



Outdoor Dining Policy

| | |
|-----------------------------------|----------------------------|
| Responsible Officer | Chief Executive Officer |
| Relevant Delegations | Manager Development |
| Legislation and References | Local Government Act 1999. |

1. Introduction

Clare & Gilbert Valleys Council values and promotes the increasing popularity of outdoor dining. Outdoor dining encourages an increased social and cultural life within the Council area, providing a heightened sense of identity, animation, security and relaxation.

To facilitate outdoor dining, Council has a process of issuing permits to cafes, hotels, restaurants and delicatessens for the use of part of the footpath space in front of their premises. However, Council must also consider other competing uses of Council footpaths and is keen to establish a practical balance among the various user groups.

Footpaths are the property, refuge and transit lanes of pedestrians. The issuing of a permit for private use, such as outdoor dining, does not grant exclusive rights over the relevant public space and cannot exclude the general public from using the tables and chairs provided for the purpose of outdoor dining.

At the same time, Council wishes to support the appropriate use of public spaces for outdoor dining and welcomes the enhancement of street life that flows from this. The investment that business owners have made in the infrastructure provided to cater for outdoor dining is also recognised.

2. Policy Objectives

To manage the competing needs and interests of pedestrians and business owners by allowing outdoor dining in a manner that improves the usage, quality and image of the Council's public realm.

3. Policy Statements

3.1 Clare & Gilbert Valleys Council encourage the use of public footpaths for outdoor dining in appropriate locations for the enhancement of street life that follows on from this use;

| File Path | Last review | Next review | Page |
|--|---------------|---------------|-------------|
| L:\1. Organisational Documents\Council Policies\Council Adopted Policies\Outdoor Dining Policy 2023.Docx | November 2023 | November 2028 | Page 1 of 2 |

*Electronic version on the Intranet is the controlled version. Printed copies are considered uncontrolled.
Before using a printed copy, verify that it is the current version*



Outdoor Dining Policy

- 3.2 Outdoor dining is encouraged when it is designed to protect and enhance the character of its surrounding streetscape and built form;
- 3.3 Council supports outdoor dining when it considers the needs of all users of the street, including the safety of pedestrians and diners;
- 3.4 Council encourages businesses to provide appropriate outdoor dining but recognises that granted rights over the relevant public space does not exclude the general public from access and use of the tables and chairs provided for outdoor dining.
- 3.5 A business must obtain a Permit from Council to have outdoor dining and pay any fees associated with the outdoor dining area (refer to fees and charges schedule).
- 3.6 The business must adhere to the requirements of the Outdoor Dining Procedure.

4. References

Local Government Act 1999
Disability Discrimination Act 1992
Planning Development & Infrastructure Act 2016
Australian Standards
Fees & Charges Schedule

5. Policy Review

This policy will be reviewed every Five years, or as required.

I.

The policy is also available on Council's website www.claregilbertvalleys.sa.gov.au

6. Document History

| Approved by | Issue Date | Minute Reference – Details of Review |
|-------------|------------|--------------------------------------|
| CGVC | 21/04/2008 | Adopted by Council MB 224/08 |
| CGVC | 16/11/2016 | Reviewed by Council |
| CGVC | 29/01/2018 | Reviewed by Council 29/01/18 – 25-18 |
| CGVC | 17/06/2019 | Major Review by Council 171-19 |
| CGVC | 15/11/2023 | Reviewed by Council |

| File Path | Last review | Next review | Page |
|--|---------------|---------------|-------------|
| L:\1. Organisational Documents\Council Policies\Council Adopted Policies\Outdoor Dining Policy 2023.Docx | November 2023 | November 2028 | Page 2 of 2 |

*Electronic version on the Intranet is the controlled version. Printed copies are considered uncontrolled.
Before using a printed copy, verify that it is the current version*