

Alfresco Dining

Objective

Under the provisions of the City of Rockingham Public Places and Local Government Property Local Law, the City may permit activities such as trading on local government property. The purpose of this Policy is to set out the circumstances under which the City will issue permits for alfresco dining on local government property.

The Policy aims to:

- Ensure alfresco dining areas do not interfere with the safe and reasonable movement of pedestrians of all abilities, vehicular traffic, and other street activities;
- Encourage high quality alfresco dining areas to enhance the safety, vitality, amenity and character of the City of Rockingham; and
- Ensure that adjoining premises are not adversely affected by an alfresco dining area.

Scope

This Policy applies to all alfresco dining on local government property under City of Rockingham control that is associated with a registered food business.

This Policy does not apply to alfresco dining:

- located on private property, where development approval may be required, or
- as part of an approved outdoor event, or
- that is not associated with a registered food business.

Statement

To encourage high quality alfresco dining areas that do not interfere with the safe and reasonable movement of pedestrians and vehicular traffic or other street activities, the following will be considered in all applications:

- consistency with Alfresco Dining Guidelines
- location of the proposed alfresco dining area
- consistent and predictable clear path of pedestrian travel maintained on footpath
- compatibility with pedestrian, vehicle and emergency access
- compatibility with existing uses
- safety issues such as traffic speeds, traffic levels and sight lines
- location and number of sanitary facilities
- amenity impact potential from noise, light or other sources
- any previous non-compliances or issues by the applicant / food business.

Council Policy

Alfresco Dining Guidelines

Guidelines have been developed to implement the Policy Objectives and provide a comprehensive framework for the development, management and control of alfresco dining areas throughout the City of Rockingham. The Alfresco Dining Guidelines will be updated periodically to reflect any legislative and/or City operational changes.

Definitions

Alfresco Dining Area - means an area provided for dining on the footpath or other public area under local government control associated with an approved food business, for temporary commercial dining activities only, within the City of Rockingham.

Trading - means selling or hiring goods or services and includes the setting up of a stall and conducting business at a stall.

Legislation

Local Government Act 1995

City of Rockingham Public Places and Local Government Property Local Law 2018 - clause 3.1(1)(f)(ii)

Food Act 2008 - section 109

Environmental Protection (Noise) Regulations 1997 - regulation 7

Other Relevant Procedures / Key Documents

Alfresco Dining Guidelines

Responsible Division

Planning and Development Services

Review Date

January 2023

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