

Attachment A

**Engagement report – Draft outdoor dining
guidelines**

Outdoor dining guidelines – engagement report



Contents

Overview	3
Background	3
Engagement summary	3
Purpose of engagement	3
Engagement outcomes	3
Key findings	5
Overall summary	5
Advisory panel briefing	5
Business webinar	6
Online survey	7
Written submissions	7
Responses to written submissions	9
Organisations	15

Table of figures and tables

Table 1. Engagement outcomes snapshot	4
Table 2. Comments raised at business webinar	6
Figure 1. Do you support the updated outdoor dining guidelines?	Error! Bookmark not defined.
Figure 2. Themes from submissions and surveys	8

Overview

Background

Outdoor dining is incredibly popular with our communities. We propose key changes to our outdoor dining program to make it easier for businesses to set up and use an outdoor dining area.

To achieve this, we developed draft Guidelines that will help make it easier to:

- apply for outdoor dining permits
- use more footpath space for tables and chairs
- ensure clear paths of travel
- share unused footpath space with a neighbouring business
- add greenery with planter boxes.

We're also developing a process for turning temporary on-street dining areas into permanent spaces.

From January to March 2026, we sought feedback from the community and businesses on our amended outdoor dining guidelines. This report outlines the outcomes of the public consultation process. Feedback will help finalise the updated guidelines.

Engagement summary

Between 12 January and 12 March 2026, we invited the community to have their say on our updated outdoor dining guidelines. Engagement activities included:

- Sydney Your Say webpage with online survey
 - Briefing to the City of Sydney's Inclusion (disability) Advisory Panel
 - Email to 17 disability representative organisations
 - Email to 610 business organisations and businesses with outdoor dining
 - Online business webinar on Wednesday 11 February 2026, 2pm – 3.30pm
 - Promotion in Sydney Your Say e-news and City newsletters
 - Social media and media promotion
-

Purpose of engagement

- Inform the community of the proposed amendments to the outdoor dining guidelines
 - Seek feedback from businesses and the community on the proposed amendments
 - Understand issues around accessibility from key disability stakeholders
-

Engagement outcomes

We received **156 submissions** during the consultation period including 88 surveys, 47 emails and

Outdoor dining guidelines – engagement report

21 comments received at the online business webinar.

The Sydney Your Say webpage received 2,450 page views, and the outdoor dining guidelines were download 658 times.

Table 1. Engagement outcomes snapshot

Quantity	Description of activity
21	Comments from 73 attendees at an online business webinar
88	Survey submissions
47	Email submissions
156	Total

Key findings

Overall summary

Overall, there is broad support for expanding and streamlining outdoor dining to support local businesses and create vibrant public spaces, as long as accessibility and amenity are protected.

Among survey respondents, 66% supported, 17% supported with changes and only 16% did not support the draft Guidelines.

Analysis of the themes raised in submissions show that the community place a high value on the activity, street life and social connectedness and life that outdoor dining brings to our neighbourhoods, and that it improves the overall experience of living, working and visiting in our city. Support is very strong amongst businesses, who value the opportunity that outdoor dining brings, note that it is now a key component of the dining offering in Sydney and appreciate the more streamlined approach to approvals and the additional freedom within their operating area. There was strong support for converting temporary on-street dining spaces into permanent footpath extensions, and for allowing greenery on outdoor dining areas.

Some concerns are raised about having sufficient space for pedestrians on our busy streets, and in particular for those with low-vision or with a disability who have additional considerations when navigating footpaths. Submissions raise furniture placed outside the dining area and into the pedestrian clear path as a particular issue. Other concerns include the capacity for increased noise and anti-social behaviour and the impacts on residential neighbourhoods and for any further loss of parking. Some submissions ask for better monitoring of compliance with outdoor dining approvals. These issues are addressed further in this engagement report.

Overall, the feedback highlights the need to strike a careful balance between the benefits of outdoor dining and managing its potential impacts on the community.

Advisory panel briefing

City staff held a briefing with the City's **Inclusion (disability) advisory panel** on Tuesday 10 February 2026. An invitation to participate in the consultation was also distributed to the Nightlife and Creative Industries Advisory Panel members.

The panel was briefed on the proposed changes and made the following comments.

Vision Australia made the following comments about outdoor dining and people with a vision impairment:

- 30% luminance contrast for furniture is insufficient in a streetscape context
- Concerns about people walking up a kerb ramp and into outdoor dining furniture
- Furniture design should be mandated so that furniture items are detectable by a person using a cane
- Operators should consult with the disability community before setting up new outdoor dining areas.

Comments from other individuals at the meeting included:

- Clear paths of travel should be kept free of obstacles, including furniture and signs
- Noise levels vary between premises, and this has a sensory impact
- Consistent and predictable design is the most important consideration for navigation

Outdoor dining guidelines – engagement report

- Compliance with clear path minimums are important so a dog-handler and another person can pass
- If there is dining on both sides of the clear path a physical shoreline should be introduced
- Dining on both sides of the clear path will increase hazards, operators should be given training
- Staff crossing the clear path, noise management and the close presence of traffic are challenges for people with neurodiversity
- Enclosing outdoor dining with barriers helps navigation and is a better dining experience.

Business webinar

73 people attended an online business webinar on Wednesday 11 February 2026, 2pm – 3.30pm.

City staff presented on proposed changes to the guidelines, how to apply for outdoor dining and footpath extensions for on-street dining areas.

21 comments/questions were raised during the session regarding a variety of topics outlined below with City staff providing advice verbally. The session was received positively with 7 commenting to this effect at the end.

