



Review of Footpath Trading Policy

**Community Consultation Round 2 Summary Report
(consultation on the draft Footpath Trading Policy)**

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Consultation Overview

Introduction

Bayside City Council (Council) is reviewing its Footpath Trading Policy (FTP). Following an initial round of community engagement to understand community priorities and identify emerging issues, Council prepared a draft FTP 2026 and invited further community feedback through public exhibition.

The purpose of Round 2 engagement was to test the draft FTP, understand the level of community support, and identify any matters requiring further consideration before the FTP is considered by Council for adoption alongside the accompanying Local Law.

The FTP regulates the use of public footpaths for outdoor dining, the display of goods and advertising, supporting a safe, accessible and vibrant streetscape.

Background

The current FTP was adopted in 2022 and is due for review in accordance with Council's standard four-year policy review cycle. At the same time, Council is reviewing its Local Law, under which the FTP operates as an incorporated document. Reviewing both documents concurrently provides an opportunity to ensure they remain aligned, reflect current legislative and operational requirements, and continue to meet

community expectations. The review also enables Council to clarify policy requirements, improve consistency and ensure the FTP continues to support a safe, accessible and vibrant public realm while balancing the needs of businesses, pedestrians and the broader community.

Round 1 engagement was conducted between 2 February and 1 March 2026 to understand community sentiment on the existing FTP, seek feedback on proposed changes, identify emerging issues not previously considered, and meet the criteria for Council's standard four-year policy review cycle.

Round 2 consultation was undertaken from 22 June to 19 July 2026 to seek community feedback on the draft FTP amendments and identify any refinements before they are considered for adoption by Council later in 2026. The document was available for public exhibition and feedback on Council's *Have Your Say* webpage throughout the consultation period.

Consultation Approach

The following consultation activities were undertaken between **22 June to 19 July 2026**.

Council's Online Portal – Have Your Say

- Online survey – provide feedback and suggestions to help inform development of a new FTP.
- Download a printable survey if preferred.

- Email response or request an appointment.

Hard copy options

- Hard copy survey – available upon request.
- Write to Bayside City, PO Box 27, Sandringham 3191.

In-person community outreach

- In-person community outreach via pop up stalls across 7 locations.
 - Peterson Youth Centre – 6 July 2026.
 - Sandringham Library – 6 July 2026.
 - Beaumaris Community Centre – 9 July 2026.
 - Black Rock Civic Centre – 13 July 2026.
 - Sillitoe Pavilion – 14 July 2026.
 - Brighton Library – 15 July 2026.
 - Hurlingham Pavilion – 16 July 2026.

Key external stakeholder consultation

- Direct engagement with Council advisory and representative committees.
- Direct email to stakeholder groups and relevant Have Your Say members.

Internal Council stakeholder and Councillor consultation

- Internal Council departments, provide feedback on the existing FTP and suggested any potential amendments.
- Councillor workshops and briefings.

Communications

Communications activities were developed and coordinated by Council's Communications team to develop awareness and promote the consultation opportunities via:

- Have Your Say page.
- Media releases.
- Social media posts.
- Printed hard copy surveys.
- Article in Let's Talk Bayside magazine. (Jun/Jul edition)
- News story on Council's website and e-newsletter (This Week in Bayside)
- Social media
- Digital and printed signage
- Direct email to stakeholder groups and relevant Have Your Say members
- Articles in relevant Council newsletters
- Printed collateral distributed through Bayside libraries, Customer Service and at relevant events

Response Rate

41 people had their say on the Local Law and FTP review.

- 33 valid survey responses were received.
- 4 written community submissions were received (1 in relation to the draft Local Law, 3 in relation to the Footpath Trading Policy, including 1 query via a Facebook comment.

- 4 people participated in-person across the 7 community Talk to Us events.

Social Media Reach

A social media campaign achieved a reach of 8,623 people.

The campaign comprised a series of 3 boosted Facebook and Instagram posts during the consultation period that were designed to promote opportunities for the community to provide feedback.

The Have Your Say project recorded 2,765 views, 1,799 visits and 1,506 visitors during the reporting period.

