

Tables and Chairs Policy

Adopted – Council 31 March 2006

See following page for policy.



TABLES AND CHAIRS IN PUBLIC SPACE

QUEENSTOWN LAKES DISTRICT COUNCIL

2006 POLICY



Lakes Property Services
Property, Project and Planning Management • Registered Public Valuers

Queenstown Lakes District Council

Tables and Chairs in Public Space Policy

March 2006

This document records the decisions at its meeting of 31st March 2006.

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SUMMARY

Please refer to the body of the policy for further details.

- The Queenstown Lakes District Council may grant permits for the commercial use of tables and chairs in public space.
- Permits will only be granted to operators of adjacent restaurants or bars.
- An application must be made in all cases. An application fee of \$250 will apply.
- Permits can be revoked, reviewed or amended by the Council at any time.
- Rental will be charged on a per square metre basis.
- A bond of \$50 per square metre is required (minimum bond \$200).
- Public Liability Insurance will be required to cover the table and chair area.
- The Permit holder will be required to clean the Table and Chair Area.
- A liquor license will be required before alcohol can be sold in the Area.
- No alcohol will be served after 10 pm.
- Furniture must be approved by the Council.

1.0 INTRODUCTION

Tables and Chairs on public space make an important contribution to the quality of public places in the Town Centres by providing an active street frontage that is vibrant, dynamic, comfortable and attractive. They provide a space for social interaction and the opportunity to withdraw from pedestrian movement in the street and rest while observing street activity.

The presence of people in public places increases the sense of safety and security in streets and even when empty, the tables and chairs suggest street life. They also provide restaurant and café owners with the opportunities of extending their businesses and promoting patronage with a more visible presence.

The Queenstown Lakes District Council retains control over table and chair permits in public space to ensure that pedestrian flow is maintained and that visual amenities are not compromised.

1.1 Definition of a Table and Chair Area

A Table and Chair Area is defined as the use of any public place, under the jurisdiction of the Queenstown Lakes District Council for the arrangement of tables and chairs used for the consumption of food and beverages in association with a lawfully existing restaurant and/or café.



1.2 Purpose of a Table and Chair Area

The purpose of the Table and Chair Policy ("Policy") is to inform and advise town centre businesses of the requirements when applying to have tables and chairs located in public places. By providing a framework for the layout and design, the Policy also ensures a high standard and further strengthens the Council's direction in promoting street activities.

The intention of a Table and Chair Area is to provide a safe and inviting environment for outdoor seating that forms a natural extension to the seating of an existing restaurant or café. The approval of a Table and Chair Permit makes provision for the use of a specified area of the public place in accordance with conditions stipulated by the Queenstown Lakes District Council. All furniture to be used on public space must be approved by the Council.

Furniture should **not** compromise existing street activities, and pedestrian or vehicle flow or safety.

Queenstown Lakes District Council is charged with the responsibility of managing the public place within the District and will consider the new establishment or re-application of a Table and Chair Permit on a case-by-case basis.

Queenstown Lakes District Council reserves the right to review, amend, refuse or revoke any Table and Chair Permit or application at any time.

Lakes Property Services co-ordinates all aspects of the Table and Chair Permit application process, from providing information about requirements, to receiving and assessing applications, and the issuing of permits. Applications for a Table and Chair Permit must be made on an annual basis. The applicant must operate an existing food/beverage premise to apply for a Table and Chair Permit.

A decision regarding an application for a Table and Chair Permit for new applications will take approximately **two to four weeks**, or longer if the application is found to be deficient, or where the application involves reserve land covered by the Reserves Act 1977.

It is the responsibility of the permit holder to comply with all laws and bylaws and all other legal requirements relevant to the activity permitted pursuant to this permit and to ensure that employees, patrons and other agents also comply.