Table 2. Comments raised at business webinar

Comment	Times raised
Outdoor entertainment and music (restrictions, speakers, DJs, approvals)	3
Footpath extensions and additional outdoor space (how to apply, rollout to neighbourhood streets, street activation)	5
Structures and infrastructure in outdoor dining areas (plants, heavy pots, jersey kerbs, platforms, attaching lights to barriers)	4
Clear path requirements and e-bike impacts (traffic, responsibility, parked bikes)	3
Approval processes and permits (5-year approvals, Roads Act approvals, application process)	3
Roadway dining guideline changes (query on if there were any current changes for roadway dining)	1
State roads (query on additional clearances/consents)	1
Specific location query (McCauley St Alexandria)	1
General support / positive comments	7

Online survey

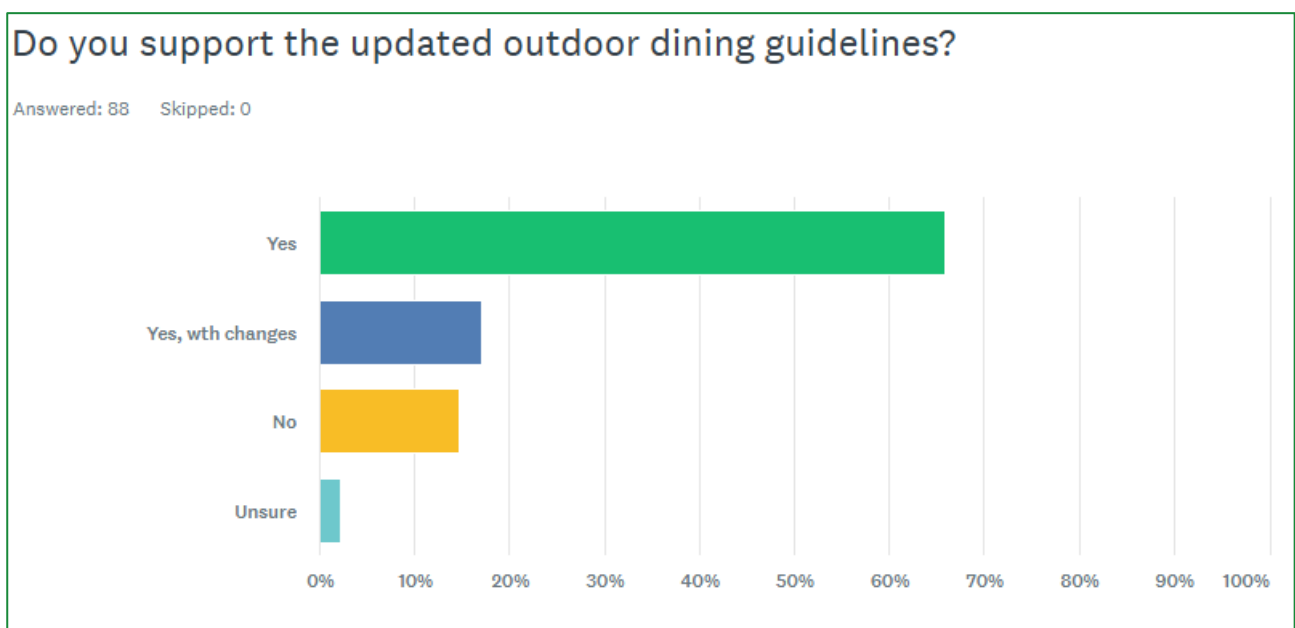
88 surveys were completed, with around 85% from individuals, and 15% responding on behalf of a business/organisation – including The Hive Bar, Souks Mediterranean Street Food, Single O, Rivareno Gelato, Society Royale, Fontana, Spaceman Design, Surly's Hospitality Pty Ltd, The Roosevelt and The Goodies.

Survey respondents were asked if they supported the updated guidelines or not.

Q.1 Do you support the updated outdoor dining guidelines?

66% of people (58 people) who completed the survey selected 'Yes' to this question, 17% (15 people) selected 'Yes, with changes', 15% (13 people) selected 'No' and 2% (2 people) selected 'Unsure'.

Figure 1. Do you support the updated outdoor dining guidelines?



Written submissions

We received 135 written submissions (88 written responses in surveys and 47 emails).

Surveys

Survey respondents were asked why they support or do not support the updated guidelines and if they had any other feedback on the proposal – and all 88 respondents provided a written response to this. Respondents supported the guidelines for several reasons, with many indicating multiple reasons for support. There were a greater range of reasons for objecting to the guidelines, again with many indicating multiple reasons for objecting.

