

Policy No. 72: Approval to Occupy Road Reserves

POLICY MANUAL

Policy No. 72 **Approval to Occupy Road Reserves**

Purpose The purpose of this Policy is to establish a basis for the approval and controlled management of occupation of the Council's road reserves for street dining, sale of goods, minor structures, skip bins or business signs within townships.

Department Infrastructure Services
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Next Review Date **September 2028**

POLICY

1. Definitions

Occupation Licence A licence issued by the Council to occupy a portion of the road reserve.

2. Objective

To support business development and growth through the controlled occupancy of the Council's road reserves and provide a basis for the assessment of licence applications.

3. Scope

This Policy applies to all road reserves within the municipality for which the Council is responsible.

4. Policy

- a. The Council will support street dining, sale of certain goods, operation of mobile food vans, skip bins and minor non-permanent structures in areas of the road reserve subject to assessment of associated risks.
- b. The assessment of applications for road occupancy will be undertaken in line with legislative requirements, sound risk management processes and prioritise public safety.

- c. Generally, licenses will be issued by the Council for a 12 month or 24 month period depending on the nature of the occupancy.
- d. The Council may terminate or amend a licence should:
 - i. a safety incident occur or is likely to occur, or
 - ii. a significant nuisance is caused, or
 - iii. the licensee fails to comply with occupancy guidelines.
- e. Licence holders must hold public liability and products liability insurance cover in accordance with the guidelines for the duration of the licence period.
- f. Guidelines for Policy No. 72 should be read in conjunction with this Policy.

5. Legislation and Related Standards

Local Government (Highways) Act 1982

Traffic Act 1925

Vehicle and Traffic Act 1999

Road Rules 2019

6. Responsibility

Responsibility for the operation of this Policy rests with the Director Infrastructure Services.