2.0 OPERATION AND MANAGEMENT OF TABLE AND CHAIR AREA

2.1 Responsibilities

The operation of a Table and Chair Area is the responsibility of the permit holder. To ensure that the use of tables and chairs is an enjoyable experience for everyone, the permit holder is required to:

- **Operate** in accordance with the specific and general conditions of the permit and the requirements contained in the Table & Chair Policy.
- **Monitor** the area, ie. observe patrons at all times and respond to behaviour that may interfere with the use, enjoyment or personal comfort of another person in the Table and Chair Area or adjacent public place.
- **Maintain** access for all patrons in and around the area at all times with particular attention given to the needs of people with disabilities.
- **Manage** the position and use of furniture within the area and ensure furniture is returned to its original position when moved by patrons.
- **Comply** with all legislation, regulation, bylaw or the District Plan or with any reasonable requests or directions given by an Authorised Officer. No loud speaker, amplifier, relay or other audio equipment shall be installed or used in association with the Table and Chair Area.
- **Allow** an Authorised Officer access to the area at all times without notice.
- **Occupy** and use the area at the permit holder's own risk.

2.2 Waste Management and Cleanliness

All waste must be stored in an appropriate container and any owner or occupier must accept and demonstrate responsibility for the cleanliness of the area immediately adjacent to their premises.

Tables and Chairs Permit holders **MUST** manage the containment and proper disposal of tobacco waste including cigarette butts. The introduction of legislation banning smoking from dining areas has seen an increase in the amount of cigarette butt litter that has accumulated around Table and Chair Areas, which in turn is often blown into the streets, storm water drains and into our waterways.

To ensure the Table and Chair Area is maintained in a clean and hygienic state at all times and to reduce the impact of waste upon the environment, the following requirements will apply:

- Staff must uphold the cleanliness of the site, i.e. ensure that tables and chairs are kept clean and that litter is promptly removed from in and around the table and chairs and disposed of properly.
- Permit holders must maintain a high standard of presentation for all Table and Chair Areas by ensuring that furniture is clean, in good order and well presented.
- Permit holders must maintain the cleanliness of the public place throughout the trading period by removing all food, paper, cigarette butt waste and tree debris such as leaves and pollen, and cleaning grime from solid surfaces.
- Debris, litter or waste and cigarette butts must **not** be swept into storm water drains.
 - Any spills should be washed away promptly.

Under no circumstances are the cobbles to be water blasted

Should the permit holder not heed Council's request to clean the area, Council reserves the right to arrange cleaning by an independent, and to deduct the cost of such cleaning from the Bond.

All litter must be swept, collected and disposed of at the end of each day. This includes the removal of cigarette butts from the ground and/or any public structure such as planters.

2.3 Safety and security

The safety and security of both pedestrians and patrons are significant considerations when assessing an application for a Table and Chair Permit.

- Protection from vehicles may be required where tables and chairs are close to roads or intersections e.g. installation of Council approved bollards.
- No chairs placed immediately adjacent to roads are to be placed with their backs to the roadway.
- Table and Chair Areas should be monitored by the permit holder at all times and provide an inviting, clean and safe place for people to sit, relax and enjoy dining.
- Street furniture should generally be removed from the public place overnight/outside of trading hours, or it should be shown in the application how the furniture is to be secured in place.

2.4 Insurance requirements

The permit holder is required to hold valid public liability insurance to the satisfaction of the Council. To meet Council's requirements the policy must:

- note the interest of the Council on the policy;
- state the period covered by the insurance policy. ie. commencement date and expiration date of policy;
- be for a **minimum amount of \$1,000,000** in respect of any single occurrence;
- indemnify the Council against all claims of any kind arising from any negligent act either by the permit holder or the permit holder's agents; and
- be in a form and with an insurer to the satisfaction of the Council.

2.5 Reinstatement of a public place

Upon the expiry, cancellation or termination of the Table and Chair Permit, the permit holder is required, **within 14 days of the expiry, cancellation or termination**, to remove all the furniture from the public place and reinstate the public place to its original condition. Failure to remove the furniture within the specified period of time will result in the Council removing and disposing of the street furniture. No claim for payment or compensation from the Council shall be made for, or in respect of, such removal and disposal of furniture. Should the permit holder fail to reinstate the area to its original condition, the Council reserves the right to have the necessary work undertaken, to deduct the cost of this work from the Bond held, and to invoice the permit holder for any costs over the amount of the Bond.

2.6 Rights of Access

The Council or its contractors may from time to time require access to the Table and Chair Area for maintenance to the surface or underlying services. In such circumstance, the Permittee shall ensure that the furniture is cleared from the Table and Chair Area for the required period. The Council will give reasonable notice to the Permittee and shall carry out the work with due haste and will not be liable for any loss of business to the Licensee caused by the works to the Area.

