

## Street Activities Policy Guidelines





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# General requirements

These guidelines are available on Council's website, together with the relevant permit application forms. They provide guidance for policy owners and council staff to further explain the Street Activities Policy.

## Design of items in Street Activity Zone

Items which are placed in the Street Activity Zone must:

- be of a style, appearance, material, finish and colour which are durable and complement the character of the shopping precinct.
- be stable, adequately secured, of good design and located where pedestrian or driver sightlines are not obstructed.
- not include moving or oscillating parts or reflective items that pose a distraction to motorists, or be illuminated either externally or internally.
- contrast with their background to assist recognition by all users including people with vision impairment.
- be removable, yet sturdy and windproof.
- have a suitable protective base to protect the footpath surface i.e. protective tips on chairs and tables.
- not have sharp, pointed, or jagged edges, corners or protrusions.

Inflatable signs, portable electric signs, illuminated, revolving, spinning or flashing signs, flags and banners are prohibited from the footpath and nature strip.

## Placement of items in Street Activity Zone

Items must:

- only be placed in the Street Activity Zone outside the property to which they relate during normal hours of trade, unless otherwise directed or approved by Council.
- be secured in a manner that ensures that adverse weather conditions will not create a risk for pedestrians, property and passing traffic.
- not be affixed to any footpath, building, street furniture, pole or other structure.
- not be placed over service pits (e.g. storm water, Telstra etc).
- be located where pedestrian or driver sightlines will not be obstructed.
- have adequate storage provided on the premises for all approved furniture, goods or other items.
- be positioned to ensure they are entirely within the approved Street Activity Zone.
- not back on to the Pedestrian Zone if there is inadequate space within the approved Street Activity Zone. This is particularly relevant to seating.

Items will not be permitted where access to a loading zone or disabled parking bay will be impeded.

## Amenity of Street Activity Zone

The permit owner is responsible for the amenity of the permit area.

- Traders must maintain the Pedestrian and Street Activity Zones in a clean and tidy condition and must dispose of all litter in an appropriate manner.
- A permit may be cancelled or suspended if instances of obstruction, noise, disturbance and littering or untidiness are noted.
- Serving staff at outdoor dining areas should facilitate free access by pedestrians and give pedestrians passing priority over their own movements into and out of the Street Activity Zone.

## Patron behaviour in Street Activity Zone

The permit holder is responsible for the conduct of patrons using tables and chairs in the Street Activity Zone and must ensure that patrons:

- are seated before serving food and beverages
- adhere to any legislative requirements such as no smoking or no alcohol consumption
- do not move tables or chairs from their positions or obstruct the Pedestrian or Kerbside Zones.
- do not allow pets, prams or any other personal items to obstruct the Pedestrian or Kerbside Zones.
- do not interfere with the use or enjoyment of the area by other patrons or members of the public.

A condition may be placed on a permit requiring a trader to place written reminders to patrons on the tables or chairs regarding their responsibilities in relation to this clause.

# Guidelines for specific items

## Tables and chairs

Tables and chairs will only be permitted at properties which are registered (with Community Health) under the Food Act 1984.

- the number of tables and chairs permitted on the footpath in the Street Activity Zone is determined by the space available
- the number of tables and chairs and their location must be shown on the plan submitted as part of the street activities application.
- tables and chairs must be set back from existing infrastructure, including street trees, lights, public furniture.

## Goods display

Council will encourage street displays that add to the visual appeal of the precinct and that encourage additional activity in the area.

A current permit must be held prior to the installation of any goods display and/or associated ancillary items. Approval for goods display will be at the discretion of Council.

Vending machines, illuminated, revolving, spinning or flashing displays are prohibited from the footpath. Power cords are not be permitted across footpaths.

- goods displays will not be allowed to exceed a height of 1.5 metres or a depth of 0.75 metres and must fit within the Street Activity Zone.
- if foodstuffs are displayed, all Food Act requirements must be met.

## A-Frame signs

The visual amenity and vibrancy of Maroondah's commercial areas is dependent on an open and inviting streetscape and is reliant on order and strategic locations of signs. Council discourages the proliferation of multiple A-frame signs. Council will consider each application for an A-frame display on merit.

