



**FEE
WAIVED**

No permit fee

16 September 2026*

Outdoor dining toolkit

Working together to achieve a more liveable, sustainable and vibrant Maitland

Bring your business to life. Take your dining outdoors.

Create a welcoming outdoor dining space that attracts customers and adds to Maitland's lively café and restaurant scene.

Maitland City Council supports local cafés, restaurants, and food businesses to use outdoor spaces. Outdoor dining can help bring more customers, expand seating, and make streets more vibrant.

Before setting up, you must apply for approval to use public space. This helps keep the area safe, accessible, and enjoyable for everyone.



Follow this six-step outdoor dining checklist

1. Check you're eligible

Make sure your outdoor dining area meets the rules for safety, accessibility, and design:

- ☐ Your business must follow Council's [Outdoor Dining Policy](#)
- ☐ Your proposed setup must meet all safety, accessibility and amenity requirements.

2. Prepare your application

You'll need to provide:

- ☐ A site plan showing outdoor dining area including number of tables, chairs and other furniture
- ☐ Details of furniture, umbrellas, heaters, lighting, and storage
- ☐ Proof of public liability insurance (minimum \$20 million)
- ☐ Liquor licence information if you want to serve alcohol outdoors
- ☐ Development Application (DA) number (if applicable).

3. Submit your application

- ☐ Complete the online [application form](#)
- ☐ Upload your site plan and documents
- ☐ Make your declaration
- ☐ Pay the non-refundable application fee (see *Council's annual fees and charges) – waived until 16 September 2026.

4. Council assessment

Council will review your application and may consult police or other authorities if needed.

5. Permit issued

If approved, your permit will list:

- ☐ Approved furniture, umbrellas, screens, barriers and lighting
- ☐ Hours of operation
- ☐ Waste and noise requirements
- ☐ Liquor licence boundaries, if applicable
- ☐ Permit length: Five years
- ☐ Ongoing fees: None.

6. Operating your outdoor area

Once approved, you must:

- ☐ Follow all permit conditions
- ☐ Keep furniture, umbrellas, heaters and lighting in a safe condition
- ☐ Manage waste and noise
- ☐ Maintain safety and accessibility
- ☐ Display council issued window decal in a prominent position.

Outdoor dining rules – what you need to know

1. Location

Where to place furniture:

- On wide footpaths, you can set up dining near the kerb
- On narrow footpaths, keep all furniture close to the building
- If your neighbours already use kerbside or wall-side dining, match their placement.

General location rules:

- Do not set up on uneven or damaged surfaces
- Leave required pedestrian clearance
- Do not block intersections, driveways or access to essential services.

2. Safety and accessibility

Your outdoor dining must be safe and usable for everyone.

Key requirements:

- Leave clear space for pedestrians, including people using mobility aids
- Maintain clear lines-of-sight near intersections
- Provide good lighting, especially at night
- Furniture must be removed and stored inside after trading hours
- Animals are allowed but must be leashed, restrained and kept on the ground.

Helpful tips:

- Use sturdy, stackable furniture for easier storage
- Report uneven paving to Council
- Consider large-print menus
- Monitor pets and remove unsafe or disruptive animals.

3. Amenity (look and feel)

Create a space that looks welcoming and suits your business and the street.

What to include:

- Attractive, well-maintained furniture
- High quality umbrellas, lighting or heaters (if needed)
- Plants or small herb boxes to add colour and atmosphere.

4. Function (furniture and equipment)

Furniture:

- Must be weatherproof and suitable for commercial outdoor use
- Must allow safe movement for customers and staff
- Must be stored indoors after trading hours.

Umbrellas, heaters and lighting:

- Umbrellas must be anchored, durable and at least 1.2m wide
- Don't use umbrellas where there is already an overhead awning
- Close umbrellas during high winds
- Use warm, welcoming lighting (avoid cold bright lights)
- Keep heaters in good condition and don't use damaged units.

Screens and barriers:

- Must be temporary and sturdy
- Must be a maximum height of 1.2 metres
- Must be secured to withstand wind.

5. Legal and compliance

Alcohol

To serve alcohol outdoors, your business must:

- Have a valid liquor licence
- Serve alcohol only with meals
- Have standard trading hours
- Have had no recent compliance issues
- Allow Council to liaise with NSW Police and Liquor & Gaming NSW.

