





INTRODUCTION

Quality outdoor dining makes an important contribution to the fabric of a vibrant and cultural city. City of Ballarat encourages outdoor dining which enhances the unique Ballarat streetscape and allows for the continued growth of our local businesses. This document is a guideline for businesses considering outdoor dining and has been developed as an overview to support the City of Ballarat Footpath Trading Policy 2013. For detailed information regarding outdoor dining applications, conditions and responsibilities please refer to the Footpath Trading Policy 2013.

Applicants are encouraged to also check if other permits are needed such as planning and building permits. In many cases, especially in areas where a heritage building is involved, these are likely to be required.

OBJECTIVES

City of Ballarat supports outdoor dining which is of high quality design, contributes to the vibrancy and activation of the location and does not adversely affect public safety, amenity and pedestrian traffic.

Outdoor dining should

- Provide for safe and reasonable movement of pedestrians and allow for safe passage along footpaths at all times for pedestrians of all abilities in accordance with Council's Statutory responsibilities
- Support the CBD Strategy in activating public areas, street activity and vibrancy during the day and evening
- Be of a high quality design which enhances the safety, amenity and ambience of the area
- Maximise the benefits and synergies between outdoor dining areas and other public uses
- Maintain Ballarat's heritage identity and levels of public amenity

WHAT IS OUTDOOR DINING?

An outdoor dining facility includes any area of the footpath which is being used for the purposes of providing outdoor dining. The area may typically include tables, chairs, barrier screens, transparent blinds, umbrellas, portable heaters or planter boxes. *Ref: Footpath Trading Policy 2013 Section 4*

Locations

There are many suitable locations for outdoor dining in Ballarat. As the cultural, retail and professional services centre of Ballarat Council particularly encourages outdoor dining facilities within the CBD retail arts / core.

The overall amenity of the area should be considered, which must not be compromised by way of excessive noise, anti-social behaviour or odour from fuels.

EASY APPLICATION PROCESS

Application forms are available through Council's customer service team, located within the Phoenix Building, 25 Armstrong Street South or online at www.ballarat.vic.gov.au.

An application fee for outdoor dining applies. Fees are paid per annum and permits are valid until 31st March each year (Ref: City of Ballarat Application for Footway Permit).

1. Refer to City of Ballarat's Footpath Trading Policy 2013.

The policy is available online at www.ballarat.vic.gov.au or from Council's customer service team located within the Phoenix Building, 25 Armstrong Street South Ballarat.

2. Obtain a Certificate of Currency from your insurance agent for public risk insurance (minimum \$10 million cover) and include with your application

3. Obtain and include a copy of your current liquor licence which extends to the proposed footpath area and with your application if you intend to serve alcohol at the outdoor dining facility.

4. Describe the nature of your business including details of the items proposed to be on the footpath and a plan of the area showing

- location, boundaries and number of tables and chairs
- location and type of barriers to be installed and a letter (preferably from an engineer) indicating it meets the appropriate standard
- location and type of any proposed shelter (i.e. blinds, umbrellas etc)

On receiving your application a Council Officer will contact you to make a time to inspect the site to determine suitability.

Approved applicants will receive a schedule of fees and invoice from City of Ballarat. Applications lodged after 31st October may be eligible for a fee reduction. Once payment is received, Council will issue the Footpath Trading Permit and items can be placed on the footway and outdoor dining commenced.

GUIDELINES AND CONDITIONS

Tables & Chairs

The use of a variety of high quality durable furniture is encouraged. Design should be uniform in style and complement the character of the streetscape. Ref: *Footpath Trading Policy 2013 Section 5*

Barrier Screens

Temporary and permanent barrier screens may be used by traders to delineate an outdoor dining area to create a feeling of safety or enclosure for patrons. All temporary and permanent barrier screens are subject to approval by Council on a case by case basis and generally should be no more than 1.0 metre high. Form and construction of barrier screens should be suitable for functional requirements with consideration given to available space, urban character, heritage character and existing street infrastructure

Ref: *Footpath Trading Policy 2013 Section 6*

Blinds

Clear plastic drop down blinds can improve the dining experience in streets where there is poor protection from the elements. Applications for clear drop down' blinds will be assessed on a case by case basis considering prevailing urban character, existing street infrastructure and traffic conditions.

Ref: *Footpath Trading Policy 2013 Section 7*





Umbrellas

The City supports the use of umbrellas for shelter where there is insufficient shelter provided.

Ref: Footpath Trading Policy 2013 Section 7

Inground Sockets

Inground sockets inset into the footpath surface must be used to secure all umbrellas and some barrier screens. Installation of the socket requires a road opening permit from Council.

Ref: Footpath Trading Policy 2013 Section 9

Heaters

Outdoor gas heaters should where possible be connected to a reticulated gas supply and be affixed to awnings and verandahs. They require a building permit. Patio type heaters may be used on the footpath if covered by the applicants public liability insurance but will reduce the outdoor dining trading zone.

Ref: Footpath Trading Policy 2013 Section 10

Planter Boxes

Well maintained planter boxes and healthy plants can add to the appearance of an outdoor trading area. Business Owners are responsible for maintenance of boxes and plants in their dining area.

Ref: Footpath Trading Policy 2013 Section 11

Portable Advertising Signs

Businesses may display up to 2 approved advertising signs in a Trading Zone. Signs should be professionally sign written and include the business name or logo. *Ref: Footpath Trading Policy 2013 Section 10*

Management

Footpath Trading permit holders are responsible for the management of:

- Cleaning;
- Refuse collection;
- Packing up and storage of furniture at the end of the days trading
- Retracting blinds and awnings;
- Licenses;
- Insurances;
- Fees; and
- Compliance with relevant regulations.

An outdoor dining or footpath trading permit is a privilege to share and use public space for commercial purposes. As the permit holder you should ensure that you and your staff manage your street trading area, comply with the requirements of the Footpath Trading Policy and any relevant permit conditions.

The City will monitor on an ongoing basis how you manage, comply with the code/permit conditions, accessibility and general amenity requirements of the street trading area. The City's approach to compliance issues are inform, educate and seek compliance. Continual breach of performance standards can result in compliance actions.



City of Ballarat

PO Box 655, Ballarat, Vic, 3353

Phone: (03) 5320 5500

www.ballarat.vic.gov.au