



<b>Policy Title</b>	Street Trading
<b>Related Documentation</b>	Street Trading Application Form
<b>Relevant Legislation</b>	<i>Local Government Act 1993 - Section 68 - Approval of Activities</i>
<b>Responsible Officer</b>	Manager City Standards and Compliance

**Policy details may change prior to the review date due to legislative changes, therefore this document is uncontrolled when printed.**

### **OBJECTIVES**

The objective of the Policy is to provide a framework for Council to appropriately manage requests for the use of community land being footways and roadways, for certain non-commercial and commercial street trading activities.

In managing such requests, Council aims to:

- Protect public health and safety;
- Preserve the amenity of the City area;
- To provide an opportunity for place enlivenment or active street life; and
- Give regard to the well-being of local lawfully established businesses and the principles of equity and fair competition.

### **POLICY STATEMENT**

Campbelltown City Council supports the development of the City's business centres, with a vibrant mix of retail, business and community activities. Council seeks to encourage active street life and enhance community participation in the Campbelltown Local Government Area through (LGA) the safe undertaking of certain non-commercial and commercial activities on footways and roadways (including road reserves).

The Street Trading Policy (the Policy) provides a framework for Council to deal with requests for the use of footways and roadways for certain non-commercial and commercial activities.

The Policy applies to all public footways and roadways in the LGA that are managed by Council directly or are under its care and control.

The Policy is complimentary to the Council's Outdoor Dining Policy.

#### **DATA AND DOCUMENT CONTROL**

**Division:** City Planning and Environment  
**Section:** City Standards and Compliance  
**Record No:** CDO-23/568

**Adopted Date:** 08/08/2023  
**Revised Date:** 08/08/2023  
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## LAND THE POLICY APPLIES TO

This policy applies to land located within the Campbelltown Local Government Area.

## LEGISLATIVE CONTEXT

The Policy is to supplement provisions of the *Local Government Act 1993* (the Act) and the Local Government (Approvals) Regulation 1993 by:

- Specifying the circumstances in which a person is not required to obtain a particular approval from the council;
- Specifying criteria which the Council must consider when determining whether or not to grant approval to a particular activity;
- Specifying other matters relating to approvals not dealt with by the Act or Regulations.

The *Local Government Act 1993* under **Section 68 - What activities generally require the approval of the council** states that:

- 1) A person may carry out an activity specified only with the prior approval of council, except in so far as this act, the regulations or a local policy adopted under Part 2 allows the activity to be carried out without that approval.

Section 68 of the Act specifies that Council approval is required in respect of a trade or business activity conducted on community land, unless there is a policy in place that exempts such an activity from requiring approval. This policy shall be read in conjunction with Section 68 of the Act.

## DEFINITIONS

The following terms when read in this policy, shall be taken to mean as defined below:

**application** means an application made under Section 68 of the *Local Government Act 1993*.

**approval** means an approval issued by the Council pursuant to section 68 of the *Local Government Act 1993*.

**busking** means singing, playing a musical instrument or a dramatic or dance performance. Other forms of expression may include, but not strictly be limited to, mime or 'live statues'.

**Charitable or Non-commercial organisation** means a type of non-profit organisation that is created and operates for philanthropic rather than pecuniary pursuits, as well as for social well-being (e.g. charitable, educational, religious or other similar purpose, serving the public interest or common good).

**Commercial Organisation** means a company or business organisation that engages in some form of commercial activity, such as selling goods or services, with the primary objective of making a profit.

**public place** means:

- a) a public reserve, public bathing reserve, public baths or public swimming pool, or
- b) a public road, public bridge, public wharf or public road-ferry, or
- c) a Crown reserve comprising land reserved for future public requirements, or
- d) public land or Crown land that is not:
  - (i) a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c), or
  - (ii) a common, or
  - (iii) land subject to the Trustees of Schools of Arts *Enabling Act 1902*, or
  - (iv) land that has been sold or leased or lawfully contracted to be sold or leased, or
- e) land that is declared by the Local Government regulations to be a public place for the purposes of this definition.

**public road** means a road or road-related area (land adjacent a road) which the public are entitled to use.

**selling** includes to barter, trade, offer, display for sale/auction any article, including the distribution of pamphlets or the collection of donations.

**special event** means a community event coordinated by Campbelltown City Council that is either the Fishers Ghost Festival, Ingleburn Alive Festival or a like event.

**street trading** means the selling, bartering or exposing or offering for sale of any article (including a living thing) or service on a public road or road-related area. Trading also extends to include the distribution of pamphlets or the collection of donations.

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## 1. TYPES OF STREET TRADING ACTIVITIES COVERED BY THIS POLICY

This Policy applies to a range of activities including:

1. Street stalls, information stands or like activities undertaken by recognised organisations such as local sporting clubs, schools, religious organisations, registered charities, community groups, government bodies and commercial organisations that may also involve the dissemination of general information for the purpose of promoting community awareness; charitable fundraising; or the sale of food or goods for charitable purposes.
2. Commercial activities on public footways or roadways that include activities such as busking, business promotion stalls or stands, distribution of flyers and the erection of promotional banners and signage within the LGA.

## 2. ACTIVITIES EXEMPT FROM REQUIRING APPROVAL

The distribution of flyers or other promotional material that does not require the erection of a stand or stall or other equipment, and that is conducted on the public footway (located immediately adjacent to and in front of the business premises subject of the promotion) is an activity exempt from the need for prior Council approval (i.e. Street Trading Activity Permit) subject to the following:

1. Only one person is permitted to stand outside the premises and distribute flyers or other promotional material;
2. Persons distributing flyers are not to impede, or cause an obstruction to pedestrians;
3. The direct sale of goods from the public footway is prohibited; and
4. The organisation must ensure flyers or other promotional material is distributed lawfully and that the activity does not create a litter problem in the immediate vicinity.

Note: the placement of flyers or similar promotional material on vehicles is an offence under the *Protection of the Environment Operations Act 1997*.

