

Footpath Obstructions

ANY FOOTPATH OBSTRUCTION THAT IS MAINTAINED ON COUNCIL CONTROLLED LAND MUST BE APPROVED BY COUNCIL **BEFORE** IT IS PLACED ONTO THE LAND.

01 What is a Footpath Obstruction?

Any item that is used for advertising purposes, furniture used for displaying of products and/or tables and chairs used for dining or waiting areas.

02 Approval Process

Complete an application form and submit to Council along with the following:

- i. A copy of your current public liability insurance for no less than \$20million with Bathurst Regional Council listed as an interested party
- ii. Photographs of your desired footpath obstruction (i.e. A frame sign, footpath dining, tear drop flag, merchandise display unit)
- iii. A plan (drawn to scale preferably 1:100) with the location of your footpath obstruction demonstrating compliance with any safety concerns as well as the unobstructed pedestrian access way of 2 or 3 metres (as per Council's relevant Policy)

Once the above documentation has been received, Council's Environmental Health Officers will conduct a site inspection to review the proposed area. At the completion of the site inspection, you will be advised whether your application is or is not successful and depending on the outcome the following will occur:

Successful application: An approval will be issued along with an invoice for the applicable fee associated with your application.

Unsuccessful application: one of two things may happen if your application is unsuccessful.

1. Additional information will be requested and upon the completion of this, an approval will be issued along with an invoice for the applicable fees associated with your application.
- OR**
2. A letter will be issued advising of your unsuccessful application and that the footpath obstruction must be removed.

Please note: Council may exercise its authority to remove or require the removal of footpath obstruction which are in contravention of the relevant footpath obstruction policy or in any case where the Council considers that the display of such a sign is not appropriate. Concurrence is required from Transport for NSW if your footpath obstruction will be placed on/ adjacent to a 'classified road'.



A-FRAME SIGNS

- Movable signs should not exceed 1m² in total face area (e.g. 1.25m x 0.8m or 1.0m x 1.0m).
- Those business houses located on a corner will be allowed to have one (1) moveable sign for each street frontage. All other business houses will be allowed one (1) moveable sign only.
- Movable A-Frame signs will be permitted to remain only where they include the name, location and business details.



TEAR DROP FLAGS/BANNERS

- Teardrop banners/flags should not exceed the height of any awning where an awning exists, or a maximum of 3.6m. No part of the Teardrop sign/banner is permitted to overhang a roadway.
- Teardrop banner/flags shall be securely fixed to the ground, attached to a building or similar structure to ensure the banner or flag is not a danger to persons or property.
- Teardrop banners/flags are not to impede vehicle sightlines, pedestrian movement or obscure or impede surrounding businesses.
- Each business is limited to two (2) teardrop banners/flags for the first 10m street frontage or part thereof. For every 10m after, one additional teardrop banner/flag is permitted. (i.e. for a 20m frontage, three (3) teardrop banner/flags are permitted with Council approval).
- Only one teardrop banner/flag is permitted where an A-Frame sign is already approved and being displayed.
- Those businesses located on a corner with two street frontages will be permitted to apply the above restrictions to each street frontage.



Links to relevant Legislation/Policies

Roads Act 1993
<https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-033>

Footpath Obstruction Approval Policies
<https://www.bathurst.nsw.gov.au/Business/Footpath-Obstructions>