



**Bayside Council**

Serving Our Community

# **Footway Trading Policy**

**13 November 2019**



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Footway Trading Policy

File: SF19/2365 Document: 17/11825[v2]

Policy Register: F16/951 Policy No.: PP17/4

Class of document: Council Policy

Enquiries: Manager Certification



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# 1 Introduction

This policy regulates the placing of goods, chattels, furniture and advertising on public footways. The policy acknowledges the importance of footway trading opportunities for traders, whilst being mindful that footways are available for everyone to use.

## 1.1 Definitions

The definitions of certain terms are:

### ***Footway Trading Zone***

An area of public land identified via a Footway Trading Approval that a trader can utilise for trade only.

### ***Kerb Zone***

An area of footway that is populated by public infrastructure, street furniture and/or trees or is used to service passengers entering or exiting vehicles that are parked next to the footway. This zone is commonly the footway area immediately set back from the kerb.

### ***Footway Trading Approval***

An official document giving a person or corporate body the permission to do something, in this case to utilise public land.

### ***Approved Trader***

A person or corporate body who holds a footway trading approval.

### ***Trader***

A business operator who may or may not hold a footway trading approval.

### ***Pedestrian Zone***

A minimum unencumbered pedestrian access width of 1.5 metres on moderate pedestrian traffic footways. A minimum unencumbered pedestrian access width of 1.8 metres on high pedestrian traffic footways. Council reserves the right to further increase this minimum width on prominent footways or on high pedestrian traffic footways.

