

Draft On-Street Dining - policy

PURPOSE:

To provide consistency in the regulation of business trading activities in streets, footpaths and malls in the Launceston municipality.

The intent of this policy is to make it easier for businesses to obtain an On-Street Dining licence. The City of Launceston's priority is to activate our public footpaths for On-Street Dining activities. This will encourage people to spend more time within our city to promote a more vibrant and liveable city, whilst maintain the balance between the amenity, pedestrian safety and accessibility.

SCOPE:

This On-Street Dining policy applies to all public roads, streets, lanes and malls across the entire municipality of Launceston.

The policy has also taken into consideration the requirements of the *Commonwealth of Australia Disability Discrimination Act 1992*, *Commonwealth of Australia Disability [Access to Premises - Buildings] Standards 2010*, the *Tasmania Anti-Discrimination Act 1998* and has been developed in conjunction with a DDA compliance consultant.

On-Street Dining licences are required when utilising the public footpath for On-Street Dining activities and the licence will be issued for a period of 12 months.

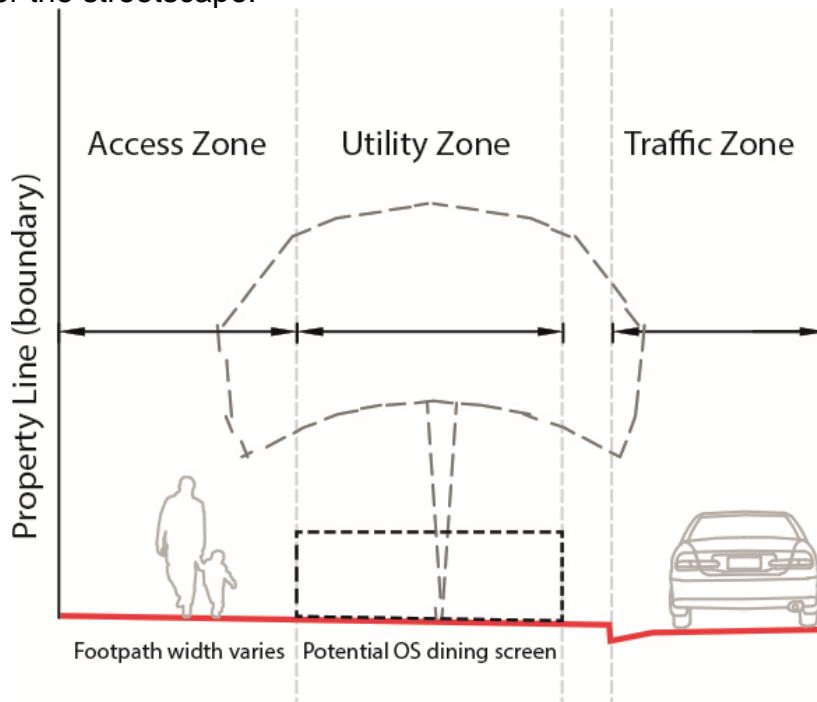
Launceston's heritage value will also be taken into consideration when approving On-Street Dining applications.

POLICY:

1. Streetscape

A streetscape is defined into four segments. These are Property Boundary, Access Zone, Utility Zone and Kerbside. The segments ensure the safety of diners and access for pedestrians whilst providing the opportunity for streetscapes to be activated for the utilisation of On-Street Dining.

The On-Street Dining Guidelines & Specifications (18-Rfx-033) further defines the requirements for the streetscape.



TYPICAL SECTION ON-STREET DINING

2. Council Infrastructure

Where there is existing Council infrastructure preventing the potential use of On-Street Dining activities, the Council will consider covering the costs associated with removal or relocation.

3. Screen Fencing

Screen fencing must be used if the On-Street Dining area is adjacent to kerbside parking. Screen fencing is also used to separate neighbouring dining areas. All temporary fencing must be removed at close of business.

4. Bollards

Bollards are used to improve the safety of patrons dining near traffic lanes. They must be used when the dining area is directly adjacent to traffic lanes - including turning lanes (i.e. where there is no on-street parking).

5. Shade Structures

Shade structures offer protection from the sun and shelter from the rain. The Council encourages the use of shade structures for the comfort of patrons.

6. Maintenance of Dining Area

On-Street Dining areas are a public space and it is the responsibility of the licensee to ensure these areas are kept clean and tidy.

7. Suitability of On-Street Dining

The Council encourages the use of pedestrian areas for On-Street Dining, but also recognises that some areas may not be suitable. The Council is willing to work with the applicant to determine a suitable solution.

8. Licencing

Businesses do not require a food licence for the approval of On-Street Dining unless they are preparing and serving food from the premises.

9. Goods on Footpath

Advertising material, door mats and other products are not permitted to be placed in front of the premises within the pedestrian area. These create a significant trip hazard risk and remove the clear property lines.

Please refer to Portable Signs Guidelines and Specifications (18-Rfx-035) and Goods on Footpaths Guidelines and Specifications (18-Rfx-034).

PRINCIPLES:

The Council's Organisational Values apply to all activities.

RELATED POLICIES & PROCEDURES:

- Draft 18-Rfx-033 On-Street Dining Guidelines and Specifications
- 18-Rfx-034 Goods on Footpaths Guidelines and Specifications
- 18-Rfx-035 Portable Signs Guidelines and Specifications

RELATED LEGISLATION:

Local Government (Highways) Act 1982

Local Government Building and Miscellaneous Act

Commonwealth of Australia Disability Discrimination Act 1992

Commonwealth of Australia Disability [Access to Premises - Buildings] Standards 2010

Tasmania Anti - Discrimination Act 1998

REFERENCES:

Not applicable.

