



# Footpath trading guidelines

2025



Interpreter service

**9840 9355**

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MANNINGHAM

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# 1 Commercial activities on footpaths

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These guidelines will guide and control the use of footpaths for commercial activities within activity centres, while providing clear guidelines for the assessment and determination of requests for the use of footpaths for commercial activities to ensure continuous, safe and equitable pedestrian access for all.

The objectives of these guidelines are to:

- provide a practical balance between the competing needs and interests of pedestrians and businesses
- educate both the wider community and the business community of their respective rights and obligations when using public land
- provide access for all consistent with the Disability Discrimination Act 1992
- seek to protect pedestrians, motorists and businesses from harm resulting from unsafe layout
- to acknowledge that the use of public footpaths for commercial activities is a privilege afforded to business operators and not a right
- ensure that commercial activities complement the commercial precinct, while still allowing unimpeded pedestrian navigation and flow
- provide clarity of the application process for businesses seeking to use footpaths for commercial activities
- ensure that all commercial activities on footpaths are compatible with existing streetscapes and street furniture
- encourage diversity and help promote the Manningham shopping areas as vibrant commercial and community precincts.

## 2 Scope

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These guidelines apply to all individuals, organisations and businesses who seek to use public footpaths located on Council land to conduct commercial activities within the Manningham Council area.

Where a commercial activity is to occur on footpaths which are located on private land owned to ensure compliance with the Disability Discrimination Act 1992 Council would encourage placement of items consistent with the diagrams.

# 3 Definitions

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## **Access ways**

Access ways are the gaps you must provide to allow pedestrians to move from the roadway or car park to the pedestrian zone. Access ways must be at least one metre wide and should be provided every six metres. If an access way aligns with the property boundary of two shops, the width of the access way is to be shared.

## **Commercial activity**

A commercial activity includes but is not limited to footpath trading.

### Commercial activity zone

The area of public land that is located in between the Pedestrian Zone and the Kerbside Zone that may be used for Commercial Activities including footpath trading.

## **Council land**

Refers to any land, including reserves or roads which are owned, vested in, managed by or under the control of Council and includes any building or structure on that land, within a reserve or on a road.

## **Designated accessible parking spaces**

are reserved for vehicles where the driver must have a valid disability parking permit. The accessible permit scheme managed by VicRoads includes the Australian Disability Parking (ADP) permit for individuals and permit for organisations

## **Display of goods**

The offer, display or exposure of any goods, merchandise, wares, article or thing on the footpath.

## **Footpath trading**

Any activity that is associated with the operation of an abutting business. For the purpose of these guidelines, it includes (but is not limited to) outdoor dining facilities, A-frames, display of goods.

## Footpath

The area between a property boundary and the nearest kerbside of a road, which is provided for use by pedestrians and not vehicles - includes nature strip, splay corners and entry areas not in private ownership.

## Kerbside zone

The area of public land that is located between the Commercial Activity Zone and the front of the kerb. This section of the pavement provides a buffer between pedestrians and vehicles, while also giving vehicles on the road sufficient room to manoeuvre, park, and open their doors. The Kerbside Zone must not be used for commercial activities. The kerbside zone must be at least 0.6 metres wide to allow for the overhang of cars and the opening of car doors. You cannot place furniture or displays within this zone. If car parks are perpendicular to the kerb, we recommend having a greater setback to keep patrons and furniture safe.

## Kerb

Concrete edging between footpath and road trafficable surface. May be vertical or at an angle (generally with a 150mm width and 150mm height). May be accompanied by a channel/gutter. For the sake of these guidelines the measurement of the Kerbside Zone is taken from the front of the kerb - where it starts to descend (vertically or at an angle) towards the gutter.



**Figure 1 - Kerb and gutter diagram**

## Movable advertising sign or board

Any movable board, notice, structure, banner or similar device used on a temporary basis for the purposes of notifying of a sale, soliciting sales or notifying people of the presence of an adjacent property where goods and services may be obtained, including menu boards. The term 'Movable Advertising Sign' is interchangeable with 'A-Frame Sign' in this document. For the purpose of this document, it excludes commercial signage mounted on vehicles and/or trailers.

## **Outdoor dining**

The use of public land (including footpaths) for the purpose of extending the services of the abutting business – whose main function is for the provision of food and/or beverages to the public. Outdoor Dining and the provision of outdoor dining facilities may only occur when the abutting business is open. This also includes tables and chairs provided for the consumption of food where no table or waiter service is provided. The term 'Outdoor Dining' is interchangeable with 'Kerbside Café' or 'Alfresco Dining' and includes takeaway businesses.

## **Pedestrian zone**

The area of public land that is immediately adjacent to the property boundary and that is for the exclusive use of pedestrians. Where the property boundary is inset (ie. due to a road widening reservation) and this results in irregular front property boundaries - the pedestrian zone will be taken as being a consistent line with other surrounding properties so as to provide a continuous accessible path of travel. The pedestrian zone must be at least 1.5 metres wide to allow clear pedestrian access. You cannot place furniture or displays within the pedestrian zone.