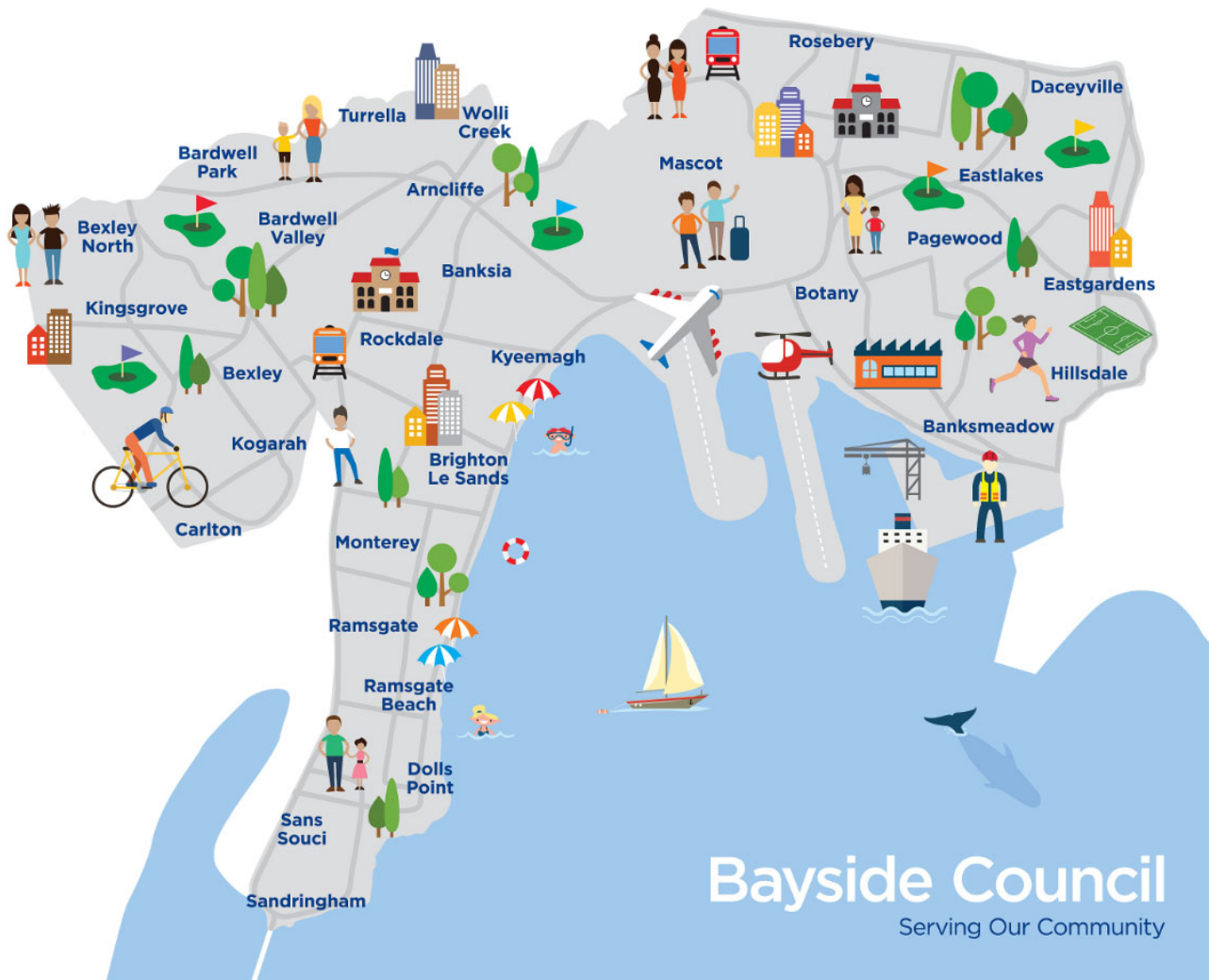
## 1.2 Policy statement

Bayside Council is committed to ensuring that everyone in our community is able to enjoy the many social, cultural and business benefits of living and working in the City. This includes all people who live, work and visit the City, including young people, older people, families, employees, employers and people with a disability.

Whilst acknowledging the importance of footway trading opportunities for traders, we must be mindful that footways are available for everyone to use. This policy upholds this statement.

### 1.3 Scope of policy

Land to which the policy applies.



## 2 Standards

The following guiding principles have been used in developing the policy:

- 1 Council aims to provide a clear, safe and unobstructed access at all times for pedestrians of all abilities on the City's footways in accordance with Council's statutory responsibilities;
- 2 Footway activity must be a positive contribution to the urban character and amenity of the area;
- 3 Policy needs to be clear, consistent and equitable for all traders;
- 4 Council supports the long term viability and sustainability of vibrant retail strips and town centres; and
- 5 Footway trading is a privilege, not a right.

## 3 Appropriate Zones and Locations

A Footway Trading Approval is required to establish a Footway Trading Zone for the placing of goods, furniture, chattels and advertising signs on public footways.

The location of the Footway Trading Zone must be near the approved trader's premises and must provide a clear, continuous and safe access of travel for pedestrians, people with disabilities and authorised vehicles. The Footway Trading Zone must also provide a relaxed environment that enhances the streetscape and other functions of the area.

Unsuitable locations for Footway Trading Zones are areas considered to be unprotected, elevated, steep, uneven and unstable for the placement of goods, furniture and signs. Corner intersections of high traffic flow may also be considered unsuitable subject to consideration by Council.

## 4 Public Infrastructure

Public infrastructure on footways has priority over commercial interests at all times.

As a general rule, public infrastructure already in place will not be moved or removed (relocated or repositioned) as a result of unavailable space to trade within a footway trading zone. Should existing infrastructure exist, an application to vary Footway Trading Approval requirements may be made and a decision may be made to remove, relocate or add infrastructure, if in Council's opinion this does not decrease the amenity of the area. All costs for removal and reinstatement will be borne by the Approved Trader.

Existing street furniture and infrastructure must not be used for any trading purposes.

