

Activating Throughfares in the City Centre

Local Planning Policy

VERSION 1

October 2018

town planning services

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1.0 CITATION

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Greater Geraldton Local Planning Scheme No. 1 ('the Scheme'). It may be cited as the *Activating Thoroughfares in the City Centre local planning policy*.

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area. In making a determination under the Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

2.0 BACKGROUND

Geraldton is aspiring to better fulfil the role as the region's capital. This recognises the city centre's important role to be a strong heart for Greater Geraldton. Revitalisation in the context of the Geraldton city centre means introducing strategies that can help to address existing issues and challenges, and harness many of the opportunities available.

One of the key objectives in guiding the overall revitalisation of the Geraldton city centre is to create comfortable and exciting places and streets for people to enjoy. The intent is to bring (back) activity to a place, and provide strategies around fostering this activity.

This policy has been prepared in order to assist with revitalisation in the city centre by streamlining approvals for outdoor eating facilities (alfresco dining) and allowing the display of goods on pedestrian thoroughfares (footpaths).

3.0 OBJECTIVES

- a) To support the use of thoroughfares for a greater range of activities, including alfresco dining, displaying of goods and advertising signs.
- b) To ensure that activities undertaken on thoroughfares are carried out in a way which is in tune with a healthy, safe and comfortable environment for the community and positively contributes to the attractiveness of the area.
- c) To ensure that an adequate proportion of the thoroughfare is available for unrestricted public movement. This is to ensure the primary use of footpaths is maintained (namely the safe and convenient movement for pedestrians).
- d) To promote a vibrant street life balancing the interests and needs of residents, visitors and businesses alike.
- e) To limit the impacts of activities undertaken on thoroughfares on the public amenity and the characteristic streetscape of the area and the street.
- f) To maintain unobstructed sight lines for motorists and cyclists.

4.0 POLICY MEASURES

4.1 General

- 4.1.1 Although this policy is specifically aimed at the city centre (the area zoned 'Regional Centre' under the Scheme) it may also be applied throughout the local government area as appropriate.
- 4.1.2 It is important to acknowledge that taking advantage of public infrastructure and the footpath for commercial reward is considered a privilege and not a right. The City and the community expect traders to utilise these areas in accordance with this sentiment.
- 4.1.3 Thoroughfare areas are supplementary to a business' internal trade and seating. Businesses should not be reliant on this area to support trade.
- 4.1.4 Activities within thoroughfares should only be supported where they are directly associated with an adjacent business.
- 4.1.5 Activities within thoroughfares should not, in the opinion of the local government conflict with, or inconvenience, other adjacent businesses.
- 4.1.6 This policy can also be applied to areas in pedestrian arcades and other similar 'public' places on private property.
- 4.1.7 Public liability insurance cover of not less than \$10 million is required. Business owners must ensure that their policy specifically notes the use of this land and the use of any particular installations/appliances.
- 4.1.8 The applicant is solely responsible for all and any associated costs with the removal, alteration, repair, reinstatement or reconstruction (to the approval of the local government) of the street carriageway, footpath or any part thereof arising from the use of the thoroughfare.
- 4.1.9 The local government may seek a contribution towards the upgrading and/or construction of a sealed footpath adjacent to thoroughfares.
- 4.1.10 This policy is not a vehicle for increasing advertising and signage to a business. While signage is considered a structure which can be approved as part of this policy, general requirements (i.e. size) are governed by the City's Signage Local Planning Policy and traders are expected to comply with these requirements.
- Note: Only 1 freestanding ('A-frame') sign and no more than 2 (in total) banners, flags or pennons are permitted per business.
- 4.1.11 This policy is to be read in conjunction with the *Activities in Thoroughfares and Public Places and Trading Local Law*.

4.2 Site Requirements

- 4.2.1 Pedestrian movement down the footpath should be safe and unobstructed. A general minimum clear pedestrian access width of 2m shall be maintained in all cases and the local government may specify a greater width in certain areas or even allow a smaller width in exceptional cases. All objects, furniture and activities must not obstruct pedestrian movement within the pedestrian access area.

- 4.2.2 No signs should be placed on or adjacent to a footpath which results in the pedestrian access being less than 2.0m in width, however the local government may specify a greater width in certain cases.
- 4.2.3 All public facilities (telephone booths, public seats, bicycle racks etc.) should be surrounded by 1m clear space from structures and activities.
- 4.2.4 Activities within thoroughfares should have a minimum setback of 600mm from the edge of the carriageway/kerbline or nearest edge of adjacent on-street parking bays.
- 4.2.5 Any dedicated pedestrian crossing areas should be kept clear of any furniture, objects or activities and will not be considered as an area available for approval.
- 4.2.6 As activities, objects and furniture on the building line can be an impediment to vision impaired people who use this feature to navigate the footpath, it is preferred that the pedestrian access is located against the building and the area available for activities is offset. However, it is recognised that in the City Centre this may not be achievable. Therefore, while activities against the building line will be supported, a number of other principles to allow for increased mobility along the street will be required, as follows:
 - a To assist with easier navigation of the street, each street block will maintain a consistent alignment for the clear pedestrian access.
 - b Where the area available for activities is against the building line, activities, objects and furniture are required to be setback 0.5m from the door way on each side to ensure that adequate circulation space is maintained (refer Figure 1).
- 4.2.7 For areas that have limited space for alfresco dining the local government may be willing to consider a 'parklet' in accordance with the City's *Parklets local planning policy*.