Stakeholders and Community

Our target audience included the following:

Stakeholder Type	
Community	Bayside residents
Stakeholders	Bayside City Council Councillors and staff

Stakeholder Type	
	Bayside businesses and Bayside Traders Associations Footpath trading permit holders Bayside Dog Alliance Bathing Box Association State Government Land Managers (Parks Victoria, DEECA). Local MP's Emergency services (i.e. CFA, FFM Vic, SES, VicPol, Ambulance Victoria) Visitors to Bayside
Advisory and representative committees	Disability Access and Inclusion Advisory Committee (DAIAC) Reconciliation Advisory Committee Youth Ambassador Committee Bayside Healthy Ageing Reference Group
Volunteer groups and organisations	Friends of groups Environmental groups Sports groups Graffiti Busters

Consultation Findings Snapshot

Overview

To seek community sentiment on the draft FTP, Council conducted a community survey 22 June and 19 July 2026.

41 people had their say on the Local Law and FTP review.

33 surveys were completed, 4 people made a written submission, and 4 people participated at community pop ups.

Respondent Profile

93.9% live in Bayside City. 30.3% reported that they are from Black Rock, 18.2% from Brighton.

63.6% were over 55 years of age.

Consultation Findings – Summary Outcomes

The following summarises the **key themes identified related to footpath trading**, through the Local Law and FTP survey feedback received during Round 2 community engagement.

Across the consultation, respondents expressed strong support for improved compliance and enforcement, enhanced pedestrian safety and accessibility, responsible management of public spaces, and the simplification of the FTP.

Counts show survey ratings (comments in brackets) and relevant written submissions; a submission may inform more than one category.

Category	Key Themes
Footpath Trading Policy Survey n=18 (11 comments) Submissions n=3	Ten of 18 respondents supported the policy, with five neutral. Feedback balanced accessibility and clear pedestrian zones with outdoor trading and less red tape; submissions sought fairer fees, clearer display categories and DDA-aligned enforcement.
Other Feedback and Ideas Survey n=4 (comments only) Submissions n=0	Four respondents provided additional comments. Feedback supported both al fresco dining and clear pedestrian zones, including removal of trip hazards; permit eligibility and fairness were also raised.