The following clearances apply to existing infrastructure and public street furniture:

- 1.0 metre clearance from public infrastructure such as fire hydrants, bins, payphones, public seats and bike stands;
- 0.5 metre clearance required at all times from other street furniture such as bollards, telecommunications pits, poles, trees and shrubs;
- 1.8 metre clearance from a pedestrian crossing;

- 1.8 metre clearance from bus zones to allow adequate clearance for passengers to alight from buses safely. This distance may be reviewed if goods do not interfere with safe pedestrian movement to and from buses; and
- All the above clearances are subject to the minimum unencumbered Pedestrian Zone width being maintained.

## **5 Minimum Areas for Kerb, Pedestrian and Footway Trading Zones**

Footways are to be divided into a minimum of two and a maximum of three zones to ensure complimentary use of the area between the public and trade uses. The zones consist of:

- 1 Pedestrian Zone;
- 2 Footway Trading Zone; and
- 3 Kerb Zone.

Refer to 'Definitions', 'Council's Footway Trading Maps' and the 'Footway Trading Guidelines' for additional information in regard to these zones.

A minimum height clearance of 2.2 metres is applicable for all zones.

## **6 Roads & Maritime Services Controlled Access Roads**

RMS controlled access roads require a minimum of 2.5 metres as the setback for footway trading. Other RMS conditions may also be applicable based on the speed limit of the road and the amenity and infrastructure of the road and footway.

## **7 Variations to Footway Trading Zones**

Requests for variations to existing Footway Trading Zones are referred to the Manager - Strategic Asset Management and are assessed using the following criteria:

- The effect on pedestrian traffic flows and safety;
- The impact on the appearance of the street and its surroundings;
- The impact on any nearby residential amenity;
- The duration of use;
- The effect of vehicular traffic flows and safety;
- Whether it is complementary to the primary adjoining use;
- Whether it is less intensive than the primary adjoining use;
- Whether proposals to extend concreting and paving or relocation of infrastructure will be considered and assessed on their merit.
- The applicant's previous record of compliance;
- Relevant legislation, instruments, Council policies and reports; and
- Any other matter relevant to the application.



## 8 Adjacent Premises

Should an approved trader seek to extend their Footway Trading Zone across adjoining premises, written permission is required from the trader occupying the adjacent premises and remains subject to Council review and approval. This approval needs to be renewed annually and must be clearly marked on submitted plans (as per the application process). This approval would run with the owner of the adjacent business and not with the land/premises. Thus the approval would be nullified if the business were to close or change hands.

Furniture, goods and services are permitted only outside the premises to which they relate and must be contained within the property line, unless the above exemption/approval is valid.

The footway is a public zone and as such is not owned by any business. This means that no trader or land owner is allowed to rent footway space to an adjoining premises seeking to occupy that area.

## 9 Identification of Footway Trading Zones

Individual Footway Trading Zones as per Footway Trading Approvals are identified by the installation of brass markers on the footway. A minimum of two brass markers will be used to identify each Footway Trading Zone. The approved trader must ensure that the Footway Trading Markers remain present, visible and undamaged and must operate within the markers at all times. Approved traders are to advise Council of any missing or damaged Footway Trading Markers.

## 10 Tables and Chairs

- Street and display furniture design and construction are to be of a high standard in appearance and style, made of quality materials, with finishes that are safe, durable attractive and in keeping with the amenity of each town centre. In all circumstances, furniture must be approved by Council forming part of the Footway Trading Approval conditions;
- All tables and chairs must remain within the Footway Trading Zone for the duration of their use;
- For safety reasons, furniture that is constructed solely of plastic is unacceptable;
- The design and colour of any tables and chairs or portable display structures must be consistent with any urban design guidelines;
- Tables and chairs should be portable, however, need to be strong and windproof. This may include metal, timber and plastic;
- Tables and chairs should be consistently cleaned and maintained;
- The base and ends of all cafe furniture or items must be of a suitable design to prevent pavement damage. It is the responsibility of the Approved Trader to ensure all public assets in contact with the Footway Trading Zone are not damaged;
- It is the responsibility of the Approved Trader that no chairs, tables or other items on the footway are moved by patrons and obstruct the Pedestrian Zone;

- Where possible tables and chairs should have a contrasting colour to their background to assist the vision impaired;
- Table and chair legs should not extend on an angle that would cause tripping points;
- For safety reasons, no chairs should back onto the kerb and in instances where the trading zone is narrow;
- A set back of 0.5 metres is required from each side boundary of a premises to ensure access points from the footway are retained between each premises;
- Consideration is to be given to chairs being pushed out with the movement of patrons;
- Tables and chairs must not be placed within the Pedestrian Zone or within 2 metres of a pedestrian crossing; and
- All tables and chairs must be removed at the end of each business day.