## **Planter boxes**

A container made of any material used as a display (whether containing live plants or not) on footpaths and/or for segregating different parts of the footpath. All dimensions and setbacks relating to Planter Boxes within this Policy include the container, support structures and any vegetation or other contents.

## **Screens**

Furniture used to provide a barrier between outdoor dining facilities and the road. Screens may be fixed to the pavement subject to the approval and satisfaction of the Council (in a non- permanent manner) or they may be temporary and able to be removed each night.

# **4 Procedure**

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Both the operator of the commercial activity and Manningham Council have the responsibility to ensure that any items placed on the footpath are positioned in such a way that safe, dignified and equitable access is maintained along the footpath. Similarly access between the road and footpath must also be provided and sightlines always maintained.

As the ability to use public land for commercial activities such as footpath trading is a privilege afforded to businesses and not a right, it is important to ensure that any

commercial activities occurring on footpaths are regulated to preserve pedestrian safety and access. As such these activities require prior consideration and approval from Manningham Council. This approval may be in the form of a Manningham Community Local Law – 2023 Permit. (Other approvals, such as planning approval, building permits, Food Act Permits should be obtained where required).

Where an authorised officer of Manningham Council believes that the use of the footpath for commercial activities will compromise pedestrian or motorist access and safety, cause an obstruction or impact lines of sight, approval to use the footpath for a commercial activity will not be granted.

Where conditions change to detrimentally impact on pedestrian or motorist access and safety, or lines of sight any permit may be rescinded.

All furniture, furnishings and equipment must be placed along the roadside of the footpath in the Commercial Activities Zone, not on the building side (within the Pedestrian Zone)

The use of footpaths for commercial activities will be strongly influenced by the local conditions including:

- the width of footpath
- existing street furniture and signage
- parking alignment
- landscaping
- access points to utility services
- proximity to bus stops, pedestrian crossings, pedestrian ramps, designated access parking spaces, post boxes, public telephones and loading zones, power poles etc
- Potential impact upon sight lines of pedestrian and vehicular traffic
- the location of verandah posts
- other uses of the footpath.

Where there are streetscape works or an Urban Design Framework being planned for a commercial precinct, consideration shall be given to the use of different surfaces (colour, texture, materials) between the different zones (kerbside, commercial activity and pedestrian zones) or other methods approved by Manningham Council of defining the edges to clearly identify the change of zones.

The business operator must always ensure that any items that they placed on the footpath are not liable to become a trip hazard or impede the safe flow of pedestrian traffic. The business operator must also ensure that all items remain secure or are kept inside during inclement weather.

There are many different aspects of conducting Commercial Activities on a footpath, and these are addressed individually.

