



City of Perth

Outdoor Dining Guidelines

AUGUST 2021



TABLE OF CONTENTS

Introduction	3
Urban Design Principles	5
Suitable Locations	6
Determining the extent of the outdoor dining area	7
Designing the outdoor dining area	16
Managing and operating the outdoor dining area	23
Compliance	26
Decommissioning of an outdoor dining area	26
Applying for an outdoor dining permit	27
Outdoor Dining Checklists for Applicants	30
Frequently Asked Questions	37
Site Plan Example	38

Acknowledgement of Country

The City of Perth acknowledges the Whadjuk Nyoongar people as the Traditional Owners of the lands and waters where Perth city is situated today and pay our respect to Elders past and present.

1. Introduction

Importance of Outdoor Dining

The City of Perth supports the use of suitable public spaces for outdoor dining.

Outdoor dining provides important benefits to the city. By nature of its location in our public places, outdoor dining is perfectly suited to Perth's climate; it should be temporary in nature, and complement the associated food business.

High quality outdoor dining areas:

- Create diverse street activity and contribute to the life and vibrancy of streets and other public places, aligning with the City of Perth Strategic Community Plan Shaping Our Capital City
- Attract residents, visitors and tourists to spend time in the city and provide activity that makes public spaces feel safer
- Support the City's economy by increasing trading opportunities for cafes, restaurants and bars.

Objectives of the Guidelines

These guidelines will assist business owners to create and manage high quality outdoor dining areas and support them in complying with the *Outdoor Dining Local Law 2019*.

The City conducted extensive community and stakeholder consultation to develop the following objectives:

- Ensure equal access to and public safety in public places with outdoor dining
- Encourage high quality outdoor dining areas that enhance amenity and brings activity to the city
- Ensure outdoor dining areas are safe and sustainable
- Provide information on local laws and associated standards that are applicable to outdoor dining areas
- Outline the processes in place to support outdoor dining

The City of Perth Outdoor Dining Guidelines can be accessed through the City website and are available in other formats on request.

Who do the guidelines apply to?

The guidelines apply to:

- outdoor dining areas on public land, and City owned and leased land within the City of Perth
- existing food businesses that have an outdoor dining permit
- new applicants for outdoor dining permits

Outdoor dining applicants must be a registered food business within the City of Perth and should have a tenancy fronting the public place where outdoor dining will be situated, with clear and unobstructed access and views to this area.

Each application will be assessed by the City on a case-by-case basis.

Existing Outdoor Dining Areas

Permit holders that commenced operation of their outdoor dining permit under the previous Alfresco Dining 2000 Policy, or any earlier Policy, had until June 2021 to ensure their outdoor dining area met the minimum standards set out in the revised *Outdoor Dining Local Law 2019* and these guidelines.

Our Pillars

This Plan was firmly guided by our desire for a City that is **liveable**, **sustainable** and **prosperous**. By developing a clear and strong linkage to these aspirational pillars and reflecting them in how we respond to our community's needs, we can focus on creating meaningful differences in our neighbourhoods and for Perth itself as one of the most liveable cities in the world. This approach reflects a triple bottom line philosophy in all we do.



Liveable



Sustainable



Prosperous

Definitions

Outdoor dining

Outdoor dining and/or drinking in a public place.

Outdoor dining area

An approved area in which tables, chairs and other structures can be placed for the supply and consumption of food or beverages, or both.

Furniture and other approved items must be located within this area at all times when the business is operating.

Public place

A public place is defined by the *City of Perth Thoroughfares and Public Places Local Law 2017* as “any thoroughfare or place which the public are allowed to use.”

These places are open and available for all members of the community to enjoy cultural, social and recreational activities. This includes footpaths and pedestrian malls. Public places must be accessible to all members of the community and allow for effective pedestrian movement.

Applicant

The business or representative of a registered food business formally applying to operate an outdoor dining area in a public place, within the City of Perth’s jurisdiction.

Outdoor dining permit

A permit, approved by the City of Perth, that allows the operation of an outdoor dining area in a public place within the municipality.

Under the *Outdoor Dining Local Law 2019*, a permit from the City of Perth is required to operate an outdoor dining area in any public place.

Permit holder

The business or representative of the business that holds an outdoor dining permit.

Development Application

A Development Application (DA) is a formal request for approval to change the use of a premises from one activity or land use to another. This is a separate application and approval process to the outdoor dining application, if required.

Non-fixed items

Furniture and items that can be easily and quickly removed from the outdoor dining area are considered non-fixed. This includes tables and chairs.

Semi-fixed items

Furniture and items require a permanent footing or structural installation system. This includes umbrellas, canvas screens and planter boxes.

Fixed items

Furniture and items that are permanently fixed in the street and not easily removeable at short notice or at the end of trading each day. This includes glass screens.

2. Urban Design Principles

Outdoor dining should contribute to the creation of inviting public places for the whole community. The following principles outline the urban design considerations required to deliver successful public places that support outdoor dining. Outdoor dining should:

Embrace the public nature of the street

Ensure that the public place is open and welcoming, allowing people to dwell, move through and enjoy the streetscape.

Allow for activity and movement of all pedestrians

Provide permeable streets and public places, ensure that people are on the same physical level, and allow for uninterrupted paths of travel that are accessible to all users regardless of ability.

Ensure the streetscape is visually easy to understand and negotiate

Crowding the street or footpath with items and obstacles should be avoided.

Support the street's identity and character

Avoid visual or physical clutter that detracts from the appeal and clear views of building and shop frontages and select quality materials that provide a positive sensory experience.

Complement the existing streetscape

Have their configuration and layout tie in with the street's design and any future planned designs.

Embrace Perth's climate and urban greenery

Allow for people to enjoy the seasonality of the city, embrace the outdoor environment by avoiding enclosing the outdoor dining area. This is a key part of the outdoor dining experience – Perth has the highest number of sunny days and sunshine hours of any Australian capital city (source: Bureau of Meteorology) and a small proportion of rainy days; outdoor dining should make the most of this.

Allow for flexibility of use

Outdoor dining areas should have a robust design, so that the changing needs of the public place can be accommodated.

Contribute to a pleasant built environment

Select materials that will ensure resilience and easy maintenance, despite rigorous use.

Support public safety through passive surveillance

Provide uninterrupted sightlines to encourage passive surveillance of the street. It is essential to 'see and be seen', in other words, for patrons in an outdoor area to see their surroundings and to be seen by passer-by's.

3. Suitable locations

Outdoor dining areas should provide comfortable and attractive environments for patrons. They should be positioned to enhance the public place and improve the street's activity. Outdoor dining is particularly encouraged in areas that have potential for more pedestrian activity, and in areas that would benefit from increased activity outside of peak business hours.

Consideration should be given to ensuring the outdoor dining area does not negatively impact neighbouring uses or the amenity of the surrounding streetscape

Outdoor dining is most appropriate in the following locations:

- Footpaths directly outside the associated business which are not required for existing or proposed public infrastructure or service (e.g. bus stops).
- Streets with a minimum 3.2m combined footpath and kerb width, to ensure minimum pedestrian clearance and kerb setback requirements are met.
- Laneways.
- Pedestrian malls.

The City of Perth will determine the impact and appropriateness, with respect to location, for all outdoor dining applications and amendments. The final location and position of the outdoor dining area is subject to the City's approval.

Please be aware that not all locations are suitable for setting up an outdoor dining area.

Residential areas

Traditional residential neighbourhoods, including Crawley and Nedlands, are particularly sensitive to commercial activity in their public places. For these neighbourhoods to have outdoor dining and continue to be socially sustainable, it is important that the business is compatible with the community's access to and use of the public place.

Outdoor dining beyond permit holder's frontage

Applicants may apply for their outdoor dining area to extend beyond their building frontage to a single adjacent neighbour.

The applicant must provide written permission from the business owner and building owner of the neighbouring premises, and include it in their application. The written permission must include an acknowledgement that the extension of outdoor dining in front of the neighbouring premises will result in the area no longer being available for their use during outdoor dining trading hours.

If permission is withdrawn by the neighbouring building owner or business owner (current or future), the outdoor dining area must be removed. The permit holder must submit a revised outdoor dining area plan and withdrawal letter as part of this process.

Temporary extension into car parking embayments on James Street, Northbridge

Applications for the temporary extension of outdoor dining into a car parking embayment may be considered. The car parking embayment must be directly adjacent the applicant's business, and all furniture and outdoor dining items must be non-fixed and removeable at the end of each day. They must also be accessible by wheelchair, as such an access ramp that is compliant with Australian Standards may be required.

Traffic safety will be a key consideration when assessing the application, especially if located close to a street intersection. If approved, removable barriers must be provided by the permit holder to prevent patrons or furniture from encroaching on to the roadway. Furniture and other items cannot block access to storm-water inlets or other key services. Other site-specific conditions may also apply to the permit holder.

Narrow footpaths

In areas where footpaths are narrow and the required pedestrian clearances only allow for small outdoor dining areas (e.g. where the footpath is only 3.2m wide), alternative furniture layouts and modifications to a business' street interface may be considered to allow for outdoor dining.

Alternative arrangements are subject to the City's approval on a case-by-case basis. Note that in some instances a development application may be required.

4. Determining the extent of the outdoor dining area

Outdoor dining should complement the range of different street conditions within the adjacent public place. Suitable, consistent clearances are required around the outdoor dining area to allow for safe and equitable pedestrian circulation and to prevent the appearance of a cluttered streetscape.

Equal Access

The City of Perth is committed to providing convenient and safe pedestrian access for people of all ages and abilities throughout the city.

The City's Disability Access and Inclusion Plan (DAIP) recognises that all city businesses and users are responsible for contributing to a safe, equitable and shared public environment. The DAIP complies with legislative requirements, including the Disability Services Act 1993, Disability Discrimination Act 1992 and the Australian Standards for Access and Mobility.

The permit holder is responsible for ensuring their outdoor dining area complies with the requirements of the City's DAIP.

The DAIP is available for download from the City's website (www.perth.wa.gov.au/live-and-work/community-services-and-facilities/access-and-inclusion) and is available in various other formats on request.

Alignment

To maintain a consistent thoroughfare against the building line for all pedestrians, outdoor dining areas must be located adjacent the kerb.

In minor streets and laneways, and areas with low pedestrian activity, outdoor dining may be aligned adjacent to buildings, subject to the City's approval.

Outdoor dining is not permitted adjacent to buildings in high pedestrian traffic areas such as:

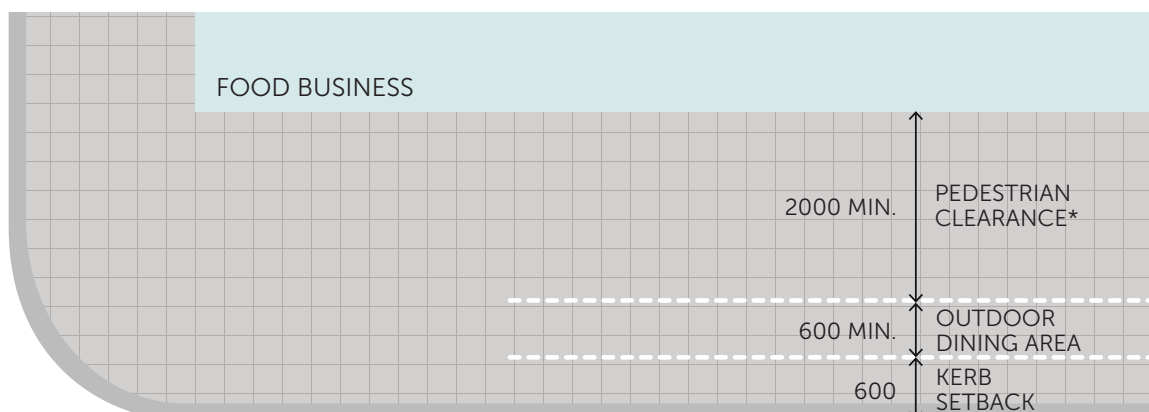
- Hay Street Mall
- Murray Street Mall
- St Georges Terrace
- William Street
- Barrack Street
- Parts of Wellington Street, Hay Street, Murray Street, and James Street as determined by the City

Clearances and Setbacks

The minimum width of an outdoor dining area is 600mm from the face of kerb; relevant kerb setback and pedestrian clearances (outlined below) will need to be allowed for. The following minimum clearances and setbacks are required to ensure safe pedestrian movement and existing street functions are maintained.

