

POLICY MANUAL

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Sponsor General Manager
Environmental Services &
City Planning **Community Outcome**
Vibrant & Creative

POLICY MANUAL

Table of Contents

Section 1 – Introduction	3
Section 2 – Principles of the policy.....	3
Section 3 – Purpose of the policy	3
Section 4 – Definitions	4
Section 5 – Outdoor dining areas.....	6
5.1 Overview	6
5.2 General conditions	6
5.3 Layout of outdoor dining areas	8
5.4 Continuous clearway and setbacks.....	8
5.5 Café umbrellas, shade awnings	8
5.6 Planter boxes	8
5.7 Heaters	8
5.8 Pull-down blinds and screens	9
5.9 Barriers.....	9
Section 6 – Conditions for signs.....	10
6.1 Overview	10
6.2 General conditions	10
6.3 Footpath signs	10
6.4 Veranda signs	11
6.5 Signage in Heritage precincts	11
Section 7 – Conditions for markets, stalls, merchandise displays and mobile shops	12
7.1 Overview	12
7.2 Street markets.....	12
7.3 Individual stalls.....	13
7.4 Merchandise Display	13
7.5 Mobile shops conditions.....	13
Section 8 – Use of Garden Place and Civic Plaza	15
8.1 General Conditions	15
Section 9 – Conditions for Busking, Hawking and Charitable collections.....	16
9.1 Busking conditions	16
9.2 Hawkers conditions.....	16
9.3 Charitable collections	17
Section 10 – Obtaining Council approval	18
10.1 Overview	18
10.2 How to apply	18
10.3 Changes to permits.....	18
10.4 Expiry of permit	18
10.5 Permit renewal process	18
10.6 Transfer of permits.....	18
10.7 Cancellation of permit.....	18
Section 11 – Fees, monitoring and enforcement.....	19
11.1 Fees	19
11.2 Monitoring.....	19
11.3 Enforcement	19
Schedule 1 – Street layouts.....	20
Schedule 2 - Street layouts for Victoria Street (East and West) and Hood Street	212
Schedule 3 –Map of the CityHeart.....	25

POLICY MANUAL

Section 1 – Introduction

- 1.1 The Hamilton City Public Places Policy (“the policy”) outlines Hamilton City Council’s (“Council”) approach towards a wide range of activities in public places. Powers to regulate activities in public places are outlined in the Hamilton City Public Places Bylaw 2008.
- 1.2 Activities in public places such as al fresco dining or street performance can add to the vibrancy, creativity and look and feel of our city. This policy ensures that such activities are managed in an appropriate way to ensure that Hamilton’s public places are lively and attractive whilst not compromising safety and access.
- 1.3 Businesses, groups and individuals that are permitted to use public places for trading activities are responsible for managing those activities in accordance with the provisions outlined in this policy. This policy also provides guidance on regulations pertaining to signs not covered in the District Plan (i.e. signs on unzoned land).

Section 2 – Principles of the policy

- 2.1 Council will refer to the following principles when considering activities in public places:
 - Providing rich and diverse culinary, entertainment and art experiences that generate vitality and discourse
 - Hamilton promotes enterprise to all its communities
 - Getting about on foot or by bike is easy, our streets are aesthetically attractive, welcoming and encourage walking and cycling
 - Encouraging the chance encounter, where casual contact can flourish to generate new possibilities and development
 - Celebrating Hamilton’s character, reflecting the uniqueness of its setting and enhancing the culture of the city and its people
 - Reflecting the diversity and the rich lifestyles of its population, and encouraging a vibrant mix of people, ages, uses and activities
 - Adding to the city’s vibrancy and strengthening the existing function of areas
- 2.2 These principles provide a strategic context for Council. They reflect what Council is seeking to achieve in the administration of this policy. Any activity which Council seeks to regulate will give due consideration to the overarching principles in this policy.

Section 3 – Purpose of the policy

- 3.1 The purposes of this policy are to;
 - Protect the public from nuisance.
 - Protect, promote, and maintain public health and safety.
 - Minimise the potential for offensive behaviour in public places.
 - Regulate trading in public places.
 - Regulate, control, or prohibit signs.

POLICY MANUAL

Section 4 – Definitions

Busker	means any person/s performing for voluntary donations in any public place, such as an itinerant musician or actor
Council	means Hamilton City Council
Enforcement officer	means a person appointed by Council to exercise the powers of an enforcement officer in relation to offences against, and infringement offences under, the Local Government Act 2002, including enforcement of the bylaws of Council
Footpath sign	a device for advertising that is placed on the footpath
Hawker	means any person/s who, in a public place, solicits sales or orders for sales of any goods, not in pursuance of any invitation to call with, or of any previous order or request for such goods but does not include any person who operates a vehicle as a mobile shop
Heritage precinct	areas of special heritage character as defined in the Hamilton City District Plan
Heritage buildings	buildings of special heritage character as defined in the Hamilton City District Plan
Mobile shop	means a vehicle from which goods are offered or exposed for sale in any public place, or from which goods or services may be ordered (whether or not in pursuance of any invitation to call) but does not include any vehicle used for the purpose of transporting goods pursuant to a prior order placed for the delivery of goods
Market	any outdoor place, accessible to the public, where goods are offered for sale, which usually consists of a number of merchandise stalls grouped together
Merchandise display	a display located in a public place outside a premise from which goods are offered or exposed for sale
Public Place	means a place that is: <ol style="list-style-type: none">under the control of Council; andopen to, or being used by, the public, whether or not there is a charge for admission; and includes:a road, whether or not the road is under the control of Council; andany part of a public place; butexcludes reserves which are regulated by the Parks, Domains and Reserves Bylaw 2007
Road	includes: <ol style="list-style-type: none">Every road, street or public highway under Council's control;

