



Outdoor Dining Policy

Responsible Officer	Chief Executive Officer
Relevant Delegations	Manager Development & Environmental Services
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;

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- 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
 Development Act 1993
 Australian Standards
 Fees & Charges Schedule

5. Policy Review

This policy will be reviewed every four years, or as required.
 The public may inspect a copy of this policy without charge at the Council offices during office hours and may obtain a copy for a fee fixed by Council.
 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

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