Noise, waste and behaviour

You must:

- Keep noise at acceptable levels
- Keep footpaths and public areas clean
- Manage customer behaviour and smoking
- Follow all trading hour requirements.

Insurance:

- You must hold \$20 million public liability insurance with Council listed as an interested party.

Non-compliance

Council may:

- Issue warnings or fines
- Request changes
- Suspend or cancel your permit
- Remove your furniture and charge you if you fail to do so after permit expiry/cancellation.

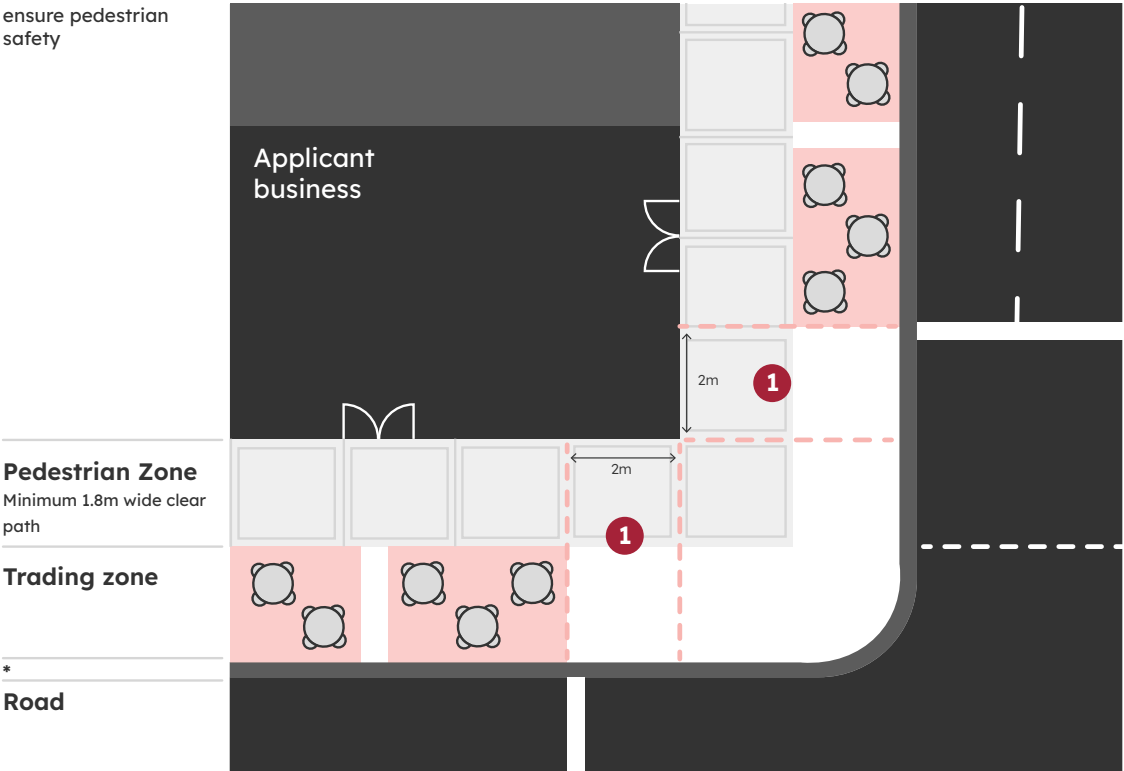


Footpath trading guidelines

Note - kerbside/building side outdoor dining is at Councils discretion

1a. Kerbside dining

ensure pedestrian safety

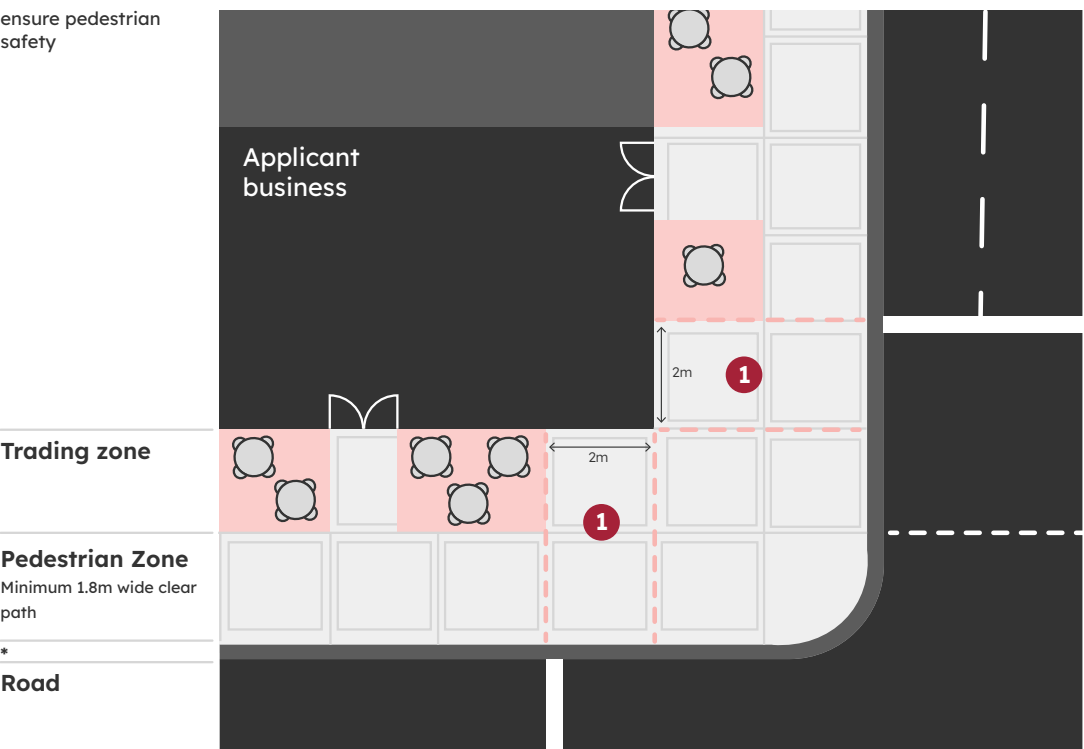


