



## **GUIDELINES AND APPLICATION FORM TO PLACE:**

- TABLES AND CHAIRS**
- DISPLAYED GOODS**
- ADVERTISING SIGNAGE**
- FLAGS / BANNERS**

**WITHIN THE ROAD RESERVE (INCLUDING ON THE FOOTPATH OR NATURESTRIP)**



The following guidelines should be read in conjunction with the Victorian *Road Management Act 2004*, the Federal *Disability Discrimination Act 1992* and Loddon Shire Council's Local Law.

## General requirements

The *Disability Discrimination Act 1992* (DDA) requires a continuous accessible path of travel to allow people with a range of abilities to use the footpath without encountering barriers.

Tables and chairs, displayed goods and advertising signs placed against the property line/shop front is not permitted.

Permit holders must ensure a clear and consistent passage way for pedestrians ordinarily passing by the premises and also at road intersections.

This is especially important for those with limited vision and persons on mobility scooters. An accessible and uncluttered area enables shared use of the public space.

Further DDA information is available at <https://humanrights.gov.au/our-work/disability-rights/frequently-asked-questions-access-premises#footpath>

Tear drop type flags and banners (ie. 'now open' 'coffee' 'sale' business name or products and branding etc.) are assessed as advertising signage in the same manner as typical A frame signs. (Whilst a permit is still required, there is no fee for up to 2 flags)

Their sizing must not be deemed excessive and are to be suitable for the available space within the trading zone. They must not encroach the pedestrian zone, kerbside zone or street/road area.

Key points:

- Provide free passage for pedestrians of all abilities (the pedestrian zone); and
- Provide a safe and accessible setback from the kerb to allow for the overhang of cars or opening of car doors and access/egress of passengers without being impacted by tables and chairs, displayed goods or advertising signage etc. (the kerbside zone); and
- Enable motorists and pedestrians a safe and visible space to cross at road intersections (set back off corners).

The remaining area is deemed the trading zone and a permit holder may occupy this area for tables and chairs, displayed goods and advertising signage. These areas are shown below:



**Shared use of the footpath and naturestrip is good for business.**

**Allocate specific zones for:**

- Pedestrians
- Trading/display
- Vehicle access

**A minimum 3.0m footpath width must be available before a permit application can be considered.**

**Tables and chairs, goods displayed, and advertising signs may only be placed in the area described as the trading zone.**

**All items must be portable and brought in off the footpath or naturestrip when the business is closed.**

(unless permanent items such as barriers or tables are otherwise approved under a works within a road reserve permit – a separate application for these works is required)

## Site plan

The site plan provided with your application form does not have to be professionally drawn, but please ensure that it is clear, legible and sufficiently detailed. Rough sketches with no site details cannot be accepted. The proposed location of items to be positioned in the trading zone, and any other specific features in the footpath or naturestrip area (such as street litter bins, trees, garden beds, verandah posts etc.) must be clearly shown.

Upon approval, this plan will be endorsed and issued with your permit. The plan may be used for future permit applications, however any future changes will require a new plan to be submitted for endorsement.

## All applications must include:

- Completed application form
- Application fee payable as calculated\*
- Site plan / drawing showing proposed items to be placed on the footpath / naturestrip
- Public Liability Insurance (minimum \$20m insurance cover)

Note: A copy of the public liability insurance certificate of currency must be included with the application. The certificate must include a notation to indemnify Loddon Shire Council with respect to items placed within the road reserve (including items on the footpath or naturestrip).

(\*) You may submit your application without the application fee. A tax invoice for the calculated amount will then be sent to you for payment. The permit will be issued when the payment is received. Alternatively, payment can be made via credit card over the phone by contacting customer service on (03) 5494 1200 or attending our Wedderburn office between 8:15am and 4:45pm.

## Expiry of permits and permit conditions

- Permits are issued annually and expire on 31 August each year unless otherwise stated.
- Applications are assessed as quickly as possible once all of the required information is received. This may take up to 14 days. A site visit may be conducted to clarify any aspect of your application.
- A permit will be issued with appropriate conditions for ongoing display and use.
- Permits must be renewed before the expiry date of any previous permit issued.
- Due to public liability insurance requirements, if the business transfers or is otherwise sold, then the permit will expire at that time. The new proprietor must submit a new application.

## Breaches / non compliance

- It is important that permit holders meet the conditions of the permit. Council's Authorised Officer may issue a "Notice to Comply" if any requirement of the permit is not being adhered to. Items may be impounded if the breach continues. Impounded items will be returned upon payment of all impounding costs. Unclaimed items may be disposed of
- A penalty infringement notice may be issued for failure to obtain a permit or where items are being displayed contrary to permit requirements.



# Application Form

Road Management Act 2004  
Community Local Law 2022

- Advertising signage (including flags)
- Display of goods
- Street furniture/tables and chairs

I hereby apply for a permit to place the following item/s on the footpath or naturestrip: (please tick)

Advertising signage (A frame etc.)	\$58.30 per sign	Number of signs: _____
<input type="checkbox"/> Flag or flags	\$58.30 per flag (after 2 free flags)	Number of flags: _____
Display of goods	\$58.30 per premises display	_____
Street furniture/tables and chairs	\$21.00 per table and chair setting	Number of sets: _____
Bench or stool (with no tables)	\$11.00 per bench or stool	Number of items: _____
CALCULATE THE APPLICATION FEE PAYABLE:	\$ _____	
	(the above fees are current for the 2024/25 financial year)	

## Applicant details

Surname (or company name): \_\_\_\_\_

Given Name/s: \_\_\_\_\_

Business Trading Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Town / Locality: \_\_\_\_\_

State: \_\_\_\_\_

Postcode: \_\_\_\_\_

Phone : Work \_\_\_\_\_

Home: \_\_\_\_\_

Mobile \_\_\_\_\_

Email \_\_\_\_\_

## Property / Premises address of items to be displayed on the footpath

Street / Road: \_\_\_\_\_

Town / Locality: \_\_\_\_\_

Property number: \_\_\_\_\_

Postcode: \_\_\_\_\_

(8 digit number from rates notice or visit [loddon.pozi.com](http://loddon.pozi.com) to locate the property number from the map)

## Applicants Declaration / Indemnity

I have read and fully understood the requirements specified in the guidelines and have attached a site plan and copy of my public liability insurance with my application. I indemnify the Loddon Shire Council in any claim that may result with respect to the items placed on the footpath or naturestrip area.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Office Use    Receipt Number: \_\_\_\_\_    Date: \_\_\_\_\_

Loddon Shire Council  
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P.O. Box 21, Wedderburn, Vic 3518  
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### Privacy statement

Personal information collected by Council is held securely and used in accordance with the Privacy and Data Protection Act 2014. Council may disclose this information to other organisations if required or permitted by legislation. Should you wish to access or modify this information, please contact Council on (03) 5494 1200 or email [loddon@loddon.vic.gov.au](mailto:loddon@loddon.vic.gov.au)