## **11 Screens and Windbreaks**

- In all circumstances, screens and windbreaks must be approved by Council forming part of the Footway Trading Approval conditions;
- Placing of screens or screening devices must be considered where there are tables and chairs for safety reasons;
- Temporary canvas coffee screens - of the type commonly provided by coffee companies are permissible provided they are within the Footway Trading Zone;
- The feet of temporary canvas coffee screens may exceed beyond the footway trading zone provided the encroachment is minimal and is only needed to maintain the structural integrity of the screen, that a minimum unencumbered pedestrian access width of 1.5 metres is maintained, that a clear, safe and unobstructed access at all times is maintained for pedestrians of all abilities and that the encroachment does not interfere or damage existing items;
- Full length awnings or blinds attached from verandahs may require development consent;
- Other screen designs which add to the amenity of the streetscape may require development consent;
- Temporary canvas barrier screens must be placed so that the screens are stable and secured or weighted so that they will not be moved by patrons or weather conditions; and
- Screens must be removed from the Footway Trading Zone when a premises is not open. The signs should not be used for excess advertising other than identification purposes.

## **12 Full Length Awnings and Blinds**

- In all circumstances, awnings and blinds must be approved by Council forming part of the Footway Trading Approval conditions;
- A development application may be required;
- Must be fitted in accordance with manufacturer's specifications;
- Lock in devices must be approved by Council Officers before a Footway Trading Approval can be granted;

- If a lock in device is fitted without prior Council approval and required specifications are not met, a Council Officer will require that the lock-in device is removed and the condition of the surface the device was attached to be reinstated to its original condition.

## 13 Planter Boxes

- Planter boxes will only be allowed in the approved Footway Trading Zone;
- The size, placement and location of the planter boxes must be approved by Council forming part of the Footway Trading Approval conditions;
- Planter boxes must provide a positive contribution to the visual amenity of the street. Footway Trading Approvals that allow planter boxes require that they be well maintained with healthy plants and clear of rubbish and cigarette butts. If this is not adhered to permission for the planter boxes may be revoked.
- Planter boxes should be moveable to allow them to be brought in during non trading hours; and
- Permanent planter boxes may be considered based on the impact and appearance of the footway and its surroundings.

## 14 Umbrellas

- Umbrellas will only be allowed in the approved Footway Trading Zone;
- The size, placement and location of the umbrellas must be approved by Council forming part of the Footway Trading Approval conditions;
- Umbrellas are to be used only in areas where the use of the umbrella will not interfere or damage existing items;
- Where umbrellas are allowed they must be of a minimum (at the lowest point) of 2.1 metres above the level of the footway;
- All umbrellas should be removed at the end of business each day;
- Permanent umbrellas may be considered based on the impact and appearance of the footway and its surroundings;
- Umbrellas may exceed beyond the Footway Trading Zone provided the encroachment is minimal, and is contained to the footway only. A clear, safe and unobstructed access at all times is to be maintained for pedestrians of all abilities, a minimum (at the lowest point) of 2.1 metres above the level of the footway is maintained and that the encroachment does not interfere or damage existing items;
- Umbrellas must be of robust design and secured at all times. The approved trader must ensure that the umbrellas are to be adequately fixed or weighted down to prevent dislodgment;
- Umbrellas must be secured to the satisfaction of Council;
- Umbrellas must be removed or closed in times of strong winds or storms; and
- Refer to advertising section of this policy.

