

Alfresco dining guidelines

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City of
Melville

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Introduction

These guidelines give an overview of how registered food businesses in the City of Melville can apply for an alfresco dining permit and maintain the space to ensure the area is safe and inviting.

Using public spaces for outdoor dining can provide many benefits, including:

- Improving the vibrancy of a place,
- Offering more dining choices for residents and visitors,
- Helping sustain local businesses by allowing them to easily expand their service area, and
- Making public spaces feel safer by bringing people and surveillance to the street.

These guidelines only apply to alfresco areas situated on City owned or managed land, typically within a road reserve (the land within the boundaries of a road). That means alfresco dining permits are not required for outdoor dining activities on private commercial land (provided it is associated with an approved food business), as part of an approved outdoor event, or for non-commercial or private purposes.

Food businesses will need a Certificate of Registration issued by our Health Services team to be able to apply for an alfresco dining permit.

Permit application

Applying for an alfresco dining permit can be done via our website (www.melvillecity.com.au/alfrescopermits). We do not charge a fee to apply or operate an alfresco dining area, however we may issue infringements for businesses operating without or contrary to a permit.

Alfresco dining permits are valid for a period of five years. At any point in this five-year period, we can choose to amend a permit or its conditions via written notice. We may also need to cancel or suspend a permit if considered necessary to maintain public safety, to allow for roadway upgrades, or if the permit conditions are breached.

A permit for alfresco dining allows you the right to place removable tables, chairs and umbrellas within the public land adjacent to your food business.

Subject to further consideration, it's possible for the alfresco dining permit to also include additional structures such as:

- Planter boxes
- Lighting
- Outdoor heaters
- Fixed furniture
- Retractable awnings



Application requirements

To apply for a permit, you will need to complete an online checklist and submit the following information:

1. **Certificate of Currency** for public liability insurance to a minimum value of \$10 million, which includes the proposed alfresco dining area, adjacent footpath area, and any proposed permanent structures,
2. A **detailed site plan** that shows the proposed alfresco dining area within the surrounding streetscape (i.e. adjoining businesses and/or roads), as well as any existing or proposed infrastructure/fixed furniture within or adjacent to the proposed alfresco dining area (e.g. power poles, stormwater drains, signs etc),
3. If you are proposing to use umbrellas, barriers or fixed planter boxes, you will need to include **elevation drawings** to verify footpath headroom clearance (min. 2.4m) and maintenance of appropriate sightlines,
4. The **technical specifications** of any fixed furniture/umbrellas, heaters or cooling units (or the like) which you propose to use in the alfresco dining area,
5. Details of the proposed method for securing equipment such as umbrellas and barriers, and
6. Photos of the site and the immediate context, showing location of any public facility (bus stop, post box, etc.), any street furniture, street tree or rubbish bin, and any parking restrictions, accessible parking bays or loading zones.

We may request further information based on the quality of information provided as well as the location of the proposed alfresco area.

Application processing timeframes

We aim to assess alfresco dining permits within five (5) business days of receipt, but a longer timeframe will be necessary if the application is more complex. This includes applications seeking to vary any of the provisions established in the guidelines, or where the proposal includes any of the following:

- Planter boxes,
- Lighting,
- Outdoor heaters,
- Fixed furniture,
- Retractable awnings, or
- Barriers/Screens

Permit renewals

If you would like to extend an existing alfresco dining permit that has, or is about to expire, you can renew your permit via our website (www.melvillecity.com.au/alfrescopermitt). Provided there have been no changes since the previous permit was issued, you will only need to provide an up-to-date Certificate of Currency along with a request to extend the permit.



Permit transfers

If a food business with an existing permit changes owners, and the new owners would like to continue to operate the alfresco dining area in accordance with the existing permit, the new owner must email healthservices@melville.wa.gov.au requesting the permit be transferred and include an updated Certificate of Currency recognising the new ownership

Alfresco design principles

When designing an alfresco dining area, you will need to consider the following principles:

- Alfresco dining should be welcoming and inclusive
- The placement of furniture should allow for unobstructed pedestrian movement
- Furniture should be safe and well-built so as not to deteriorate or risk injuring someone
- Vehicle sightlines must be maintained
- Alfresco dining should complement the streetscape
- The design of alfresco dining areas should be considerate of all potential users

Design requirements

Alfresco dining areas will only be approved when the location, size or layout will not compromise public access, circulation, or safety of patrons or other street users, and must not block line of sight for pedestrians or vehicles. Please take note of the following requirements, as well as Figures 1, 2 and 3 below.

