SC6.4.3.4 Outdoor dining design

SC6.4.3.4.1 Introduction

(1) Purpose

(a) To protect pedestrian traffic by the introduction of shared footpath management guidelines for the purpose of providing for improved use of the area and business opportunity.

(b) To effectively address risk management issues to facilitate which relate to the introduction of additional uses, cross pedestrian traffic, and items of infrastructure or street furniture, as well as the potential interaction with vehicles as outlined in SC6.4.3.4.2.

(2) Scope

(a) When assessing an application involving outdoor dining, council will consider all relevant issues, including, but not limited to:

(i) whether the proposed outdoor dining area is located immediately adjacent to the applicant's existing premises and/or connectedness to the development;

(ii) pedestrian usage of the area, including safety and passage;

(iii) vehicular usage of the area, including separation and safety matters;

(iv) the general safety of patrons of the proposed outdoor area;

(v) the contribution towards a high amenity area and creation of active and integrated spaces and places as identified by the relevant zone code; and

(vi) how the outdoor dining integrates with the character of the locality/zone and existing or intended streetscape, including specific footpath treatments.

Editors note: Applicants should also refer to section 9.4.1 Advertising devices code of the Townsville City Plan for additional design requirements and Table 5.9.2 Operational work being placing an advertising device on premises for application requirements regarding the control of advertising devices in outdoor dining spaces.

Editors note: Applicants should also be aware that there may be additional related approvals required, including Outdoor Dining Licence Applications from Townsville City Council (Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011), Food Premises Licence; any liquor licencing requirements required by the Queensland Government office of Liquor, Gaming and Racing and if the outdoor dining area is on state controlled land, including road, that the applicant shall lodge other necessary documentation to the required entity.

Editor's note: Any person wishing to use any council controlled land for outdoor dining must lodge an application for an outdoor dining licence under council's Outdoor Dining Policy, which can be found on council's website.

(b) Outdoor dining is considered to include the following:

(i) the use of the council-controlled public land for the purpose of extending the services of premises whose main function is the provision of food and/or beverages to the public; and

(ii) premises may include restaurants, cafes, bars, deli and other food outlets, but does not include roadside stalls.

(3) Terminology

Back of kerb	The point of the kerb profile away from the road, as illustrated in Figure SC6.4.3.3.6.

Crash barrier	A longitudinal or roadside barrier that has the primary function of preventing penetration by a vehicle and for which the primary purpose is to prevent or reduce the injury to occupants of an errant vehicle and restaurant patrons by safely redirecting an errant vehicle away from a roadside hazard. All roadside crash barriers must be designed to meet AS3845:1999.
Kerbside zone	The area between the trading zone and the back of kerb.
Kerbside use zone	The area between the back of kerb and the vehicle through lane. Uses within the kerbside use zone may include parking, accessible parking, bus bays, taxi ranks, drop-off zones, loading zones, no standing zones, shoulders and bike lanes.
Pedestrian fence	A fence provided to restrict the movement of pedestrians and restaurant patrons. This can include a permanent structure or may be a portable café-style fence. Pedestrian fences must be: • A minimum height of 800 mm. • Designed and constructed so that the fence does not present a spearing hazard and is of a level of quality and design acceptable to council.
Pedestrian zone	A 1.8m wide section of footpath for the through movement of pedestrians.
Trading zone	the f defined area within which outdoor dining is permitted by council. All furniture and commercial activities relating to outdoor dining must occur within this area. Pavement markers will be installed by council to define the extents of the approved dining area (trading zone).
Traffic lane	The area of the road that is used for the through passage of vehicles in normal driving conditions. The traffic lane does not include the shoulder, parking lane or other kerbside use area.