## Footpaths and public walkways in activity centres are divided into four zones

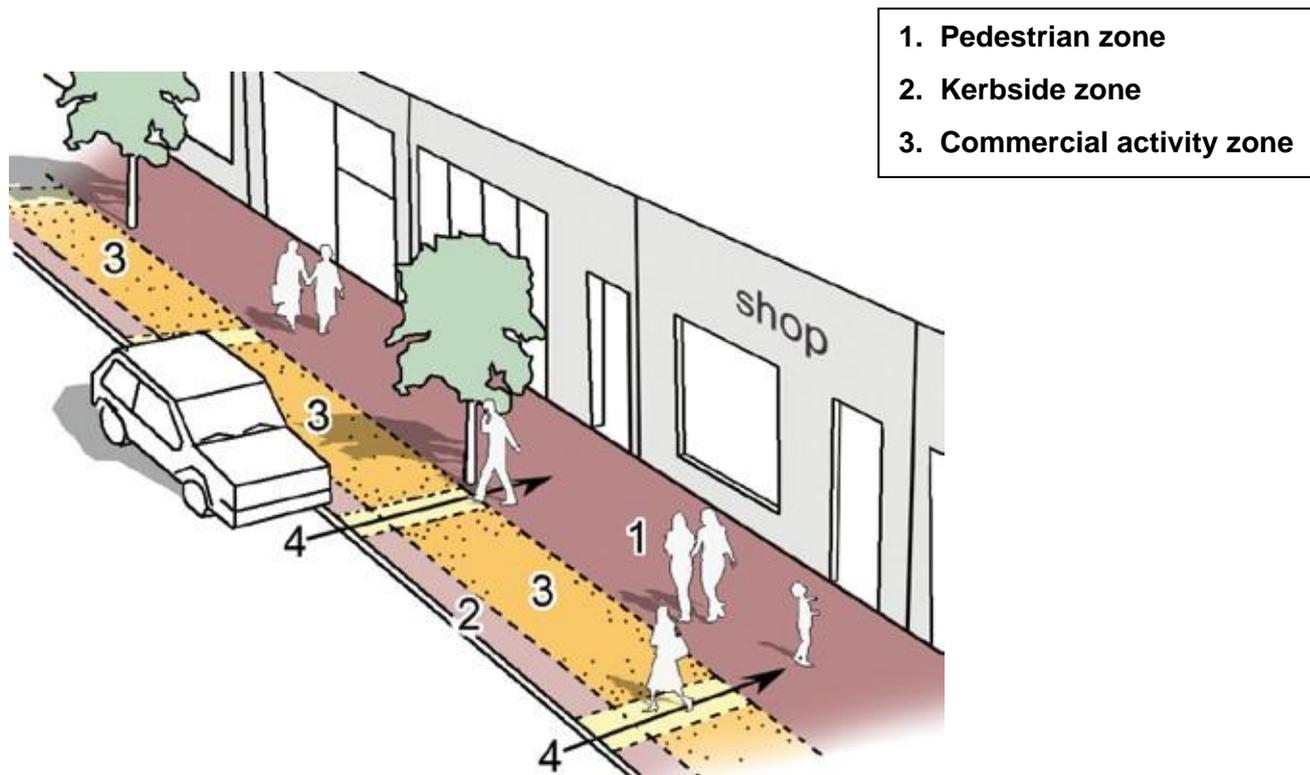


Figure 2 - Footpaths and public walkways diagram

## 5 Core provisions

The following core provisions or requirements may not be varied. Where these requirements cannot be complied with, commercial activities will not be considered:

- The minimum footpath width required to undertake a commercial activity is 2.1 metres wide. (allowing 0.6m width for the Kerbside Zone and 1.5m for the Pedestrian Zone).
- The minimum width of the Pedestrian Zone shall be 1.5m and the minimum width of the kerbside Zone shall be 0.6m.
- A minimum width for an access way is 1.0m.

- Commercial activities shall be placed on the roadside of the commercial activities zone. Any unutilised space within the commercial activities zone must be left clear for pedestrian access.
- All furniture, furnishings and equipment must be always placed within the commercial activities zone - even in inclement weather.
- In some precincts trading discs have been installed to clearly define the commercial activity zone
- Where an officer of the Council or the relevant road authority deems that there is a safety risk due to the undertaking of a commercial activity on a street corner no commercial activities will be permitted.
- All items placed on the footpath must be secure in adverse weather conditions with no items tied to or leant against Council street furniture and/or trees.
- No commercial activity may be placed directly adjacent to a designated access carparking space, bus stop, formalised pedestrian crossing, loading zone or fire hydrant.
- Clearance of 1.0 metre is always required from the public infrastructure.

## 6 Hours of operation

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The footpath may only be used for commercial activities during the hours of operation of the business or in accordance with the trader's planning permit, lease or license, liquor license or local law permit. Where there appears to be conflict in these different hours of operations, the lesser number of hours will apply.

After closing, all items must be removed from the footpath (other than items that have prior written approval from Manningham Council to remain on the footpath) and the area cleared of all litter etc.

## 7 Moveable advertising sign (A-frames)

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Where a business is undertaking any other commercial activity on the footpath the display of moveable advertising signage is not permitted.

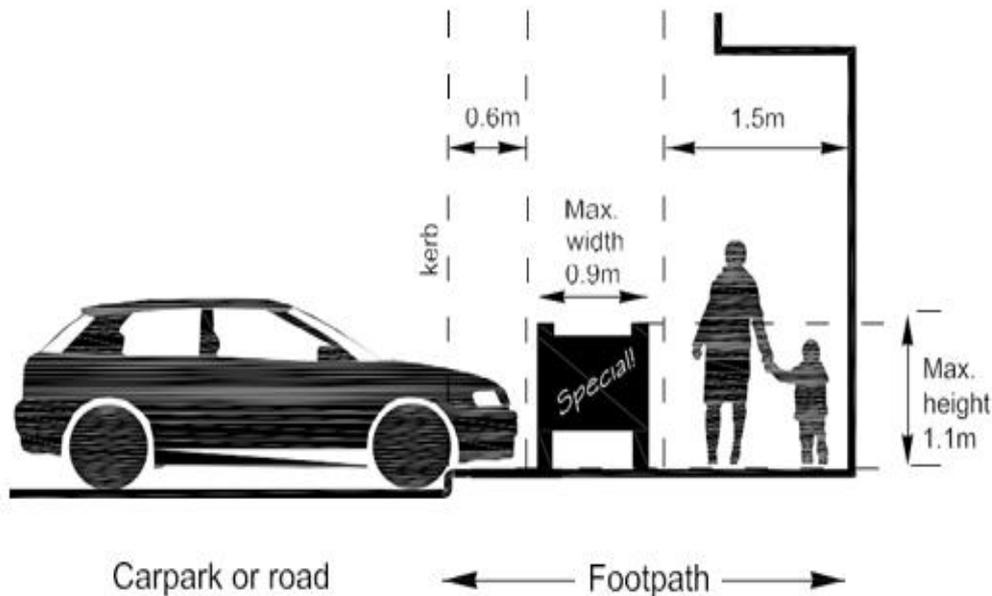
Each business premise, which is at/partly at street level, may only display one sign for each street frontage of that business.