Email submissions

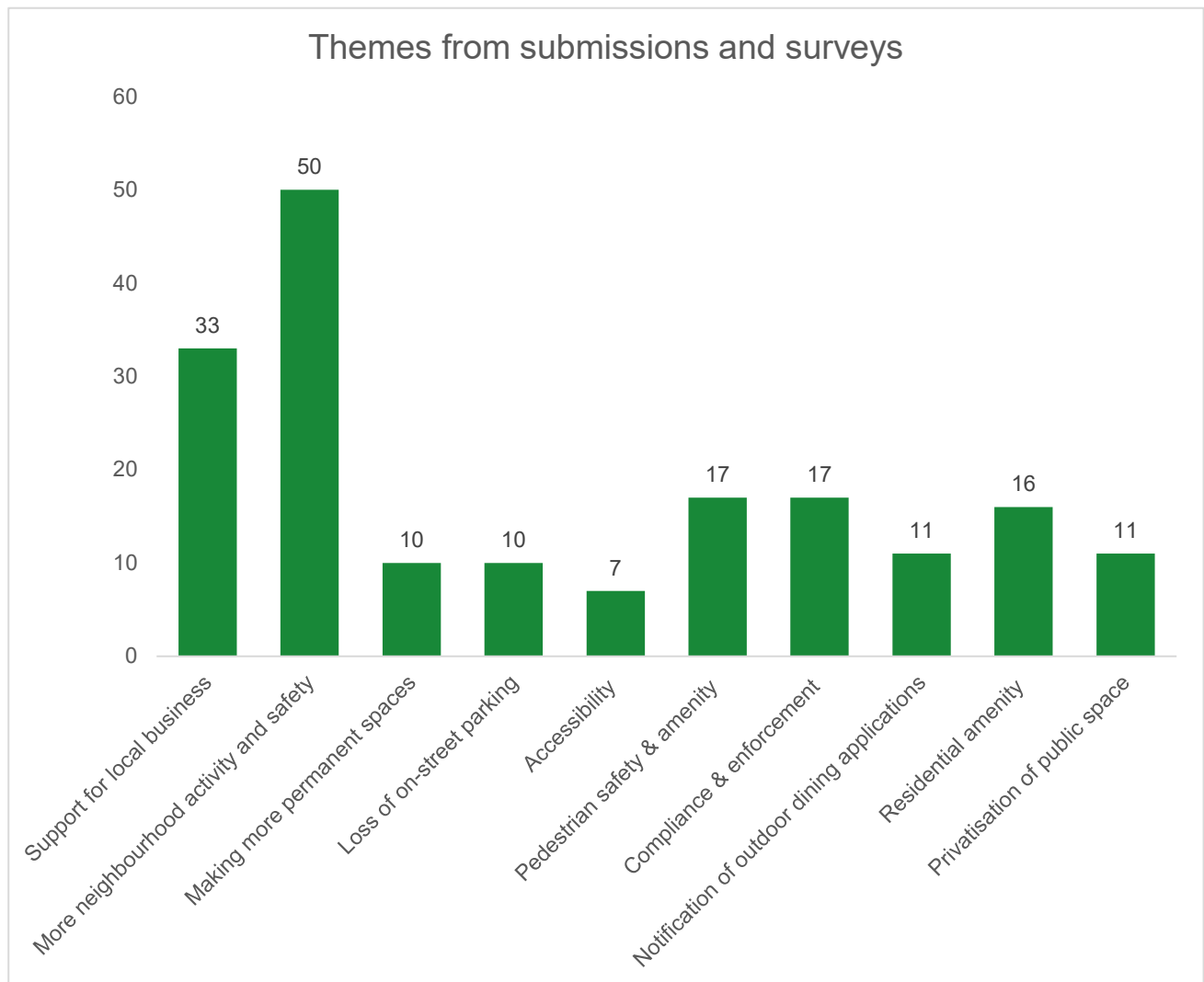
We received 47 email submissions including 22 submissions from community members and 12 submissions on behalf of businesses (including one submission on behalf of 13 businesses/property owners on Stanley Street & one submission on behalf of Merivale representing 28 venues in the City of Sydney area). We also received 12 submissions from organisations including Business Sydney, Nighttime Industries Association, Guides Dogs NSW/ACT, NSW Council for Intellectual Disability, Multicultural Disability Advocacy Australia (MDAA), WalkSydney,

Outdoor dining guidelines – engagement report

The Glebe Society, Paddington-Darlinghurst Community Group, Chippendale Residents Interest Group and Millers Point Community Resident Action Group. Two submissions were received from the NSW Government - Placemaking NSW and The Office of the 24-Hour Economy Commissioner.

The key themes and the number of times they were raised in written submissions (surveys and emails) are outlined in Figure 4 below.

Figure 2. Key themes from written submissions



Responses to written submissions

The following tables provide more detail on the themes from written submissions (survey and email), along with responses.

Theme	Response
Support for more neighbourhood activity and safety	
Submissions strongly supported outdoor dining for bringing more activity to local neighbourhoods and enhancing the character of high streets. Respondents emphasised that outdoor dining helps transform streets into lively, people-focused spaces, encouraging social interaction and creating a stronger sense of place. Submissions highlighted the atmosphere and vibrancy outdoor dining contributes. Comments included: “I noticed how much the extra outdoor seating adds to the vibrancy and honestly I think it gives the streets a safer feel and more relaxed atmosphere.” “Outdoor dining does far more than provide extra seats for venues. It activates neighbourhoods, encourages social interaction and creates the vibrancy that great cities are known for.” “...allows streets to become social places rather than simply transport corridors.” “the guideline helps create a more vibrant, European-style street culture that enhances the overall character of our city.” Allowing pot plants and planters was widely supported, with respondents noting their role in improving visual appeal, softening streetscapes, and creating a more comfortable environment for diners and pedestrians. Submissions also supported allowing outdoor dining areas in front of a neighbouring business, providing the neighbour was not inconvenienced.	Support is noted.
Support for making outdoor dining easier for local businesses	
Many submissions supported moves to make things easier for businesses. This included creating clear guidelines which reduce ‘red tape’ and which will enable business to benefit from outdoor dining sooner. Comments included: “Having outdoor dining around the venue has increased overall revenue by 30%”. “The guideline demonstrates a genuine commitment by the City to reduce regulatory burden, expand opportunity for food and drink businesses, and modernise the framework governing outdoor dining.”	Support is noted.
Making more permanent outdoor dining spaces	

Outdoor dining guidelines – engagement report

Theme	Response
Submissions support converting temporary on-road dining spaces into permanent footpath extensions. Some submissions suggest the existing concrete barricades are unsightly and visually detracting from neighbourhood. One submission described them as iconic Sydney features. Comments included: “a permanent reallocation of street space toward pedestrians and outdoor dining would work well.”	Support is noted.

