

Note: Please retain this information for future reference.



Licences to perform in a Public Place are subject to the following conditions:

Access

Performers must not cause a nuisance or obstruction to any person using or in the vicinity of a public place.

Affected persons

Permission for the performance to proceed should be obtained from the occupier of any property immediately adjacent to the public place where the activity is to occur.

Noise

The use of amplifiers is not permitted unless their use has been approved in writing by an Authorised Officer. Noise levels from any performance must generally be such that when assessed from a distance of 20 meters, the noise levels are no greater than the surrounding ambient noise.

Occupation at the pleasure of Council

If in the opinion of an Authorised Officer, any group or individual undertaking a performance is causing or has caused a nuisance to any person using a public place or to any shop proprietor in the vicinity, the Authorised Officer may require the person performing to cease the activity or to move to another location of the Authorised Officers choosing.

Permission term and lapse

The permission to occupy a public place to undertake a performance will expire on the date stated on the permission. Upon expiry of the permission the performance must cease until a new permission has been granted. Permissions are not transferable and any new performer will need to make a fresh application.

Production of permission

The permission holder must produce the permission document when requested by an Authorised Officer. The permission holder or their representative on site must remain contactable by phone for the duration of the activity.

Fees

All fees prescribed in the Council Fees and Charges document for any activity described in clause 2.10.1 of this Bylaw must be paid to Council prior to commencement of the activity.

Public liability insurance

Council recommends that the occupier obtains public liability insurance. If the occupier is unsure if they should hold public liability insurance, they should seek professional advice from their lawyer.

If damage is caused to persons, private property or Council property (intentional or accidental) the occupier will not be covered by Council's insurance. This means that they could be liable to repay the cost of any damage or loss to Council, Council's insurers, or a third party that has suffered a loss as a result of the incident. Even if Council's insurance does cover an incident or damage, the Council insurers may still pursue the occupier for the cost of any damage or loss and any third party (or their insurers) may choose to do the same as well. Public liability insurance helps to reduce the risk to the occupier by providing cover for these types of situations.