Any movable advertising sign must:

- less than than 1.1 metres in height and 0.9 metres in width, or have a total

advertising area of 1.98 metres<sup>2</sup>

- refer to a business premise at street level or partly at street level
- be displayed directly in front of the business premise to which it refers
- be weighted or fixed to prevent the sign from being blown over
- not obstruct the safe, continuous and dignified access of pedestrian traffic along the footpath
- not obstruct the movement or safe operations of vehicular traffic along a road or intersection
- not impair the vision or lines of sight of pedestrians or drivers of vehicular traffic along a road or at an intersection of a road (or private access)
- be positioned wholly within the Commercial Activity Zone
- be non-illuminated (internally/externally)
- not comprise any moveable parts (e.g. spinning, flapping etc)
- be removed as requested to do so by an Authorised Officer of the Council
- be colour contrasted with surrounds with the background environment, to assist people with a visual impairment.



**Figure 3 - Moveable advertising sign requirements**

## 8 Display of goods

Any display of goods must:

- be placed directly in front of the business premises to which it relates
- be kept in a clean and tidy state including the area surrounding the display

- be positioned and contained wholly within the Commercial Activity Zone and so that any customers accessing the goods do not obstruct the Pedestrian zone
- only be displayed on a sturdy table, stand or rack to the satisfaction of the Council with a minimum height of 0.7 metres
- each Display of Goods Unit may be a maximum width of 1.0 metre, maximum height of 1.4 metres. Council may exercise discretion relating to height where the display relates to fresh food products eg. fruit & vegetable
- be weighted or fixed to prevent the display from being blown over
- not have sharp, pointed, jagged edges, corners or protrusions
- be non illuminated (internally/externally)
- not comprise any moveable parts (e.g. spinning, flapping etc)
- be removed as requested to do so by an Authorised Officer of the Council
- only occur during times at which the Premise is trading to the public
- be the only commercial activity to be displayed on the footpath at any one time.
- an A-frame signage is not permitted when displaying goods.

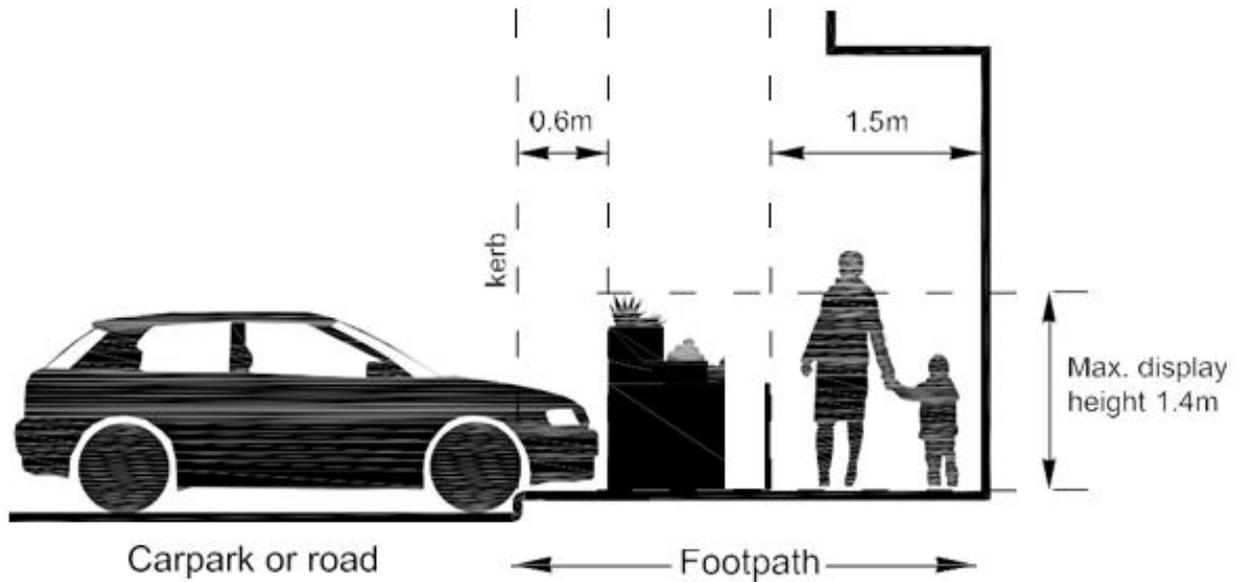
A display of goods unit may include:

- (a) advertising on units in the form of a well-designed/professional standard.

However, advertising is only permitted under one of the following conditions:

- i. business name or town name/logo (as organised by trader groups) may be displayed on the back of the unit but must not exceed 50% of the bottom half of the unit;  
or
  - ii. business name, services provided, and business phone number may be displayed on the sides of the unit but must not exceed 50% of the bottom half of either side.
- (b) a description of the product and the price if it is affixed to the front of the display and no other provisions of this Local Law.