The relationship between the key terms above is shown in Figure SC6.4.3.4.1. Trading zone definitions

SC6.4.3.4.2 Risk considerations associated with outdoor dining

With respect to outdoor dining, risk is increased by four significant events. Risk management through design guidelines is provided for the following four risk events:

(1) a vehicle running off road when diners are present, without sufficient separation to allow the driver of the vehicle to recover (or for diners to react and clear the path of the vehicle);

(2) a vehicle running off road when diners are not present, without sufficient separation to allow the driver of the vehicle to recover, and the outdoor dining furniture penetrates the vehicle causing injury to vehicle occupants;

(3) a vehicle running off road at a location where a crash barrier has been provided for the specific purpose of protecting footpath diners, and the crash barrier has not been designed to safely and effectively redirect the impact of a vehicle, causing either injury to outdoor diners or injury of the vehicle occupants; and

(4) a diner/staff stepping or falling onto path of vehicle due to proximity of trading zone to the traffic lane (with no fence or barrier in place), for example due to placement of a chair too close to the kerb.

SC6.4.3.4.3 Design guidelines for kerbside risk management and use

In addition to risk management issues, the guidelines include recommendations for the separation of the trading zone to accommodate the various roadside elements such as parking, and access to public infrastructure and services. Table SC6.4.3.4.1 below summarises the content of these guidelines.

Table SC6.4.3.4.1 Summary of guidelines and requirements

Guidelines	Requirements
Speed zones	See Table SC6.4.3.4.2
Barriers and fences	See Table SC6.4.3.4.3
Intersection corner	Outdoor dining should not occurwithin an intersection corner as defined in Figure SC6.4.3.5
Kerbside uses	See Table SC6.4.3.4.4, Figure SC6.4.3.6
Public infrastructure clearances	In general, 1 m clearance from public infrastructure unless demonstrated otherwise. See SC6.4.3.4.8
Pedestrian access though trading zone to access kerbside uses	See clause SC6.4.3.4.7

SC6.4.3.4.4 Design guidelines for risk management

Because of the increase in risk associated with higher speed limits, different levels of outdoor dining protection and separation have been recommended to manage risk appropriately. In some speed zones, outdoor dining is generally not appropriate. In lower speed zones, outdoor dining is generally always appropriate provided suitable measures are taken to separate diners from traffic by distance or a physical barrier or fence. Table SC6.4.3.4.2 below summarises the recommendations for risk management in different speed zones.

Table SC6.4.3.4.2 Summary of recommendations for risk management

Speed zone (km/h)	Appropriate for outdoor dining	Provide crash barrier guidelines	Provide pedestrian fencing guidelines
Above 60	No	-	-
60	Yes	Yes	Yes
50	Yes	Yes	Yes
40	Yes	No	Yes

Table SC6.4.3.4.3 provides the detailed design guidelines for different speed zones. Note that in the majority of cases, the need for a crash barrier can be avoided by increasing the separation distance between the trading zone and traffic. Figures SC6.4.3.4.2 – SC6.4.3.4.4 illustrate these design guidelines.

Table SC6.4.3.4.3 Guideline for crash barriers, pedestrian fencing and separation distance

Speed zone (kph)	Trading zone 3m or more from traffic lane	Trading zone 1.2m to 3m from traffic lane	Trading zone less than 1.2m from traffic lane
Above 60	Not recommended for outdoor dining	Not recommended for outdoor dining	Not recommended for outdoor dining
60	No crash barrier or pedestrian fence required	Pedestrian fence required	Crash barrier required
50	No crash barrier or pedestrian fence required	Pedestrian fence required	Crash barrier required
40	No crash barrier or pedestrian fence required	No crash barrier or pedestrian fence required	Pedestrian fence required

SC6.4.3.4.5 Design guidelines for trading zones at an intersection

In general, outdoor dining is not appropriate in the vicinity of an intersection corner. This allows corners to be used by pedestrians and cyclists, and allows access to public infrastructure and services to be maintained at all times. In some circumstances it may however be appropriate to support the zone intent and specific demonstration for intersection driving will be required.

Figure SC6.4.3.4.5 shows the area at a corner that should not be used for a trading zone.

SC6.4.3.4.6 Trading zone setbacks for kerbside use

Different kerbside uses have different spatial requirements to facilitate the movement of vehicles and pedestrians. Table SC6.4.3.4.4 summarises the recommended separation distance between the kerb and the trading zone for each kerbside use. Figure SC6.4.3.6 illustrates these distances.