## 3. ACTIVITIES WHICH REQUIRE APPROVAL

The following activities are permitted in certain designated or other areas (as otherwise permitted under this policy) within the LGA with prior written Council approval, by way of a Street Trading Activity Permit issued by Council:

1. Fundraising and promotional activities by registered charities or not for profit associations (by non-commission collectors) and community organisations that are located or who are active within the LGA e.g. The Salvation Army, Legacy, the Cancer Council, Lions Club, sporting clubs, etc.;
2. Street stalls or information stands conducted by non-commercial organisations;
3. Business promotion/marketing stalls conducted by commercial organisations;
4. Mobile displays or stand-alone vehicles that promote or provide a community or government service e.g. road safety, or health awareness/health screening activities such as the NSW Blood Bank, Breast Screen NSW;
5. Busking, performances or cultural activities;
6. Banner signs for community, charity or commercial (i.e. 'business expo') type events; and
7. Other activities, other than those that are expressly prohibited under this policy, that are considered by Campbelltown City Council to contribute positively to place enlivenment or an active street life in approved locations.

#### 4. ACTIVITIES WHICH ARE PROHIBITED

The following activities are prohibited under the terms of this policy:

1. Roadside trading (other than as otherwise permitted under Section 3 subsection 7 of this policy) by use of a stall, article, standing vehicle or the like and includes the selling, trading or giving of any goods or services;
2. Display of goods, promotions or behaviour that conflicts with acceptable community standards or such activities that are considered by Council to be likely to cause a nuisance, risk or offence to the public;
3. Unauthorised street trading, business promotion, advertising or the selling of goods or services of any type;
4. Religious preaching;
5. Spruiking;
6. Prostitution;
7. Advertising structures (including: Variable Message Sign boards/trailers (VMS), flags, balloons, A-Frames, etc.) on public roads, footpaths and road related areas; and
8. The erection of (bill) posters on any public place or property that bounds a public place.

#### 5. ASSESSMENT CONSIDERATIONS FOR ACTIVITIES

A range of specified matters will be taken into account by Council when assessing applications seeking the approval of permissible street trading activities.

##### 5.1 Street Stalls

##### 5.1.1 Street stalls operated by charitable or non-commercial organisations

1. Charitable or non-commercial organisations are permitted to hold street stalls with Council approval at the designated areas listed below:
  - Lithgow Street Mall, Campbelltown
  - Queen Street, Campbelltown
  - Oxford Road, Ingleburn.

Refer to location maps at Part 8 for further details.

Street stalls may be permitted at other street or road related area locations subject to meeting the terms of this Policy (refer to Part 3, subsection 7);

2. The organisation must supply written evidence to Council of their charity registration or community organisation status;
3. Organisations are to apply to Council for a permit at least 4 weeks (20 working days) prior to the proposed activity;
4. The organisation must hold and maintain a current \$20 m Public Liability Insurance Policy (noting Council as an interested party on this policy). Such insurance arrangements shall satisfy Council that adequate indemnities are in place;
5. On the day of the activity, the organisation must display or have available for inspection, a permit or letter as required, stating that permission for the activity has been granted by Council;
6. Organisations may apply to undertake street stalls for a maximum of 12 occasions over a 12 month period and on no more than one occasion per month;
7. No more than one group will be permitted to occupy a designated marked street stall area at any one time, subject to the conditions outlined in the Council permit;
8. The organisation must keep the area free of waste and any other public risk at all times;

9. Applicants must be able to demonstrate to Council that such activities will contribute to an active street life, provide information, raise awareness or be of interest or benefit to the general community and that these activities will not cause offence or conflict with accepted community standards;
10. Except for Community Event stalls (or as otherwise permitted in this policy, refer to Part 3, subsection 7), the sale of food is restricted to pre-packaged food only and must include labelling in accordance with the Food Standards Code (Food Standards Australia and New Zealand). Food that requires temperature control is not permitted to be sold or distributed other than at approved "community event" stalls. For Community Event stall operators, a separate application is required to be submitted to Council and food stall operators are to comply with Council's Requirements for the Operation of Temporary Food Stalls;
11. The sale or distribution of the following items from an approved street stall is prohibited:
  - weapons of any kind, including, but not limited to:
    - replica guns (including plastic guns, pellet guns, water pistols, cap guns)
    - ornamental weapon copies (e.g. Ninja swords)
    - knives and swords (including pen knives)
    - martial art supplies (e.g. nunchakus)
  - explicit or pornographic material of any type including books, magazines, clothing, calendars etc.
  - fake cigarettes
  - fuel type fire lighters
  - horns and trumpets
  - pressure pack containers
  - drugs or related goods (including cocaine kits, bongos etc.)
  - stink bombs
  - water bombs
  - silly string
  - fireworks / crackers
  - laser pointers
  - pop downs / throw downs
  - 8 shot caps, strip caps or roll caps
  - any form of shooting projectile toys (e.g. bow and arrows).
12. For the sale or distribution of items including food, stall holders shall comply with Council's Requirements for the Operation of Temporary Food Stalls; and
13. No overzealous trading or soliciting will be permitted.

### **5.1.2 Street stalls operated by commercial organisations**

1. Commercial organisations are permitted to hold street stalls with Council approval at the designated areas listed below:
  - Lithgow Street Mall, Campbelltown
  - Queen Street, Campbelltown
  - Oxford Road, Ingleburn

Refer to location maps at Part 8 for further details.

Street stalls may be permitted at other street or road related area locations subject to meeting the terms of this Policy (refer to Part 3, subsection 7);

2. Council may grant a permit for street stall activities by commercial organisations providing it is satisfied that such activities will contribute to an active street life, provide or obtain useful or appropriate information of interest or benefit to the general community and provided Council is

satisfied that these activities will not cause offence or conflict with accepted community standards;