DEFINITIONS:

Council

The City of Launceston.

Business

Any commercial activity including but not limited to retail or wholesale of goods, restaurants, amusement centres, nightclubs, or the delivery of a service or exchange, etc.

Footpath

An area open to the public that is designated for, or has as one of its main uses, use by pedestrians.

Mall

A mall under the control of the City of Launceston, including but not limited to Brisbane Street Mall, the Quadrant Mall and Civic Square.

On-Street Dining

The provision of chairs and table structures for use by customers of an adjoining food serving premises.

On-Street dining activities

The consumption of food and or beverages by seated customers in an area on a highway external to a shop or restaurant and managed by that shop or restaurant.

Property Line

The line that defines the boundary between the road reserve and private property.

Pedestrian Areas

Is defined between the property boundary and the utility zone, and is known as the access zone. Also includes malls, avenues and any other public road reserve / footpaths defined by the Director Infrastructure Services.

Licence

A pavement encroachment licence issued by the Council in accordance with the On-Street Dining Guidelines 18-Rfx-033.

REVIEW:

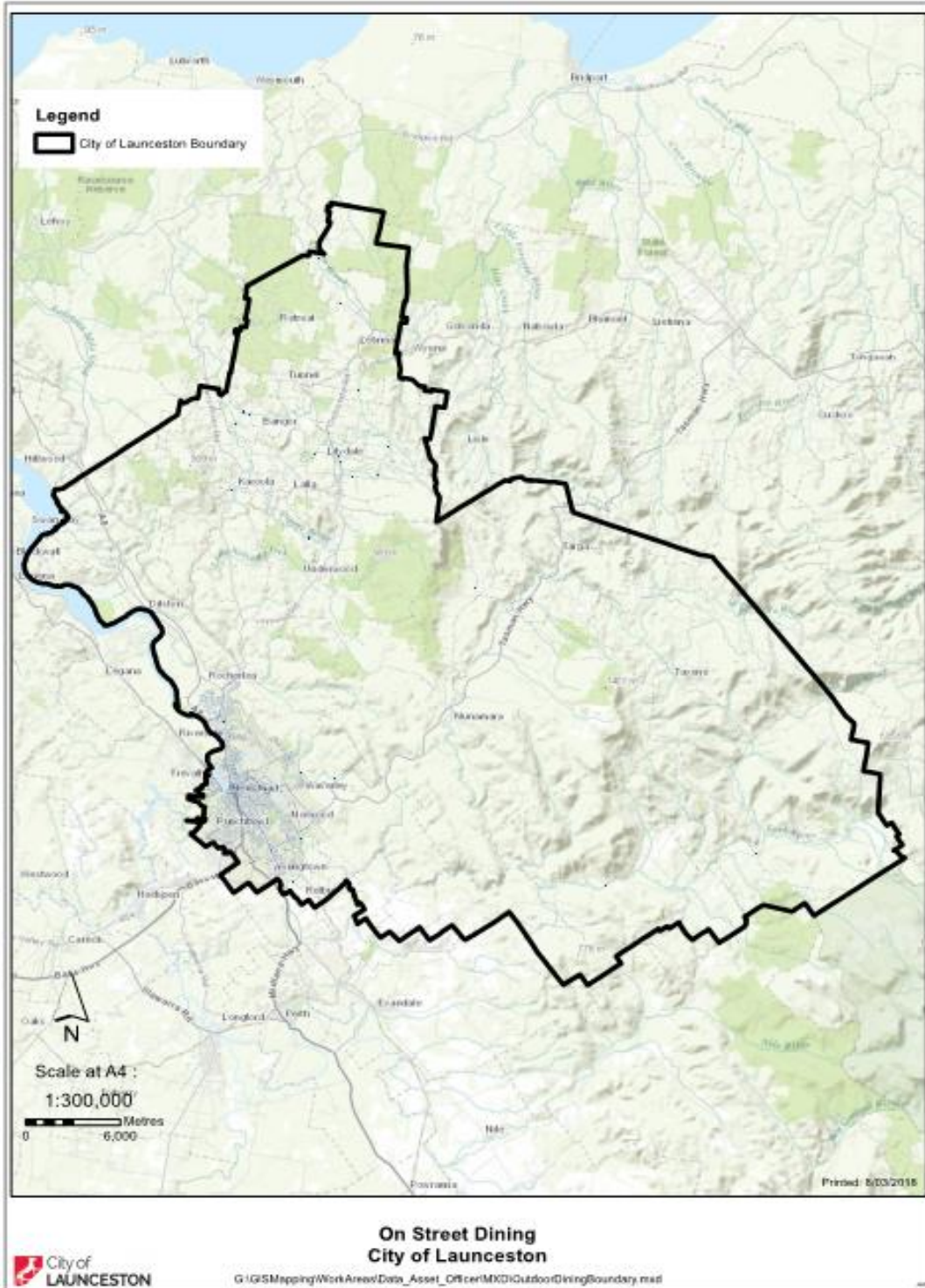
This policy will be reviewed in 5 years or earlier if requested by the Council.

Appendix 1: Central Business District Map



NOTE: Do not print and **store** a copy of this document.
Always use the Intranet copy to make sure that you have the latest version.
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Appendix 2: Council Municipal Boundary Map



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