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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| GSC LOGO as of August 2016 | | | | | | 3.000239  **COMMUNITY AMENITY**  **Local Law No. 1**  **PART 7 CLAUSE 52**  **APPLICATION FOR PERMIT** | | | | | | | | | | |
| Organisation or permit holder name | | | | | | | |  | | | | | | | | |
| Responsible person  (if permit holder is an organisation) | | | | | | | |  | | | | | | | | |
| Position in organisation | | | | | | | |  | | | | | | | | |
| Postal address | | | | | | | |  | | | | | | | | |
| Residential address | | | | | | | |  | | | | | | | | |
| Telephone | | |  | | | | | | |  | | Email | | | |  |
|  | | | | | | | | | | | | | | | | |
| I, |  | | | | on behalf of | | | |  | | | | | | | |
|  | (Name) | | | |  | | | | (Organisation or permit holder name) | | | | | | | |
| wish to apply for a **Busking and Performing** permit  Please note - a busking permit is **not** required for short-term outdoor community events on Council land, although a permit may be required under Clause 76 - Use of Municipal Reserve. | | | | | | | | | | | | | | | | |
| Hours of operation | | | |  | | | | | | | | | | | | |
| Days of operation | | | |  | | | | | | | | | | | | |
|  | | | | (please attach separate document if insufficient space and write ‘as per attached document’) | | | | | | | | | | | | |
| Location | | | |  | | | | | | | | | | | | |
|  | | | | | | | | | | | | |  | | | |
| **2019/2020 Fees & Charges** | | | | | | | | | | |  | | | 🖎 | | |
| Permit Fee - Busking / Performing | | | | | | | $ 110.00 | | | |  | | | (Signed by applicant) | | |
|  | | | | | | |  | | | |  | | |  | | |
|  | | | | | | |  | | | |  | | | (Print name) | | |
|  | | | | | | |  | | | |  | | |  | | |
|  | | | | | | |  | | | |  | | | (Date) | | |
|  | | | | | | | | | | |  | | |  | | |
| Date Paid | | |  | | | | | | | |  | | | **CHECKLIST** | | |
| Receipt No: | | |  | | | | | | | |  | | |  | Application completed & signed | |
|  | | | | |  | | | | | | | | |  | Payment included | |
|  | | | | | | | | | | | | | |  | **Insurance – copy of current Certificate of Currency (to the value of no less than $10 million) attached** | |
|  | | | | | | | | | | | | | |  |  | |
| **Customer Service Use Only** | | | | | | | | | | | | | |  |  | |
| Permit Fee | | Local Law - Permit Fees | | | | | | | | | | | | | | |
| **Please date stamp and send completed form and copy of receipt to Records for registration.** | | | | | | | | | | | | | | | | |

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| **FORM OF INDEMNITY** This section to be completed by the Permit Holder or their authorised representative | | | | | | | | | | |
| I |  | | | | | | | (Name of person) | | |
| of |  | | | | | | | (Address of person) | | |
| in the State of Victoria, holding the position of | | | | | | | | | | |
|  | | | | | | (Role or position in business) | | | | |
| in the business named | |  | | | | | | | | (Business name) |
| with ABN or ACN | |  | | | (Australian Business or Company Number) | | | | | |
| of |  | | | | | | | | (Business address) | |
| for which business I am duly authorised to sign this indemnity, in consideration of the Permit for | | | | | | | | | | |
|  | | | | | | | (the nature of the permit) | | | |
| on the Footpath or Road, being granted to | | | | | | | | | | |
|  | | | | | | | | | | |
| (Name of the person or Incorporated Business Name on the permit) | | | | | | | | | | |
| (referred to as “the Permit Holder”) HEREBY COVENANTS with GANNAWARRA SHIRE COUNCIL (hereinafter referred to as “the Council”) that unless caused by a breach of statutory duty or common law by the Gannawarra Shire Council or any of its officers, agents, employees or contractors, the Permit Holder agrees to indemnify the Council and keep the Council indemnified from and against all and any damage, loss, cost or liability incurred or suffered by any person as a result of the Permit Holder’s failure to comply with any conditions of the Permit granted by the Council, or any other failure to comply with any relevant law, lawful duty or obligation giving rise to any damage, loss, cost or liability incurred or suffered by any person as a result of or in any way associated with the exercise of this Permit. | | | | | | | | | | |