*Kerbside zone Minimum 0.3m wide from back of kerb

1 Minimum 2m setback from the property line

1b. Building side dining

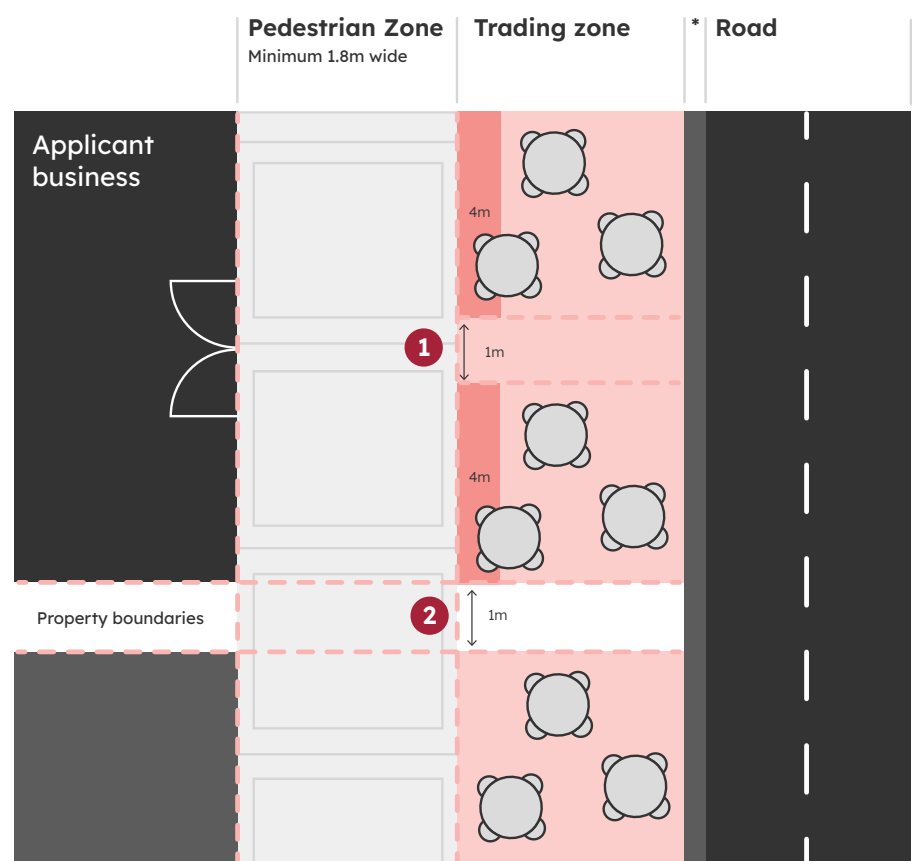
ensure pedestrian safety



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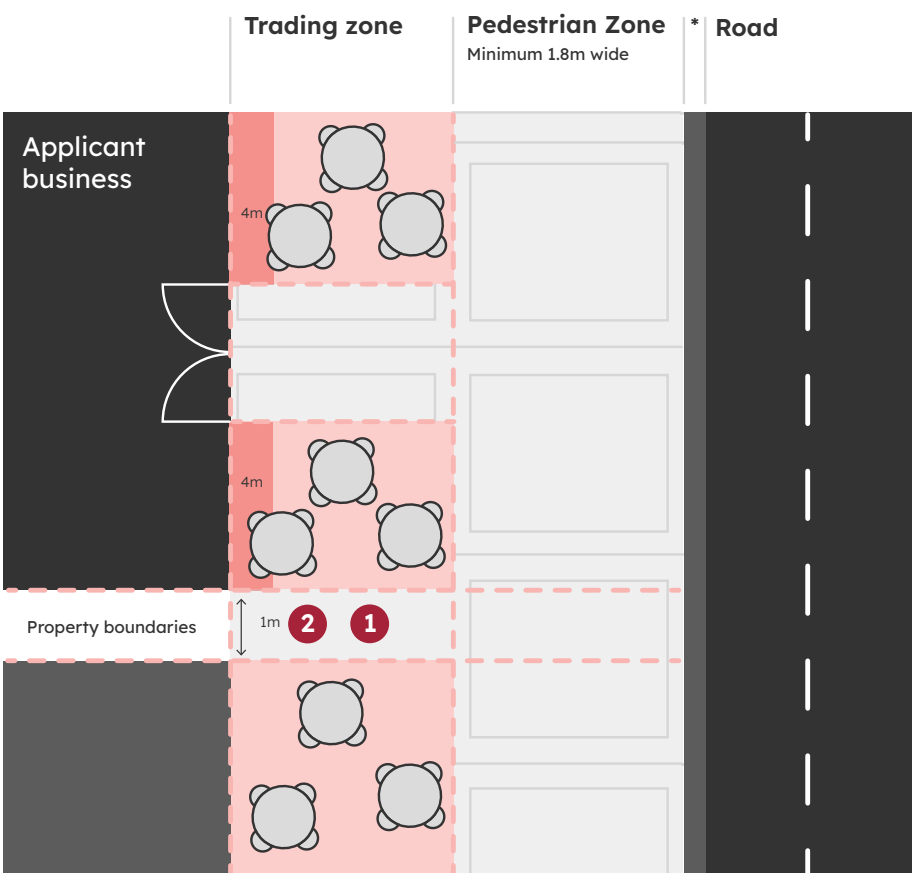
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2a. Kerbside dining



