



Outdoor Dining Policy

Reference Number:	4.24
Type:	Council
Category:	Safety & Community
Relevant Community Plan Outcome:	<ul style="list-style-type: none">• In our City no one gets left behind; everyone has access to quality resources, services, programs, information and social infrastructure to fully participate in their community• Charles Sturt is made up of strong and vibrant communities; we celebrate our identity, heritage and cultural diversity. People feel a sense of belonging, inclusion and social connectedness• Charles Sturt is a place where people feel safe in their homes, neighbourhoods and public places; they are resilient and manage shocks and stresses to build a stronger community• Our values, leadership and collaborative approach are bold and courageous and enables us to deliver value for our Community and create a leading liveable City
Responsible Officer(s):	Manager Public Health & Safety
First Issued/Approved:	September 2007
Minutes Reference:	CoS 3/10/2023, Item 4.44
Last Reviewed:	October 2023
Next Review Due:	October 2025
Applicable Legislation:	Local Government Act 1999 Planning, Development and Infrastructure Act 2016 Disability Discrimination Act 1992 Australian Standards
Related Policies:	Risk Management Policy Encroachment Policy Fees and Charges Register
Related Procedures:	N/A

1. Purpose

The City of Charles Sturt recognises the popularity of outdoor dining and its contribution to increased social and cultural life within the City, enhancing a sense of identity, vibrancy, security and relaxation, and its importance for economic prosperity of the City.

This Policy assists Council to safely manage the competing needs and interests of pedestrians, road users and business owners by allowing outdoor dining in a manner that improves the usage, quality and image of the City's public realm.

2. Scope

This policy covers all applications made to Council for the use of public roads/footpaths for the purpose of outdoor dining.

3. Policy Statement

Council provides footpaths for walking, cycling and small wheeled vehicles, but they can also be used in some circumstances, where space allows, for outdoor dining. This policy supports that use and outlines the objectives that Council is seeking to obtain.

- 3.1 A person must obtain approval before using a public road (including a footpath) for outdoor dining (i.e. an Outdoor Dining Permit), or any other business use. Development approval may also be required, and applicants should seek advice as to all approvals that are required before using any part of a road for outdoor dining, or any other business use (it is an offence to use a public road for a business purpose unless authorised to do so by a permit).
- 3.2 Council encourages the use of public footpaths and spaces for outdoor dining for the enhancement of street life and public spaces where appropriate.
- 3.3 Council encourages outdoor dining when the needs of all users of the street and public space, including the safety of pedestrians and other users are met. Council will take these factors into account, as well as other relevant factors in assessing an application for an Outdoor Dining Permit.
- 3.4 Council encourages outdoor dining when it is designed to protect and enhance the character of its surrounding streetscape and built form.
- 3.5 Applications for Outdoor Dining Permits must be made in writing in the form specified by the Council and accompanied by such information as the Council may reasonably require.
- 3.6 Outdoor dining shall be conducted in accordance with the Outdoor Dining Permit conditions and/or any other approval conditions granted.
- 3.7 The Mayor and Ward Councillors are to be advised of all applications considered by the Staff Advisory Group for Outdoor Dining Permits as per the Staff Advisory Group's Term of Reference (CS, 17/06/19, Item 3.46).
- 3.8 Outdoor Dining Permits will be subject to conditions (including the payment of an annual fee) as determined by the Council and set out in the Outdoor Dining Permit.

Outdoor dining requests on Council owned or community land (i.e. not public roads) will be assessed by Council's Open Space, Recreation and Property Portfolio, in accordance with Council's Community Land Management Plans and the Crown Land Management Act where applicable. The objectives identified above will be taken into consideration when assessing these applications.

4. Definitions

Nil