The Permittee will clear the Table and Chair Area where it is necessary for any fire appliance, ambulance or other vehicle to enter the Area for the protection of human life or property and the Council shall not be responsible or liable for any loss of business to the Licensee under such circumstances.

If the Permittee does not clear the Area (as required above), the Council shall have the right to clear the furniture from the Area and shall not be liable for any loss resulting from the removal of the furniture.

2.7 Arbitration

Where either party serves to the other a Dispute Resolution Notice, the parties shall attempt to resolve the dispute or difference by negotiation. If this cannot be done within 14 days, the dispute or difference shall be referred to the arbitration of a single arbitrator if one can be agreed upon by the parties. If the parties cannot agree to the appointment of an arbitrator within 14 days, the dispute or difference shall be submitted to a single arbitrator appointed by the President of the Southland District Law Society. Any arbitration in terms of this clause shall be conducted in accordance with the provisions of the Arbitration Act 1996 or any re-enactment or modification of that Act.



3.0 APPLYING FOR A TABLE AND CHAIR PERMIT

3.1 Application requirements

The Council requires the following information from the applicant when submitting an application for a permit:

- **Application form:** a fully completed application form including contact details and signatures.
- **Site plan of existing conditions:** a plan at scale 1:100 accurately showing the existing conditions adjacent to the restaurant including:
 - the width of the building frontage and the footpath from the outside face of the kerb to the building line;
 - the location of building lines; and
 - an accurate location and type of abutting properties, existing trees, litter bins, light poles, signs, existing street furniture, pits, fire hydrants, parking meters, utility supply boxes, telephone boxes, bicycle rails, car parking and other features.
- **Site plan of proposed table and chair layout:**
A plan at scale 1:100 accurately showing the area of the proposed Table and Chair Area and layout of all tables, chairs, umbrellas, etc. All dimensions associated with the Table and Chair Area should be shown including the required clearances.
- **Photographs of the site:** clearly showing the proposed Table and Chair Area relative to buildings and existing features in the footpath.
- **Details of furniture:** Colour photographs and/or detailed architectural drawings of chairs, tables, umbrellas and other items proposed for the restaurant.
- **Measurement of furniture:** including the width span and clearance height of umbrellas.
- **Letter of Consent:** where an applicant seeks to occupy a public place immediately adjacent to the restaurant premises, or a first floor operator wishes to occupy the ground floor space in front of their building, a letter providing evidence of ongoing consent from the occupier of the adjacent building or ground floor premise.
- **Application Fee:** Cash or cheque for **\$250 (non-refundable)** made payable to Lakes Property Services.

Failure to submit all details will result in your application being returned for the submission of further information.

3.2 Application assessment

Upon receiving an application, a representative of Lakes Property Services will:

- **Check that all relevant information has been received.**

If incomplete, the applicant will be contacted to discuss and clarify any outstanding requirements and make arrangements for the information to be provided within a specified period.

- **Check the application to ensure it meets requirements for access, site plans, health and design.**

If the requirements are inadequate, the applicant will be contacted to discuss amendments. The applicant is required to arrange any amendments and these are to be re-submitted before approval will be given.

- **Inspect the site and check accuracy of submitted plans.**

If plans are inaccurate or inadequate, the applicant will be contacted and requested to submit revised plans.

- **Assess other outstanding Queenstown Lakes District Council matters.**

Clarification will be sought from other Council departments to ensure there are no outstanding Health, Building or Planning orders or notices on the property. The permit will only be issued when all relevant permits and approvals have been issued, and all outstanding matters have been satisfactorily resolved. It is the responsibility of the applicant to obtain all relevant permits.

- **Permit decision.** A notice of decision will be conveyed to the applicant. Successful applicants are then required to supply an Insurance Certificate for a minimum of One Million Dollars (\$1,000,000) Public Liability Insurance, specifically covering the area occupied by the tables and chairs and indemnifying the Council against all claims in a form and with an insurer to the satisfaction of the Council, and pay the required permit fee and performance bond before a Permit will be issued.

The Permit will then be issued allowing the location of the tables and chairs.