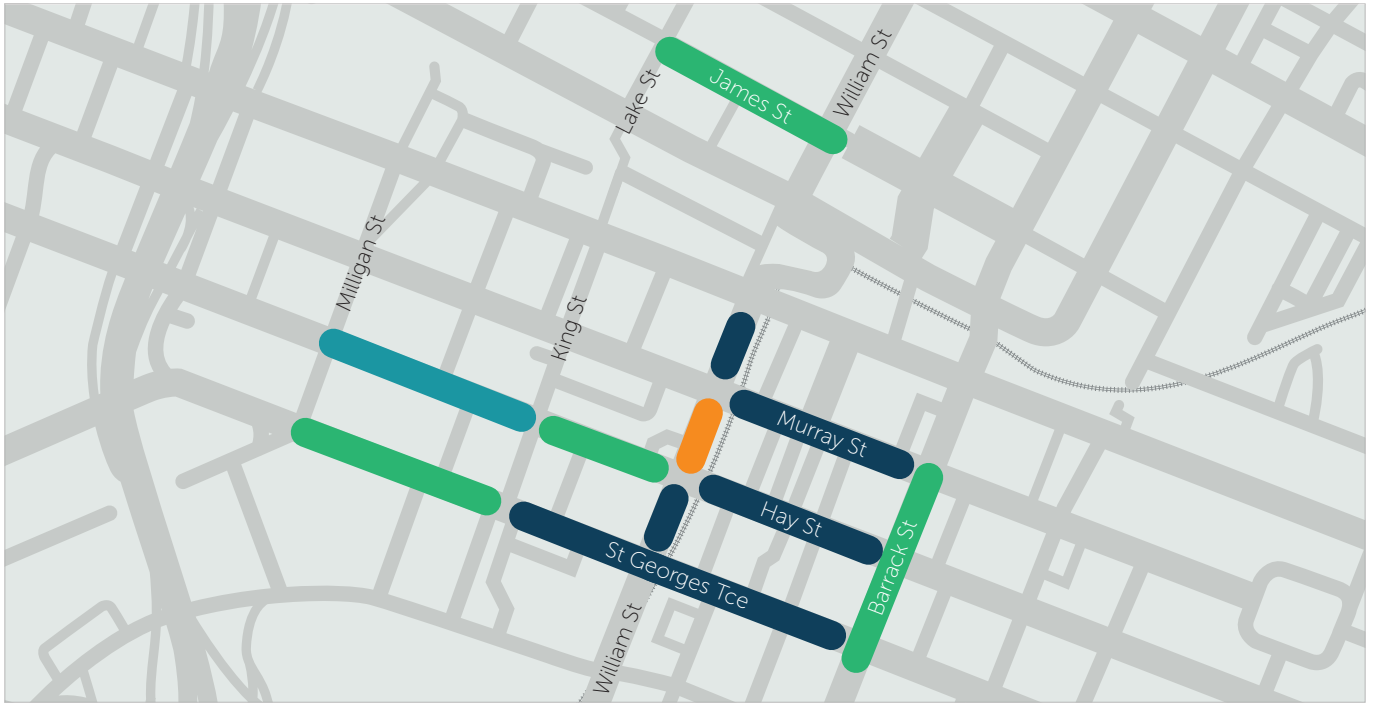
Figure 1.

Example - typical street application of clearances and setbacks



*Pedestrian Clearance determined by Figure 2: Pedestrian Clearances

Figure 2. Pedestrian clearances



Pedestrian clearances

A minimum continuous clear width of 2m for pedestrian circulation is required for footpaths throughout the city. Additional clearances apply to specific streets, as outlined in the diagram above.

These clearances are based on the Australian Standards minimum requirements for pedestrian access, including for people with visual impairment and users of mobility aids.

The City of Perth reserves the right to vary pedestrian clearances to respond to the local conditions of the proposed outdoor dining area, including pedestrian and vehicular traffic volumes, footpath conditions and other street uses.

Legend

- No outdoor dining (bus stop conflict)
- 3m clearance
- 2.5m clearance
- 2.2m clearance
- 2m clearance on all other streets unless noted



Kerb setback

A setback of 600mm is required from the front face of kerb to the outdoor dining area or pedestrian clearance if outdoor dining is adjacent buildings. This helps create a safe environment for patrons and should reduce the likelihood of conflicts with on-street activity.

Figure 3:
Kerb Setback with outdoor dining adjacent to kerbs

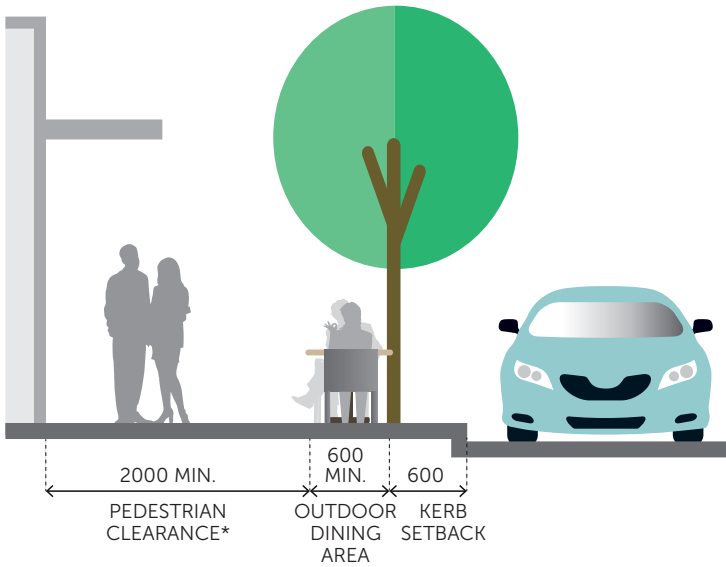
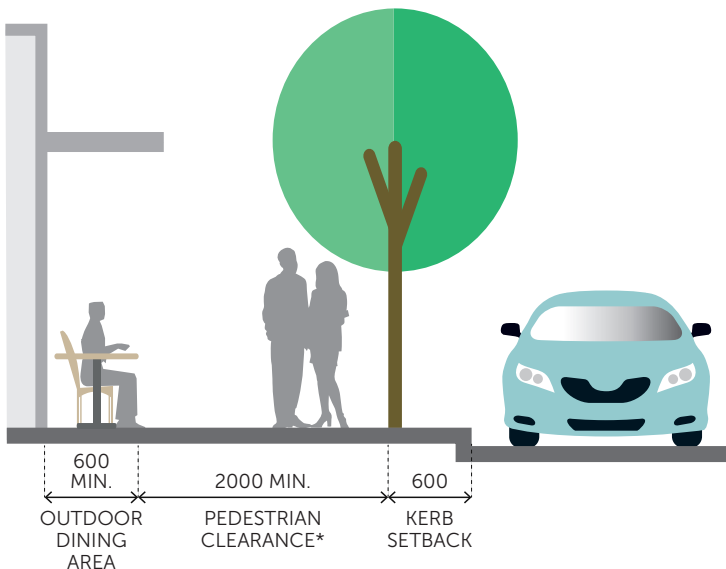


Figure 4:
Kerb Setback with outdoor dining adjacent to building in low pedestrian volume area



*Pedestrian Clearance determined by Figure 2: Pedestrian Clearances



Clearances between businesses with adjacent outdoor dining areas

Clearances between adjacent outdoor dining areas are required to allow for pedestrian access to the street, and to allow for street cleaning and maintenance machinery access.

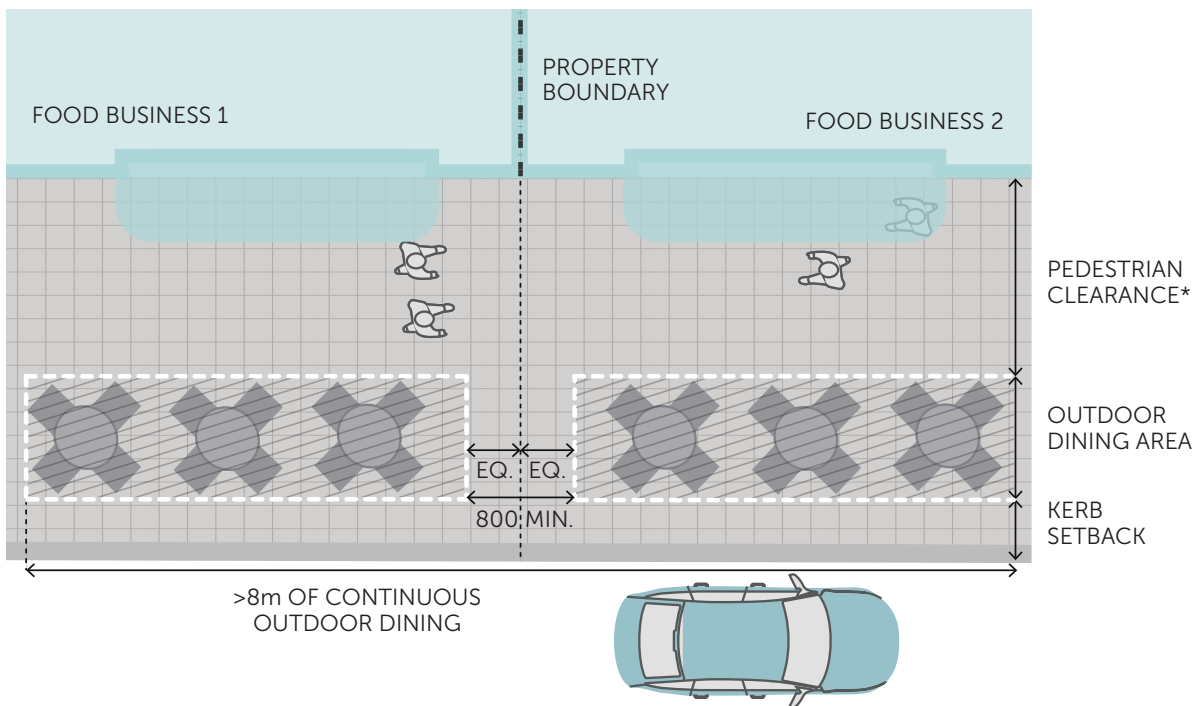
If the combined length of two adjacent outdoor dining areas is greater than 8m, a clear zone shall be provided, aligned with the dividing property boundary.

If no permanently fixed items are being used in the outdoor dining areas, a minimum 400mm clearance is required from the boundary of each area, giving a total clearance of 800mm. In some instances, such as pedestrian malls and areas with flush kerbs, the City may require a 1200mm clearance between two outdoor dining areas.

If permanently fixed items, such as glass screens or permanent planter boxes, are being used in the outdoor dining area, a minimum 800mm clearance is required from the boundary of each area, giving a total clearance of 1600mm.



Figure 5:
Example - clearances between businesses with adjacent outdoor dining areas



Breaks within outdoor dining areas

For every 8m of continuous outdoor dining, an evenly spaced 800mm wide pedestrian break shall be provided. For example, a 12m continuous outdoor dining area would have one evenly spaced 800mm break, and an 18m continuous outdoor dining area would have two evenly spaced 800mm breaks.

Note that in some instances, such as pedestrian malls and areas with flush kerbs, the City may require a 1200mm wide clear zone. These

clearances apply to all outdoor dining areas, including those with screens and planter boxes.

Entry to buildings and businesses

Where outdoor dining has been approved adjacent to buildings in low pedestrian volume areas a 1200mm clearance is required, from the principal pedestrian entrance of a building with outdoor dining to the pedestrian clearance, where the outdoor dining is located adjacent to buildings.