Note: a photo or drawing of the stand to be used as well as any proposed advertising must be submitted at the time of application.



**Figure 4 - Display of goods example**

## 9 Outdoor dining facilities

Where a business is providing outdoor dining facilities on the footpath, the display of A-frame signage, including menu boards, is not permitted.

Outdoor dining facilities must:

- be positioned and contained wholly within the commercial activity zone
- be kept in good repair to the satisfaction of the Council
- not have sharp, pointed, jagged edges, corners or protrusions (including legs of chairs) that may cause injury to persons or act as a trip hazard or damage the pavement surface
- be windproof and not of a light material that may be blown around
- be of an accessible design
- Only be placed directly in front of the business to which it relates unless otherwise approved in writing by an authorised officer of Manningham Council.

Tables and chairs directly adjacent to the kerbside zone are to be configured so that no patron of an outdoor dining facility has their back towards the road unless they are protected by a fixed structure.

If the business provides ashtrays for patrons they must be windproof in design and regularly emptied. Full ashtrays must be emptied promptly. Failure to provide and maintain suitable windproof ashtrays may result in the cancellation of the permit to operate on the footpath.

If a business is found sweeping cigarette butts or other waste generated by the outdoor dining facility into the gutter or disposing of them in street bins, the business may forfeit all rights to operate on the footpath and any permit, licence or lease may be suspended or cancelled.

If providing tables and chairs on the footpath, the business must ensure there is a sufficient number of toilet facilities and accessible toilet facilities for the total number of patrons in accordance with the *Building Code of Australia*.

The business operator must ensure that the placement of any commercial activity on the footpath does not cause a nuisance or detrimentally affects the amenity of the surrounding area.

Should table service be provided, all staff providing the service must provide right of way to pedestrians using the footpath.

Where a liquor licence is to be extended over the footpath area or permanent structures are to be placed on the footpath, a licence/lease to occupy the footpath must be obtained along with an associated planning permit and associated approvals.

All relevant legislation, permits, licences, leases, local laws must be always complied with.

Permission to place tables and chairs on unoccupied footpath in front of a neighbouring business will be decided on a case-by-case basis and will only be considered where no liquor licence is sought.

An operator may apply to occupy the footpath in front of one immediately neighbouring business only and must provide Manningham Council with letters of consent from the property owner or Body Corporate and occupier of the neighbouring property. The letter(s) of consent should be provided on an official letterhead and must have a contact phone number.

Consent must be sought each year and provided with the renewal application. Should the occupier of the neighbouring property change, trading in front of that business must cease until such stage as written consent has been obtained from the new occupier. No refund will be made in respect of fees should consent be withdrawn.

Prior to the issuing of any permit the applicant must also demonstrate that their public liability insurance covers the footpath area adjacent to the neighbouring address.

## 10 Food safety and liquor licences

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No food or drink is to be prepared, cooked, or heated at any outdoor dining facility.

Liquor is not to be sold, consumed or served to outdoor dining facilities unless the business operator has the appropriate Liquor Licence (in accordance with the *Liquor Reform Act 1998*), planning approval and approval from Manningham Council.

At all times, the business operator must ensure that patrons consuming liquor at their outdoor dining facility are behaving in an orderly manner and not creating a nuisance to other patrons or other users of the footpath.

## 11 Screens (fixed and temporary)

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Temporary screens can be approved as part of the footpath trading approval process.

The form and structural strength of any screen must be adequate to meet functional requirements, including wind loads, reasonable resistance to vandalism and impact from pedestrians to the satisfaction of the Council.

All screens (including supports) must be contained wholly within the commercial activity zone - at least 0.6 metres setback from the kerb, while still maintaining a minimum pedestrian zone width of 1.5 metres.

A total spacing between screens of not less than 1 metre (0.5 metre each side of the property 'boundary') must be provided at the 'boundary' of adjoining businesses. Additionally, should there be more than 8 metres of screens outside a business, a 1 metre spacing must be provided every 8 metres to ensure access between the footpath and the road.

No screen may be placed adjacent to a designated access parking space or pedestrian ramp leading from a car parking area.

Advertising on screens in the form of a well-designed/professional standard business name or business logo may be permitted in accordance with the Manningham Council Planning Scheme.

Note: a photo or drawing of the screen to be used as well as any proposed advertising must be submitted at the time of application.

A minimum clearance of 0.15 metres must be provided from the bottom of the screen to the pavement to allow for street cleaning activities.

*Temporary screens* may be no taller than 1.2 metres.

*Temporary screens* must be weighted to prevent blowing over and must be removed from the footpath when the business is not open.

Temporary screens must be erected so that no part of the screen (including supports) interferes with the safe access of pedestrians (i.e. do not become trip hazards).

Fixed screens cannot be applied for as part of the footpath trading permit process.

For further information please contact Council's Infrastructure Team on 9840 9333 or [manningham@manningham.vic.gov.au](mailto:manningham@manningham.vic.gov.au).