POLICY MANUAL

- b. Any land that is vested in Council for the purpose of a road as shown on a deposited survey plan;
- c. Any land that is vested in Council as a road or street pursuant to any other enactment;
- d. Any access way or service lane;
- e. Every square or place intended for use of the public generally;
- f. Every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;
- g. But, except as provided in the Transit New Zealand Act 1989 or in any regulations under that Act, does not include a motorway within the meaning of that Act.

Road frontage	the front/s of a premise that face out onto a public place.
Sign	includes any poster, placard, handbill, writing, picture, or device for advertising or other purposes that is displayed in, upon or over any public place
Stall	includes any stationary yet moveable stand or similar structure on or at or from which goods are sold or exposed for sale

POLICY MANUAL

Section 5 – Outdoor dining areas

5.1 Overview

- 5.1.1 With a rapidly growing café, bar and restaurant culture, Hamilton is now enjoying a tradition of eating and drinking al-fresco. In order to manage the increasing popularity of outdoor dining areas, Council has introduced an outdoor dining area plan and permit system.
- 5.1.2 Cafes, bars and restaurants wishing to use part of the footpath space directly outside their premises for the purposes of outdoor dining or drinking must apply to Council for an outdoor dining permit, which will include the submission of an outdoor dining area plan. The outdoor dining permit will regulate the use of all street furniture used in outdoor dining areas.
- 5.1.3 Council is aware of the competing interests in the use of city footpaths and seeks through this policy to balance the needs of various users. Accordingly, Council has developed a set of conditions which cover the location and design of outdoor dining facilities.
- 5.1.4 They present an integrated approach to the design and management of the city's public realm to improve its usage, quality and image. These conditions provide a streamlined process for issuing permits for street furniture.
- 5.1.5 An applicant wishing to serve alcohol as part of an outdoor dining area should apply to Council for a liquor licence or an extension to an existing liquor license. Please refer to Council's Licensed Premises Policy.

5.2 General conditions

- 5.2.1 Applications for a **Outdoor Dining Permit** must include two copies of a plan and specifications of the proposed outdoor dining area on a scale of 1:50 showing:
- I. the location and dimensions of the proposed outdoor dining area;
 - II. the position of furniture including tables and chairs, planter boxes, screens, heaters, blinds/dividers, patio heaters, signage and umbrellas to be provided in the proposed outdoor dining area (please refer to the regulations pertaining to street furniture contained in this policy).
 - III. the area either side of the boundaries (up to 10 metres) of the proposed area indicating the location of all footpaths, public facilities, public places, streets and street alignments.
 - IV. Photographs or brochures of the furniture to be set up in the proposed outdoor dining area
 - V. Specifications of any enclosures or screens/dividers including ground and supporting fixtures. This includes any semi continuous or continuous overhead, side and front enclosures (including those that are retractable) that are supported by any fixed supports, structural frames or columns in the public place, whether or not the enclosure is occupied by outdoor furniture.
- 5.2.2 The outdoor dining area must not cause any damage to any ornamental verge or kerbing.

POLICY MANUAL

- 5.2.3 Use of fixed furniture is not permitted.
- 5.2.4 All street furniture (tables, chairs, planter boxes, pull-down blinds etc) should be arranged within the agreed dining areas. No item of outdoor dining furniture should impinge the continuous clearway or setbacks from the kerb, loading zones etc (see clause 5.3).
- 5.2.5 No street furniture should have sharp edges or projections which may cause injury and all street furniture should be of durable construction.
- 5.2.6 Permit holders are responsible for cleaning the footpath and the removal of litter in the outdoor dining areas.
- 5.2.7 No waste material including sweepings, detergents and cleaning agents shall be disposed of into the street gutter or stormwater drains.
- 5.2.8 An outdoor dining permit must be either displayed or be available for inspection by an enforcement officer upon request.
- 5.2.9 The owner of the premise must keep in full force and effect a policy of public liability insurance to a minimum value of \$2,000,000 indemnifying Council against any claim arising from damage caused by any piece of outdoor furniture outlined in this policy.
- 5.2.10 The maximum patron density in the dining areas approved under this policy should be one per square metre.
- 5.2.11 From the hours of 9pm until the end of the approved business day the boundaries of an outdoor dining area should be clearly defined through use of barriers or other appropriate street furniture.
- 5.2.12 From the hours of 9pm until the end of the approved business, adequate supervision of the outdoor dining area must be maintained.
- 5.2.13 Between the end of the approved business day and 7am all street furniture used in an outdoor dining area must be secured together and, as far as practicable, removed from the footpath or when requested by Council to facilitate street works, services or repairs, or other public utilities.
- 5.2.14 Council will inform permit holders should a special event will require the removal of some or all of the street furniture used in outdoor dining areas during normal business hours.
- 5.2.15 Ashtrays must be provided, except where smoking is prohibited.
- 5.2.16 An applicant wishing to serve alcohol as part of an outdoor dining area should apply to Council for a liquor license or an extension to an existing liquor license. Please refer to Council's Licensed Premises Policy.

