

Footpath and Verge Trading Guideline

Road Safety Considerations for Trading on the Footpath and Road Verge

This guideline applies to footpaths and verges adjacent to non-residential properties. A vibrant and active footpath and verge area has a positive impact on commercial centres and on the viability of local businesses. Carefully planned and well managed footpath and verge trading areas, including outdoor dining, street trading, and product display areas, can activate and energise the street environment. However, it is important that the limited available space along footpaths is used in a way that does not compromise pedestrian access and safety.

1 Introduction

1.1 Footpath and Verge Trading

Footpath trading involves the use of public footpaths and associated verge spaces for commercial purposes. The footpath is the area constructed specifically for use by pedestrians between the property boundary and the kerb or edge of a road. There may also be areas of road verge that are not constructed for pedestrian use but that can be used for trading space.

Commercial use typically includes the placement of advertising signs, display of goods, tables, chairs, and ancillary equipment such as umbrellas, heaters, planter boxes and screens.

1.2 Purpose

The purpose of the guideline is to support the safety of all road users and set requirements for footpath and verge trading activities. Public safety is one consideration as part of a range of factors, as demonstrated in the Footpath Trading pyramid (below).

The management of footpath and verge trading approvals is warranted because the uncontrolled trading can:

- Interfere with the safety and convenience of people travelling on or using roads or land,
- Impede free and safe access for people, in particular those with sight and movement impairment or disabilities,
- Cause damage to public assets,
- Create a danger or expose others to risks,
- Be detrimental to the amenity of the area or the enjoyment of facilities, and
- Impact the natural environment.



Figure 1: Representation of Factors to Consider in Footpath Trading. Source: City of Port Phillip

1.3 Legislation

Trading on Footpaths and the Verge is covered under the City of Kalamunda's Thoroughfares and Public Places Local Law 2008.

2 Overall Process

This guideline should be read and considered before submitting an application for trading on the footpath or road verge.

The applicant should include the following information in a single plan or set of plans as part of their application:

1. Site plan showing all existing building footprints, verge and path areas.
2. If the building is being modified, show the extent of changes.
3. Identify on the plan each type of trading activity and area
4. Show any features such as locations of trees existing or proposed, garden beds, utility services and so on.
5. Areas and dimensions of all the above features.
6. On each plan, state the business name, address of the trading activity, and the name of the applicant.

For more constrained areas such as in the town centre, the applicant may be asked to provide elevation drawings to show how pedestrians and other features will interact.

The change of pedestrian environment may expose the applicant to the Disability Discrimination Act.

3 Technical Requirements

The public safety considerations are:

1. To ensure safe and unobstructed passage for pedestrians, in particular those who may be physically or visually impaired,
2. Ensure safe and unobstructed vision for drivers of vehicles and cyclists,
3. Ensuring the trading is in a low speed environment and along streets categorised as access roads as per the Main Roads WA road hierarchy, or otherwise offset from the road to reduce road safety risks, (with a maximum permitted speed limit 50kph)
4. Ensure the activity is not impeding regulatory road signs, and
5. Ensuring there is a continuous accessible path of travel for pedestrians, including that customers using the space do not impede pedestrians.

When considering if the following requirements are being met, the applicant should consider the types of facilities and furniture proposed, as well as people's movements around these items.

The specific technical requirements are:

1. The pedestrian zone as shown as an example in Figure 2, should be not less than 1.5 metres wide with a desirable width of 1.8 metres or greater. Footpaths of 2.5 metres or less in width are not suitable for trading activities.
2. The Activities must be set back from the edge of the nearest road lane by at least:
 - a. 0.5 metres if located behind a tree or roadside barrier
 - b. 2.0 metres if operating speeds are under 50 km/hr
 - c. As per Table 2 if beside a parking bay (to allow for doors being opened)
 - d. As advised by the City if operating speeds are over 50 km/hr, depending on the traffic volumes, with reference to the Clear Zone Distances published by Main Roads WA.
3. The Activities must be separated from public infrastructure and vegetation at least:
 - a. 0.5 metres for trees, tree pits and garden beds
 - b. 0.5 metres for electricity boxes.
 - c. 0.0 (zero) metres for power poles and street light poles
 - d. 1.0 metres for all other items.
4. The Activities must be separated from a neighbouring business activity by a minimum of 1.0 metres.
5. A minimum width must be kept for pedestrians as per Table 1.
6. A trading activity located within 10 metres of the transverse kerb of an intersection must not obscure road users' lines of sight.
7. Activities must not obscure road signs.
8. Facilities and furniture can-not be attached to any public infrastructure or vegetation.
9. The activities and placement of facilities and furniture must ensure compliance with relevant legislation and standards.

