

# Sample SEE template - Footpath dining and trading

The following template may be used when preparing your Statement of Environmental Effects for a footpath dining or trading application:

## 1. Details of proposal

Your description must include:

- area and dimensions of the proposed footpath trading area,
- the number of tables/chairs/display stands proposed,
- the approved (or proposed) use and hours of operation of the associated business premises, and
- the proposed hours for the footpath trading area.

*Example description:*

*This application is for provision of a footpath dining area for 2 tables and 4 chairs in front of the existing restaurant at 1 Sample Street, Randwick. The current footpath is 3.65 metres wide and it is proposed to use an area 1 metre deep by 4 metres wide along the site frontage.*

*The existing cafe was approved and constructed in 2009 (DA/001/2009) and has been operating in accordance with the consent with hours of operation of 8:00am to 10:00pm, 7 days. It is proposed to operate the footpath dining area with these same hours.*

## 2. Assessment against Footpath Dining and Trading DCP

The following compliance table may be used demonstrate how your proposal will satisfy the key design criteria contain in Parts 2 and 3 of the Footpath Dining and Trading DCP. You should check your proposal against each of the 'performance criteria and controls' and then complete the table. Any additional design criteria (contained in the Footpath Dining and Trading DCP) that are relevant to your proposal should be added to the table.

Note: If you think that any of the controls contained in the DCP are unreasonable or unnecessary, you may choose to lodge an application that does not comply with the DCP controls. The justification for the non-compliance/s should be included in your Statement of Environmental Effects. It is your responsibility to:

- demonstrate an understanding of the purpose of the control
- satisfy Council that the intent of the control will still be met despite non-compliance
- indicate the special circumstances that warrant variation of the control

<b>Location and Layout of Footpath Trading Activities</b>	
<b>Performance Criteria &amp; Controls</b>	<b>Compliance</b>
<p>Clear zone minimum width 2.0m</p> <p>OR</p> <p>Clear zone minimum width 2.5m for locations adjacent to classified roads, busy footpaths (e.g. Randwick Junction) and footpaths in excess of 4m in width.</p>	
<p>Kerb setback minimum 0.6m (or 0.9m adjacent to loading zones, 1.5m adjacent to pedestrian crossings, 1.2m adjacent to angle parking)</p>	
<p>Only that part of the footpath or public place directly in front of the associated business premises may be used for footpath trading. The area may not extend to the area in front of neighbouring properties.</p>	
<p>Locating footpath trading adjacent to the building line is not favoured as it is unsuitable for people with vision impairment. A footpath trading activity proposed to be located adjacent to the building line, must demonstrate consistency with existing footpath trading activities, exceptional circumstances, and/or the public benefit.</p>	
<p>Where trading activities adjoin, provide a minimum break of 1.0m between each activity.</p>	
<p>Provide a minimum break of 1.0m from public utilities including fire hydrants, rubbish bins, seats, telephones, bicycle stands, bus shelters, taxi ranks and parking meters.</p>	
<p>Provide a minimum break of 0.5m from all other street furniture including bollards, tree pits, street lights and traffic and electricity poles.</p>	

<b>Operating Hours</b>	
<b><i>Performance Criteria and Controls</i></b>	<b><i>Compliance</i></b>
Outdoor dining areas in Business zones:  (i) General Business zones: up to 11:00pm Mondays to Saturdays and to 10:00pm Sundays  (ii) Local Business zones up to 10:00pm Mondays to Saturdays and up to 9:30pm Sundays	

<b>Amenity</b>	
<b><i>Performance Criteria and Controls</i></b>	<b><i>Compliance</i></b>
Demonstrate that the proposal will not have unreasonable impacts on the amenity of adjacent residences.	

<b>Furniture and Fittings</b>	
<b><i>Performance Criteria and Controls</i></b>	<b><i>Compliance</i></b>
Dimensions fit into the footpath trading area.	
Are safe, sturdy, (but not bulky), waterproof and weather resistant, can be easily removed at the close of business each day, will not damage the footpath or other public infrastructure or pose a trip/fall hazard or inconvenience to the public.	

<b>Other requirements</b>	
<b><i>Performance Criteria and Controls</i></b>	<b><i>Compliance</i></b>
Provide clear sight lines from the indoor premises to the outdoor trading area.	
Adequate toilet and sanitary facilities are provided to cater for patrons	