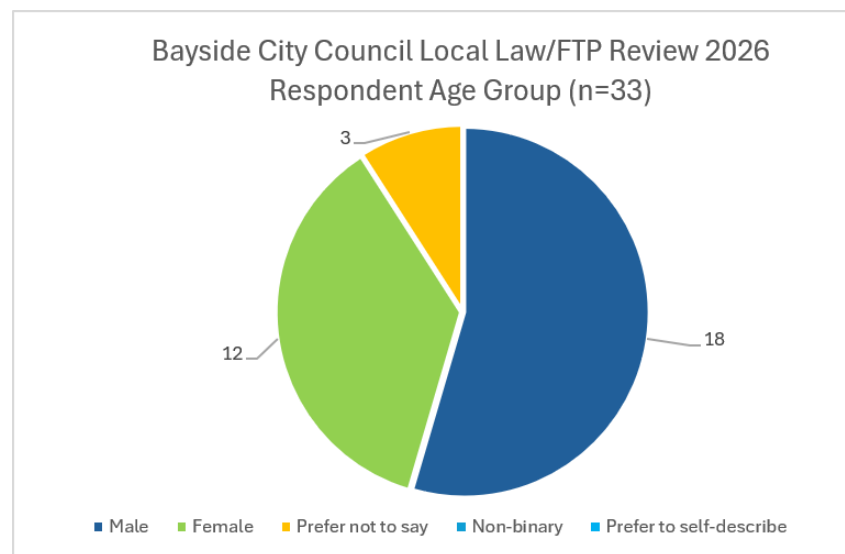
Community Survey Outcomes

Overview

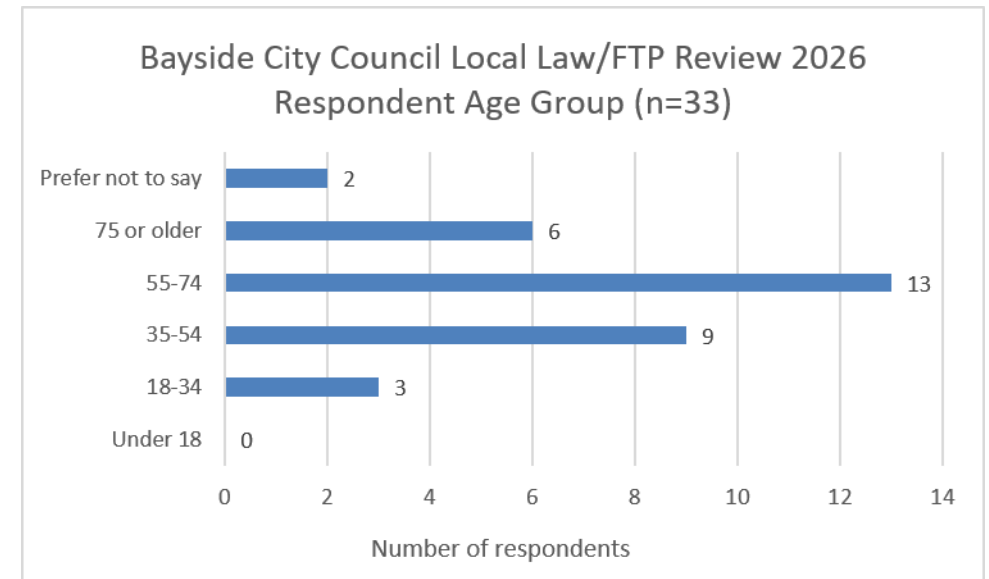
A total of 33 valid Local Law and FTP survey responses were received. Due to the relatively low number of responses, charts show counts rather than percentages (to provide context). Individual verbatim comments provided in the survey's open-ended questions have also been included in this report, grouped into common themes.

