



OUTDOOR ACTIVITIES

Policy 8/2021-2024

DATE

- Ordinary Council Meeting 12.10.2010, 24.11.2015, 11.12.2018, 22.11.2022 and 18.04.2023

POLICY NO:	8/2021-2024
LEGISLATIVE REQUIREMENTS:	Roads Act 1993 Local Government Act 1993
RESPONSIBILITY:	SHIRE STRATEGY
OBJECTIVE:	<ol style="list-style-type: none"> 1. To promote a high quality visual environment. 2. To support local economic development and commercial vitality. 3. To ensure that the operation of activities contributes to the improvement (function and safety) of the streetscape. 4. To enable Council to give consideration to multiple uses on footpaths in a manner which complements the best interests of the business community, residents and visitors. 5. To provide clear guidelines for applicants. 6. To ensure that uses provide for safe and convenient access by pedestrians, and traffic safety and accessibility is not compromised. 7. To encourage creative opportunities for cafes and restaurants which enliven underutilised areas, take advantage of good orientation and provide welcome respites for local residents and workers. 8. To ensure that footpath areas are maintained in a manner conducive to the maintenance of public health standards, public access and the attractiveness of the area as a civic space.
REVIEW	Within the first 12 months of each term of Council or as required.

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1. Introduction

The Hills Shire Council is committed to providing centres that encourage access to retail and commercial services, employment opportunities, and creating vibrant spaces for the social needs of the community.

Castle Hill, Norwest and Rouse Hill have been identified as Strategic Centres in the Greater Sydney Region Plan by the Greater Sydney Commission. Castle Hill and Rouse Hill are well known for their indoor and outdoor retail shopping and contain a wide variety of overlapping uses which attract people for work, business services, community facilities, entertainment and shopping throughout the day and evening. Such uses are set within high quality main street that contributes towards the significance of the centres.

The policy encourages, where appropriate, outdoor activities in a manner which will contribute to the commercial viability of an area and at the same time enhance the ambience and streetscape of commercial areas. The issue of a conditional approval is designed to create a harmonious atmosphere between residents, visitors and business operators in regard to the use of Council's infrastructure including footpaths, roadways and parking.

The policy does not extend to the granting of an approval to use Council's footpath or roadway for the commercial sale or display of goods whether related to a particular business or not. In fact such uses are prohibited.

In addition the policy outlines the requirements for a range of activities including outdoor dining, commercial filming, street stalls, busking, street festivals, fairs and other special events.

The spirit of the policy is to ensure that activities undertaken for commercial gain will be subject to an appropriate fee fixed by Council, whereas activities carried out by non-profit organisations will not incur a fee. Intentionally the policy provides for some flexibility insofar as the need for an application is concerned, in belief that activities such as those outlined in Section 8 can function effectively without Council involvement provided that all appropriate guidelines are complied with by the operator.

In those circumstances involving an activity which Council believes requires some degree of regulation and/or coordination, any approval issued by Council will be under the provisions of the Roads Act 1993.

2. Application of the Policy

The policy adopted by Council applies to The Hills Shire Local Government Area and regulates the following activities under the relevant provisions of the Roads Act 1993, Local Government Act 1993, and other respective regulations in regard to the granting of an approval for the restricted use of Council's footpaths, roadways and car park areas for both commercial or non-profit use respectively.

- a) Footpath dining, by way of the granting of a conditional approval in regard to the limited use of the footpath directly outside an existing approved food business;
- b) Busking and street theatre;
- c) Public addresses, preaching and religious services;
- d) Information and promotional displays;
- e) Street collections and badge/pin days;
- f) Street stalls operated by charities and non-profit organisations;

- g) Street festivals and fairs;
- h) Commercial filming.

3. Objectives

- To promote a high quality visual environment
- To support local economic development and commercial vitality
- To ensure that the operation of activities contributes to the improvement (function and safety) of the streetscape
- To enable Council to give consideration to multiple uses on footpaths in a manner which complements the best interest of the business community, residents and visitors
- To provide clear guidelines for applicants
- To ensure that uses provide for safe and convenient access by pedestrians, and traffic safety and accessibility is not compromised
- To encourage creative opportunities for cafes and restaurants which enliven underutilised areas, take advantage of good orientation and provide welcome respites for local residents and workers
- To ensure that footpath areas are maintained in a manner conducive to the maintenance of public health standards, public access and the attractiveness of the area as a civic space.