3. Organisations are to apply to Council for a permit at least 4 weeks (20 working days) prior to the proposed activity;
4. The applicant must supply written evidence of their organisational status i.e. ABN Number;
5. The individual or organisation must hold and maintain a current \$20 million Public Liability Insurance policy (noting Council as an interested party). Such insurance arrangements shall satisfy Council that adequate indemnities are in place;
6. On the day of the activity, the organisation must display at the location of the street stall or have available for inspection a permit or letter as required, stating that permission for the activity has been granted by Council;
7. A maximum of 3 individuals are allowed to conduct the permitted activity at any one time;
8. Approved organisations may apply for a street stall permit for up to a maximum of 12 days per year;
9. No more than one group (containing a maximum of three people) will be approved to occupy a designated street stall area at any one time (subject to the conditions outlined in the Council permit);
10. The organisation must keep the area free of waste and any other public risk at all times;
11. Except for Community Event stalls (or as otherwise permitted in this Policy, refer to Part 3, subsection 7), the sale of food is restricted to pre-packaged food only and must include labelling in accordance with the Food Standards Code (Food Standards Australia and New Zealand). Food that requires temperature control is not permitted to be sold or distributed other than at approved "community event" stalls. For Community Event stall operators, a separate application is required to be submitted to Council and food stall operators are to comply with Council's Requirements for the Operation of Temporary Food Stalls;
12. Commercial activities that either replicate or inconvenience the activities of nearby lawfully established businesses will not be permitted unless the activities are conducted by that business;
13. Except as authorised by Council for approved community events, the direct selling or distribution of goods is not permitted (unless otherwise permitted under this Policy, refer to Part 3, subsection 7);
14. The list of items that may not be sold or distributed as part of a street stall as outlined under Section 5.1.1 shall be complied with;
15. For the sale or distribution of items including food, stall holders shall comply with Council's Requirements for the Operation of Temporary Food Stalls; and
16. No overzealous trading or soliciting will be permitted.

## **5.2 Busking**

### **5.2.1 General**

1. Busking activities are permitted with Council approval in Campbelltown and Ingleburn CBD's (or at other locations as otherwise permitted in this Policy, refer to Part 3, subsection 7);
2. Buskers must apply to Council for and receive a busking permit prior to any activity taking place (See Section 6.1);
3. Buskers must not unreasonably interfere with pedestrian flow or public amenity or cause a nuisance to nearby businesses;
4. Buskers must not undertake any act that could be considered as causing offence or a public nuisance including excessive noise;
5. Buskers are advised that the performance of political, religious, racial, sexually explicit or homophobic acts or material that may be deemed unduly persuasive, offensive or discriminatory as determined by the Anti-Discrimination Act 1977 is strictly prohibited;
6. Buskers are not permitted to use fire, pyrotechnics, knives, swords, chainsaws or other dangerous goods likely to cause harm to the public, environment or property;
7. Buskers are not permitted to use or discharge confetti or any other matter that may cause pollution or is likely to cause harm to the public, environment or property;
8. Buskers must not interfere in any way with any other approved event or activity;

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9. Buskers must be a minimum of 16 years and must submit a letter of consent from a parent or guardian with an application for a permit if under 18 years of age;
10. Buskers may receive a monetary appreciation from the audience but must not actively solicit funds in any way;
11. Buskers must keep the footpath clear of obstruction, maintain the footway clear for pedestrian movement and the site clean during and following their performance to ensure that the activity does not pose a risk to public safety or the environment. A minimum unobstructed footpath width of 2.4 m shall be maintained at all times;
12. Council reserves the right to direct a busker to moderate or cease performing if deemed by Council to be creating a nuisance, threat to safety or the environment or to be causing offence;
13. Buskers are only permitted to occupy/perform at any location for a maximum period of 3 hours.

## **5.2.2 Group busking acts**

Groups involved in busking are limited to a maximum of 3 people/members. This is to ensure that pedestrians are able to move freely through the approved area. For group acts, Council requires that each individual member hold a current busking permit which must be clearly displayed during the performance.

## **5.2.3 Street Art**

Performers who utilise pavement (chalk only) art as a form of entertainment may only do so with a Street Trading Activity Permit issued by Council and where:

1. the material used is removable by water and does not leave a residue;
2. the surface is of a non-porous material, such as bitumen and concrete;
3. individual renditions of the artist's work may not be offered for sale to the public;
4. any proposed material to be used in carrying out pavement art must not be slippery (whether wet or dry) and must not be such as to be likely to cause a public hazard, nuisance or offence;
5. the site is used for no more than eight hours at any one time or otherwise as approved by Council;
6. the work space to be used is defined by being either roped or chained off with all tools and personal belongings kept within this area; A free passage of at least 2.4 m shall be maintained for pedestrians at all times;
7. performers must be conscious of public safety and accessibility at all times.

## **5.3 Charity collection**

### **5.3.1 Fundraising by registered charities (by non-commission collectors)**

1. Charitable organisations are permitted to collect donations from the public with Council approval only at designated areas listed below:
  - Lithgow Street Mall, Campbelltown
  - Queen Street, Campbelltown
  - Oxford Road, Ingleburn.

Refer to location maps at Part 8 for further details.

2. The organisation must supply written evidence to Council of their charity registration or community organisation status;
3. Organisations are to apply to Council for a permit at least 4 weeks (20 working days) prior to the proposed activity;
4. The organisation must hold and maintain a current \$20 million Public Liability Insurance Policy (noting Council as an interested party on this Policy). Such insurance arrangements shall satisfy Council that adequate indemnities are in place;

5. On the day of the activity, the organisation must display or have available for inspection, a permit or letter as required, stating that permission for the activity has been granted by Council;
6. Charitable organisations may apply for a permit to conduct fundraising for up to a maximum of 12 occasions over a 12 month period and on no more than one occasion per month;
7. No more than one charity organisation will be permitted to occupy a designated marked location at any given time, subject to the conditions outlined in the Council permit; and
8. Charity organisations are to remain static and are not permitted to solicit donations from any area other than locations designated for this purpose in this Policy.

Refer to location maps at Part 8 for further details.

## **5.4 Banners**

### **5.4.1 General**

Approval may be granted by Council for the display of banners provided the intent is to promote community events, programs or services (i.e. an event or activity which is non-commercial or non-profit and offering a community benefit).

**NB:** This opportunity is provided at no cost to community groups wishing to display a banner.

Consideration may be given to promoting "expo" type events that provide information relating to a range of services or by a group of local business providers for community benefit (e.g. Wedding Expos, Renovation Expos). Single business promotion will not be considered. A fee applies to permits issued for banners promoting "expo type" events.

A limited number of banner sites are available in the LGA (refer to Section 5.4.2). It should be noted that Council does not allow the advertising of offensive, political or religious statements or images on banners.

Banner signs may not be permitted to be erected any earlier than 14 days before the event and must be removed within 7 days after the event.

