

**HOBSONS**  
**BAY CITY**  
COUNCIL



# Hobsons Bay Draft Fixed Infrastructure Guidelines

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July 2023

## **Acknowledgment of Country**

Council acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past, present and emerging.

DRAFT for purpose of consultation

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# 1. Purpose

The purpose of this document is to provide guidance on the installation of fixed infrastructure in footpaths across Hobsons Bay.

# 2. Background

This document has been prepared as part of the Hobsons Bay draft outdoor trading framework 2023. The number of businesses utilising outdoor trading space has increased since the Covid-19 pandemic in response to social distancing requirements. This guidance has been developed to provide simple draft guidelines for businesses in regard to low risk fixed infrastructure options for businesses utilising outdoor trading.

Design guideline specifications in this document have been drawn from existing outdoor trading guidelines prepared by other Councils in Victoria such as the City of Melbourne Outdoor Café Guide and the City of Merri-bek Parklet Program guidelines. Information has been modified where applicable to reflect Hobsons Bay current requirements.

# 3. Scope

This document covers the following fixed infrastructure:

- Fixed Screens
- Fixed Lighting
- Umbrella Sockets

# 4. Definitions

Fixed furniture	Fixed furniture is immovable and permanently in place. Semi-fixed furniture is placed in sockets embedded in the pavement, but movable without tools.*
Semi-Fixed Furniture	Refers to any item locked down or bolted into the ground via a socket and sleeve system such as glass screens, planter boxes, umbrellas or awnings. It does not include canvas screens, chairs, tables, and gas heaters that can be shifted or removed. Canvas screens cannot be fixed to any structure or the footpath.
Footpath Trading or Footpath Trader Program	A Hobsons Bay program under which eligible local traders can apply for and obtain a permit to place temporary advertising signs, display of goods, tables with chairs, heaters, screens, planter boxes and street furniture on footpaths.
Footpath Trading Code of Practice	The Code of Practice outlines requirements that local traders must comply to ensure there is clear, safe and unobstructed access for pedestrians of all abilities on Hobsons Bay's footpaths.
Footpath Trading Permit (FTP)	Refers to Hobsons Bays Footpath Trading Permit which permits eligible businesses to trade on footpaths provided they pay relevant fees and meet the terms and conditions
The Permit	Refers to a fixed infrastructure permit

## 5. Design Criteria and Specifications

### 5.1. Fixed Screens

**Objective:** *To enable the installation of high-quality fixed screens that are easily maintained and align with or improve the amenity of the streetscape.*

#### Considerations

- Screens should not adversely affect the openness and streetscape of the area or the heritage character of heritage precincts
- Glass screens are the preferred material, rather than steel fences or other non-transparent structures, to enable openness and minimise amenity impacts
- Council is unlikely to permit glass screens where they create a cluster of continuous glass screens along the footpath
- Council encourages innovative and quality design for fixed glass screens.
- To avoid cluttering the street, glass screens are to be simple in design and should appear as a decorative element
- The use of 1200 – 1500 mm high screens is recommended
- Screens in heritage precincts will be subject to additional considerations to ensure impacts on the heritage significance of the precinct are considered, and will be assessed on a case-by-case basis, and may require input from Council's heritage advisor
- The design and construction of glass screens should conform to the specifications below.

#### Specifications

- Laminated glass must be used for glass screens with a minimum thickness of 10.38mm in accordance with standard safety requirements specified under building regulations.
- Poles must be 48mm diameter extruded aluminium and finished in clear anodised aluminium.
- A base should be constructed of aluminium.
- Poles that support glass screens must be fixed into the ground with an approved socket.
- A gap of 100mm is required from the ground to the base of the glass panel.
- No other structure can be attached to the glass screens at any time.

