

Attachment E

**FAQs – Permanent footpath extensions for
outdoor dining**

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ABOUT THE PROJECT

1. When do the new outdoor dining guidelines come into effect?

The guidelines are subject to endorsement by Council resolution on 21 September 2026.

2. What are the criteria for making on-street dining sites permanent?

The [Outdoor dining guidelines](#) include criteria for assessing which sites are suitable for on-street dining, including permanent footpath extensions.

3. What will the new dining space look like? How will the on-street dining areas be made permanent?

Temporary concrete barriers will be removed and replaced by raised footpath extensions with kerbs designed to closely match surrounding footpath materials and streetscape treatments. They will integrate with the existing streetscape, improving accessibility, safety and the public domain. The detailed design may vary depending on the location and the existing character of the street. These areas are located within street space that has already been repurposed from parking to outdoor dining.

4. Which streets are already being upgraded as part of capital works projects?

Some on-street dining areas on Stanley Street, Darlinghurst, Victoria Street, Darlinghurst and Erskineville Road, Erskineville, will be delivered as part of a broader street upgrade program. We will contact these on-street dining operators separately when those projects begin. Updates will be available on the [website](#).

5. What are the anticipated timeframes for removing old concrete barriers and delivering new footpath extensions?

Delivering permanent outdoor dining areas is a city-wide program and is separate to our major public domain upgrade areas. The City currently anticipates delivering approximately 20–30 sites annually during the first three years, with all existing sites planned for completion over an eight-year period.

The timing of individual sites will depend on their complexity, design requirements, utility coordination and approval processes. Standard sites typically require shorter planning and construction periods than more complex sites.

6. There's no longer a tenant in the shop, will the concrete barriers be removed?

We'll investigate further to confirm if there will be a new tenant and if they will require the site. If not, we'll consider removal of the barriers and returning the space to other public use, such as car spaces.

7. What will happen to the parking spaces?

Sections of the street that were previously used as parking spaces have been repurposed over the last 5 years for the on-street dining program. Residents do not currently rely on these parking spots and there are currently no plans to replace or offset the parking spaces.

When we re-purpose a car space for outdoor dining we take into consideration the loss/demand for parking and loading in the area.

There are increasing demands and community support for allocating kerbside lanes for uses other than parking. These uses include footpath widening and pedestrian crossings, tree planting, outdoor dining and cycleways.

To help limit the impact of these programs, the City will always seek to maximise the amount of kerb that can be used productively, including for parking.

We manage on-street parking according to our [Neighbourhood parking policy](#) and [Central Sydney on-street parking policy](#).

8. What if the on-street dining operator doesn't want to adopt a permanent space, can they keep using the temporary on-street dining and barriers?

The temporary on-street dining program was always intended as a temporary measure and will not continue indefinitely. We will keep operators informed of any future changes and provide advance notice before the temporary arrangement ends.

9. What if the on-street dining business is located on land not owned by Council?

On-street dining operators should contact the responsible authority, such as [Placemaking NSW](#) directly, to discuss opportunities.

APPLICATION AND APPROVAL PROCESS

10. What do businesses need to do to have their on-street dining space upgraded?

Businesses with current on-street dining permits do not need to apply to be included in the program of upgrades. We will notify permit holders as sites move to design phase, 4-6 months before construction. When the design is finalised, operators will need to apply for a new permit for the new on-street dining area.

11. Do businesses need new insurance?

An operator will be required to maintain a public liability insurance policy, to cover any legal liability for property damage and personal injury to the public.

12. How long will approvals last and how will businesses know when they need to reapply?

Permits granting approval to operate within an on-street dining area can be valid up to 5 years depending on the compliance history. Operators are responsible for renewing their permits when they're due to expire.

13. How do operators get permission from a neighbour to set up outdoor dining in front of their shop/home?

Operators must consult with their neighbours before applying and will be prompted to include this information during the application process.

14. What consultation will be done for each site?

Each proposed permanent footpath extension will undergo a site-specific notification process.

Businesses with on-street dining permits, neighbouring businesses and residents will be notified during the design phase before construction proceeds. Notifications are planned 4–6 months before construction.

Any new on-street dining applications will continue to be assessed under the new Outdoor Dining Guidelines.

15. Who will pay for the footpath extensions?

The City has allocated a total of \$20 million in funding over 10 years for the construction of the permanent footpath extensions.

CONSTRUCTION OF SITES

16. How will sites be scheduled or prioritised for construction?

The City will prioritise sites based on a range of factors including site complexity, opportunities to coordinate with other public domain projects, neighbourhood planning priorities, budget allocation, safety requirements, accessibility outcomes and construction efficiencies. Nearby sites may also be grouped together where this provides a more efficient delivery outcome.

