

Street Performing Application Form

Privacy Notice: Council is collecting the personal information you supply on this form for the purpose of processing your application. Council is authorised to do this under the *Rockhampton Regional Council Local Law No. 1 (Administration) 2011*, specifically *Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011*. Council deals with personal information in accordance with law, including the *Information Privacy Act 2009*.



This form is to be completed when applying for approval to street perform within the Rockhampton Region. Approvals will be issued for three months, after which a new application will be required. Please refer to the Street Performing Factsheet for further information.

P: 07 4932 9000 | E: enquiries@rrc.qld.gov.au | W: rockhamptonregion.qld.gov.au | PO Box 1860, Rockhampton 4700 | ABN: 59 923 523 766

Applicant Details		
Applicant name: <i>(if partnership or company)</i>		ABN:
Applicant name: <i>(if individual)</i>		
First	Middle	Last
Date of birth:		
Trading name:		
Contact number/s:	Email:	
Preferred delivery method: <input type="checkbox"/> Email <input type="checkbox"/> Post <input type="checkbox"/> Collect – Rockhampton, Gracemere, Mount Morgan <i>Email is the standard form of delivery. If this method is unsuitable, please select an alternative.</i>		
Residential Address		
Street number and name:		
Suburb:	State:	Postcode:
Postal address <i>(if different)</i> :		
Activity Details		
Site Address <i>(performing location)</i>		
Street number and name:		
Suburb:	State:	Postcode:
Please provide a description of the performance, including any props or equipment to be used and the businesses adjacent to the operation of the activity:		

OFFICE USE ONLY	Date:	CSO:	Information checked: Y / N	Application number:
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Will you be offering for sale any articles or commodities? Yes No

If yes, please provide details: *(for example CD, artworks)*

Will you be using any form of amplification? Yes No

If yes, please provide details:

Proposed cessation date:

(maximum time granted for an approval is three months)

Proposed days and times of operation:

Method of waste disposal:

Occupier's Consent

Street performing is not permitted within 10 metres of premises which incorporate a footpath dining facility, or licensed premises during their business hours or during the business hours of any business premises, unless written consent of the person responsible for the operation of the premises is obtained.

Occupier's name:

First

Middle

Last

Trading name:

Preferred contact number:

Email:

Trading Address

Street number and name:

Suburb:

State:

Postcode:

Supporting Documentation

Please remember to provide the following supporting documentation when submitting this form:

- Proof of identification – this can be a valid passport, birth certificate, drivers licence, Proof of Age card or Student ID. *(Any application made by a person under the age of 18 years must be accompanied by written permission from a parent and/or legal guardian).*
- Written statement/s of occupier's consent declaring that they support the operation of the activity on the land abutting/adjacent to the property.
- For hazardous/high risk activities (for example, use of fire, pyrotechnics and the like) – A copy of each policy of insurance of the applicant which is applicable to the undertaking of the activity including, without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$20 million.

