



Outdoor Dining Policy

Local Government Act 2009

1. POLICY STATEMENT

Townsville City Council ("Council") recognises the importance of the city's vibrant and unique outdoor lifestyle.

To enhance the amenity and vibrancy of Townsville, the Council encourages the use of Council-controlled outdoor areas by businesses serving food (and/or beverages) to the public.

2. PRINCIPLES

The Council will approve the use of Council-controlled outdoor areas for outdoor dining subject to the dining area being:

- adjacent or near to the business operator's restaurant or café;
- located and constructed in a way that minimises risks to patrons from traffic; and
- configured and used in a way that will not unreasonably interfere with pedestrian movement.

Council will endeavour to provide a fast, streamlined approvals process where possible.

3. SCOPE

This policy applies to any business use of Council-controlled areas for outdoor dining. Planning and Development is responsible for administering applications made under this policy.

4. RESPONSIBILITY

The Chief Planning and Development Officer, Team Manager Development Assessment and Coordinator Planning Assessment are responsible for ensuring that this policy is understood and adhered to.

5. DEFINITIONS

Outdoor dining – means the use of the Council-controlled areas for the purpose of extending the services of premises whose main function is the provision of food and/or beverages to the public. Such premises include restaurants, cafes, bars, delis and other food outlets.

6. POLICY

This policy applies to the conduct of outdoor dining areas within the City of Townsville. It applies to all outdoor seating areas on Council-controlled areas where food and/or beverages are served.

Outdoor dining must be directly associated with the business that holds the outdoor dining permit, must only operate when those premises are open for business and should contribute to the vibrancy and social amenity of the street life.

The Council will generally support the use of Council-controlled areas for outdoor dining in association with the operation of businesses serving food (and/or beverages) to the public provided that local conditions are appropriate and the use is conducted in compliance with this policy.

Any person wishing to use any Council-controlled areas for outdoor dining must lodge an application for an

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outdoor dining permit. Applications will be subject to a self-assessment, requiring the applicant to confirm compliance with prescribed solutions. In the case of non-compliance with the criteria, a formal assessment will be required.

When assessing applications for outdoor dining permits, the Council will consider all relevant issues, including, but not limited to:

- whether the proposed outdoor dining area is located immediately adjacent to the applicant's existing commercial premises;
- whether the proposed outdoor dining area is located in a defined outdoor dining precinct;
- pedestrian usage of the area;
- vehicular usage of the area;
- the safety of patrons of the proposed outdoor dining area;
- amenity;
- streetscaping.

The Council will reject any application, otherwise complying with the policy, which in its opinion causes detriment to the amenity of the locality or is otherwise not supported by Council.

Details of Council's requirements for businesses wishing to use public space to conduct outdoor dining are outlined in the guidelines associated with this policy. These cover various aspects such as:

- applications and approvals;
- design and layout;
- kerbside risk management.

This policy must be read in conjunction with the [Outdoor Dining Guidelines](#). In cases where the applicant cannot comply with the prescribed solutions, assessment against the Townsville City Plan Development Manual Planning Scheme policy - SC6.4.20.2 Outdoor dining design is required.

It will be a condition of all outdoor dining permits that the applicant obtain and comply with the conditions of all other relevant approvals for the activity.

7. LEGAL PARAMETERS

Local Government Act 2009

Local Government Regulation 2012

Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011

8. ASSOCIATED DOCUMENTS

[Outdoor Dining Guidelines](#)

Outdoor Dining Permit Online Application Form

Townsville City Plan – Development Manual planning scheme policy - SC6.4.20.2 Outdoor dining design

Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011

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