4. Legal Requirements

Proposals for outdoor activities specified for this policy require some form of approval from Council. The most popular location for these types of uses is on part of the public footpath outside existing cafes/restaurants/other food premises.

There are a number of issues including safety, accessibility and amenity that must be considered by Council prior to issuing any approvals.

Council has various responsibilities to meet under the following legislation;

- a) Environmental Planning and Assessment Act 1979
- b) Local Government Act 1993
- c) Roads Act 1993
- d) Food Act 2003
- e) The Liquor Act 2007
- f) Companion Animals Act 1998
- g) Work Health and Safety Act 2011
- h) Public Health (Tobacco) Act 2008
- i) Smoke-free Environment Act 2000

The Roads Act 1993 and the Local Government Act 1993 generally require that a person shall not carry out any activity on a public road or place without the approval of Council. The Roads Act 1993 enables Council as a road authority to grant approval for limited use of the Council's footpaths, roadways and car park areas.

Sections of the Roads Act 1993 allow Council to grant approval for use of a footpath in association with an adjacent restaurant (being a building or place the principal purpose of which is the provision of food or beverages to people for consumption on the premises, whether or not takeaway meals and beverages or entertainment are also provided) as

long as this use is not taken to constitute a public nuisance and does not give rise to an offence against the Roads Act or any other legislation.

The Transport for NSW (TfNSW) must also give approval for outdoor activities on classified roads. Additional safety requirements may be needed for outdoor dining areas on classified roads, for example use of bollards and increased setbacks to road kerbs.

Under the Local Government Act 1993 an activity approval under Section 68 must be obtained.

The Food Act 2003 also applies in relation to the operation of outdoor activities as food premises.

The Liquor Act 2007 applies if there is a proposal to serve alcohol.

Companion Animals Act 1998 Section 14(a) states that:

“The relevant legal restrictions do not prohibit a dog (other than a dangerous or restricted dog) from being in an outdoor dining area if:

- a) *the dog is under the effective control of some competent person and is restrained by means of an adequate chain, cord or leash that is attached to the dog, and*
- b) *the person does not feed the dog or permit the dog to be fed, and*
- c) *the dog is kept on the ground.”*

The outdoor dining area is a workplace of the permit holder as defined by the Work Health and Safety Act 2011. The permit holder will be responsible for ensuring the health and safety of its employees, customers and members of the general public. The Council may ask for documentation demonstrating the permit holder’s safe work practices.

The Council will not approve the development of outdoor dining areas to primarily provide the business with a smoking area.

5. Definitions

Throughout this policy a reference to:

“**Advertising Structure**” means a structure used, or to be used principally for the display of an advertisement.

“**Annual**” means financial year ie. 1 July to 30 June.

“**Approved**” means approved by The Hills Shire Council.

“**Car Park**” means a building or place primarily used for the purpose of parking motor vehicles including any manoeuvring space and access thereto, whether operated for gain or not.

“**Farmers Market**” means a street activity where vendors sell produce as well as other food products directly to the public. The sponsor shall be a community-based, not-for-profit organization, association, or the like.

“**Filming**” means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as cinema, television or the internet or by other means), but does not include:

- a) still photography
- b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or
- c) recording images as a visitor or tourist for non-commercial purposes, or
- d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

“Food” is defined in the Food Act 2003 to mean:

- a) any substance or thing of a kind used, or represented as being for use, for human consumption (whether it is live, raw, prepared or partly prepared), or
- b) any substance or thing of a kind used, or represented as being for use, as an ingredient or additive in a substance or thing referred to in paragraph (a), or
- c) any substance used in preparing a substance or thing referred to in paragraph (a) (other than a substance used in preparing a living thing) if it comes into direct contact with the substance or thing referred to in that paragraph, such as a processing aid, or
- d) chewing gum or an ingredient or additive in chewing gum, or any substance used in preparing chewing gum, or
- e) any substance or thing declared to be a food under a declaration in force under section 3B of the Food Standards Australia New Zealand Act 1991 of the Commonwealth, whether or not the substance, thing or chewing gum is in a condition fit for human consumption.

