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Council
Policy

Adelaide City Council **objects on public footpaths** 2006

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Objects on Public Footpaths

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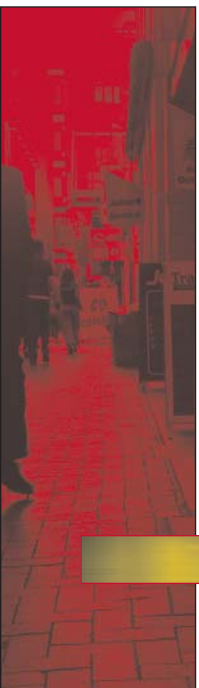
Adopted 13 December 2004

Version dated November 2004

Implementation date 1 January 2005

Council resolution April 2006

Version dated May 2006



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1. INTRODUCTION

Capital cities make a key contribution to the welfare of the State as a whole. The role they play in attracting both people and investment should be acknowledged through the provision of a city environment which provides a high degree of presentation and amenity based on core values such as inclusiveness, safety, vitality and innovation.

The City of Adelaide aims to ensure that these values are clearly reflected in the streetscape. Footpaths are an integral part of the city environment and the types of uses allowed on the footpath have a direct impact on the vitality, amenity and safety of the city. The quality of footpath objects, whether elevated or ground level, moveable or fixed, plays a key role in determining the level of a city's legibility and amenity and the degree to which information about the street is easily accessible.

The City's footpaths are public property and should be respected and treated as such. If public spaces are to provide equally for all members of the public it is essential to provide uncluttered walkways which facilitate safe movement and enhance the legibility and clarity of the street environment. This means preserving the bulk of the footpath space for public rather than commercial uses and ensuring that a legible path is kept free in accordance with carefully designed guidelines that take into account the needs of the visual and mobility impaired. However, within this context, Council recognises that the commercial use of footpaths contributes to the economic vitality of local business. The aim of this policy is to achieve a balance between public and commercial uses through the provision of effective guidelines.

The predominant footpath object is the A-Frame sign, used by retailers to advertise their goods and services. From a commercial perspective, the primary purpose of these signs is to attract business for the retailer. Problems arise when the commercial use of footpaths is poorly monitored. Uncontrolled commercial use of public footpaths can lead to congestion and visual clutter. This compromises public accessibility and safety, particularly for those with impaired vision or mobility, and leads to increased liability issues for the Council and traders.

This Policy, and the accompanying Operating Guidelines, provide criteria for the commercial use of public footpaths to ensure that such use does not impinge on public safety or amenity. In doing this it provides a fair and balanced approach to the use of public footpaths.

2. POLICY OBJECTIVE

To provide a framework which encourages public footpath use to occur in accordance with the statutory and best practice requirements for public access and circulation, including the needs of people with disabilities. To ensure that competing uses in the public realm are properly balanced and that public footpath use is in keeping with the desired future character of the city's precincts.

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3. POLICY STATEMENTS

- 3.1 Adelaide City Council recognises that public footpaths are in the public domain and are to be used for the benefit of all users;
- 3.2 Adelaide City Council supports the provision of a 'pedestrian-friendly' streetscape with consistent, well-maintained, accessible footpath space for all users;
- 3.3 Adelaide City Council promotes a high quality urban environment commensurate with 'Capital City' standards and the local precinct;
- 3.4 Adelaide City Council recognises that commercial use of footpath space can be undertaken where this does not impinge upon Council's goals of accessibility, safety and amenity and where it contributes to the desired character of the precinct;
- 3.5 Fairness, consistency and equity amongst traders is encouraged in their use of public footpaths for commercial purposes.

4. LEGISLATIVE AND CORPORATE POLICY CONTEXT

In adopting this policy, it is recognised that there are specific legislative requirements to be met in addition to other corporate goals. Related legislation to be considered in conjunction with this Policy includes:

- Local Government Act 1999;
- Development Act and Regulations 1993;
- Disability Discrimination Act 1992;
- Australian Standards;
- Adelaide (City) Development Plan; and
- Council By-Laws.

Current corporate strategies, policies and guidelines and reports that have been used to provide a basis for this policy are:

- ACC 'New Directions';
- Public Spaces and Public Life Study - Gehl Architects APS
- Integrated Movement Strategy - Adelaide on the Move;
- Access Action Plan 2006 - 2010;
- ACC Communication and Consultation Policy.

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In addition, the following Adelaide City Council policies and strategies may have some implications for the assessment of objects on public footpaths applications, in that they refer to the requirements for placement of various other objects within the public realm:

- Public Art Policy;
- Outdoor Dining Policy;
- Streets, Squares and Park Lands : Adelaide's Public Realm;
- ACC Lighting Policy.





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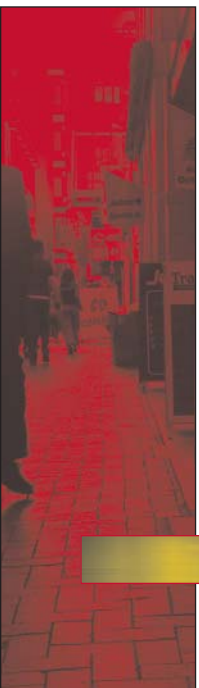
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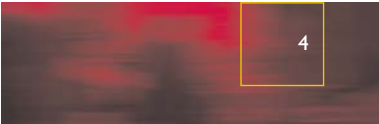
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1 INTRODUCTION

Capital cities make a key contribution to the welfare of the State as a whole. The role they play in attracting both people and investment should be acknowledged through the provision of a city environment which provides a high degree of presentation and amenity based on core values such as inclusiveness, safety, vitality and innovation.

The City of Adelaide aims to ensure that these values are clearly reflected in the streetscape. Footpaths are an integral part of the city environment and the types of uses allowed on the footpath have a direct impact on the vitality, amenity and safety of the city. The quality of footpath objects, whether elevated or ground level, moveable or fixed, plays a key role in determining the level of a city's legibility and amenity and the degree to which information about the street is easily accessible.

The City's footpaths are public property and should be respected and treated as such. If public spaces are to provide equally for all members of the public it is essential to provide uncluttered walkways which facilitate safe movement and enhance the legibility and clarity of the street environment. This means preserving the bulk of the footpath space for public rather than commercial uses and ensuring that a legible path is kept free in accordance with carefully designed guidelines that take into account the needs of the visual and mobility impaired. However, within this context, Council recognises that the commercial use of footpaths contributes to the economic vitality of local business. The aim of this policy is to achieve a balance between public and commercial uses through the provision of effective guidelines.

The predominant footpath object is the A-Frame sign, used by retailers to advertise their goods and services. From a commercial perspective, the primary purpose of these signs is to attract business for the retailer. Problems arise when the commercial use of footpaths is poorly monitored. Uncontrolled commercial use of public footpaths can lead to congestion and visual clutter. This compromises public accessibility and safety, particularly for those with impaired vision or mobility, and leads to increased liability issues for the Council and traders.

These Operating Guidelines provide criteria for the commercial use of public footpaths to ensure that such use does not impinge on public safety or amenity. In doing this it provides a fair and balanced approach to the use of public footpaths.

The Guidelines satisfy Council's access, safety and urban design requirements and will reduce the commercial sector's risk of public liability claims. The types of objects covered include moveable signs, display tables and planter boxes; a complete list is included in section 3.2.4.