Table SC6.4.3.4.4 Setbacks for kerbside use

Kerbside use	Minimum setback from back of kerb
No Standing/ traffic lane	0.3m (if no pedestrian fence provided)
Parking - angle	0.8m
Parking - Parallel	0.8 m
Accessible Parking (Parallel)	1.5m

SC6.4.3.4.7 Pedestrian access to kerbside use and through trading zones

The design of a trading zone and any required pedestrian fencing should accommodate access through or around the trading zone for pedestrians, including persons with a disability. Where a pathway is required through the trading zone, a minimum width of 1.2 m is required. Where the kerbside use has an accessible parking bay and kerb ramp to access vehicles in the kerbside use area, a 1.5 m wide access through the trading zone must be provided. In addition, the design should consider the need for the crossing of pedestrians where the proposed outdoor dining facility is not within 20 m of a pedestrian crossing or intersection. A minimum width of pedestrian zone of 1.8 m is recommended. This width should be increased to a minimum of 2.4 m at locations where high pedestrian volumes are expected.

SC6.4.3.4.8 Clearances to public infrastructure

It is recommended that with the exception of service pits, in general a clearance of 1 m is desirable from all public infrastructure with the following exceptions:

(1) where a pedestrian fence is provided which separates the infrastructure and the trading zone; or

(2) where the owner of the public infrastructure asset (including council) provides written permission to relax the minimum clearance requirement.

In the case of service pits, a minimum clearance is not specified. However it is recommended that the applicant obtains the permission of the asset owner if the applicant wishes to install outdoor dining furniture over or in the immediate vicinity of the service pit.

SC6.4.3.4.9 Risk assessment for non-conforming designs

Outdoor dining proposed within a speed zone higher than 60 km/h, or if the applicant believes that the requirements of the design guidelines are not applicable to the specific location, a risk assessment will be required by council.

The risk assessment must be prepared by a person considered by the council to have appropriate expertise in traffic engineering, and will need to demonstrate that the proposed design meets the intent of this sub-section and the relevant provisions at the same zone code applicable is the application.

SC6.4.3.4.10 Permanent outdoor dining structures

In the case where a permanent structure (for example concrete walls, decking, awnings) are proposed, details are to be provided on plans submitted for approval.

Structures, and associated services, must be designed and constructed by suitably qualified persons in accordance with the relevant Australian Standards to maintain public safety and good amenity.

Electrical supply should have an isolating switchboard to enable the operator of the outdoor dining service to isolate the electrical supply.

