

Requirements, Guidelines and Conditions

Street Activities – Performances and Announcements

The Burnie City Council may grant a permit for temporary use of a local street for conduct of performances and announcements, including busking, musical, artistic or dramatic entertainment, public announcements and provision of messages of a social, political, religious or environmental nature.

Any performance or public announcement conducted on a street within the Burnie municipal area must comply with the following requirements in accordance with the *Burnie City Council Highways By-law No. 3 of 2013*.

NB – This document is to be read in conjunction with the General Terms and Conditions.

General

- a. The maximum period for occupation shall be two consecutive calendar days in any six month period;
- b. Any business or resident likely to be immediately affected by the occupation must be advised not less than five (5) days prior to the occupation on the nature and duration of the activity and be provided with a contact number for enquiries in relation to the activity;

Location on a footpath

- c. The occupation must be located on the footpath and in a location where it will not hinder or unreasonably obstruct passage or create an inconvenience or risk to any person passing along the footpath or to and from any adjoining premises or facility, including an access to arcades and to designated pedestrian crossing points on a highway or to any car parking space.

In this regard not less than 1.8 m or 50% of the footpath width, whichever is the greater, must remain clear at all times for use of pedestrians and the total occupied area must not exceed 4 m²;

In locations where there is a formed footpath and the balance of the roadside inside the kerb-line is a grassed verge, then the occupation must be fully positioned within the grassed roadside only.

- d. Occupation will not be permitted within a bus stop, taxi rank or loading zone or within 12 m of a pedestrian crossing or an intersection; or within 0.5 m of a parking meter or ticket machine, public seating, waste bins, street tree, planter box; or over a fire hydrant, utility service pit, or inlet to a stormwater drain;
- e. Public seating, lamp poles and other street installations must not be used in conjunction with the approved occupation;

Risk Management

- f. Satisfactory measures must be taken to ensure the occupied area presents no risk or hazard to any person in the vicinity;
- g. Any equipment or structure associated with the occupation is to be set up and removed each day. Equipment and structures must not be fixed to the footpath or to any item of street furniture, and must be of sound condition and repair and suitable for the purpose;
- h. Signage within the occupied area must be limited to identification of the activity, the person or organisation conducting the activity, or the goods and services associated with the occupation;

Conduct

- i. The permit does not include the right to display banners or signs on any vehicle lawfully parked adjacent to the occupied site or at any location in the highway outside the designated area for occupation;

- j. Distribution of handbills, leaflets or brochures may be permitted subject to the activity being conducted from a stationary point by not more than one person;
- k. Soliciting or unwanted approach to members of the public is not permitted;
- l. No vehicle is to be driven onto or parked on the footpath for any purpose;

Particular requirements for Performances

- a. Volume of performance must be kept at a reasonable level. The amplification of musical and vocal performance is not permitted; and
- b. Performances must not contain any unseemly, obscene, degrading, discriminatory or inciting material, message or image.

Particular requirements relating to noise from a vehicle or premises

The Council will not permit the use of any amplifier, loud speak or loudhailer attached to a vehicle within a highway or to land or premises adjoining a highway for the broadcast of any performance or for the presentation of any announcement or message unless such announcement or broadcast is –

- a. In conjunction with an approved event or carnival;
- b. The announcement or message is not of a commercial or political nature; and
- c. The use of amplification is necessary to the effective conduct of the event or carnival; or
- d. The announcement or message is for the purpose of providing instruction necessary to the health and safety of the public.
- e. Amplified announcements and music emanating from any premises and audible from the highway must not constitute a nuisance or disrupt amenity of the locality; and
- f. Placement of speakers within the frontage of premises so as to project amplified announcements into the highway will not be permitted.

Any announcement or broadcast made in association with management of an emergency situation will not require a Permit.

A person seeking to conduct to make announcements or conduct a performance on a Council street must complete an *Application for Conduct of an Activity or Work within a Council Street*, and obtain a Permit from the Council prior to conduct of the activity.