A-frame signs are only permitted in business zones and are not permitted outside residential premises. A current permit must be held prior to the display of any A-frame signs.

- A-frame signs must be of stable construction and not exceed 0.6 metres in width or 1.0 metres in height
- the maximum number of signs permitted is two (2) per business (space allowing) and may only be displayed as specified in permit conditions (normally only outside the property to which they relate). No A-frame board is permitted away from the relevant premises/business.
- all signs are to be secured in place by a means that is not reliant on, or physically tied to, any poles, fixtures or trees
- The securing of the signs must not extend beyond the footprint of the permitted sign and must be to the satisfaction of Council.
- Any securing device is to be removed with the sign
- may only feature the business name or service provided by the business to which it relates.

Signs placed on private property may be subject to a Planning Permit.

## Outdoor heaters

The following guidelines must be adhered to:

- heaters be affixed to an existing permanent structure i.e. adjoining building and located off the footpath.
- a planning permit is required to affix any outdoor heater to a permanent structure. Any Planning permit will advise of requirements.
- free standing/portable heaters are not permitted.

## Lighting

For dining areas to operate beyond daylight, adequate lighting must be provided to ensure the safety and amenity of patrons and the general public. Lighting is to be affixed to the principal business. Spotlights and free standing portable lights are not permitted.

## Shade shelters, umbrellas and other enclosures

- must be at least 2.2 metres high at the lowest point and must not protrude over the Pedestrian or Kerbside Zones.
- must not allow rainwater run-off into the Street Activity or Pedestrian Zone.
- shade shelters, umbrellas and other enclosures must be freestanding and secured to the satisfaction of Council.
- securing devices must be removed with the item at the end of trade.

## Freestanding barrier screens

Street Activity barriers may be used to assist businesses to contain their furniture within the approved Street Activity Zone.

Council will consider the approval of Street Activity barriers on a case-by-case basis and applications will be assessed on available space, streetscape, pedestrian activity, amenities and traffic conditions.

Street Activity barriers:

- are only permitted around tables and chairs
- must preserve the general appearance and openness of the streetscape, the maximum height for a Street Activity barrier is one metre.
- must be lightweight to ensure that they can be removed from the footpath at the close of business.
- must not be affixed to any footpath, building, street furniture, pole or other structure
- must be secured in a manner that ensures that adverse weather conditions will not create a risk to pedestrians, property and passing traffic

The form and construction of any barrier screen must be suitable for its functional requirements and location and considering prevailing weather conditions

A gap of 150mm between the bottom of the barrier and the footpath must be maintained to allow for street cleaning.

No other structure (i.e. drop-down blinds, menu boards) can be secured to barriers at any time.

## Pot plants or planter boxes

Planter boxes and the choice of plants can enhance kerbside dining areas and the streetscape generally and will be considered where they fit with streetscape plans.

Total height including plant and pot must not exceed 1.2 metres.

Pot plants or planter boxes must be:

- well maintained with healthy plants of suitable form, hardiness and species at all times.
- kept free of any litter or cigarette butts.

They must not be used for advertising purposes.

Metal or terracotta planter boxes are preferred, and should be easily removable and must not damage the footpath.

## Awnings

A Planning Permit is required for all awnings that are fixed to buildings – the full policy is included in Maroondah's Planning Scheme. For further information please contact Maroondah City Councils Planning department on 1300 88 22 33 or 9298 4598.

### Definitions

Awnings include:

- horizontal awnings that are fixed to buildings and project over a footpath to form a verandah.
- vertical drop-down awnings (including partial and full length) that are fixed to verandahs and project over a footpath.

### Design guidelines

Awnings provide weather protection for shoppers and can complement the streetscape when they are designed to respond to street elements such as street trees and street furniture. Awnings should be simple in style and appearance, and made of quality materials which are durable.

If they are full length they should be transparent to allow views for pedestrians. This complements Maroondah's high quality public spaces. Full length awnings are only permitted to be used for a premises that provides food and drink or entertainment or fresh food/flower outlets at street level and should contain no signage.