The permit will include a site plan of the exact location of the approved table and chair area and its size. Metal plugs may be inserted into the paving to show the corners of the approved table and chair area (at the applicant's cost). It is the responsibility of the permit holder to ensure that all furniture is contained within the specified area at all times.

3.3 Amendments to a permit

Permit holders must submit an application in writing to Lakes Property Services for any amendment to their existing Table & Chair Permit. Amendments may include:

- changes to furniture style or design
- addition of gas heaters, umbrellas or any other furniture
- any other variation

An amendment fee **(non-refundable) of \$50.00** must accompany the application. Cash or cheque for \$50 made payable to Lakes Property Services is required. In dealing with any application to amend a permit, the Council will use a similar process and consider similar criteria to those used in an application for a new permit.

Other matters including outstanding fees and breaches of permit conditions must be fully rectified before an amendment will be considered.

The permit holder will be notified within **two to four weeks** of the Council's decision.

3.4 Reapplication for a permit

All current permit holders are required to re-apply for a Table and Chair Permit on an annual basis. The Queenstown Lakes District Council reserves the absolute discretion to renew the permit for a further period or not.

At least thirty days prior to the expiry of the current permit, Lakes Property Services will inspect the table and chair area, advise the operator that the permit is due to expire and issue a re-application form. All reapplications will undergo an annual assessment process to ensure the layout meets the requirements for access, public safety, amenity, design and general compliance issues. In considering any reapplication for a permit, the Council will use a similar process and consider similar criteria to those used in an application for a new permit. Other matters including outstanding fees and breaches of permit conditions must be fully rectified before any reapplication will be considered.

An application fee is not charged for annual re-application. A decision regarding a re-application for a Table and Chair Permit, including any variations determined suitable by Council, will take approximately **two to four weeks** or longer if the application is found to be deficient. Permit holders must supply proof of a new permit to the Liquor Licensing Inspector annually.

3.5 When can I serve liquor on tables and chairs in public space.

NO ALCOHOL MAY BE SERVED OR CONSUMED IN TABLE AND CHAIR AREAS AFTER 10.00 PM.

Supply and consumption of liquor within the Table and Chair Area requires a liquor licence from the District Licensing Agency. It is an offence to supply liquor to patrons within the Table and Chair Area unless a liquor licence has been obtained in writing from the District Licensing Agency, pursuant to the provisions of the Sale of Liquor Act 1989.

If an applicant intends to supply liquor to patrons for consumption within the Table and Chair Area approved by the Council, an application must be submitted on a prescribed form to Civic Corporation, Private Bag 50077, Queenstown.

A valid Permit is required from the Council before submitting an application to the District Licensing Agency for a permit to supply liquor to patrons within the Table and Chair Area. The District Licensing Agency will only accept an application if it has satisfied all other relevant approvals from Queenstown Lakes District Council's Planning and Health Services and the New Zealand Police.

Please note that the mere granting of a Table & Chair Permit from the Council will not remove the right of Council to lodge objections to such liquor applications, pursuant to the Sale of Liquor Act 1989. The Council reserves the right to object to any liquor application if it considers that the proposal would detract from or be detrimental to the amenity of the area.

To obtain the necessary application details please contact Civic Corporation on 03 450 0300.

The Council may from time to time, in accordance with its statutory obligations, impose alcohol bans which may prohibit alcohol being consumed in specified areas. At such times the Licensee will not sell alcohol to be consumed on the Table and Chair Area and the Council shall not be liable for any loss of business suffered by the Licensee in such circumstances.

3.6 Change of Ownership

Should the adjacent café or restaurant change ownership, the table and chair permit will need to be amended to incorporate the new owner's details. Assuming that no other conditions of the permit are to be amended, a \$50 application fee is required, and a decision will be advised in **two to four weeks**.

3.7 Permit Fees

The Permit fees are to be paid in advance each year, when the permit or renewal is approved. The fees are to be reviewed three-yearly by the Property Sub-Committee of Council.

Please note that additional charges may apply for table and chair permits on reserves when Council undertakes capital works. Please refer to section 6.5.