Standard Conditions of Approval

The Approval Holder must –

- (a) Limit the activities authorised by the approval to the Approved Location/Area; and
- (b) Limit the activities authorised by the approval to the specified days and times contained within the Term of Approval; and
- (c) Limit the duration of each street performance to no more than 45 minutes per set and ensure a minimum interval of 15 minutes between sets, and
- (d) Not undertake the prescribed activity in front of premises which are used for the undertaking of a business activity during the business hours of the premises, or within 10 meters of premises which incorporate a footpath dining facility, or licensed premises during business hours of the premises, except with the prior written consent of the person responsible for the operation of the premises; and
- (e) Ensure that the undertaking of the prescribed activity does not cause undue obstruction to pedestrian or vehicular traffic, for example, by obstructing pedestrian or vehicular traffic at the entrance to a shop or building; and
- (f) Remove specified goods or materials, and any structure/s, which are used for the purposes of the undertaking of the prescribed activity at a specified time, or after a specified period, for example, daily; and
- (g) In the undertaking of the prescribed activity — not use any device or thing as a means of amplification of the street performing, with the exception of those stated within the Application Form, without the prior written consent of the local government; and
- (h) If the local government has granted an approval in respect of the undertaking of a specific event or activity on a local government controlled area or road, for example, a street festival — not undertake the prescribed activity for the duration of the event or activity in the vicinity of the place at which the event or activity is being undertaken, without the prior written consent of the local government; and
- (i) With the exception of goods/services stated within the Application Form, not sell, or offer or expose for sale, any goods or services which are directly or indirectly related to the undertaking of the prescribed activity unless authorised under the conditions of an approval for a prescribed activity; and
- (j) Produce the approval for inspection on demand by an authorised person; and
- (k) Take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval including, where relevant, the supervision of applicants under 16 years of age or ensuring the applicant has in their possession a signed authority by the declared parent/legal guardian indicating an approved supervisor of at least 16 years of age; and
- (l) Indemnify Rockhampton Regional Council and its officers, employees, members, agents and contractors from and against all actions, suits, proceedings, claims or losses arising out of or in any way connected to or resulting from the Prescribed Activity carried out under this approval. For clarity, if the Approval Holder meets requirements and conditions of Council and Council's Entertainment Liability Policy, this indemnity does not preclude the Applicant from claiming under that policy; and
- (m) Take out and maintain insurance against personal injury and property damage resulting from the activity authorised by the approval; and
- (n) Take specified measures to ensure that the activities authorised by the Approval do not cause environmental harm or environmental nuisance; and
- (o) Submit the undertaking of the activity for inspection by an authorised person; and
- (p) Limit the undertaking of the prescribed activity so that it does not —
 - (i) Create a traffic nuisance; or
 - (ii) Increase an existing traffic nuisance; or
 - (iii) Detrimentially affect the efficiency of the road network in which the activity is undertaken; and
- (q) Ensure that the undertaking of the prescribed activity does not create a safety risk; and
- (r) At all times keep and maintain all equipment used in the undertaking of the prescribed activity —
 - (i) In good working order and condition; and
 - (ii) In a clean and sanitary condition; and
- (s) Comply with directions issued by Council's authorised persons and other state government authorised persons (including but not limited to Queensland Fire and Emergency Services (QFES)).

Declaration and Indemnity

In consideration of Council granting the approval of this Application, the Applicant:

1. Submits this form with the relevant supporting documentation as required;
2. Declares that the details are correct to the best of their ability;
3. Accepts that by proceeding with the activity the Applicant will be taken to have agreed to the Standard and Non-Standard Conditions of Approval; and
4. Agrees to indemnify Rockhampton Regional Council and its officers, employees, members, agents and contractors from and against all actions, suits, proceedings, claims or losses arising out of or in any way connected to or resulting from the activity carried out under this approval. For clarity, if the Applicant meets the requirements and conditions of Council and Council's Entertainment Liability Policy, this indemnity does not preclude the Applicant from claiming under that Policy (not available for hazardous/high risk activities).

Applicant name:

Applicant signature:

Date:

Signatory name:

(if partnership or company)

Signatory position:

(if partnership or company)

Declaration by Parent and/or Legal Guardian of Applicant Under 18

Parent/legal guardian name:

Contact number/s:

Email:

Residential Address *(if different to applicant)*

Street number and name:

Suburb:

State:

Postcode:

I declare that the information provided on this form is true and correct and I am the parent and/or legal guardian of the applicant.

I understand that:

- Rockhampton Regional Council does not provide supervision of street performers.
- For applicants under 16, I must accompany the applicant at all times while they are street performing, or ensure they have in their possession a signed authority by myself indicating an approved supervisor of at least 16 years of age.
- I acknowledge, confirm, agree and accept Items 1-4 within the **Declaration and Indemnity** section above.

Name:

Signature:

Date:

Fees and Charges

For a full list of fees and charges please refer to Council's [Fees and Charges Schedule](#).

Payment Information

In person | You can pay at Council's Customer Service Centres: 232 Bolsover Street, Rockhampton; 32 Hall Street, Mount Morgan; 1 Ranger Street, Gracemere.

By phone | Customer Service staff will contact you regarding payment via credit card or debit once this form is received.

By post | Make your cheques/money order payable to 'Rockhampton Regional Council' and send to PO Box 1860, Rockhampton, Queensland, 4700.