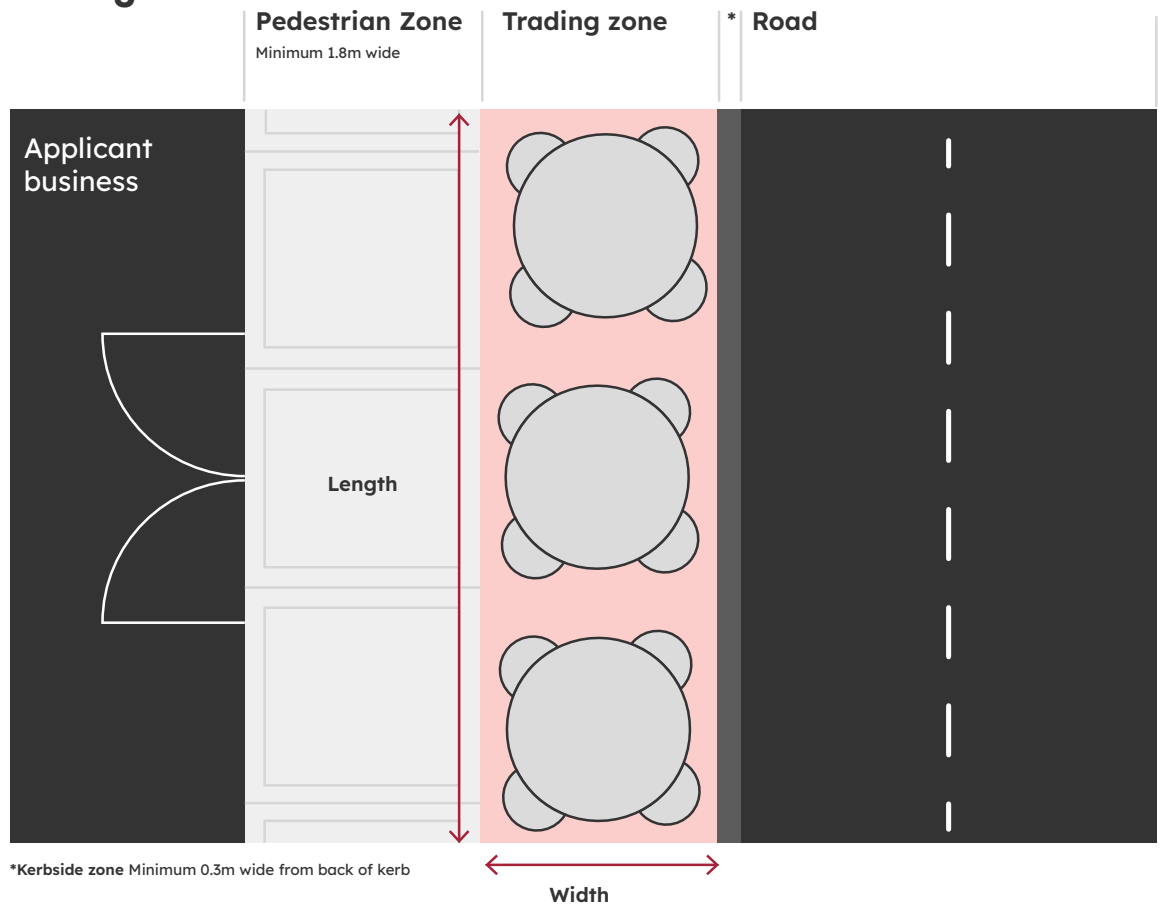
- *Kerbside zone Minimum 0.3m wide from back of kerb
- 1 Where frontage is more than 8m long, 1m pedestrian access should be provided every 4m
 - 2 Minimum 1m wide path from the kerbside to the pedestrian zone (0.5m from each property boundary)