The rentals (per square metre) at the commencement of this policy are as follows (excluding GST):

1.	Queenstown Mall	\$100
2.	Earnslaw Park/Steamer Wharf	\$ 80
3.	Queenstown Pavements	\$ 70
4.	Arrowtown	\$ 35
5.	Wanaka Waterfront	\$ 50
6.	Wanaka Pavements	\$ 35

The Council believes that the income from the table and chair areas should be adequate to cover the cost of administration and monitoring the permits, enforcement, amenity and maintenance of the areas. We will monitor the costs over the first two years of this policy, and if necessary adjust the fees accordingly.

3.8 Bonds

A performance bond is to be paid to the Council at the commencement of each permit, and the signed permit will not be released to the applicant until the Bond is received. The Bond may be used by the Council to rectify cleaning problems if the applicant has not heeded a written request to do so, and/or to reinstate the public space when the permit is terminated.

The Bond is to be set at \$50 per square metre (plus GST) at the commencement of this policy, and will be reviewed every three years by the Property Sub-Committee of Council. The minimum Bond amount will be \$200 plus GST.

4.0 LIASON, COMPLIANCE AND ENFORCEMENT PROTOCOL

The Council will monitor the operation of Table and Chair Areas within the District to ensure that conditions of the permit and the Table and Chair Policy are consistently being maintained, including regular unscheduled inspections by authorised officers of Council. Where it is evident that conditions are not being met, the liaison and compliance protocol will follow.

Following a complaint or report of breach of a Table and Chair permit, Council Officers will visit the premises and seek rectification if a breach is determined. Action will be instituted according to the impact the breach of the permit is having upon safety, access and amenity in the area. The Council is able to initiate discussions with proprietors and explain the rationale for permit specifications where appropriate. This process acts as a catalyst for open communication between all parties and seeks to resolve the issue as quickly and amicably as possible. Failing this, the appropriate compliance protocol will be followed.

4.1 Operating Without a Permit

Any person locating table and chairs or any other equipment in a public space without a permit is in breach of the Control of Trading, Advertising and obstructions in Public Places By-law 1989 and remedies will be sought pursuant to that By-law. This also applies to premises operating with an expired or suspended permit.



4.2 Breach of permit conditions

A verbal request to adhere to the conditions of the permit will be issued, and details documented on file. If the breach is not remedied, written notice will be issued explaining the breach and the actions required by the permit holder to remedy the situation.

Should the permit holder continue to be in breach of the permit conditions, the permit will be suspended for 1 week, and finally if the infringement continues, the permit will be cancelled. Should the operator continue to occupy the Table and Chair Area while the permit is suspended or cancelled, they will be in breach of the Control of Trading, Advertising and Obstructions in Public Places By-law 1989.

4.3 Suspension of a permit for works likely to threaten the safety and security of staff and customers

Certain road, building construction, and/or demolition work has the potential to cause injury, harm or inconvenience to staff and/or occupants of Table and Chair Area if such work is being undertaken in the vicinity of the tables and chairs. In such instances the Council may suspend the Table and Chair Permit immediately. If the suspension period is more than one month, a pro rata portion of the permit fee may be refunded to the Permittee.

4.4 Cancellation or suspension of a permit Cancellation or suspension by the Council

In addition to any other rights of the Council detailed in this Table and Chair Policy or an individual Table and Chair Permit, if a permit holder fails to comply with a written notice from the Council relating to breaches of the Table and Chair Policy or conditions of the permit, the Council may, at its discretion, cancel or suspend the Table and Chair Permit, or decide not to re-issue an expired permit for a period of at least 12 months. The Council may also suspend the permit by giving at least 30 days written notice to the permit holder if the Council or any other external bodies require the site for events, festivals, footpath maintenance or works, or for any other purpose. If the suspension period is more than one month, a pro rata portion of the permit fee may be refunded to the Permittee.

4.5 Cancellation by permit holder

The permit holder may request the cancellation of the permit at any time during its period of validity. Thirty (30) days notice of intention to cancel must be provided in writing to Lakes Property Services.

Following the cancellation of a Table and Chair Permit, all furniture must be removed from the public place. The restitution of a public place is the responsibility of the permit holder. The pavement must be returned to its original condition at the cost of the permit holder. The Council is responsible for approving the quality of work completed and ensuring the pavement is restored to a satisfactory condition. All furniture and fittings are to be removed from the Table and Chair Area from the date the Table and Chair Permit is cancelled. If the furniture is not removed and the public place is not reinstated to its original condition within a period specified by the Council, then works will be carried out at the permit holder's expense. Operators may re-apply for a new permit at any time.