1.1 Scope

These Guidelines cover all objects intruding into the public footpath space that are not subject to other Council policies or local government regulations and detail the permit and development application requirements.

Outdoor dining does not require an Objects on Public Footpaths Permit as it is covered by the Outdoor Dining Policy and associated Operating Guidelines. As Outdoor Dining produces a significant intrusion into the footpath space, no other ground level intrusions are allowed. Planter boxes are exempt from this rule.

These guidelines will be taken into account by Council in the siting of street furniture on public footpaths.

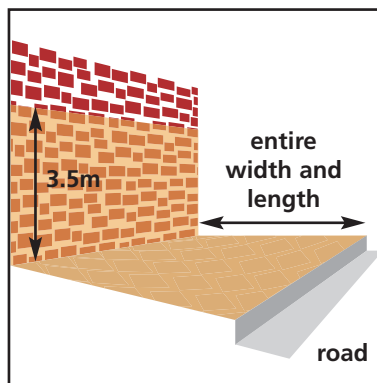
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1.2 Definitions

Public footpaths are defined as all footpaths, shared paths, separated paths, shared zones and malls necessary for public access, operating full-time or part time, within the care and control of Adelaide City Council.

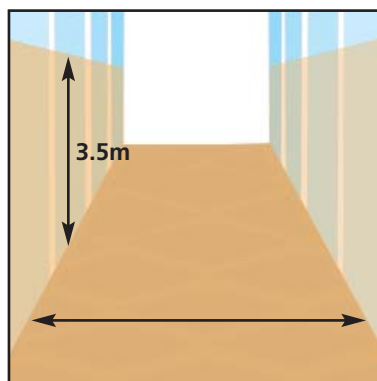
This comprises:



Horizontal view

- the area between the property line and the kerb face over the entire length of the public footpath; and
- the area above the public footpath from ground level to a height of 3.5m.

For public roads that do not have clearly defined footpaths, such as shared zones and malls, this comprises:

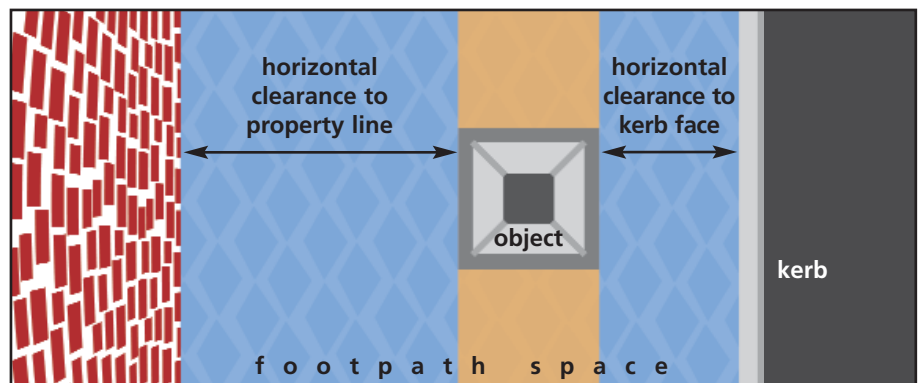


- the area between opposing property lines over the entire length of the public road; and
- the area above the public road from ground level to a height of 3.5m.

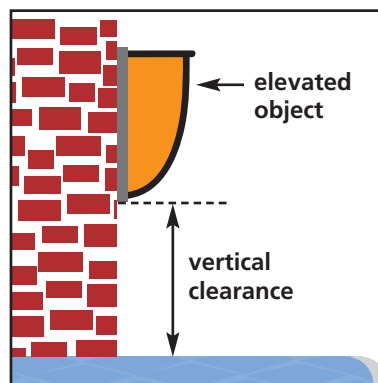
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A **horizontal clearance** is the distance between the edge of the footpath space and the closest point of an object, measured perpendicular to the footpath. A clearance can either be a clearance from the property line or from the kerb face.



Vertical view



A **vertical clearance** is the distance between the lowest point, of an elevated object and the level of the footpath.

A **setback** is the distance between the closest edge of a ground level object located on the footpath and other footpath items, measured parallel to the footpath.

An **intrusion** is the distance an object extends into the footpath space. An intrusion is caused by the placement of an object on or over a public footpath, partly or entirely within the footpath space.

A **ground level intrusion** is an object in contact with a public footpath. Objects producing ground level intrusions into the public footpath space include (but are not limited to):

- moveable signs (A-frames, sandwich boards, etc);
- display tables (including display of products for sale); and
- planter boxes.

An **elevated intrusion** is an object, which is not in contact with a public footpath but which may be attached by frame, bracket or other fixing device to a building wall and which extends over the footpath space.

This is typically produced by (but is not limited to) objects such as flags, banners, streamers, hanging product displays and bunting.

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A **bus zone** is the road area between two signs that define it as a bus zone, and is reserved exclusively for the use of public buses, in accordance with the provisions of the Australian Road Rules 1999.

A **taxi zone** is the road area between two signs that define it as a taxi zone, and is reserved exclusively for the use of taxis, in accordance with the provisions of the Australian Road Rules 1999.

A **loading zone** is the road area between two signs that define it as a loading zone, and is reserved for the use of vehicles that are dropping off or picking up goods, in accordance with the provisions of the Australian Road Rules 1999.

2. ADMINISTRATIVE POLICY

2.1 Relevant Policy

These Operating Guidelines give effect to the Council's Objects on Public Footpaths Policy, adopted by the Policy and Strategy Committee on 13 December 2004.



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3. GUIDELINES FOR EFFECTIVE IMPLEMENTATION

Core guidelines, essential to the achievement of the policy objectives, include:

- The need to maintain clear pedestrian pathways of 1.8m width minimum to ensure safety, consistency and legibility for the vision and mobility impaired.
- The precedence of existing public infrastructure, such as trees, seats and bins, over commercial objects.
- A maximum allowance of one commercial object per premises street frontage (either ground level or elevated intrusion, but not both) subject to design requirements being met. Where a number of tenancies are contained within the one premises only one object will be permitted per street frontage. This object may be shared by one or more of the tenancies; ie. at the entry to an arcade only one A-frame will be permitted, this may include details of all the tenancies.
- That premises with outdoor dining can have no additional ground level intrusions other than items permitted under the Outdoor Dining Policy and Guidelines.
- That objects can only be placed in front of shops which have a minimum street frontage of 850mm; ie. a doorway width.
- That objects must be located directly between the business frontage of a permit holder's business premises and the nearest kerb and subject to other design requirements being met.
- Only the objects permitted by this Policy will be allowed on public footpaths. The display of objects which are loose and with undefined edges and proportions will not be allowed as they pose a danger to the public and visually detract from the Streetscape.



Outdoor dining can have no intrusions other than items permitted under the Outdoor Dining Policy and Guidelines. "Specials" advertising can be accommodated through incorporating blackboard panels into outdoor dining screens.

Several urban design principles aimed at enhancing the functions of the City's footpaths underscore the approval process for an Objects on Footpaths Permit and underpin the guidelines outlined above. Addressing appearance, streetscape amenity and safety, they are largely a matter of common sense and give consideration to both pedestrians and commercial tenants. The City's footpaths are public property and need to be treated accordingly.