Respondent Demographics

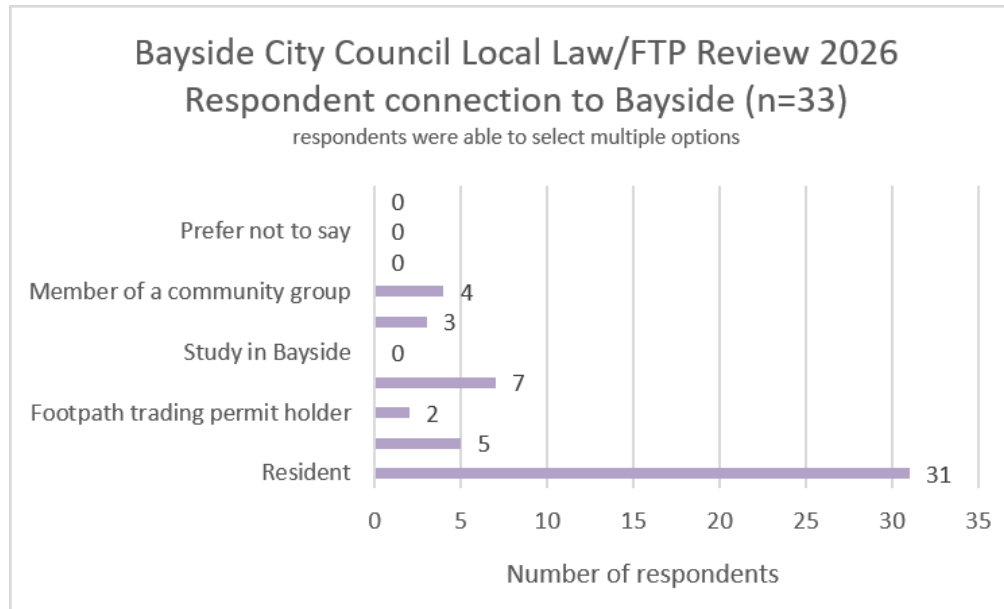
Gender



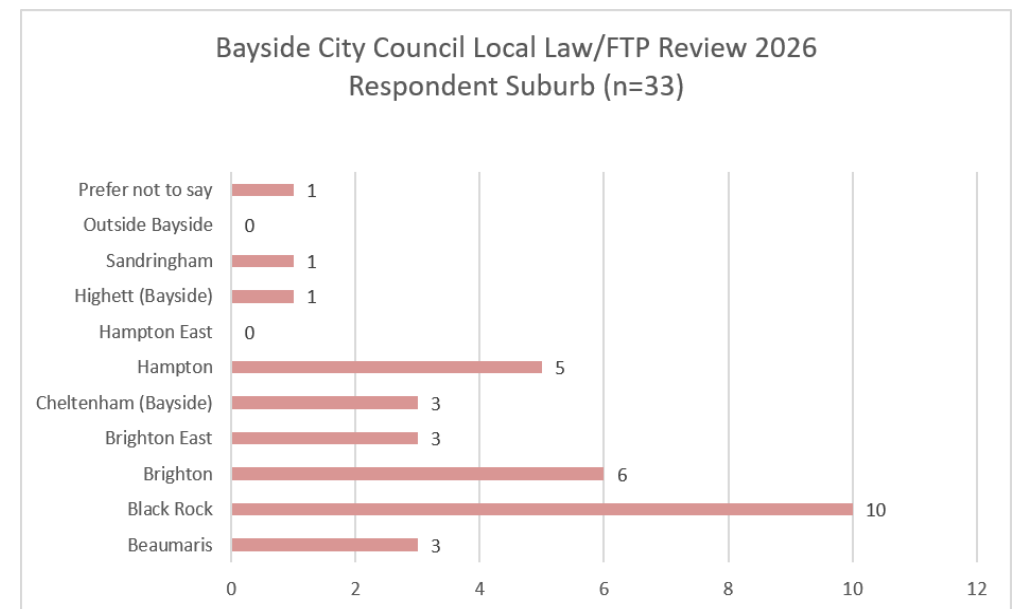
Age group



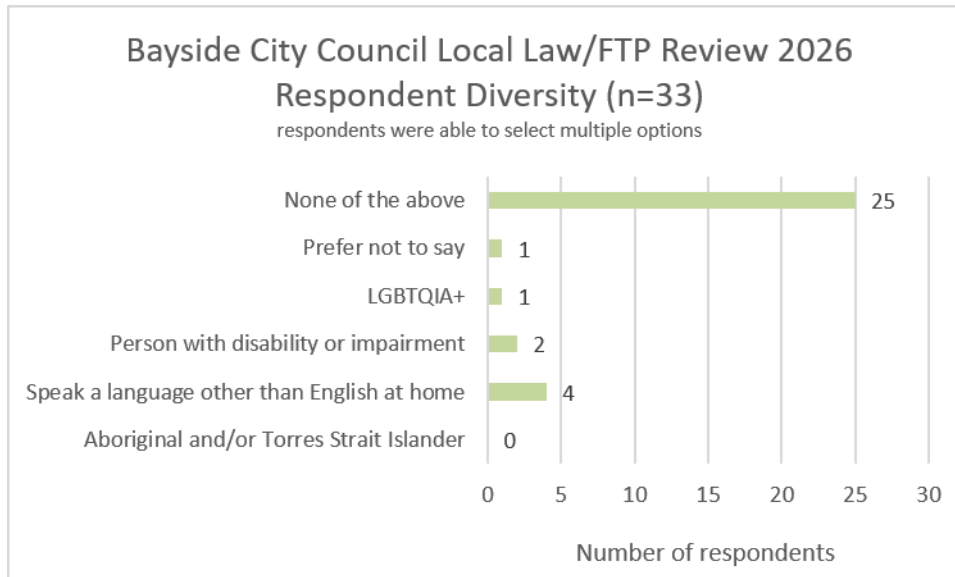
Connection to Bayside City



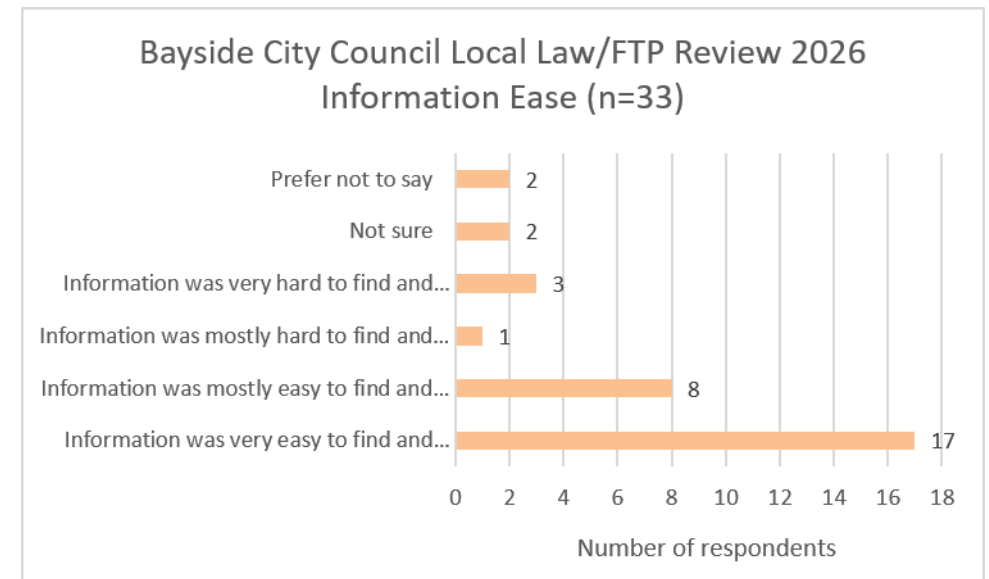
Suburb