The only signage supported is on partial drop-down awnings and is a small business identification sign or logo which is in keeping with the character of signage within the streetscape (maximum 1.5 square metres in total).

### Council supported awnings

Types of awnings that are supported by Council:

- horizontal awnings that are fixed to buildings to form a verandah.
- partial drop-down awnings which are at least 2.2 metres above the footpath level.

Types of awnings that are not generally supported by Council:

- full length drop-down awnings which are not transparent, and/or have signage.
- partial drop-down awnings or full length awnings with side wings.

Full length and partial drop-down awnings will not be permitted where they obscure traffic and parking signs or obscure the sight lines at an intersection. Full length and partial drop-down awnings will generally not be permitted within 10 metres from a non-signalised intersection and 20 metres from a signalised intersection.

## Street performance (busking) Street art

Applications will be considered on merit and street performers may be required to provide reference and/or samples.

- Where street performances are performed as a group (being more than one person and up to a maximum of six persons); the person who is issued a Permit must be part of, or supervising, the performing group.
- Street performances of more than six people are generally not permitted.
- The permit will specify the area and times where the street performance may take place.
- Street performances will only be permitted between 7am and 11pm daily.
- No litter is to be generated by the activity
- No inconvenience or obstruction is to be caused to either pedestrians or vehicles
- The use of fire, animals, materials, substances or equipment as part of the street performance that, in the opinion of the authorised officer, may pose threat to public safety is prohibited.
- For children under the age of 16 to be permitted to perform, they must be accompanied by a person over the age of 18, and have with them parental or guardian written permission.
- Street performers must keep 1.5 metres of the footpath adjacent to the building line clear for pedestrians.
- A street performer must leave any given location upon direction from police or an authorised officer.
- School groups or students with relevant ID are exempt from paying a permit fee.
- Amplification is not permitted.

Applications should be forwarded to Local Laws, Maroondah City Council, outlining your art idea, including location, maintenance and the duration of the installation.

For further information, contact Maroondah City Council on 1300 88 22 33 or 9298 4598.

## Community advertising billboards on Council land

The following apply:

- Applications must be on the approved application form.
- Signs are to be displayed for no more than three weeks and removed within two days of the event occurring.
- Two signs per organisation or event are permitted at one time, applications for additional billboards will only be considered for large community events and will be dependent on availability.
- The maximum permitted size of signage is 2.4 metres by 1.8 metres.
- Sponsors' advertising on boards must not exceed 10% of the total sign area.
- The sign must not distract or obstruct a driver's view of the traffic signals or road signs.
- The sign must not cause any hazard or impediment to pedestrians.
- The sign must be securely anchored, and the applicant must reinstate the area after the sign is removed.
- Applications will not be considered more than six months prior to the proposed date of the activity.

## Fundraising

The following conditions apply:

- Maroondah City Council reserves the right to request additional information or documents that may support the application.
- Two dates per calendar year will be permitted.
- Fundraising activities are only permitted between sunrise and sunset.
- Fundraising activities are only permitted for the dates, times and locations shown on the permit.
- Only one registered charity or not-for-profit organisation will be approved to conduct fundraising activities at any given location and time.
- Representative(s) must not harass or interfere with pedestrians, traffic, entrances to business premises or other street activities.
- Representative(s) undertaking fundraising/promotional activities must carry a valid permit.
- Applications will not be considered if more than six months prior to the proposed fundraising activity.
- Any instructions issued by a member of the Victoria Police or an authorised Maroondah City Council officer must be complied with immediately.
- Amplification or spruiking is not permitted.



# Information required when completing application

Failure to submit any of the information required for the application may result in delays.