Figure 1 – Required setback of activities, objects and furniture from the door way.

4.3 Specific site requirements for Marine Terrace

4.3.1 The footpath verge of Marine Terrace (from Forrest Street to the intersection with Foreshore Drive and Fitzgerald Street) has distinct paving treatments that can be used to clearly demarcate approved areas. Four distinct areas are apparent and their requirements are outlined in detail below.

4.3.2 For the area of Marine Terrace from Forrest Street to Durlacher Street:

- a) This area has a width which varies between approximately 2.55m to 2.7m which lessens its ability to provide large alfresco dining areas although a table and 2 chairs can be accommodated.
- b) The larger, darker paving immediately outside the businesses is the edge of the area available for activities. The area available can vary between 0.6m down to 0.45m.
- c) The pedestrian clear footpath is approximately 2.1m wide, from the edge of the larger, darker paving to the inner edge of the light pavers which demarcates the on-street parking bays.
- d) These requirements are clearly detailed in Figure 2 below.



Figure 2 – Marine Terrace from Forrest Street to Durlacher Street. Designated clear pedestrian access location and width and subsequent area available for approval.

- 4.3.3 For the Marine Terrace partial mall, from Durlacher Street to Cathedral Avenue:
- a) This area is a prime pedestrian area and has a width of approximately 5.3m on both sides.
 - b) It has the ability to cater for 2 distinct areas of activity.
 - One immediately adjacent to the business, from the building line to the inner edge of the light pavers. This area is approximately 0.7m wide.
 - The second area is adjacent to the on-street parking bays, from the inner edge of the light pavers which demarcates the parking bays to the outer edge of the dark pavers near the planters. This area is approximately 2.2m wide.
 - c) The pedestrian clear footpath has a width of approximately 2.6m and is in between the 2 areas available for approval. It is located from the inner edge of the light paving adjacent to the business to the inner edge of darker paving near the planters.
 - d) These requirements are clearly detailed in Figure 3 below.

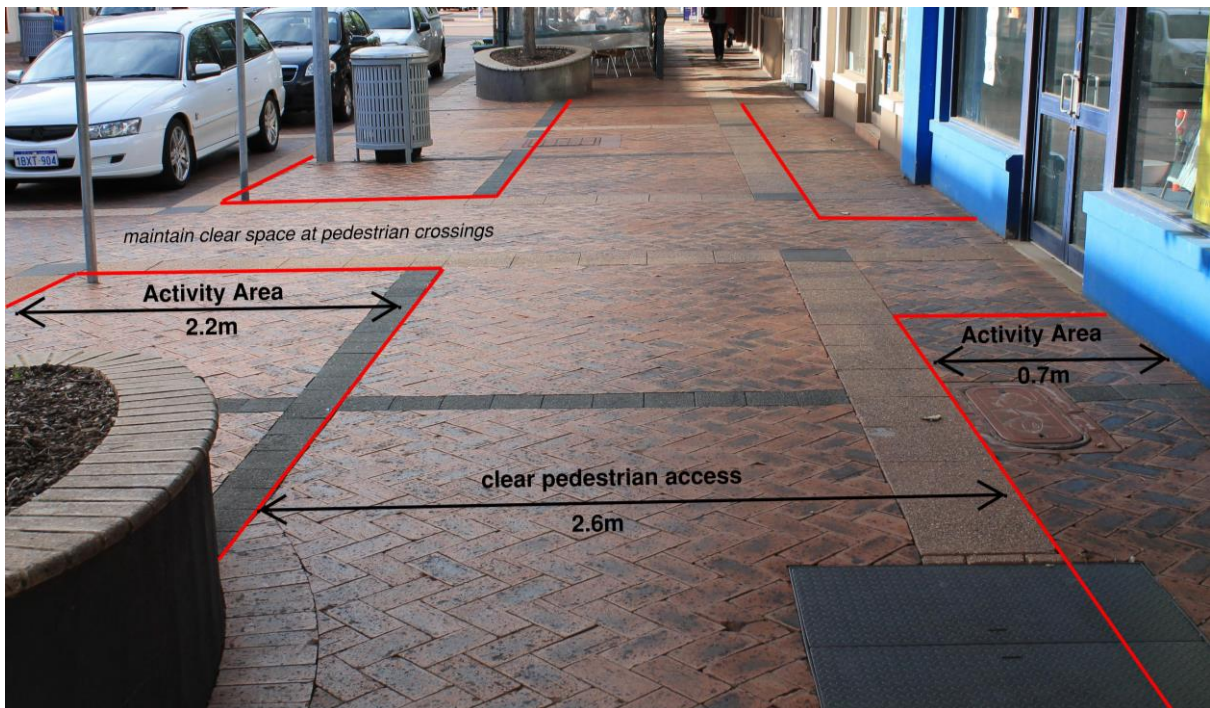


Figure 3 – Marine Terrace partial mall. Designated clear pedestrian access location and width and subsequent area available for approval. Also demonstrates clear pedestrian crossing and 0.5m offset from entry and exit points.

