

APPLICATION FOR BUSKING PERMIT

TOWN OF GAWLER

Permit #: _____ / _____ / _____

I/We _____

(YOUR NAME – In case of group acts all group members must be identified above)

Of _____

(POSTAL ADDRESS)

Hereby apply to the Town of Gawler (Council) to use the Public road area outside:

(LOCATION)

For the purpose of Busking _____

(TYPE OF ENTERTAINMENT)

Pursuant to Section 222 of the Local Government Act 1999 and the By-Laws of Council.

Busking Permits are issued for a 12 month period (subject to compliance with all terms and conditions).

Please indicate if you intend to busk: DAILY ; WEEKLY ; MONTHLY ; OTHER

If OTHER, please specify details: _____

1.0 THE ISSUING OF THIS APPROVAL IS SUBJECT TO:

- 1.1 The Applicant agreeing to the General Conditions of Approval as contained here.
- 1.2 The Applicant agreeing to all Special Conditions that the Council may determine and attach to this approval.
- 1.3 The Applicant agreeing that the Busking Permit may be revoked or modified at the discretion of the Chief Executive Officer or if a Busker breaches any law, any requirement of the Busking Policy or a condition of the Busking Permit.
- 1.4 The Applicant pays the required fee.
- 1.5 The Applicant understanding the provision of By-Law 1 allows the Council to attach conditions to a permit, to vary revoke such a condition and to impose new conditions, all by giving notice in writing to the permit holder.
- 1.6 The applicant agreeing that Council may cancel the Approval at any time by written notice to the Applicant with no remedy, redress or compensation available from the Council.

2.0 GENERAL CONDITIONS OF APPROVAL:

The Applicant further agrees:

2.1 Public Liability Insurance

- a) The Town Of Gawler will provide Public Liability Insurance to a maximum of 15 current Busking Permit Holders.
- b) Once there are 15 current permits in place, applicants over and above this amount will need to provide their own Public Liability Insurance to the value of 10 million dollars (\$10,000,000). The Public Liability insurance must cover for injury, loss or damage to persons or property arising out of the activity carried out under this Permit or the granting of this Permit by Council.

2.2 Standards

- a) During the period in which this Permit is current the Permit Holder must comply with any applicable industry or health and safety standards in relation to the use of the Area. The Permit Holder must ensure that the activity permitted to be carried out by this Permit is conducted in a safe and responsible manner.

2.3 Permit Not Transferable

- a) This Permit is not transferable to any other party, person or organisation without the written permission of Council.

2.4 Compliance with Statutory Requirements

- a) The Permit Holder must comply with any Act of Parliament, regulation or by-law relating to the use of the Area.
- b) Wherever there is any cost involved in complying with the preceding requirement, the Permit Holder will be responsible for payment of those costs.
- c) Wherever there is any cost involved in complying with the preceding requirement, the Permit Holder will be responsible for payment of those costs.

2.5 Notification of Damage

- a) The Permit Holder must take all reasonable precautions to avoid damage to the Area and any improvements and structures located in the Area. The Permit Holder must immediately notify the Council of damage to the Area or any Council owned property located within or adjacent to the Area;
- b) The Permit Holder will be responsible to reimburse the Council for all its reasonable costs to repair or rectify any damage caused as a result of the Permit Holder's use or misuse of the Area.

2.6 Alterations

- a) The Permit Holder may not alter or remove any of the existing fixtures or fittings within the Area nor install any structures or items within or adjacent to the Area without the Council's prior approval.

2.7 Execution of Permit

- a) This Permit will not be effective until the Permit Holder has received a copy of the Permit signed by the Council.

2.8 Contractual Rights Only

- a) This Permit does not confer on the Permit Holder any exclusive right, entitlement or interest in the Public road and does not derogate from the Council's power arising under the Local Government Act 1999.

2.9 Interpretation

- a) In this Permit reference to:
 - “the Council” includes its members, employees and agents;
 - “the Permit Holder” includes its members, employees and agents.

3.0 SPECIAL CONDITIONS FOR A BUSKING PERMIT

The Applicant further agrees that the following terms and conditions apply to a Busking Permit within the Town Of Gawler.

The permit holder shall:

- 3.1** Read and comply with the Town Of Gawler Busking Policy
- 3.2** Provide Council with a Current valid Police check
- 3.3** Display current permit at all times when busking
- 3.4** Not hinder public traffic flow and provide footpath space for unhindered pedestrian traffic flows, including wheelchairs and prams. Not perform in doorways or fire exits and not incorporate street furniture as part of their performance.
- 3.5** Should not interfere with pedestrian traffic, the conduct of business, contribute to a lack of safety or disturb public amenity.
- 3.6** Hours of operation times within the Town Of Gawler Local Government Area
 - Monday - Thursday: 9:00 am – 10:00 pm
 - Friday - Saturday: 9:00 am – 12:00 midnight
 - Sunday: 9:00 am – 10:00 pm
- 3.7** In the case of group acts the Applicant agrees to ensure act members read, understand and comply with the Town Of Gawler Busking Policy and this approval if so granted.
- 3.8** Ensure amplification is restricted to the use of acoustic instruments and must not exceed ambient noise levels, exception of percussion or wind instruments in which case no amplification is permissible.
- 3.9** Not advertise any third party product or event or associate such advertising with a performance.
- 3.10** Not use children or any other person(s) not being a current permit holder in conjunction with any performance.

- 3.11 Not harangue, argue with, abuse or cause discomfort to others.
- 3.12 Not transfer the permit to any other person.
- 3.13 Not use any sharp objects or other dangerous instruments including knives, swords or chainsaws, stock whips, fire, flammable liquids and any other equipment that may create a hazard to public safety.
- 3.14 Not cause damage to public property including painting or drawing on footpaths.
- 3.15 Ensure children under 16 years of age only perform outside of school hours (8.30am to 4pm) and during daylight hours.
- 3.16 Ensure children under 12 years of age are constantly supervised by a Parent or Guardian during the performance.
- 3.17 _____
- 3.18 _____
- 3.19 _____
- 3.20 _____

I ACKNOWLEDGE THAT I HAVE READ, UNDERSTOOD AND AGREE TO BE BOUND BY THE POINTS 1 TO 6 AND ALL OF THE GENERAL AND SPECIAL CONDITIONS OF THE APPROVAL, AND HEREBY DECLARE THAT THE PARTICULARS PROVIDED BY ME WITH REGARD TO THE PURPOSE/ACTIVITY ARE TRUE AND ACCURATE.

Dated the _____ Day of _____ 20_____

Signed by or on behalf of the Applicant/s _____

Name (print full name) _____

Address _____

Telephone (home/office) _____ (mobile) _____

E-Mail _____ Fax _____

THIS SECTION FOR OFFICE USE ONLY

Permit (tick) Approved Not Approved

Special Conditions attached: Yes or No (if no, reason _____)

Details entered into Busking Register: Yes or No (if no, reason _____)

Name of Authorised Officer of Council _____

Position: _____

Signature: _____ Date: _____ / _____ / 20_____