



LPP8 Alfresco Dining and Trading in Public Places

Policy Objective

The objectives of this Policy are:

- a) To enhance the functions, appearance and character of the commercial areas by permitting alfresco dining associated with existing food establishments on Council controlled land such as road reserves;
- b) To allow for the operation of trading activities in public places in such a manner and location that they do not conflict with, or act prejudicially towards the Shire's retail and service base, or any other function of the town centre.

Policy

Background

Alfresco dining in appropriate locations within the Shire's townsites can contribute to its ambience by adding colour, vibrancy and interest to the streetscapes. Alfresco dining is encouraged in all town centres, and especially in locations closely associated with retailing, entertainment and tourism.

The Shire of Ravensthorpe supports and encourages the establishment of alfresco dining areas which:

- i) Enhance the amenity, vitality and ambience of the town's retail, commercial, entertainment and tourism areas;
- ii) Contribute to the activation of streets or laneways on which they are located;
- iii) Provide innovative, unique and creative alfresco street furniture;
- iv) Do not interfere with the safe and reasonable movement of pedestrians, people with prams and motorised wheelchairs; and
- v) Are located so that they do not cause danger or unnecessary distraction to motorists, pedestrians or other road users.

In the interests of encouraging alfresco dining and street activity the additional floor space will not attract a requirement to provide additional parking.

Local Planning Policy No.8 - Requirements

General Requirements

This Policy applies to applications seeking approval to use public land for alfresco dining and trading in public places activities whether on a permanent or temporary basis. Council will have regard to the policy statements below in assessing and considering all applications.

- a) The proposed dining area or display is to be attractively integrated with, and enhance the character of the immediate locality and overall streetscape.
- b) Council will not approve dining and/or display activities where, in its opinion, approval would conflict with or inconvenience other existing businesses. Council in its consideration of the impacts may consult with the owners/occupiers of other nearby premises.
- c) Generally, dining and/or displays will be approved only where they are directly associated with an existing adjacent business. Activities that are not directly associated with an adjacent business may be considered in special circumstances but only where they meet a demand for goods and services that are not available already.
- d) All objects for dining and/or display placed within the footpath area must not



VERSION 15.1

obstruct pedestrian movement or access to and from kerbside parking bays and a minimum clear footpath width of 2m shall be maintained in all cases.

- e) All objects and furniture located as part of the dining and/or display area are to be readily removable. However, where it is demonstrated to the satisfaction of Council there are positive benefits to the public, more permanent features may be permitted providing all costs associated with removal and restoration are borne by the applicant and Council is satisfied with the form, construction and appearance of those more permanent features.
- f) Objects placed on the footpath within the road reserve must not obstruct sight lines for either vehicles or pedestrians, either at road junctions and crossovers.
- g) The applicant is responsible for attending the dining and/or display area and ensuring it is maintained in a good condition and clean and tidy state at all times.
- h) If a dining area and/or display are not maintained in a good condition and clean and tidy state and/or the conditions of Council's approval are not adhered to, Council may withdraw the approval and all associated materials and objects associated with the approved use must be removed.
- i) The applicant shall be solely responsible for all and any associated costs with the removal, alteration, repair, reinstatement or reconstruction to Council's satisfaction of the street carriageway, footpath or any part thereof arising from the use of the approved area. If an applicant does not complete the necessary works, Council may recoup such costs from the applicant.
- j) The installation of transparent, roll-down blinds to provide weather protection for an alfresco area is supported in principle but they must be taken down each night at the close of business.
- k) An Alfresco Dining and Trade Display permit is valid for twelve (12) months from issue of the Development Approval starting from the 1 July. It is renewable annually by the Shire subject to no complaints being received by the Shire.

Special Application Requirements

- a) The applicant is required to show evidence of appropriate comprehensive public liability insurance covering any activity, object or provision within the approved public place and indemnify Council against any claim from its use by them and/or patrons.
- b) In addition to normal development application requirements, applications for Alfresco Dining Areas or Street Displays must be accompanied by plans, drawn to scale, which clearly indicate the proposed location of tables, chairs and any other object(s) and shows their relationship to existing features such as the building, kerb line, street furniture, landscaping and adjoining buildings
- c) Applications must contain a written submission and must specify proposed days and hours of trading in the public area.



DOCUMENT CONTROL BOX		
Custodian: Chief Executive Officer	Decision Maker: Council	
Compliance Requirements:		
Legislation: Local Government Act 1995 S5.39 Contracts for CEO and Senior Employees Local Government Act 1995 Local Government (Administration) Regulations 1996 Local Government Legislation Amendment Act 2019 section 22 – s5.39A, 5.39B & 5.39C Local Government (Administration) Regulations 1996 (Administration Regulations) Regulation 18A amended, 18C and 18D deleted, 18FA to 18FC inserted		
Industry:		
Organisational:	Shire of Ravensthorpe Local Planning Scheme No.6 Shire of Ravensthorpe Local Planning Strategy	
Document Management:		
Risk Rating: Medium	Review Frequency: 2 Years	Next Due:
Version #	Decision Reference:	Description:
a	OCM 20/12/18 – Item 10.2.1	Major Revision to Planning Scheme Policies
b	OCM 15/09/20 – Item 15.1	Comprehensive Policy Register Review
c	OCM 19/07/22 – Item 12.1.2	Comprehensive Policy Manual review.
d	OCM 17/12/2024 Item 12.1.2	Policy Reconfirmed – No Amendments
e	OCM 15/12/2025 Item 12.1.1	Policy Reconfirmed – No Amendments