

POLICY DOCUMENT

2.63.8

Policy Name	Busking
Policy No.	2.63.8
Version:	2
Strategic Reference:	A regional centre for arts, culture and local heritage; Develop and implement an Arts & Culture Strategy
Responsible Department:	Corporate & Community
Policy Adopted:	15 March 2021
Last revised date:	17 June 2019
Minute reference:	CO 21/054
Next review date:	Council will endeavour to review this Policy 4 years after adopted date or following significant change to legislation or where required by relevant public policy considerations.
Applicable Legislation:	Local Government Act 1999
Related Policies:	
Related Documents:	Local Government Land By-law No 4

1. PURPOSE

The purpose of this policy is to encourage activities that provide vibrancy and bring life to public areas and to allow opportunities for public performances. It is intended that the operating guidelines contained in this policy will help to minimise complaints, criticism and other problems associated with buskers operating in the City of Port Lincoln.

The City of Port Lincoln recognises that buskers contribute to a sense of place and provide entertainment to tourists and members of the general public.

Busking is recognised as a valid means for people to make a living. Buskers play a significant role in the cultural life of an area by reflecting the various styles, values and cultures of the community. However, busking should not interfere with pedestrian traffic, the conduct of business or impact negatively on public safety.

2. SCOPE

For the purpose of this policy, a busker refers to anyone who performs music or other entertainment in the street or another public place. This may include activities such as playing a musical instrument, singing, reciting, conjuring, juggling, puppetry, miming and/or dancing. Busking also includes the activity of drawing a picture or representation on a paper or canvas surface.

3. **POLICY STATEMENT**

- 3.1. Anyone wishing to busk within the City of Port Lincoln must obtain a valid busking permit from Council.
- 3.2. All applicants must apply for a busking permit in writing and acknowledge and agree to comply with the terms and conditions of this Policy, unless otherwise varied by the busking permit.
- 3.3. All applicants must provide the following basic information to Council:
 - Full Name
 - Residential Address
 - Postal Address
 - Contact Phone Number
 - Photo Identification (drivers licence, passport, student ID card)
 - Description of Performance
 - Any other information required by Council.
- 3.4. If the applicant is under the age of 18 years, consent forms are required to be signed by applicants' parents or guardians.
- 3.5. Buskers must hold and have available a busking permit when busking at all times.
- 3.6. Busking permits will be issued as weekly, monthly or annual permits. Permits are not transferrable or refundable.
- 3.7. The cost associated with applying for a busking permit is nominated in Council's fees and charges schedule.
- 3.8. Buskers should only perform for a continuous maximum period of 30 minutes followed by a 10 minute break (maximum of 2 hours stationed in any one location).
- 3.9. For courtesy, Council requests buskers hold a repertoire that would enable them to perform for at least 30 minutes without repeating a performance.
- 3.10. Buskers must keep the site being utilised in a clean and tidy manner while they are busking and ensure that their use of the site does not pose a threat to public safety.
- 3.11. Buskers must not interfere with pedestrian flow or cause obstruction to traders or delivery vehicles, including by way of encouraging audience formation in such a manner as to cause such interference. A minimum two (2) metre pedestrian clearway must be maintained to ensure pedestrians are not adversely obstructed.
- 3.12. Buskers may receive voluntary donations from the audience but may not solicit funds.
- 3.13. Buskers must not offer goods and services for sale, display, demonstrate or advertise goods for sale or associate themselves with such advertising in conjunction with their performance without Council permit approval.
- 3.14. Buskers must ensure a distance of no less than 50 metres is kept between other buskers/performers at all times.
- 3.15. Busking is not permitted within 20 metres of outdoor dining facilities or Licensed venues during operational hours unless specific invitation or permission has been supplied by management of the business.

- 3.16. Council's Authorised Officers are able to revoke permits if the holder is causing public inconvenience, likely to cause harm to public property, or in breach of this Policy.
- 3.17. Busking is not permitted in relation to special events unless busking forms part of that event or specific invitation is granted by Council.

4. **RELEVANT DELEGATED POWERS AND DUTIES**

Any actions or decisions made regarding this policy, will be taken in compliance with Council's current Delegations Register.