NOTE: However, food does not include a therapeutic good within the meaning of the Therapeutic Goods Act 1989 of the Commonwealth.

NOTE: to avoid doubt food may include live animals and plants.

“Footpaths and Public Places” means any area such as a footpath, town centre, plaza, park or other space owned, operated or managed by Council and used for pedestrian movement or recreation by the community. It includes the airspace above this area. It does not include roadways or other thoroughfares intended predominantly for vehicular traffic or privately owned arcades or plazas.

“Licence Agreement” means the permit given by Council to allow the applicant use of Council owned land for the use of the footpath.

“Market” means retail premises comprising an open-air area or an existing building that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

“Outdoor Dining” means a footpath, town centre, plaza, or other space that, in association with an adjacent refreshment room, is used for the purpose of placing tables and chairs for and socializing.

“Special Events” means street activities that promote, advertise or introduce a product, corporation, company or other commercial entity or the goods or services of a corporation, company, or other commercial entity to either the general public or to a portion of the general public

“**Temporary Structure**” means includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

6. Suitable locations for outdoor activities

This policy applies to all of The Hills Shire Local Government Area. It applies to all proposed activities listed in Section 2 of this policy.

a) Suitable Locations

Outdoor activities associated with a food and drink premises may be approved in all open spaces whether in public or private ownership, where conditions are favourable for their operation including streets, parks and the waterfrontages. Applications in locations of high pedestrian usage, such as retail core centres will be required to give pedestrian needs primary consideration.

b) Unsuitable Locations

Outdoor activities are not appropriate in ceremonial spaces, potentially hazardous places such as the corners of street intersections or unprotected elevated locations (change of level and at the edge of deep water) and the following locations:

- i. footpath unless at least 2.0m width remains available for public movement;
- ii. area where vehicular or pedestrian sight lines will be adversely affected.

NOTE: Permanent structures are prohibited as they would adversely affect the streetscape, limit pedestrian access and can give rise to safety concerns.

7. Submission Requirements

Where activities are not classified as exempt development pursuant to the State Environmental Planning Policy (Exempt and Complying Development) 2008 or Council's Local Environmental Plan, a development application is to be submitted to Council, accompanied by the following documentation:

- A licence application and a request for owner's consent for Council owned land
- If the premises is located on a classified road, concurrence from TfNSW may be required to be lodged
- Completed development application forms with owner's consent
- Colour photographs of the site and its context and the proposed furniture and manufacture's brochures
- Plans to scale of 1:100 and with clear dimensions of the proposed outdoor dining area which details the following;
 - i. Location of pedestrian entrances which serve the adjoining premises or adjacent areas
 - ii. The location of the outdoor dining areas, the adjoining café and other tenancies;
 - iii. Layout of the furniture including heating devices, menu boards, and movable umbrellas;

- iv. Location of all existing street fixtures including trees, street furniture traffic signs, poles, rubbish bins;
 - v. Location of all doorways and service openings; and
 - vi. The kerb line of the street.
- Statement of Environmental Effects which details the following:
 - i. confirmation of development consent for the existing food business
 - ii. Proposed number of tables and chairs
 - iii. Proposed hours of operation
 - iv. Details regarding the proposed use of the premises, including the type of restaurant/café, number of employees and type of food served
 - v. Proof of current public liability insurance cover in the amount of \$10,000,000 and a plan showing the area to be covered by public liability insurance. This will include the approved outdoor dining area and the connecting area to the shop through which food and drink is delivered
 - vi. Appropriate approvals obtained from all relevant authorities including the NSW Police, and TfNSW (where relevant)

NOTE: If a street closure is required, at least three (3) months' notice is necessary to allow for consideration by the Local Traffic Committee.

It should be noted that none of the requirements mentioned restrict an applicant for a new business indicating in the development application an intention that the new business will incorporate outdoor dining. Under such circumstances no additional application fee is required and Council will consider the issue of outdoor dining as part of the overall assessment of the development application. However the applicant will be responsible for payment of the annual rental fee.

Conditions of Approval

The applicant must comply with the conditions set out in the licence and the development consent. It should be noted that failure to comply with the conditions will result in the licence being revoked or to enforcement action in relation to the development approval.

Fees

There will be a rental fee for the use of Council's owned land as an outdoor dining area, or outdoor activity area as per Council's Fees and Charges Schedule.

