

# **Busking Policy 2020**

## **POL029**



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**Policy No:** POL029  
**Policy Title:** Busking Policy  
**Section Responsible:** Corporate and Community Services  
**Minute No:** 20/237  
**Doc ID:** 8344

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## **1. PURPOSE**

- To encourage performers and events which contribute to the cultural life of Narrandera Shire.
- To provide alternative performance options to performers.
- To provide a platform for community expression.
- To identify and qualify locations suitable as busking sites.
- To manage busking within the Narrandera local government area.

## **2. CRITERIA**

- This policy applies to any person or group performing in a public space in the Narrandera Shire local government area.
- Busking is only permitted in East St Narrandera precinct, outside the Narrandera Railway Station, outside the Visitor Information Centre, village centres of Barellan and Grong Grong, all Council Parks and Gardens and all Council sporting and cultural facilities. The East St and VIC precincts are defined on a map within the busking application form (see attachment 1).

## **3. PROVISIONS**

### **3.1 REQUIREMENTS**

- Applications for permit/s allowing busking in the Narrandera Shire Council designated areas must be sought through the Narrandera Shire Council. Buskers must hold their authorised permit on their person, to be shown at the request of Narrandera Council Rangers/Officers.
- Council reserves the right to cancel a permit should BUSKERS not comply with this policy.
- Applicants for busking permit/s do not have to pay a fee.
- Non-Profit Performers must still apply for a permit.

- Children under 18 years old must still apply for a permit. Proof of parental consent must be provided for applicants under the age of 18 years.
- For the purposes of identification applicants are required to present proof of identity in one of the following forms at the time of application before a Busking Permit will be issued:
  - o A student identity/proof of age card.
  - o A current passport with photo.
  - o A credit card with signature.
  - o Current photo driver's licence.
- Buskers must remain in their hired area or areas as determined on issue of a permit.
- Buskers must display or have on their person their permit.
- Buskers must not solicit funds. Buskers can accept volunteered monetary appreciations.
- Permits are not transferable.
- Buskers must carry out directions issued by NSW Police force, Ambulance, Fire and any other Emergency Services or Narrandera Shire Council Rangers/Officer.
- Narrandera Shire Council Rangers and Officers may at any time request Buskers to immediately terminate their performance if the Ranger/Officer deems the act as too loud, offensive, dangerous or as causing harm to private or public property or for any other reason found to be a breach of the law.
- Buskers must not unreasonably restrict or cause obstruction to pedestrian flow or entrances to shops or buildings. An unobstructed corridor with a minimum width of 1.2 metres must be maintained.
- Buskers must make sure their site does not pose a threat to public safety.
- Buskers must keep their designated site clean while performing and at the time of departure the site must be clean.
- Buskers must not use dangerous implements or materials as part of their performance.
- Buskers must not perform longer than three (3) hours at any one hired area without the permission of Narrandera Shire Council.
- Busking may only be conducted within the business hours operating in the precinct approved in the permit.
- Buskers must not sell or make offers for sale of any commodity without the permission of Narrandera Shire Council.
- Buskers must not advertise or be seen to be endorsing any product of any kind in conjunction with their performance without the permission of Narrandera Shire Council.
- Display structures must not be used i.e. A-frames.
- Buskers must not use mains voltage amplification without the permission of Narrandera Shire Council. Buskers may use battery-operated amplification without the permission of Narrandera Shire Council

- By signing the Hiring Application/Permit for Hired Busking Area in Narrandera Shire Council applicants must agree to comply with conditions laid out in the Narrandera Shire Council's Busking Policy
- Buskers must make themselves aware of and comply with Orders made regarding public health and gatherings.

### 3.2 INSURANCE

- Buskers who hold public liability insurance with a minimum cover of \$20 million must provide council a certificate of currency for that policy as evidence of cover.
- For applicants not holding insurance an application may be lodged for cover through council's Local Community Insurance Scheme (LCIS). The application fee will be as prescribed annually in council's Fees & Charges.

## 4. DEFINITIONS

- **Busker:** A person carrying out an act/performance to be seen by the general public. The act may be arranged or impromptu performances including the playing of a musical instrument, dancing, singing, clowning, or juggling, or doing other acts of a similar nature in public. Buskers may or may not accept volunteered monetary appreciations.
- **Performance:** Musical, dramatic, or other entertainment involving musical, theatrical, or circus performance skills.
- **Non-profit performer:** A person performing an act/performance to be seen by the general public but who or which does not accept volunteered monetary appreciations is still a Busker.
- **Soliciting funds:** The act of asking, begging, seeking or requesting money or goods from members of the public.
- **Dangerous materials and implements:** Materials and implements that pose a risk, or uncertain outcomes for people. This includes material:
  - o That gives off any kind of heat or toxicity. Dangerous materials include flammable materials and chemicals, fireworks, smoke, flairs, heated elements. Dangerous implements include knives, spears, swords, spikes, sharp implements, and any other implement that pose a threat of harm to any person.
- Narrandera Shire Council does not define the following as a busking performance. These acts will not be permitted:
  - o Fortune, tarot, palm readers, masseurs or masseuses, vendors and artists selling portraits or other works.

## 5. ROLES AND RESPONSIBILITIES

- Corporate Services: responsible for issuing permits.
- Compliance: implementation of busking provisions.

## 6. RELATED LEGISLATION

- N/A

## 7. RELATED POLICIES AND DOCUMENTS

- Busking Application form (MagiQ #24876)
- Busking Permit template (MagiQ #437354)

## 8. VARIATION

Council reserves the right to review, vary or revoke this policy in accordance with legislation, regulation and award changes, where applicable. Council may also make changes to this policy and the relevant procedures from time-to-time to improve the effectiveness of its operation.


## 9. PREVIOUS VERSIONS

Reference to a superseded policy number and/or name is also considered a reference to the new policy number. This policy was previously named:

- CS80 Busking Policy 2018.

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### POLICY HISTORY

<b>Responsible Officer</b>	<b>Deputy General Manager Corporate &amp; Community</b>		
<b>Approved by</b>	<b>General Manager</b>		
<b>Approval Date</b>	<b>4 December 2020</b>		
<b>GM Signature</b> <i>(Authorised staff to insert signature)</i>			
<b>Next Review</b>	<b>31 December 2022</b>		
<b>Version Number</b>	<b>Endorsed by ELT</b>	<b>Resolved by Council</b>	<b>Date signed by GM</b>
<b>1 Adopted</b>	-	19 July 2005	19 July 2005
<b>2 Reviewed</b>	15 January 2018	-	15 January 2018
<b>3 Reviewed</b>	11 August 2020	15 September 2020	4 December 2020

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Attachment (1)

Figure 1 - East Street, Narrandera



Figure 2 - Cadell Street, Narrandera