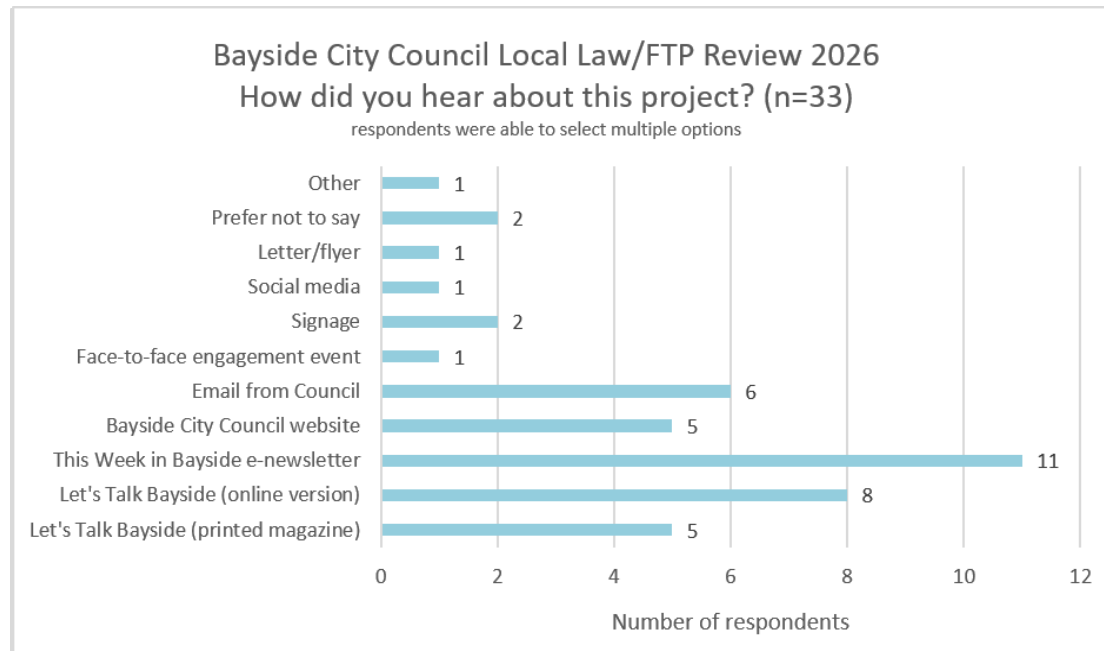
Diversity



Did you have the information you needed to provide your feedback?



How did you hear about this project?



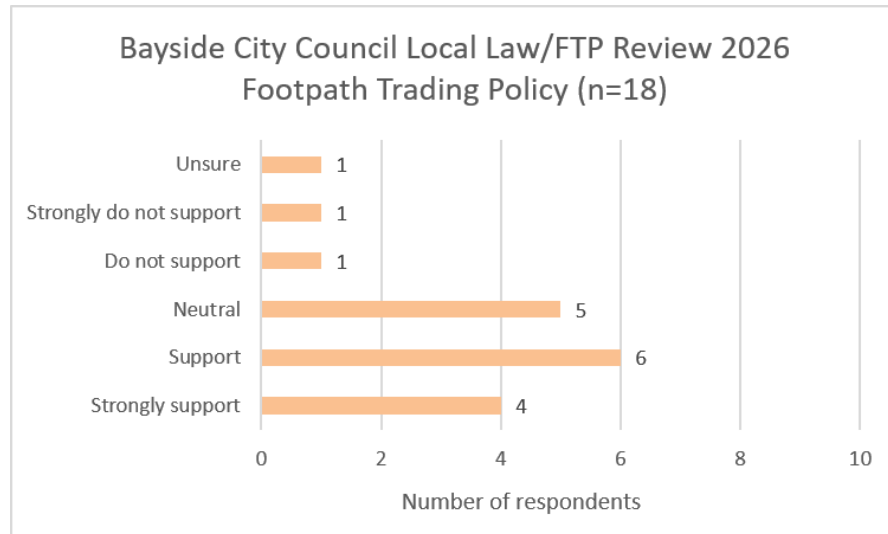
Support for proposed changes in draft Footpath Trading Policy