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3.1 URBAN DESIGN PRINCIPLES

3.1.1 Location and Siting of Footpath Objects

Existing items for public use including public signage, street trees, seats, rubbish bins, drinking fountains and light poles take precedence over commercial uses of footpaths. These items are carefully located for the benefit of the public and will not normally be removed or relocated to accommodate privately owned objects on footpaths.

Commercial uses must not limit the public use of the footpath or impede access to public seating, drinking fountains, parking ticket machines, bicycle parking, or major pedestrian crossing points. Sight lines for road users must be neither compromised nor restricted and the requirements of the vision and mobility impaired must be taken into account.

Council, in the siting of new public infrastructure, will give consideration to the placement of commercial objects, pursuant to these guidelines, on the public footpath.



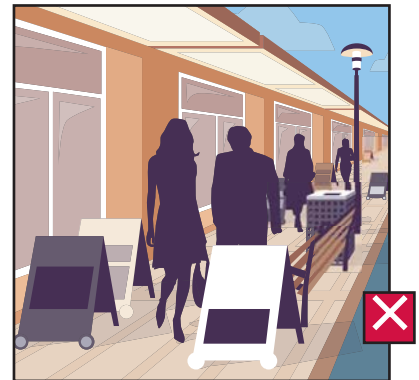
Commercial uses should not impede access to street furniture or public infrastructure

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3.1.2 Design, Appearance and Size of Footpath Objects

There is a recognised commercial role for objects on footpaths; however, it is important that they do not have a negative impact on public space. Therefore, objects should be designed to ensure that they do not obscure public signage, create safety hazards for footpath or road users or detract from the desired character of the City's precincts. Objects should not resemble public signage or traffic signs (as per the Road Traffic Act).



Objects should not create safety hazards for footpath or road users.

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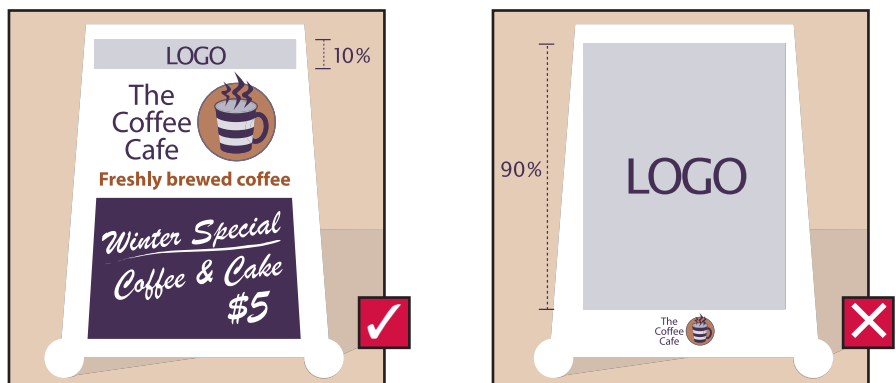
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3.1.3 Advertising

Signage to identify the business name or logo, or advertise goods sold on the premises is subject to Council approval through the Permit application process. This is the principal regulatory mechanism monitoring the use of footpath objects to display advertisements. Related legislation which may be applicable in some instances includes the Development Act and Regulations 1993 and the *Adelaide (City) Development Plan*. Applicants will be informed by the Permit Application officer if their proposed object will also require development assessment approval.

Advertising and signage must comply with the following:

- Third party advertising that is un-related to the business is not allowed.
- Product names or logos should not exceed 10% of the total available space on each footpath object.
- Signage and advertising should be of a high standard and complement the amenity of the premises.
- Design and presentation should fit with the desired future character of the precinct (as described in the Adelaide [City] Development Plan).



Objects should be of a high visual standard and product names or logos should not occupy more than 10% of the object

3.1.4 Objects on Public Footpaths outside Heritage Places

The design and location of footpath objects on or near heritage places must be compatible with the heritage significance of the place so as not to detract from that significance.

In addition to the general requirements set out in these Guidelines, applicants who wish to install elevated intrusions upon heritage buildings will also need to satisfy specific criteria relating to Heritage Places. Information regarding this criteria can be obtained from Council as part of the Development Application process.

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3.2 GROUND LEVEL INTRUSIONS

This Section outlines the conditions under which a footpath object is allowed to produce a ground level intrusion into the footpath space. Objects that do not meet the defined conditions will not be permitted.

3.2.1 Criteria

Location and Siting

Objects should:

- Be located on the kerbside of the footpath to ensure a safe passage, consistency, and legibility, for vision and mobility impaired pedestrians;
- Not obstruct pedestrian flow or compromise access to pedestrian ramps (kerb ramps);
- Not compromise the safety of users of adjoining buildings by restricting access or adding unreasonably to fire potential;
- Be located directly between the business frontage of the permit holders' business premises and the nearest kerb;
- Comply with the relevant setbacks;



Objects should not prevent access to street furniture or to public services and should not be fixed or attached to public infrastructure

- Not obstruct access to infrastructure or permitted activities, such as parking, public transport stops, loading zones, outdoor dining, underground services or building entrances;
- Not obstruct access to public street furniture such as seats, bicycle parking, drinking fountains, rubbish bins, telephone booths and post boxes; and
- Not obstruct visibility for footpath and carriageway users.

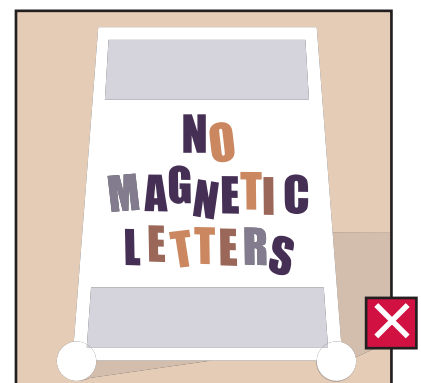
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Design, Appearance and Size

Objects should:

- Be designed, constructed and maintained in a manner that minimises hazard for those using either the footpath or the adjoining carriageway;
- Be not less than 600mm high and cover an area of footpath no less than 600mm x 600mm, so that they are of sufficient size to avoid trip hazards to pedestrians;
- Reduce hazards through:
 - Ensuring that edges of objects do not jut out from the main body of the object and are maintained in good condition with no rough or sharp edges;
 - Ensuring that no part of the object overhangs or projects beyond its base; and
 - Ensuring that no part of the base projects excessively beyond the edges of the object; and
- Designing for stability by ensuring that the object is appropriately proportioned and weighted (as a guide, a weight of 15kg may achieve this);
- The permit holder is responsible for ensuring that the object is stable and does not pose a safety risk. If the object is determined to be a hazard, the permit holder is responsible for ensuring the object is repaired or replaced.
- Not be internally illuminated, have reflective surfaces or resemble a traffic sign;
- Have a base designed to be detectable to a visually impaired person navigating the footpath with the aid of a cane; ie the incorporation of a bar or panel spanning the otherwise open base of the object.
- Be constructed of high quality materials and have no rotating or moving parts;
- Depict material in a professional manner and to a high visual standard in terms of lettering and graphics. Hand drawn signs or signs which consist solely of hand written blackboard messages, magnetic letters or similar are not acceptable but a maximum of 90% of the signage area can incorporate a handwritten blackboard message;



A-Frames must be professionally presented. Magnetic letters and solely hand drawn blackboard messages are not acceptable

- Only be displayed on the footpath during the hours that the relevant business premises are lawfully open to the public, and must be removed outside trading hours to allow for industrial cleaning of the footpath (with the exception of planter boxes); and
- Only depict material that advertises or promotes the relevant business or the goods or services available within the relevant business.

