

## **Council Policy NB-P-28**

### **Outdoor Dining and Footpath Merchandise Policy**

#### **Purpose**

This policy aims to create a vibrant streetscape that is safe and welcoming, encouraging tourists and locals to visit, enjoy, and return. By regulating the placement of outdoor dining furniture and footpath merchandise, the policy supports local businesses while ensuring safe and equitable access to public footpaths and spaces for all users.

#### **Policy Principles**

- Contributing to a vibrant and welcoming street environment while supporting local economic development.
- Maintaining the pedestrian thoroughfare as the primary purpose of the footpath and promoting accessibility by maintaining a consistent and predictable clear path of travel for all users.
- Ensuring street furniture, display stands, racks or containers are of a suitable standard and visually pleasing, contributing to the creation of an appealing streetscape.
- Fostering neighbourhood amenity through minimising additional noise, visual and other adverse impacts.
- Encouraging the use of sustainable materials and eco-friendly management practices.
- Minimising public liability risk through the issue of approvals considered against the Outdoor Dining and Footpath Merchandise Guide.
- Monitoring compliance with approvals and undertaking enforcement action when appropriate.
- Charging a fee for the use of the footpath as set out in Council's Fee and Charges.

#### **Scope and Application**

This policy applies to the business use of land owned or managed by Council for outdoor dining and footpath merchandise within the Northern Beaches Local Government Area. Execution of this policy is guided by the Outdoor Dining and Footpath Merchandise Guide.

#### **References and Related Documents**

- Policy Framework
- Outdoor Dining and Footpath Merchandise Guide
- Local Government Act 1993
- Environmental Planning & Assessment Act 2017 (as amended)
- State Environmental Planning Policy (Exempt & Complying Development Codes) 2008
- Building Code of Australia Crown Lands Act
- Food Act 2003

## Definitions

Clear path of travel	The area of the footpath maintained for safe and equitable pedestrian circulation which is free from obstructions and assists in wayfinding and navigation.
Outdoor dining	Dining on the public footpath which is associated with an approved restaurant, cafe or similar.
Footpath merchandise	The display of goods on the public footpath associated with an adjacent business premises.
Public footpath	The part of a road as is set aside or formed as a path or way for pedestrian traffic (whether or not it may also be used by bicycle traffic).
Street furniture	Removable tables and chairs or other approved furniture owned by restaurants, cafes or similar for use in the outdoor dining area.
Display stands, racks and containers	Removable items owned by the business premises used in the footpath merchandise display area.

## Community Strategic Plan

This Council policy relates to the Community Strategic Plan Outcome of:

- Vibrant local economy - Goal 15 Our centres are sustainable, encompassing a diverse range of businesses that attract visitation and provide work, education, leisure and social opportunities
- Transport, technology and connectivity - Goal 17 Our community can safely and efficiently travel within and beyond the Northern Beaches

## Responsible Officer

Executive Manager Property

## Review Date

November 2028

## Revision History

Policy number	Date	Detail	TRIM #
NB-P-28	November 2024	Draft updated policy to Council	2024/696576
NB-P-28	November 2024	Adopted by Council	2024/696576