Figure 6:
Breaks within outdoor dining areas

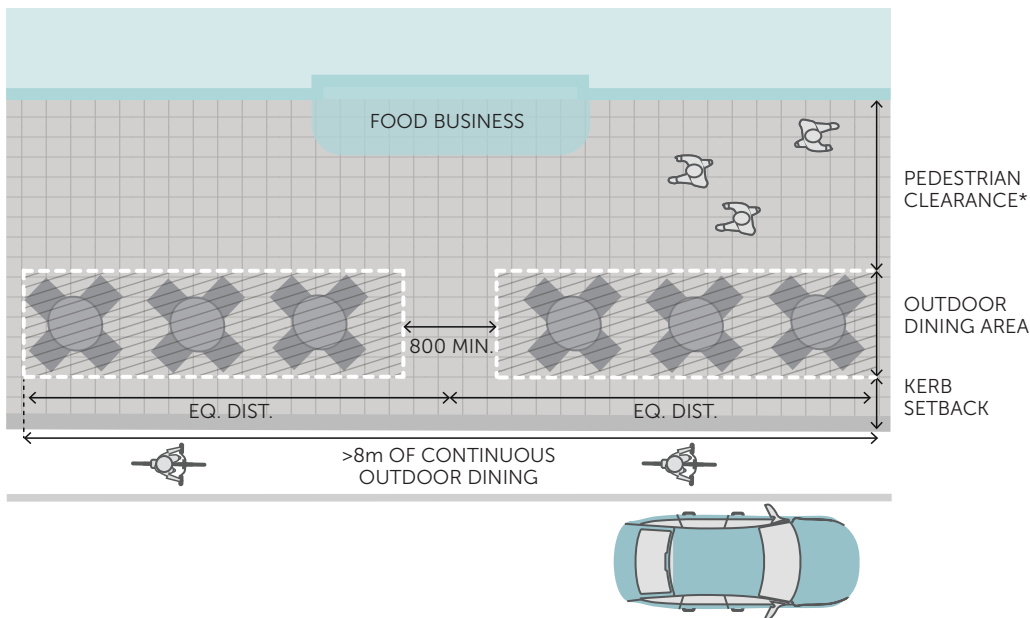
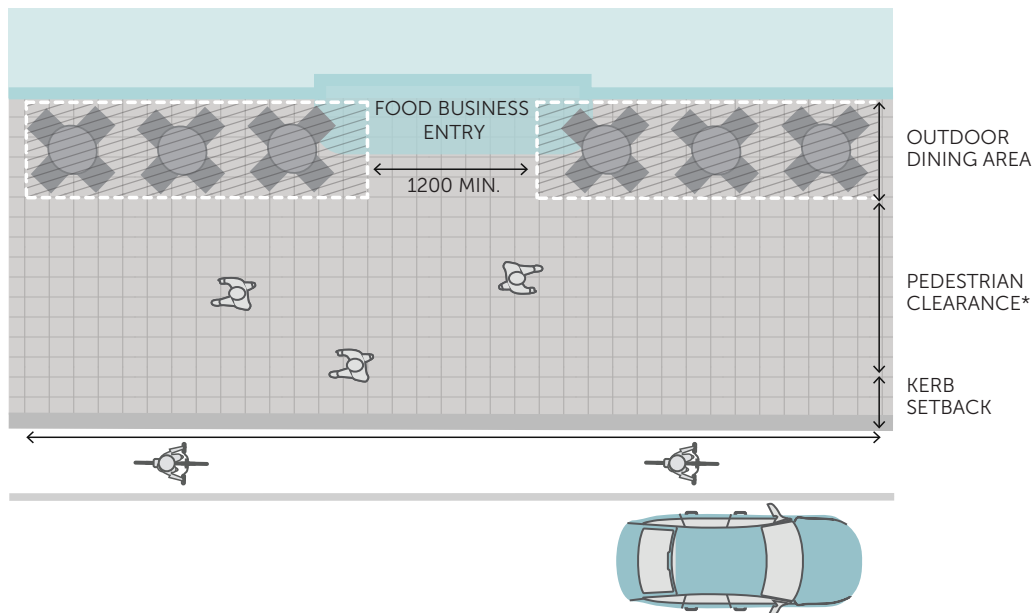


Figure 7:
Entry to businesses with outdoor dining adjacent building on street with low pedestrian volume



*Pedestrian Clearance determined by Figure 2: Pedestrian Clearances

Intersection setbacks

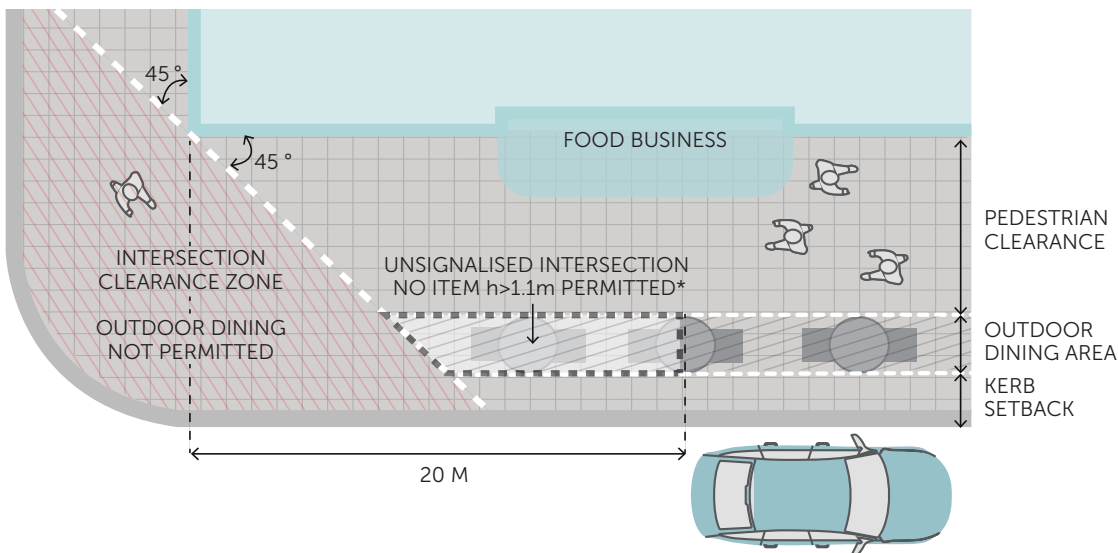
To maintain sightlines for road users, outdoor dining must be setback from intersections. The typical minimum setback from both signalised and unsignalised intersections to the outdoor dining area is determined by a line of sight, set at a 45-degree angle from the corner of the building to the kerb.

Setbacks from intersections may vary depending on site-specific streetscape conditions. Additional setbacks may be required at intersections with high traffic volumes, speeds and/or poor visibility. Final intersection setbacks are subject to the City’s approval.

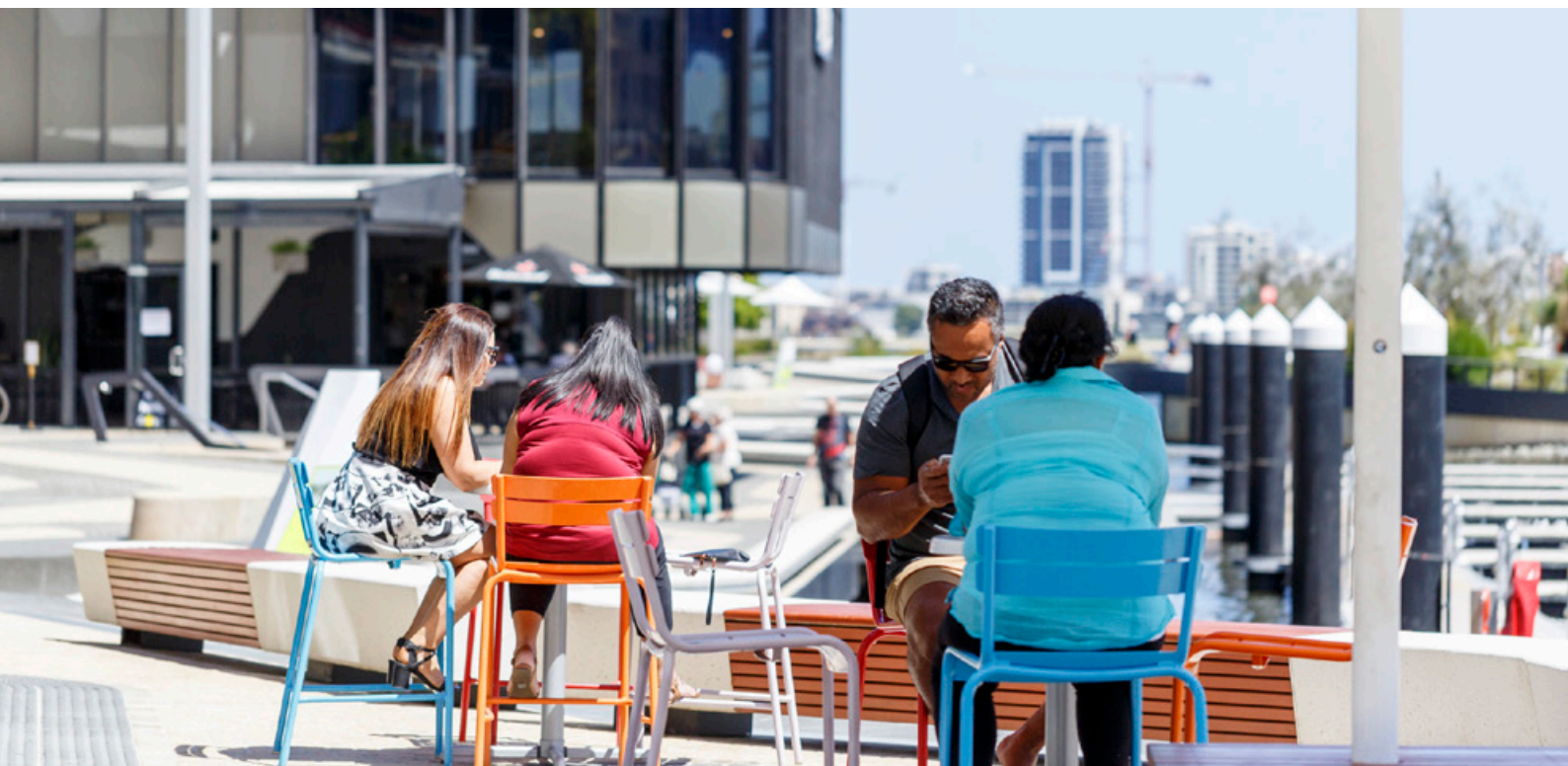
Visibility at unsignalised intersections

Outdoor dining furniture and fixtures within 20m of the building corner at an unsignalised intersection, including laneways, may be no greater than 1100mm high and all barriers shall be visually permeable. This requirement is in addition to the general intersection setbacks.

Figure 8:
Typical street intersection setbacks



*Refer to *Visibility at unsignalised intersections* outlined below.



Colonnades

On Hay Street colonnades support built structures that extend over the footpath and public place. These should be integrated into the outdoor dining area to provide shade and shelter.

The outside edge of the outdoor dining area must not extend beyond the colonnade. In addition, a continuous path of travel adjacent buildings shall be provided in accordance with minimum pedestrian clearances.

Driveways, laneways, and right-of-way's

All outdoor dining areas shall be setback 1500mm from the edge of all driveways, laneways, and right-of-way's, to ensure patron and community safety.

Street furniture and infrastructure setbacks

All outdoor dining areas shall be setback 1200mm minimum from all street furniture and other public infrastructure to maintain access for community use and contractor servicing. This includes items such as benches, bins and bike racks, but does not include manholes, service pits, or light poles.

Permit holders have an obligation to temporarily remove outdoor dining area fixtures upon request, with there being no obligation on the service provider to forewarn the permit holder in the case of an emergency (e.g. urgent drainage or electrical works). Staff of the permit holder will need to be made aware of this requirement.

Note that the permit holder or any other persons shall not be entitled to any payments, compensation or damages of any kind from the service provider or the City of Perth where outdoor dining area is removed temporarily to allow for contractor access.