4.3.4 For the area of Marine Terrace (southern side) from Cathedral Avenue to Fitzgerald Street:

- a) This area has a width of approximately 2.7m which lessens its ability to provide large alfresco dining areas although a table and 2 chairs can be accommodated.
- b) The larger, darker paving immediately outside the businesses is the edge of the area available for approval. The area available is approximately 0.6m wide.
- c) The pedestrian clear footpath is approximately 2.1m wide, from the edge of the larger, darker paving to the inner edge of the light pavers which demarcates the on-street parking bays.
- d) These requirements are clearly detailed in Figure 4 below.



Figure 4 – Marine Terrace southern side from Cathedral to Fitzgerald Street. Designated clear pedestrian access location and width and subsequent area available for approval.

4.3.5 For the area of Marine Terrace (northern side) from Cathedral Avenue to Foreshore Drive:

- a) This area has a width of approximately 2.6m which lessens its ability to provide large alfresco dining areas although a table and 2 chairs can be accommodated.
- b) The larger, darker paving outside the businesses is the edge of the area available for approval. The area available is approximately 0.6m wide.
- c) Many of the buildings have a small setback from the property boundary. This area is not subject to this policy.
- d) The pedestrian clear footpath is approximately 2.0m wide, from the edge of the larger, darker paving to the inner edge of the light pavers which demarcates the on-street parking bays.
- e) These requirements are clearly detailed in Figure 5 below.



Figure 5 – Marine Terrace northern side from Cathedral to Fitzgerald Street - designated clear pedestrian access location and width.

4.4 Furniture and other Objects

- 4.4.1 Furniture and objects, including signage, should be well constructed and not a hazard. They should be able to withstand windy conditions, be easily moveable to allow for cleaning of the area.
- 4.4.2 All furniture and objects are to be readily removable, however where it is demonstrated to the local government that there are positive benefits to the public, more permanent features may be permitted.
- 4.4.3 It may be appropriate, in certain circumstances, that screens be used to provide shelter from wind and rain. Screening should be visually permeable and readily removable. They should only be used when and where climatic conditions warrant.
- 4.4.4 All furniture and objects must not obstruct sight lines for either vehicles or pedestrians, either at road junctions and crossovers.
- 4.4.5 It is important to acknowledge that patrons often reconfigure seating arrangements and it is the proponent's responsibility to ensure all furniture and objects remain within the approved area.

4.5 Application Requirements

- 4.5.1 Where use of the thoroughfare complies with the 'Specific site requirements for Marine Terrace' in Clause 4.3, **NO** application is required and the activities are considered to have a permit pursuant to Part 7 of *Activities in Thoroughfares and Public Places and Trading Local Law*.
- 4.5.2 Further to Clause 4.5.1, **NO** application is required for signage if its location complies with the 'Specific site requirements for Marine Terrace' in Clause 4.3 and is in accordance with the City's Signage Local Planning Policy.
- 4.5.3 Where an applicant wishes to vary the specific site requirements within Marine Terrace, proposes similar activities outside of the pre-approved area, or proposes to vary requirements under the City's Signage Local Planning Policy, an application will be required.
- 4.5.4 Applications made under this policy are to be in the form of an 'application for development approval' as per the Scheme requirements.
- 4.5.5 Applications shall be accompanied by a scaled site plan or photos clearly indicating the proposed area to be used and show immediate surrounding features such as buildings, kerb line, street furniture, landscaping, regulatory signage, services etc.
- 4.5.6 It is highly recommended that applicant's make the time to see City staff who can help with the application itself and provide clarification on any aspect of the policy particularly where proposing to vary requirements within Clause 4.3. This pre-consultation will greatly assist the application often resulting in a more timely approval.
- 4.5.7 Approvals issued under this policy shall constitute a 'Permit' pursuant to Part 7 of *Activities in Thoroughfares and Public Places and Trading Local Law*. The approval should be readily available to be produced to any authorised local government officer for compliance reasons.

- 4.5.8 There is no fee for applications made in the area zoned 'Regional Centre' under the Scheme.
- 4.5.9 An application is not required if the activity is part of an event, carnival, market or the like; or it is a one-off occurrence such as an opening day or mobile community/government clinic.