Footpath trading policy

Respondents were asked to provide feedback on the draft changes of the FTP and indicate their level of support with each. Changes we have made include:

- It is now written as a policy rather than detailed guidelines, as per our discussion.
- Need for accessibility embedded throughout document. No longer an appendix.
- Contains a succinct purpose, policy objectives, scope and local law alignment.
- Improved definitions.
- Provides for automatic or provisional permitting.
- Provides for seasonal permits.
- Provides for queuing and waiting (e.g. server windows).
- Included mention of activity centre markers in footpath trading zones and siting requirements section.
- Fees and charges referred to, but as a separate document.
- Application process and details have been summarised and linked back to Council's website.
- Decision guidelines are now succinct.
- Footpath siting requirements – trading zone width and clearance detailed wording simplified into a table. Additional siting requirements streamlined.
- Removed 30 knots windspeed for removal of furniture as per team discussion.
- Removed detailed standards for fixed items and technical specifications. Refer to Council instead.
- Permit holder responsibilities have been simplified to make it easier to understand. Same with permit administration.
- Succinct section on expiry, suspension, cancellation and enforcement – all linked back to the Local Law.
- New small section on other approvals and related legislation.

Respondents were asked to rate their level of support for the proposed changes to the **footpath trading policy**. 18 people provided their feedback.



Respondents were also asked why they selected the above response and how the proposed changes may impact them. 11 people provided comment.

Comment – Footpath trading policy	Theme
Clear and concise policy, simplified documentation.	Supports the changes.
The issue is becoming more widespread. So many teenagers riding e-vehicles without any care for pedestrians.	Requests the addressing of safety impacts of e-scooters.

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Comment – Footpath trading policy	Theme
Please make the distance from the passenger door to obstructions on a footpath sufficient so that the door can be fully opened all the way allowing elderly passengers to exit a vehicle safely. Hampton Street and State Road is a good example.	Supports an improvement in footpath accessibility and safety for people with mobility needs.
Really need to focus on accessibility as focus is on traders not disabled residents.	Supports the prioritising of accessibility for people with disability.
More lightings required along the foreshore footpath especially between Bay Street and North Road junctions. Vegetations along the foreshore footpath need to be trimmed & not encroaching in order to provide more space for people & dogs walking. Lightings also helps provide safety.	Supports the improvement of safety and accessibility along foreshore footpaths.
Spoil on roads: How is this connected to "building works".	Requires clarification on the application of spoil provisions.
We need more outdoor trading to keep our villages alive.	Supports outdoor trading to encourage vibrant activity centres.
There should be no tables chairs on footpaths so no permits required.	Opposes tables and chairs on footpaths.
Don't delete the local law tree requirements, just alter them to fit in with the planning requirements.	Requests Council to retain tree protection requirements while aligning with planning controls.

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Comment – Footpath trading policy	Theme
Hopefully enforcement of footpath trading rules as the shops on New Street near Martin Street – Particularly Superandom, are flagrantly in violation of the footpath zone rules and set up their tables and chairs there as well as people queuing across the path.	Supports strengthening of enforcement of footpath trading requirements.
I like when council helps small business to reduce 'red tape'. It doesn't affect me, I'm not a small business owner.	Supports reducing regulatory burden for businesses.

Other feedback and ideas

Respondents were asked if they would like to provide additional feedback. 4 people provided comment.

Comment – Other Feedback and Ideas	Theme
I find traders don't consider footpath pedestrians very much. Often when the footpaths are busy with crowds it's hard to pass each other. Traders items often block your way.	Would like to see improvement in pedestrian access around footpath trading activities.
Footpath trading is great, but after reading the draft policy I thought it could include specific inclusion of businesses not placing bins, dogs' water bowls, etc in the ped zone. These seem very common and are a big trip hazard.	Supports the keeping of pedestrian zones clear of business items and trip hazards.
In the past you have allowed a bottle shop that does not serve or allow alcohol to be consumed on the footpath to have a foot path trading permit, namely outdoor tables and chairs. This was to the detriment of the cafe/restaurant that shared this footpath.	Supports a review eligibility criteria for footpath trading permits.
Very much in favour of European al fresco style dining.	Supports outdoor dining and al fresco activation.

