

Best Practice Use of Footpaths Policy Fact Sheet

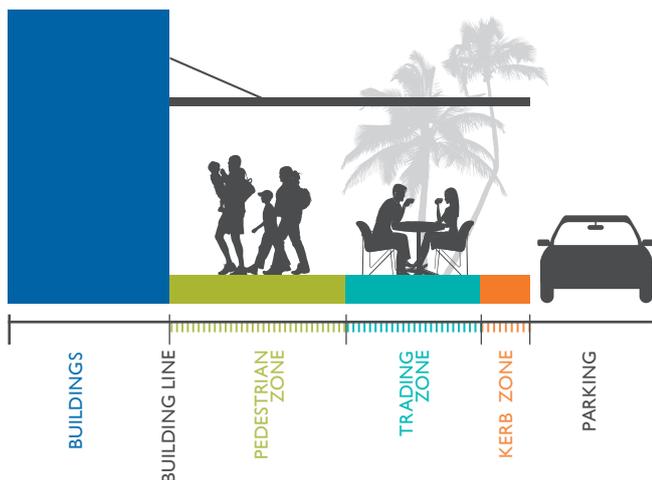
NEW FOOTPATH POLICY

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
 - 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.



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 can be used under verandas, canopies and awnings.

Precinct-specific policies

Precinct-specific policies have been developed for certain areas in the Cairns Regional Council area. The *Esplanade and Market precinct-specific policies* have been developed and can be found at Council's website 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 (see *Local Laws and Policies* under the *Laws Regulations & Forms* tab).