## 12 Blinds, awnings and umbrellas

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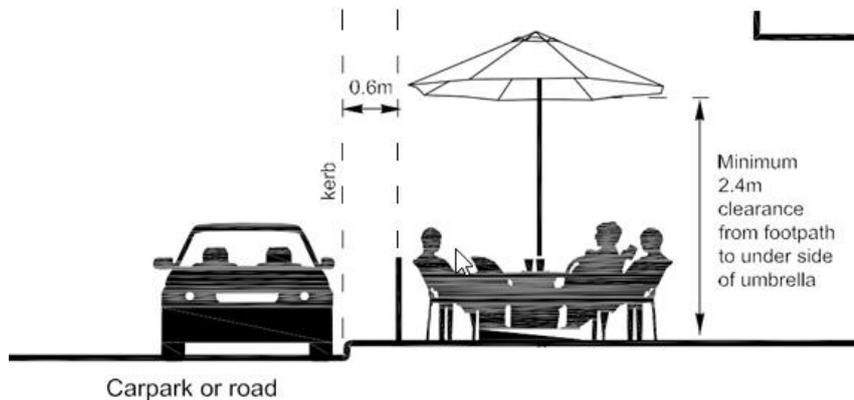
Structures associated with commercial activities on the footpath shall not enclose public spaces or adversely affect the openness of the footpaths or create the effect of an 'outdoor room' (i.e. alienate or discourage use of footpath). Accordingly, blinds extending down from the business, (including from verandah or eaves of a building), may only be placed on one side of the commercial activity zone directly in front of the business for the purpose of providing protection from the wind or sun. These blinds may not be used to display advertising other than the business name. These blinds must be securely fastened so that they do not become a safety or trip hazard. The blinds must not be secured to any other street furniture.

Retractable awnings extending from the building that do not require any support structure or anchoring to the footpath (or any other structure permitted within the footpath) may be erected. Any awning must maintain a minimum vertical distance of 2.4 metres between the underside of the awning and the footpath in accordance with the *Building Regulations of Victoria*.

Umbrellas must be positioned in accordance with the siting requirements of outdoor dining facilities. There must be always a minimum height clearance of 2.4 metres between the underside of the umbrella and the footpath.

All umbrellas must be weighted and/or secured in such a way that they do not pose a safety hazard. The base must be designed in such a way as to ensure that it is not a trip hazard.

The installation of a sleeve into the ground requires a Works Permit from Council, for further information please contact Council's Infrastructure Team on 9840 9333 or [manningham@manningham.vic.gov.au](mailto:manningham@manningham.vic.gov.au).



**Figure 5 -Blinds, awnings and umbrellas example**

## 13 Gas heaters

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The use of outdoor radiant heaters must be undertaken in accordance with Australian Standards.

They may only be used in association with, and sited in accordance with, the siting guidelines for outdoor dining facilities.

They must not be positioned where they may present a fire hazard (e.g. in close proximity to awnings/umbrellas).

## 14 Cash registers and counter facilities

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Separate cash registers, counter facilities and waiter stations are not permitted on the footpath.

## 15 Planter boxes

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Planter boxes may only be positioned within the commercial activity zone - at least 0.6 metres setback from the kerb, while still maintaining a minimum pedestrian zone width of 1.5 metres.

Planter boxes may be used in conjunction with outdoor dining areas (in place of screens), however, the minimum setback distance from the kerb (0.6 metres) and the minimum pedestrian zone width of 1.5 metres must be always maintained.

Planter boxes must not exceed 1.4 metres in height above the level of the footpath (including vegetation) and 1.8 metres in length.

No planter box shall be placed adjacent to a designated access parking space or a pedestrian ramp leading from a car parking area.

A total spacing between planter boxes of not less than 1 metre (0.5 metres each side of the property 'boundary') must be provided at the 'boundary' of adjoining businesses. Additionally, should there be more than 8 metres of planter boxes outside a business, a 1 metre spacing must be provided every 8 metres to ensure access between the footpath and the road.

The physical appearance of planter boxes, including material and style, must be consistent with the streetscape character and other elements of the streetscape to the satisfaction of the Council. The planter boxes must be constructed out of durable materials that are able to withstand the extremes of weather conditions and must be colour contrasted with the immediate surrounds.

Planter boxes must not have sharp corners or edges, or any protruding material, and need to be frangible in case of collision by a car.

Planter boxes must be slightly elevated (approximately 0.15 metres) above the footpath to allow for drainage.

Planter boxes may not display advertising material. A small plaque (maximum 0.1m x 0.1m) may be placed on the planter box stating that 'This Planter Box is maintained by [insert name of business]'. As soon as the Council believes that the planter box is falling into disrepair this plaque will be removed, and/or the business operator will be required to repair or remove the planter box.

