestrian Zone** and the **Kerb Zone**. This area is exclusively for footpath dining. No other form of trading is allowed. The **Trading Zone** will vary in area from street to street depending on the overall widths of the footpath, the **Pedestrian Zone** and the **Kerb Zone** and any clearances from infrastructure located within the **Trading Zone**.

**Kerb Zone**

The **Kerb Zone** is the area between the face of the kerb and the **Trading Zone**. This zone is important for the safety of pedestrians crossing the road and to allow passengers to gain access to parked vehicles. The zone must remain clear of any items approved for use in the adjacent **Trading Zone**.



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## FOOTPATH DINING



As footpaths vary in width throughout the city the width of **Pedestrian Zones** and **Trading Zones** will also vary. **Table 1** indicates minimum **Pedestrian Zone** width based on footpath width.

Table 1. Minimum Pedestrian Clearance

Footpath width	Minimum pedestrian zone requirements	Examples
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**Kerb Zone** widths will also vary, depending on the associated parking requirements. **Table 2** show the minimum setbacks for **Kerb Zones**.

Table 2. The minimum distance between the face of the kerb and the Trading Zone

Parking restrictions	Minimum setback from kerb
Parallel parking	0.5m
Loading zones	1.0m
No standing anytime	1.0m
Angle parking	1.0m
Bus and taxi zones	1.5m
Disabled parking <ul style="list-style-type: none"> <li>• Parallel parking</li> <li>• Angle parking</li> </ul>	1.3m 1.7m

### How do I work out my Trading Zone?

1. Measure the width of the footpath (from the building to the kerb)
2. Determine the **Pedestrian Zone** width (using **Table 1**)
3. Determine the **Kerb Zone** width (using **Table 2**)
4. Add the **Pedestrian Zone** width and the **Kerb Zone** width together and then subtract from the width of the footpath.

### An example for Grafton Street footpath dining

**Pedestrian Zone** 2.0m plus **Kerb Zone** 1.0m = 3.0m **Trading Zone**  
Footpath width 5.0m minus 3.0m = 2.0m **Trading Zone**

### What can I have in my footpath dining zone?

**Barriers** must be used in outdoor dining areas to contain furniture within the approved **Trading Zone**. To preserve the general appearance and openness of the streetscape, the maximum height of removable barriers is 0.9m.

**Menu displays** are only to be located in the **Trading Zone**. Menu displays may also be placed on building frontages.

**Planter boxes** can be used to improve the look and feel of an outdoor dining area. A footpath approval must be obtained for the use of planter boxes or planters as barriers.

**Advertising** is not approved on tables and chairs or transparent blinds. Applicants may feature the name of their business or relevant product name on barriers, retractable blinds and umbrellas.

**Tables and chairs** must, at all times, be confined within the **Trading Zone**. The type and design of tables and chairs must be approved by Council.

**Umbrellas** should only be used where existing shelter, such as verandas, canopies, trees and awnings, does not provide sufficient sun protection. The use of umbrellas under existing awnings and verandas is not permitted.

### Delineation markers

Delineation markers must be installed in the footpath according to Council specifications and at the applicant's cost. These markers will assist owners, managers and the general community to define the approved outdoor trading area. Delineation markers may not be required where screens and sockets are that clearly indicate the **Trading Zone** are installed.

The approval holder must ensure all furniture associated with outdoor trading is located within the defined zone.

### Public Liability Insurance requirements

Public Liability Insurance policies will increase to \$20 million in January 2014.

### Displaying permits

Permits for footpath dining must be clearly displayed on the shop front window.

### Complying with the policy

**The Best Practice Use of Footpaths Policy comes into effect on 1 January 2014.**

Holders of Footpath Dining Permits will need to renew their permit for the year starting 1 January 2014. Once an application has been lodged, Council officers will inspect the footpath dining area and assist with implementing policy changes. Portable Signage Permits and Goods on Footpath Permits will expire on 31 December 2013.

### More information

New applications and further information can be obtained from Council's Licensing and Approvals Unit on 4044 3044 or on Council's website [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au) (see *Local Laws and Policies* under the *Laws Regulations & Forms* tab).

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## Appendix Three



## Best Practice Use of Footpaths Policy Fact Sheet

### FOOTPATH USE

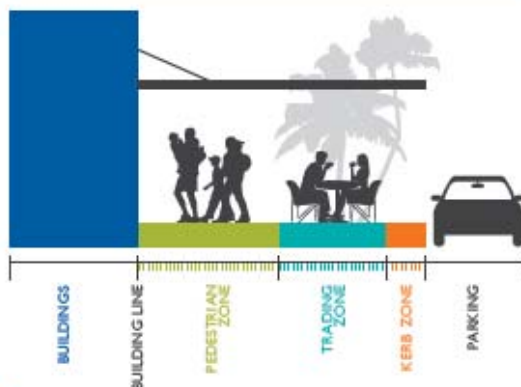
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The footpath is a valuable use of public space. It can improve the look of our streets and add life and vibrancy to shopping strips. It supports the prosperity of the local economy and provides opportunities to dine outside.