Existing Path Width (m)	Minimum Pedestrian Width Requirements
2.5 or less	Prohibited. No trading activity to encroach the path
2.5-3.0	A minimum of 1.5m wide must not be encroached by trading activity
>3.0	A minimum of 1.8m wide must not be encroached by trading activity. The minimum may be increased by the City if required due to the function of the path.

Table 1: Pedestrian width requirements

Parking Restrictions	Minimum Setback from Kerb
No Roadside Parking Bays; No standing at any time; Posted Speed Limit ≤ 50 Km/hr	1.0m
Parallel parking	0.5m
Angle Parking	1.2m
Disabled Parking	2m

Table 2: Minimum set back beside parking

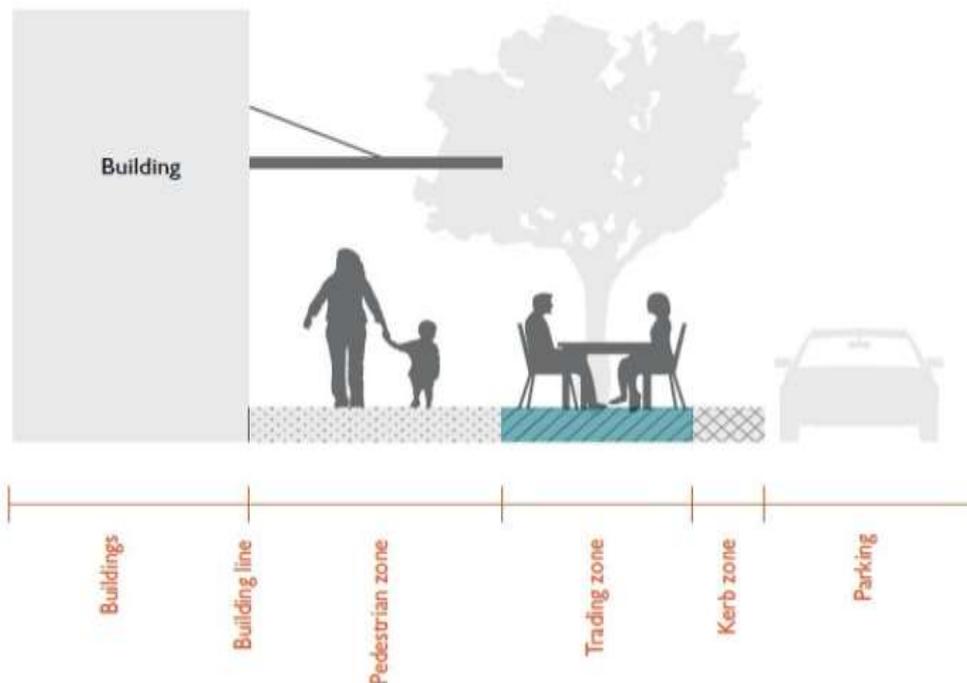


Figure 2: An Example Layout from City of Port Phillip

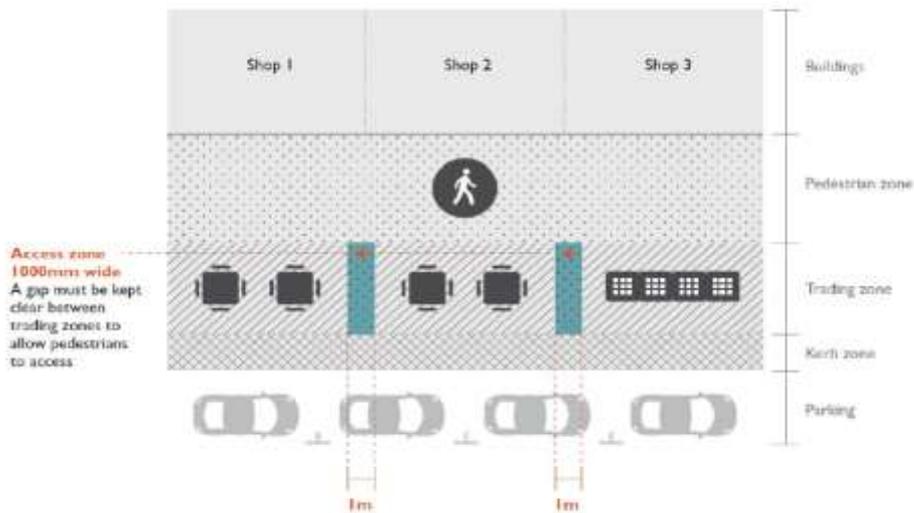


Figure 3: An Example Layout from City of Port Phillip

4 Enquiries

Contact the City of Kalamunda's Environmental Health team on 9257 9999 for any enquiries regarding trading on footpaths or in the verge.

5 References

Nil

6 Approvals

In relation to this guideline, the assessment of any proposal to trade on footpaths or on the verge will be conducted as part of an application under the local law.