5.0 GUIDELINES FOR SITING TABLES AND CHAIRS

Table and Chair Areas should provide a comfortable, attractive and relaxing environment for patrons, whilst complementing other street activities. For example:

- In streets with adequate pavement space to accommodate tables and chairs without compromising pedestrian access and other street activities (Refer to Section 5.4)
- In public reserves and open spaces, once the requirements of the Reserves Act 1977 have been undertaken (Refer to section 5.5);
- In the Queenstown Mall (refer to section 3.3).

As a general rule, Table and Chair Areas will be the length of the premise frontage, and at a depth which Council believes maintains suitable pedestrian flows and visual amenity.

5.1 Amenity and appearance

Table and Chair Areas should provide an attractive and comfortable place for people to relax and should not compromise the level of amenity for other people in the street.

- Types and designs of furniture should be of high quality materials with finishes that are attractive and durable.
- Existing verandahs and street trees should be integrated into the siting and layout of Table and Chair Areas to maximise a comfortable environment for patrons.
- Umbrellas may be appropriate where verandahs and trees do not exist to provide shelter.



5.2 Adjoining premises

To minimise the impact upon other businesses, tables and chairs should generally be sited in front of the adjoining food premises. The location of trees, artwork, street furniture and other public infrastructure as well as the width of the footpath, may affect the establishment of a Table and Chair Area. Under these circumstances, an applicant may request that Council (at its own discretion) give consideration to permitting the Table and Chair Area to occupy a public place adjoining another premise. In this instance the written approval of the occupier of the affected premises is to be provided with the application (such approval not to be unreasonably withheld) and the owner of the adjoining building should be notified.

In all cases, the Council will assess the request to determine the impact upon the safety, access and amenity of the immediate area. The Council is not obligated to approve an application if these criteria cannot be satisfactorily met.

5.3 First Floor premises

If seeking to occupy a public place on the ground floor, where the restaurant is located on the first floor, the applicant is required by the Council to provide consent in writing **from the occupier** of the ground floor premises (such approval not to be unreasonably withheld). The owner of the building should also be notified. If the consent is withdrawn during the permit period, the permit will not be cancelled before its expiry date, provided all conditions of the permit and the Table and Chair Policy are consistently observed. **Written consent must be provided each year** as this provides the opportunity for the siting of adjacent Tables and Chairs Areas to be reviewed in the event that the ground floor occupier's consent is withdrawn, or a new owner occupies the premises.

Where an existing permit has been granted for a first floor restaurant to occupy the public space on the ground floor adjacent to the building, and the ground floor tenancy then applies for a Table and Chair Permit, the ground floor tenancy will have priority for a table and chair area.

5.4 Pavements

Table and Chair permits may be approved for ordinary pavements in the town centres, provided a minimum pedestrian width of 1.5 metres can be maintained at all times.

If tables and chairs are aligned immediately adjacent to the road, no chair can back to the road unless there is at least 800mm clearance. This rule is intended to prevent diners from pushing their chairs into traffic when standing up.

The Council may require greater setback or consider variations to the above setbacks depending upon pedestrian and vehicular traffic conditions, impact upon access and circulation, existing street activities, amenity value and interest and concerns of particular user groups in using the streetscape.

5.5 Reserves

In some situations tables and chairs may be appropriate on the parks and reserves within the urban centre and townships. The Reserves Act 1977 requires that a separate public process is followed for consideration of commercial use of parks and reserves. Applications for use of reserves will need to cover the full cost of public notification and the hearing of any submissions and other processing costs. The costs are non-refundable should an application be declined by either the Council or the Minister of Conservation. Upon application for a Table and Chair Permit on reserve land, a deposit of \$500 must be paid to cover processing costs. If the costs for processing the application are less than this, the residual amount will be refunded when applicant is notified of the decision. If they are more, the additional amount must also be paid by the applicant prior to the permit being issued.

Generally, the area will be the width of the premises frontage, and a depth to be determined at the absolute discretion of Council.