2b. Building side dining

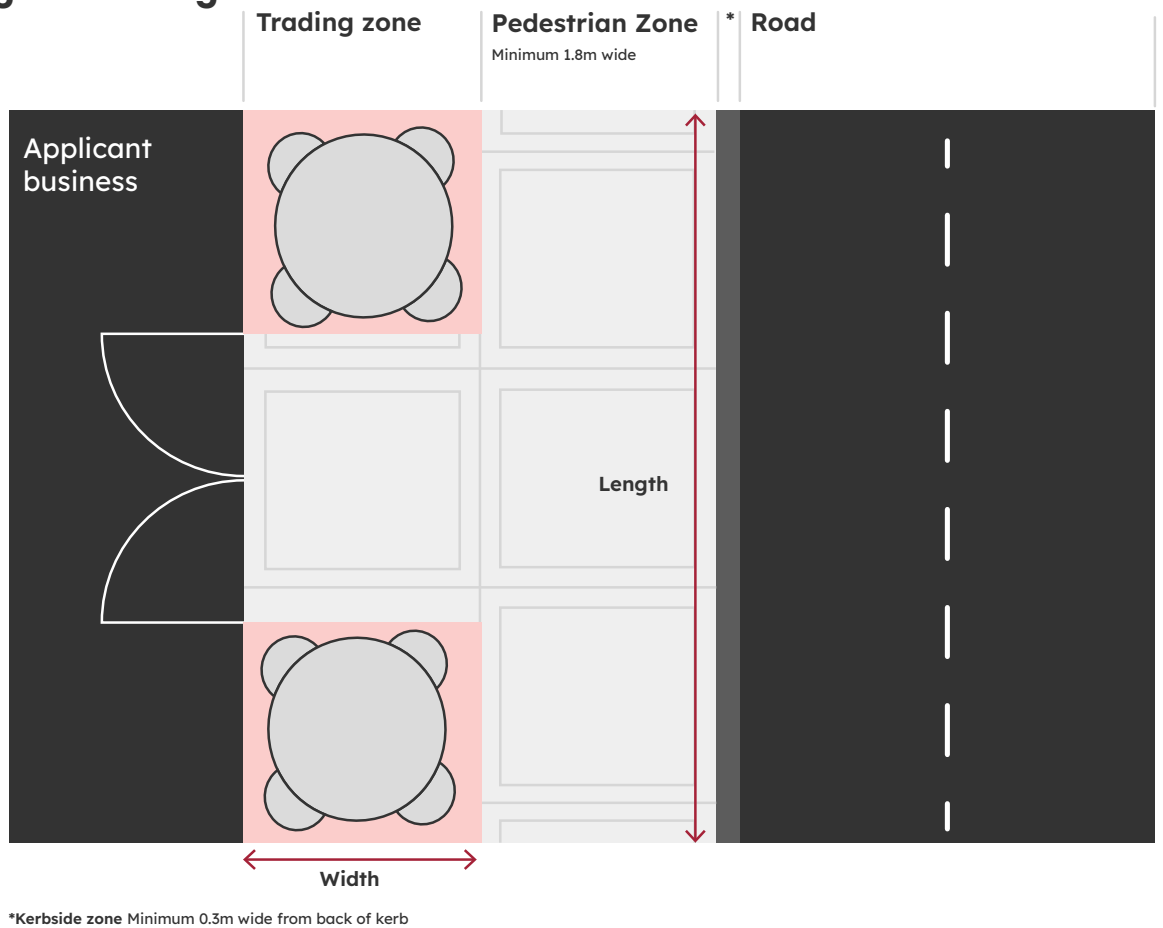


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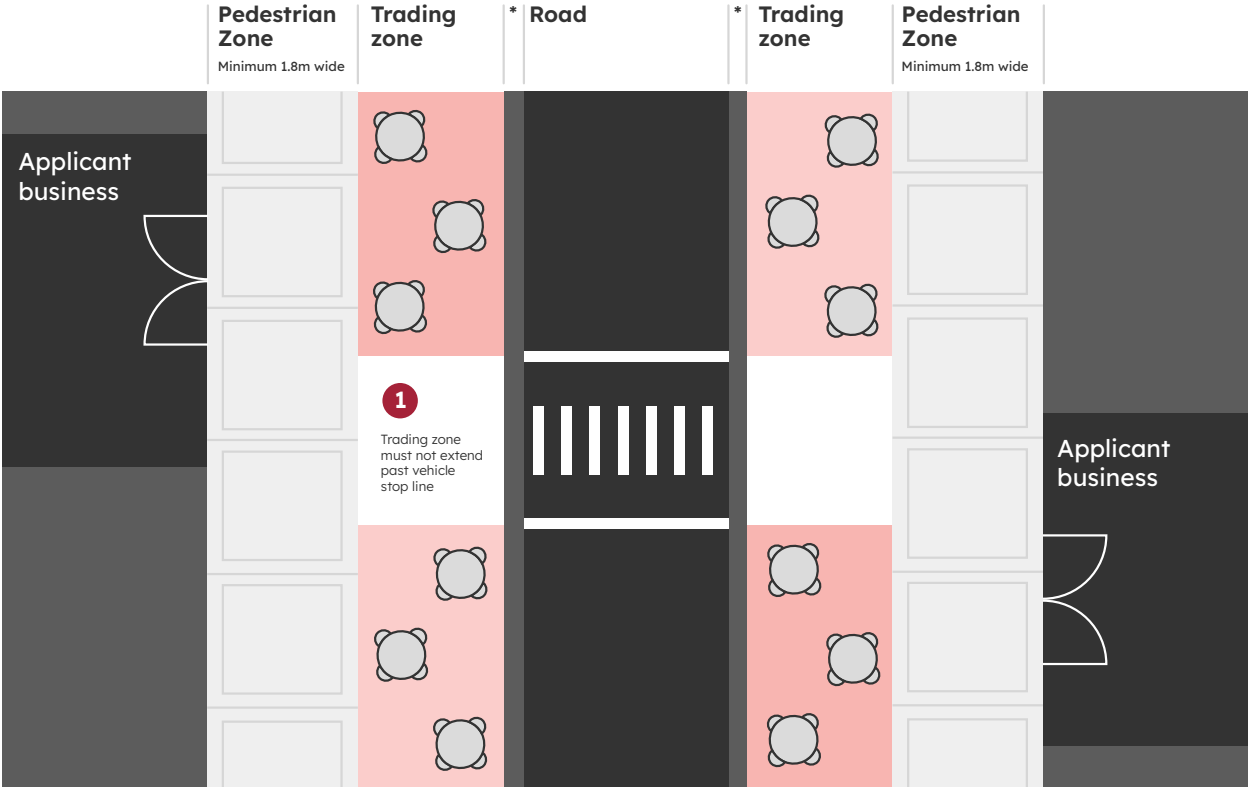
3a. Kerbside dining