## 15 Heaters

- Heaters are subject to Council approval and are to be approved as part of the Footway Trading Zone;
- Any heating device must comply with Australian Standards and details of manufacturer's product criteria must be available;
- Heaters must turn off automatically if overturned;
- The number and layout of proposed heaters must be proposed along with any supporting fire safety equipment;
- Heaters must be located within the Footway Trading Zone only and not in a position in which pedestrians passing can come into contact with the heater;
- Heaters must not be placed where it could be considered to be a fire hazard;
- All portable heaters must be removed at the close of business each day;
- Outdoor heaters should, wherever possible, be affixed to the awnings or verandahs so as to be located off the footway but only if a minimum height clearance of 2.7 metres can be achieved. A development application may be required to undertake this activity;
- Training for installation and safe use of heaters must be demonstrated by the approved trader and staff; and
- Heaters are to be covered by trader's public liability insurance.

## 16 Accessories

- Napkins, utensils and decorative items etc. should be stored within the premises and not in the footway trading zone.

## 17 Advertising

- All advertising is subject to all current and relevant planning instruments (i.e. LEP, DCPs) and subject to Council approval;
- The name or logo of a business/product may be displayed on approved screens or umbrellas subject to all current and relevant planning instruments (i.e. LEP, DCPs);
- Screens or umbrellas within the trading zone may have commercial advertising (such as the name of the screen provider) subject to all current and relevant planning instruments (i.e. LEP, DCPs);
- Details of any proposed signage on furniture must be submitted with any application to trade on the footway;
- No commercial advertising is allowed on chairs or tables; and
- Advertising on any awnings or blinds which are affixed to the building may require a development application.

## 18 Portable Advertising Signs (A frames and Sandwich Boards)

- Portable advertising signs must be portable and free standing;
- An advertising sign must not exceed a height of 1.1 metre or width of 0.65 metre and a minimum height of 0.75 metre must be achieved;
- Portable advertising signs must only be displayed within the approved Footway Trading Zone and must be securely placed and windproof;
- If only part of an approved Footway Trading Zone is to be used then the portable advertising sign must be furthest away from the Pedestrian Zone as possible;
- Portable advertising signs are not to be placed within 3 metres of a corner or an arcade;
- Electric, illuminated or flashing, revolving/spinning signs are prohibited at all times;
- Signage can only be displayed during the approved trader's normal hours of operation and must be removed from the Footway Trading Zone at the close of business;
- Portable advertising signs must not be fixed to any footway, pole or other structure;
- Only one portable advertising sign per street fronted premises will be considered; and
- Permission may be granted for an application where a business has no street frontage. In this instance the owner of a street fronted premises where the sign is to be placed must provide written permission and there must be public liability extended to cover the sign. If such permission is given, then a maximum of two portable advertising signs are permissible at that one shopfront. Permission will need to be renewed annually or on change of business ownership.
- Permission may be granted for an application where a business wishes to display more than one portable advertising sign on the basis that the combined shop/business frontage is greater than 11 metres wide and is subject to the considerations listed under the heading 'Variations to Footway Trading Zones' which is contained within this policy.
- Removable advertising flags that are attached to shop fronts but encroach on the footway are subject to all of the above conditions except that a fee and approval are not required by Council for their display, that the dimensions of the flag must be no greater than the standard flag size and that the bottom of the flag must hang at a height no lower than 2.1 metres.