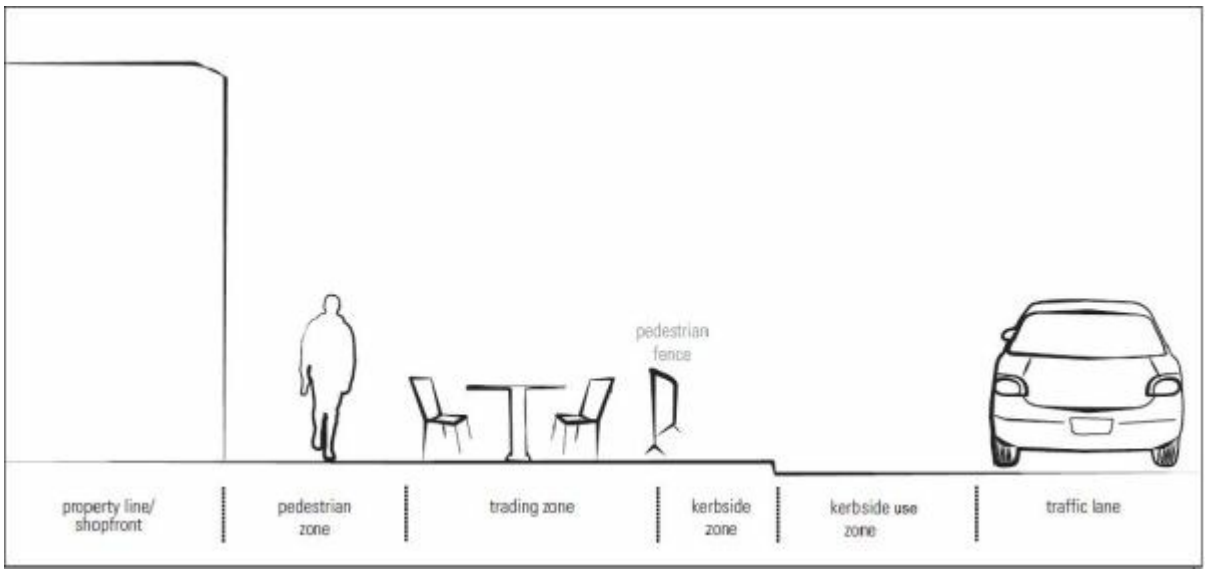

Figure SC6.4.3.4.1 Trading zone definitions

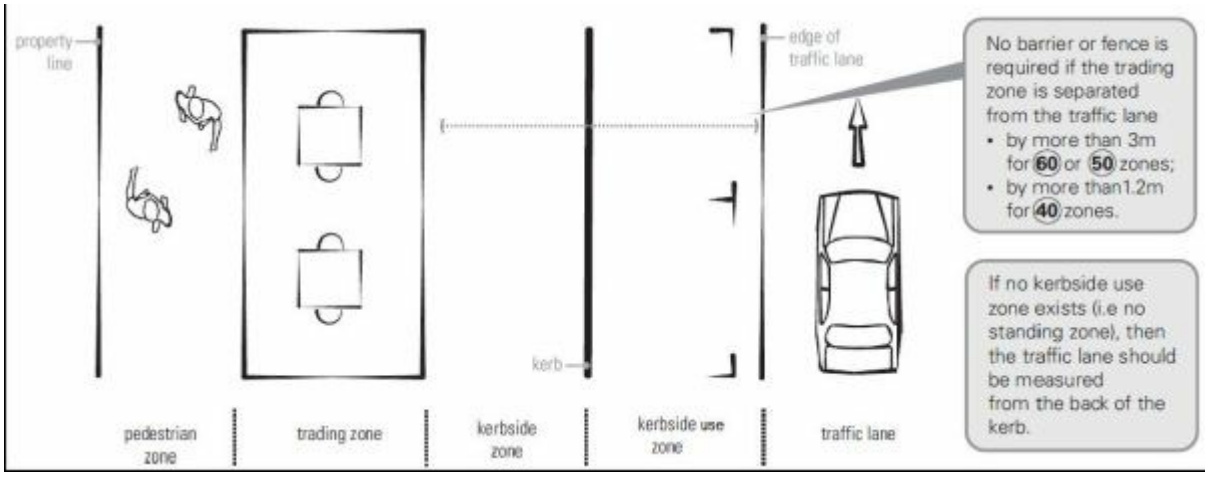

Figure SC6.4.3.4.2 Separation requirements (no barrier or pedestrian fence)