3b. Building side dining

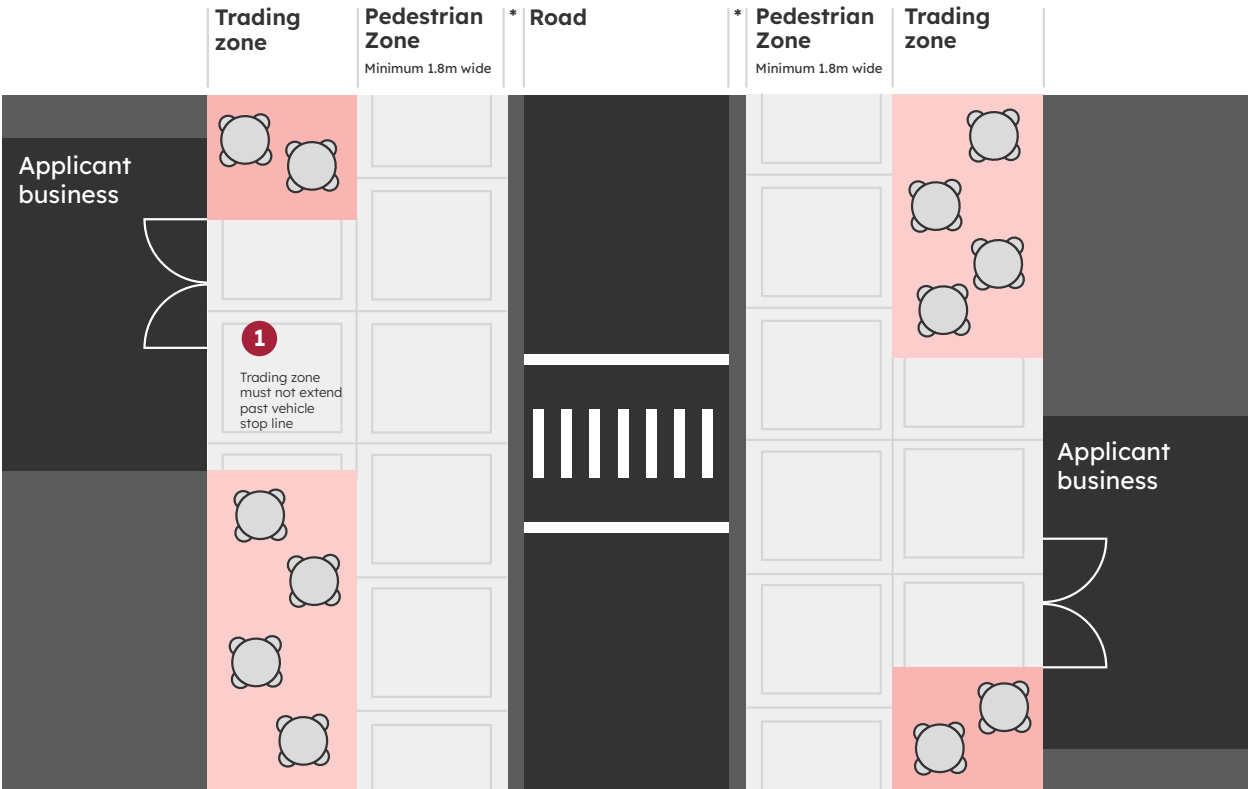


4a. Kerbside dining



*Kerbside zone Minimum 0.3m wide from back of kerb

4b. Building side dining



*Kerbside zone Minimum 0.3m wide from back of kerb



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