

Item 14.11**Notices of Motion****Drinking While Standing. Yes You Can!**

By Deputy Lord Mayor Councillor Miller

It is resolved that:

(A) Council note:

- (i) outdoor dining supports our businesses and creates jobs, adds vibrancy to our streets, and provides more interesting destinations that attract residents, workers, and visitors;
- (ii) initially a measure to help hospitality venues recover from the pandemic, outdoor dining has become an essential part of the City's culture and street life;
- (iii) since 2020, the City of Sydney has waived outdoor dining fees, and this fee waiver was made permanent through a Lord Mayoral Minute in March 2025;
- (iv) we have approved nearly 1,000 applications and created around 13,000sqm of new space on roads and footpaths, supporting over 800 businesses. The total value of support we will have given businesses by waiving footpath and on-street outdoor dining fees since November 2020 is around \$20 million;
- (v) almost all businesses with outdoor dining have told us it is beneficial, or crucial, to their business - more than half have had an increase in turnover of around 20%. Many have employed new staff or increased staff hours – an estimated 200 jobs have been created from our free outdoor dining;
- (vi) during Covid, the NSW Government introduced a requirement that patrons be sitting while eating or drinking;
- (vii) in 2022, the City removed that requirement from our regulations, allowing patrons to stand if venues provide high tables or shelves, which were included to assist the management of outdoor dining areas by providing a space for glasses or plates to be placed;
- (viii) in 2024, the NSW Government followed suit, removing the legislative requirement for venues to provide tables;
- (ix) while some venues' approval predates the changes, the City does not enforce any sitting-down - table or not; and
- (x) the City is currently revising its Outdoor Dining Guidelines, which are scheduled for Council consideration in December 2025; and

(B) the Chief Executive Officer be requested to:

- (i) remove requirements in the Outdoor Dining Guidelines to stand at a table or shelf in outdoor dining areas following the NSW Government's changes; and
- (ii) clearly and effectively communicate the current situation, the application process, and all changes to the Outdoor Dining Guidelines to businesses and the sector.

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