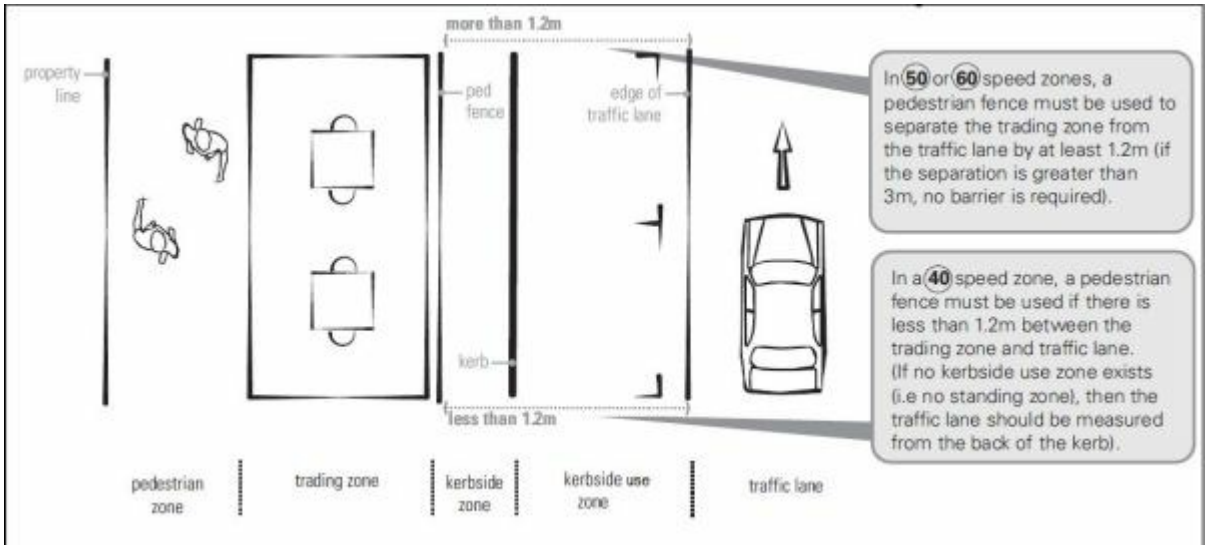

Figure SC6.4.3.4.3 Pedestrian fence requirements

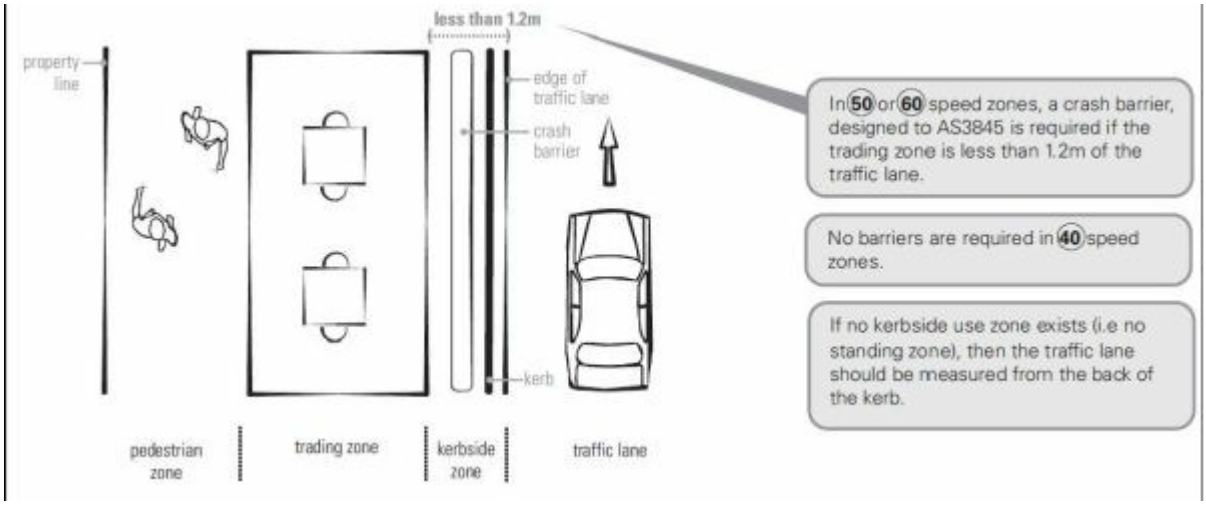

Figure SC6.4.3.4.4 Crash barrier requirements

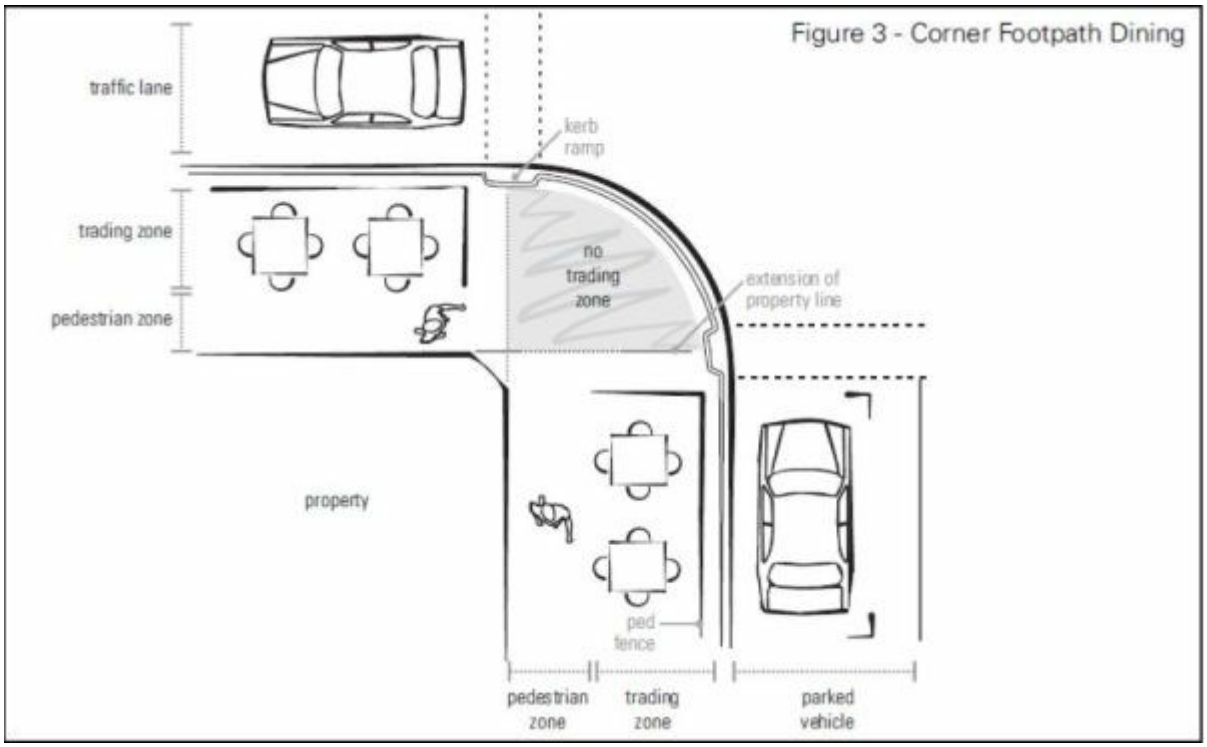

Figure SC6.4.3.4.5 Outdoor dining at intersections

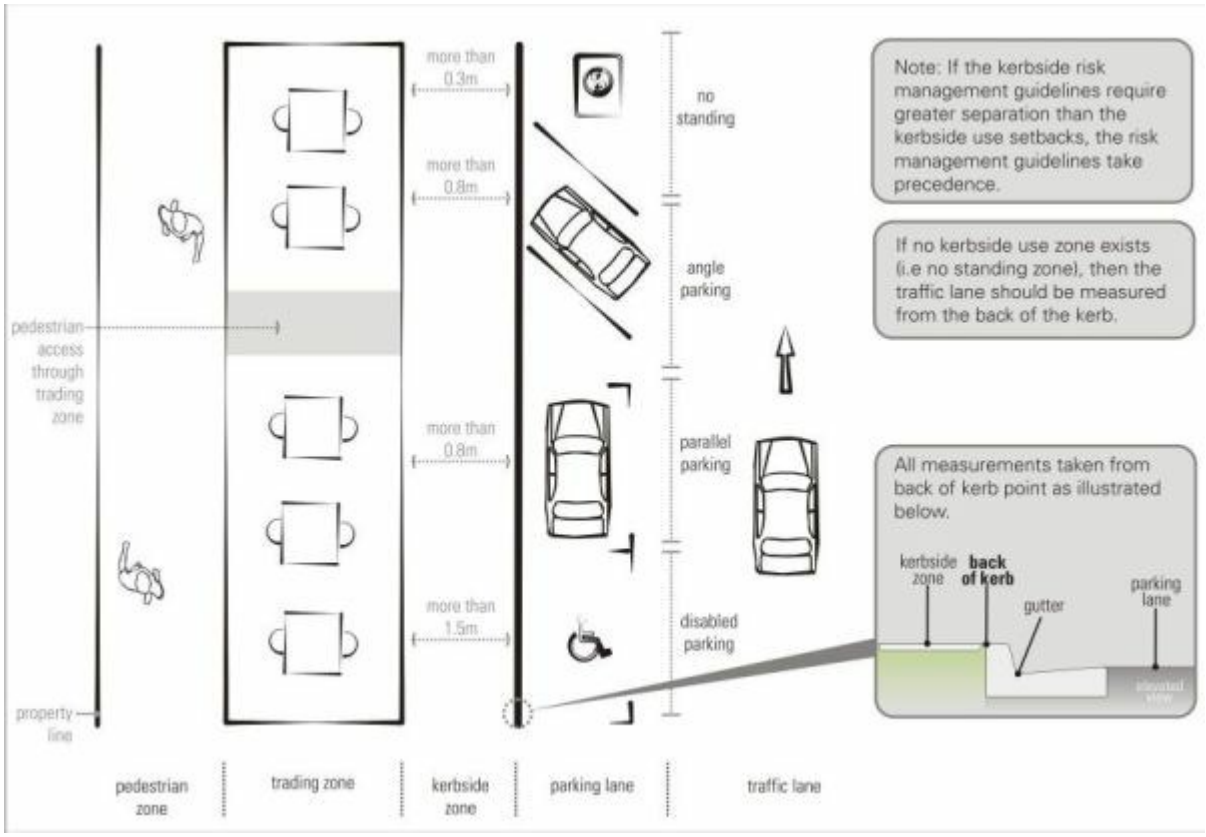

Figure SC6.4.3.4.6 Kerbside use setback requirements

SC6.4.3.4.11 Design and layout principles

(1) To ensure the safety of patrons using the indoor and outdoor areas of the business.

(2) To ensure safety and convenient passage of all pedestrians when using public footpaths.

(3) To ensure the maintenance of clear view lines for both pedestrians and motorists, particularly near pedestrian crossings, street corners and key intersections as sought by the relevant zone code.

(4) To provide an active and integrated street front.

(5) To ensure adjoining premises are not adversely affected by any business use of footpath areas.