These requirements for design, appearance and size, apply to ALL ground level objects placed on public footpaths.

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Clearance and Setbacks

The Council requires clearances and setbacks between footpath objects and a number of different uses, in order to allow for safe access, servicing and maintenance of items, and to provide access along the footpath for pedestrians. A ground level footpath object must comply with the following requirements:

Setback and Clearance Summary Table

Situation	Required
Horizontal clearance from the kerb face	0.6m
Horizontal clearance from the property line	1.8m (min)
Intersection setback (from corner of property lines)	1.8m (min)
Side access setback (driveways, crossovers or private access roads)	1.8m (min)
Setback between footpath items (adjacent objects, seats, bins, street trees, street lights, etc) both ground level and elevated	1.8m (min)
Setback from disabled access carparking space(s) parallel to the kerb	1.8m (min)
Setback from bus, taxi and loading zones and pedestrian crossings	1.8m (min)
Setback from construction sites	1.8m (min)
Adjacent to bus, taxi and loading zones, construction sites, disabled access car parking spaces and pedestrian crossings	Not permitted
Setback from underground infrastructure access (manholes, service pits, stormwater grates, etc)	Nil for removable items

3.2.2 Permissible Streets

Ground level of objects will not be permitted in the following locations:

- Streets that do not permit the siting or any other criteria within the Operating Guidelines to be met;
- Any footpath that is the boundary of the Park Lands, a square or a reserve within the meaning of the Local Government Act;
- On a footpath that is grassed or otherwise landscaped or gardenised;
- Rundle Mall; and
- Ceremonial streets (King William Street, between North Terrace and Victoria Square, and North Terrace).

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3.2.3 Siting Criteria

Within permitted streets ground level objects will not be permitted if any of the following criteria apply to that part of the street:

- Adjacent to bus zones, taxi zones, passenger loading and loading zones;
- Adjacent to a designated disabled parking space or disabled passenger loading zone;
- Adjacent to home based activities or premises where the predominant use is not commercial;
- Within 1.8m of all types of pedestrian crossings;
- In streets with footpath width of less than 3.0 metres;



No signs allowed in pedestrian only streets

- On a footpath within the boundary of Park Lands, a square or a reserve as defined by the Local Government Act;
- On a footpath that does not have, as one boundary, a carriageway (i.e. pedestrian only streets)
- On that part of a footpath that is given over to garden; or
- On a median strip, traffic island or carriageway.

The object must be sited 0.6m from the kerb. The clear footpath width remaining must be no less than 1.8 metres.

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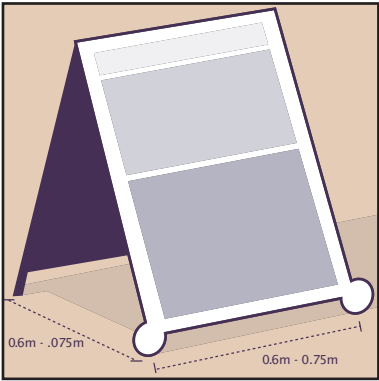
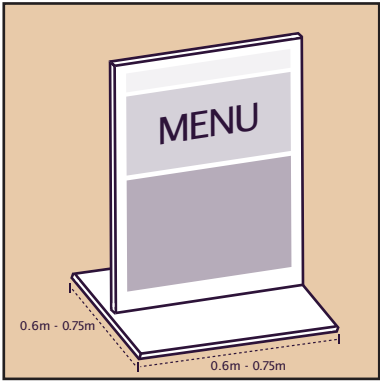
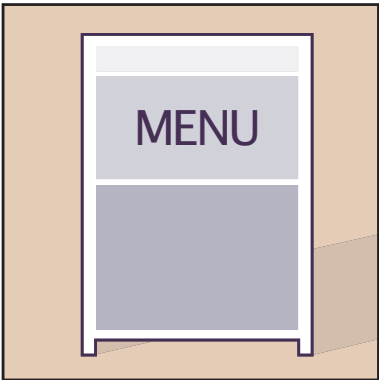
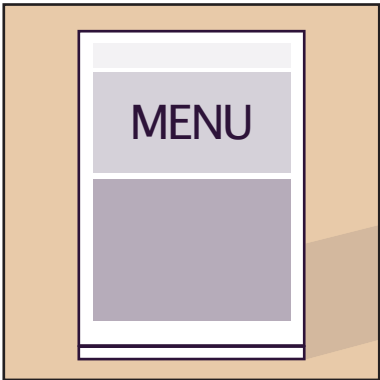
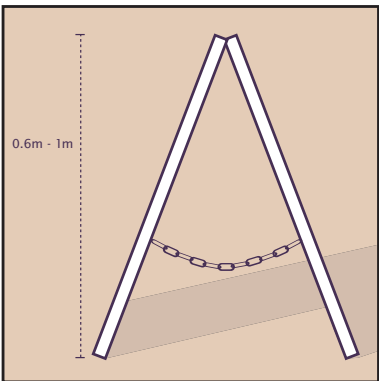
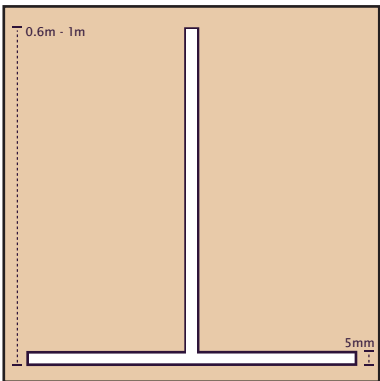
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3.2.4 Types of Objects

Moveable Signs

These are advertising panels placed on footpaths and may include "A-frames", sandwich boards and "T-Frames". They must meet the following criteria in addition to the criteria listed in 3.2.1 – 3.2.3:

- Be no less than 600mm high and no more than 1000mm high
- Be freestanding (ie not supported by a building, pole, tree or other structure).
- Cover an area of footpath no greater than 750mm x 750mm and no less than 600mm x 600mm.



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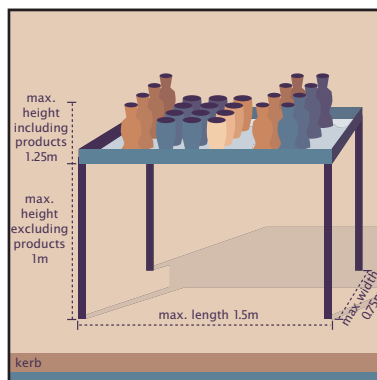
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Display Tables

These include any structures that enable products to be displayed on or in them, such as trestle tables, bins, trolleys, baskets, barrows, bowls, vases and carts. Such structures must not be used for advertising alone but can incorporate advertising displays on side panels (see below). In addition to the general design, appearance and size constraints, display tables must conform to the following criteria:

Size

Must be of a size not more than:



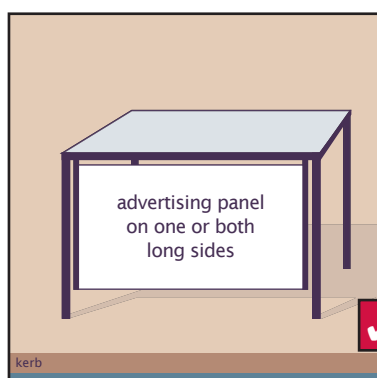
- 1m high (excluding products or ornamental items on display)
- 1.25m high (including products or ornamental items on display)
- 0.75m wide in a direction perpendicular to the kerb
- 1.5m long in a direction parallel to the kerb.