## General information

Applicants need to:

- complete and sign a street trading application form (available on Council's website or at one of Council's Service Centres)
- provide a copy of the Planning Permit for the business or advice from Council's Statutory Planning team indicating that a Planning Permit is not required for the proposed/existing business to which the outdoor area relates
- where relevant, provide a copy of the approved Liquor Licence for the premises to which the outdoor area relates
- provide proof of the company and business registration certificates, showing the company name, ACN, ABN and business name
- provide a Certificate of Currency in relation to a public liability policy of insurance. The Council requires the insurance policy to note the Council's interest and be for no less than \$10 million in respect to any single occurrence
- provide a form of indemnity to indemnify the Council against all claims of any kind arising from any negligent act either by the permit holder or the permit holder's agents and users.

## Plan of proposal

Applicants need to provide a plan of proposal, drawn to scale 1:100, showing:

- the width of the frontage and of the footpath from outside edge of kerb to the property lines
- location of property lines and type of abutting uses
- location of existing trees, light poles, signs, existing street furniture, pits, fire hydrants, street lights, car parking and other public infrastructure
- site plan of proposed street activity that shows the area and layout of the proposed footpath activity, including the proposed location of tables and chairs, goods displays, A frame signs or other items/activities
- details of any proposed goods displays, A-frame signs or tables and chairs, including colour photographs or detailed design drawings of proposed items and any means by which they may be proposed to be secured
- provide details of any proposed advertising on items placed on the footpath, including a colour photograph or detailed design drawings of the advertising and an indication of its size
- details of the hours of operation of the business to which the activity relates and the hours of operation proposed for the footpath activity
- any other relevant details.

If the application adheres to the Street Activities Policy and other permits are not necessary, a permit will be issued.

A permit will usually be issued or declined within two weeks of lodging your application.

However, this time may vary if the application needs to be referred to other Council areas such as Community Health, Statutory Planning, Building and Assets – in which case you will be notified.

If, under the provisions of the Maroondah Planning Scheme a planning permit is required, this must be obtained prior to the issuing of a Street Activities Permit.

# Permit considerations

An application may be rejected or a permit withdrawn if:

- the sight of pedestrians crossing at an intersection or crossing is interfered with so as to obscure oncoming traffic
- access for people with disabilities is compromised
- pedestrian access, including prams is restricted
- the sight of the driver of a vehicle or cyclist is interfered with so as to not properly see pedestrians, signals or signs
- signs are moving, rotating, illuminated or reflective
- if a sign is misleading, offensive or obscene
- permit requirements have not been met and/or there is continuing failure to comply with directions
- incidents of previous non-compliance will be taken into consideration at the time of annual permit renewal and when requests to vary or add to a permit are considered for approval
- under any other circumstances that are believed to create a safety hazard to pedestrians, motorists or cyclists or cause detriment to the amenity of the area.
- should there be a requirement for two permits e.g. A-frame and goods on footpath a site plan should be submitted with application. Council will assess and permit will only be granted if there is sufficient space available
- for any reason it is deemed to be unsuitable by Council officers
- Maroondah City Council reserves the right to withdraw the permit at any time
- Maroondah City Council reserves the right to change the Conditions of Issue and Use of the permit.



# Contacts

## Consumption of liquor in activity zone

Victorian Commission for Gambling and Liquor Regulation on 1300 182 457

Maroondah City Council 1300 88 22 33 or 9294 4598

## Smoking in outdoor dining area in activity zone

Maroondah City Council 1300 88 22 33 or 9294 4598

To order signage (free of charge) or for further information, you can call the Tobacco Information Line on 1300 136 775 or visit [www.health.vic.gov.au/tobaccoreforms](http://www.health.vic.gov.au/tobaccoreforms)

## Food in activity zone

Maroondah City Council Community Health team - 1300 88 22 33 or 9294 4598

## Roadside trading, temporary or mobile food premises

Further information can be obtained by visiting the FoodTrader website on [www.FoodTrader.vic.gov.au](http://www.FoodTrader.vic.gov.au)

