

STREET ACTIVITY POLICY

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1. Scope

This Street Activity Policy (**Policy**) applies to individuals, organisations and businesses looking to deliver Street Activity in the Public Domain, including streets, footpaths, laneways, malls, squares, and car parks owned and operated by the City of Parramatta Council (**Council**) throughout the Parramatta Local Government Area (**LGA**).

The City of Parramatta has a thriving Central Business District (**CBD**) and distinctive town centres and villages, all of which play an important role in creating a sense of place. The qualities that make a great city include an attractive place that celebrates the diversity of the population through cultural and economic activities. Council is committed to encouraging appropriate Street Activities that engage with residents, visitors and workers, now and in the future. It is Council's objective to provide a safe and vibrant urban environment that will attract and retain residents, visitors and workers.

This Policy offers clarity for Council and stakeholders who intend providing any form of Street Activity in any of Council's areas of Public Domain in the LGA. It will foster an environment that supports and encourages high quality Street Activity.

2. Purpose

The primary purpose of this Policy is to identify Street Activities that may be carried out within the LGA, subject to Council approval. The Street Activities to which this Policy apply are:

- Events and festivals
- Temporary art
- Leaflet distribution, promotions and community outreach
- Portable advertising
- Street entertainment

Street Activity Policy		
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Date of Commencement: 10/07/2017	Approval Authority: Council	Date Approved: 11/10/2021
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- Outdoor Markets
- Fundraising and charity collections
- Mobile food vending
- Occasional footpath trading
- Retail trading on public footpaths and spaces
- Outdoor Dining in the Public Domain

This Policy provides a framework for applications to be made to Council for an Approval and sets out the matters Council will take into consideration when processing an application. Council has adopted Street Activity User Guidelines (**Guidelines**) for each Street Activity which provides greater detail; the procedure to apply to Council for each Street Activity; and links to the Application Form.

The Application form sets out terms and conditions that will apply if Approval is granted.

This Policy and the relevant Guidelines, have been designed to ensure Council promotes and encourages Street Activity through the Approval process, ensuring it meets its statutory obligations, and regulating the quality of the experience in that place.

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3. Matters for consideration

Council will take into account the following five guiding principles; NSW legislation; and the requirements contained in the relevant Guidelines, when considering an application for any Street Activity across the Parramatta LGA.

Appropriate location

Council seeks to encourage Street Activity in an appropriate location in order to promote economic growth, cultural benefits and social integration while understanding the needs of local businesses and users of the Public D Domain. The location should be selected based on where the Activity can enhance the vibrancy and positive experience of a particular area or neighbourhood. An Activity's location should contribute positively to an area's sense of place and unique character. Street Activities can be an extension of the area's current activities and services or might align with community events, cultural and sporting celebrations, and forthcoming plans for the area.

Engaging and high quality

Council supports original and creative Street Activity that encourages community participation, promotes new and interesting ideas, adds to the life of the city, and offers a connection to our rich cultural environment. Street Activity should be innovative, distinctive, inclusive and demonstrate a point of difference.

Safety and accessibility

Street Activity must be delivered without compromising the safety of the local community and public or private property. Street Activity should ensure that responsible measures are in place to minimise risk and danger, and the Activity should be conducted in accordance with the relevant NSW legislation and government directives, including Public Health Orders. Street Activity should be integrated into the Public Domain in a way that does not compromise existing uses, furniture, buildings, entrances and exits, disabled access and pedestrian safety. The area of an approved Street Activity must maintain safe and equitable pedestrian circulation which is free from obstructions.

Public amenity

Street Activity should be designed to create a welcoming and safe atmosphere for the community and never compromise public amenity. Street Activity should add to, rather than disrupt or detract from, the community's engagement with the Public Domain. Council requires Street Activity to take place in a space that remains attractive, clean and pleasing to be in.

Management and operations

Council requires the Street Activity to demonstrate sound management practices such as timeliness, reliability and professionalism. Any proposed Activity should consider operational matters including, safety, traffic, noise, waste and access before, during, and after each Activity.

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4. Procedure

A valid Approval must be granted by Council before any Street Activity takes place. Failure to do so is an offence. Council must meet its statutory obligations before granting an Approval.

An Approval may be granted under section 125 of the Roads Act 1993; section 68 of the Local Government Act 1993; a condition of development consent under the Environmental and Assessment Act; or, any other valid written agreement entered into with Council.

The requirements and Application Form are provided in the appropriate Street Activity Guidelines.

This Policy must be read in conjunction with the Guidelines and Application Forms. All Street Activities must adhere to Council's *Statement of Business Ethics, Code of Conduct, Child Safe Policy* and NSW legislation.

If there is any inconsistency between this Policy and the Guidelines, this Policy will prevail.

5. Definitions

'Applicant' means the business, company, person, operating a Food and Drink Premises, applying for an Outdoor Dining Approval, pursuant to the Street Activity Policy, for those premises.