17. What times/days will the construction happen?

Construction may occur during either daytime or nighttime hours depending on site-specific requirements. Where possible, the City will avoid construction during weekends, major events and peak outdoor dining periods, including the summer months of November to February.

18. How much notice will I get before construction (business)?

On-street dining operators will receive 4–6 months' notice before construction, then 4 weeks written notice before construction dates are confirmed. When the construction dates are confirmed, we will provide between 2 and 5 days notice in advance of construction starting.

19. Will neighbouring residents be notified of the construction works and when?

Yes. Neighbouring businesses and local residents will receive written notification during the design phase, generally 4–6 months before construction. Further notifications will be provided closer to the construction date.

20. How long will the construction for each site take?

Construction duration varies based on the complexity of each site. Standard (easy) and moderate sites may take as little as 2 weeks while more complex sites around 12 to 16 weeks. We'll provide an estimate of how long construction will take at the design phase notification.

21. What noise, dust and disruption should be expected?

Disruption is expected during construction. The City will seek to minimise impacts on businesses, residents and visitors through careful scheduling and grouping of sites, advance notification and by avoiding peak trading periods wherever possible. Businesses will receive information ahead of works to assist with planning and managing any temporary impacts.

22. Can operators change the construction date for their site?

Construction dates are coordinated as part of a city-wide program and are influenced by project scheduling, time and cost-efficiency, contractor availability, safety, accessibility, approvals and nearby works. While the City will work closely with affected businesses and minimise disruption during peak trade seasons, construction dates may not be able to be changed. Operators will be notified 4–6 months in advance of planned works.

23. What will happen to any platform, decks or other privately installed structures in on-street dining areas?

Temporary platforms, timber decks and other privately installed structures are not part of the City's construction works. Operators are responsible for arranging removal before construction of the permanent footpath extension commences. The City will provide advance notice of works to allow sufficient time for these arrangements to be made.

USE OF OUTDOOR DINING AREAS

24. What are the options if a landlord says the increased space means the on-street dining operator needs to pay more rent?

The street and footpath are public spaces however, the City is not a party to lease agreements and cannot intervene in private contractual agreements.

25. Can operators put as many tables and chairs out as can fit in the designated area?

Outdoor dining approvals do not specify the number of tables and chairs within an area however operators are responsible for managing the space and ensuring the area is safe for users.

26. How will pedestrian accessibility be maintained on the footpath?

The Outdoor Dining Guidelines keep a clear path of travel for pedestrians on our footpaths. The City's streets are multipurpose spaces for walking, gathering and social activities including outdoor dining. These activities can slow pedestrian movement but bring the benefits of social interaction and community building and make our streets into gathering spaces. The guidelines strike a balance between maintaining enough space for pedestrians while encouraging activity. The guidelines allow for a reduced clear path of travel in dining areas, but much of the street will have a substantially wider area for pedestrians.

The guidelines focus on providing a more certain, unobstructed clear path of travel. This clear path will be set to avoid existing elements such as Ausgrid pillars along the building, and trees, bike parking and parking meters along kerb lines to ensure it is genuinely clear of obstructions.

Dining along both sides of the clear path will only occur in limited circumstances where there is sufficient space to allow both while maintaining a genuinely clear path for pedestrians

The City will begin installing boundary markers on footpaths to allow for easier compliance and enforcement to help keep a clear path unobstructed for pedestrians.

27. Can on-street dining operators continue to store furniture outside when the new footpath is constructed?

As per the Outdoor Dining Guidelines, operators must store furniture inside the premises when the outdoor dining area is not in use.

28. Can on-street dining spaces be made bigger/longer?

Temporary on-street dining spaces are assessed against the Outdoor Dining Guidelines, pedestrian accessibility requirements, traffic and safety considerations, and available road space. Approval is not automatic and will be assessed on a case-by-case basis. Permanent footpath extensions will be designed as per the City's [design codes and technical specifications](#).

29. How late can on-street dining operators trade in designated areas?

Operating hours are assessed against the [Sydney Development Control Plan 2012](#) and vary based on the location in the city. Available hours can be discussed with a duty planner by calling 9265 9333 or [making an appointment](#).

30. What can I do if there is a dispute?

Businesses and neighbours are encouraged to talk to each other to work towards an appropriate solution. Issues can be reported [via the website](#) or by calling 9265 9333

For any further questions

Contact the Business creative & nightlife concierge on 9265 9909 or via businesscreativenightlifeconcierge@cityofsydney.nsw.gov.au