SC6.4.3.4.12 Plan of layout

(1) For any application involving outdoor dining, the applicant is required to provide a layout plan identifying the zones nominated in SC6.4.3.4.1(3) Terminolgy (and Figure SC6.4.3.4.1) above to a scale of 1:100.

The plan of layout must clearly identify the following:

(a) pedestrian zone - a clear pedestrian thoroughfare of not less than 1.8 m in width;

(b) trading zone - an outline of the area intended to be used, including its dimensions;

(c) kerbside zone – area between trading zone and back of kerb;

(d) kerbside use zone – area between back of kerb and traveled path of vehicle;

(e) traffic lane – area of the road used for through passage of vehicles;

(f) any pedestrian fences that are proposed to be used;

(g) any crash barriers that are proposed to be installed;

(h) the access and exit points of the building near the intended outdoor dining area;

(i) details of any loading zones, bus zones, trees, planter boxes, fire hydrants, transformers, telephone booths, mail boxes, bus stops, bus seats and shelters, rubbish bins, pillars, posts and other

obstructions; and

(j) If any structures are proposed the structures and, the location of any underground services (such as water, electricity etc).

(2) In addition to submitting a plan of layout, the applicant is also required to submit:

(a) a colour photograph of the site frontage of the area; and

(b) details of all proposed signage and advertising.

SC6.4.3.4.13 Access guidelines

Outdoor dining should enrich the pedestrian experience and public life and support the purpose of the relevant zone. It is therefore important that they present an open, inviting image and are easily accessible from the public way. The layout and access must be ergonomically designed to allow safe operation of outdoor dining.

