

Busking - Council Policy

Effective Date	Ordinary Meeting of Council - 17 August 2016
Policy Owner	Facilities
Link to Corporate Plan	Strategic Theme 2: Enriched Communities Strategic Theme 4: Welcoming Communities
Review Date	July 2020
Related Legislation	WDRC Local Law No.1 (Administration) 2011 WDRC Subordinate Local Law No.1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011 WDRC Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011 WDRC Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011 Subordinate Local Law Number 1.14 (Undertaking Regulated Activities on Local Government Areas and Roads) 2011 <i>Summary Offences Act 2005</i>
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Policy Version	Approval Date	Adopted/Approved
1.	16 July 2014	Ordinary Meeting of Council - 16 July 2014
2.	17 August 2016	Ordinary Meeting of Council

*This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. **A hard copy of this electronic document is uncontrolled.***



1. PURPOSE

To encourage Buskers to perform and contribute to the cultural life of the Western Downs Regional Council area.

To manage busking within the Western Downs Regional Council area in a way that does not cause detriment to the quality of the public environment and adjacent uses and activities.

2. SCOPE

This policy applies to any person or group performing in a public space in the Western Downs Regional Council area.

A permit is required by any person or group performing in a public space in the Western Downs Regional Council area.

3. POLICY

Council appreciates that busking will contribute to the cultural life of the Western Downs, that busking is often a forum for emerging artists and may indeed attract prospective customers to commercial areas. For these reasons, Council encourages buskers to operate in the Central Business Districts of Western Downs towns.

A designated undercover performing area has been provided in the CBD of Dalby, at the corner of Cunningham and Archibald Streets. Electricity will not usually be provided for buskers, unless there are special circumstances, such as a community event.

By resolution dated 05/02/2014, Council will not charge any application fees for persons seeking to busk in the CBD's of towns within the Western Downs Regional Council area.

Whilst application fees are not charged, to avoid any doubt, buskers must have obtained a busking permit from Western Downs Regional Council before conducting any performances in accordance with relevant Local Laws and Subordinate Local Laws. This permit will also allow the sale of the artists CD's and collection of donations as part of the busking activity.

As part of the process for applying for a permit, the applicant will need to provide sufficient details about their proposal, and in particular, confirmation that the busking will be of limited duration (ie 2 hours per performance) and whether the consent of any adjoining business operators has been obtained (unless the Busker intends to operate in the designated busking area, on the corner of Cunningham and Archibald Streets Dalby).

A permit issued to a busker will outline any relevant conditions that must be complied with at all times by the busker. In the event that a busker does not comply with conditions, an Authorised Person or Authorised Officer of Council may immediately suspend the permit and instruct that the performance immediately ceases.

It is not a mandatory condition of this policy that buskers hold and maintain a public liability insurance policy, however, in certain circumstances the absence of appropriate insurance coverage may leave a busker open to personal liability in the event that a negligent act leads to a third party injury or loss.

Council's public liability insurance policy does not cover a Busker's liability exposure for busking activities deemed as being high risk i.e. activities involving fire, stick/baton twirling, audience participation, animals, large props etc. It is strongly recommended that individuals undertaking these types of busking activities should have their own form of public liability insurance coverage.