POLICY MANUAL

5.3 Layout of outdoor dining areas

- 5.3.1 All outdoor dining areas should observe the following layout requirements (refer to the specific dimensions outlined in schedules 1 and 2)

5.4 Continuous clearway and setbacks

- 5.4.1 There must be at least 2m of unobstructed and continuous footpath width in the CityHeart, Hamilton East and Frankton, with the exception of 1.7m in Victoria Street. A minimum unobstructed footpath width of 1.5m must be maintained in all other areas of the city.
- 5.4.2 All continuous clearways must have a vertical clearance of 2.2m. The location of the continuous clearway should be between the premise-side dining area and the kerb-side dining area, with the exception of Victoria Street (West) where the clearway will be next to the kerb-side setback (refer to schedule 1 for street layouts for Victoria Street (East and West) and Hood Street)
- 5.4.3 The kerb-side dining area should maintain a minimum setback from the kerb of 0.5m (as outlined in schedule 1). This will provide adequate space for access to parking meters and opening of vehicle doors.
- 5.4.4 A minimum setback of 1m must be maintained from all intersections, street trees, street furniture (such as benches), cycle racks, phone boxes, loading zones, mobility parking spaces and bus stops.

5.5 Café umbrellas, shade awnings

- 5.5.1 Umbrellas must be of stable design and properly secured to prevent blowing over in strong wind.
- 5.5.2 They must not penetrate or damage the surface of Council footpaths nor interfere with pedestrian movement.

5.6 Planter boxes

- 5.6.1 Planter boxes must be strong, durable and wind resistant. They should be well maintained with attention paid to the upkeep of plants.
- 5.6.2 Planter boxes must not be fixed to the footpath.

5.7 Heaters

- 5.7.1 Heaters may be free standing or fixed to verandas.
- 5.7.2 Overhead heaters must be securely fixed to verandas and should be turned off outside of hours of business.

POLICY MANUAL

5.7.3 Freestanding patio heater should be of stable design and of a height not exceeding 2.5 metres measured from the base to the top of the heater. They should be located on a flat surface.

5.7.4 All heaters be located away from combustible materials and used in accordance with the operating instructions. They must not be placed where they pose a safety or fire hazard.

5.7.5 Fire extinguishing equipment must be kept in close proximity to where the heaters are being used.

5.8 Pull-down blinds and screens

5.8.1 Requests to include screens and/or pull-down blinds in outdoor dining areas will be assessed on a case by case basis. Due consideration will be given to the potential for the screen/pull-down blind to obscure surveillance by Council CCTV cameras and to safety issues for pedestrians, cyclists and motorists due to the obscuring of sight lines.

5.8.2 Should an applicant wish to use screens and/or pull down blinds this information must be included with the permit application and outdoor dining area plan. Details of any proposed fixing of a pull down blind to the pavement must also be included.

5.8.3 All pull-down blinds must be furled outside of the hours specified in the outdoor dining area permit.

5.8.4 Screens must be removed from the footpath outside of the hours specified in the outdoor dining area permit.

5.9 Barriers

5.9.1 Barriers may be used to define the boundaries of an outdoor dining area

5.9.2 Barriers shall not exceed a maximum height of 0.9m.

5.9.3 Clearance from the ground is required to allow stormwater run-off

5.9.4 Barriers must be of stable construction to prevent blowing over in strong wind.

POLICY MANUAL

Section 6 – Conditions for signs

6.1 Overview

6.1.1. Council's Hamilton City Proposed District Plan ("District Plan") contains provisions which regulate signage on all zoned land within the city. However, the District Plan does not regulate signs in public places, such as footpath signs and signs upon verandas.

6.1.2 Signs which are erected for or on behalf are Council are exempt.

6.2 General conditions

6.2.1 No person shall erect a sign in or over a public place without first obtaining a permit from Council.

6.2.2 No Council owned land is to be used for erecting election signs for Parliamentary Elections or Local Body Elections. Please see Council's Election Sign Policy.

6.2.3 For conditions regarding billboards and street banners consult Communication and Marketing, Hamilton City Council, 1st Floor, Municipal Building.

6.2.4 For general conditions regarding signs in public places please consult the Public Places Bylaw 2008.

6.2.5 All signs shall be maintained in good order and condition. An enforcement officer may issue a notice requiring specified remedial work to be carried out if that officer reasonably believes the sign does not comply with this provision or if a sign will cause a safety hazard.