Stability

Any display table on wheels must incorporate a locking device for safety and stability.

Incorporation of Advertising Display Panels

Advertising panels may be incorporated into the design of the display tables thus performing a similar function to moveable signs. Tables may have a maximum number of two display panels only and panels must be no more than 1.0m high, and consist of either:

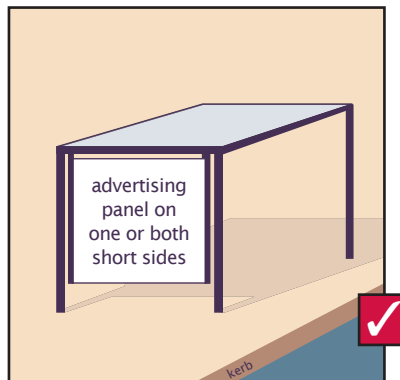


- a single display panel on one or both sides of the table which is no longer than the length of the table and is aligned parallel to the footpath; or

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- a single display panel at one or both ends of the display table which is no wider than the widest part of the table and is aligned perpendicular to the footpath.



Hanging Product Displays

These comprise any displays where the product or products are suspended from a pivot point, rack, cable or similar. This typically includes clothing displays.

Hanging product displays are not permitted to hang from awnings, canopies or poles fixed to the outside of the building. The hanging product display must be freestanding, structurally self-sufficient, and:

- must not be more than:
 - 1250mm high;
 - 750mm wide in a direction perpendicular to the kerb;
 - 1500mm long in a direction parallel to the kerb;
- may incorporate into the design of the hanging device (being a rack or similar), display panels performing a similar function to moveable signs. The hanging device may have a maximum number of two display panels only and panels must be no more than 1.0m high, and consist of either:
 - a single display panel on each side of the hanging product display which is no longer than the length of the hanging device and is aligned parallel to the footpath; or

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- a single display panel at each end of the hanging device which is no wider than the widest part of the hanging device and is aligned perpendicular to the footpath.
- Any hanging product display on wheels must incorporate a locking device for safety and stability.



Hanging product displays are not permitted to hang from awnings, canopies or poles fixed to the outside of the building. Only one object is allowed per business. Footpath objects must be positioned 0.6m from kerb and 1.8m from building line.

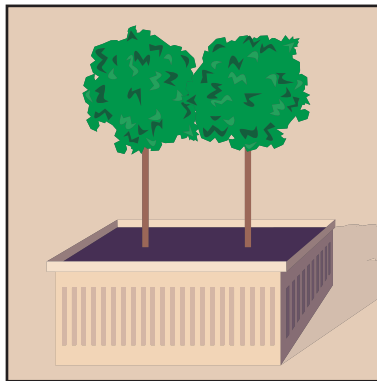
objects on public footpaths

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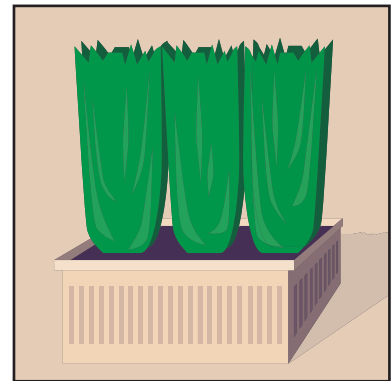
Planter Boxes

Planter boxes provide a community benefit through increasing general amenity. Their primary purpose is to create shelter and provide an aesthetic effect although they may also be used to provide privacy (eg in front of hotel rooms). As these functions cannot be effectively performed by a single planter box more than one box is allowed per premises provided they comply with clearances and setbacks identified in the table in section 3.2.1 and with the criteria outlined below.

With an appropriate choice of plants and adequate maintenance, planter boxes have the capacity to increase visual amenity. However, they are also vulnerable to vandalism and have complex maintenance requirements. Poorly maintained planter boxes are unsightly while inappropriate choice of plants or inadequate pruning can obscure vision and access and hence pose a safety hazard. The arrangement of planter boxes should complement the type of plant chosen. For instance, where hedge style plants are used for screening purposes it will be necessary to limit their height to accord with safety requirements. However, if 'standards' are used, the large gap between the canopy and the plant's base may provide an adequate 'window' and thus enable these plants to meet the safety requirements. Hence, in some situations, an increased height limit may be appropriate for these plants.



'Standard'



'Hedge style'

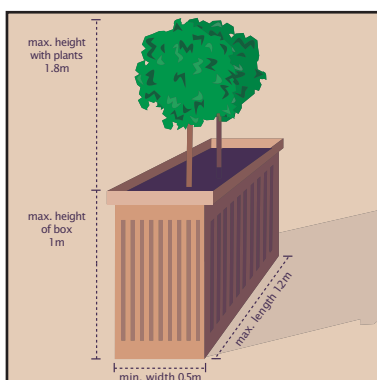
The following location and design requirements apply to the use of planter boxes on public streets:

- Where planter boxes are positioned in rows along the kerb line, they are considered to be 'enclosures' and a 1500mm space is required to be left open every 8 lineal metres for pedestrian access;
- Planter boxes should have a minimum gap of 300mm between each container;
- A 1 metre clearance from all service access covers must be maintained to allow access at all times;
- Where irrigation is provided, approved backflow prevention devices are required in accordance with E & WS regulations. Water supply lines are to be UPVC and are to be placed underneath the footpath, at a depth of 300mm;

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- Planter boxes must be elevated a minimum of 20mm above the pavement to allow for drainage;
- Overflow from irrigation systems or hand watering must not stain pavements, or cause a safety hazard for pedestrians;
- Should the business cease to operate, the permit holder will remove planter boxes, prior to vacating the site, at their own cost;
- The physical appearance of planter boxes, including material and style, will be subject to council approval;
- Their form and structural strength must be adequate to meet functional requirements, including resistance to vandalism and impact from pedestrians;
- Durable materials should be used to ensure maintenance of their appearance and structural integrity. Plastic is not permitted;
- Planter boxes must conform to the following dimensions:



- minimum width of 0.5m
- maximum length of 1.2m
- maximum height without plants: 1.m
- maximum height with plants: 1.8m - subject to safety requirements being met.

(Note: heights are measure from footpath level)

- Plants should be pruned and maintained in such a way that the canopy, spread and height of plants does not constitute a safety hazard to pedestrians or motorists by obstructing vision.