Figure 9: Colonnades on Hay Street

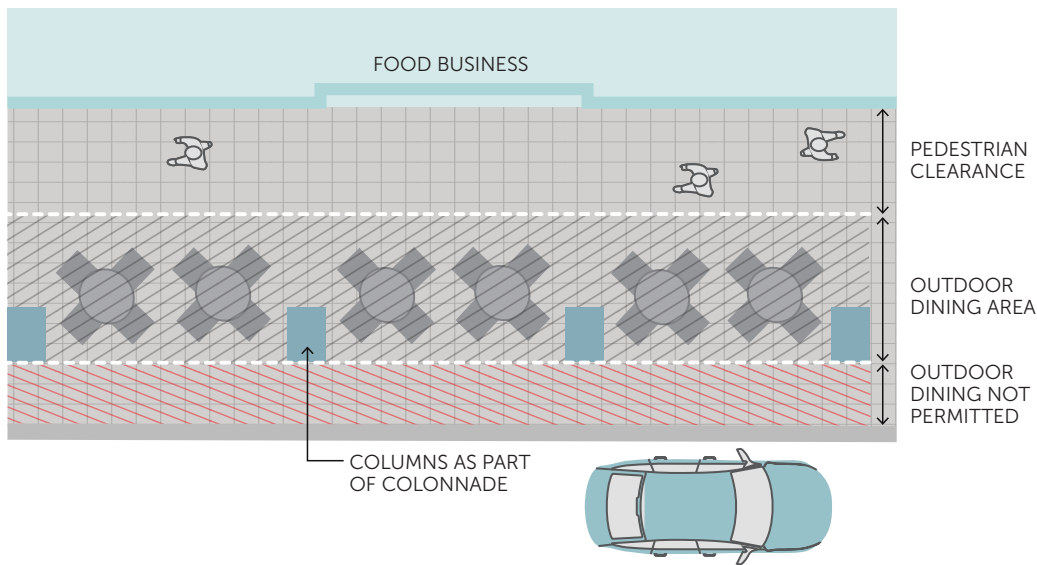
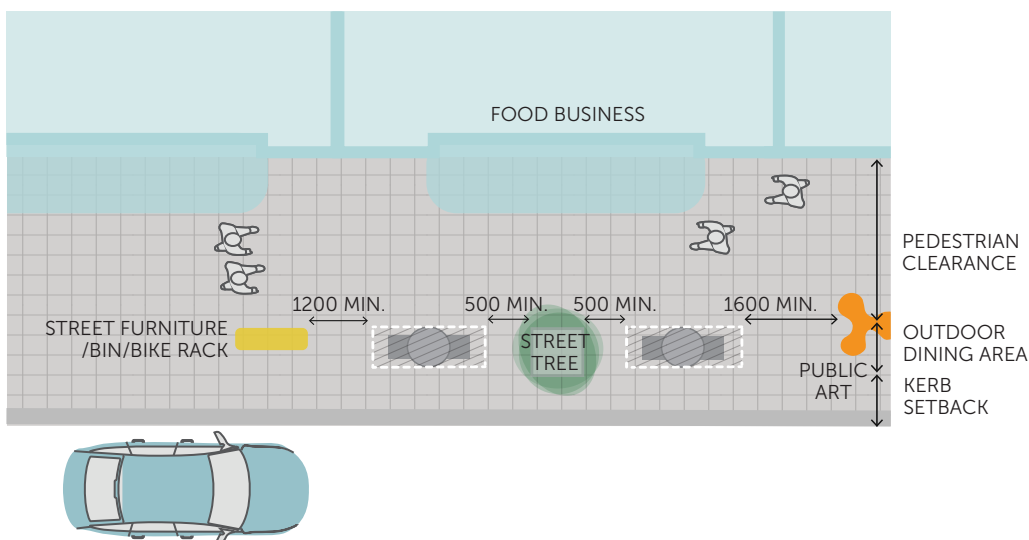


Figure 10: Street furniture, public art, and street tree setbacks



Public art setbacks

The City of Perth Public Art Collection is an important cultural expression showcasing Perth’s unique identity and encouraging residents and visitors to explore their City. To ensure public artworks are accessible, outdoor dining areas are to have a 1600mm setback from all public art.

As public art is site specific, the City will not support relocating public art to accommodate outdoor dining. The City of Perth will work to ensure that public art is maintained in good condition, appropriate for public display.

Street tree setbacks

Street trees are important for the quality of the City’s public places. They create streets that are attractive, provide shade, improve air and water quality, and improve levels of community health and well-being. Further information is included in the Urban Forest Plan, which can be found on the City’s website (www.perth.wa.gov.au/future-perth/major-projects).

Existing street trees should be integrated into the outdoor dining area to provide shade, shelter and a pleasant dining experience. To ensure street trees thrive, they cannot be removed, relocated, trimmed or pruned, or modified in any way.

A 500mm clearance from the outer edge of any tree grate or pit to the outdoor dining area shall be maintained at all times to protect the trunk and root system.

The City may require amendments to existing outdoor dining areas that conflict with new street trees planted in footpaths and public places.

Public transport setbacks

To maintain space for access and queuing, the following requirements apply:

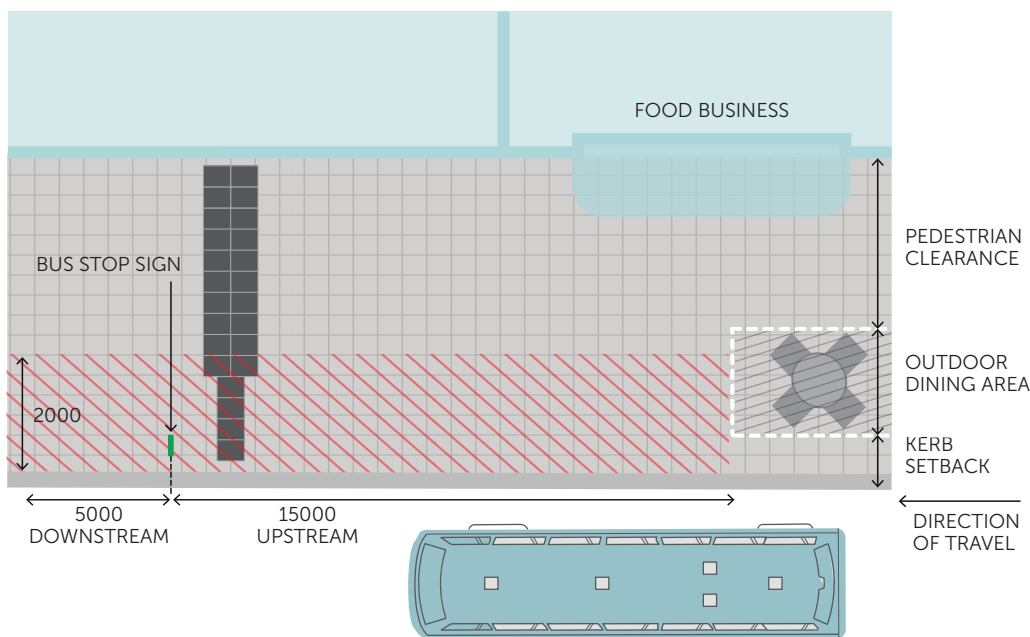
- At taxi ranks, outdoor dining areas shall be setback a minimum of 2000mm from either of the taxi bays, with a 2000mm wide clearance along its length.
- At all bus stops, a 2000mm wide clearance from front of kerb, 5m downstream and 15m upstream, is required.

Construction site setbacks

The City of Perth will provide guidance on the management of outdoor dining areas adjacent to construction sites. A minimum setback of 3000mm will be required from the outdoor dining area to the construction site. Applications will be assessed on a case by case basis.

The City of Perth reserves the right to temporarily suspend, amend, or cancel an outdoor dining permit to ensure the safety of the community during construction projects. A period of 14 days’ notice will be given to the permit holder in these circumstances. Note that the permit holder or any other persons shall not be entitled to any payments, compensation or damages of any kind from the City of Perth.

Figure 11:
Public transport setbacks



Malls

Pedestrian clearances still apply to malls and other pedestrian areas.

Access for service and emergency vehicles must be maintained; a minimum central clear width of 6m is recommended for their circulation.

Laneways

Where laneways are closed or temporarily closed to traffic, a minimum clear width of 1500mm for pedestrian circulation is required.

Figure 13:
Laneway pedestrian clearances

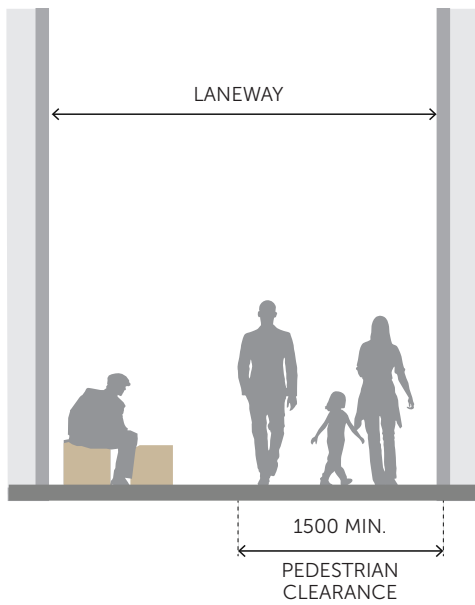
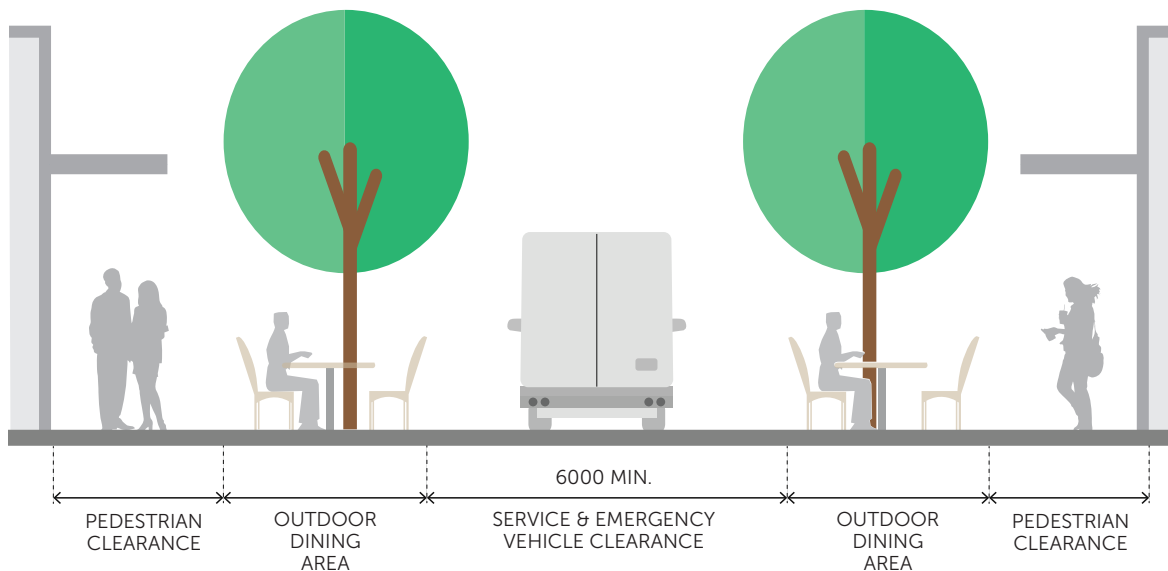


Figure 12:
Mall pedestrian and vehicle clearances



5. Designing the outdoor dining area

Outdoor dining areas should respond to the existing street environment. Culturally significant features and street trees should be integrated into the space. Unless approved by the City they should not be removed, relocated or modified.

Advertising and Signage

Advertising in outdoor dining area falls within the City's Signs Policy. The policy is available for download from the City's website (www.perth.wa.gov.au/planning-development/planning-schemes-and-policies/cps2-planning-policies).

Advertising should be kept to a minimum. The City does not support advertising in outdoor dining areas as it privatises the public space and adds visual clutter.

Advertising on any item of furniture, including barriers, shall be limited to the name and logo of the business. No third party advertising is permitted.

Advertising is to take up no more than 10 per cent of the total surface area of these items. There shall be no advertising on tables or chairs.

Advertising of product brand names, is limited to umbrellas and must only relate to products sold at the business, with no liquor or tobacco advertising. No product pictures are permitted.

Electrical works

No lighting or other items requiring mains power, including point-of-sale and power outlets, are to be installed in the public place. All electrical works need to be contained within the private lot.

Placement of furniture and fixtures

Outdoor dining furniture and fixtures shall be located so that:

- Clear and unobstructed views of the outdoor dining area from inside the business are maintained.
- Street frontages are not obscured.
- Natural air and light is maintained.

All furniture is to be placed within the approved outdoor dining zone only.

Non-fixed items

A 500mm clearance shall be provided between adjoining table and chair settings and other non-fixed items.

Fixed items

Glass screens and other items may be permanently fixed where there is a demonstrated safety need for them, predominantly streets with high volumes of traffic. Streets where fixed items are permitted includes St Georges Terrace, William and Wellington Street which are on major bus routes.

Where fixed items or furniture are approved, a 1600mm setback from the item to all street furniture, public infrastructure, street trees, buildings, and adjacent outdoor dining areas with fixed items, is required. This is to allow for street cleaning, and maintenance machinery access.

Surface treatments

Consistent and high-quality surface treatments are important to the legibility and character of the street, and ensures access to underground services. No surface treatments are to be applied or introduced to the public place as part of the outdoor dining area.