## 19 Display of Goods

- Display furniture design and construction are to be of a satisfactory standard in appearance and style, made with quality materials, with finishes that are safe, durable, attractive and in keeping with the amenity of each town centre. In all circumstances, furniture must be approved by Council forming part of the Footway Trading Approval conditions;
- Goods must be placed on Display furniture wherever possible;

- Goods are not to be displayed on milk crates, pallets, cardboard or foam boxes, etc.
- Goods for sale must be located within the Footway Trading Zone;
- Placement of goods must give maximum clearance for pedestrians;
- Goods and goods stands must only be placed on the Footway Trading Zone during the normal business hours;
- All goods stands must be suitable and stable;
- All goods stands must be secured so they are not displaced by wind or other elements;
- Goods or their displays must not be fixed to any public footway, building, asset, pole or other structure unless approval is given for approved methods of connection to public infrastructure;
- Goods displayed will not exceed a height of 1.5 metres and must be a minimum height of 0.75 metres. Appropriately designed displays may, upon approval from Council, exceed this measurement if in the opinion of Council that the stand enhances the amenity of the streetscape and meets with safety considerations;
- Goods should have a contrasting colour to their background to assist the vision impaired;
- Should the type, style or number of goods stands change, a variation to the Footway Trading Approval must be obtained prior to placing or altering from the approved Footway Trading Approval.

## 20 Approvals

- The approved trader is responsible for obtaining all necessary approvals to trade in the Footway Trading Area. This includes a Footway Trading Approval to trade on the footway issued by Council and any other appropriate approval, permit or Footway Trading Approval particularly associated with the likes of food and/or alcohol uses;
- Relevant Footway Trading Approvals should be kept at the place of business to be made available upon request by the relevant authorities;
- No alcohol is to be served within the footway trading zone without the appropriate liquor Footway Trading Approval to the associated business and must be extended to cover the footway trading zone; and
- Liquor licences are to be submitted with a Footway Trading Application and must update Council on licensing changes during the life of the Footway Trading Approval.

## 21 Hygiene, Cleanliness, Noise Controls and Safety

- Litter must be cleared from the Footway Trading Zone at all times by the approved trader;
- Food scraps or other rubbish within the immediate area must be removed and deposited within the Approved Trader's own bins kept within the premises;
- Approved Traders must clean spills from footways as soon as practicable to prevent possible slips or falls by persons using the footway;

- Litter generated by footway trading must not be swept into the street gutter, drains or adjacent footway areas and must be picked up and deposited within the approved trader's own bins kept within the premises;
- Traders must ensure that no trade waste from their premises encroaches footways or is placed in public street litter-bins;
- Any items placed on the Footway Trading Zone must not cause any undue obstruction or danger, restrict the reasonable access or exit from premises, or obstruct the vision of motorists at intersections;
- Any items placed on the Footway Trading Zone must be cleaned and maintained to Council's satisfaction;
- Approved traders must ensure that no noise or other disturbance emanates from the footway activity so as to cause a nuisance to others or detriment to the amenity of the neighbourhood;
- Music and entertainment requires a separate application to be lodged with Council. No entertainment is permitted within the Footway Trading Zone without prior permission from Council;
- The Approved Trader is responsible to ensure compliance with the Companion Animals Act 1998 which allows only animals of genuine assistance in food consumption areas;
- Any Approved Trader permitted to trade outside daylight hours must provide adequate lighting within the Footway Trading Zone to Council's satisfaction; and
- If serving food, the Approved Trader must comply with Food Safety Standards as per NSW legislation.

## 22 Approved Trader Responsibilities

The operation of footway trading is the responsibility of the Approved Trader. The Approved Trader must:

- 1 operate in accordance with the conditions of the Footway Trading Approval and the requirements set out in this policy;
- 2 have a copy of their Footway Trading Approval on hand for viewing by Council Officers during opening hours
- 3 monitor footway trading at all times; and
- 4 meet all obligations to a satisfactory standard.

All goods, services and furniture must be removed from the footway when the business to which they pertain is closed.

The Approved Trader shall have and maintain public liability insurance. Cover of \$20M is required if on an RMS classified road and \$10M if on any other road. Council must be listed as an insured party at all times, and the RMS must be listed as an insured party if the Footway Trading Zone is located near an RMS classified road. It is the responsibility of the Approved Trader that the insurance remains up to date for the duration of the Footway Trading Approval issued and Council may request evidence of this at any time.