Theme	Response
Loss of on-street parking	
Submissions raised concern that the increase of outdoor dining would reduce the amount of on-street parking. Some submissions objected strongly to the loss of any parking spaces. Submissions noted that a significant number of parking spaces have already been converted to temporary outdoor dining space, and that any further conversions should be subject to public consultation. Specific concern about loss of parking was noted for Redfern Street, Regent Street, Glebe Point Road and Crown Street. Submissions also noted that converting the existing temporary on-road spaces to permanent footpath extensions should be subject to further consultation as it would mean those parking spaces are lost permanently. Some responses were concerned that additional outdoor dining would create additional demand for parking in dining areas. They suggest this could result in people parking in already constrained streets and taking necessary parking from nearby residents.	Outdoor dining on the footpath does not involve the loss of parking spaces. Any other applications that involve the loss of a parking space, including on-street dining, are first assessed by City staff. If impacts to parking and traffic are reasonable, or can be appropriately mitigated, the City notifies nearby properties of the proposal and, where required refers the proposal to the Local Pedestrian, Cycling, Traffic Calming and Transport Forum (LPCTCTF) for advice prior to approval. Existing temporary on-street dining spaces have already been converted from parking to dining. If they are to be made into permanent footpath extensions, then they will be notified again as part of the assessment process. New applications to convert a parking space into outdoor dining will also be notified for public comment as part of the assessment process and considered by the LPCTCTF for advice where required. Impacts on local parking and traffic will be considered as part of that.

Accessibility on footpaths	
Provision of a clear shoreline for accessibility	
Submissions raised concern that outdoor dining places obstacles such as furniture along building lines which would otherwise be used for navigation (‘shorelines’) by those with vision impairment. They ask that a clear	The draft Guidelines support the provision of a continuous accessible path of travel to support accessibility on our footpaths. The City’s footpaths are busy places with space in demand with many uses and interests competing for space. Providing a clear shoreline along the

Outdoor dining guidelines – engagement report

Theme	Response
shoreline be left along the building line for navigation.	building line is not possible in many circumstances in our area. There are existing obstacles including door ramps, Ausgrid pillars and goods displays along the building, impeding the shoreline. Similarly the kerbside carries trees, plantings, parking meters, bike parking and the like. The draft Guidelines prioritise an achievable path by setting the continuous accessible path away from existing obstacles, where it can remain unobstructed.

Furniture should be well designed and accessible

Submissions raised concern that poorly designed outdoor dining furniture can cause obstruction for those with vision impairment, particularly those who use disability aids such as canes, wheelchairs or other mobility devices. Furniture should be designed to be closed at the bottom to avoid entangling canes, and of high luminance contrast to be easily visible.

The draft Guidelines include a requirement to ensure furniture supports accessibility and will allow all people, with or without disabilities, to enjoy outdoor dining.

In accordance with Australian Standards, Council requires seating to meet luminance contrast standards to be detectable by people with a vision impairment.

The draft Guidelines will require planters and furniture to be kept out of clear path of travel and to be safe for all users of the footpath.

The draft Guidelines do not require furniture to be closed at the bottom, as this is generally more bulky than standard furniture and can increase the chance of obstructing other footpath users.

Pedestrian safety & amenity

Inadequate pedestrian walking width

Submissions raised concern the proposed changes would reduce the amount of walking space on footpaths. namely on main streets.

One submission raised issues about too much outdoor dining on George Street in particular, and another mentioned Redfern Street and Pitt Street.

Some submissions identified Roslyn Street Potts Point as a particular chokepoint where furniture regularly obstructs the footpath.

Some submissions suggest that busy streets are already too difficult to navigate, and that outdoor dining will affect some users including those with prams. One submission

City streets need a balance of activity and walking space. The proposed clear widths have been selected to ensure freedom of movement is protected while giving the opportunity for outdoor dining to activate areas.

Even at minimum widths the City's streets are designed for accessibility and consistent with our Accessible Public Domain Strategy and Guidelines. In dining precincts where the clear path is set at the minimum width of 1.5 metres, regularly spaced 2-metre-wide passing areas are provided to ensure people can move comfortably and safely. The draft Guidelines will ensure the clear path is maintained without creating unnecessary constraints on business.

Pedestrian access to premises is considered as part of the assessment process. This provision

Outdoor dining guidelines – engagement report

Theme	Response
said too much consideration is given to pedestrians needs. Other submissions ask that the Guidelines continue to ensure a clear access to shops and other premises, noting that this reference was proposed to be removed from the exhibited draft Guidelines.	was proposed to be deleted from the draft Guidelines as it is a basic requirement for accessibility assessment and did not need to be included in the Guidelines.
Compliance & enforcement	
Keeping clear path free of obstacles Submissions raised concerns that existing outdoor dining furniture is sometimes placed outside of the approved dining area and encroaches on the pedestrian paths. Submissions suggest clearly defined boundaries, either through cafe barriers, planters or boundary marker discs, be used to show the areas where outdoor dining is permitted.	The draft guidelines seek to ensure an unobstructed path for pedestrians. Where furniture is placed outside approved dining areas Council works with the business to ensure they operate within their approval. This could involve relocating furniture that is out of the dining area. Council is investigating the use of bronze markers to outline boundaries of outdoor dining areas to provide greater clarity for businesses and pedestrians.
Enforcement, regular monitoring and ways to report non-compliance Submissions note that if not properly managed outdoor dining can cause impacts such as excessive noise or obstructed footpaths and ask that regular monitoring be carried out to ensure outdoor dining continues to have a positive impact. Additionally, submissions note the importance of having clear processes for reporting non-compliance and a transparent enforcement framework that outlines expectations and consequences, including strict responses for repeated non-compliance. Concerns were raised that the draft guidelines limit council officers' ability to relocate misplaced furniture that may obstruct footpaths or to revoke approvals.	Council staff will continue to respond to community complaints and monitor outdoor dining, and when necessary will work with businesses to ensure they operate within their approval. Compliance is undertaken consistent with the principles and approach outlined in the City's Compliance Policy.
Notification of outdoor dining applications	
Notification for outdoor dining in residential neighbourhoods	