This includes, but is not limited to:

- Artificial turf
- Carpets and rugs

Permanent and semi-permanent structures

Permanent and semi-permanent structures compromise pedestrian access and obstruct views of and through the public place. Ensuring that businesses, pedestrians and vehicles can see and be seen is key to the success of public places with outdoor dining areas. These structures create maintenance issues and privatise what is a public place. As such, permanent structures are not permitted, this includes:

- decking over existing paving
- shipping containers
- canopies
- pergolas
- canvas and plastic blinds
- drop down shades
- plastic covers
- temporary shelters
- walls (timber or brick)

Existing structures such as verandas, awnings and trees should be integrated into the outdoor dining area, to provide shade and shelter. Using additional structures where these items are present, makes the public place feel cluttered and detracts from the building’s frontage and street appearance.

Barrier furniture

The City does not encourage the use of items that create a barrier between the outdoor dining area and the public place, as they compromise pedestrian access and obstruct view of and through the public place. Barriers are not encouraged where there is already protection from on-street activity in the form of kerbside parking or low-speed bike paths and lanes.

Barriers will only be considered for approval where protection from the street environment is required for the outdoor dining area to be useable, as determined by the City.

Barriers should not be used to enclose the area as this presents issues with cleaning and maintenance.

If barrier furniture is approved, only one type of barrier may be used for each outdoor dining area (i.e. a combination of canvas screens and planter boxes is not permitted). Barrier furniture must help create a high quality urban space and should not obscure street frontages. Barrier furniture includes:

- canvas screens
- glass screens
- planter boxes

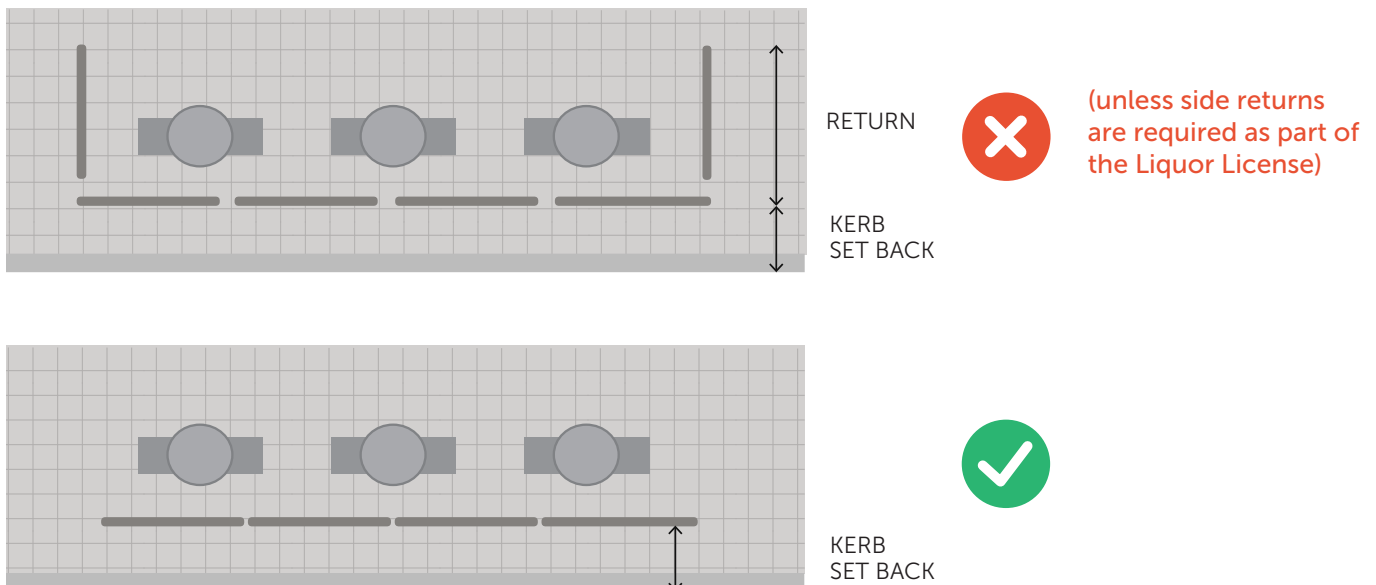
Barrier furniture shall be placed:

- Parallel with the road, on the kerbside boundary of the outdoor dining area (figure 14)
- Abutting, with no gaps between

Barrier furniture shall not be placed:

- Between the building and outdoor dining area
- Perpendicular to the road unless as a liquor license requirement.

Figure 14:
Barrier furniture



Underground services

Fixed items must be setback 1000mm from underground services such as fire hydrants, sewer, telecommunications and electricity pits, manhole lids and stormwater grates and inlets. This is to allow emergency and maintenance access to service contractors.

Where footings are required for fixed items, the applicant must order and verify a Dial Before You Dig to determine services locations, and submit this as part of their application.

Non-fixed items, such as tables and chairs, may be placed on top of structurally sound infrastructure and service pits, provided they can be easily moved aside for immediate access to the services.

The permit holder, or their staff, must remove items immediately upon request by the City or any service contractor needing to undertake work on infrastructure.

Gradients and Slopes

Unlike other Australian capital cities, such as Sydney, Perth is relatively flat.

Where outdoor dining is located on footpaths or public places that are sloped or have a gradient, adjustable feet or furniture levellers can be attached to the legs of tables, chairs, and other non-fixed furniture to accommodate the topography.

Development Application

A Development Application will be required where alterations are made to the building or streetscape to accommodate outdoor dining, this may include:

- Modifications to a building's frontage
- Installation of a permanent or retractable awning
- Installation of bi-fold windows
- All works outside or adjacent heritage buildings

Information on the Development Application process can be found on the City's website (www.perth.wa.gov.au/planning-development/planning-and-building-tools/application-forms-planning-development-building-and).

Heritage buildings

Outdoor dining areas in front of heritage buildings should not adversely affect the cultural significance of the building and surrounding public place or streetscape.

All works involving permanent changes, including semi-fixed and fixed furniture and items, to places included in the City Planning Scheme Register of Places of Cultural Heritage Significance, including places within conservation areas, requires planning approval prior to progressing.

Information on Heritage Conservation and Development within the City can be found on the City's website (www.perth.wa.gov.au/planning-development/heritage/conservation-and-development).

CCTV

A network of CCTV cameras, monitored by the City of Perth Surveillance Centre, contributes to a safe public environment for businesses, visitors and the community.

The City of Perth will review all outdoor dining areas within 10m of a CCTV camera, prior to approval.

The City may deny outdoor dining applications where they will conflict with existing CCTV cameras or request amendments to existing outdoor dining areas when new CCTV cameras are installed in locations that conflict with existing umbrellas and other tall items.

Furniture and fixtures

Furniture and fixtures in outdoor dining areas shall be:

- Simple and contemporary in style, appearance and colour – dark, warm colours that prevent visual glare are recommended.
- Consistent in quality, style and aesthetic for each outdoor dining area, to reduce visual clutter and impact on the streetscape.
- Portable so that they can be moved or retracted from the outdoor dining area at the end of trading each day, to return the area to a public place in appearance and function.
- Maintained to ensure that they remain in good condition, acceptable to the City's satisfaction.

Materials and finishes shall be:

- High quality and unobtrusive.
- Hardy, durable and windproof.
- Appropriate for use in public place and suitable for outdoor environments.
- Physically sound and safe, with no sharp edges or entrapment issues.
- Protected against visible dirt and wear (consider using dark colours as these are less likely to discolour and stain).

Details of the furniture and fixtures shall be supplied to the City for approval, as part of the application process.

Accessibility

The City encourages businesses to select furniture and other items that are accessible for people of all sizes and abilities. For example, chairs should be of large size but light in weight and durable.

Tables and chairs

Tables and chairs shall:

- Be placed according to the setback requirements of non-fixed items
- Have a metal or timber frame, or be made of heavy-duty polypropylene.

For the safety of patrons, chairs must not be placed with their back to the street.

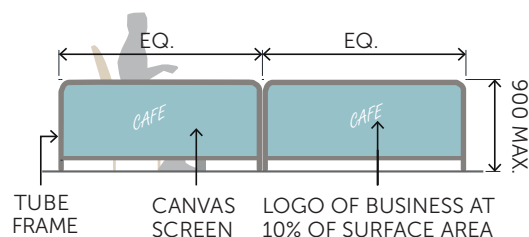
Canvas screens

Canvas screens shall be:

- Be placed according to the requirements of barrier furniture and semi-fixed items.
- Made of a canvas material with metal frame.
- 900mm high to ensure the street remains open in appearance and feel.
- Positioned with weighted footings, that do not pose a trip hazard. Footings must attach directly to the screen and must prevent the screen blowing over in strong winds. Additional weights to secure the screens and footings, such as sand bags, are not permitted.
- Designed in accordance with Figure 15.

Details shall be supplied to the City as part of the application process.

Figure 15:
Canvas screens



Glass screens

As glass screens need to be permanently fixed, they impact on the openness and character of the public place outside of trading hours. They also make cleaning and maintenance of streets difficult. Glass screens will only be considered for approval where permanent protection from the street environment is required for the outdoor dining area to be useable, as determined by the City.

Glass screens shall be:

- Placed according to the requirements of barrier furniture and fixed items.
- Simple in appearance and design.
- Between 1000mm and 1200mm in height
- Designed with a 230mm gap between the ground and base of the glass panel.
- Designed and certified by a structural engineer.
- Compliant with Australian Standards. Consideration shall be given to the requirements of glass panels in public place.

Support poles shall:

- Be either:
 - 50mm diameter round section structural marine grade aluminium supports with slotted sides to receive glass, powder coated in silver finish; or
 - 50mm diameter round section structural marine grade polished stainless-steel supports with slotted sides to receive glass.
- Placed such that there is a 1600mm gap between poles.
- Be evenly spaced along the length of the screen.
- Be surface mounted.

Details of fixing by the manufacturer or installer shall be provided by the applicant to the City, prior to approval.

Glass panels shall:

- Be a minimum of 1600mm long.
- Have a 75mm wide band of plain etched glass on each side of the panel, in accordance with Figure 16.

Figure 16:
Glass screens

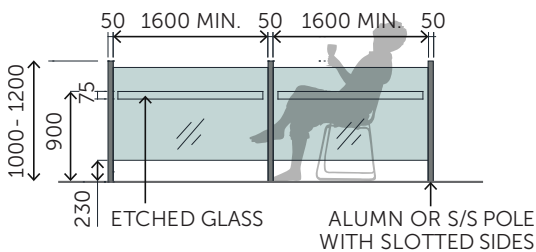
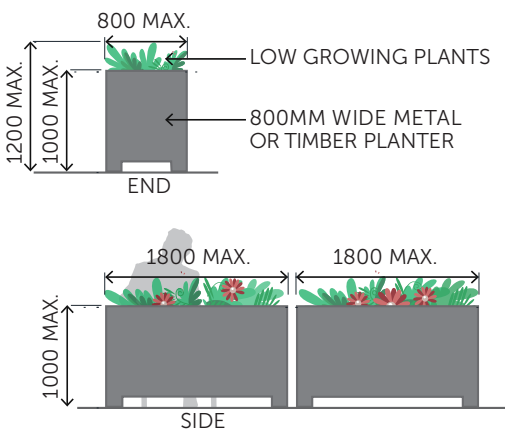


Figure 17:
Planter boxes



Planter boxes

Plant species shall be hardy and low-maintenance. Consideration should be given to the ongoing upkeep of the plants including vandalism. The City can provide advice on the selection of plants, upon request.