### Footpath zones

The footpath is the area between the property boundary and the kerb that is provided for pedestrian use. Cairns Regional Council describes the footpath as being made up of three zones.

#### Pedestrian Zone

The **Pedestrian Zone** is the area of the footpath, measured from the property boundary, that is for the exclusive use of pedestrians. The width of the **Pedestrian Zone** is a minimum of 2.0m however the width will vary from street to street, depending on the overall width of the footpath, pedestrian activity and safety.

#### Trading Zone

The **Trading Zone** is the footpath area between the **Pedestrian Zone** and the **Kerb Zone**. This area is exclusively for footpath dining. No other form of trading is allowed. The **Trading Zone** will vary in area from street to street depending on the overall widths of the footpath, the **Pedestrian Zone** and the **Kerb Zone** and any clearances from infrastructure located within the **Trading Zone**.

#### Kerb Zone

The **Kerb Zone** is the area between the face of the kerb and the **Trading Zone**. This zone is important for the safety of pedestrians crossing the road and to allow passengers to gain access to parked vehicles. The zone must remain clear of any items approved for use in the adjacent **Trading Zone**.

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## FOOTPATH USE

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### What is permitted in the Trading Zone?

Footpath dining and associated furnishings, such as planter boxes, umbrellas, barriers and menu display stands, are permitted in the **Trading Zone**. To ensure clear pedestrian access to dining areas and shops, the sale of goods and advertising signage is not permitted in this zone.

### Complying with the policy

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Holders of Footpath Dining Permits will need to renew their permit for the year starting 1 January 2014. Once an application has been lodged, Council officers will inspect the footpath dining area and assist with implementing policy changes. Portable Signage Permits and Goods on Footpath Permits will expire on 31 December 2013.

### More information

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Appendix Four



## Commerical advertising signage

There is a range of commercial advertising signage options available that may offer an alternative way to attract passing clientele, increase visitation or promotion of your business.

Used individually or in combinations, advertising signs are seen daily by many people and directs customers to your door.

If you are considering installing additional, new or upgrading current signage, Council can

assist you with the application process and technical requirements such as the location, size and design of the signs.

To book an on-site meeting, please call our Local Laws team on 4044 3044.

Included in this fact sheet are some advertising signage options and how these are used in business. All advertising shown in this fact sheet requires approval from Council in accordance with the Local Laws.



Wall and under awaning signage



Awning signage



Fascia and wall signage



Over door signage



Council regulates advertising in accordance with Local Law No.28 (Control of Advertising) and Local Law Policy) No.6 (Control of Advertising) and the Best Practice Use of Footpaths Policy.



Applications and further information can be obtained from Council's Local Laws unit on 4044 3044 or Council's website [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au) (see Local Laws – regulation and forms – Local Laws).

## Further signage examples



Window, fascia, wall and underawning signage



Under awning signage



Wall, fascia and above door signage



Wall and under awning signage



Wall signage



Fascia and window signage



Wall signage and bank advertisement

## Appendix Five

## Market Precinct Specific Policy

*Each shopping precinct is different in terms of activity, pedestrian traffic, types of shopping and the width of the footpath.*

The *Best Practice Use of Footpath Policy* has been developed by Council to provide a framework for the sustainable use and management of our footpaths in the Cairns Regional Council area.

Council recognises that specific areas of the region have unique characteristics and environments where footpath demands and use will differ. Council has developed precinct-specific areas to meet these needs.

The markets along Sheridan Street, Cairns City offer a boutique shopping experience. This precinct experiences heavy pedestrian traffic at all times of the year, making it one of the most popular market shopping experiences within Cairns.

### Sheridan Street Frontage

#### Footpath Zones

The footpath is made up of three zones, the **Pedestrian** zone **Trading** zone and **Kerb** zone. The market precinct footpath is unique as it is within this section that commercial trading is permitted next to the property boundary. This changes the standard **Pedestrian** zone to the area between the property boundary and the **Kerb** zone.

The **Pedestrian** zone width for the market precinct is 2m from the kerb zone to the trading zone. The **Trading** zone width is 1.9m from the property boundary, with the **Kerb** zone being a distance of 1m, as angle parking predominately occurs along this section of Sheridan Street.

#### What may I have in the Market Precinct trading zone?

Table 2 is a quick guide to the activities and furnishings that require a permit if conducted in the Market precinct.

Table 2. Activities requiring a permit in the Market precinct.

Activity	Permit Required	Not Permitted
Awnings	✓	
Tables	✓	
Portable advertisements		✗
Display of Goods	✓	
Advertising on blinds / awnings	✓	
Flags / Banners		✗
Public seating (chairs and tables)	✓	

All other requirements for this Market precinct are in accordance with the *Best Practice Use of Footpaths Policy*.

*For further information about footpath trading please visit Council's website at [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au) or contact Council's Licencing and Approvals Unit on 4044 3044*



Appendix Six