Outdoor dining guidelines – engagement report

Theme	Response
Submissions raised concern that reduced notifications for outdoor dining proposals would result in greater impacts for the immediate community. There was concern that changes to operating hours, new ownership, and changes of use would no longer automatically trigger a requirement for notification. Specific concern was raised for neighbourhoods in Millers Point, Chippendale, Darlinghurst and Potts Point. Some submissions suggested the radius within which affected residents are notified should be expanded.	Applications for changes to operating hours will still be notified where size of the outdoor dining area meets the threshold of 20 square metres or the hours extend beyond 10pm. Notifications for new applications have been reduced for all businesses in recognition of the very low rate of response, and because submissions generally raise issues that would already be considered in assessment, such as footpath space, noise and hours of operation. Given the low rate of response, it is not expected that expanding the notification area would identify any issues that are not already considered in assessments.
20sqm notification triggers and outdoor dining ‘creep’ Submissions raised concern the draft Guidelines would allow venues to expand their outdoor dining spaces to beyond 20sqm by applying for multiple smaller areas. None of the smaller areas would need to be notified, but overall the outdoor dining area could exceed 20sqm.	This is not the intent of the draft Guidelines. In practice, the City will notify where the outcome is an outdoor dining area that exceeds 20 sqm.
Residential and neighbourhood amenity	
Noise Submissions suggested that the draft Guidelines may lead to increased noise from outdoor dining areas. They ask that prescribed seating plans to manage noise should be retained in the guideline, particularly in neighbourhood areas. Submissions also raised concern with the removal of outdoor music restrictions.	The draft guideline strikes a balance between encouraging activity on public streets and safeguarding neighbourhood amenity. The draft Guidelines include diagrams of seating options to manage noise in residential areas and the capacity for City staff to propose specific arrangements where necessary. Operating hours are limited to 10pm to limit neighbourhood noise late in the evening. The draft Guidelines no longer prohibit music in outdoor dining areas, consistent with the NSW Government vibrancy reforms which now allow live entertainment without a development application in private outdoor dining areas, providing existing relevant conditions are met. Noise will continue to be considered as part of the assessment process.

Outdoor dining guidelines – engagement report

Theme	Response
Licensed venues and antisocial behaviour	
Submissions raised concern the proposed changes would increase the amount of antisocial behaviour, namely excess drinking and smoking drift, leading to negative impacts in surrounding public spaces. Submissions also noted that licensed venues were most associated with these behaviours. Submissions suggest that a different approach is taken for licenced venues to account for the greater impact these venues have on the community.	The City will continue to monitor compliance of outdoor dining areas with their approval conditions and respond when the community raises non-compliance. Where businesses are not operating within their approval, City staff will work with the business to achieve compliance. To ensure fairness to the diversity of businesses within the LGA, council is not investigating having different fees dependent on business type, including licenced venues or venues with on-site gambling.
Alcohol Free Zones	
Submissions raised concern that outdoor dining, and consumption of alcohol in these spaces, conflicts with alcohol-free zones on streets such as Regent Street.	There is no legal prohibition on establishing outdoor dining areas within alcohol free zones. Alcohol consumption within outdoor dining areas will continue to be managed under the venue license and within the approved licensed area. The City will be reviewing alcohol free zones, consistent with principles recently endorsed by Council.
Trading hours	
Submissions were concerned that proposed changes to trading hours would have a negative impact on residents close to business with outdoor dining, namely, licensed venues in residential neighbourhoods. The following neighbourhoods where concern was frequently raised were Potts Point, Darlinghurst, Chippendale, Millers Point, and Surry Hills.	There is no proposal to change outdoor trading hours as part of the draft Guidelines. Outdoor hours will continue to align with Sydney Development Control Pan 2012.
Privatisation of public space	
Submissions object to allowing businesses to use public resources for no fee. Submissions suggested that fees be introduced for venues, namely those that may encourage antisocial behaviour such as drinking and gambling.	The City's streets are places for walking, moving and for activities and gathering. The value of outdoor dining is not derived from fees, but through the activation of public space and thriving local businesses. To ensure fairness to the diversity of businesses within the LGA, council is not investigating having

Outdoor dining guidelines – engagement report

Theme	Response
	different fees dependent on business type, including licenced venues or venues with on-site gambling.
Other issues raised	

Approval pathways

Some submissions suggested that outdoor dining should require a development application, particularly for pubs, hotels or venues with poker machines.

One submission suggested that footpath extensions should be subject to a Review of Environmental Factors under the Environmental Planning and Assessment Act 1979.

Outdoor dining on public footpaths is classified as exempt development in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as long as it meets certain criteria. The City cannot require a development application for activity classified as exempt development.

Footpath extensions will be assessed individually and any necessary approvals obtained.

Public domain upgrades to Bourke Street Surry Hills

One submission from a business based on Bourke Street Surry Hills asked Council to consider further works to revitalise and brighten Bourke Street to create a more attractive destination for customers. They ask for the area from 478 Bourke Street to Cleveland Street to be considered.

Submission noted. The suggestion is outside of the scope of this program and has been referred to relevant City staff for direct response.

Organisations

Submissions from organisations generally support the expansion of outdoor dining as it contributes to the vibrancy and activation of public spaces.

Submissions from Guide Dogs NSW and Vision Australia also support outdoor dining but emphasise the need to maintain clear paths of travel, preserve shorelines and building lines, and ensure compliance with safety and accessibility standards.