Planter boxes shall be:

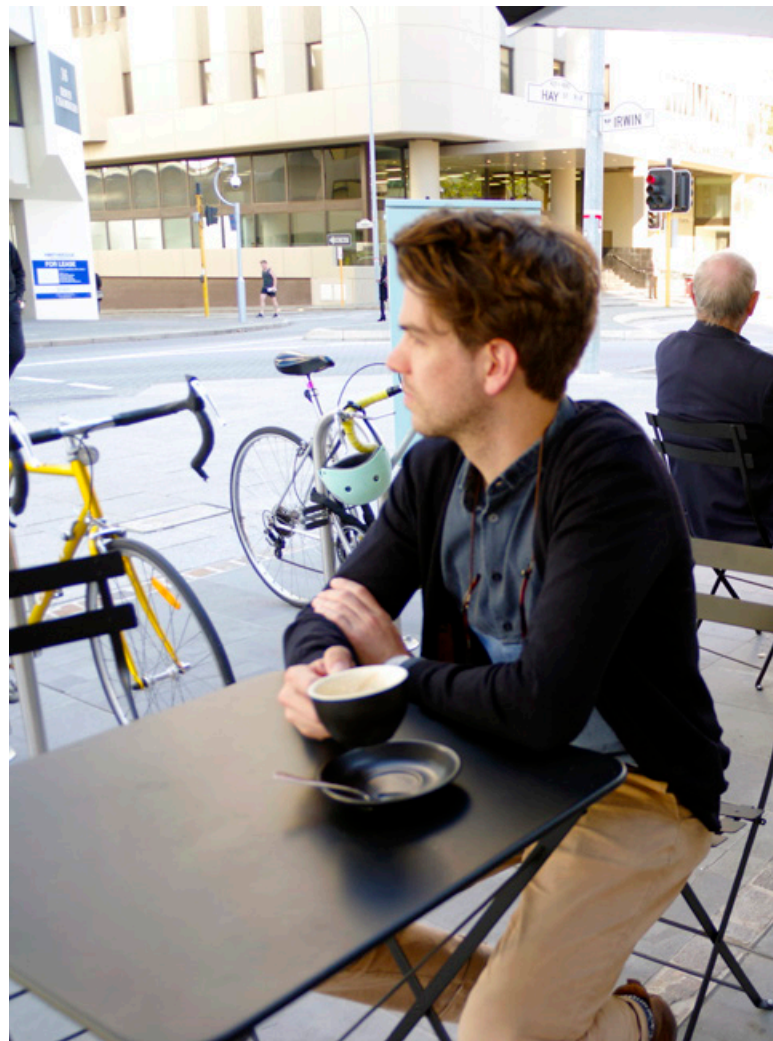
- Be placed according to the requirements of barrier furniture, and semi-fixed items or fixed items.
- Made of metal or timber only.
- No greater than 1800mm long x 800mm wide x 1000mm high.

Planter boxes should be removed from the public space at the end of trading each day.

Retractable Awnings

Retractable awnings should only be used where verandas, permanent awnings, trees, or other forms of existing shelter are absent.

Note that retractable awnings are subject to approval and will require a Development Application to be submitted to the City of Perth.



Umbrellas

Umbrellas should only be used where verandas, awnings, trees, or other forms of existing shade or shelter are absent. Using umbrellas where these items are present makes the public place feel cluttered and detracts from the building's frontage and street appearance.

Umbrellas:

- Shall be placed according to the requirements of semi-fixed items.
- Shall be placed 1000mm minimum, in all directions, from buildings and existing infrastructure such as canopies, verandas and trees.
- Canopy cannot extend more than 300mm beneath an existing awning, veranda or canopy.
- Canopy may extend a maximum of 300mm over the outdoor dining area boundary facing the shopfront and shall comply with kerb setbacks outlined above.

Umbrellas shall:

- Be minimum 1200mm wide with a 2400mm vertical clearance.
- Have a structural grade aluminium frame.
- Be a patented product, with structural design considerations (wind speed, wind pressure, and live loads) that are compliant with Australian Standards.

Umbrella fixings:

- To prevent blowing over in strong winds, umbrellas shall be securely fitted into a socket and sleeve footing, such that they are not a trip hazard.
- Socket and sleeve footings shall have a protective lid that will not present a tripping hazard when the umbrella is removed at the end of trading.
- Footing sockets for umbrellas shall be designed and constructed so that the pavement is not damaged.
- Details of the footing design shall be provided to the City as part of the application process.

Portable gas heaters

Heaters may be used in outdoor dining areas subject to the City's approval. They must be compliant with all relevant safety standards, and placed so that they do not pose a fire hazard or present a safety issue to patrons or the community.

For patron and venue safety, heaters must be free-standing, self-contained and stable. They shall be removed and properly stored when the outdoor dining area is not being used.

Figure 18:
Umbrella clearances

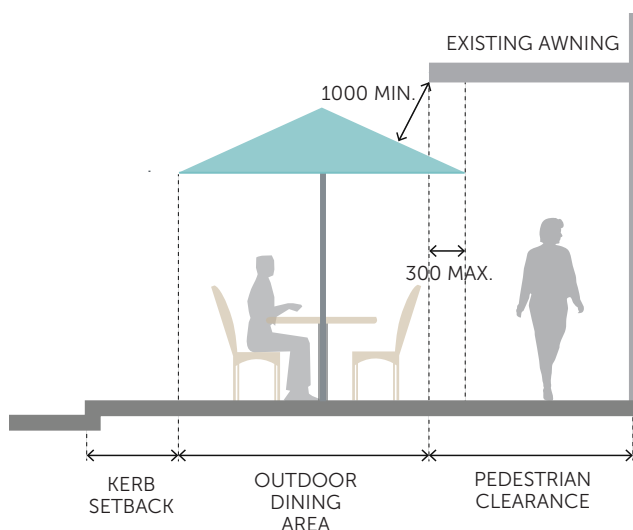
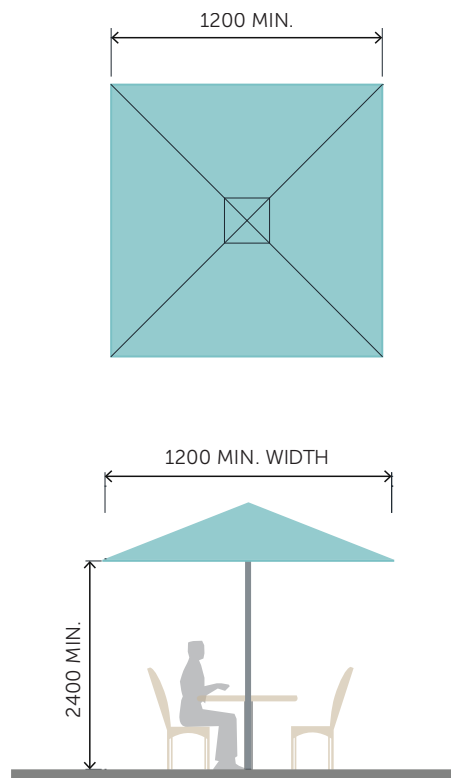


Figure 19:
Umbrellas



Menu boards

A menu board may be placed on the ground within the outdoor dining area in place of a table and chair, subject to the board not causing a trip hazard, complying with placement according to the requirements of non-fixed items, and being capable of withstanding strong and gusty wind.

Menu boards shall consist of written text, including only information on food and drink offers available at the associated business, and shall not exceed dimensions 600mm x 500mm. No pictures are to be used on the menu board.

Bi-fold windows and Perches

Outdoor dining that incorporates bi-fold windows or perches that integrate into a building’s street facade are encouraged by the City where footpaths are narrow. These allow for commercial and social interaction with the street whilst providing an alternative dining layout suited to smaller outdoor dining areas.

Note that altering the building frontage to accommodate bi-fold windows or perches is subject to approval and will require a Development Application to be submitted to the City of Perth.

Delineation markers

To assist the permit holder in defining the extent of their outdoor dining trading area, City of Perth delineation markers can be installed by the City of Perth at the applicant’s expense. If desired, a request for delineation shall be included in the applicant’s submission.

The City may require the applicant to install delineation markers, at the applicant’s expense, in malls, outdoor dining areas that are licensed to serve alcohol, and public places with high pedestrian volumes.

Delineation markers shall be placed such that the outer edge of the marker shows the extent of the outdoor dining area. Refer Figure 20.

Other Furniture and Outdoor Items

Additional, minor furniture and outdoor items may be included in the application, and will be assessed by the City on a case-by-case basis.

Figure 20:
Delineation markers



6. Managing and operating the outdoor dining area

Removal and storage of furniture and fixings

Outdoor dining areas shall only be set up during business trading hours. All furniture, including umbrellas, canvas screens and planter boxes, must be removed from the outdoor dining area and stored inside at the close of business each day, unless otherwise permitted by the City.

Glass screens are generally not required to be removed from the public place at the end of permit trading hours.

The applicant will need to clearly demonstrate where outdoor dining area equipment will be stored when making an application for a permit.

Events

Where events that require the temporary use of public places are hosted by the City (i.e. Anzac Day Parade, Christmas Pageant, City to Surf), the permit holder may be required by the City to remove all furniture and fixings from the outdoor dining area. Permit holders will be given seven (7) days written notice by the City whenever practical.

Maintenance

All furniture, planters and other fixtures must be maintained in a physically sound, safe and aesthetically acceptable condition to the City's satisfaction.

Umbrellas shall be replaced by the permit holder every three to five years or at signs of weathering, such as fading or fraying, to ensure a high level of presentation is maintained.

Planting

Plants require constant attention and, if allowed to deteriorate, can have a negative effect on the streetscape. To ensure a high level of presentation, the following guidelines for the maintenance of planter boxes apply:

- Planter boxes shall be constantly checked and maintained to a high standard by the business owner. Plants are to be in good health and must look neat and tidy at all times. To ensure this, they must be appropriately pruned, watered, fertilised, and receive enough sunlight.
- The business owner is responsible for the replacement of dead plants and the removal of rubbish such as cigarette butts.
- Planter boxes that are sparse, overgrown, or weedy must be removed from the outdoor dining area immediately, and only returned once they are appropriately filled out. Failure to do so will result in approval of the planter boxes being withdrawn.

Cleaning

The following requirements apply to keeping outdoor dining areas clean and well presented:

- Must be regularly monitored by staff to ensure it presents a well-maintained image.
- Glass screens shall be regularly cleaned, as dirty or reflective screens reduce views and sightlines, presenting a safety issue.
- Businesses must provide table service or a provision for frequent cleaning and servicing of the outdoor dining area. This must include the clearing of crockery, cleaning tables, removal of food, paper, cigarette butt waste, bird faeces and plant matter, such as leaves and pollen.
- Permit holders are required to maintain the footpath to a high standard of cleanliness and hygiene, to the satisfaction of the City. This will include removing grease and stains, keeping the vicinity clear of litter and waste materials and the daily washing down of the pavement. Litter and waste must be swept, collected, and disposed of in approved receptacles. Litter or waste must not be disposed of into stormwater drains or tree wells.
- A permit holder may request the City to clean their outdoor dining area: commercial fees and charges will apply.

Street cleaning and waste collection

The City of Perth is committed to making sure the entire city looks its best at all times.

Waste and recycling collection services and street cleaning activities operate in the City seven days a week. These services are an essential part of the City's service to its residents and businesses, and as such, may impact on some outdoor dining area's hours of operation and the nature of its design and layout. The applicant will be notified of these restrictions following application, with operating hours included as a condition on the approval of the outdoor dining permit.

Food and beverage hygiene

The following requirements apply to food and beverage hygiene, including service and preparation, in outdoor dining areas:

- The permit holder is not permitted to prepare food in the outdoor dining area. There is the allowance of service of pre-packaged food from within the outdoor dining area. All food is to be prepared in an approved food preparation area.
- Beverage preparation and service from within the outdoor dining area is allowed.
- The permit holder is to discourage patrons from feeding birds in the outdoor dining area.
- Smoking is not permitted within the outdoor dining area.

Waste management

The following requirements apply to waste management in outdoor dining areas:

- Litter and waste shall be removed promptly and disposed of in bins at the approved location on private property. No waste should be placed in public litter bins.
- In the case of a fast food or takeaway establishment, the City may require the permit holder to supply a bin in their outdoor dining area. Additional bins shall be stainless steel (not chrome), with a lid, and have a capacity equal to or less than 75L. They shall be kept clean and in good-working order.

- All businesses are required to supply their own waste and recycling bins which are to be collected on a regular basis. All bins should be kept within property boundaries, except during collection times. Litter and waste must be emptied into the business' own waste and recycling bins.

Sustainability and Health

Outdoor dining can help to reduce the impact the city has on the environment. It is important that outdoor dining positively contributes to the responsible disposal of waste, minimisation of potential waste and litter, and conservation of energy and resources.

Health Local Law

The City of Perth Health Local Law sets out standards in environmental health for business. The law is applicable to all business owners and occupiers within the City of Perth, and will be enforced with respect to outdoor dining areas.

Organic composting

Organic composting is an environmentally friendly solution for food waste. Instead of disposing of fruit and vegetable scraps or leftover bread rolls in a rubbish bin, businesses should recycle into organic compost.

The City of Perth offers an organic waste collection service to commercial properties, including food businesses. For more information on this service, please contact the City's Waste and Recycling Hotline on 1800 013 827.

Crockery and glassware

To minimise waste, crockery and glassware should be used to serve food and drink in outdoor dining areas. Single use items, including plastic containers and cutlery, add to waste consumption, cause additional litter on the street and in stormwater drains, and contribute to greenhouse gas emissions.

Crockery and glassware serve the business by indicating quality to consumers and attracting diners.