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- Plant species must be suitable in terms of form, shape, hardiness and maintainence, and a list of proposed plant species should be included in the permit application. Suitable species include:



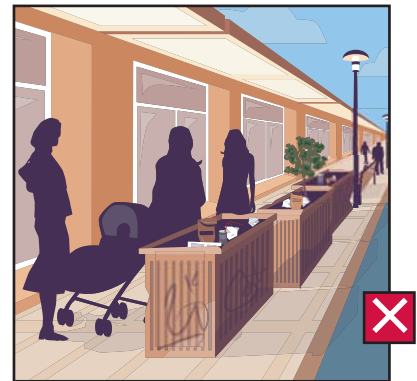
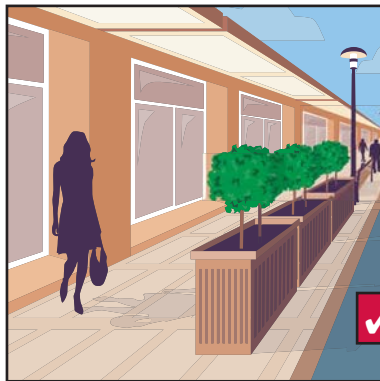
BOTANICAL NAME	COMMON NAME
Plants For Sun:	
Cotoneaster dammeri	Cotoneaster
Hebe speciosa	Veronica
Hypericum x moseratum	Rose of Sharon
Rosmarinus officinalis	Rosemary
Agapanthus orientalis	Agapanthus
Rosa species (ground cover varieties)	Rose (thornless varieties only)
Lavandula sp	Lavender
Gardenia radicans	Gardenia
Pelargonium sp	Geranium
Coleonema pulchrum	Diosma
Convolvulus mauritanicus	Ground Morning Glory
Erigeron hybridus	Fleabane
Gazania x hybrida	Gazania
Osteospermum sp	African Daisy
Thymus sp.	Thyme
Felicia amelloides	Seaside Daisy
Plants For Shade:	
Buxus microphylla	Box
Camellia 'Marg Miller'	Camellia 'Marg Miller'
Trachelospermum jasminoides	Star Jasmine
Clivea mineata	Kaffir Lilly
Liriope muscari	Liriope
Viola hederaceae	Native Violet

(This list is intended to be a sample only, and is not considered to be a definitive listing)

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- It is the permit holder's responsibility to maintain and clean planter boxes regularly and maintain the plants according to each species' needs;
- Plants should be pruned so that they remain within the maximum dimensions specified above and so they do not impede pedestrian movement along and across the footpath;



Empty planter boxes must be removed or replanted immediately. Planter boxes should be:

- *Correctly positioned between the building line and the kerb (as shown) to ensure a clear passage for pedestrians*
 - *Properly maintained to reduce vandalism and littering*
- Empty planter boxes must be removed or replanted immediately. Failure to keep planter boxes maintained to an acceptable standard will result in the permit holder being directed to remove them;
 - Plant material should preferably be placed directly into boxes. Where plants are contained in plastic pots, care should be taken to avoid large voids (which may attract littering) and precautions should be taken against the possibility of theft;
 - The plants must not be removed from the planter boxes after trading hours, as empty boxes are unsightly and may attract littering and undesirable behaviour;
 - Design planter boxes to minimise vandalism to plants, eg insertion of subsurface security mesh.

Planter boxes contribute to variety and colour in the street. Unique designs may be appropriate, except where located in an established 'main street' or local area development precinct where it is recommended that the design be developed in liaison with the street's Trader Association or Local Area Group prior to submitting the design for Council approval. Council approval of the proposed planter boxes is required prior to installation.

objects on public footpaths



3.3 ELEVATED INTRUSIONS

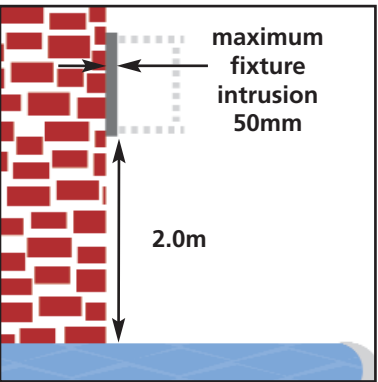
This Section describes the conditions under which a footpath object is allowed to produce an elevated intrusion into the footpath space. The preferred elevated intrusion is the 'Deemed to Comply' banner developed by Council and depicted in section 3.3.2.

3.3.1 Criteria

Location and Siting

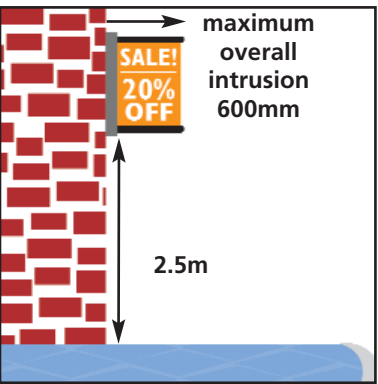
The object must be securely fixed to a building wall by a frame, bracket or other device and should be aligned to produce an elevated intrusion extending over the footpath space. The fixture and banner components of the object must conform to the criteria set out below.

Fixture Component



Frames, brackets or other such fixing devices:

- Must be positioned with a verticle clearance of at least 2.0m above footpath level
- Must not produce an elevated horizontal clearance intrusion into the footpath space of more than 50mm



Rigid or solid rods designed to support the bottom of the banner, or from which the banner hangs, must:

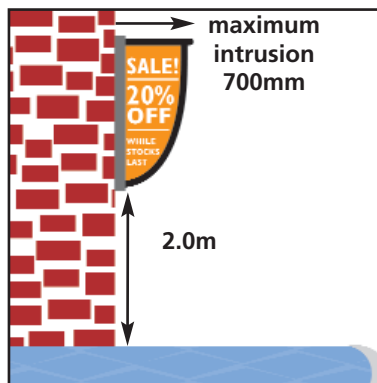
- Be positioned with a verticle clearance no lower than 2.5m above the footpath level
- Must not intrude into the footpath space with a horizontal clearance of greater than 600mm

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Banner Component

Banners which are made of:

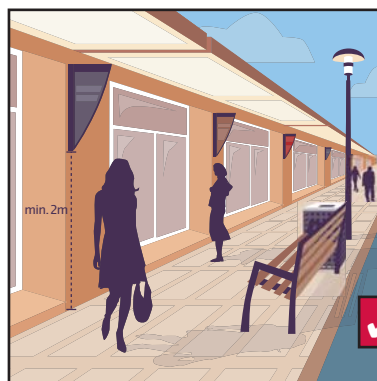


- A flexible or yielding material (eg high quality PVC) must have a minimum verticle clearance of 2 metres above the footpath level
- A rigid material (eg Perspex or chalk board) must have a minimum verticle clearance of 2.5 m above the footpath level

Design, Appearance and Size

Elevated intrusions must:

- Be securely fixed to the building wall by a frame, bracket or other device constructed of high quality, durable materials;
- Any banner component must be of high quality, durable material, preferably something which is flexible or yielding such as PVC;
- Not be fixed to the pavement, verandah posts, guttering or roofing;
- Be designed, constructed and maintained so as not to be hazardous to members of the public using the footpath area above which the object has been placed, or an adjoining carriageway;

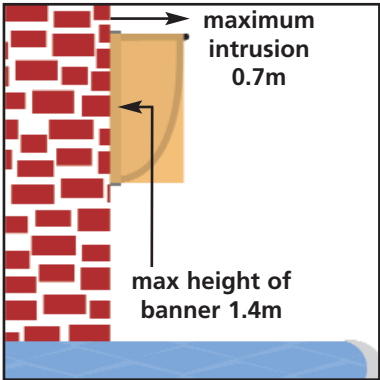


- Not have reflective surfaces or rotating parts;
- Depict material in a professional manner and to a high visual standard in terms of lettering and graphics;
- Only depict material that advertises or promotes the relevant business or the goods or services available within the relevant business.