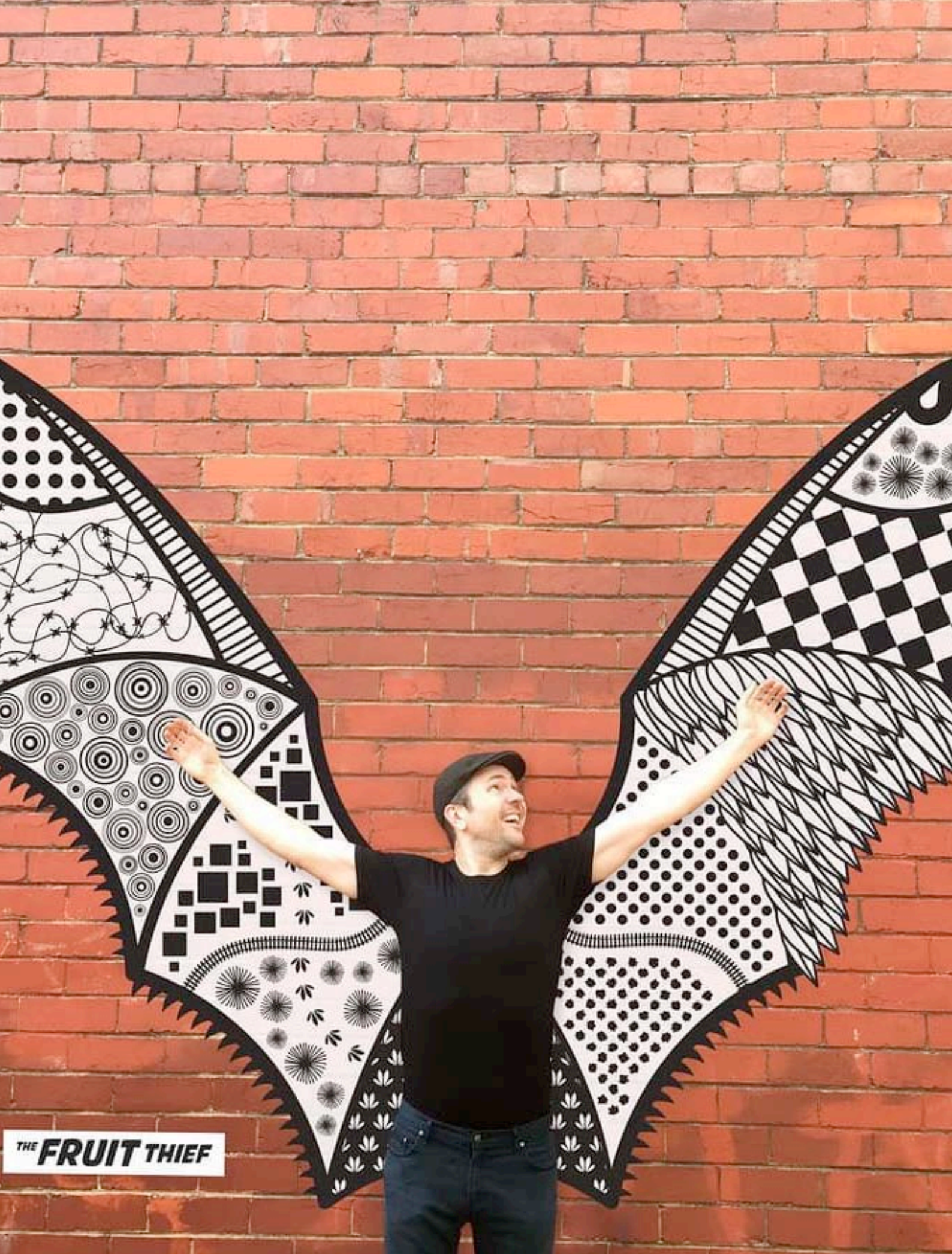
Maroondah City Council Community Health team - 1300 88 22 33 or 9294 4598

## Street Art

Maroondah City Council 1300 88 22 33 or 9294 4598

## Community advertising

Maroondah City Council 1300 88 22 33 or 9294 4598



**To contact Council**

- phone 1300 88 22 33 or (03) 9298 4598
- visit our website at [www.maroondah.vic.gov.au](http://www.maroondah.vic.gov.au)
- email [maroondah@maroondah.vic.gov.au](mailto:maroondah@maroondah.vic.gov.au)

**Translating and Interpreter Service**

13 14 50


**National Relay Service (NRS)**

13 36 77

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