Minimum verge widths

Alfresco dining areas are only suitable in locations where the verge is at least 3m wide. This provides the minimum reasonable space needed to provide a clear pedestrian walkway, necessary kerb setback and alfresco dining area.

Verge alignment

All alfresco areas on a given street block must be aligned within the verge to ensure a clear path of travel for pedestrians (the pedestrian clearance zone). This means that every alfresco must either be positioned against the building, or setback from the building adjacent to the kerb.

Street setback

A setback of at least 600mm is required from the edge of the kerb to the edge of the alfresco dining area. This increases to 1m where adjacent to a parallel parking bay, and a minimum 1.5m where adjacent to an accessible parking bay, bus stop or taxi stand.

Pedestrian clearances

A consistent 1.8m width must be maintained as a pedestrian clearance zone. By default, this consistent path of travel for pedestrians should be adjacent to the building.

Setbacks between businesses

Clearances between adjacent alfresco dining areas are necessary to allow pedestrians to be able to access the street, and vice versa. A minimum 400mm from the common boundary line between two adjacent tenancies must be maintained (for a combined 800mm separation).

Regular breaks

A minimum 800mm clear space is required for every 8m of continuous alfresco dining area. Where possible these gaps should line up with building entrances.

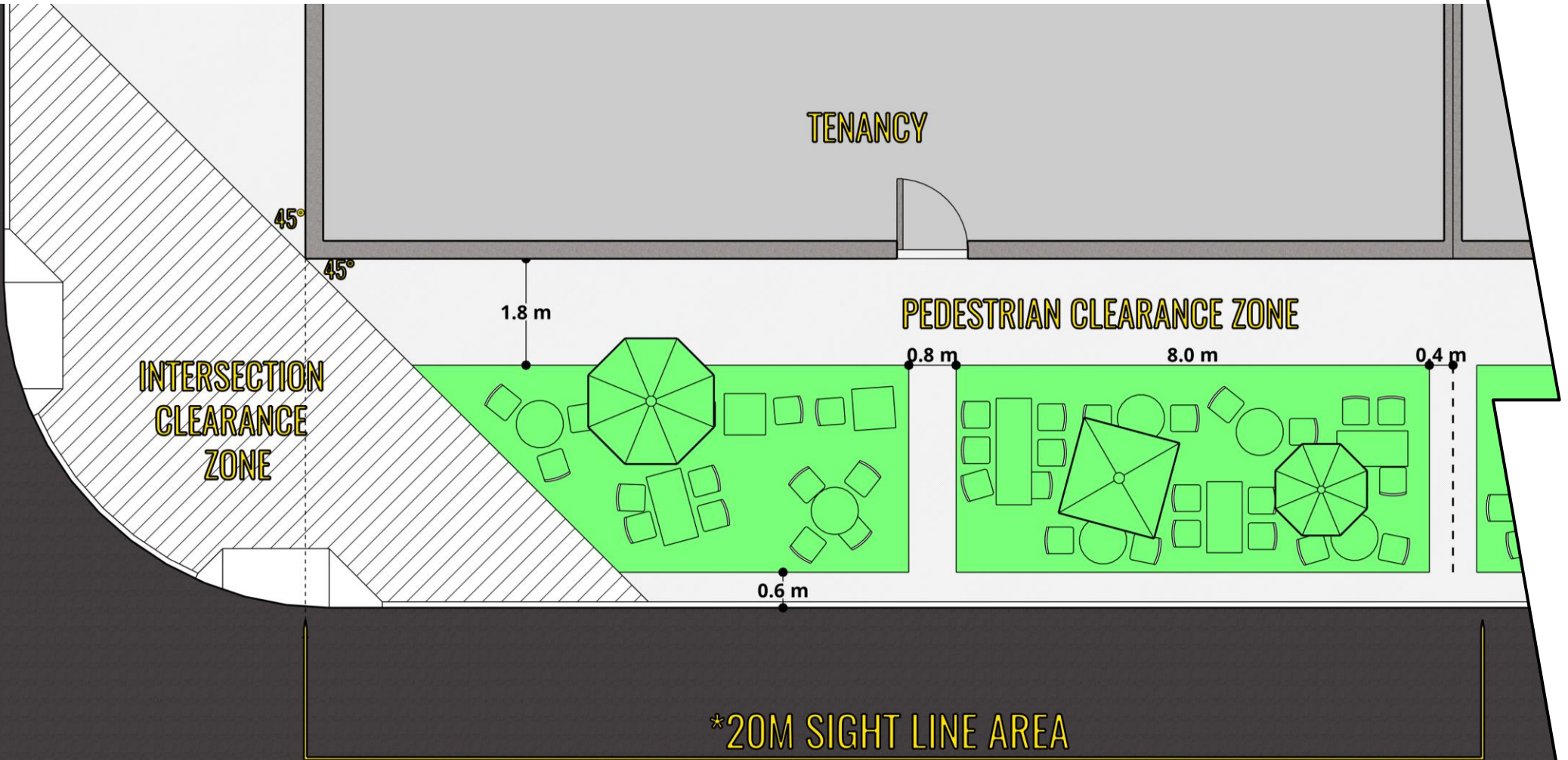
Vehicle sightlines

Alfresco dining areas must be setback a minimum 2.5m from any driveway, laneway or right-of-way, to ensure the safety of pedestrians.

Other setbacks

A minimum 1m setback is required from the nearest part of any parking meter, bike rack, rubbish bin, fire hydrant, loading zone or at-grade landscaping. A 500mm setback is required to any street tree, public bench, or streetlight.

Figure 1: Alfresco dining area setout requirements



*The 20m vehicle sight line area applies when an alfresco area is close to a street corner, laneway or driveway, and where the intersection is not controlled by traffic lights. Within 20m of the building corner (as shown in Figure 1) the only structures permitted between the heights of 1.1m and 2m (above the verge level as per Figure 3) are umbrellas, outdoor heaters and existing street trees. Any other structure will require detailed consideration.