#### Placement and Storage

- Screens are not permitted between the building line and the edge of the outdoor area.
- The side of the outdoor trading area facing the building should remain open.
- A clearance is required between neighbouring outdoor café boundaries, where furniture such as screens are fixed in place. A minimum of 375mm clearance is required from the boundary of each outdoor café giving a total of 750mm.
- A 1500mm break must be provided in the centre of an outdoor café that has a total length of 12 metres or greater.
- If an applicant wants to install glass screens next to an existing business with glass screens, and the total screen length exceeds 12 metres, that applicant is required to reduce the length of the screens by 1500mm.

- At no time can screens extend beyond the property boundary.
- Glass screens must be semi-fixed to the pavement via a socket or sleeve system
- Glass screens are generally not required to be removed from the public place at the end of permit trading hours.
- No other structures can be attached to the glass screens at any time.

## Approvals

- Details of screens must be provided on the plans submitted with an application.
- Application for a Road Opening Permit must be obtained prior to any construction or work commencing.
- Glass screens must be certified by a structural engineer particularly in relation to fixing and impact loads (comparable to AS 1170.1 balustrading).

## 5.2. Lighting

**Objective:** *To provide guidance for the installation of high quality temporary lighting within outdoor trading areas.*

### Considerations:

If an outdoor area is deemed suitable for electrical lighting, the following criteria must be met:

- the existing power supply is to be checked to ensure it has sufficient capacity.
- the electrical installation is to be undertaken by a qualified electrician and a certificate of electrical safety is to be provided.
- lighting must be metered.
- lighting installation must be approved by local power provider.

### Specifications:

The selected lighting will need to comply with the following requirements:

- The lighting used will need to be water and dust proof to a rating of IP65.
- The lighting is not permitted to cast focused light upwards.
- No lighting is permitted to be present in, or attached to, trees.
- The illuminance of the lighting is not allowed to exceed 5 lux.
- The connection between the lighting solution and power outlet is not permitted to be accessible by patrons or other non-authorised personnel.
- When using solar panels to power lights, ensure they are attached to a pole or on top of appropriate furniture that is sturdy and durable, and will not fail under common weather conditions.
- When using lighting with wiring required to be at ground-level, ensure the wiring is buried to a minimum depth of 600mm and is traceable.
- Lighting proposals within a residential area must not significantly impact amenity.

### 5.3. Lock-in-devices (sockets and sleeves)

**Objective:** Sockets are compulsory for some furniture items (e.g., umbrellas and fixed screens) some removable screens.

**Considerations:**

- All lock-in devices must be approved by Council
- A Road Opening permit must be obtained prior to the installation of the device
- If a lock-in device is fitted without prior Council approval and the required specifications are not met, an authorised officer will require that the lock-in device be removed and the footpath be re-instated to its original condition at the traders expense
- All lock-in devices must be maintained and repaired by the current trader using that device
- If a premises changes ownership, and the future operator will not be using the lock-in devices, the current trader will be responsible for re-instating the footpath to its original condition, to the satisfaction of the authorised officer prior to vacating the premises
- The integrity of the footpath is the installer's responsibility and any damage must be reported to Council
- The installer must check for underground services
- The installer must ensure underground services are not damaged during installation
- The permit holder is responsible for the ongoing maintenance and condition of the sockets

**Specifications:**

- Sockets must be made of stainless steel and have an auto shut lid to prevent the lid staying open and creating a hazard on the footpath.
- Sockets must be installed in a concrete slab to ensure that if any footpath rehabilitation is required sockets are not removed.
- For concrete footpaths the concrete slab is to be a saw-cut joint.
- Sockets must be installed flush to the level of the footpath, and no parts should project above footpath level when not in use.
- Sockets must be installed in accordance with manufacturer's specifications.