Written Community Submissions

3 written submissions were received and collated from individuals and interest groups in relation to the draft FTP. A summary of themes for each submission has been prepared in the table below.

#	Source	Submission	Themes
1	Email 12 Jul 2026	Submission Regarding Footpath Trading Permit Fees – Goods on Display I respectfully request that Bayside City Council review the annual permit fee applicable to **Goods on Display** under the Footpath Trading Policy. While I appreciate Council's efforts to simplify the Footpath Trading Policy and reduce costs for local businesses, I believe the current fee structure produces an inequitable outcome for retailers and is inconsistent with the objectives of the revised policy. 1. Equity The revised policy aims to support local businesses and create vibrant shopping precincts. However, retailers displaying goods on the footpath continue to pay a substantially higher permit fee than businesses using a comparable amount of public space for outdoor dining.	The submitter supports the revised Footpath Trading Policy but believes the annual permit fee for 'Goods on Display' is disproportionately high compared to outdoor dining permits for similar use of public space. They argue the fee structure is inequitable and inconsistent with the policy's objectives of supporting local businesses and vibrant shopping precincts and does not reflect the relatively low impact of retail displays. The submission requests that Council review and reduce the fee to better align with comparable outdoor dining permits and ensure a fair, consistent approach across different forms of footpath trading.

#	Source	Submission	Themes
		For example, a single merchandise display table typically occupies a similar footprint to one set of tables and chairs. Both forms of trading contribute to an attractive, active and welcoming streetscape that encourages pedestrian activity and supports the local economy. Despite these similarities, retailers are required to pay a significantly higher annual permit fee. This creates an unequal outcome between different types of businesses making comparable use of the public footpath. 2. Proportionality Permit fees should be proportionate to the extent of public space occupied and the impact on the footpath. A modest display table: * occupies no more space than a standard outdoor dining setting; * generally generates less pedestrian obstruction than multiple tables and chairs; * does not involve food service, customer seating, or associated operational activities; and	

#	Source	Submission	Themes
		* requires comparatively limited Council oversight. In these circumstances, charging a considerably higher fee for a simple retail display does not appear proportionate to either the use of public land or the administrative resources required. 3. Consistency with Council Policy Council has stated that the revised Footpath Trading Policy seeks to: * reduce costs for local businesses; * encourage greater participation in footpath trading; * support vibrant shopping strips; and * provide a fairer and simpler fee structure. Retail merchandise displays directly contribute to these same objectives by: * activating shopfronts; * improving the visual appeal of shopping centres; * encouraging pedestrian engagement; and * supporting the viability of local retailers.	

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#	Source	Submission	Themes
		If outdoor dining receives meaningful fee relief to encourage activation, the same policy rationale should reasonably apply to retailers displaying goods on the footpath. Maintaining a substantially higher fee for retail displays appears inconsistent with the stated objectives of encouraging business participation and supporting vibrant commercial precincts. 4. Request I respectfully request that Council review the fee applicable to Goods on Display and adopt a charging structure that reflects the principles of equity, proportionality and consistency. In particular, I ask Council to consider: * aligning the fee for Goods on Display more closely with the fee for comparable outdoor dining areas occupying a similar footprint; * ensuring retailers receive the same policy support intended for other businesses using the public footpath; and	

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#	Source	Submission	Themes
		* applying a fee structure that fairly reflects the actual use of public space and the contribution retailers make to vibrant and attractive shopping precincts. A more balanced approach would better achieve Council's stated objectives while treating all local businesses fairly, regardless of whether they activate the footpath through outdoor dining or merchandise displays.	
2	Email 15 Jul 2026	Dear all: Please find my second submission: Request for Policy Clarification and Review – Classification of Contemporary Retail Display Structures under the Footpath Trading Policy Dear Bayside City Council, I am seeking Council's clarification and review regarding the classification of a movable screen/display structure under the current Footpath Trading Policy and associated permit fee schedule. The current policy appears to distinguish between categories such as fixed screens, which are primarily designed for outdoor dining environments, and A-frame signs, which represent a more traditional form of retail advertising display. However, there appears to be limited	The submitter requests that Council review how contemporary movable retail display structures are classified under the Footpath Trading Policy. They argue that these displays differ from fixed screens and traditional 'Goods on Display' structures in their purpose, impact and use of public space, and that the current policy does not reflect modern retail practices. The submission calls for clearer definitions, consideration of a separate permit category for movable retail displays, and a more proportionate fee structure that supports equitable treatment of retailers and vibrant shopping precincts.

