

NOOSA PLANNING SCHEME POLICY 14— OUTDOOR DINING

Introduction

Noosa Council recognises that outdoor dining is an integral part of the dining experience offered in Noosa. The purpose of this Planning Scheme Policy is to—

- a) encourage outdoor dining in areas that will not result in significant adverse impacts on adjacent uses;
- b) encourage structures that are aesthetically pleasing and in keeping with the existing character of the area while providing protection from the elements for users of the premises;
- c) ensure outdoor dining does not result in an unacceptable risk to users of the premises; and
- d) provide guidance to the community, Council and its staff in the assessment of development applications for outdoor dining.

1. Definitions

open outdoor eating area means an outdoor dining area associated with a café, restaurant or shop, which is—

- a) uncovered and open to the elements; or
- b) covered with a pergola or open roof structure and does not include either permanent or temporary walls, offering only limited protection from the elements.

The term does not include dining areas within road or other reserves.

principal food premises means a café, restaurant or take-away food business registered under the *Food Hygiene Regulations 1989*.

2. Matters for consideration as part of assessment

2.1 Structures/Buildings

- a) *Structures* or *buildings* constructed to protect diners from the elements must be safe and attractive. This can be achieved by—
 - i Designing and locating *structures/buildings* to ensure the safety of users;
 - ii Securing *structures* appropriately to ensure they do not become a safety hazard during adverse weather conditions;
 - iii Designing *structures/buildings* so they are compatible with, or enhance the existing streetscape character;
 - iv Ensuring *structures/buildings* allow light to penetrate; and
 - v Removing temporary accessories such as plastic walls when they are not required.
- b) Plastic walls are unsightly, restrict airflow, are a fire and safety hazard and are not in keeping with Noosa's image as a world-class tourist destination with excellent dining

facilities. Consequently, plastic walls are only to be used when adverse weather conditions prevail, and should be cleaned regularly.

Figure 2-1 Plastic walls are unsightly and should be rolled up when not required



2.2 Landscaping

- a) Calculations of required landscaping must be based on the total use area of the premises. Therefore, proposals to extend an existing restaurant by providing new or extended outdoor dining may require additional landscaping.
- b) Landscaping must be undertaken in accordance with the Landscaping Code (see the Noosa Plan, Part 14, Division 17).
- c) Soft landscaping should be integrated with the outdoor dining environment to create an ambient atmosphere for diners.

2.3 Toilets

- a) Where an extension to an existing restaurant is proposed for outdoor dining, whether it be covered or uncovered dining, the *principal food premises* must have adequate toilet facilities to cater for any increase in seating.
- b) The number of toilets required will be assessed in accordance with the *Building Code of Australia*.
- c) Reliance on public toilets situated within close proximity to the outdoor dining area is not considered to be an acceptable solution.

2.4 Carparking

- a) Calculations of required carparking must be based on the total use area of the premises. Therefore, proposals to extend an existing restaurant by providing new or extended outdoor dining may require additional carparking.

2.5 Heating

- a) If heating is provided it must not present a physical risk to diners and pose no fire risk to the surrounding buildings and structures. Consequently braziers are not permitted. An acceptable form of heating is a tall gas deflector above 2m in height. All heating devices are to be used as per the manufacturers instructions.

Figure 2-2 Braziers are NOT permitted



Figure 2-3 Preferred heating device



2.6 *Public Health and Safety*

- a) Surfaces for outdoor dining shall be non-slip, water resistant and not raised. Tiles are not encouraged.
- b) Liquid or food waste materials are not to be swept or hosed onto the footpath, public areas or into stormwater drains.
- c) Any existing street bins that require relocation as a result of the development of an outdoor dining area shall be relocated at the developer's expense.

2.7 *Amenity*

- a) Outdoor dining is to be in keeping with the character and amenity of the locality.
- b) In existing well established commercial and tourist precincts such as Hastings Street; Sunshine Beach; Noosa Junction and Gympie Terrace, outdoor dining is encouraged.
- c) In other areas assessment of outdoor dining will consider the impact the proposal will have on adjoining residential and other land uses.

POLICY HISTORY

PSP14 adopted by Council 3 November 2005 and effective 3 February 2006