6.3 Footpath signs

6.3.1 The following conditions will apply to footpath signs:

- I. A footpath sign should to be no larger than 600mm wide by 750mm high with a maximum base area of 0.45 square metres.
- II. A footpath sign must be located in the premise-side or kerb-side areas and should not impinge on the continuous clearway and observe setbacks (see section 5).
- III. A maximum of one sign per road frontage. Requests for additional footpath signs will be considered on a case by case basis.
- IV. The footpath sign must not obscure the visibility of road users.
- V. The footpath sign must not resemble a warning sign or road traffic sign.
- VI. The footpath sign must not have sharp edges or projections which may cause injury to pedestrians.
- VII. The sign must be constructed so as to be secure against all weather conditions and gusts of wind .

POLICY MANUAL

- VIII. No sign shall be placed in a position that restricts vehicles access to a right of way or to any public place to which vehicles have a right of access.
- IX. An enforcement officer may request removal of sign/s to allow works or maintenance services to take place.
- X. Advertising shall not be illuminated, have reflective surfaces or resemble a traffic sign.
- XI. If footpath signs have a base, they should be designed to be detectable to a visually impaired person navigating the footpath with the aid of a cane i.e. the incorporation of a bar or panel spanning the otherwise base of the object.
- XII. All signs are to be removed from the footpath outside of hours of business.

6.4 Veranda signs

- 6.4.1 Signs attached beneath verandas should leave a clearance of 2.75m to the footpath
- 6.4.2 Signs attached beneath verandas should observe a set back of 0.5m from a vertical line from the edge of the kerb.
- 6.4.3 Signs located on top and on the fascia of a veranda shall not extend beyond the fascia of the building and will be set back not less than 0.5m from an imaginary vertical line from the road kerb.
- 6.4.4 Veranda signs are restricted to signs advertising businesses, services or products located on the site associated with the sign.
- 6.4.5 Signs located on top or beneath verandas should be structurally sound and be affixed to the veranda in a safe manner.

6.5 Signage in Heritage precincts

- 6.5.1 The design and location of signage in a public place within a heritage precinct or outside a heritage building (as defined or listed in the Hamilton City District Plan) must be compatible with the heritage significance of the area or the building so as not to detract from that significance.
- 6.5.2 Special consideration will be given to signage approval associated with heritage areas or outside heritage buildings, to ensure that signage does not materially affect the heritage value of the area and/or building.
- 6.5.3 Signage within heritage precincts or outside heritage buildings will be subject to the conditions for signs above as well as being assessed on a case by case basis to ensure that they do not detract from the heritage significance of the area or building.

POLICY MANUAL

Section 7 – Conditions for markets, stalls, merchandise displays and mobile shops

7.1 Overview

7.1.1. Trading in public places can add life and vibrancy to a city however consideration must also be given to those people and businesses which could experience adverse affects. Council's policy is to generally favour trading in public places in organised street markets but will consider applications for individual stalls.

7.2 Street markets

7.2.1 An applicant for a market must provide the following information to Council:

I. A scale plan delineating:

- the extent of the public area to be occupied
- the siting and the number of market stalls proposed
- any associated facilities such as public toilets.

II. Specifications of any barriers, signs and screens including any ground supporting fixtures.

III. A traffic management plan showing

- the location of ingress and egress to the market
- any parking provided, any temporary measures to control traffic to and from the market site
- measures for loading and unloading of market goods and stall set up and pack down
- the contact details for a person responsible for implementing the traffic management plan.

IV. Details of public liability insurance

V. The name, address and contact details of the applicant and market operator.

VI. The details of the type of market stalls, hours of operation and names, addresses and contact details for each market stall operator.

VII. Evidence that all market stalls selling, preparing and handling food comply with food hygiene regulations.

VIII. Evidence that all market stalls selling alcohol hold the necessary liquor license

7.2.2 Details of the cleaning arrangements following the business hours of the market will be agreed as part of the application process.

7.2.3 It will be the responsibility of the market operator to ensure that individual stall owners have applied for any necessary liquor licenses.

POLICY MANUAL

- 7.2.4 It will be the responsibility of the market operator to ensure that individual stall owners comply with the above conditions.

7.3 Individual stalls

Council's general policy is to encourage stalls to be part of managed street markets (see above) however applications for individual stalls will also be considered on a case by case basis.

The following conditions will apply to individual stalls:

- I. Stalls must not sell offensive material.
- II. Stalls should not obstruct or hinder the flow of pedestrians in any public place.
- III. Stalls selling, preparing and handling food must comply with food hygiene regulations.
- IV. Stalls selling alcohol must hold the necessary liquor licenses.