The business operator is responsible for the care, maintenance, and replacement of planter boxes. Plant species must be suitable both in form, shape, hardiness, appropriateness to the area, and ability to be maintained. Vegetation shall also be maintained to ensure no overhanging or outcropping vegetation will form a trip hazard or an impediment to continuous and safe pedestrian access. Failure to maintain the planter box may result in a direction to the business operator to remove the planter box at the operator's expense.

Permanent planter boxes may be considered but are discouraged if they are not part of the Council infrastructure plan.



**Figure 6 - Planter box example**

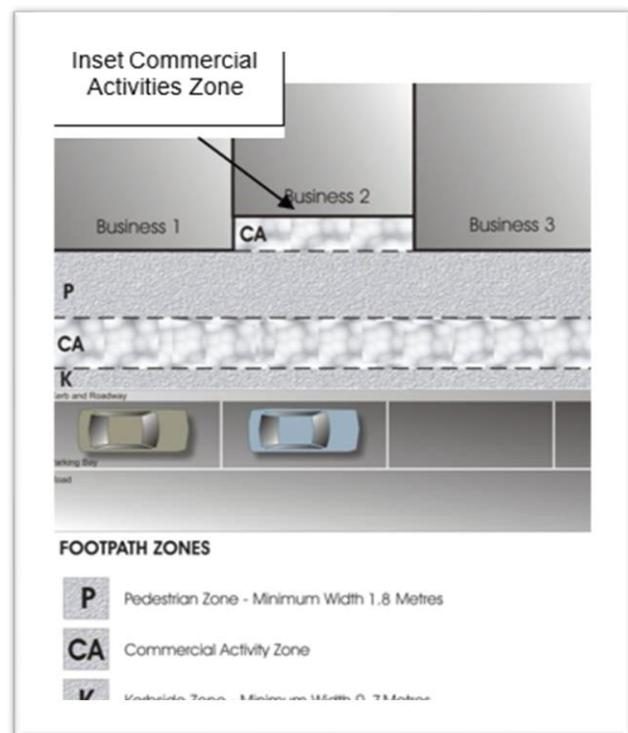
## 16 Road widening and inset building frontages

Where the front of a building is setback or inset on the street such that they form an irregular line of building frontages commercial activities may occur in the inset section.

However, a straight line drawn along the line of the property frontages of other non-inset buildings/properties (e.g. Business 1 and 3 as shown on Diagram) will mark the interface between the Pedestrian Zone and the inset Commercial Activity Zone.

No commercial activity occurring in the inset commercial activity zone shall interfere with the safe and unimpeded use of the pedestrian zone.

An outdoor dining facility may utilise both commercial activity zone (inset and roadside), although all other commercial activities must be restricted to one.



**Figure 7 – Inset commercial activity zone example**

## 17 Amenity and safety

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Any business conducting any commercial activity on the footpath must ensure that the area is kept in a clean and tidy manner, not detrimental to the amenity of the area and to the satisfaction of the Council.

No sound amplification equipment shall be placed or used on the footpath for the purpose of announcements, broadcasts, playing of music except with the prior written consent of Manningham Council.

Business operators must not hang any items for sale from the building (including walls and permanent awnings).

Signage may only be fixed to walls providing the sign is no more than 0.9 metres in height and 0.6 metres in width. Noting that compliance with Planning Scheme is required.

Any sign must not protrude more than 50mm from the wall and should be secured in such a way as to not pose a safety hazard.

A business may fix a maximum of 2 brochure holders to the outside of the building providing holders protrude no more than 50 millimetres from the wall and are a maximum of 210 x 297 millimetres (A4) in size and do not create a danger to pedestrians.

All other promotional material, festive decorations etc., may only be displayed where a minimum 2.4 metres clearance between the protruding or hanging object and the footpath can be maintained. Consent will not be given to reduce this clearance distance. The item should be secured to the satisfaction of the Council to ensure it does not interfere with pedestrians.

No activity conducted may pose any danger or obstruction to movement within the public space.

## 18 Obligation to insure and principals indemnity

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The property owner shall always during the period of the permit, be a holder of a public liability policy of insurance in respect of the activities specified in the permit in the name of the property owner, providing cover for at least \$20,000,000.

The public liability policy shall cover such risks and be subject to such conditions and exclusions as are approved by Manningham Council and shall be extended to provide a Principals Indemnity to Manningham Council in respect to claims for

personal injury or property damage arising out of the negligence of the property owner.

The property owner agrees to indemnify and keep indemnified by way of entering into a deed of indemnity, and to hold harmless Manningham Council, its servants and agents, and each of them from and against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever which may be brought or made or claimed against them, or any of them, arising from the property owners exercising the rights granted by the permit and be directly related to the negligent acts, errors or omissions of the property owner.

A copy of the certificate of currency of the insurance policy or deed of indemnity must be provided as part of the annual permit application or on request of an Authorised Officer of Manningham Council.

