

## GUIDELINE

# Footpath Dining on State-controlled Roads

### Purpose

To ensure that footpath dining on State-controlled roads (SCRs) is assessed and meets the criterion necessary for the safe and effective operation of the SCR network.

### Principles

The guideline is intended to provide an appropriate balance between:

- permitting footpath dining in appropriate locations
- providing safe operating conditions for footpath diners and pedestrians
- ensuring a safe and efficient road network (including pedestrian)
- reducing the potential legal liabilities of business operators, their customers, the Department of Transport and Main Roads (TMR) and local governments
- ensuring local governments' planning requirements form part of the assessment process for footpath dining.

### Applicability

This guideline applies to SCRs.

Councils who undertake to administer footpath dining on SCRs are required to follow TMR technical guidelines in conjunction with their own approved local laws, and other licensing requirements.

Local governments have a range of local laws under their *Model Local Law No 1 (Administration) 2010* and regulations pertinent to footpath dining. These include hygiene and health permits, food vending permits, licensee approvals and pest approvals.

This guide does not address the food hygiene requirements. These requirements are the responsibility of local government. The food premises connected with the proposed footpath dining area must be licensed by the local government under the *Food Act 2006*.

### Guidelines

#### Approval process

Footpath dining on SCRs is an activity which requires formal approval via the Road Corridor Permit (RCP) system.

TMR and local government may enter into agreements for local government to administer and enforce footpath dining activity on behalf of TMR.

Footpath dining will not be approved in an area where the relevant local government does not permit the activity.

In cases where the local government elects not to administer footpath dining on SCRs, DTMR will manage the administration and approval process via the RCP system.

## Enforcement

Footpath dining sites may be inspected by authorised DTMR officers or the local government delegated officers to ensure the sites comply with this guideline. In certain circumstances, the Queensland Police Service may also be requested to provide a safety assessment of the site.

## Technical specifications

Please refer to the Footpath Dining Self Assessment Guideline available on the TMR website.

## Contacts

Please contact your local DTMR office for information about applying for a RCP.

Region	Email Address	Telephone Number
Central West Region (Barcaldine Office)	barcaldine.office@tmr.qld.gov.au	4651 2777
Darling Downs Region (Warwick Office)	warwick.office@tmr.qld.gov.au	4661 6333
Darling Downs Region (Toowoomba Office)	toowoomba.office@tmr.qld.gov.au	4639 0777
Far North Region (Cairns Office)	cairns.office@tmr.qld.gov.au	4050 5444
Fitzroy Region (Rockhampton Office)	rockhampton.office@tmr.qld.gov.au	4931 1500
Fitzroy Region (Emerald Office)	emerald.office@tmr.qld.gov.au	4983 8700
Mackay/Whitsunday Region (Mackay Office)	mackay.office@tmr.qld.gov.au	4951 8555
Metropolitan Region (Brisbane Office)	brisbane.office@tmr.qld.gov.au	3066 5499
North Coast Region (Maroochydore Office)	sunshinecoast.office@tmr.qld.gov.au	5451 7055
Northern Region (Townsville Office)	townsville.office@tmr.qld.gov.au	4421 8700
North West Region (Cloncurry Office)	cloncurry.office@tmr.qld.gov.au	4769 3200
South Coast Region (Gold Coast Office)	goldcoast.office@tmr.qld.gov.au	5596 9500
South West Region (Roma Office)	roma.office@tmr.qld.gov.au	4622 9511
Wide Bay/Burnett Region (Bundaberg Office)	bundaberg.office@tmr.qld.gov.au	4154 0200
Wide Bay/Burnett Region (Gympie Office)	gympie.office@tmr.qld.gov.au	5482 0333