Council reserves the right to remove banners at any time if a banner is erected without approval or if any of the permit conditions are not complied with. Council also reserves the right to cancel bookings for the display of banners at designated locations at any time.

**Note:** Council does not issue permits for the placement of banners in elevated locations such as those on overhead bridges or walkways. Approval for these sites rests with the Roads & Maritime Services (RMS).

Organisations wishing to erect a banner in the LGA may only do so with a Street Trading Activity Permit issued by Council and must comply with the following requirements:

1. An organisation wishing to display a banner accepts responsibility for any claim for accidents or other issues arising from the erection, removal or display of the banner or the use of Council's infrastructure;
2. Any damage to Council's infrastructure and other facilities that is attributed to the display of a banner will be repaired at the expense of the organisation displaying the banner;
3. Evidence of the organisation's Public Liability Insurance of a minimum value of \$20 million, noting Council as an interested party, must be provided to Council before any permit for displaying a banner is issued; and
4. Council is not liable or responsible for banners which are lost, damaged or stolen.

### 5.4.2 Locations where banners may be displayed

Banners are to be erected at or near ground level and are not permitted to be displayed within 50 m of an intersection or within 3 m of the road pavement and must not impede pedestrian movement. Only one banner is permitted to be erected at each designated location.

Banners may only be erected at the locations listed below:

1. Menangle Road, Campbelltown (approximately 500 m south of Geary Street on west side of the road);
2. Narellan Road Campbelltown (approximately 150 m west of Gilchrist Drive on south side of the road);
3. Appin Road Bradbury (adjacent to Silo's east side of the road);
4. Badgally Road, Eagle Vale (approximately 100 m east of Eagle Vale Drive);
5. Raby Road, Raby (approximately 170m west of Thunderbolt Drive on the south side of the road);
6. Campbelltown Rd, St Andrews (approximately 175 m north of St Andrews Road); and
7. Campbelltown Road, Minto (approximately 450 m north of Rose Payton Drive).

### 5.4.3 Design and layout of banners

1. Commercial advertising is not permitted on banners, however, the logo of a sponsor/s or the coordinating organisation may be incorporated into the banner design;
2. The logo of a sponsor is to be a maximum of 10 per cent of the total face area of the banner;
3. If several sponsor logos are to be included then the maximum area of the logos is to be no more than 20 per cent of the total face area of the banner. The purpose of these restrictions is to promote community services, not commercial ventures;
4. The caption on the banner is to be succinct;
5. The maximum size of a banner is 4.0 sqm;
6. The lettering must be a minimum of 150 mm in height. It is important in terms of safety that the message can be easily read by motorists and other road users;
7. If languages other than English are being displayed on the banner at least 50 per cent in equal size shall appear as a direct translation in English; and
8. The proposed design of the banner (message, sponsor logos and layout) must be submitted at the time of applying for a permit requesting the display of a banner and should also include nominated dates and specific sites.

### 5.4.4 Construction of banners

Banners are to be constructed of sturdy material such as PVC or canvas that will not tear in the wind and thereby present a hazard to traffic ('Tyvek' is not considered an acceptable material for the construction of banners).

### 5.4.5 Attachment and removal of banners

1. The erection of the banner is the responsibility of the organisation displaying the banner. The banner should be inspected every day to monitor security and its condition. Council is not liable or responsible for banners which are lost, damaged or stolen;
2. To ensure banners are installed appropriately, banners will be required to be installed strictly in accordance with Council guidelines and as outlined in the Street Trading Activity Permit;
3. Banner signs are to be anchored by the use of star pickets driven into the ground no more than 350 mm;
4. The banner must be attached and removed by the organisation displaying the banner on the dates specified on the permit; and

5. Any damage to Council's infrastructure and other facilities will be repaired at the expense of the organisation displaying the banner.

## **5.5 Place activation, special events, festivals and community celebrations**

Place activation initiatives, festivals or events such as Fishers Ghost and Ingleburn Alive are community events or initiatives that are coordinated by the Council for the whole community. Street stalls during these events or initiatives are permitted to sell commercial products (other than prohibited items listed in Section 5.1.1) and prepared food.

Council approves place activation initiatives and these types of special events under a separate approval process outside the scope of this Policy.

## **6. MAKING AN APPLICATION**

### **6.1 Application requirements**

Standard permit applications can be obtained from Council. All applicants, (individuals and groups) are required to apply in person. Street Trading activity shall not be conducted without first obtaining a permit issued by Council beforehand.

All applicants are required to present proof of identify with their application form before a permit is issued e.g. current motor vehicle licence, proof of age card or passport.

Details of the type of activity or entertainment proposed are required to be provided on the application.

Council reserves the right to refuse any permit application.

Applications for approval for activities that are described in this policy (as outlined in section 3) can be made by using the Street Trading Activities Permit application form that is available from Council's Customer Service Centre or through Council's website: [www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)

As outlined on the forms, the following information shall be lodged with Council at least 4 weeks prior to the event or activity occurring, and the proposed activity must receive Council's permission prior to commencement.

The permit application must include the name of the individual(s) or organisation, the organisational status, i.e. registered charity, religious affiliation, community group, political organisation, commercial organisation, and a brief outline of the organisation, a short description of the reason for the activity and the name and contact details of the person coordinating the activity.

For commercial organisations, the name of the company and a valid ABN number must be provided.

A site plan drawn to scale outlining key features of the activity layout (e.g. stalls, tables, chairs etc.) must also be supplied with the application. The plan should also clearly show the following details:

- Location of existing features such as trees, signage posts, bins etc.;
- Details of any proposed furniture including the design, construction; dimensions, colours and materials to be placed within the designated stall location; and
- Any signage must be of a temporary nature and can only be displayed within the area/locations covered by the application (no other advertising materials or structures are permitted).

### **6.2 Permit fees**

No permit fees apply to charities or not-for-profit organisations. An annual permit fee will apply to individuals or organisations that receive a commercial or financial gain from the permitted street trading activity.

Permit fees will be applied as detailed in Council's annual schedule of fees and charges. Permits are valid for up to 12 months from the commencement date. Permits are not transferable and fee payments are not refundable once the permit has been issued by Council.

### **6.3 Renewal of permits**

Where an operator wishes to continue an approved street trading activity beyond the expiry date of the current permit, the operator must renew their current permit prior to it expiring. Street Trading shall not be conducted with an expired permit.