Figure 2: Embayed car parking setback requirements

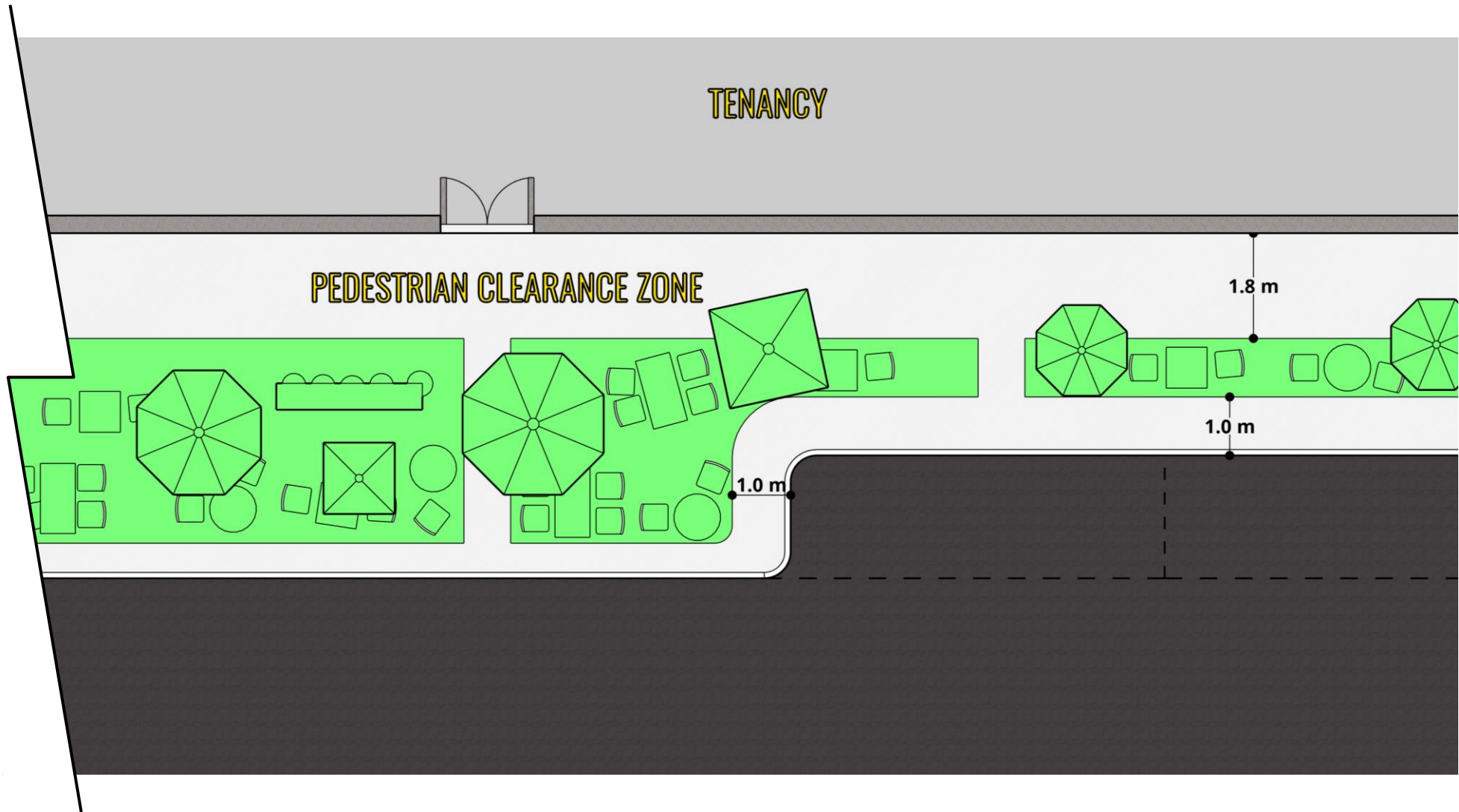
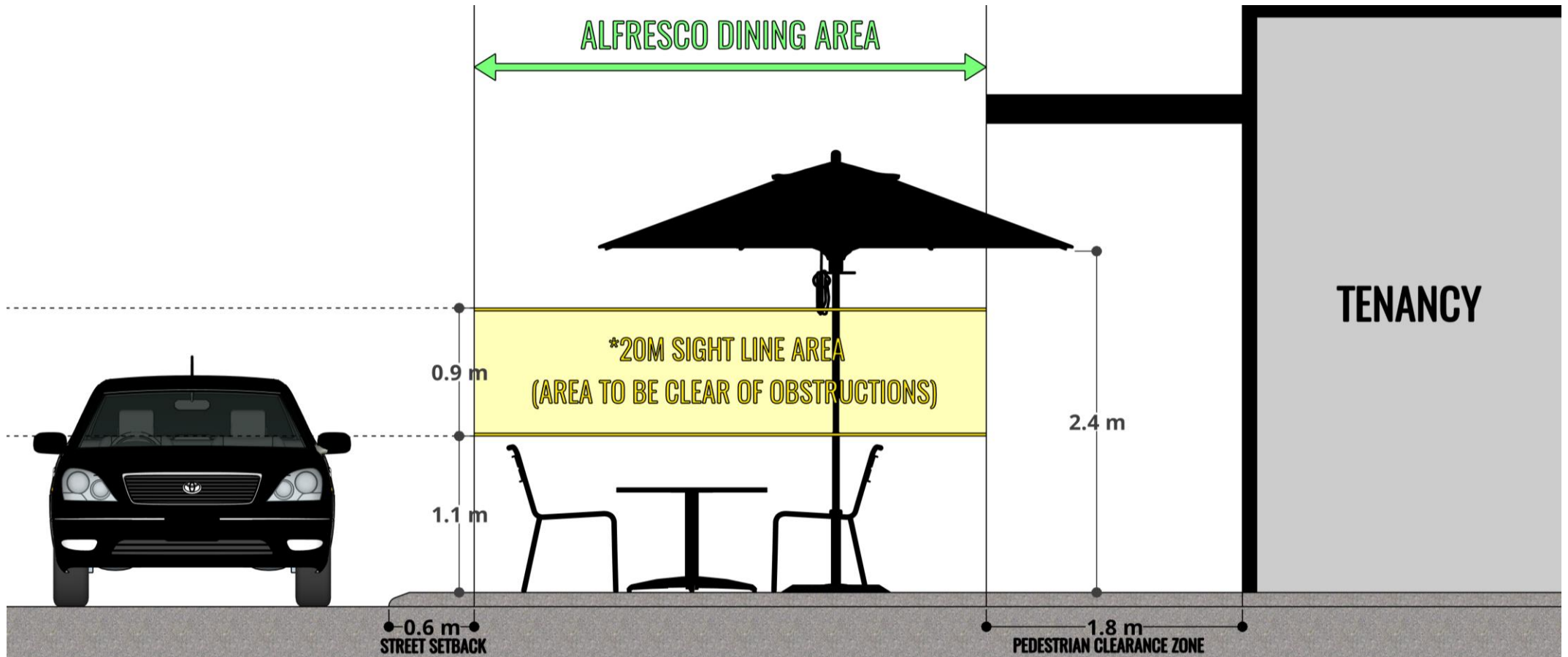