7.4 Merchandise Display

- 7.4.1 The following conditions will apply to merchandise displays:

- I. Merchandise should be placed up against the façade of the shop to which the merchandise belongs.
- II. Merchandise displays must observe the same requirements on setbacks and clearways as outdoor dining areas. There must be at least 2m of continuous unobstructed footpath width in the CityHeart (1.7m in Victoria Street), Hamilton East and Frankton retail areas (see schedule1). A minimum unobstructed footpath width of 1.5 metres to apply in all other areas. A vertically clear continuous route of 2.2 metres to be maintained in all areas.
- III. The merchandise display must not have sharp edges or projections which may cause injury to pedestrians, be any form of nuisance nor display offensive material.
- IV. Merchandise displays are to be removed outside normal trading hours which are 8.30am to 8.30pm and when requested by Council officers to facilitate street works, services or repairs, or other public utilities.

7.5 Mobile shops conditions

- 7.5.1 The following conditions will apply to mobile shops:

- I. A mobile shop must not operate within the Hamilton CityHeart area except for events and street markets that have the prior permission of Council (see schedule 2 for a map of the CityHeart area)

POLICY MANUAL

- II. A mobile shop must be at least 50 metres away from an intersection.
- III. The location of the mobile shop must not result in an infringement of parking or traffic statute or bylaw.
- IV. Mobile shops selling, preparing and handling food must comply with food hygiene regulations.
- V. Mobile shops selling alcohol must hold the necessary liquor licenses
- VI. Selling of goods is only permitted from the kerbside.
- VII. Trading permitted only during the hours of 8am to 8.30pm.
- VIII. Permit must be displayed at all times.
- IX. Trading should not be to be undertaken until all required licences or permits relevant for the particular good and/or service being traded have been obtained.

POLICY MANUAL

Section 8 – Use of Garden Place and Civic Plaza

8.1 General Conditions

8.1.1 The following conditions apply to the use of Garden Place and Civic Plaza.

- I. Private vehicles may enter Garden Place and Civic Plaza to transport materials to the event. Prior approval is required from Council for the vehicles to be given access.
- II. The use of a sound system is permitted in Garden Place and Civic Plaza, however if a noise complaint is received it will be dealt with following Council's noise compliant procedures.
- III. A building consent is required if an applicant wishes to erect a marquee or tent that has a floor area exceeding 50 square meters or if the a marquee or tent will be erected for a period of longer than one month.
- IV. The maximum period of stay for a private vehicle is to be no longer than 30 minutes, except if otherwise agreed with Council. Such time restrictions will not apply to emergency vehicles.
- V. There should be no obstruction of public seating
- VI. Pedestrians should not be impeded or inconvenienced in any way.
- VII. The area should be left clean and tidy upon completion of use.
- VIII. Permission to use the lawn area in Garden Place may be given but may be withdrawn if it rains on the day of the proposed event. This is to ensure the condition of the lawn area is maintained to a high standard.

POLICY MANUAL

Section 9 – Conditions for Busking, Hawking and Charitable collections

9.1 Busking conditions

9.1.1 Buskers must apply for a busking permit from Council before commencing trading. The following conditions will apply to buskers:

- I. No busker shall impede or inconvenience the flow of pedestrians and customers.
- II. Buskers must be courteous and mindful of surrounding businesses and the general public. If valid complaints are received, a permit may be revoked by Council.
- III. Busking will only be permitted between the hours of 8.30am and 8.30pm.
- IV. Buskers must not enter any premises unless authorised by a person having control of those premises.
- V. Buskers are to carry a copy of the permit at all times and shall produce a copy of the permit to any enforcement officer upon request.
- VI. Buskers are not permitted to use voice enhancement equipment, including, but not limited to, microphones, amplifying equipment and loud hailers, unless they are part of an event for which Council approval has been given.
- VII. A reasonable level of noise is to be maintained at all times having regards to the place and situation. If, at the Council's discretion, it is decided that a reasonable level of noise has not been maintained a permit may be revoked by Council.
- VIII. Failure to comply with any of these conditions may result in a permit being cancelled, varied and/or prosecution.

9.2 Hawkers conditions

9.2.1 The following conditions will apply to hawkers:

- I. Hawkers are not permitted in the CityHeart.
- II. Hawkers must not enter premises which display a written notice prohibiting their entry.
- III. Shop doorways must be kept clear.
- IV. When visiting premises, a Hawker must leave immediately if requested to do so by the owner or occupier of the premises.
- V. Identification must be worn at all times.
- VI. The flow of pedestrians must not be impeded or inconvenienced in any way.

POLICY MANUAL

VII. Every hawker is to trade only during the hours of 8.30am and 8.30pm, 7 days per week.

9.3 Charitable collections

9.3.1 Prior approval must be given by Council to collect charitable donations in a public place.

POLICY MANUAL

Section 10 – Obtaining Council approval

10.1 Overview

10.1.1 Council will issue permits for the following:

- Outdoor dining areas ¹
- Signs in public places (including footpath signs)
- Street markets
- Individual stalls
- Merchandise displays
- Mobile shops
- Busking
- Charitable collections
- Garden Place/Civic Plaza Use

10.2 How to apply

10.2.1 Applicants wishing to apply for a Council permit should contact Business Support at Ground Floor, Municipal Building, Garden Place or on 07 838 6633.

