



Hornsby Shire Council – Outdoor Dining

Council may permit outdoor dining areas on the footpath adjacent and ancillary to existing café/restaurant premises. A development application (DA) is required to be submitted to Council seeking development consent for the outdoor dining area.

The DA submitted to Council must satisfy the following criteria:

- The outdoor dining area must be adjacent and ancillary to an approved café/restaurant premises.
- A minimum distance of 2.1 metres from the rear of the kerb to the edge of the seating area must be provided to maintain suitable pedestrian access for the general public utilising the Council footpath.

(Note: In certain circumstances where there are low pedestrian movements on the pathway, a minor reduction to the minimum width may be permitted)

- The owner/operator of the premises shall take out appropriate public liability insurance to the satisfaction of Council's Manager, Assets Branch prior to the use of the Council footpath for the approved outdoor seating.
- The owner/operator is to enter into an appropriate legal agreement with the Council through its Property Services Section for the use of Council land and pay the appropriate fees for use of the subject property.
- Full details of the type of table and chair to be utilised as part of this approval are to be provided to the Council in the DA.
- In certain circumstances, Council may require the provision of additional carparking for the outdoor dining area. Council's Carparking Development Control Plan requires on-site parking for restaurants and reception areas at the rate of one (1) space per 7m² of gross floor area.

If you want to lodge a development application, **please contact the Customer Services Branch on 9847 6760 between 8.30 am and 5.00 pm** to obtain advice on Council's lodgement requirements and corresponding fees.

Application forms can be obtained on Council's website at www.hornsby.nsw.gov.au.

