

TEMPORARY USE OF PUBLIC SPACE POLICY

Approved by Council 8 February 2022

legislative

PURPOSE

This Policy provides guidance about how public space can be used and activated for both community and business purposes.

Council recognises the vital contribution our community make in helping to meet our Strategic Plan objectives of being a Smart, Green, Liveable and Creative City. Council also acknowledges the ability to use public space has a significant social, cultural and economic value to our community. This is balanced with our need to provide a quality City environment, which showcases a high degree of economic vitality, creativity, accessibility, equity, amenity, presentation and safety.

Use of public space is guided by principles that aim to harness the character and liveability of the City of Adelaide. These principles demonstrate Council's commitment to enabling our community and economy to grow both sustainably and creatively. Council recognises that there is a balance to be achieved in supporting innovative ideas, activations and City development, whilst maintaining the accessibility and flow of movement throughout the City.

This Policy applies to activities and objects in public spaces that are temporary and removable. Council issues permits and approvals for the use of public space within this Policy under Sections 200, 221 & 222 of the *Local Government Act*. The legislative provisions and Council's guiding principles are then implemented through guidelines defining more specific requirements which will help our community to plan activities. Activities and objects covered by this policy can be found in the relevant guidelines.

This policy does not apply to leases and licenses as defined in the Adelaide Park Lands Leasing and Licensing Policy, or events as defined in the Adelaide Event Guidelines.

STATEMENT

Guiding Principles

1. Public Good

Public space is a valuable asset. We have a responsibility in the management of the public space within the City of Adelaide to ensure fair and equitable access and that it is used for the public good.

2. Economic Growth

We will enable our business community to explore new ways to grow and prosper. We encourage businesses to think of new and innovative ways to activate public spaces. We want to see our economy growing and thriving in a sustainable way that provides consumer choice and makes a positive contribution to our City.

3. Creativity

We will support creative activation that promotes social, cultural and economic growth and diversity. We recognise public spaces are an important source of cultural significance, connection, relaxation, health, wellbeing and entertainment. Use of public space should make a positive contribution to the local community and support a sense of belonging, diversity and ambience.

4. Access and Inclusion

We will advocate for the accessibility, inclusivity and amenity of public spaces. We are committed to making the City a welcoming and inclusive place for all people to enjoy, and we are continually working toward demonstrating best practice in access and inclusion planning which includes use of public spaces and removing barriers to participation for all people.

5. Communication and Engagement

Our role is to be a facilitator and enable use of the public space. We will consider the needs of all stakeholders and ensure that disruption is minimised wherever possible. We expect our community to do the same, to be good neighbours, consult with each other when required, and consider the impacts of their activities to those who may be affected by them.

6. Character and Identity

Use of public space should complement and strengthen the character and identity of the City. Activities and objects in public spaces should be fit for purpose, sustainable, suitable to the area and enhance the user experience of our City.

7. Sustainable and Responsible

We will manage the use of Council assets to promote sustainable and responsible use of public infrastructure. Activities and objects should result in little to no impact to footpaths, roads and Park Lands. Temporary use of public space requires the space to be returned and if required remediated back to its original condition once the activation is finished.

8. Safe

We will uphold high safety standards that ensure a welcoming and safe City for everyone. We believe everyone should be able to enjoy the City's offerings with confidence and assurance in their surroundings.

OTHER USEFUL DOCUMENTS

Related documents

- **Outdoor Dining Guidelines**
- **City Works Guides**
- **Parklet Operating Guidelines**
- **Mobile Food Vending Guidelines**
- **Objects on Footpath Operating Guidelines**
- **Street Permit Operating Guidelines**
- **Media Production Operating Guidelines**
- **Street Parade and Marches Operating Guidelines**
- **Street Trading Operating Guidelines**
- **Badge Days Operating Guidelines**
- **Collection of Monies Operating Guidelines**
- Adelaide Design Manual
- City of Adelaide Disability Access and Inclusion Plan 2019-2022

- City of Adelaide Strategic Plan 2016-2020
- Health/Fitness Groups and Personal Trainers Application Information and Operating Guidelines
- Liquor Licencing Policy
- Live Music Action Plan 2017–2020
- Planning and Design Code
- Safer City Policy 2019-2023
- Smart Move Transport and Movement Strategy 2012-2022

Relevant legislation

- Australian Standards
- City of Adelaide Act 1998
- City of Adelaide By-Laws
- Disability Discrimination Act 1992
- Food Act 2001/ Food Safety Standards/ Food Regulations 2017
- Liquor Licensing (Liquor Review) Amendment Act 2017, The General Code of Practice & Late-Night Code of Practice
- Local Nuisance & Litter Control Act 2016/ Regs 2017
- Planning, Development and Infrastructure Act 2016
- Public Assemblies Act 1972
- Road Traffic Act 1961
- The Local Government Act 1999: Sec 200, 221, Sec 222

GLOSSARY

Throughout this document, the below terms have been used and are defined as:

Activity: *the state of action; doing.*

Business Purposes: as defined in the Local Government Act 1999: *for the purposes of this Act, land may be used for a business purpose even if it is not intended to make a profit.*

Object: *something that may be perceived by the senses, especially by sight or touch; a visible or tangible thing.*

Public Space: see Public Place as defined in the Local Government Act 1999: *means a place (including a place on private land) to which the public has access, but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996;*

Removable: *capable of being removed.*

Temporary: *any part of a day, for a period up to but not exceeding 5 years.*

ADMINISTRATIVE As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe.

This Policy document will be reviewed every 4 years unless legislative or operational change occurs beforehand. The next review is required in 2025.

Review history:

Trim Reference	Authorising Body	Date/ Decision ID	Description of Edits
ACC2022/19073	Council	8 February 2022 Decision ID 21553	Removing reference to the rescinded Adelaide Park Lands Event Management Plan and including reference to the Adelaide Events Guidelines
ACC2021/140217	Council	14 September 2021 Decision ID 21267	Add Parklet Operating Guidelines to Related Documents Update legislative references
ACC2019/176623	Council	10 March 2020/ Decision ID 20087	Policy creation adopted

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