STREET PERFORMING



Rockhampton Regional Council has introduced an incentive program to encourage street performing in the Rockhampton CBD and other centres to add vibrancy and promote arts and culture within our community.

As of 1 January 2017, all street performing application fees are free.

WHAT IS STREET PERFORMING?

Street performing is a musical, theatrical or other type of performance undertaken by a person:

- (a) To entertain the public; and
- (b) Seeking voluntary reward for the performance.

Street performing may include dancing, singing, miming, puppetry, playing an instrument, reciting a story or poetry, or doing other acts of a similar nature.

APPROVAL PERIOD AND FEES

Three month approvals will be issued, after which a new application will be required to be submitted. As of 1 January 2017, there are no application fees associated with your street performing application.

WHEN CAN I STREET PERFORM & FOR HOW LONG?

Street performing is permitted between the hours of:

- (a) 8.00am to 9.00pm Sunday to Thursday; and
- (b) 8.00am to 12.00am Friday and Saturday.

The duration of performances must not exceed 45 minutes per set and there must be a minimum interval of 15 minutes between sets.

WHERE CAN I STREET PERFORM?

Street performing is permitted in the following areas:

- Rockhampton central business district, bounded by the Fitzroy River; Albert, Stanley and Denison Streets;
- Conaghan Park, 5 Lawrie Street, Gracemere; and
- Morgan Street, between Central and East Streets, Mount Morgan.

WHERE CAN'T I STREET PERFORM?

Approvals will not be granted where street performing intends on being undertaken in a residential zone or for a location where Council deems unsuitable.

Street performing is not permitted within 10 metres of premises which incorporate a footpath dining facility, or licensed premises during their business hours or during the business hours of any business premises, unless otherwise supported and approved by operator of the business and Council.



UNDER 16?

Street performers who are under 16 must be accompanied by a parent/legal guardian/approved supervisor while street performing.

PUBLIC LIABILITY INSURANCE

Council holds an Uninsured Performers Public Liability policy which provides approval holders cover for approved activities within the Rockhampton Regional Council Local Government Area.

The insurance is subject to terms, conditions, excesses and exclusions as detailed in the policy wording, which can be accessed upon request.

Approval holders are only covered by Council purchased insurance when the approval holder:

- (a) Does not have a current Public Liability policy for the activity they are undertaking;
- (b) Holds a valid approval issued by Rockhampton Regional Council;
- (c) Is operating within the Rockhampton Regional Council Local Government controlled areas and roads; and
- (d) Has followed the conditions set out in the approval.

The policy is limited to \$20 million for any one loss, in the event of a claim the approval holder (or parent/legal guardian) is responsible for lodging the claim and payment of the excess being \$1,000 each and every loss.

HOW TO APPLY FOR APPROVAL?

To apply for a street performing approval, you will simply need to submit a completed Street Performing Application Form with supporting documentation. Applications will be approved at the time of lodgement should there be no further information required.

Street performers under the age of 18 require written consent from a parent or legal guardian at the time of application.

An application form can be obtained from one of Council's Customer Service Centres, downloaded from Council's website or by phoning 4932 9000.

GENERAL REQUIREMENTS

Street performers should take the following requirements into consideration prior to making an application:

- Take measures to protect the safety of persons who may be involved in, or affected by, the activity.
- The activity must not:
 - (a) Cause a nuisance;
 - (b) Create a traffic nuisance;
 - (c) Increase an existing traffic nuisance;
 - (d) Detrimentally affect the efficiency of the road network;
 - (e) Detrimentally affect the amenity of the neighbourhood;
 - (f) Cause undue obstruction to pedestrian or vehicular traffic, for example by obstructing pedestrian or vehicle access at the entrance to a shop; or
 - (g) Create a road safety risk.
- All equipment used in the operation of the prescribed activity must be in good working order and condition; and be in a clean and sanitary condition.
- The direct collection or soliciting for donations is not permitted.
- Authorised Council Officers are empowered under *Local Law No. 1 (Administration) 2011* to amend/suspend/cancel an approval where necessary (for example, if the applicant has failed to comply with the conditions of the approval).