#	Source	Submission	Themes
		recognition of contemporary retail outdoor display practices that have developed beyond these traditional categories. The item in question is a decorative retail display structure mounted on a movable screen. It is not permanently attached, anchored, bolted or fixed to the footpath, building, or any Council asset. It can be relocated when required and does not create a permanent enclosure or physical modification of the public space. Given these characteristics, I respectfully request Council consider whether this type of movable retail display should be classified differently from a fixed screen or goods-on-display(table). 1. Difference between fixed screens and contemporary retail displays Fixed screens are generally associated with café and outdoor dining operations, where they serve a functional purpose such as creating boundaries, privacy screening, wind protection or enclosure of dining areas. A contemporary retail display structure serves a different purpose. It is primarily used for visual merchandising, enhancing customer engagement and contributing to the attractiveness and activation of the shopping strip. It does not function as an enclosure, barrier or permanent structure.	

#	Source	Submission	Themes
		Applying a fixed screen classification to a movable retail display does not accurately reflect its purpose, use or impact on public space. 2. Current policy does not appear to recognise evolving retail presentation needs The current policy framework appears to have been developed around traditional categories, such as: • café tables and chairs; • fixed outdoor dining screens; and • A-frame signs as the primary retail display/advertising method. However, modern retail businesses increasingly use creative, temporary and movable outdoor displays to improve customer experience, showcase products, and contribute to vibrant streetscapes. A-frame signs alone do not adequately represent the range of contemporary retail presentation methods now used by businesses. A policy that does not recognise these changes may unintentionally discourage attractive and innovative retail activation of public spaces. 3. Disproportionate fee impact At present, this type of movable retail display has been classified as goods on display and attracts an annual fee of approximately \$543.	

#	Source	Submission	Themes
		This classification creates a concern that a decorative, movable structure with limited impact on public space is being charged under a category intended for commercial goods displayed on the footpath, such as tables, racks or merchandise stands. The fee classification should be proportionate to: • the actual use of public space; • the degree of occupation and obstruction; • whether the structure is fixed or removable; and • the contribution the display makes to streetscape activation. 4. Request for clarification and review I kindly request Council provide clarification 1. Whether a movable screen/display structure that is not attached or anchored to the footpath can reasonably be classified as a “fixed screen”. 2. Whether Council has considered a separate category for contemporary movable retail displays, other than A frame. 3. Whether the current goods-on-display classification and associated fee remain appropriate for decorative movable retail structures. I respectfully suggest that the Footpath Trading Policy would benefit from a review to ensure it reflects current	

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#	Source	Submission	Themes
		retail practices and supports the shared objective of creating attractive, active and vibrant shopping precincts. A balanced approach that recognises both outdoor dining needs and contemporary retail presentation would provide a more equitable and future-focused framework for businesses operating within Bayside. Thank you for considering this request. I look forward to Council's clarification and response.	
3	Facebook 7 Jul 2026	Will the FTP be enforced to comply with the DDA so that disabled people/ pedestrians are not disadvantaged? [begins] Thank you for your comment and interest in the consultation. Local Laws must not conflict with State or Commonwealth legislation. Section 7 of the draft Footpath Trading Policy outlines the requirements for footpath trading zones, and accounts for Council's obligations under the Disability Discrimination Act (DDA). If it is believed that a person or business is not complying with these requirements, the matter can be reported and the Local Laws team for will investigate and take appropriate action. [ends]	Enquiry regarding enforcement of the Footpath Trading Policy and its interaction with the DDA.

Talk to us Events

Overview

Seven community in-person engagement sessions were held across Bayside activity centres and community locations in July 2026 where **4 people** provided feedback on proposed changes to the FTP.

Pop-ups were held at:

- Peterson Youth Centre – 6 July 2026.
- Sandringham Library – 6 July 2026.
- Beaumaris Community Centre – 9 July 2026.
- Black Rock Civic Centre – 13 July 2026.
- Sillitoe Pavilion – 14 July 2026.
- Brighton Library – 15 July 2026.
- Hurlingham Pavilion – 16 July 2026.

Engagement activities included a dotmocracy activity, surveys and conversations with Council staff.

Overall, in-person engagement elicited a low attendance rate. Across the 7 sessions, 2 people engaged in dotmocracy voting. Attendees were further encouraged to 'have their say' via the online survey.