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- Be of a size not more than:



- 1.4m high
- 0.7m wide (in the dimension producing the largest elevated intrusion).

Clearances and Setbacks

The Council requires clearances and setbacks between elevated intrusions and a number of different uses, in order to allow for safe pedestrian access, servicing and maintenance. An elevated footpath object must comply with the following requirements:

Clearance and Setbacks Summary Table

Situation	Min. Required
Intersection setback (from corner of property lines)	0.6m
Setback from side access (driveways, crossovers or private access roads)	0.6m
Setback between footpath items (adjacent objects, street furniture, street trees, street lights, outdoor dining, etc) both ground level and elevated	1.8m

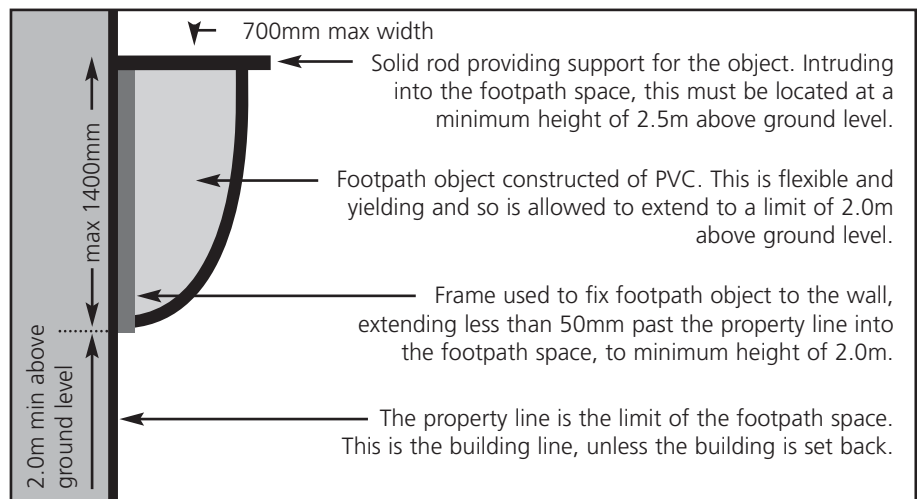
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3.3.2 Deemed to Comply Banner

Illustrated below is a banner design that Council has developed for the use of traders. The banner meets the requirements of this policy in terms of size, design, construction and the fixing device used. An application for an Objects on Public Footpaths Permit that uses this standard banner design will automatically be "deemed to comply" with the policy.



3.4 Pedestrian Only Streets

On pedestrian only streets, such as Moonta Street and James Place but excluding Rundle Mall, there is no defined kerb line against which the placement of objects can be measured. On such streets, objects will be permitted against the building alignment if a clear pedestrian pathway of 1.8 metres width along the centre of the street can be maintained. The location of objects along the building line is acceptable in this circumstance as a safe and legible pedestrian path can be located down the centre of the street.

Where traders would like the suitability of a pedestrian only street evaluated, the Council will investigate design options. This design will need to ensure that the pedestrian pathway is safe, consistent and legible for the vision and mobility impaired. The dimensions of objects must comply with the previously stated provisions of this policy.

This design solution will be investigated and costed in Council's civil works program. Contributions from traders towards the costs of such upgrades may be sought.

3.5 Street Markets and Street Closures

Permits issued pursuant to this policy will not be valid for the duration of a Council approved street market or other event requiring the closure of the street to vehicular traffic. Upon cessation of the event, this Policy will be enforceable on such streets.

Pedestrian safety and manoeuvrability and fire safety during such events is the responsibility of the event organiser, in consultation with Council staff.

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3.6 Alternatives to A-Frames

Narrow streets and lanes may have insufficient width to allow objects to be placed on the footpath whilst maintaining the required setbacks and clear pedestrian widths. In such streets the objects detailed in this Policy will not be permitted.

Alternative business identification signs have been designed by the Council to improve business identification in such streets or in other circumstances where demand warrants. These alternatives include:

Sign Type	Location	Criteria
Wall Mounted Directory	Located on building façade near corner of side street	For streets with limited business premises and where appropriate sign location exists.
Street Mounted Directory	Located on footpath within street furniture zone near corner of side street	For streets with more than two business premises

Council will cost and investigate design solutions as part of the capital works program. Council will determine, at its discretion, the most appropriate location of the sign.

Enquiries in relation to the provision of this signage should be directed to the Council's customer service unit.

3.7 Special Cultural Events Signage

Special cultural events signage (ie for a cultural event of state or international status lasting no more than 28 consecutive days and on no more than 1 occasion per calendar year) shall be subject to assessment on its own merits. Signage shall be of a high quality, and displayed only on a temporary basis. The sign shall be sited in accordance with the requirements of this policy, shall directly promote the event to which the sign relates, with no more than 10 per cent of the signage area promoting the sponsors logos, and shall not unreasonably restrict the use of the road or endanger the safety of members of the public.

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4 APPLYING FOR A PERMIT

4.1 Circumstances in which Permits are Required

An Objects on Public Footpaths Permit is required for the placement of objects on or over a public footpath in all circumstances other than those exempted by the Local Government Act. These exemptions include:

- signs which have been placed pursuant to an authorisation under another Act;
- moveable signs designed to direct people to the open inspection of any land or building that is available for purchase or lease;
- signs related to State or Commonwealth elections displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day (need authorisation under Section 221 of the Local Government Act); and
- signs of a prescribed class.

In addition, objects with a valid permit under Council's Outdoor Dining Policy do not require a further permit under this Policy.

4.2 What does the Permit allow?

The permit allows a single ground level intrusion or a single elevated intrusion into the footpath space of each business premises provided it meets the design criteria outlined in these Guidelines. The business premises must have a ground level frontage (property alignment to the footpath) of not less than 850mm and must comply with these Operating Guidelines. Sections 3.2 and 3.3 detail the conditions under which these intrusions are allowed. In the case of planter boxes the permit will allow more than one item provided the width of business frontage is adequate and relevant setbacks and separation distances are met.

4.3 Is Development Approval Required?

Placement of objects that involve structural work, such as affixing a bracket to a building wall for a banner, represents 'development' under the Development Act and requires Development Approval before it can proceed. The display of certain types of signs also requires a development approval (whether or not structural work is also involved).

Where an object requires both an Objects on Public Footpaths Permit and a development consent, the Objects on Public Footpaths Permit will have pre-eminence - no development consent can be granted unless the object has met the Permit conditions.

Objects requiring development consent in addition to an Objects on Public Footpaths Permit must not be installed until both the development approval and the permit have been granted.

To assist applicants in gaining permits and development approval for the "deemed to comply" banner a package of standard documentation has been prepared by the Council. This package incorporates a majority of the information to be submitted with the development application, including standard drawings.

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4.4 Can the Council require the object to be removed or relocated?

The Council reserves the right to suspend a Permit or to require an object to be relocated or removed, if in the opinion of an authorised Council Officer:

- There is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the object; or
- Removal is considered necessary to facilitate occasional events such as road or footpath works, parades, festivals etc; or
- If permit conditions are not complied with.

4.5 What are the Permit Holder's Responsibilities?

Permit holders must comply with the permit conditions and they must ensure that footpath objects conform to the criteria specified in the Guidelines and do not create a hazard for pedestrians or motorists, particularly during windy conditions.

