

MOTION ON NOTICE

Councillor Arman Abrahamzadeh will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

That Council:

- Notes Leigh Street is part of the Market to Riverbank Link Project;
- Requests administration to review relevant Council policies in order to streamline pedestrian thoroughfare and give Leigh Street traders a degree of flexibility with setting up their outdoor dining furniture.

ADMINISTRATION COMMENT

1. Placement of outdoor dining furniture and other items in Leigh Street was last reviewed in June 2022. This review followed temporary changes to permit and liquor license areas during COVID-19, to allow flexibility during the pandemic.
2. At that time some businesses in the area requested to set their outdoor dining furniture directly against the building line, similar to nearby Peel Street.
3. The June 2022 review included assessing the area in line with the *Disability Discrimination Act 1992*, Council's Access & Inclusion Plan, and noting Leigh Street as a high pedestrian area which forms part of the Market to Riverbank link.
4. The 2022 review did not support a change from Council's preference of keeping the building line free of furniture and other items.
5. The review also noted differences between Leigh Street and Peel Street in terms of:
 - 5.1. Higher volume of pedestrian numbers in Leigh Street, also being a designated link in Market to Riverbank project
 - 5.2. Vehicle access at both end of Leigh Street
 - 5.3. The width of both streets.
6. Following the June 2022 review, communication was issued to all businesses in the area advising of the outcome and requirements moving forward. This included the following:
 - 6.1. Maintaining an unobstructed 1.5 metre pedestrian access from a business's building line (e.g. no advertising or furniture in this area).
 - 6.2. Provision of 2.5 metres in the centre of the car-free zone to meet the width required for a shared zone by Austroads standards, due to the level of foot traffic experienced in Leigh Street.
7. Administration are aware that at least one business would prefer these conditions to change, having cited safety concerns in managing queues and outdoor dining patrons within the current set up.

8. Should this motion be successful, a further review will be undertaken.
9. It is noted that any review will need to consider a balance between the various stakeholders in the area, and its use as a high pedestrian thoroughfare.
10. It is also noted it is considered best practice to ensure all businesses in an area follow the same approach in terms of positioning of items on the footpath, providing consistency in how pedestrians move through the area.
11. Council's current position is to maintain a building line which is clear and unobstructed from outdoor dining furniture and signage where possible, to support city users with accessibility needs (e.g. vision impairment).
12. There are instances where the alignment of outdoor dining furniture is tailored to meet specific location needs, however this is usually in shared use areas or low pedestrian areas as outlined in Council's Outdoor Dining Operating Guidelines ([Outdoor-Dining-Guidelines_May-2022.pdf \(d31atr86jnqrq2.cloudfront.net\)](#)).
13. It is anticipated that a review will involve engagement with businesses on Leigh Street, relevant agencies including CBS (liquor licencing), emergency services (access to the area), and stakeholder groups representing pedestrian movement and accessibility matters.
14. Outcomes of the review will be shared with Council via eNews.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Targeted engagement will be undertaken with identified stakeholders including businesses on Leigh Street, CBS, emergency services and accessibility groups.
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Not applicable
Budget reallocation	Not applicable
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	Not applicable
Other	Not applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 5.5 hours.

- END OF REPORT -