If a premises changes hands, the new trader must reapply for a Footway Trading Approval. If a premises changes hands and Council are not notified based on an existing Footway Trading Approval, then all responsibilities of the former approved



trader pass onto the new trader until a replacement Footway Trading Approval is issued or the current Footway Trading Approval terminated.

The permitted hours of use for the Footway Trading Zone cannot exceed the hours permitted under the current development approval for the operation of the business and are assessed on an individual basis being subject to Council approval.

Desired works of the approved trader to enhance the Footway Trading Zone must receive appropriate approvals from Council prior to works commencing and must be funded in full by the approved trader.

It is the responsibility of the Approved Trader to ensure Council contractors, including street cleaning staff, have full access to the footway during cleaning periods.

## **23 Council Responsibilities**

Council will continue to maintain and manage the use of public land at all times and reserves the right to reclaim access to and remove all footway trading at any time for any purpose deemed suitable by Council.

Council regularly requires access to footway areas for the purposes of maintenance and asset renewal programs. Due to the necessity to source labour and materials during business hours, it is impractical to program these works outside shop trading hours. Except for emergency works, Council will give reasonable notification of such works but reserves the right to occupy the Footway Trading Zone for the purpose of asset maintenance and renewal. No compensation will be payable by Council for the loss of use of the Footway Trading Zone. In special circumstances, such as if works take a prolonged period of time, at Council's sole discretion a partial reimbursement of Footway Trading Approval fees on a pro-rata basis may be given to the approved trader.

## **24 Access by Service Authorities**

Where service authorities and others are required to carry out works, which require removal and/or alteration to the footway trading arrangements, no compensation is payable for any removal of fittings or fixtures associated with the Footway Trading Approval or for the loss of trade experienced due to these works. Any reinstatement of fixtures or fittings to do with the Footway Trading Approval is the responsibility of the Approved Trader (this does not include refitting public infrastructure).

## **25 Compliance Protocol**

Council Officers will monitor and evaluate all footway trading on a regular basis. Upon detection of a breach, this policy or a specific Footway Trading Approval condition, Council Officers may choose to exercise one or more of the following actions:

- Verbal notice to comply issued - a first and final verbal warning is permitted provided a timeframe to comply is stated (e.g. 1 week).
- Written notice to comply, or caution issued - a first and final written warning is permitted provided a timeframe to comply is stated (e.g. 1 week).



- Infringement Notice/s and fines issued.
- Further infringement notice/s and fines issued or Footway Trading Approval suspended and/or prosecution.
- Termination of the Footway Trading Approval and prosecution through Court Action.
- Impound any items that are placed on the footway.

Incidents of non-compliance will be noted and may be taken into consideration for future Footway Trading Approval applications.

## 26 Terms and Termination of Footway Trading Approvals

A maximum term of seven years is available for Footway Trading Approvals and at the end of this term the approved trader must reapply for a new Footway Trading Approval.

Council reserves the right to refuse a Footway Trading Approval or offer a term less than seven years.

Approved traders may terminate their Footway Trading Approval at any time by giving Council one month written notice and the proposed termination date is no earlier than the date the trader notified Council.

Council reserves the right to terminate a Footway Trading Approval. Prior to the termination of a Footway Trading Approval, Council Officers will provide the Approved Trader an opportunity to make comment on the proposed termination.

Upon termination of a Footway Trading Approval, all materials of the approved trader must be removed from the footway trading zone immediately.

Council reserves the right to vary any Footway Trading Approval condition from time to time.

## 27 Fees

Council Officers will undertake a review of the fee structure and application process every 12 months to ensure it is in line with any changes in legislation and to make changes to fee structures as required.

All fees associated with footway trading will be identified in Council's adopted Schedule of Fees and Charges and is reviewed annually.