Unauthorised Street Trading activities will also be subject to penalties as provided for under the *Local Government Act 1993*.

### **6.4 Insurance**

The applicant (except where stated otherwise in this Policy) must provide a Public Liability Insurance Certificate of Currency from their insurer that notes Council as an interested party with regards to any personal injury or damage to property associated with the activity on a public footway, road or road related area for a minimum cover of \$20,000,000 or any other amount that Council may stipulate from time to time.

Buskers and Pavement Artists are exempt from this requirement and are not required by Council to hold their own Public Liability Insurance policy cover for busking and street art performances held on the streets/road reserve areas within the LGA.

## **7. MISCELLANEOUS MATTERS**

### **7.1 Approval of applications**

Approval to use a public footway for street trading activities is subject to Council's discretion. Council reserves the right to impose on any permit such conditions as it determines necessary, appropriate and reasonable.

### **7.2 Street trading restrictions**

Certain street trading activities being street stalls, charity collections and busking will be prohibited during the times at which approved community events are conducted within a nominated business centre.

### **7.3 Fees**

All fees associated with street trading activities are to be identified in Council's Schedule of Fees and Charges and will be reviewed annually. Application fees shall be paid when an application is lodged with Council and are non-refundable, once the application is determined and regardless of the outcome of the determination of the application.

### **7.4 Display of permit**

A copy of the permit issued by Council for an authorised street trading activity shall be on display at the activity location at all times.

### **7.5 Compliance/inspections**

Council reserves the right to carry out compliance inspections as required.

## 7.6 Period of permit

Permits for street trading activity will be granted by Council for a period up to a maximum of 12 months in the first instance. Longer permit periods may be allowed by Council upon renewal, subject to review. A new application must be submitted to Council prior to the end of each permit period.

## 7.7 Variation of permit conditions

Any variation to a current permit will require a new application to be lodged with Council. A change of business ownership will also require a new permit application to be lodged with Council.

## 7.8 Street trading activity must not cause obstruction and be marked on the pavement

All street trading activity must not occupy an area larger than necessary to safely conduct the activity. At all times the activity must not cause obstruction to other users of the footway or unreasonably interfere with pedestrian flow, ensuring sufficient clear pedestrian access is maintained (minimum 2.4 m wide pedestrian access shall be provided at all times).

The permitted area for the street trading activity will be clearly defined on the Street Trading Activity Permit and shall be marked on the pavement by Council where appropriate for the above purpose.

## 7.9 Protocols for non-compliance

The following is a general guideline as to Council's approach where the particular circumstances arise. Council will act reasonably when seeking to remedy identified non-compliance issues with street trading. Council has discretion to vary its approach depending upon individual circumstances, the extent of non-compliance, and in consideration of any prior infringements or warnings the operator may or may not have received.

### 7.9.1 Operating without a permit

Authorised officers of the Council will instruct an operator undertaking an unapproved street trading activity to immediately cease the activity.

Where the operator does not (within a reasonable timeframe) comply with Council's instruction, a Penalty Notice may be issued on the operator undertaking the unapproved street trading activity. Continued non-compliance may result in further action being taken.

### 7.9.2 Breach of conditions

Written notice will be issued to the operator requiring compliance. If no action is taken by the operator to remedy the breach after issuing a Notice to comply with a permit, a Penalty Notice may be issued to the operator.

Following the issuing of a Penalty Notice, the permit may be terminated and/or further action taken by Council. Special provisions may need to be applied in the case of an emergency/risk to public safety.

### 7.9.3 Operating with an expired permit

A Notice will be served upon the operator to cease the street trading activity or to renew the permit. If the operator fails to comply with the Notice or renew the permit within the given time, a Penalty Notice may be served on the operator. Continued non-compliance may then result in further action being taken.

### **7.10 Termination of permit by the applicant**

The applicant may terminate their Street Trading Activity Permit at any time by giving Council a minimum of one month's written notice.

### **7.11 Termination of permit by Council**

Council reserves the right to terminate a Street Trading Activity Permit. Upon termination all property or materials associated with the street trading activity must be removed from the public area.

#### **7.11.1 Reasons that Council may consider in deciding to terminate a permit**

1. Non-compliance with conditions as outlined in the permit;
2. Change of business ownership;
3. Expired Public Liability Insurance;
4. Where the street trading activity is found to cause an inconvenience to pedestrian access, safety or public amenity; and
5. Where Council or any other authority has received repeated complaints about an approved street trading activity that otherwise cannot be resolved.