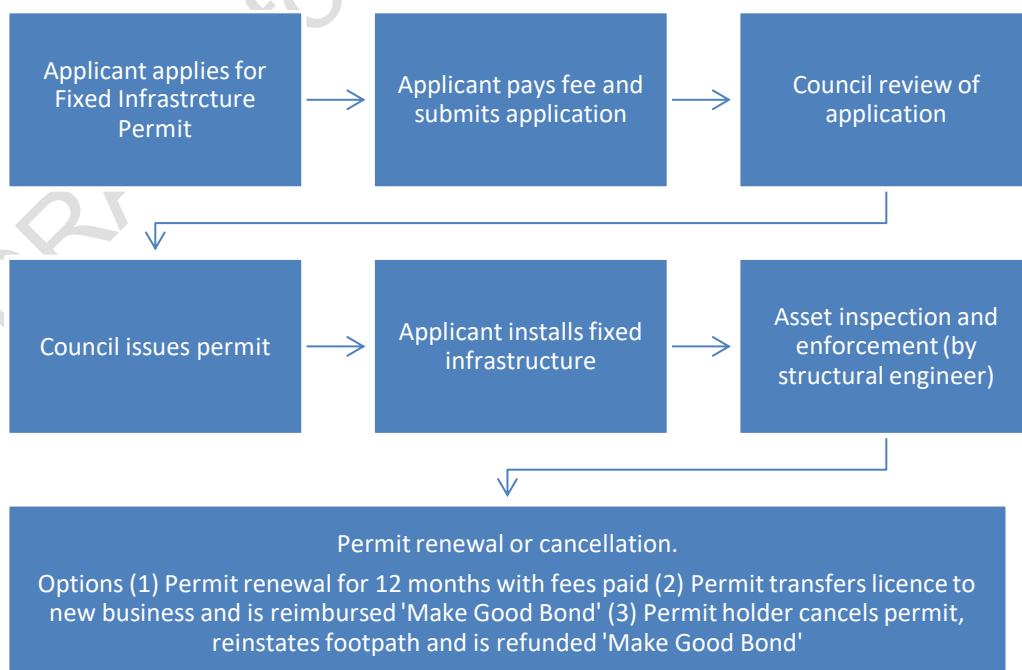
## 6. Permit Application

### 6.1. Permit information

Information that will be required as part of an application for fixed infrastructure is likely to include the following:

- Copy of approved Footpath Trading Permit and related Public Liability Insurance – Council requires the policy to note Council's interest and be for the amount of no less than \$20,000,000 in respect of any single occurrence. Public liability insurance must remain current and valid for the life of the permit and must be produced annually.
- Site plan of existing conditions at 1:100 scale, showing:
  - Width of the building frontage.
  - Footpath area from the building line to the kerb.
  - Existing location of chairs and tables, umbrellas, and other furniture.
  - Existing location of public infrastructure (including street trees, telephone poles and parking restrictions).
  - All underground services.
  - Front and side elevations.
  - Total height of glass screens, lighting, and lock in devices, including any clearances from the ground to the bottom of any glass screen or planter box.
  - The distance between the top of the glass screens and anything directly above including canopy, awning, and fixed heaters.
- Fixed infrastructure design
  - Details of all advertising on screens.
    - Size and positioning of advertising/company logos (preferably placed only on the two end returns and only two of the glass panels facing the building).
- Completed online application form and payment of application fee.

### 6.2. Proposed permit process





### 6.3. Estimated fees and costs

The construction and maintenance of the fixed infrastructure would be the responsibility of the business. Fees would include an application fee, renewal fee and a make-good bond. Note the fees in the table below are indicative only and will be subject to change.

*Table 1: Proposed fees associated with fixed infrastructure*

Fee Type	Indicative Charge	Period
Fixed Infrastructure Permit Application Fee	Dependent on items	One off fee
Fixed Infrastructure Annual Renewal Fee (Glass Screens / Lock In Devices / Lighting)	\$275*	Renewable 12 months
Make Good Bond*	Estimated \$1,000 (depending on value of infrastructure)	Refundable at termination of The Permit

\*A Bond will be retained for 'make good' requirements.

\*\* This fee is an estimate only based on the existing fee for screens under the footpath trading permit process.

### 7. Further information

For further information concerning this document please contact the Economic Development Team on T: 1300 179 944 or E [business@hobsonsabay.vic.gov.au](mailto:business@hobsonsabay.vic.gov.au).