Figure 3: Section plan (showing sight line clearance zone)



* Figure 3 shows the area in yellow that's required to be kept clear of obstructions so that vehicles entering the roadway/intersection are able to see other road users.

Umbrellas

Umbrellas are encouraged where awnings or trees are unable to provide suitable shade for patrons.

Umbrellas are required to maintain a minimum 2.4m vertical clearance, and no part of the umbrella should encroach into the minimum kerb setback. The umbrellas also need to be adequately secured to resist adverse weather and should be removed when there are strong winds.

Maintenance

The alfresco dining area needs to always be kept clean, and the furniture maintained in a good state of repair. Staff must regularly monitor the area to ensure that:

- Food scraps, crockery and general rubbish is cleared as soon as possible,
- General spills/stains from food, beverages, grease or bird faeces etc are cleaned when noticed,
- Tables, chairs, and other moveable elements remain within the defined alfresco dining area, and
- Rubbish is being disposed of using the tenancies own rubbish bins and not the public rubbish bins.

In addition, you are responsible for cleaning the alfresco dining area at the end of each day, using alkaline products to avoid damaging the verge and to avoid harmful chemicals entering the stormwater system.

Universal access

Where possible alfresco dining areas need to be designed to be accessible to everyone. This includes things like table heights, menu design, lighting, space for wheelchairs, and adequate space to manoeuvre.

If you would like guidance on how to make an alfresco dining area accessible, we have staff available to assist. Please call 1300 635 845 and ask to speak to either the *Community Development Officer (Seniors)* or the *Social Justice Advocate*.

Toilets

Food businesses are required to provide toilet facilities in accordance with the NCC Building Code of Australia (ncc.abcb.gov.au). The extent of these facilities is based on the number of patrons, including those who use the alfresco dining area.

Tree canopies

The City of Melville's street trees are protected in accordance with Council Policy No. 29- *Tree Policy*. In most instances, a tree, including the extent of its canopy will take precedent over the use of a space for alfresco dining. However, there may be circumstances where we will consider either pruning or removing a tree from the verge (e.g. due to safety or a tree's poor health). If, as part of an alfresco dining permit application, you seek to remove/prune a tree, you should include suitable justification and we will consider it.

Liquor licence

Subject to the appropriate permits from the Department of Local Government, Sport and Cultural Industries, alcohol can be consumed within an alfresco dining area.

How to lodge

To lodge an application for an Alfresco Dining Permit please visit

www.melvillecity.com.au/alfrescopermitt

For any other questions please contact our Health Services team on 1300 635 845.