'Approval' means an approval granted by Council under section 125 of the Roads Act 1993; section 68 of the Local Government Act 1993; a condition of development consent under the Environmental and Assessment Act; or any other valid written agreement entered into with Council and the Approval Holder.

'Approval Fee' means the fee payable under the Approval, in accordance with Council's current Fees and Charges.

'Approval Holder' means the entity (business or person) to which an Approval has been granted.

'Community Outreach' means the practice of conducting local Public awareness activities through targeted community interaction.

'Council' means City of Parramatta Council.

'Event and festival' means any Activity, private, community or commercial, organised for a particular locations or a series of places, and at a particular time with a considerable number of persons attending, such as parades, marches, large-scale Street parties, Public concerts, races, sporting contests and religious and cultural celebrations.

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‘Fees and Charges’ means the fees and charges published by Council on its website and reviewed annually.

‘Food and Drink Premises’ means premises that are used for the preparation and retail sale of food or drink for immediate consumption on or off the premises, and includes any of the following: (a) a restaurant or cafe, (b) take away food premises, (c) a pub.

‘Fundraising and charity events’ means the process of requesting cash donations, direct debit arrangements or pledges from individuals, groups, or businesses, including selling promotional items, toys, second hand or new goods, food, clothing etc. with the stated or declared intention of supporting a charity.

‘Guidelines’ means Street Activity User Guidelines for each Street Activity.

‘Leaflet distribution, promotions and community outreach’ means the distribution of informative printed materials and the presence of short-term promotions and community outreach services.

‘LGA’ means the City of Parramatta Local Government Area.

‘Mobile food vending’ means selling (or in some special circumstances) giving away food or beverages either directly or indirectly from a temporary stall, cart, container or stationary vehicle in a Public Street or the Public Domain. Examples of Street vending include but not limited to the following:

- Food trucks or vans
- Coffee carts
- Ice cream vendors
- Homelessness food provision
- Community BBQ’s

‘Occasional Footpath Trading’ means trading on a temporary basis on the Public Domain (usually a Footway) immediately outside the Applicant’s business premises, in order to coincide with celebrations for a change of season, holidays, special days of the year, commencement or completion of sports competitions, or during local community events, for the promotional opportunities.

‘Outdoor Dining’ means that area used for Food and Drink Premises adjacent to a public road on the Public Footpath or Public Domain, to use part of the Public Footpath or Public Domain for the purposes of the Food and Drink Premises.

‘Outdoor Market’ means an organised gathering of four or more stall holders/vendors in the Public Domain, who sells or offer goods and services.

‘Policy’ means this Street Activity Policy.

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‘Portable Advertising’ means the use of portable or mobile signage such as a sign, flag, mechanical device used for the purpose of attracting attention or making anything known, of the origin or place of sale, including to pull-up signs, promotional flags, teardrop banners, pull-up banners, digital displays and other signs, on the Public Domain.

‘Printed Materials’ means materials for either community benefit or commercial promotion which are distributed at no charge to the recipient, including flyers, business cards, postcards, brochures, newspapers, magazines, documents, leaflets, pamphlets, stickers or other literature.

‘Promotions’ means any concept that aims to promote a commercial or community product or service which includes product sampling, giveaways, public displays, exhibitions, free health related tests and screenings, temporary consulting and interview spaces but does not include selling the product, service or any associated merchandise.

‘Public Domain’ means roads, streets, footpaths, laneways, malls, squares, plazas, and car parks owned operated, or managed by the City of Parramatta Council.

‘Retail Trading in Public Spaces’ means the occupation of the public domain, footpath or road carriageway specifically to display in an approved manner, and to sell fresh fruit and vegetables, and fresh flowers and floristry products, that acts as an extension of an existing local business onto the Public Domain immediately in front of the applicant’s business.

‘Street Activity’ or ‘Activity’ are inter-changeable terms and mean:

- Events and festivals
- Temporary art
- Leaflet distribution, promotions and community outreach
- Portable advertising
- Street entertainment
- Outdoor Markets
- Fundraising and charity collections
- Mobile food vending
- Occasional footpath trading
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‘Street Entertainment’ means sounding or playing a musical instrument, singing, giving a recital or performing any conjuring, juggling, puppetry, mime, acrobatic, living sculpture, or dance act, and where a donation may, or may not, be sought from the public.

‘Temporary Art in Public Spaces’ means the short-term display of art in the Public Domain including paintings, prints, murals, photography, sculpture, earthworks, performance art, installation, sound works, text, audio and multimedia but not include existing work, regardless of its age and origin; nor ‘permanent’ public art.

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6. History

August 2021 – Policy updated and new User Guidelines added to include Outdoor Dining.

**REFERENCES
POLICIES
ATTACHMENTS**

Not Applicable
Street Activity Policy
Outdoor Dining User Guidelines
Outdoor Dining Applications Forms
<https://www.cityofparramatta.nsw.gov.au/street-activity>

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