

Road, Parks and Public Reserves Occupation Policy

PURPOSE

To provide a clear and consistent management approach to ensure that roads, parks and public reserves within the Launceston municipality are:

- kept in a safe and well-maintained condition
- recognised as publicly owned assets
- safe for pedestrians, cyclists and drivers; and
- that there is adequate protection for services (above and below ground), trees and stormwater management.

SCOPE

This policy applies to all individuals, builders, contractors, businesses and organisations seeking to undertake commercial activities or building works on, from or within a road, park or public reserve under the ownership, care and/or control of the City of Launceston.

POLICY

This policy has been developed to enable Council to:

- manage the risks and costs to public safety and public infrastructure associated with the proposed occupancy for commercial events and building works; and
- efficiently perform its functions and/or exercise its powers in accordance with relevant legislation and its by-laws as far as it relates to the roads, parks and public reserves under its care and control within the Launceston municipality; and
- provide a strategic direction for occupation of roads, parks and public reserves to guide Councillors, employees, residents, planners, developers, contractors and landscapers.

The policy should be read in conjunction with the *Guidelines for Occupation of Roads, Parks and Public Reserves (27-HLPrx-003)*, and is not intended to override or otherwise set definitions under any Act, the by-laws, or any other relevant legislation.

Council is committed to supporting business development and growth through the controlled occupancy of Council's roads, parks and public reserves managed by council. It acknowledges that on occasions a proposed occupancy may not be possible, and in those instances, it will work with businesses to find suitable alternate solutions where practicable.

Permit or Authorisation

Depending on the nature of the activities on the public street, parks and/or public reserves, a Permit or Authorisation may be required. A Permit or Authorisation will be required to carry out any of the following activities:

- objects within or over a highway
- building any structures
- service connections
- use of machinery and/or vehicles for building works
- erect a hoarding, overhead protective awning, or scaffolding
- fencing
- temporary placement of skip bin or shipping container
- landscaping works, including planting or removing a tree or other vegetation

Permit/Authorisation Exclusions

The Permit/Authorisation does not apply where the activity is covered by other specific permit, policies and procedures, such as:

- On-Street Dining
- Mobile Food Vendors
- Private Driveway Permit Vehicular Crossing Works (where no additional occupation of the roads occurs during the works)

Fees

Fees are set by Council, reviewed annually, and published on our website [here](#).

Fee Exclusions

The fees associated with this policy do not apply to the following activities:

- Hire of parking bays (for permitted activities)
- Charitable organisations (activities/events)
- Council-sponsored events
- Approved City Activation trials
- Emergency works
- Utility providers
- Works on Council or government-owned assets adjacent to a Road or Park Reserves

Application Process

Applications are to be submitted in accordance with the processes outlined in the *Guidelines for Occupation of Roads, Parks and Public Reserves (27-HLPrx-003)*.

PRINCIPLES

Council's Organisational Value, *We care about our community* applies to this policy:



We care about our community

- we take pride in our work and pursue a standard of excellence
- we genuinely listen, and value collaborative relationships
- we strive towards the best outcome for our community
- we make responsible and sustainable decisions

RELATED POLICIES & PROCEDURES

- 27-HLPrx-003 Roads, Parks and Public Reserves Occupation Guidelines
- [City of Launceston Event Planning Guide](#)
- [26-Plx-005 Tree Management Policy](#)
- [26-Plx-019 Nature Strip Policy](#)
- [26-HLPr-005 Guidelines for Nature Strips](#)
- [City of Launceston Accessibility Framework 2020-2024](#)

RELATED LEGISLATION

- [Local Government Act 1993](#)
- [Local Government \(Highways\) Act 1982](#)
- [Roads and Jetties Act 1935](#)
- [Facilities and Highways By-Law Number 1 of 2021](#)
- [Parking Facilities By-Law Number 2 of 2023](#)
- [Vehicle and Traffic Act 2001](#)
- [Road Rules 2019](#)

REFERENCES

- Austroads Guide to Temporary Traffic Management
- AS 1742.3:2019 Manual of uniform traffic control devices, Part 3: Traffic control for works on roads
- AS 4970-2009 Protection of trees on development sites
- Traffic Control for Works on Roads – Tasmania Guide (Department of State Growth)

DEFINITIONS

Council-sponsored Events	Events sponsored under the Council's Event Sponsorship Program (small, major or special events categories)
Emergency works	For the purposes of this Policy, emergency work is building work, plumbing work, utility work or demolition work that: <ul style="list-style-type: none"> a) is required to be performed under an emergency order; or b) is required on reasonable grounds to be performed in an emergency, or to circumvent an emergency to: <ul style="list-style-type: none"> (i) protect public health or safety; or (ii) prevent significant damage to property; or (iii) prevent a waste of water; or restore a water supply that has been cut off to prevent a waste of water; or (iv) free a blocked pipe
Events	Means community and major events and festivals that take place annually, biennially, occasionally or once-off. It includes arts and cultural events, food and beverage, sporting and special interest events, community celebrations and civic commemorations, as well as one-off major events that have capacity to draw a substantial number of visitors to the city
Approved City Activation Trial	Activation trials create a community sense of place, encourage social connections, improve safety and bring vibrancy to the City of Launceston. Trials may include temporary infrastructure such as seating, games and interactive play, as well as public art and cultural storytelling. Activation trials do not include events, for-profit activities or busking. Approval from Manager Liveable Communities is required.
Charitable organisation	An organisation registered with the Australian Charities and Not-for-profits Commission (ACNC)
Public Reserve	For the purposes of this Policy, public reserve means a reserve, area of bushland, park, flood levee or garden usually open to the public, and under the control and management of the Council
Public Road or Public Streets	Means any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise
Utility providers	Organisations that provide services consumed by the public, such as electricity, gas, water, sewerage, and communications
Works	Construction and maintenance work in work sites wholly or partly within the road, park or public reserve boundaries or any other works that cause interference or obstruction to the normal use of the reserve by any user

REVIEW

This policy will be reviewed no more than 5 years after the date of approval (version) or more frequently, if dictated by operational demands and with Council's approval.