Display of Approval

A copy of the approval and plans shall be kept on the premises, and are to be produced on request by any authorised person.

8. Types of development Proposals

8.1 Outdoor Dining

This section has been included to outline the procedural arrangements that food business proprietors will need to follow in order to obtain Council approval under the Roads Act 1993 to use the footpath outside the premises as an outdoor dining area. The Guidelines

have been prepared on the basis that most footpaths in the urban areas of The Hills Shire are approximately 3.5 metres wide.

Outdoor Furniture

Outdoor furniture should make a positive contribution to the streetscape. A furniture style that is practical and elegant and integrates well with the surrounding streetscape is preferred. All furniture items will be subject to the Council's approval, details of which must form part of any application.

Structures

The furniture should be strong, waterproof and weather resistant, designed for commercial outdoor use. The furniture shall not contain parts that are likely to cause damage to the pavement.

Public safety and comfort is priority and in this regard particular attention should be given to sharp edges and hinges or other moving parts to ensure that they do not present potential hazards to the end users.

The furniture must be able to be either stacked or folded for storage, and be readily removed at close of business each day and stored within the associated indoor premises.

Colours

A schedule of colours is required to be submitted with a development application. Surfaces shall be non-reflective, and white colours are discouraged due to tendency for rapid deterioration and discolouring from the harsh outdoors.

Maintenance and Cleaning

All outdoor furniture must at all times be maintained in a physically good condition to the satisfaction of Council. Management is responsible for cleaning the approved outdoor dining area. At all times the outdoor dining area must be clean and present a well maintained image, smoking is prohibited within the designated outdoor dining area, and the footpath area shall be cleaned daily and include the removal and disposal of all rubbish and foodstuffs.

Liquor Licensing

The consumption of alcohol requires licensing from Liquor and Gaming NSW. Any changes to an approved liquor licenced area will be subject to a development application and approval by Liquor and Gaming NSW.

Where there is an alcohol free zone in place, the consumption of alcohol at outdoor dining areas in these zones is prohibited. Details of current alcohol free zones can be obtained from Council.

Advertising and signage

The name of the café, a business name or logo may be placed on the umbrellas, sandwich boards or pedestal menu boards, and no other items of furniture and only if it:

- Identifies the café
- Identifies the business name

- Corporate logo or identification
- Is of a minor and integral element of the furniture design and does not have an excessive impact on the area of the café or the streetscape.
- Complies with Council's DCP requirements

Details of all signage and advertising must be submitted for approval as part of the application.



Toilet facilities

Toilet facilities are required to be available in the building occupied by the café where alcohol is served or if the total seating provided (indoors and outdoors) exceeds 19 seats. Inclusion of outdoor dining areas increases the number of seats to a café and such an increase may require the provision of toilet facilities. Toilet facilities are to be made available to patrons in accordance with the requirements of Part F2 of the Building Code of Australia.

Heating Devices

Where a heating device is proposed, details of the type, location and design shall be included in the application. The design of the device and the safety of persons and property shall be the main consideration. Heating devices shall be able to turn off automatically if overturned to prevent injury to patrons and property. Heating devices shall be removed from the outdoor dining area and stored appropriately at close of business.



Development Controls

- Council street furniture is provided for community use and shall not be used as part of a footpath outdoor dining area.

