

Closing The Loop

Outdoor Trading Specification

Community Engagement December 2023- March 2024

Summary

Between December 2023 and March 2024 Central Coast Council placed the Draft Outdoor Trading Specification on public exhibition to seek community feedback. Council held 3 community information sessions, two face-to-face (Wyong and Terrigal) and one online during the month of February 2024. Over 16,000 Central Coast Businesses were reached out to encourage feedback via EDM. During the public exhibition period 32 submissions were received.

What we heard and how we responded

Table 1 below captures the themes of feedback received from the community on the Draft Outdoor Trading Specification and identifies how that feedback has been incorporated into the final documents, where appropriate.

Table 1 Issues and responses

Theme	Summary of theme / Example of comment	How it has influenced the project
Regulation	Concerned with government control of over business and new restrictions. "If we lose the limited outdoor dining... then we may lose those businesses altogether.	The Outdoor Trading Specification encourages outdoor trading in appropriate areas whilst improving amenity and providing equitable and safe movement for a broad range of users.
Safety and Equity	Expansion of business footprint and erosion of public space. "I don't wish to walk in extreme heat or rain because cafes or restaurants have occupied the footpaths". "Keep Business on their own premises". "Large amount of cafes and restaurants with obstructive, outdoor seating is becoming	Outdoor Trading Areas can contribute to the creation of a vibrant atmosphere in areas. However, it is important that any Outdoor Trading Area achieves equitable and safe movement for a broad range of users. The Specification sets out required separation distances and details requirements for any structures and furniture used in association with an Outdoor Trading area.

	dangerous and irritating”.	
Location Suitability	Suitability of footpath for outdoor trading. “It does not suit all roads, especially ones with steep gradients”.	It is acknowledged that town centres differ, and some have steep gradients. In some locations, such as Wyong, Council has provided levelled areas so that Outdoor Trading can occur. The Outdoor Trading Specification provides a consistent approach to the requirements for any Outdoor Trading Area across the Central Coast.
Maintenance	Enforce regular maintenance. “Poorly maintained structures are a concern”.	Applications for structures must be consistent with the Outdoor Trading Specification and any conditions associated with any approval. Details have been provided within the Specification detailing factors that will be considered when assessing and inspecting outdoor trading areas. Additionally, Council will consider the timeframe to require the replacement of any existing structures on a case by case basis. Consideration in any determination will include whether the structure has been maintained.
Outdoor Furniture	Furniture must be removed from trading area outside trading hours. “Furniture left out overnight”, “stuff blocking walkways”.	The Specification requires all outdoor trading furniture on road reserves to be removed from the area outside of trading hours. In some instances, Council may approve fixed furniture in public places, but this will only be allowed in appropriate locations, for example where there is a wide pedestrian area such as at the Entrance Waterfront.
Fixed Structure	Interest in fixed structures. “We would like to extend our trading space with a fixed permanent structure”.	The specification outlines design guidelines and controls related to the fixed structures for eligible businesses. A separate application must be submitted for fixed structures, in addition to the Outdoor Trading Application Form.
Dogs	An equitable and safe environment for all patrons. “The noise and inconvenience of dogs invading people’s personal spaces in outdoor venues”	There is legislation that permits companion and assistance dogs within Outdoor Trading Areas. For companion animals, dogs are only permitted with the café or restaurant owner's consent. However, certain restrictions do apply, and these have been identified within the Specification.
Health and Wellbeing	Policing alcohol controls in the alcohol-free zones. “Consider incorporation of fit for purpose alcohol-harm management framework to ensure community health and well-being, particularly on businesses in the alcohol-free zones, after trading hours”.	Any service of alcohol within an Outdoor Trading Area is subject to obtaining Development consent and an appropriate liquor licence from the NSW Office of Liquor and Gaming. This requirement is identified within the Specification.
Hygiene	Food businesses must comply with related regulations.	All Outdoor Trading Areas that handle food are required to comply with the Food Act 2003. This Act is listed as Relevant Legislation in the Specification.

	<p>“There should be very stringent controls on the hygiene aspects of handling food on streets”.</p>	
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May 2024