



PUBLIC PLACES POLICY 2019 (PUBLIC PLACES & STREET PERMITS)

TITLE:	Public Places Policy (Public Places & Street Stall Permits)
RESPONSIBLE OFFICER:	Manager Regulatory Services
APPROVED BY COUNCIL:	October 2015
RESOLUTION NO:	167/2015
AMENDED ON:	11/2016, 06/2019
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PURPOSE

This policy is to outline the criteria Council will use to assess public place and street stall permit applications.

OBJECTIVE

To provide guidance to members of the public wishing to use Council land regarding the matters to be considered and which types of activities are appropriate in particular areas.

SCOPE

The policy applies to land owned or under control of Council which is regulated by the *Public Places By-Law 1 of 2015* but does not apply when a person or organisation has a commercial lease, agreement or hires Council land or buildings.

The following are examples of activities that the by-law regulates:

- Busking
- Alfresco dining
- Public events
- Public gatherings over 50 people
- Sporting events & recreational activities
- Erection of signs, infrastructure or buildings

The policy also applies to assessment of applications for street stall permits issued under the *Vehicle and Traffic Act 1999*.

POLICY

The Public Places By-Law specifies the following matters which Council will take into consideration before issuing a permit:

- (a) the potential for damage to Council infrastructure or land;
- (b) public nuisance, amenity and safety;
- (c) public access in the area;
- (d) the maintenance of peace and good order;
- (e) the movement of traffic in an area;
- (f) the manner of any proposed advertising;
- (g) the nature, size, shape, extent and location of any proposed road furniture;
- (h) the availability of suitable parking for motor vehicles in the area;
- (i) representations made by any police officer;
- (j) disturbance of existing business or commercial activities; and
- (k) any other matters that are relevant to the application.

Section 56C of the *Vehicle and Traffic Act 1999* requires:

- Any person selling goods or a person conducting business on a public street (including the road reserve) to obtain a permit from the General Manager;
- Consultation with the police officer in charge of the Police District; and
- Consideration to be given to the relevant traffic conditions, the safety and convenience of the public and any other relevant circumstances.

With respect to the matters which require a permit under the by-law the following applies to each listed activity:

Busking

- Council does not consider the area of land outside the Sorell Gateway Shopping Centre and the Sorell Library as suitable for busking, involving amplified music or entertainment that generates a significant amount of noise;
- Generally, entertainment noise must not cause a nuisance to residents, patrons or businesses;
- Buskers must have public liability insurance.

Entertainment

- A place of assembly licence is required for events with over 1000 people for greater than 2 hours.
- Suitable venues for events may include:
 - Pembroke Park;
 - Dodges Ferry Boat Park;
 - Dodges Ferry Football Ground; and
 - The Sorell Rose Garden.
- Entertainment activities must not create unreasonable impacts on surrounding residential properties with respect to noise, odours, dust or other pollution.

Sale of Food

General requirements for the sale or consumption of food on Council land from food businesses:

- Alfresco dining – if associated with existing food businesses are generally acceptable if it doesn't significantly obstruct the footpath or create a traffic or public safety hazard.
- Food Stalls – are only acceptable at organised community events or for fundraising activities such as sausage sizzles.
- Food Vans – are permissible if in a suitable location which does not create a safety hazard.
- Food Vans will normally not be approved if they are operating within 200m of an existing food business during the hours that the business is trading. The 200m distance may be reduced if the food and beverages being sold are significantly different or not available at nearby food businesses.
- Food Vans will generally not be approved to operate in the one location for more than half a day;
- Limitations will apply on the number of days per week that the business can operate; and
- Full-time mobile food businesses should be located in business zoned land not public roads or reserves.

Venues suitability for food vendors.

Venue	Suitability
Park Beach	Normally unsuitable
Carlton Beach (Surf Club) car park	Normally suitable
Dodges Ferry Boat Park	Suitable for a maximum of two vendors for short durations Vendors must not obstruct vehicle parking
Dodges Ferry Recreation Park and Old Forcett Road	Suitable outside of school hours and when sporting events are not on unless the food van has been arranged by the hirer of the venue
Dunalley Canal	Normally unsuitable
Arthur Hwy & Nugent Road junction	Subject to approval from State Growth and only for short durations of up to one month
Midway Point Roundabout	Only for current permit holders – Future changes to the intersection will likely make this location unsuitable
Pioneers Park	Normally unsuitable
Pembroke Park	Normally suitable for specific events or when sport is being played unless the food van has been arranged by the hirer of the venue
Fitzroy Street	Suitable for specific events only

- Food vendors are expected to provide their own water, power and rubbish disposal.
- All sale of food must be in accordance with the *Food Act 2003*.

Sporting Events

- Organisers must pay for the hire of the facilities as per Councils' fees schedule.
- If organised sport is conducted other than on designated sports fields a permit is required.

Erection of Signs & Buildings

- Election advertising signs are not acceptable on Council land;
- Advertising of upcoming community events may be acceptable providing the signs are removed after the event has concluded; and
- Temporary buildings including large tents must obtain a permit under the by-law and Building Act where applicable.

APPLICATIONS

All applicants must complete the application form and pay the application fee before being considered.

Events applications should be prepared in accordance with the Sorell Council '*Guide to Managing Community Events*'

The organisers of events, public gatherings, alfresco dining, sale of goods and services on Council reserves must have suitable public liability insurance acceptable to Council.

Robert Higgins
GENERAL MANAGER