Organisation	Comment	Response
Guide Dogs NSW/ACT and Vision Australia	Both Guide Dogs NSW and Vision Australia raised a similar suite of issues in their responses. They are specifically concerned with how outdoor dining impacts people who are blind or have low vision. <u>Shoreline</u> The submissions expect that buildings should maintain a clear	The proposed guideline supports the provision of an uninterrupted clear path of travel. Council will provide guidance to businesses to ensure disruption to building shorelines is minimised. Council is also investigating the use of bronze markers or similar treatments to clearly delineate approved outdoor dining boundaries. This should provide clarity for businesses and the community and will

Outdoor dining guidelines – engagement report

Organisation	Comment	Response
	'shoreline' along the building to support safe wayfinding. Where that is not possible they ask for a physical barrier such as café barriers or similar to act as shoreline. <u>Accessible furniture</u> The submissions suggest furniture must include mandatory accessibility standards including minimum luminance contrast standards for street furniture where possible and specify a safe height and placement of planter boxes and pots. <u>Location of the path of travel</u> Outdoor dining should not occupy both sides of a footpath, ensuring a clear and consistent shoreline that pedestrians can reliably follow. The submission suggests a six-metre buffer from pedestrian crossings and kerb ramps. Footpaths must always remain accessible, supported by regular audits, enforceable penalties, and ongoing business education.	help prevent pedestrian obstruction caused by wrongly-placed furniture. The guidelines include provisions to ensure outdoor dining furniture is accessible and usable by all people, including those with disabilities. In accordance with Australian Standards, seating is required to meet specified luminance contrast requirements. Planters are to be positioned outside the clear path of travel and maintained to ensure they do not create safety hazards.
Multicultural Disability Advocacy Australia	The submission suggests outdoor dining spaces should have flexible designs, allowing them to accommodate larger groups when needed. Spaces should be designed within safety and accessibility in mind.	Noted. The guidelines allow flexibility in how outdoor dining areas are set up, and require sufficient space for movement of customers around furniture. Safety is prioritised through maintenance of an obstacle-free clear path of travel.
Nighttime Industry Association	The submission supports the proposal. Supports the removal of red tape, expansion of outdoor opportunity to other business uses and the certainty created by footpath extensions. Support the removal of music and entertainment restrictions, noting that prescribed seating arrangements are overly difficult to enforce in practice. Support the expansion of access to adjacent premises to better utilise public	Support is noted.

Outdoor dining guidelines – engagement report

Organisation	Comment	Response
	space and improve the viability of smaller or narrower venues.	
WalkSydney	The submission objects to the changes on two grounds: <u>Insufficient walking space</u> – the changes would mean that the walking space (clear path) would be too low – from 1.2m to 2m wide outside the City Centre. This is too low and results in Level of Service F in the Transport for NSW Walking Space Guide. It will create barriers for people with wheelchairs or prams in accessing the street. Recommends a minimum of 3.4m walking width for all streets with the exception of City Centre laneways <u>Prioritising private vehicle space over walking space</u> – the draft guidelines do not allow further footpath extensions on master-planned streets, which means outdoor dining space must be allocated from pedestrian space. This is contrary to the city's vision for a healthy, active, vibrant and sustainable city. Recommends allowing further footpath extensions on streets that have already been master planned and reallocating traffic and parking space to create more dining space. Also recommends re-classifying the City's streets to be consistent with the NSW Walking Space Guide Suggest streets such as Roslyn and Orwell Street could be converted into shared zones or fully pedestrianised spaces and reallocating kerbside parking to outdoor dining spaces.	The City's streets are places for walking, moving, and also for activities and gathering. Pedestrian movement along streets is important and streets must be accessible. Even at minimum widths the City's streets are designed for accessibility and are consistent with our Inclusive and Accessible Public Domain Policy and Guidelines. In dining precincts where the clear path is allowed at the minimum width of 1.5 metres, regular 2-metre wide passing spaces are required. The City's Streets Code looks to balance the desire for street life and activation with the right to access and to support pedestrian movement. While the proposed guidelines allow a reduced clear path of travel in dining areas this is for a limited length – it is not for the full length of that street, and much of the street will have a substantially wider clear path. For instance Crown Street is a Village Main Street, with a 2km stretch between Devonshire and Oxford Streets accommodating many activities including local and destination retail and dining, which in turn generates high pedestrian traffic. The footpath is more than 4 metres wide but the space for pedestrians varies due reduces to accommodate plantings, bike racks, trees and outdoor dining. Since 2020 the City has created additional footpath and outdoor dining space through reclaiming road space. This has happened through public domain upgrades for streets such as Crown Street and Victoria Street, and through allowing temporary on-street dining in parking spaces. There are more than 160 active sites where parking has been converted to outdoor dining, with a plan to make these into permanent footpath extensions. Businesses can already apply to convert additional on-street parking space for outdoor dining. These would be assessed by the City, with traffic and parking impacts considered by the City's Local