| **SIGNED SEALED AND DELIVERED by** | | | | | | | | | | |
|  | | |  | 🖎 | | | | | | |
| (Print Name) | | |  | (Signature) | | | | | | |
|  | | |  |  | | | | | | |
| (Print Position) | | |  | (Date) | | | | | | |
|  | | | | | | | | | | |
| **in Victoria in the presence of:** | | |  | | | | | | | |
|  | | |  | 🖎 | | | | | | |
| (Print Witness Name) | | |  | (Witness signature) | | | | | | |
|  | | |  |  | | | | | | |
|  | | |  | (Date) | | | | | | |
|  | | | | | | | | | | |
| Completed forms and payment can be returned in person to  49 Victoria Street Kerang or 23 King Edward Street Cohuna  or by mailing to Gannawarra Shire Council • PO Box 287 • Kerang Victoria, 3579  • Phone 5450 9333 • | | | | | | | | | | |

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| **Community Amenity Local Law No.1**  Part 7 - BUSINESS AND BUILDERS  BUSINESS 52. ROADSIDE TRADING, BUSKING AND PERFORMINGA Person must not, without a Permit, erect or place on any Road or Council Land a Vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services. Penalty: 20 Penalty Units A Person, must not, without a Permit, on any Road or Council Land Busk or perform to the public, or play any musical instrument or use any sound amplification equipment. Penalty: 5 Penalty Units Sub-clauses (1) and (2) do not include short-term outdoor community events on Council Land, although such events may be subject to a Permit under Clause 76 of this Local Law.Sub-clause (2) does not apply to any sounds within a motor vehicle which cannot be heard outside that motor vehicle or any sound or noise conveyed through any headphones which sound or noise is not audible to a Person other than the wearer of the headphones. *Guidelines for roadside trading, performing or busking, as determined by the Council from time to time, are incorporated in Schedule 1 to this Local Law.*  Part 11 - SCHEDULE 1: DISCRETION GUIDELINES 52. ROADSIDE TRADING OR PERFORMING *These Guidelines as determined by Council from time to time are incorporated in this local law for determining whether to grant a permit for Roadside Trading or Performing (busking).*  In determining whether to grant a Permit to allow trading or performing from a Road or to a person on a Road, an Authorised or Delegated Officer must have regard to:   1. whether the safety of Road users or the passage of Vehicles will be affected by the placement or performance; 2. and:   (a) whether Permits required by *Public Health and Wellbeing Act 2008*, *Food Act 1984* or any other legislation have been obtained;   1. whether the activity will disturb, annoy or disrupt adjacent property owners or occupiers; 2. whether the activity will be detrimental to the amenity of the area; 3. the nature and duration of any performance and whether it should be time limited; 4. whether an alternative performance location can be identified to reduce any annoyance or disruption to property owners or occupiers or other persons lawfully using the area; 5. whether audience attracted by a performance may cause traffic, pedestrian or trader disruption; 6. whether other performers will be unfairly impacted or excluded by the location or duration of any permit; 7. whether appropriate arrangements can be made for:   - waste water disposal; - litter and garbage; - lighting; and - advertising signs;   1. whether the consent of Vic Roads has been obtained where the road is an arterial or Vic Roads controlled road*;* 2. whether any indemnity/guarantee has been provided to the Council; 3. whether the activity will be detrimental to local businesses in the vicinity; and 4. any other matter the Authorised or Delegated Officer reasonably believes is relevant to the application. |
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| PRIVACY NOTIFICATION  Please note: Council collects your personal information for the purposes of processing your application for a permit. If you have any questions, concerns or complaints regarding privacy, please write to: Information Privacy Officer, Gannawarra Shire Council, PO Box 287, KERANG 3579. For a copy of Council's Privacy Policy please contact Council’s Customer Service or email [**council@gannawarra.vic.gov.au**](mailto:council@gannawarra.vic.gov.au) |