- An approval under the Roads Act 1993 shall be obtained by a business proprietor seeking to use a portion of Council's footpath for the purpose of outdoor dining.
- Approval for any commercial use of Council's footpath for outdoor dining purposes shall be related to an approved business.
- A two (2) metre wide unobstructed section of footpath shall be maintained at all times.
- No entertainment or amplified music shall be permitted in the designated outdoor dining area.
- Smoking is prohibited within the designated outdoor dining area and in respect of the Castle Hill Main Street alfresco dining area, smoking is banned on Old Northern Road between Showground Road and Crane Road including all side passages that lead to car park areas, within 10 metres of the Old Northern Road footpath.
- No permanent fixtures will be permitted on Council's property.
- All outdoor furniture must satisfy relevant Australian Design Standards
- Shading structures other than umbrellas are prohibited
- Clear or see-through plastic walls are permitted to hang down from a maximum of three (3) sides of the umbrella as long as they are well maintained, and only used in poor weather conditions
- Tables and chairs must be removed from the footpath and stored within the building outside operation hours. Tables and chairs are not permitted to extend past the area that has been leased from Council
- The hours of operation for an outdoor dining area must be the same as or less than the hours of operation of the associated premises. The hours of operation may be limited, if it is considered that the amenity of the surrounding area or the safety of pedestrians or outdoor diners may be adversely affected
- The outdoor dining area and the area between the shop premises shall be kept clean at all times and any spilt food, liquid or other material likely to cause injury shall be removed immediately by the applicant/operator
- Food and drink must be served on non-disposable crockery and cutlery. Food and drink must not be prepared in the area licensed for outdoor dining
- The licensee shall not sell or serve or permit to be sold any alcoholic or intoxicating liquor in or from the licensed area without specific approval being granted from Council, Police and the appropriate liquor licence obtained from the State Licensing Authority.
- Public address systems, cash registers and the like are prohibited
- The applicant is to exercise good risk management practices at all times so as to avoid injury or loss to others and any damage occurring.
- Heating devices shall be removed from the outdoor dining area and stored appropriately at close of business.

Council reserves the right to impose additional conditions as required.

8.2 Street Festivals and Fairs

Council recognises that street festivals and other special events are an important part of community life and a well organised and successful event benefits the community in many ways.

Council's Local Environmental Plan (Clause 2.8) provides for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. It provides that consent may be granted for a temporary use for a maximum of 52 days (whether or not consecutive days) in any period of 12 months. In order to grant consent Council needs to be satisfied on a number of criteria related to the any subsequent development on the land, impacts on amenity, impacts on environment and restoration of the land after the temporary use.

Council's expectation in regard to large scale festivals or special events is that organisers will take into consideration the amenity of local residents, business operators and visitors in planning the various activities associated with the particular event.

ADVISORY NOTE: *A special event is any planned activity that is wholly or partly conducted on a road, requires multiple agency involvement, requires special traffic management arrangements, and may involve large numbers of participants and/or spectators such as marathons, fun runs, cycling events, parades, marches or street market days. For such events, Event Organisers are required to refer to the NSW government Guide to Traffic and Transport Management for Special Events. Such events will require a minimum of 3 months notice.*

In the community interest, street festivals, fairs and other special events of a significant size organised by recognised community groups require the submission of an application to Council at least three months prior to the date/s of the event.

In the case of major events/festivals involving the erection of stages, public road closures, food stalls or fireworks displays, consultation with Council officers and any other relevant agencies prior to the submission of an application will be necessary.

The written application package shall include the following:

- Details of the program and times including all events and activities to be undertaken and any proposed street closures
- Sketch plan of the area clearly indicating the location of stalls, toilets, street closures, etc.
- How the use meets the criteria contained in clause 2.8 of Council's Local Environmental Plan.
- Proof of current public liability insurance cover for a minimum amount of \$20,000,000

Council recognises that not all of the following activities will be part of every festival, however any approval issued by Council will be subject to the submission of the following specific details not less than 28 days prior to the commencement of the festival/event.

- Amusement devices
- Fireworks displays
- Animals
- Crowd control barriers
- First aid facilities
- Electrical facilities and cabling
- Fire safety

- Provision of rubbish receptacles and clean up arrangements of surrounding area/s after the event
- Traffic control
- Food facilities for the preparation and sale of food including cooking and/or heating facilities. The details shall comply with the NSW Food Authority's Food Handling Guidelines for Temporary Events
- Security
- Stability of signs, structures, seating and stages
- Use of private property
- Toilet facilities
- Environmental management

Should consent be granted by Council, some or all of the following requirements may be imposed.

- a) Proof of current public liability insurance for a minimum amount of \$20,000,000 and indemnity acceptable to Council will be required.
- b) The applicant shall cover all costs associated with barricade hire, etc. and shall be responsible for any repairs or reinstatement of Council property.
- c) The applicant is to exercise good risk management practices at all times so as to avoid injury or loss to others.
- d) Any damage to public assets occurring as a result of the activities will be repaired or replaced at the expense of the applicant.
- e) Appropriate approvals being obtained from all relevant authorities including police, ambulance, fire brigade, SafeWork NSW, etc.
- f) A bond to cover the possibility of damage to Council property or assets.
- g) If a street closure is required, at least three (3) months' notice is necessary to allow for consideration by the Local Traffic Committee.
- h) In the interests of public safety the use of glass containers for drinking purposes is to be avoided.