10.3 Changes to permits

10.3.1 Requests for changes to Council permits should be made to Business Support (contact details above).

10.4 Expiry of permit

10.4.1 A permit shall be valid for a period of 12 months from the date of issue, unless otherwise stated on the permit. A permit will automatically expire when the business holding the permit is sold.

10.5 Permit renewal process

10.5.1 Provided the permit holder has complied with the terms and conditions of their permit Council may renew the permit for a period of up to 12 months upon receipt of an application in writing and the required fee, and upon such terms and conditions as the Council considers appropriate.

10.6 Transfer of permits

10.6.1 Permits issued under this policy are not transferable.

10.7 Cancellation of permit

10.7.1 A permit may be cancelled or amended if:

- I. the proprietor fails to comply with the permit conditions
- II. other valid reasons that require cancellation, such as streetscape upgrades or refurbishment

¹ Requests for tables, chairs, umbrellas, planter boxes, heaters, pull down blinds, screens, barriers and approval to sell alcohol should be submitted as part of an outdoor dining area application.

POLICY MANUAL

Section 11 – Fees, monitoring and enforcement

11.1 Fees

11.1.1 Council will set fees to cover the cost of issuing permits and monitoring, enforcing and administering this policy. These will be reviewed annually and detailed in Council's Fees Schedule.

11.1.2 The applicant must pay the full permit fee and have met all the requirements of the permit prior to it being issued.

11.2 Monitoring

11.2.4 Council will monitor activities in public places regularly to ensure that permit conditions are being complied with and that no unauthorised activity is occurring in public places.

11.3 Enforcement

11.3.1 Council reserves the right to revoke permits if evidence of non-compliance is observed. The standard protocol for non-compliance is as follows:

- I. If a permit holder does not comply with the conditions of this policy, the Council will verbally notify the trader of the issue.
- II. If the problem persists, the Council will provide a written warning to that permit holder identifying the issue/s and required remedy.
- III. If the business continues to infringe, the Council will consider revoking the permit.
- IV. Individuals or groups that trade on footpaths or other public spaces without a permit will be asked to remove their material and cease with trading activity. Council will issue a written warning to the person.
- V. If the infringement persists, Council will reserve the right to confiscate the stall setup or trading material pursuant to sections 163 and 164 of the Local Government Act 2002.

11.3.2 The Council may dispose of confiscated property pursuant to section 168 of the Local Government Act 2002.

POLICY MANUAL**Schedule 1 – Street layouts**

Garden Place and Civic Plaza	Horizontal width (m)	Vertical height (m)
Dining area next to premise	1.5	-
Continuous clearway	2.0	2.2
Dining area other side of clearway*	Varies	

Victoria Street (East) (River-side)	Horizontal width (m)	Vertical height (m)
Dining area next to premise**	2.8	-
Continuous clearway***	1.7	2.2
Dining area next to kerb	N/A	N/A
Set-back from kerb	0.5	-
TOTAL	5.0	-

Victoria Street (West) (City-side)	Horizontal width (m)	Vertical height (m)
Dining area next to premise	1.4	-
Continuous clearway	1.7	2.2
Dining area next to kerb****	1.4	-
Set-back from kerb	0.5	-
TOTAL	5.0	-

Hood Street	Horizontal width (m)	Vertical height (m)
Dining area next to premise	3.0	-
Continuous clearway	2.0	2.2
Potential dining area next to kerb*****	4.0	-

POLICY MANUAL

Set-back from kerb	0.5	-
TOTAL	9.5	-

Grey Street	Horizontal width (m)	Vertical height (m)
Dining area next to premise	1.5	-
Continuous clearway	2.0	2.2
Dining area next to kerb****	1.5	-
Set-back from kerb	0.5	-
TOTAL	5.5	-

* As there is no kerb in Garden Place or Civic Plaza the dining area on the other side of the continuous clearway may be extended so long as it does not impinge onto the grass area of Garden Place, bollards, street furniture or continuous clearways. The exact dimensions of the dining area should be agreed with Council.

