

	Council Policy Footway Dining	
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Policy

1 Policy Objectives

1. To encourage footway dining in areas that are suitable for that purpose.
2. To add to the vitality of the streetscape character of centres within the City.
3. To provide opportunities for increased economic activity in the City.
4. To provide clear guidelines for applicants, staff, Council and the community with respect to Council's expectations in relation to footway dining.
5. To ensure that pedestrian and traffic safety and accessibility is not compromised by footway dining activities.
6. To ensure that adequate, sheltered and safe space is maintained for pedestrian access and circulation.
7. To ensure equitable access for all including people with disabilities.
8. To ensure that footway dining areas are maintained in a clean, healthy, tidy manner and remain attractive elements of Lake Macquarie City.

2 Policy Statement

This policy applies to footway dining on any public land (including Public Roads) in the Lake Macquarie City Council Local Government Area that is owned or under the care, control and management of Council. It particularly applies to footpath areas adjacent to public roads situated within the town and neighbourhood centres in the City.

This policy should be read in conjunction with the detailed Footway Dining Procedure that supports this policy, which provides simple procedures and design guidelines for footway dining activities in plazas, closed roads, footpaths, parks and public places.

Footway dining proposals require approval from Council. The most common location for footway dining is on part of the public footpath outside restaurants, cafes and other food premises, but may also be located on other public land in Council's ownership such as road reserves (land adjacent to carparks etc.), provided that the land is adjacent to a restaurant, café or other food premises.

There are a number of safety, accessibility and amenity considerations with respect to footway dining proposals that aim to ensure the comfort of outdoor diners as well as the comfort of the general public accessing areas in and around footway dining areas.

Council has various responsibilities to meet under the following legislation:

- Local Government Act 1993
- Roads Act 1993
- The Companion Animals Amendment (Outdoor Dining Areas) Act 2010
- Liquor Act 2007
- Food Act 2003
- Work Health and Safety Act and Regulations 2011

WHS Management System Information

Record Keeping Requirements

Records associated with, and generated in compliance with this document include:-

All records will be managed in accordance with **WHS Module 10 - Records**.

Training Requirements

Specific training required to carry out the requirements of this document includes:-

Training requirements will be managed in accordance with **WHS Module 12 – Training**.

Auditing Requirements

Auditing of this process will be managed in accordance with **WHS Module 11 – Auditing**.

Corrective Actions

Corrective actions are to be managed in accordance with **WHS Module 09 – Corrective Actions** whenever it is identified that the requirements of this document and its references are not being met.

Review

This document will be reviewed in accordance with **WHS Module 04 – Document Control** and whenever there is a relevant change to applicable legislation, industry standards, Codes of Practice, the WHS Management System, or the process.

Responsibilities, Authorities & Accountabilities

Responsibility, authority, and accountabilities for all positions within Council are outlined in **WHS Module 01 – WHS Responsibilities** and in the **WHS Responsibilities, Authorities and Accountabilities (RAA) Table** associated with **WHS Module 01**. The RAA table includes responsibility, authority, and accountabilities for employees, managers, supervisors, contractors, visitors, and persons with specialist roles within the organisation.

Controlled Document Information

Authorisation Details

Folder No:	F2014/00332	TRIM Record No:	D08853395
Audience:	External - External applicants for Footway Dining, Property & Business Development department staff, Asset Management staff		
Department:	Property & Business Development		
Officer:	Business Support Officer - Adele Payne		
Review Timeframe: Max < 4 years	2 years	Next Scheduled Review Date:	5 June 2020
Authorisation:	Adopted by Council - 23 June 2014		
REPOL Date of Endorsement:	26 May 2014	REPOL Report TRIM Record No:	D03045546
Authorisation - Council Adoption Date:	23 June 2014		

Related Document Information, Standards & References

Related Legislation:	(Legislation Name) Local Government Act 1993 Roads Act 1993 Smoke Free Environment Act 2000 and Regulations Food Act 2003 Liquor Act 2007 Companion Animals Act 1998 Work Health and Safety Act and Regulations 2011 Noise Control Act 1975 Companion Animals Act (Outdoor Dining) Act 2010	(Relationship/Context)
Related Policies (Council & Internal):	(Policy Name) Lake Macquarie City Council Local Approvals Policy – D08496927	(Relationship/Context)
Related Procedures, Guidelines, Forms, WHS Modules/PCD's, Risk Assessments, Work Method Statements:	(Document Name) Footway Dining Procedure D08253549 Lake Macquarie City Council current Fees & Charges Document Risk Assessment - Clerical and Administration Duties Within the Property Department – D07943636	(Relationship/Context)
Standards COP's & Other References	(Standard, COP or Other References) Access Standard AS1428 Building Code of Australia	(Relationship/Context)

Definitions

Term / Abbreviation	Definition

Consultation (update for each version created)

Key Departments, Teams, Positions, Meetings:	Property & Business Development Coordinator, Manager Property & Business Development
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This is a controlled document. Before using this document, check it is the latest version by checking it on Council's intranet. Unless otherwise shown, printed or downloaded versions of this document are uncontrolled.

Version History

Version No	Date Changed	Modified By	Details and Comments
2	11/5/2016	A Payne	Updated document numbers re related document information. No changes were made to the content of the policy.
3	14/5/2018	A Payne	Updated document numbers in Related Document Information section & WHS Management System Information page added. No changes were made to the content of the policy.