Outdoor dining guidelines – engagement report

Organisation	Comment	Response
		Pedestrian, Cycling, Traffic Calming and Transport Forum (LPCTCTF) if required, including any community feedback.
Business Sydney	The submission supports the proposal. The submission suggests the proposed changes represent a serious effort to energise Sydney, particularly the night-time economy. The submission notes the success of Crown Street and supports the extension of master planned streets.	Support is noted.
Merivale	Supportive of draft Guidelines but note the proposed 3m minimum width for the clear path will impact at least 3 venues: Grand Hotel, Slip Inn and Hotel CBD. The submission is concerned that the venues may lose some of their outdoor seating as a result. The submission suggests the clear path width be reduced in the city centre and gateway streets to accommodate Merivale venues.	Support is noted. The proposed minimum clear widths balance activity such as outdoor dining with pedestrian access. City centre streets are to have a clear path of 3 metres, recognising the higher number of pedestrians and the greater focus on movement. Generally, when outdoor dining approvals are renewed, there is a preference to allow the same outdoor dining arrangement to continue unless major issues are identified that require some adjustments. When the approvals for the 3 Merivale venues come up for renewal they will be assessed on merit, having regard to the existing arrangement.
The Glebe Society	Supports permanent footpath extensions to replace the temporary on-street dining. The submission sets out the benefits of transitioning those sites to permanent footpath extensions. The submission notes that there are 7 adjacent on-street dining areas between Mitchell and Francis Streets. It asked that Glebe Point Road should be added to the list of streets to be master planned.	Support is noted. Master planned streets identified in the draft Guidelines have been approved for public domain upgrades as part of the City's capital works program. The 7 adjacent on-street dining spaces on Glebe Point Road can be considered for footpath extensions concurrently, and constructed together to achieve a unified outcome for the street. This report does not recommend adding Glebe Point Road to the master planned streets in the capital works program.
Millers Point Community	The submission notes general support for the draft Guidelines and	Suggestion and comments noted.

Outdoor dining guidelines – engagement report

Organisation	Comment	Response
Resident Action Group	makes a number of suggestions and recommendations: <u>Approval notices</u> – the approval notice displayed at the premises should include a capacity number for outdoor dining in residential areas <u>Notifications</u> - the notification radius be extended to 50m if the outdoor dining area is able to accommodate over 50 patrons and/or the application is made by a licenced establishment with a capacity over 100 patrons. <u>Clear path</u> - Millers Point should have a wider clear path due to high pedestrian volumes. <u>Operating hours</u> – hours of operation for outdoor dining should not be matched to indoor hours of operation. Where hours beyond standard DCP outdoor hours are approved in a residential area the application should be notified. <u>Heritage</u> – heritage-sensitive treatments should replace the on-street dining areas and concrete bollards <u>Compliance</u> – the City should introduce a demerit system for non-compliance to manage the public realm impacts of poorly-managed outdoor dining. It recommends the use of brass boundary markers or similar to denote the approved outdoor dining area. <u>Venues with poker machines</u> – should be charged rent for outdoor dining	<u>Approval notices</u> - the City does not approve a capacity number of patrons for outdoor dining. We approve a dining area measured in square metres <u>Notifications</u> - notifications for outdoor dining applications have a very low response rate and rarely raise issues that would not already be considered in assessments. Extending the notification area is unlikely to raise issues that would not otherwise be considered in assessment <u>Clear path</u> – the clear path for Millers Point will generally be between 1.5 metres and 2 metres, depending on the street type. Where pedestrian volumes are high that will be considered in assessment <u>Operating hours</u> – the draft Guidelines do not propose to change operating hours for outdoor dining. Operating hours in 7.2 of the draft Guidelines continue to be aligned with outdoor trading hours in Sydney DCP. Where alternate hours are considered later than the outdoor trading hours in Sydney DCP they can be notified as part of the assessment process <u>Heritage</u> – all public domain works in Millers Point are undertaken with consideration of the areas unique heritage. The City will take the same approach with any footpath extensions for outdoor dining. <u>Compliance</u> – the City has a compliance policy which sets out a responsive, risk-based and credible approach to decision-making. Our response to outdoor dining is guided by the policy framework. The policy can be found here. As part of this review the City will trial boundary markers for outdoor dining <u>Venues with poker machines</u> – as part of its ongoing commitment to supporting local businesses, Council has made outdoor dining fee-free for all businesses. To ensure fairness to the diversity of businesses within the LGA, council is not

Outdoor dining guidelines – engagement report

Organisation	Comment	Response
		investigating having different fees dependent on business type.
Chippendale Resident Interest Group	The submission notes some concerns based mainly on the close relationship between homes and businesses in Chippendale. It makes the following points: <u>Patron capacity</u> - the blanket increase in overall patron capacity should be more site specific, with the risk that outdoor dining may enable venues to exceed their intended scale <u>Noise</u> - the cumulative impact on residential amenity from outdoor dining and Special Entertainment Precincts requires further study, for example detailed acoustic investigations. Notes potential for residential and business conflicts, particularly when business operate to 10pm in residential streets like Bartley Street. Recommends: - operating hours should be restricted to 8am to 8pm, especially for larger businesses or where they are near residential areas - sound restrictions should be introduced for outdoor dining along with trial periods <u>Parking</u> – concern about the removal of on-street parking spaces, which is already restricted. <u>Usage of outdoor dining areas</u> – the requirement for outdoor dining areas to be used for minimum periods, including weekends, is overly restrictive <u>Notifications</u> – notifications should be increased, not decreased, with the notification area widened to include premises up to 75 metres away, and that changes in operator continue to trigger notification <u>Footpath widths</u> – further clarification is required for footpath widths given	The submission raises a number of issues which are already considered within the Guidelines and as part of assessments. <u>Patron capacity</u> – the draft Guidelines do not introduce a 'blanket increase' for outdoor dining venue capacity. Each outdoor dining proposal will be assessed on its merit and will consider neighbourhood auditability. <u>Noise</u> – noise impacts will continue to be assessed as part of proposals. Operating hours for outdoor dining areas align with outdoor operating hours in Sydney DCP, with residential areas generally restricted to 10pm. Restricting outdoor dining to 8pm trading or to trial periods would be unnecessarily restrictive for business and the community. Where there are reports of noise disturbance City staff will work with the business to ensure approval conditions are being met. <u>Parking</u> – temporary on-street dining spaces, surrounded by concrete barriers, have already been converted from parking to dining. If they are to be made into permanent footpath extension, then staff will again consider if there are undue parking or traffic impacts. Business can apply to convert additional on-street parking spaces for outdoor dining. These applications would be assessed by the City, with traffic and parking impacts considered by the City's Local Pedestrian, Cycling, Traffic Calming and Transport Forum (LPCTCTF) if required, including any community feedback. <u>Usage of outdoor dining areas</u> – the requirement that outdoor dining spaces be well-used applies only to those temporary spaces where a permanent footpath extension is being considered. In those circumstances, it is prudent to ensure the space is well-used and there is value from the footpath extension. <u>Notifications</u> – response rates for outdoor dining notifications is low and many issues

