


DEVELOPMENTAL SERVICES

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STREET PERMIT POLICY		

Policy Statement

It is the policy of the District Council of the Copper Coast to encourage the use of open space in a manner that caters for the competing needs and interests of all users of such space.

1. Introduction

Council encourages and supports activities in the Copper Coast that promote a sense of vibrancy and activation that does not have adverse impacts on local traders and residents. Street Permits covered by this Policy include:

- Busking
- Pamphlet distribution
- Pedestrian Advertising
- Preaching
- Park Lands occupation (excludes events)

These activities will be managed through the issuing of permits. Activities that provide a sense of entertainment and enjoyment are to be considered busking,

2. Applicable Legislation

- Local Government Act, 1999
- Council By-Laws

Lifestyle location of choice

3. Integration with Corporate Objectives

Cultural Objective – Opportunity

To promote community identity by supporting rich lifestyle experiences including arts, heritage, culture and leisure activities.

Social Objective – Wellbeing

To play a lead role in the development of a safe and orderly community for all residents.

4. Definitions

Abuse	improper usage or treatment of an entity, often to <u>unfairly</u> or <u>improperly</u> gain benefit.
Argue	Give reasons or cite evidence in support of an idea, action, or theory, typically with the aim of persuading others to share one's view.
Busker/s	An independent musician, actor or street performer or group of the same (up to 6 people) performing in a public place and may include the collection of money for the performance.
Fit and Proper Person	A person who has no relevant criminal history.
Pamphlet Distribution	The handing out of literature to give general information about a legal activity or product.
Park Land occupation	Using the Park Lands for any activity covered by this guideline
Pedestrian Advertising	The activity of carrying advertising generally slung over the shoulders in the form of a sandwich board.
Permit	Verbal or written permission given by a Council Officer to conduct an activity in accordance with the set conditions.
Preaching	To proclaim, advocate or inculcate asserted religious or moral truth and right conduct in speech or in writing
Prohibited locations	Locations where an activity is not permitted at any time due to specific issues.
Public Place	Any street corner, road, footpath or Park Land under the care of the District Council of the Copper Coast, but does not include private streets or private property.
Relevant Criminal History	Includes but is not limited to a criminal record of offences such as sex offences (including child sex offences), drug dealing and violent crimes (against person or property).
School Hours	8:30 am to 4:00 pm school days during school terms as dictated by the State Government.
Street Occupation	For the purpose of this guideline includes Park Lands occupation

lifestyle location of choice

5. Application

All applications for permits will need to be assessed to ensure that it meets the criteria outlined in these guidelines. All Permits will be assessed by the Events, Property & Projects Officer and/or Enforcement Officer for determination.

Permit holders are responsible for ensuring that they conduct their activity within the conditions as stated in these guidelines and on their permit.

Initial Street Permits must be applied for in person at the Council office located at 51 Taylor Street, Kadina with the following information:

- Personal Details such as name, address, phone number/email address.
- 1 x Photo identification (e.g. drivers licence, passport, student ID card) OR 2 x non-photo identification (e.g. Credit card, Medicare card).
- If under 16 years of age, written permission from a parent or guardian.
- Children under 16 years of age will only be permitted outside school hours and during daylight hours.
- Requests from school groups are welcome and will be assessed on merit.
- All permits (Daily or Monthly) require a minimum of two business days' notice unless otherwise indicated.

Subsequent applications can be made by email or on line for up to two years then an updated i.d will be required. Should there be a change in any circumstances including address, phone number or email address, District Council of the Copper Coast should be advised when making a subsequent application.

Length of permit, short term (Daily) or Long Term (Monthly)					
Permit type	Busking	Pamphlet Distribution	Pedestrian Advertising	Preaching	Park Lands Occupation
Daily Permit	✓	✓	✓	✓	✓
Monthly Permit	✓	✓	✓	✓	✓

Monthly fees will be the daily fee multiplied by a factor of 10 and all fees set each year by the Council through the Annual Budget Process and Fees and Charges document.



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PERMIT GENERAL CONDITIONS

Permit Holder MUST:

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- Be a fit and proper person.

 - Agree to indemnify and to keep indemnified the Council, its servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the issuing of the permit.

 - Carry a valid permit at the time of the performance/activity, display the permit in a prominent position and the activity must be consistent with the description on the permit.

 - Provide confirmation of insurance to the Council. Such policy shall bear the endorsement of the Insurer indicating the Insurer accepts the indemnity given by the permit holder.

 - Undertake the activity in the areas specified.

 - Undertake the activity during the times specified on the permit.

 - If between the ages of 12 and 16 years, supply written permission from a parent or guardian at the time of application. If under 12 years of age, be constantly supervised by a parent/guardian

 - If under 16 years of age undertake the activity outside school hours and only during daylight hours.

 - Not obstruct pedestrian flow, fire exits or undertake the activity in doorways, particularly in Commercial areas.

 - Not use street furniture to undertake the activity or damage any infrastructure.

 - Not undertake the activity for longer than 60 minutes per location, and cannot use a location more than once a day.