## 19 Existing street furniture

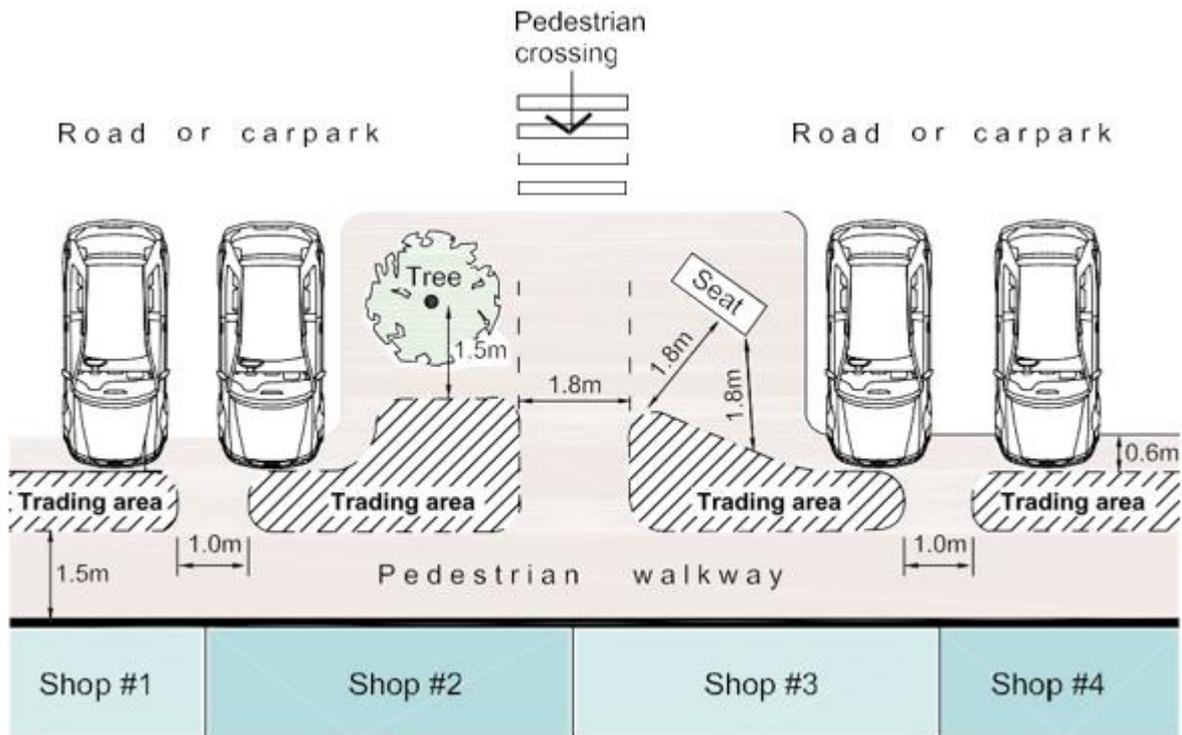
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Clearance of 1 metre is always required from the following public infrastructure - fire hydrants, litter bins, payphones and other items as determined by Manningham Council. Where Manningham Council determines that a commercial activity is interfering with the safe and easy enjoyment of any street furniture then the 1 metre clearance will be applied.

No commercial activity is permitted to lean upon or be fixed/secured to any street furniture. The business operator must ensure that their commercial activity does not cause any damage to any street furniture. The cost of repairing any damage caused by a commercial activity must be borne by the business operator unless otherwise agreed by the Council or the owner of the asset.

The business operator must immediately remove any commercial activity should Manningham Council, Victoria Police, Department of Transport or any other authority require access to street furniture for maintenance, replacement, relocation etc purposes.

Manningham Council may consider modification to footpaths - including relocating existing street furniture (e.g. bins, fixed seats, benches, tables, bike racks) to facilitate outdoor dining facilities.



**Figure 8 - Existing street furniture example**

When considering any modification to the footpath - including relocating existing street furniture the Council will take into consideration:

- the need for the furniture to remain to service pedestrians or other adjacent businesses
- loss of car parking spaces or designated public gathering areas/open space
- how recently the street furniture was installed or the footpath developed as part of a streetscape
- whether there are other appropriate locations
- whether there are other means of allowing the outdoor facility to occur without the need to relocate street furniture
- street furniture must provide accessible seating and table arrangements (DDA 1992).

Modification to the footpath, including the removal or relocation of existing street furniture, may only occur with the prior written consent of Manningham Council and may only be undertaken by Contractors appointed or approved by Council.

The cost of any modification to the footpath - including relocating any street furniture - is to be borne by the business operator that wants the furniture relocated.

As part of the relocation process, the business seeking the relocation of the street furniture must obtain a written statement of 'no objection' from the business in front of which the street furniture is to be relocated. Manningham Council will not consider the relocation of street furniture if this written confirmation of 'no objection' is not received. Feedback must also be sought from the local trader group or Chamber of Commerce.

If it is determined that a business operator has relocated street furniture without the prior written consent of Manningham Council, the Council will organise for the furniture to be returned to its original location at the expense of the business operator.

# Manningham Council

**P:** 9840 9333

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