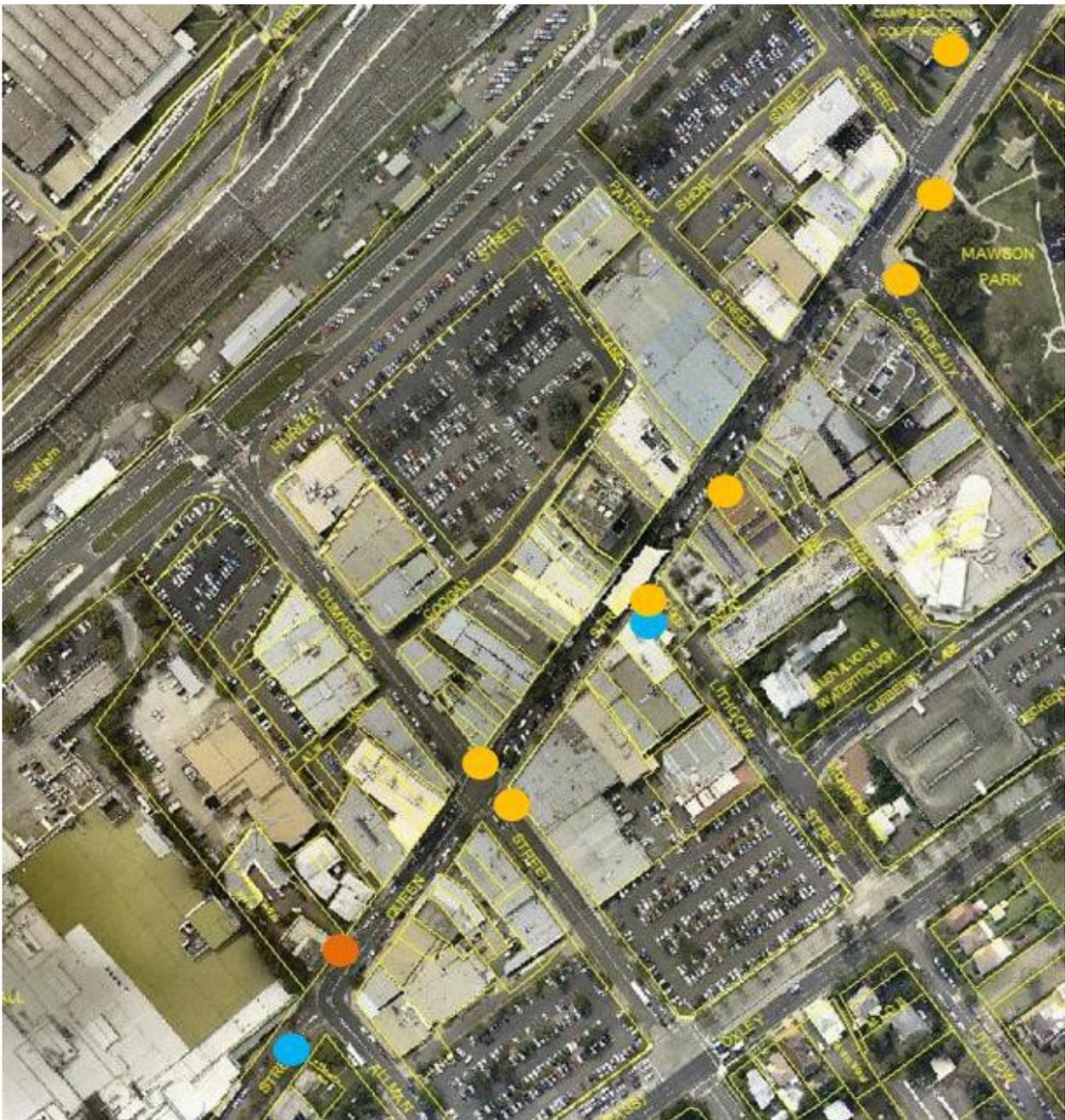
## 8. DESIGNATED STREET TRADING ACTIVITY LOCATIONS

### 8.1 Location Maps

Designated areas for specified street trading activities are shown on the locality plans (below) for the Campbelltown and Ingleburn business centres.

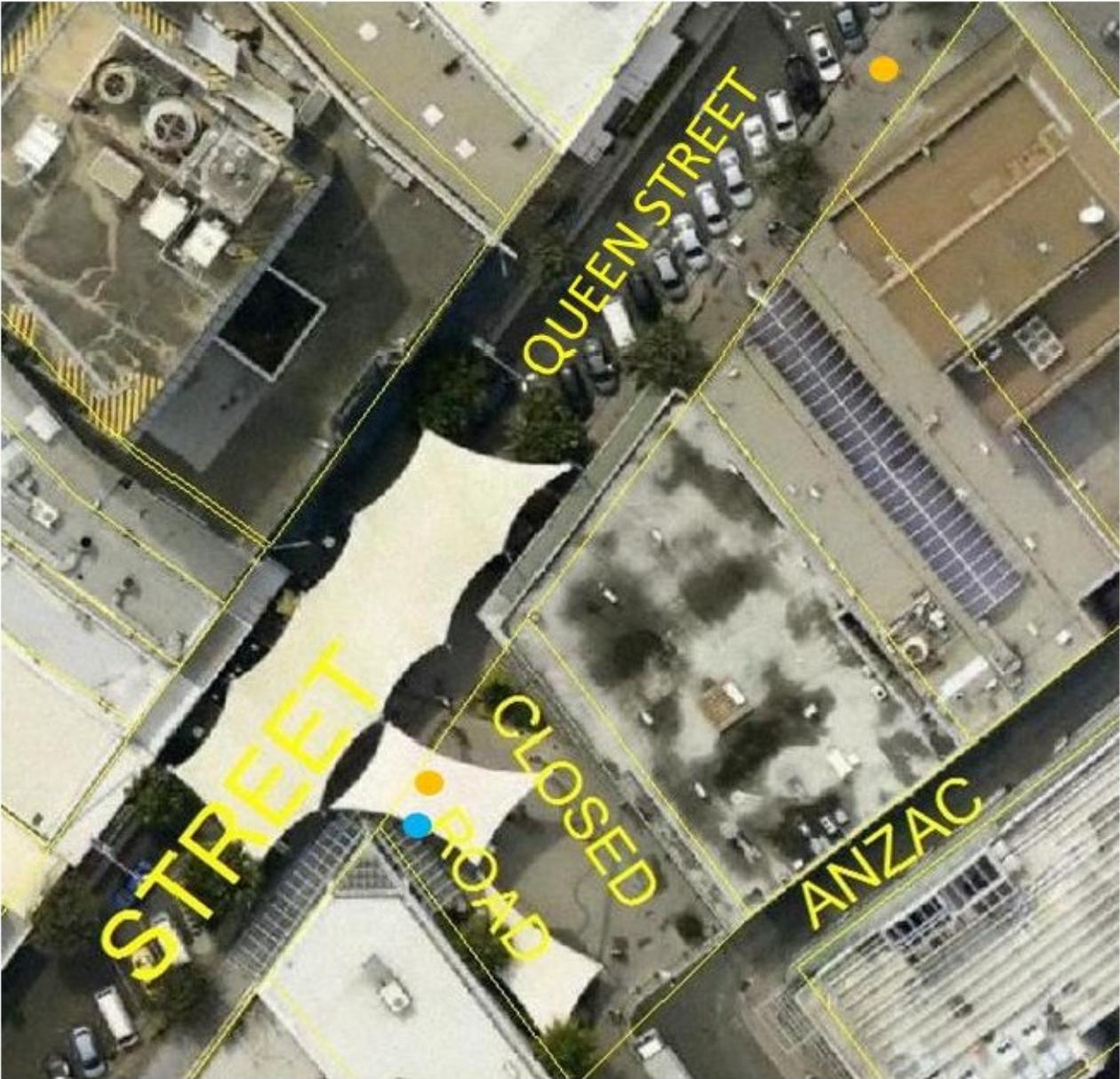
#### 8.1.1 Campbelltown Business Centre - Overall Locations for Street Trading:

- Charity Collection
- Street Stall
- Street Art



8.1.2 Queen and Lithgow St Intersection Locations for Street Trading:

- Charity Collection
- Street Stall



8.1.3 Queen and Cordeaux St Intersection Locations for Street Trading:

● Charity Collection

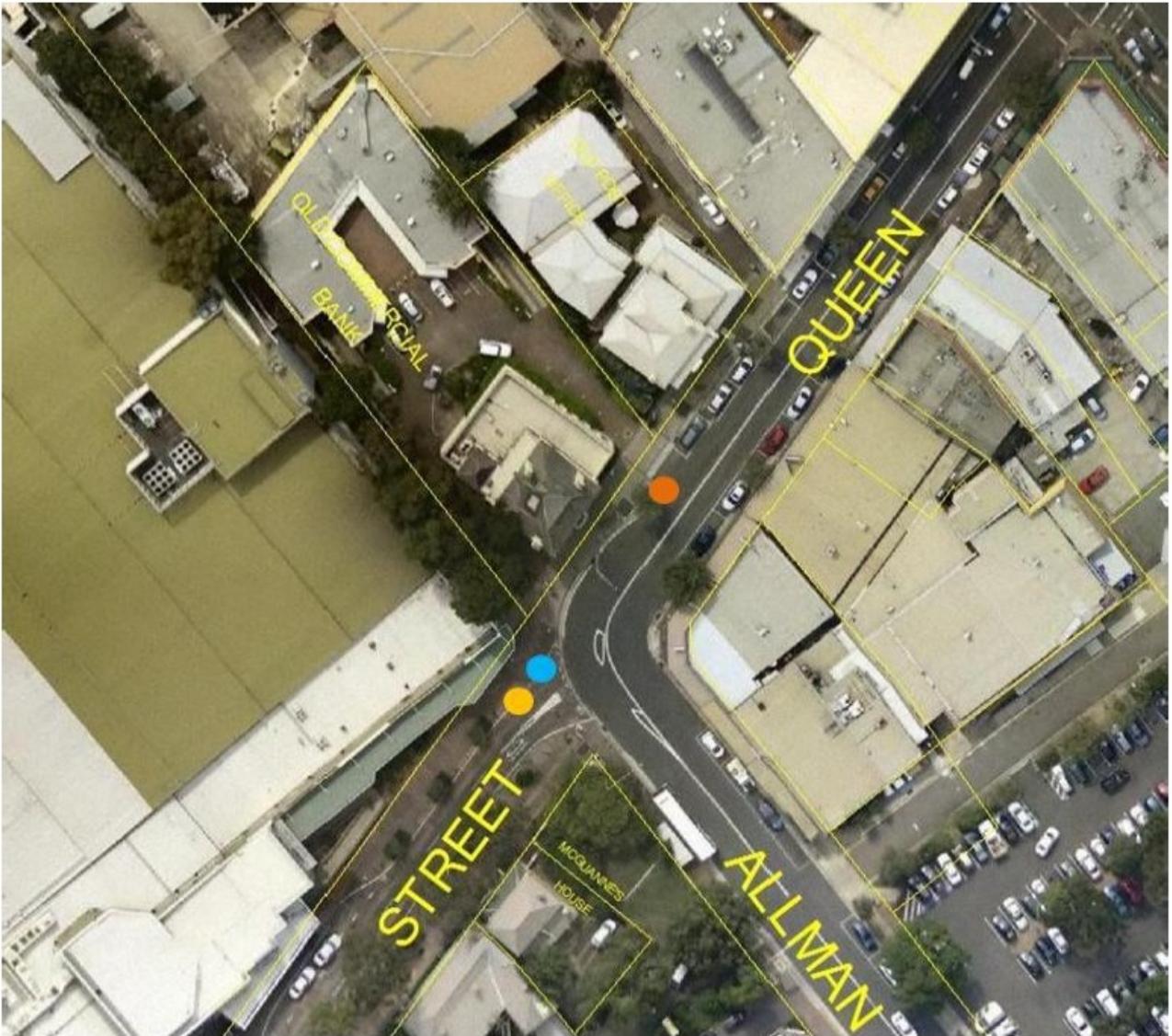


**8.1.4 Queen and Allman St Intersection Locations for Street Trading:**

● Charity Collection