Outdoor dining guidelines – engagement report

Organisation	Comment	Response
	Chippendale footpath are already narrow.	raised by submissions are already identified in the assessment of application. The proposed 25m notification radius allows those most affected to be able to make submission. Extending the notification area is unlikely to uncover new issues for consideration in assessment. <u>Footpath widths</u> – The clear path of travel is the area for pedestrians on the footpath. Despite the narrow footpaths in Chippendale, outdoor dining areas will still have to leave the required width of clear path for pedestrians.
Paddington Darlinghurst Community Group	The submission consider that the draft Guidelines do not address amenity impacts on local residents. It makes a number of points about operation of the Captain Cook Hotel in Paddington. These include waste storage, umbrellas fixed to the footpath, and planter boxes placed outside the dining area. The submission asks for more details in the Guidelines about compliance, complaints procedures, access to the business Plans of Management, and for a post-implementation review of outdoor dining approvals. The submission also requests additional bike parking and tree pruning in the Josephson Street reserve.	The draft Guidelines strike a balance between encouraging activity on public streets and safeguarding neighbourhood amenity. It includes diagrams of seating options to manage noise in residential areas and the capacity for City staff to propose specific arrangements where necessary. Operating hours are limited to 10pm to limit neighbourhood noise late in the evening. The draft Guidelines maintain a clear path of travel for pedestrian movement, with width varying for different street types. Compliance with outdoor dining is managed by the City's Compliance Policy. Further details can be found on the City's website. Issues with the Captain Cook Hotel and the Josephson Street reserve are not part of the Guidelines and have been investigated separately.
Stanely Street Business Owners	Supportive of the proposed changes. The submission notes the existing temporary on-street dining has proved to be extremely successful and business continues to do well with reduced on-street parking. Pedestrian focused events such as the Stanley Street festival shows success of prioritizing pedestrians over vehicles. Consideration should be given to pedestrian priority design, either through widened footpaths, or shared street treatments. Pedestrian area be	Support is noted. Stanley Street is planned for streetscape works as part of Councils capital works projects. There will be consultation with businesses and the community as part of that upgrade. The potential to relocate infrastructure such as bus stops can be considered a part of that process, along with the relationship with adjoining streets.

Outdoor dining guidelines – engagement report

Organisation	Comment	Response
	extended into parts of adjoining streets to ensure other business such as Stanley Green and Bar Reggio benefit from the pedestrian focus. Relocation of other infrastructure such as 389 Bus stop, car share space and Australia post box be relocated to prioritise pedestrian and outdoor dining experience. Opportunity to activate Stanely Lane and surrounding laneway.	
Office of the 24-Hour Economy Commissioner	The submission is very supportive of the proposal and note the proposed changes align with the NSW Government's Vibrancy Reforms and NSW 24-hour Economy Strategy. The submission suggest that the guidelines clearly reference the outdoor trading hours applicable to Special Entertainment Precincts (SEPs) included in an approved Precinct Management Plan (PMP). In addition, greater clarity should be provided on the permissibility of live music under the Guidelines, including its interaction with the Cultural SEPP, to ensure clear pathways for business.	Support is noted. Council has approved for public exhibition a planning proposal to introduce Special Entertainment Precincts. If the precincts are approved staff can consider operating hours for outdoor dining at that time. The Guideline removes the prohibition on entertainment in outdoor dining areas, noting that it is inconsistent with the broader thrust of the NSW Government vibrancy reforms. Entertainment has been made exempt development under the Codes SEPP 2008. Staff can provide further information on the City's dedicated outdoor dining webpage for businesses.
Placemaking NSW	The submission asks that references to Property NSW should be updated to Placemaking NSW, and that the map on page 10 of the draft guideline be amended to show all PMNSW managed land in blue. The submission asks for the inclusion of a number of additional items within the Guidelines: • prescriptive furniture requirements • minimum standards and design specifications of outdoor furniture including seating, umbrellas, planters and barriers	The change of name from Property NSW to Placemaking is noted and references and map will be updated. <u>Suggestion</u> The suggestions for additional items to be included and for additional standards and specifications are also noted but will not be included. The City's streets, neighbourhoods and businesses are diverse and not suitable for prescriptive and standardised approaches, with around 1000 businesses having outdoor dining areas. <u>Clarifications</u> Furniture is encouraged to be diverse in seating style and in design to reflect the eclectic nature of Sydney's neighbourhoods, businesses and the needs and preferences of customers.

Outdoor dining guidelines – engagement report

Organisation	Comment	Response
	- a prescribed height of furniture in sensitive areas to ensure views are maintained - inclusion HVM considerations for typical footpath extensions. <u>Clarification:</u> The submission asks for clarification within the Guidelines on the following matters: - whether 6.3 “diversity” of furniture refers to type of seating or style - whether branding is permitted on barriers and is there preferred materials and height of barriers. - whether there are limits to A-frame signage and whether loose items such as waiter stations are permitted in outdoor dining areas?	The Guidelines already contain provisions setting out the expectations for branding, a-frames and the like at Section 6, and for waiter stations at section 9. The approach in the Guidelines is to allow operators more freedom within their dining areas while maintaining a clear path of travel for pedestrians. No further changes are proposed.

