



Busking **Policy**

March 2018 (version 1.1)

Policy No: CCC055

Policy owner:	Community Partnerships, Connected Communities
Approved by:	Central Coast Council, 26/03/2018
Policy category:	Strategic
Content Manager No:	D14047854
Review by:	March 2022

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Purpose

1. This policy identifies the conditions that apply to all Buskers undertaking busking on community land within the Central Coast Local Government Area and seeks to encourage and support the rights of individuals to express themselves through public performance.

Objectives

2. To encourage activities that contribute to the colour and life of the Central Coast and provide opportunities for alternative voices to be heard through public performance.
3. To promote public safety and amenity, the protection of property and to help ensure the safety of Buskers and the general public.
4. To support the rights of Buskers to express themselves in an artistic manner.

Scope

5. This policy covers personnel employed by Council; any person or organisation contracted to or acting on behalf of Council; and any person or organisation employed to work on Council premises or facilities and all activities of the Council.
6. This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the Chief Executive Officer.
7. This policy applies to all community land within the Central Coast Local Government Area.

General

8. All Buskers (or people wishing to undertake busking) on community land within the Central Coast Local Government Area must apply for approval under section 68 of the Local Government Act 1993.
9. All applicants must apply for approval to busk in person and acknowledge and agree to comply with the terms and conditions of this policy and the [Busking Guidelines](#), as updated from time to time.
10. Council can issue Busking Approval Cards to any member of the public who completes the busking approval application and agrees to the terms and conditions set out in the [Busking Guidelines](#).
11. Details of Buskers holding Busking Approval Cards will be entered into a register of approvals granted by Council, in accordance with s133 (2) and (5) of the Local Government Act 1993.

12. Buskers with Busking Approval Cards are covered for public liability under Council's Liability Insurance Policy while the Busker complies with the terms and conditions of the [Busking Guidelines](#) contained in this policy.
13. Council's Liability Insurance Policy is limited to \$20 million for any one occurrence, and the Busker is responsible for the first \$1,000 of each and every property loss claim. The Liability Insurance Policy does not cover loss or damage to the Busker's personal items.
14. Groups are limited to a maximum of five members (each member of the group must hold a valid busking approval card). This is to ensure that pedestrians are able to move freely through the busking location and to prevent crowd crush.

Compliance, monitoring and review

15. Suspected breaches or misuse of this policy are to be reported to the Chief Executive Officer.
16. Alleged breaches of this policy shall be dealt with by the processes outlined for breaches of the [Code of Conduct](#), as detailed in the Code of Conduct and in the Procedures for the Administration of the Code of Conduct.
17. For further information on breaches of and compliance with busking approvals, please see the Busking Guidelines.
18. Staff must maintain all records relevant to administering this policy in a recognised Council recordkeeping system.
19. This policy will be reviewed at least once every term of Council.

Definitions

20. In this policy and in the Busking Guidelines(*):
 - a. **Authorised Person*** means an appropriately delegated employee of Central Coast Council or a Police officer.
 - b. **Busker:** A person who entertains in a public place by playing a musical instrument, dancing, singing, clowning, juggling, or performing acts of a similar nature with the intention of receiving donations from members of the public. Animals are not to be used in any act whether in an active or passive form. The following acts are not considered as Buskers and will not be issued an approval - balloon sculptors, tarot card/palm/fortune readers, aerosol artists, face painting artists, masseurs.

- c. **Busking Approval Card:** An Approval Card issued under this policy.
- d. **Busking Policy:** This document and any annexure to this document.
- e. **Community land:** All public land is either *community land* or *operational land* under the Local Government Act 1993. Busking is permitted on community land with Council approval (section 68).
- f. **Council:** Central Coast Council, being the organisation responsible for the administration of Council affairs and operations and the implementation of Council policy and strategies.
- g. **Dangerous Implement*:** Any object that because of the way it is used or its design or construction poses a risk, hazard or a potential risk or hazard to the safety or welfare of a member of the public or any person handling the object. This term includes chain saws, spikes, fire, saws, swords, spears, knives, bicycles and sharp implements.
- h. **Performance:** An entertainment event that substantially involves the demonstration of an artistic skill including playing a musical instrument, theatre, dancing, singing, clowning, juggling or other similar performance skills.
- i. **Soliciting of Funds*:** The act of asking, begging, seeking or requesting money or goods from members of the public.

Related resources


21. Legislation:

- a. [Local Government Act 1993 \(NSW\)](#)
- b. [Local Government \(General\) Regulations 2005 \(NSW\)](#)

22. Associated Central Coast Council documents:

- a. [Busking Guidelines](#)
- b. [Code of Conduct](#)
- c. [Equity, Diversity and Respect Policy.](#)

History of revisions

Amendment history	Details
<p>Original approval authority details</p>	<p>Central Coast Council</p> <hr/> <p>26/3/2018, Ordinary Council Meeting Min No 205/18</p> <hr/> <p>Content Manager Document no. D13173736</p> <hr/> <p>This policy identifies the conditions that apply to all Buskers undertaking busking on community land within the Central Coast Local Government Area and seeks to encourage and support the rights of individuals to express themselves through public performance.</p>
<p>Version 1.1</p>	<p style="text-align: right;"></p> <p>Gary Murphy - CEO</p> <hr/> <p>26/06/2020</p> <hr/> <p>Content Manager document no. D14047854</p> <hr/> <p><u>Minor administrative updates</u></p> <p>Allocated a policy number. Updated format, paragraph numbering and headings to the 2020 accessible CCC template. Minor clarifications to Definitions section. Inserted standard heading 'Compliance, monitoring and review' (to refer to breaches, Busking Guidelines and standard paragraphs on policy review and recordkeeping).</p>