● Street stall

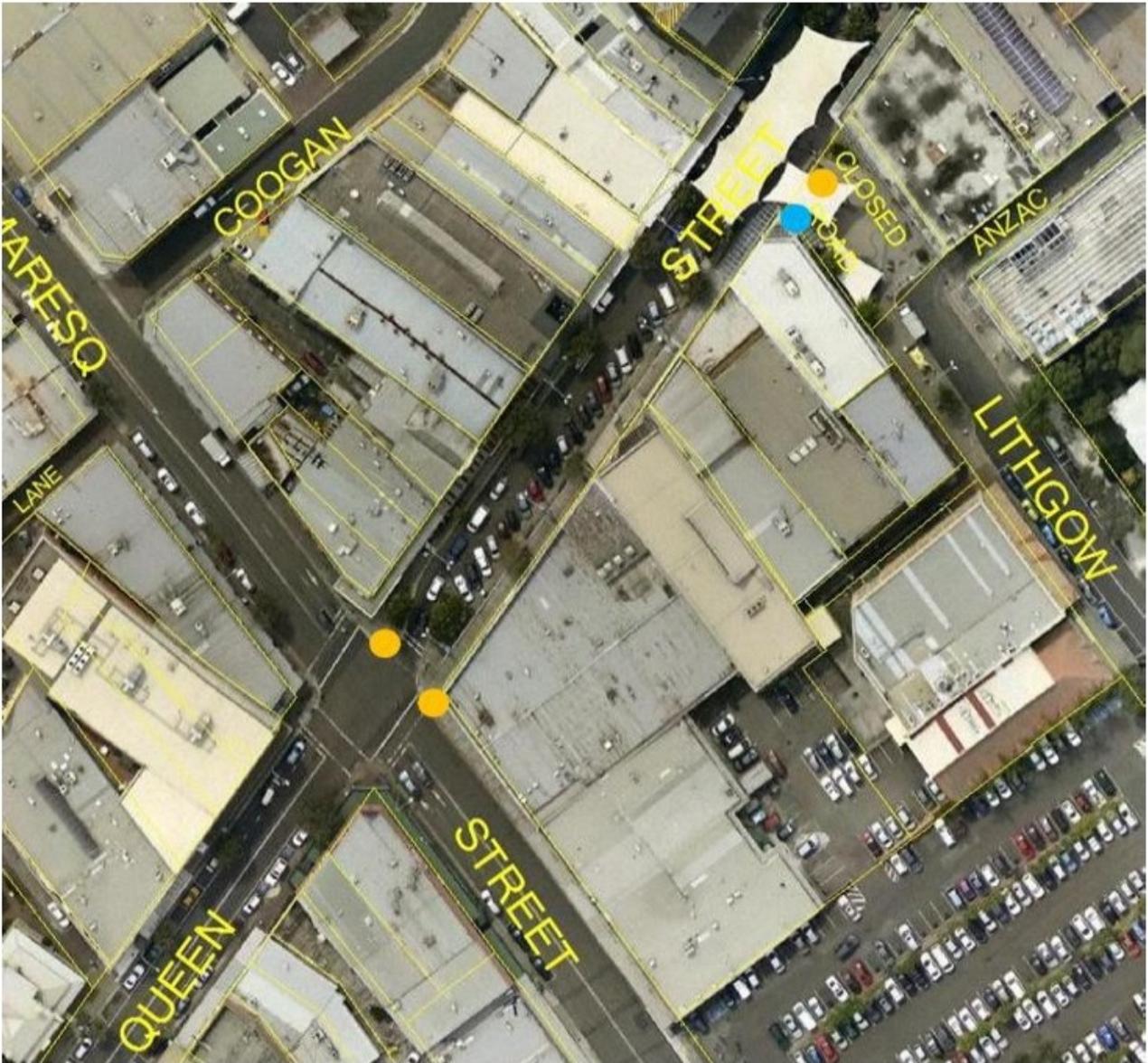
● Street Art



8.1.5 Queen and Dumaresq St Intersection Locations for Street Trading:

● Charity Collection

● Street Stall

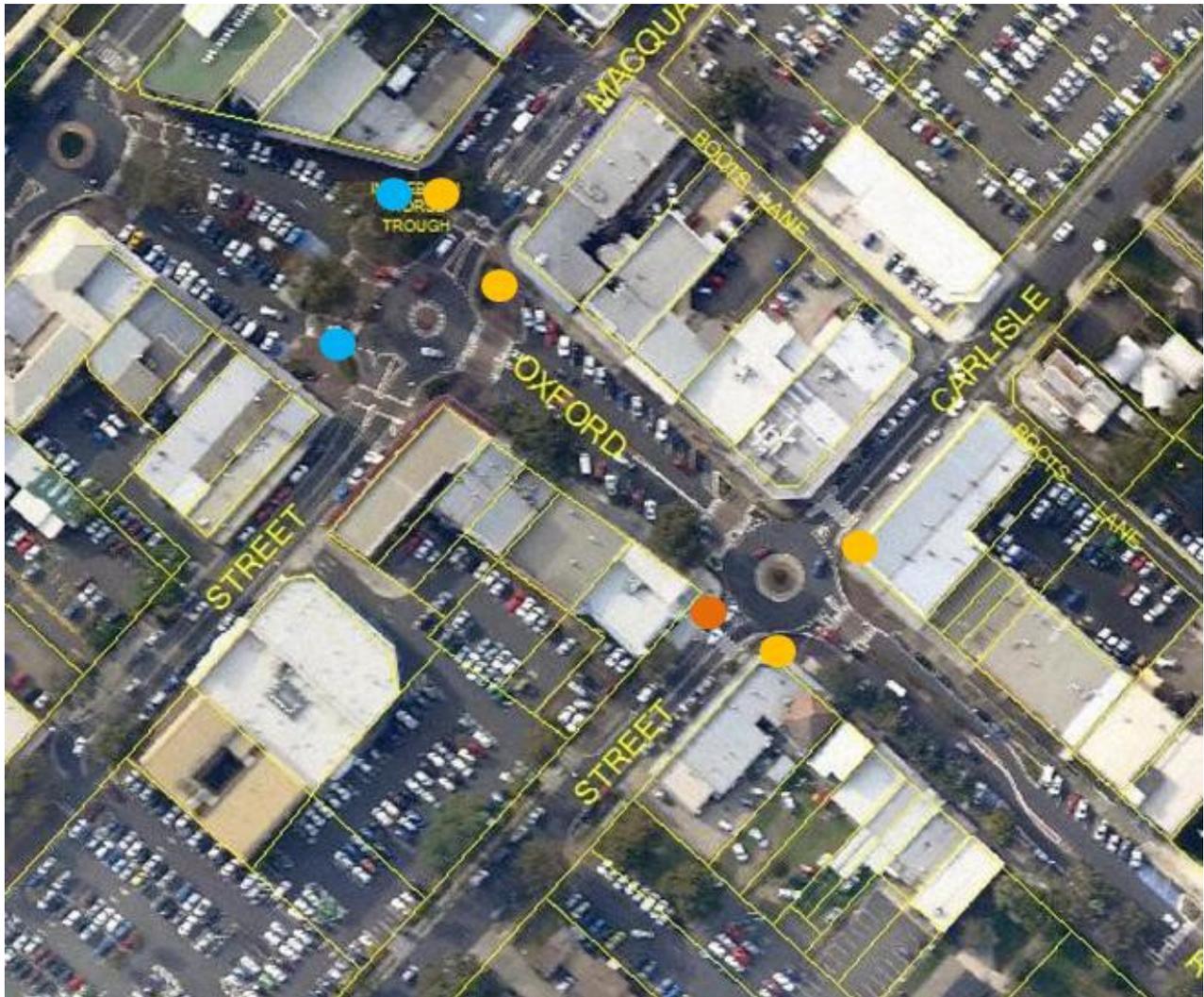


8.1.6 Ingleburn Business Centre Locations for Street Trading:

● Charity Collection

● Street Stall

● Street Art



**END OF POLICY STATEMENT**