



Outdoor dining Measurement Fact Sheet

Public Unleased Land

- **What is Public Unleased Land?** – Public Unleased Land means unleased Territory Land that the public is entitled to use or is open to, or used by, the public.
- **What is a Public Unleased Land Permit?** – A permit issued under the *Public Unleased Land Act 2013* (the Act) which authorises the permit holder to use the stated public unleased land at a stated time and for a stated activity.

Measuring a proposed permit area

In considering an application for an outdoor dining permit, Access Canberra generally requires the following:

Physical requirements -

- Photos of the proposed permit area,
- A plan outlining the proposed permit area and proposed measurements,
- Approval from neighbouring businesses if the permit area is to be in front of a neighbouring business;

Measurement requirements -

- There must be clearance of 2 meters between active shop fronts and an outdoor café,
- A clearance of 2m from public seating,
- 1.2m clearance from other street furniture (i.e. light pole, bike racks, signs, parking meters)
- 2m setback from building lines at corner locations
- Clearance of 1.2m from road kerbs;
- Clearance of 1.2m to trees where the clearance between a branch and the ground is less than 2.2m,
- No encroachment of emergency service vehicle access ways;
- No encroachment of public utilities such as fire hydrants, toilets, service pits, kerbs, ramps and access ways to these items;
- The outdoor area should be no more than 12m in length,
- The permit area will not block main public thoroughfares or entry points for public activities;
- The permit area will not impede other commercial businesses or access to other businesses unless they approve this;
- The permit area will not impede access for people with disabilities;
- The permit will not create dark corners or unsafe areas;
- The permit will not affect critical sightlines for vehicles or pedestrians;
- The permit will not affect public art or a heritage area;
- The gradient and surface of the area are safe for use of chairs and tables;

- Temporary barriers must not exceed a height of 1m and should not have protruding support braces or horizontal ropes/chains. The preferable option is barriers to ground level for people with low vision;
- A shade structure or umbrella’s canopy must remain within the permitted area; and
- Any gas heaters must be located in a safe and well ventilated area.

On receipt of evidence that confirms the listed information has been completed to a satisfactory standard, this office will further consider the application.

Contact

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