Smoking

Smoking is not permitted in outdoor dining areas. The permit holder is required to establish the outdoor dining area as 'no smoking' and manage the area to ensure patrons comply.

Maintaining a safe city

Outdoor dining generates activity and contributes to the passive surveillance of the city's public places. This promotes a feeling of safety for visitors, workers and residents.

To ensure patron and pedestrian safety and access in the public place is preserved, the permit holder is responsible for:

- Ensuring that staff are trained in the management of outdoor dining areas, with specific regard to access, layout, and furniture placement.
- Maintaining clear lines of sight through outdoor dining areas.
- Monitoring their outdoor dining area to ensure the safety of the community is not being compromised and that anti-social activities are not taking place.
- Maintaining clearances and ensuring appropriate circulation around the outdoor dining area to prevent injury.
- Showing consideration for the public place by allowing for pedestrian movement, including passengers alighting from vehicles and passing bike riders.



Consumption of alcohol in outdoor dining areas

The City has no objection to the consumption of alcohol in the outdoor dining areas subject to compliance with requirements of the Department of Local Government, Sport and Cultural Industries (DLGSCI).

The City of Perth reserves the right to object to any liquor application if it considers the proposal would be detrimental to the amenity and safety of the area.

For more information about liquor licensing matters contact Department of Local Government, Sport and Cultural Industries (www.dlgsc.wa.gov.au).



7. Compliance

The City of Perth will ensure that outdoor dining areas are operating according to the conditions of the permit and are being maintained to the standard outlined in these guidelines. If conditions of the permit or guidelines are breached, a City of Perth representative will visit the premises and seek rectification. Action may be initiated according to the impact the breach is having on the safety, access and amenity of the area.

Education

With each outdoor dining application, the City of Perth will provide:

- A meeting with the applicant to assist with the layout and positioning of tables, chairs, and other items within the outdoor dining area.

The permit holder is responsible for the effective operation and management of the outdoor dining area. This includes the training of staff and contractors to ensure access, safety, amenity and appearance is maintained for the community.

8. Decommissioning of an outdoor dining area

Reinstatement of the streetscape on expiry of permit

In the event of the permit no longer being required, the permit being revoked or the permit not being renewed the permit holder is responsible for:

- Repairing any damage to the outdoor area to the satisfaction of the City.
- Removing any additions to the area such as furniture, plants or planter boxes.
- Removing any bolts or studs protruding from the pavement area and repairing the pavement to the same specifications as the surrounding paved area.
- Leaving the pavement in a clean condition.

The permit holder is required to carry out the works within 14 days of cancellation of the permit and shall cover all replacement costs. If the permit holder fails to remove the furniture and fittings from the public place and reinstate the footpath to its original condition within the specified period, the furniture will be removed by the City of Perth and works carried out to reinstate the footpath at the permit holder's expense.

No payment or compensation will be given to the permit holder by the City of Perth for removal and disposal of outdoor dining furniture.

Outdoor dining infrastructure left behind in the public place after a business closes down, can cause serious safety issues for pedestrians and exposure to public liability.



9. Applying for an outdoor dining permit

The City of Perth manages all aspects of the outdoor dining permit application process, from providing information about requirements, receiving and assessing applications, and issuing permits.

An applicant interested in obtaining an outdoor dining permit must complete in full the prescribed outdoor dining application form available on the City of Perth website.

The information below provides information for applicants regarding applying, re-applying and making amendments to existing permits.

Application process

A typical application for the establishment of a permit involves a six-step process:



Assessment Considerations

The City will take into account, but will not be limited to, the following conditions when assessing an application for an outdoor dining permit:

- The proposed outdoor dining area is in keeping with the amenity of the locality.
- The level of activation provided to the street and location.
- Public safety is not adversely affected.
- The compatibility or otherwise with existing businesses, and usual street activities.
- The required pedestrian clearance in the location.
- The type, design and quality of the proposed outdoor dining area and associated furniture.
- The proposed position of the outdoor dining area in correlation to the building line or street, including the positioning of other existing outdoor dining areas in the location.
- The impact on the streetscape, the adjoining buildings, and any heritage buildings.
- Any requirements outlined by a Development Application (if applicable), noting the provisions of the City Planning Scheme.

Plans submitted by the applicant for approval by the City are required to detail the location and type of infrastructure and services located within or near the outdoor dining area.

Processing Times

Consideration and approval of a new permit application takes approximately four weeks, or longer if the application is incomplete and further information is required.

Conditions on permits

The City may impose conditions at its discretion that it considers to be relevant to:

- Protect the amenity, environment and/or public interest.
- Comply with the Outdoor Dining Local Law 2019.
- Ensure appropriate levels of insurance and indemnity are held.
- Any operational requirements of an outdoor dining area.

Bonds

Bonds may be applied to any outdoor eating area that involves alterations to the City's infrastructure. Any bond applied will be reflective of the market rate to repair/make good any works arising from installations that require fixings and other modifications to the streetscape.

In the case of a bond being applied, the bond is not recoverable until such time that the outdoor dining area permit is cancelled, or as otherwise determined appropriate by the City.

Permit duration and renewal

Outdoor dining permits can be approved for a period not exceeding 36 months in duration. Permit holders must apply to renew their permit at or before the expiry of their permit. A permit may not be renewed by the City if the conditions of the previous permit have not been adhered to.

Cancellation or suspension of a permit

The permit holder may request to cancel a permit at any time. Thirty (30) days notice of intention to cancel must be provided in writing to the City (info.city@cityofperth.wa.gov.au).

The City reserves the absolute right to cancel or suspend a permit to allow for construction works or changing requirements of the public place. Permit holders will be given thirty (30) days written notice by the City whenever practical.

Change of ownership

If the ownership of the business with an approved permit is transferred, the new proprietor is responsible for submitting a revised application form noting the change of ownership. They will be issued with a new permit subject to meeting the eligibility criteria and conditions.

The new proprietor is responsible for ensuring the outdoor dining area is compliant with all minimum standards as set in the Outdoor Dining Guidelines and local law.

Fees and Charges

The City has currently waived fees associated with operating an outdoor dining area. This does not apply to penalties for non-compliance or bonds placed on major fixed infrastructure.

Hours of operation

The applicant is required to stipulate the hours of operation on the Outdoor Dining Application form and these operating hours may be approved or amended in consultation with the applicant depending upon the location and nature of the outdoor dining. The hours of operation of an outdoor dining area serving alcoholic beverages will be limited to the hours stipulated in the extended trading permit (issued by the Department of Local Government, Sport and Cultural Industries) or as otherwise directed in writing by the City of Perth.

Where an outdoor dining area is located in close proximity to residential neighbourhoods, proposed trading hours will be carefully considered against the safety and amenity of the area.

If an applicant chooses to apply to the Department for a liquor licence to serve alcohol in the outdoor dining area, the trading hours of the outdoor dining area will be translated onto the liquor licence.

Public risk

The permit holder is required to maintain a valid public liability insurance policy. To meet City of Perth requirements the policy must:

- Be for a minimum amount of \$20,000,000 in respect to any single occurrence.
- Cover injury, loss or damage to persons arising out of the activity carried out under the permit or the granting of this permit.
- Note the interest of the City of Perth on the policy.
- State the period covered by the insurance policy (ie. commencement and expiration date) and be renewed upon expiry.
- Be issued by an insurer approved by the Australian Prudential Regulation Authority (APRA) .
- Be supplied in an approved form, such as a Certificate of Currency.

The policy must also indemnify and release the City of Perth against all liability arising from the use or occupation of the outdoor dining area or the conduct of the permit holder's business by the holder or any of permit holder's agents including:

- Any claim made by any person for injury, loss or damage arising in any matter.
- Any loss or damage to any property belonging to the permit holder or other person located in the vicinity of the outdoor dining area caused by the permit holder or the permit holder's agent.
- Any loss, damage, injury or illness sustained or incurred by the permit holder or any of the permit holder's agents.

The City of Perth may from time to time request a Certificate of Currency from the permit holder. Failure to provide within the requested timeframe may lead to cancellation of the Permit.



Appendix 1: Outdoor Dining Checklists For Applicants

Purpose of the Checklists

The purpose of this checklist is to:

- Help applicants work through the Guideline's requirements in a logical sequence.
- Assist with submitting completed applications, to speed up the approval process for applicants.
- Enable outdoor dining area permit holders to self-audit to ensure compliance with the Permit and City of Perth Outdoor Dining Area Local Law.

The City appreciates that there are many specifications outlined in the Guidelines that need to be met. We understand that many applicants will find this overwhelming and for this reason we have designed 3 checklists to make this task simpler.

CHECKLIST 1 – Preparation and submission of online application

		Yes	No	N/A
Pre-application considerations				
To be eligible to apply for an outdoor dining permit, applicants need to:				
1	Be a registered food business within the City of Perth.			
2	Have clear and unobstructed access and views onto the public place where the outdoor dining area is proposed.			
3	Have a suitable area within the building or leased area to store any outdoor dining area furniture at the close of each day's trade.			
Suitability of Location				
To determine a suitable location for an outdoor dining area, the applicant needs to confirm that:				
4	The proposed area is not required for bus stands, taxi ranks, or other public uses.			
5	A minimum 3.2m combined footpath and kerb width is available.			
6	The proposed outdoor dining area is a minimum of 600mm wide.			
7	The area will comply with the requirements of the City of Perth Disability Access and Inclusion Plan. This includes the Disability (Access to Premises - Buildings) Standards 2010 (www.legislation.gov.au/Details/F2011C00214).			
8	The proposed outdoor dining area will align with other outdoor dining areas on the same street.			
9	If the outdoor dining area is extending beyond the applicant's frontage to a single adjacent neighbour, written permission from the neighbouring business owner and building owner is received.			

		Yes	No	N/A
Clearances & Setbacks				
To determine the required clearances and setbacks of the proposed outdoor dining area, the applicant needs to:				
10	Comply with the pedestrian clearance that applies to their proposed location (see Figure 2).			
11	Comply with the kerb setback that applies to their proposed location (See Table 1).			
12	Check there is no CCTV camera within 10m of the outdoor dining area, and confirm with City there are no conflicts.			
All outdoor dining areas must keep a minimum:				
13	800mm clearance from an adjoining outdoor dining area (see Figure 5).			
14	800mm clearance for every 8m of outdoor dining (see Figure 6).			
15	1200mm clearance from the pedestrian entrance of a building to the pedestrian clearance on the footpath or public place (see Figure 7).			
16	1200mm setback from street furniture (benches, bins, bike racks).			
17	1500mm setback from the edge of all driveways, laneways, and right-of-way's.			
18	1600mm setback from permanently fixed items (i.e. glass screens) to all street furniture, public infrastructure, street trees, buildings, and adjacent outdoor dining areas with fixed items.			
19	1600mm setback from public art (see Figure 10).			
20	500mm setback from tree grates, pits, and plots (see Figure 10).			
21	500mm clearance between adjoining table and chair settings and other non-fixed items.			
22	2000mm setback and clearance along the length of bus bays and taxi ranks.			
23	3000mm setback from construction sites.			
If the Outdoor Dining Area has/is:				
24	Located near an intersection; then maintain sightlines and setbacks (see Figure 8).			
25	Located beneath colonnades; then maintain setbacks and clearances (see Figure 9).			
26	Located in a pedestrian mall; then maintain a 6m central service and emergency vehicle clearance (see Figure 11).			
27	Located in a laneway; maintain a minimum pedestrian clearance of 1500mm (see Figure 12).			
28	Umbrellas; maintain a 1000mm clearance from other structures and umbrellas (see Figure 14).			
29	Items that require permanent footings (such as umbrellas and glass screens); ensure footings are not located within 1000mm of underground services (telephone pits etc) and contact Dial before you dig on 08 9330 3166 or at wa@1100.com.au.			

