

NSW Outdoor Dining Trial

The NSW Outdoor Dining Trial makes it easier to do business in NSW by streamlining the process for existing restaurants, cafes and other food-based businesses to expand trading onto the public footpath.



Key benefits

Developed by the Office of the NSW Small Business Commissioner (OSBC) in partnership with Service NSW and participating councils, the trial is part of NSW Government's Easy to do Business initiative and will run from September 2017 to July 2018.

The trial will result in a statewide Outdoor Dining Policy, enabling small food-based businesses to expand their operations, bringing vibrancy to local communities, boosting local economies and providing additional jobs.



A streamlined, simplified self-assessment process for outdoor dining approvals



The development of an online application and approval process



Two business day approval



Streamlined approval for boundary changes to on-premises (restaurant) liquor licenses



Fee-free for the period of the trial



Cutting red tape for small businesses and local councils



Reform of complex legislation, regulations and codes

Visit smallbusiness.nsw.gov.au/outdoor-dining-trial for more information

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Creating a streamlined and statewide policy

The Interim Outdoor Dining Policy includes five key permit requirements that existing, approved food-based businesses must meet to be able to operate outdoor dining.

All businesses undertaking outdoor dining activities under the interim policy must have a valid outdoor dining permit for the area involved. The permit is issued by their local council and a business must self-assess the proposed outdoor dining area and its operation against the requirements.

The requirements are fully detailed in the **Interim Outdoor Dining Policy** and the accompanying **Interim Outdoor Dining User Guide 2017-18**.

A simple three-step process for small business

The NSW Outdoor Dining Trial introduces a new, simple, easy and streamlined process to allow restaurants, cafes and other food-based businesses expand out onto the public footpath.

5 Permit Requirements

- 1 Location:** Facilitate the appropriate use of footpaths and public places for outdoor dining activities.
- 2 Safety:** Maintain an equitable and safe thoroughfare around outdoor dining areas for all users.
- 3 Amenity:** Facilitate improvement to the local character, street vitality, amenity and economic viability.
- 4 Function:** Ensure the design of the outdoor dining space, furniture, fixtures and day-to-day requirements reflect the local area.
- 5 Legal & Compliance:** Ensure outdoor dining activities: avoid nuisance, endangerment or inconvenience; address public liability and manage risks; and comply with state legislation.

1 Get informed

- Visit smallbusiness.nsw.gov.au/outdoor-dining-trial.
- Check that your business is located in a nominated trial location.
- Read the Interim Outdoor Dining Policy, with particular reference to the five permit requirements.
- Read the Interim Outdoor Dining User Guide 2017-18 to make a self-assessment of your eligibility.

2 Apply

- Complete your council's Application for Outdoor Dining Approval.
- Make sure you have the required Public Liability Insurance.
- Prepare a site plan.
- Get any adjoining business permissions you need.
- If you have a liquor licence, include change of boundary information.

3 Get a permit

- The application is reviewed by the Service NSW Business Concierge team and your council.
- If everything is in order, approval and a permit will be issued within two business days by the council.
- Liquor & Gaming NSW will then provisionally approve a change of boundary.

Next steps

The Office of the Small Business Commissioner has partnered with Service NSW to develop an online application and approval process to provide a one-stop application process for outdoor dining approvals across NSW. When it's up and running in 2018 you can use this portal for the entire application process without the need for paper forms.

smallbusiness.nsw.gov.au/outdoor-dining-trial