Council reserves the right to impose additional conditions as required.

It should be noted that a deposit may be required to cover the cost of Council carrying out street cleaning and/or rubbish removal.

8.3 Street Stalls for Charities and Non-Profit Organisations

This sub-section has been included to ensure that Council's footpaths are used by charity and non-profit organisations in a manner which does not adversely impact on residents, businesses and/or visitors, while at the same time providing an equitable opportunity for fundraising for all appropriate organisations.

An application in the form of a letter shall be forwarded at least 28 days before the event to Council indicating the name of the organisation, together with the date/s, location and brief description of goods to be sold e.g. plants, clothing, food, etc. Any subsequent approval issued by Council for a street stall shall be subject to the following requirements:

- a) The consent of the business or organisation outside which the stall is to be situated must be obtained.
- b) The organisation conducting the stall must display a sign on the stall, not on the footpath, indicating its name. No other signage will be permitted
- c) No food shall be prepared or cooked on the occupied site.
- d) Street stalls shall only sell sealed pre-packaged food that shall not be or contain potentially hazardous ingredients. Potentially hazardous food means food that has to be kept at a temperature at or above 60°C or at 5°C or below to minimise the growth of any pathogenic micro-organisms that may be present

- e) in the food or to prevent the formation of toxins in the food.
- f) In accordance with Council’s Local Environmental Plan, street stalls are limited to 14 days in any location per calendar year.
- g) An individual or group carrying out these activities should be aware that if they cause offence or obstruction they will be subject to action by authorised Council officers or police.
- h) An individual or group carrying out these activities should be aware that they are to exercise good risk management practices at all times so as to avoid injury or loss to others.
- i) This policy does not include any approval which may be necessary from State or Federal authorities
- j) The immediate surrounding area is to be left in a clean and tidy condition and kept clear of hazards.

8.4 Other

This section has been included to provide assistance to those members of the community wishing to undertake any of the following non-commercial activities:

- Busking and street theatre
- Public addresses
- Information and promotional displays
- Preaching and religious services
- Street collections and badge/pin days
- Street stalls for political purposes

The above activities are permissible in public places within the Shire except for areas designated by appropriate Council signage or where the activity has the potential to create a nuisance or a hazard to pedestrians or vehicular traffic.

Such activities are required to comply with Council’s Local Approvals Policy, Appendix 6, and such activities do not apply on private land.

An individual or group carrying out these activities should be aware that if they cause offence or obstruction they will be subject to action by authorised Council officers or police.

An individual or group carrying out these activities should be aware that they are to exercise good risk management practices at all times so as to avoid injury or loss to others.

This policy does not include any approval which may be necessary from State or Federal authorities.

The immediate surrounding area is to be left in a clean and tidy condition and kept clear of hazards.

Busking (additional requirements)

A busker shall not:

- i. obstruct or hinder the passage of pedestrians or vehicles;
- ii. create any nuisance or objectionable noise;
- iii. affix any matter or thing or mark or draw on any footway.

A busker may solicit money by placing a receptacle on the ground but shall not ask members of the public for money or approach the public for the purpose of selling goods.

Street stalls for political purposes (additional requirements)

No application or notification to Council is required.

Only one standard 2.0m x 1.0m (or smaller) table to be used.

No fund raising activities are to be carried out.

The organisation and/or candidate conducting a stall must display a sign or signs on the stall, not on the footpath.

The organisation and/or candidate must comply with relevant Federal and State Government Legislation relating to the conduct of elections.

9. Enforcement

Appropriate action will be taken by Council (in consultation with the police, if necessary) when:

- a) An activity that requires approval under these Guidelines is conducted without an approval being obtained.
- b) An activity is being undertaken not in accordance with relevant conditions of an approved Development Consent.
- c) The requirements for activities covered by these Guidelines are not followed.

Dependent on circumstances, action taken by Council may include:

- Cancellation of approval;
- A request or warning that the activity cease or move to a permitted area;
- The impounding of goods or other articles;
- The issue of a penalty infringement notice (on the spot fine).

10. Associated Documents

Nil

11. Appendices

Nil