		Yes	No	N/A
Designing the outdoor dining area				
To ensure the proposed outdoor dining area is designed to meet the standards outlined in the guidelines, the applicant needs to ensure the following:				
30	Advertising on furniture takes up no more than 10% of the total surface area of the item.			
31	Advertising is the name and logo of the business only.			
32	No electrical fixings requiring mains power are installed in the outdoor dining area.			
33	Furniture and items don't obstruct views of the outdoor dining area from inside the business.			
34	Furniture and items don't significantly obscure the building frontage.			
35	No new permanent and semi-permanent structures are proposed – this includes decking over existing paving, shipping containers, canopies, canvas and plastic blinds, drop down shades, plastic covers, temporary shelters, walls (timber or brick).			
36	Existing shelter structures (verandas, awnings, trees) are integrated into the outdoor dining area, if present.			
37	If applicable, barrier furniture (canvas screens, glass screens, planter boxes) is placed parallel with the road and on the kerb-side of the proposed outdoor dining area.			
38	The gradient and slope of the footpath is accommodated with adjustable feet or furniture levellers.			
39	No surface treatments, such as artificial turf, carpets and rugs are used.			
40	A Development Application with the City of Perth is made if any alterations to the building or streetscape are proposed.			
41	Consult the City Planning Scheme Register of Places of Cultural Heritage Significance to determine if the outdoor dining area is in a significant location and requires planning approval.			
Selecting Furniture and Fixtures				
To ensure the delivery of a high quality outdoor dining area, the applicant must:				
42	Meet the general quality, materials, and finishes outlined under the Furniture and Fixtures heading in the guidelines (see page 35).			
43	Ensure outdoor dining areas are accessible for people of all abilities (strong but lightweight – cater for large and small persons).			
44	Use tables and chairs that have a metal, timber, or heavy-duty polypropylene frame.			
The following items may be permitted in outdoor dining areas, but must conform to the requirements set out in the guide:				
45	Canvas screens (see page 19).			
46	Glass screens (see page 19 and 20).			
47	Planter boxes (see page 20).			
48	Retractable awnings (see page 20).			
49	Umbrellas (see page 21).			
50	Portable gas heaters (see page 21).			
51	Menu boards (see page 22).			
52	Bi-fold windows (see page 22).			
53	Delineation markers (see page 22).			

		Yes	No	N/A
Insurance To ensure the safety of the business, patrons, and the community, successful applicants will need to:				
54	Provide a copy of Public Liability Insurance to the value \$20,000,000.00 before the City will award a permit.			
Online Application To lodge an application for Outdoor Dining, the applicant must:				
55	Have all documents available electronically to attach, during the online application process.			
56	Include an accurately measured and dimensioned site plan.			
57	Provide details of proposed furniture and items. This is to include images and information on materials and finishes.			
58	Apply via the City of Perth website.			
59	Follow the prompts and complete the application. Be aware of the following: <ul style="list-style-type: none"> You will need approximately 15 minutes to complete the online application. Incomplete applications will not be processed and the City will have no record of you attempting to make application. The system will time out if left idle for 20 minutes. You will receive a reference number at the end of the application process if your application was successful. If not, please contact the City to discuss the following working day. Processing of your application will likely take between 4 weeks. The City may contact you to seek more information during this period. The City may apply a bond to the outdoor dining area which will incur additional costs. 			

CHECKLIST 2 - Installation Work

	Yes	No	N/A
<p>This checklist is brief and provides applicants with handy tips to ensure compliance with the City's outdoor dining area guideline.</p>			
<p>1. Apply for an obstruction permit 7 days prior to commencing work. You are not permitted to obstruct a public thoroughfare without a permit in place. Visit: www.perth.wa.gov.au/planning-development/undertaking-works/obstruction-permits.</p>			
<p>2. Double check all setbacks required for the outdoor dining area as detailed below.</p> <ul style="list-style-type: none"> a. Between adjoining outdoor dining areas: 800mm minimum clearance b. For every 8m of continuous outdoor dining: 800mm minimum gap c. Located near an intersection: sightlines and setbacks outlined in Figure 7 d. Located beneath colonnades: setbacks and clearances outlined in Figure 8 e. Located in a pedestrian mall: 6m central service and emergency vehicle clearance f. Located in a laneway: 1500mm pedestrian clearance g. Street Furniture (benches, bins, bike racks): 1200mm clearance h. Umbrellas: 1000m from other structures and building i. Underground service pits and permanently fixed items with footings: 1000mm j. Public Art: 1600mm k. Tree grate or pit: 500mm l. Adjoining table and chair settings and other non-fixed items: 500mm m. Bus bay: 2000mm n. Construction site: 3000mm o. CCTV cameras and umbrellas: 10m (unless approved) <p>It is highly recommended that you use tape to mark out the outdoor dining area before you start drilling or digging.</p>			
<p>3. Contact the City's Activity Approvals to arrange an inspection of the outdoor dining area. Contact 9461 3333 or email outdoor.dining@cityofperth.wa.gov.au</p>			

CHECKLIST 3 - Ongoing compliance

	Yes	No	N/A
<p>This checklist should be used by permit holders to ensure compliance with the permit requirements. It is a handy checklist that permit holders can provide to staff to set up and maintain outdoor dining areas in accordance with the permit requirements. It should be used in conjunction with a copy of the outdoor dining area permit and site plan.</p>			
Management of Area			
Start of Day			
1. Set out furniture precisely in accordance with the approved plan (recommend you have a tape measure handy to check set-backs, delineation markers can be installed by the City at the applicant's expense).			
2. Check furniture and other fittings for safety against collapse, sharp edges, cracks and breaks.			
3. Check suitability of weather – don't put out umbrellas, menu boards or removable barricades if strong winds greater than 40km/hr are forecast.			
4. Check that no obvious works to the footpath are scheduled for that day and that construction works are not being undertaken within 3m of the area.			
5. If applicable, check plants and planter boxes for good condition (trim broken branches, replace dead plants). If the planter box is not in good condition, remove from the outdoor dining area until rectified.			
During Day			
6. The area is to be kept clean and tidy.			
7. Provide table service or a provision for frequent cleaning and servicing throughout the day.			
8. Regularly empty bins and ensure they are not overflowing.			
9. Confirm furniture and fittings have not been reconfigured by customers, and that the area still meets the approved plan.			
10. Use crockery and glassware if possible, to minimise waste.			
11. Ensure customers are not smoking in the area.			
End of Day			
12. Remove all furniture and items at the end of the trading day (with the exception of approved permanently fixed items).			
13. Footpath to be cleaned with biodegradable environmentally friendly products.			

Staff Member Name:

Date:

Please note that if you decide to cease operating your business or wish to cease using your outdoor dining area – please advise the City's Activity Approvals in writing via email outdoor.dining@cityofperth.wa.gov.au

Appendix 2 Frequently Asked Questions

Access and Layout

Why does the city have outdoor dining located adjacent the kerb?

All people regardless of age or ability should be able to move through our city's public places safely and with ease. Locating outdoor dining adjacent to the building in areas where there are lots of pedestrians, makes navigating the street difficult for people with vision impairment, who use the building edge as a shoreline. For this reason, outdoor dining is located adjacent the kerb in most locations.

Why are sightlines important?

It's important for safety and security that people and vehicles can easily see all street users. It also creates vibrant social spaces.

Design

What sort of advertising is allowed?

The City of Perth aims to reduce intrusive advertisements and ensuring commercial and shop signage is scaled to fit the streetscape and the pedestrian environment. The City allows identification and promotional signs that add vitality and colour to business areas.

Why doesn't the City allow permanent structures?

Outdoor dining takes place in public space which is available to everyone. Permanent structures or enclosures privatises the space, and makes it exclusive even when not in use. Structures can also negatively affect sightlines and public safety, inhibit cleaning, maintenance of the street and access to underground services.

Operation and Management

Why does my furniture have to be removed every day?

Unless approved by the City, furniture needs to be removed at the end of trading every day to ensure that the area is returned to a public place in appearance and function. Permanent furniture privatises public space, limits the flexibility of the street, and makes it difficult to clean the streets and footpaths.

Why are there clearances between furniture and through outdoor dining areas?

Clearances ensure comfortable circulation and help create a safe environment for pedestrians and vehicles. It's important that people have room to move around and through outdoor dining areas, and that access to the street and kerb is not prohibited. Clearances also make sure there is enough room for the City's fleet of street cleaning vehicles to operate – work that keeps our city looking beautiful.

Outdoor Dining Permit

Do I need a permit?

Yes, in accordance with the local law, a permit is required for outdoor dining that extends beyond the property boundary.

Application Information

What requirements do I need to meet?

Applicants need to meet all the requirements of the guidelines and local law. The local law can be found at the City's website www.perth.wa.gov.au.

Where can I apply for a permit?

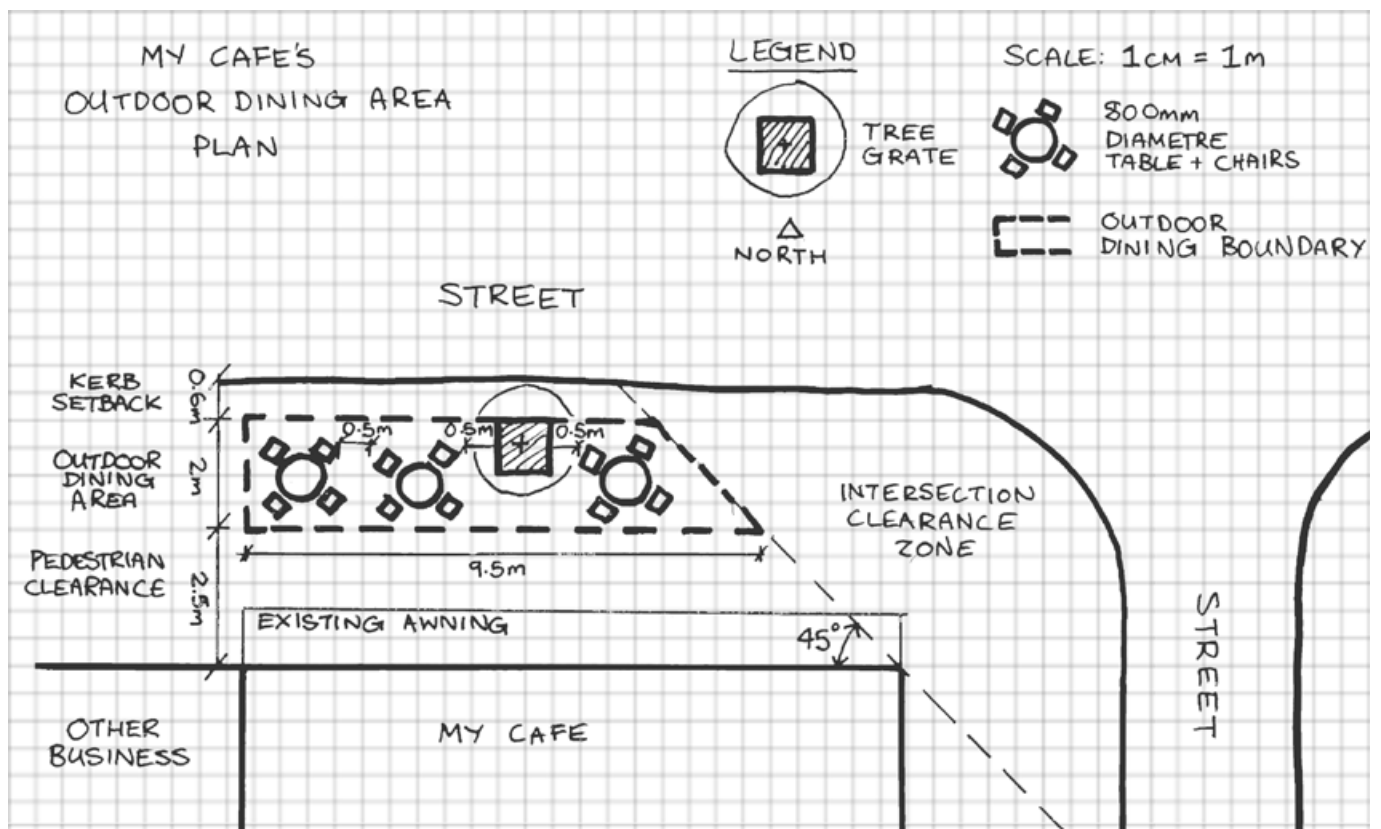
Apply via the City of Perth website, at www.perth.wa.gov.au

Appendix 3 Site Plan Example

Below is an example of the level of detail required in the site plan, that must be submitted as part of the application process for new, or changes to existing, outdoor dining areas.

The site plan must be accurately measured and dimensioned. It must show:

- Extent of outdoor dining area
- Placement of furniture and items
- Pedestrian clearance
- Kerb setback
- Any other relevant clearances and setbacks
- Location of existing awnings, verandas, or canopies
- Location of any existing street furniture and infrastructure, public art, and street trees



Contact Us

(08) 9461 3333
27 St Georges Terrace, Perth WA 6000
GPO Box C120, Perth WA 6839

This document is available in other formats or languages on request.