Application fees are paid when an application is lodged and is non refundable irrespective of the application assessment outcome. Rent is paid on an annual basis in advance. Annual rents are charged and determined by Council's adopted Schedule of Fees and Charges at any given time.

## 28 Applying for a Footway Trading Approval

The applicant should read and understand the Footway Trading Policy and Guidelines as part of the application process. Additionally, the applicant should make themselves aware of their potential trading zone via Council's maps in addition to any application fees and ongoing fees.

To apply for a Footway Trading Approval an application form must be completed and submitted with the following:

- 1 Application fee as per Council's adopted fees and charges;
- 2 Site plan of existing conditions 1:100 - accurately showing the width of the building frontage and the footway from the kerb to the building line, location of building line and type of abutting properties, existing infrastructure and other features. All dimensions associated with the footway area should be shown;
- 3 Site plan of proposed conditions 1:100 - accurately showing the area and layout of the proposed Footway Trading Zone, including the proposed location of all items and access and service points to premises;
- 4 Photographs of the site - clearly showing the proposed Footway Trading Zone relative to buildings and existing features of the footway area;
- 5 Details of Furniture - including colour drawings and/or colour photographs;
- 6 Details of Advertising - a coloured photograph or detailed design drawing of proposed advertising logo, and clear indication of its size and location within the Footway Trading Zone;
- 7 Details of other relevant approvals from Council - e.g. Development Services;
- 8 Details of relevant Footway Trading Approvals and/or permits - e.g. liquor licence;
- 9 Letter/s of Consent - in writing from the tenant and landlord if the applicant wishes to operate from in front of the adjacent property. This permission must be submitted to Council each year; and
- 10 A Certificate of currency for public liability insurance for the period of the Footway Trading Approval which is being applied for - \$20M if on an RMS controlled road, \$10M if on any other road or place. If the certificate of currency does not cover the full period of the Footway Trading Approval which is being applied for, then the applicant must provide details of how the certificate of currency will be managed to prevent the insurance cover expiring.

## 29 Re-Applying for a Footway Trading Approval

The same details as above are required. It is the responsibility of the Approved Trader to ensure that all required information is submitted to Council prior to the expiry date of the current Footway Trading Approval.

## 30 Amending a Footway Trading Approval

Approved Traders must apply in writing to amend an existing Footway Trading Approval. Amendments may include change in furniture type or location. An application fee for the amendment request may apply.

## 31 Application Assessment

On receipt of an application a Council Officer will:

- 1 *Check all relevant information has been received.* If incomplete, the applicant will be contacted to discuss and clarify outstanding requirements and make arrangements for the information to be provided.
- 2 *Check application to ensure it meets all set requirements.* A Footway Trading Approval will only be issued when any matters are resolved and application fees paid. It is the responsibility of the applicant to ensure all other relevant approvals/licenses and permits are obtained. Approval of a Footway Trading Approval does not imply that other approvals are not required nor does it imply precedence over the Footway Trading Approval requirements stipulated in the policy and application. A Council Officer will inspect the site, check accuracy of the application prior to issuing or refusing a Footway Trading Approval.

## 32 Related Documents

This document should be read in conjunction with:

- Local Government Act 1993.
- The Roads Act 1993.
- The Roads Regulation 2008.
- Retail Leases Act 1994.
- Rockdale City Local Environmental Plan 2011.
- Rockdale City Development Control Plan 2011.
- Other relevant legislation, planning instruments, Council policies or Council reports.

## 33 Review

This policy is to be reviewed at least every term of a Council. In particular the review will consider the extending the scope of the policy to the whole local government area. Amendments to this policy are to be submitted to Council for approval, apart from non-significant and/or editorial amendments, which can be approved by the General Manager.

## 34 Version History

This policy is based on a former Rockdale City Council policy last adopted on 20 June 2012.

Version	Release Date	Author	Reason for Change
1.0	18/04/2017	Ben Heraud	Harmonised document from former Councils
2.0	13/11/2019	Manager Certification	Amended to include entire LGA