The streetscape must provide safe, equitable and dignified access for all, enabling all people to move around independently, safely and without restriction within an outdoor space. The edge of the building permits people who are visually impaired to easily locate entrances to buildings without encountering hazards. Hence, where possible and practical, the trading zone should be located on the kerb-side of the footpath, and the pedestrian zone should be located on the building side of the footpath to provide a continuous accessible path of travel for all pedestrians.

In some locations, conditions may make siting of the trading zone on the kerb-side impractical, seriously disadvantageous or an unreasonable impediment to pedestrian traffic. In such situations, council will consider allowing the location of the trading zone adjacent to the building rather than against the kerb.

In all locations, an outdoor dining area must stay within the area identified as trading zone on the approved layout plan.

Details of required clearances to public infrastructure are provided in SC6.4.3.4.11.

Outdoor dining areas must be easily accessible from the footpath and must present an open and inviting image to entice participation. Pedestrians should not be forced onto the roadway by outdoor dining activities or other non-permanent items/structures on the footpath.

SC6.4.3.4.14 Furniture guidelines

Permanent outdoor furniture should make a positive contribution to the street environment. A furniture style that is practical and integrates well with the surrounding cityscape is encouraged.

(1) Outdoor furniture should enhance the character of the street.

(2) Outdoor furniture should be robust to withstand the wear and tear of outdoor commercial usage.

(3) Outdoor furniture should be safe in its design, compliant with Australian Standards, and not cause any hazards to the patrons, shopkeepers or pedestrians.

(4) Barricades, safety rails, bollards etc. may be required for safety reasons. All such barriers must be provided and maintained in accordance with this sub section.

(5) The use of framed fabric or any other style of low-height barriers, including planter boxes, within public domain must be carefully designed and selected to ensure minimal impact on the use, enjoyment and safety of pedestrians and patrons.

(6) Removable furniture are to be removed when business is not open.

(7) No part of the footpath is to be used for storage.

SC6.4.3.4.15 Umbrellas/shade structure guidelines

(1) Fixtures that penetrate or damage the pavement on council footpaths will generally not be permitted. However, assessments will be undertaken on a case by case basis.

(2) In some cases, the applicant may wish to undertake streetscape works to accommodate an outdoor café. Such works may include footpath widening, paving, street tree planting, installation of permanent umbrellas/shade structures, pedestrian lighting etc.

(3) Umbrellas and other shade structures should not encroach upon, nor interfere with pedestrian movement or services.

(4) Umbrellas and other shade structures must have not less than 2.5 m clearance above the footpath within the obstruction free zone (AS1742.2 – 2009) from the lowest point of the extended arms (spokes) and not cause a hazard to pedestrians within a pedestrian zone.

(5) Umbrellas must be maintained in sound and aesthetically acceptable condition to the council's satisfaction.

(6) Umbrellas must be secured against high winds.

(7) Umbrellas must be removed when the outdoor seating area is not in use.

(8) Any advertising on umbrellas and other shade structures must comply with section 9.4.1 Advertising devices code (any relevant approval obtained for the placement of an Advertising device) and the relevant local law (*Local Law No. 1.4 Installation of advertising devices 2011)*.

SC6.4.3.4.16 Advertising guidelines

The Advertising devices code found in section 9.4.1 of the Townsville City Plan provides applicants with information regarding the placement of advertising devices. In some instances, separate approval for operational works for the placement of an advertising device may be required. Refer to Table 5.8.2 of the Townsville City Plan to determine levels of assessment for the placement of an advertising device.

SC6.4.3.4.17 Lighting

Any outdoor dining establishment approved to operate outside daylight hours must provide adequate lighting to Australian Standards, to ensure the safety and amenity of patrons and the general public. The use or reliance on council infrastructure is not permitted and the cost of maintaining, running and installing the lighting shall be the responsibility of the applicant/operator of the outdoor dining space. Any outdoor lighting must also comply with any light spillage requirements so as not to cause nuisance to adjoining properties or traffic movement areas. Lighting shall be safe and not cause obstruction or pose a hazard to pedestrians or traffic.