 - Not use Mechanical, electronic or other means of amplification (Busking excluded).

 - Cease immediately if directed to cease by an Authorised Officer of Council or Police Officer.

 - Cease activity immediately if a crowd of persons are congregating in the area preventing the free flow of pedestrian or vehicular traffic.

 - Treat members of the public with respect and not abuse or argue with any member of the public including Authorised Officers.

 - Not leave any equipment in a position that may cause a hazard to the general public.

 - Pick up any litter associated with the activity in the vicinity of the activity
-

lifestyle location of choice

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PERMIT SPECIFIC CONDITIONS - BUSKING

Permit Holder MUST:

- Maintain a minimum distance of 50 metres from any other busker, event or promotion
- Keep noise from amplification or percussion limited to where it can only be heard within metres and does not cause a nuisance to traders or residents

Busking Permit Holder MUST NOT

- Approach members of the public for the purpose of selling their goods, nor can they seek assistance of someone else to sell their goods.
- Use sharp objects or other dangerous instruments including knives, sword or chainsaws
- Use stockwhips or whips of any kind
- Use fire or any flammable liquid
- Play bagpipes
- Use paint, chalk or aerosol on any infrastructure including the floor
- Use a child or animal as part of the performance
- Advertise any product, service or sponsor
- Charge a specific fee for a performance
- Busk in a prohibited location

Busking Permit Holder MAY

- Supply for sale a small amount of approved original merchandise such as CD's or DVD's that directly relate to the artist performing and the busking performance

*Busking permits may be issued on day of application if all documentation is supplied
Failure to comply with these conditions or directions of an Authorised Officer or Police Officer
may result in the permit being revoked and/or an expiation being issued.*

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PERMIT SPECIFIC CONDITIONS - PAMPHLET DISTRIBUTION & PEDESTRIAN ADVERTISING

Permit holder MUST

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- Conduct the activity at the agreed location
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- Be related to either a significant State Event or an event in the City if event related
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Permit Holder MUST NOT

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- Place flyers or pamphlets on vehicles
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- Deposit flyers or pamphlets in letterboxes either public or private
-
- Use any table or other infrastructure to distribute the literature
-
- Use private property unless explicit permission has been obtained from the property owner
-

Failure to comply with these conditions or directions of an Authorised Officer or Police Officer may result in the permit being revoked and/or an expiation being issued.

PERMIT SPECIFIC CONDITIONS - PREACHING

Permit holder MUST

-
- Maintain a minimum distance of 5 metres from any Entrance to a Business, Public Building, Event, promotion or Stall Holder
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Permit Holder MUST NOT

-
- use an amplifier or other mechanical or electrical device for the purpose of broadcasting sound, or magnifying sound, to an audience
-
- erect, install or place or cause to be erected, installed or placed any structure, object or material of any kind where it might present a nuisance or danger to a person using the land or be of an unsightly nature
-
- obstruct or impede the free flow of pedestrian or vehicular traffic or otherwise prevent such thoroughfare
-

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- approach or single out for specific attention any member of the public or business
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- approach any children under the age of 18 years
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Failure to comply with these conditions or directions of an Authorised Officer or Police Officer may result in the permit being revoked and/or an expiation being issued.

PERMIT SPECIFIC CONDITIONS - PARK LANDS OCCUPATION

Permit Holder MUST:

- Pick up any litter associated with the activity in the vicinity of the activity
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Permit Holder MUST NOT

- Use fire or any flammable liquid
-
- Play bagpipes
-
- Use paint, chalk or aerosol on any infrastructure including the floor
-
- Advertise any product, service or sponsor
-

Failure to comply with these conditions or directions of an Authorised Officer or Police Officer may result in the permit being revoked and/or an expiation being issued.

6. Delegation

This procedure applies to persons with valid authorisation under the Local Government Act 1999 and Council By-Laws and associated administrative staff. Only Authorised Persons can enforce a breach of the By-Laws.

Authorised Officers under the Local Government Act will respond to and investigate complaints or reports of activities occurring outside the permit conditions.

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Any complaints received about Street Permit activities will serve as an indicator as to the effectiveness of this Policy and may result in the permit being revoked.

Officers are required to act reasonable and transparently, demonstrate good customer service, undertake their responsibilities in a proficient manner and use their judgement where necessary to ensure an outcome in line with Council's Enforcement Policy.

For further information regarding this Policy please contact the Director of Developmental Services.

7. Adoption and Review

Internal procedures will be monitored and reviewed regularly to ensure efficiency and customer satisfaction considering both the applicant and the public.

This Policy will be reviewed every two (2) years or as circumstances change to ensure relevance and effectiveness.

8. Availability of Policy

This Policy will be available for inspection without charge at the Council's Principal Office during normal business hours, and on Council's website.

A copy of this Policy may be obtained on payment of a nominated fee from Councils' principal office or may be down loaded from Councils' website.

Signed _____

Mayor

Date

Signed _____

Chief Executive Officer

lifestyle location of choice