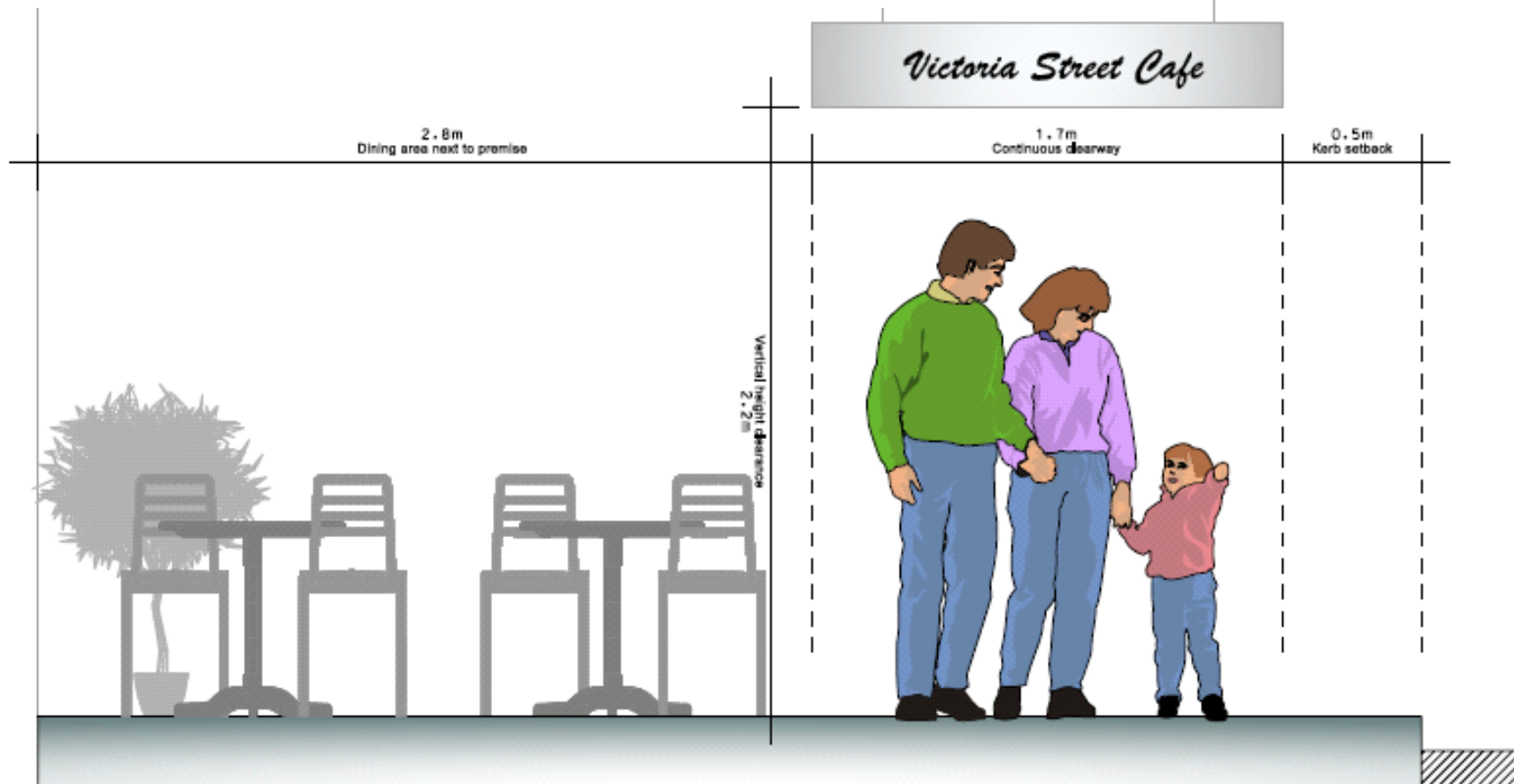
** The premise side area may be wider where a premise is set back further from the footpath than other neighbouring properties. The only requirement is that the premise side dining area does not encroach into the continuous clearway or the required setbacks from street furniture.

***The continuous clearway will be wider in sections of Victoria Street (East) where the footpath is wider

****Where the kerb width is greater than the general standard for this street, the dining area next to the kerb may be extended so long as it does not impinge onto the set-back from the kerb, other setbacks such as cycle racks or bus stops or the continuous clearway.