Where appropriate, Council may consider undertaking capital works (paving landscaping etc.) to enable a table and chair area to be located on a reserve. Council will expect a suitable return for such capital expenditure, generally at the rate of 7.5% per annum. This return will be over and above the usual permit fee.

5.6 The Queenstown Mall

The Queenstown Mall often has high pedestrian traffic, and pedestrians must be able to flow freely through the mall at all times.

Generally, the area will be the width of the premises frontage, and a depth to be determined at the absolute discretion of Council. No tables and chairs will be permitted inside the verandah posts, or inside the line these form where there is no verandah. A minimum corridor of 2 metres must be maintained in the centre of the mall. The Council may install planter boxes to delineate this centre line for both operators and patrons when the Mall is upgraded or sooner if the Council deems it necessary. It remains the Permittee's responsibility to ensure that their patrons do not move furniture out of the permitted table and chair area. A clear, unobstructed area without tables and chairs will be maintained at both the top and bottom of the mall.



6.0 DESIGN GUIDELINES

6.1 Furniture specifications

In order to satisfy the requirements of the Table and Chair Policy, the type and design of outdoor furniture must be of a high standard in appearance and style, made of quality materials, with finishes that are attractive and durable. **In all circumstances, furniture must be approved by the Council before use.**

Furniture should be unobtrusive in nature, complementing the culture, character and significance of the street in style, appearance, materials, finishes and colours. For example, contemporary and brightly-coloured furniture may be appropriate for a predominantly modern street. Tables and chairs proposed in heritage streetscapes, however, should use more traditional and simple colours.

6.2 Tables and Chairs

For the maintenance of public safety, furniture that is constructed solely of plastic is unacceptable.

- Tables and chairs should be uniform in style and design.
- Tables and chairs should be portable yet sturdy and windproof.
- All chairs and tables should have a minimum 30mm diameter rubber pad on chair and table legs to protect the pavement surface.
- The number of tables and chairs placed within a Table and Chair Area will be specified in the permit and must allow unobstructed access and circulation for patrons and staff.

6.3 Umbrellas

The use of umbrellas is subject to approval by the Council.

- **Umbrellas** to be used only:
 - Where there are no canopies to provide adequate shelter.
- **Umbrellas** are not permitted:
 - Where building awnings exist at typical ground floor height (2800-3800mm high from the ground) and cover most of the footpath.
- **Umbrellas** must have suitable anchorage to prevent accidents caused by furniture being displaced.
- **Umbrellas** must have a minimum clearance height of 2200mm measured from the lowest edge to the pavement.

6.4 Gas heaters

- Portable gas heaters may be placed within the Table and Chair Area as per circulation requirements.
- Gas heaters must be installed and operated according to specifications outlined by the manufacturer.

6.5 Other Furniture

Other furniture such as:

- Screens
- Landscaping features/planters
- Waiter stations

May be approved in certain circumstances, at the absolute discretion of Council.

6.6 Furniture layout and positioning

The permit holder is responsible for ensuring that all furniture remains within the approved area and that pedestrian clearances and safety requirements are maintained **at all times** during the operation of the Table and Chair permit. Failure to comply with the conditions of a Table and Chair Permit may result in enforcement action being taken.

(Refer Section 4.4)

6.7 Advertising

No signs, billboards or banners are permitted on the Table and Chair Area unless the Council has given its prior written approval to such signs, billboards or banners. All signage and advertising must comply with the Queenstown Lakes District Sign Bylaw.



7.0 CONTACTS

Information and applications for Table and Chair Permits

Lakes Property Services
Level 1, 50 Stanley Street,
P.O. Box 1586, Queenstown
Phone 03 4427133 Fax 03 4427863
Email info@lakesproperty.co.nz

Planning and Building Enquiries

Civic Corporation
Level 1, 74 Shotover Street
Private Bag 50077 Queenstown
Phone 03 4500300 Fax 03 4424778
Email: enquiries@civiccorp.co.nz

Queenstown Lakes District Council (for general enquiries)

Phone 03 4410499 Fax 4427134
Website www.qldc.govt.nz

Liquor Licensing

Civic Corporation
Level 1, 74 Shotover Street
Private Bag 50077 Queenstown
Phone 03 4500300 Fax 03 4424778
Email: enquiries@civiccorp.co.nz