

MAROOCHY SHIRE COUNCIL PLANNING SCHEME POLICY NO. 8

Outdoor Dining Area Applications

1 Purpose

The purpose of this Planning Scheme policy is to detail the information Council will be seeking to support development applications for outdoor dining areas on public land.

2 Scope

- 2.1 This Planning Scheme Policy applies throughout the whole of the Shire of Maroochy.
- 2.2 This policy applies to any development involving the establishment or amendment to an outdoor dining area. This policy does not relate to the renewal of license where no changes are sought and the license is established prior to the adoption of this code.
- 2.3 This policy applies to outdoor dining areas located within the road reserve and other public space.
- 2.4 On approval of the application for Outdoor Dining, a license must be obtained from Council's Health Services prior to using the footpath for outdoor dining.
- 2.5 This Planning Scheme Policy applies from the commencement day of the Council's IPA Planning Scheme.

3 Application of Policy

This policy applies to all applications in relation to Outdoor Dining on public land in the Maroochy Shire.

4 Development Application Requirements

Timing

- 4.1 Applications for a development permit for Outdoor Dining is to be submitted for approval prior to issue of a license for outdoor dining from Council.

Applications

- 4.2 Applications for a development permit for Outdoor Dining are to include the following:
 - (a) completed IDAS Development Application Forms;
 - (b) fees in accordance with Councils current Schedule of Fees and Charges;

- (c) five copies of a site plan, to scale (1:200) showing the site and proposed outdoor dining area inclusive of pedestrian thoroughfare dimensions. The plan is to include both the area on the footpath as well as the floor plan of the restaurant (identify number of chairs and tables within the area); and
- (d) Photo / brochure showing the proposed furniture for the area. (including any shade devices).

Issues to be addressed

- 4.3 In preparing an application for Outdoor Dining the following items should be addressed.
 - (a) Where the development may impact on a State controlled road, the requirements of the Department of Main Roads (or other responsible State government department).
 - (b) The requirements of any other agencies having jurisdiction over any part of the works.
 - (c) The need to comply with any provision of any relevant Planning Scheme provision and Local Law.
 - (d) Details as to the proposed premises and its intent and other licenses proposed, for example a license to serve alcohol either as a BYO restaurant or licensed premises.

Preparation

- 4.4 Prior to the preparation of the application, the applicant needs to satisfy the performance criteria identified in Council's Planning Scheme Code for Outdoor Dining (found in Volume 4 of the Planning Scheme).