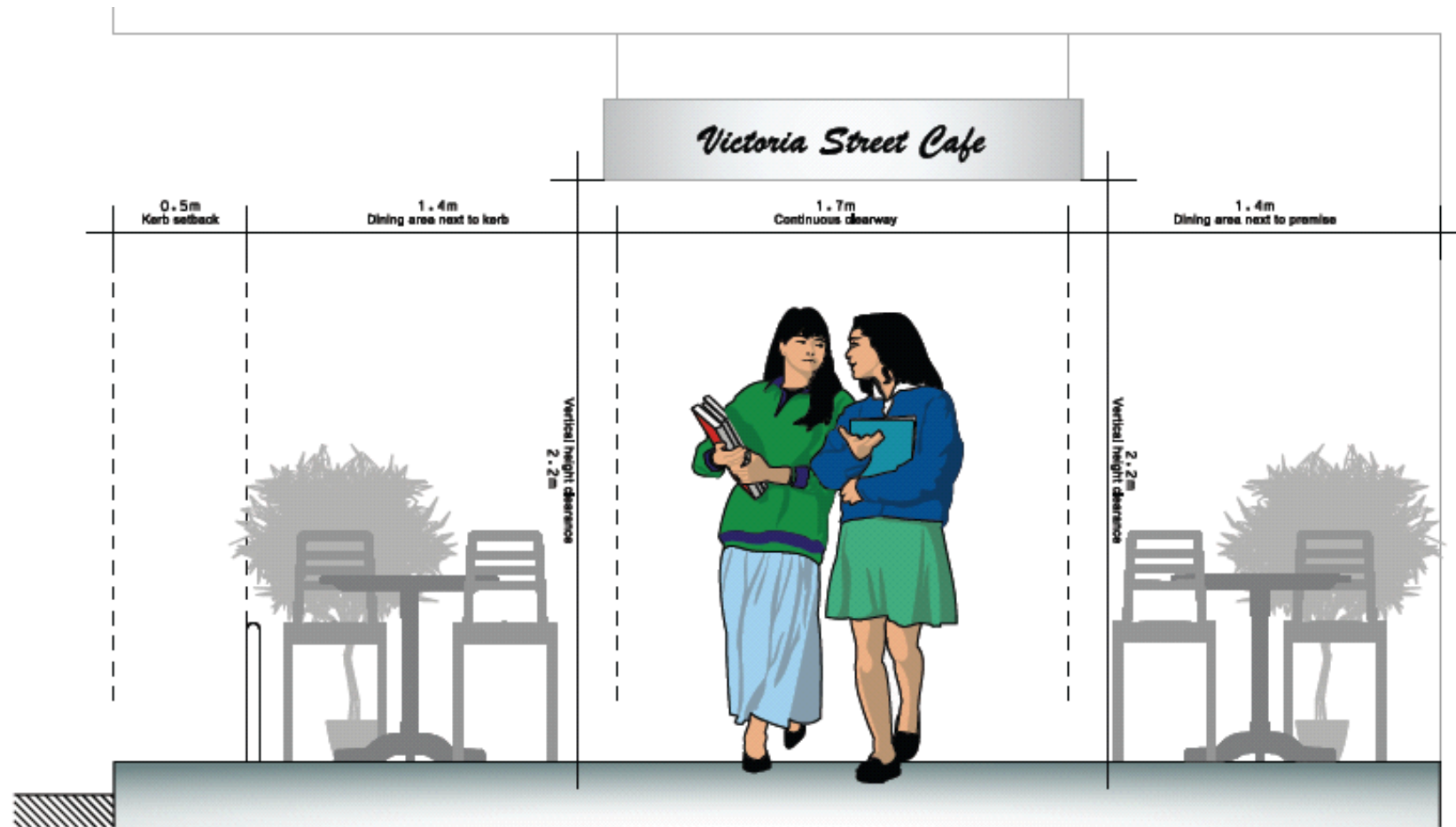
POLICY MANUAL

Schedule 2 — Street Layouts for Victoria Street (East & West) and Hood Street



**VICTORIA STREET EAST (RIVER-SIDE)
TYPICAL CROSS SECTION**

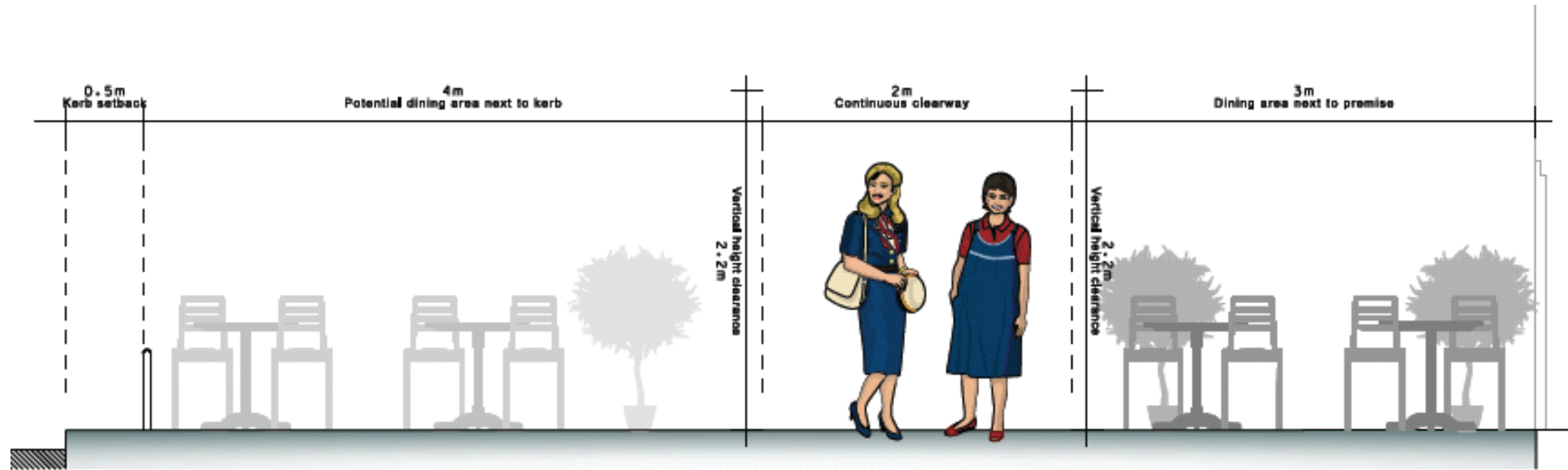
POLICY MANUAL



**VICTORIA STREET WEST (CITY-SIDE)
TYPICAL CROSS SECTION**

Dimensions of the kerb side dining may vary depending on width of footpath

POLICY MANUAL



HOOD STREET TYPICAL CROSS SECTION

Dimensions of the kerb side dining may vary depending on width of footpath

POLICY MANUAL

Schedule 3 –Map of the CityHeart