4.6 Where to Apply

A Permit application kit is available from Council's Customer Centre, 25 Pirie Street, Adelaide or can be downloaded from Council's website at www.adelaidecitycouncil.com.

The kit contains:

- An application form which includes a checklist of submission requirements necessary for assessment of the application.
- A copy of the Objects on Public Footpaths Policy and Operating Guidelines. These will specify the standards required for pedestrian and traffic circulation and will provide criteria for design and placement of objects.

Completed applications can be lodged at the Customer Centre. Officers in the Customer Centre will also provide assistance in relation to:

- Clarification of guidelines and application requirements;
- Acknowledgement of receipt of applications;
- Coordination of preliminary assessment and referral to relevant departments;
- Preparation of a consolidated corporate response to applications;
- Issuing or refusal of Permits;
- Managing and monitoring compliance with guidelines; and
- Advice on any other approval requirements, including development approval.

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4.7 How to Apply For A New Permit

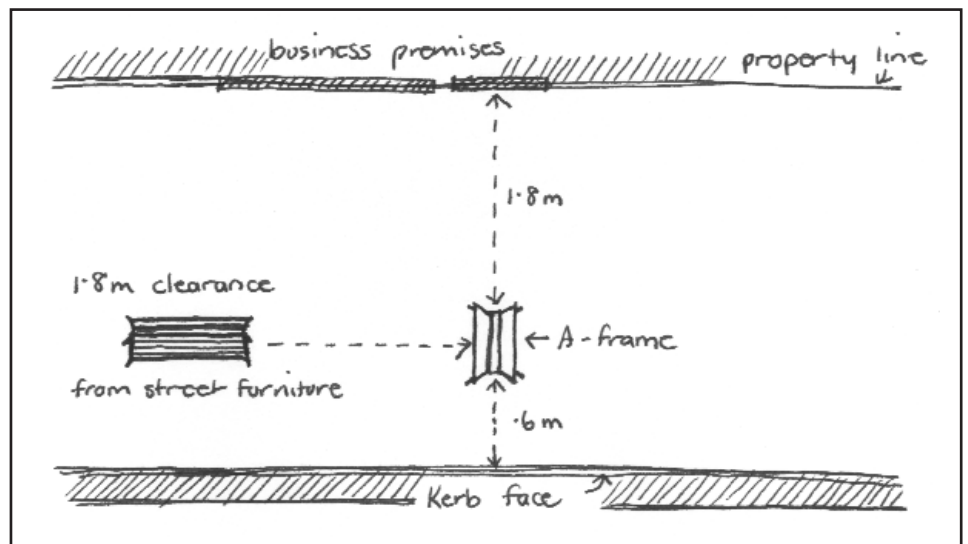
The following information is required as part of an application for a new Objects on Public Footpaths Permit:

- A completed Application Form;
- A public liability insurance Certificate of Currency to a minimum value of \$10 million;
- A receipt for payment of fees in accordance with the Council's Schedule of Fees and Charges; and
- Supporting information including:

Ground level intrusions (defined in 3.2)

- A site plan identifying the business premises frontage, the proposed street, footpath clearances and setbacks; and
- A graphic representation (photograph or drawing) of the proposed object showing type of object, construction, colours, graphics and details of any advertising; and
- Dimensions of the object.

Sample Site Plan



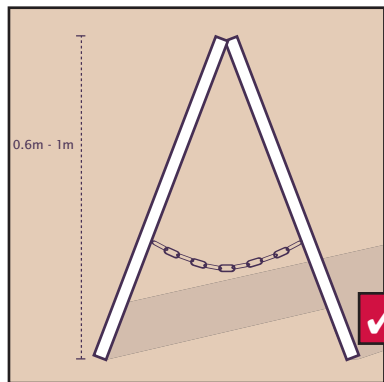
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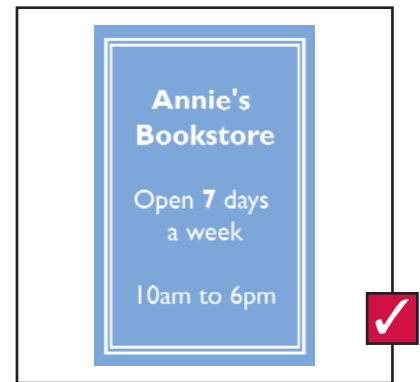
Sample Graphic Representation

For example, an A-Frame constructed of:

- Wood
- Metal
- Steel bolts



Sample A-frame Plan



Elevated intrusion (defined in 3.3)

- Elevations showing the proposed height and placement of the object, and the clear height between the object and footpath level;
- A graphic representation (photograph or drawing) of the footpath object showing colours, graphics and details of advertising; and
- A photograph of the facade of the building, as existing.

Applicants who wish to erect an object which is not a "deemed to comply" banner, must provide details of the object's size, material and construction and describe how the object will be attached to the building. Standard details of the "deemed to comply" banner are available at the Council.

4.8 Changes to the Public Realm

In some instances, an applicant may want to propose changes to the public realm to accommodate or improve conditions for the placement of objects on footpaths, such as widening of the footpath or relocation of existing public infrastructure.

Council does not generally support commercially driven changes to the public realm as it wishes to maintain a strategic approach to the design of the City's public spaces that balances the needs of all users of the public realm. However, specific requests will be considered on their merits as long as alternative arrangements can be made for the affected public items. Any approved change to the public realm will be at the cost of the applicant.

4.9 Permit Approval

Council will grant a Permit to those applications which comply with the Objects on Public Footpaths Policy and Operating Guidelines.

Once the permit request is approved Council will notify the applicant and issue an Objects on Public Footpaths Permit. The Permit becomes valid when:

- An executed Permit and Permit sticker have been issued to the proprietor;

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- The permit sticker has been affixed so that it is:
 - displayed on the lower right-hand side of a window adjacent to the entrance of the permit holder's business premises, or if this is not possible, an equally visible location;
 - located at a height of at least 1.0m and no more than 2.0m above ground level;
 - unobstructed by other media.
- the permit fee has been paid.



4.10 Changes to Permit Conditions

Occasionally, either Council or the Permit Holder may request that changes be made to an existing Permit. A formal request to Council for such changes must include:

Change to Type of Object

- a site plan showing proposed footpath clearances and setbacks;
- details of advertising in the form of a photograph and/or a graphic design drawing of the proposed advertising;
- dimensions of the object; and
- proposed date of change (a minimum of four weeks from the date of submitting the application).

Change to Clearances and Setbacks

A change to the requirements for clearances and setbacks may be allowed or required in response to changes to the accessibility of the footpath space. Such changes may result from changes to the public footpath, such as width, car parking (eg changing from angle to parallel), location of street furniture and other changes in footpath use.

4.11 Schedule of Permit Fees

Fees associated with the issuing of an Objects on Public Footpaths Permit are detailed in the Council's schedule of fees and charges and reviewed on an annual basis.

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5. ROLES AND RESPONSIBILITIES

The following Units are responsible for each aspect of implementation.

Role	Business Unit Responsible
Coordination of Council activity with regard to this and related policy including the monitoring and review of policy implementation	City Development Business Unit, Development Transport and Heritage Planning Team
Issuing and administration of Objects on Public Footpaths Permits	Approvals section of Customer Service Business Unit
Enforcement of policy and its permit conditions	Regulatory Services Business Unit