

Best Practice Use of Footpaths Policy Fact Sheet

FOOTPATH DINING

Footpath dining

Cairns Regional Council describes the footpath as being made up of three zones.

Pedestrian Zone

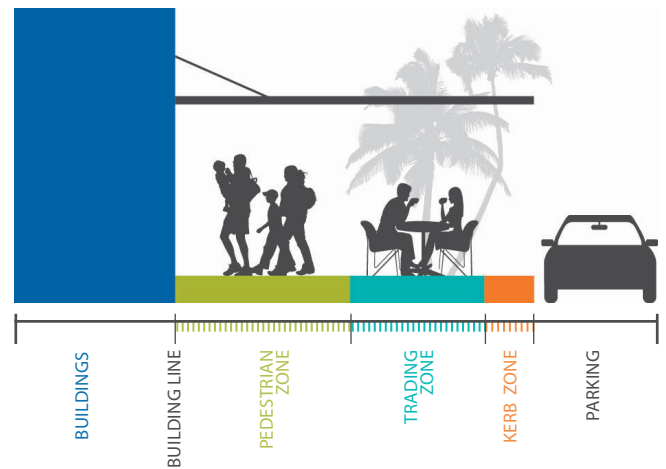
The **Pedestrian Zone** is the area of the footpath, measured from the property boundary, that is for the exclusive use of pedestrians. The **Pedestrian Zone** is a minimum of 2.0m, however the width of the zone will vary from street to street, depending on the overall width of the footpath, pedestrian activity and safety.

Trading Zone

The **Trading Zone** is the footpath area between the **Pedestrian Zone** and the **Kerb Zone**. **This area is exclusively for footpath dining.** No other form of trading is allowed. The **Trading Zone** will vary in area from street to street depending on the overall widths of the footpath, the **Pedestrian Zone** and the **Kerb Zone** and any clearances from infrastructure located within the **Trading Zone**.

Kerb Zone

The **Kerb Zone** is the area between the face of the kerb and the **Trading Zone**. This zone is important for the safety of pedestrians crossing the road and to allow passengers to gain access to parked vehicles. The zone must remain clear of any items approved for use in the adjacent **Trading Zone**.



Footpath width

As footpaths vary in width throughout the city the width of **Pedestrian Zones** and **Trading Zones** will also vary. Table 1 indicates minimum **Pedestrian Zone** width based on footpath width.

Table 1. Minimum Pedestrian Clearance

Footpath width	Minimum pedestrian zone requirements	Examples
2.49m or less	2.0m (trading prohibited)	
2.5m - 3.0m	2.0m (trading prohibited)	
3.1m - 4.0m	2.0m	Spence St / Lake St
4.1m - 5.0m	2.0m	Grafton St
5.1m - 6.9m	3.0m	Esplanade



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Kerb Zone widths will also vary, depending on the associated parking requirements. Table 2 show the minimum setbacks for **Kerb Zones**.

Table 2. The minimum distance between the face of the kerb and the Trading Zone

Parking restrictions	Minimum setback from kerb
Parallel parking	0.5m
Loading zones	1.0m
No standing anytime	1.0m
Angle parking	1.0m
Bus and taxi zones	1.5m
Disabled parking	
• Parallel parking	1.3m
• Angle parking	1.7m

How do I work out my Trading Zone?

1. Measure the width of the footpath (from the building to the kerb)
2. Determine the **Pedestrian Zone** width (using Table 1)
3. Determine the **Kerb Zone** width (using Table 2)
4. Add the **Pedestrian Zone** width and the **Kerb Zone** width together and then subtract from the width of the footpath.

An example for Grafton Street footpath dining

Pedestrian Zone 2.0m plus **Kerb Zone** 1.0m = 3.0m **Trading Zone**

Footpath width 5.0m minus 3.0m = 2.0m **Trading Zone**

What can I have in my footpath dining zone?

Barriers must be used in outdoor dining areas to contain furniture within the approved **Trading Zone**. To preserve the general appearance and openness of the streetscape, the maximum height of removable barriers is 0.9m.

Menu displays are only to be located in the **Trading Zone**. Menu displays may also be placed on building frontages.

Planter boxes can be used to improve the look and feel of an outdoor dining area. A footpath approval must be obtained for the use of planter boxes or planters as barriers.

Advertising is not approved on tables and chairs or transparent blinds. Applicants may feature the name of their business or relevant product name on barriers, retractable blinds and umbrellas.

Tables and chairs must, at all times, be confined within the **Trading Zone**. The type and design of tables and chairs must be approved by Council.

Umbrellas should only be used where existing shelter, such as verandas, canopies, trees and awnings, does not provide sufficient sun protection. The use of umbrellas under existing awnings and verandas is not permitted.

Delineation markers

Delineation markers must be installed in the footpath according to Council specifications and at the applicant's cost. These markers will assist owners, managers and the general community to define the approved outdoor trading area. Delineation markers may not be required where screens and sockets are that clearly indicate the **Trading Zone** are installed.

The approval holder must ensure all furniture associated with outdoor trading is located within the defined zone.

Permit requirements

Businesses wanting to use the footpath for dining must apply to Council for a footpath dining permit. Permits ensure all businesses trading on the footpath comply with strict conditions that preserve the amenity, safety and accessibility of the city.

A permit application fee is required for the assessment, inspection and approval of footpath dining permits. In addition, fees apply to the gross floor area, which vary according to location.

Permits need to be renewed annually and must be clearly displayed on the shop front window.

Businesses that trade without a valid footpath dining permit are at risk of being fined and could have their outdoor dining furniture seized by Council.

For information on how to apply for a footpath dining permit, as well as footpath dining fees, visit the Footpath Dining page on Councils website.

