



# INNER WEST COUNCIL

## Busking Policy

<b>Title</b>	Busking Policy
<b>Summary</b>	This policy supports the Inner West Council's Community Strategic Plan (Strategic Direction 3 - Creative Communities and a Strong Economy), and provides information for buskers wanting to undertake busking performances. Buskers intending to perform are to do so under the conditions expressed in this policy
<b>Background</b>	The development of this Busking Policy supersedes and has been informed by the policies and guidelines of the former Councils of Ashfield, Leichhardt and Marrickville in accordance with the Local Government Proclamation (2016) section 19(2): 'the codes, plans, strategies and policies of the new council are to be, as far as practicable, a composite of the corresponding codes, plans, strategies and policies of each of the former councils'.
<b>Relevant Strategic Plan Objective</b>	Community Strategic Plan - (Strategic Direction 3 - Creative Communities and a Strong Economy).
<b>Relevant Council References</b>	<p>These policies were considered in the development of the Inner West Council Busking Policy:</p> <ul style="list-style-type: none"><li>• Former Ashfield Council: Street Entertainment Policy</li><li>• Former Leichhardt Council: Busking Policy</li><li>• Former Marrickville Council: Busking Guidelines</li><li>• Burwood Council Busking Policy</li><li>• City of Sydney Interim Busking Policy and Guidelines</li><li>• Sydney Harbour Foreshore Authority Busking Policy</li><li>• Inner West Council Busking Application Form and Agreement.</li></ul> <p>This policy supersedes those of the former Ashfield, Leichardt and Marrickville Councils.</p>
<b>Main Legislative Or Regulatory Reference</b>	<ul style="list-style-type: none"><li>• The Local Government Act 1993 (NSW)</li><li>• Local Government Proclamation (2016)</li></ul>
<b>Version Control</b>	See last page



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## 1. PURPOSE

The purpose of this Policy is to provide a framework that supports artists/performers, and monitors and mitigates any risks which could arise from busking.

The policy provides the conditions under which busking is permitted in the Inner West Local Government Area on community land controlled by Inner West Council.

## 2. OBJECTIVE

The objectives of this policy are to ensure that council satisfies legislative requirements and achieves best practice in managing the public domain of artists/performers. This policy has two objectives. The policy:

- Encourage performances that enhance the vibrancy, vitality and cultural expression of urban areas of the Inner West Local Government Area (LGA)
- Provide a framework to ensure busking activities are supported and managed whilst maintaining the well-being and safety of buskers, and the broader community

## 3. DEFINITIONS

For the purposes of this policy the following definitions apply:

Word/Term	Definition
Busker	Someone who performs in public for the entertainment of passers-by/pedestrians.  A busker can perform musically, dance, act, circus skills, comedy, magic, creating a temporary / handheld artwork.
Inner West LGA	Inner West Local Government Area  The Inner West Local Government Area Includes the suburbs of Annandale, Ashfield, Balmain, Balmain East, Birchgrove, Dobroyd Point, Dulwich Hill, Enmore, Haberfield, Leichhardt, Lewisham, Lilyfield, Marrickville, Newtown, Petersham, Rozelle, Stanmore, St Peters, Summer Hill, Sydenham, and Tempe. As well as parts of Ashbury, Camperdown, Croydon, Croydon Park, Hurlstone Park and Newtown.

## 4. POLICY STATEMENT

This policy supports the Inner West Council's Community Strategic Plan (Strategic Direction 3 - Creative Communities and a Strong Economy) to provide information for artists/performers wanting to undertake busking performances in the Inner West Local Government Area on land which Inner West Council is the landowner. Buskers intending to perform are to do so under the conditions expressed in this policy.

## 5. POLICY



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## 5.1 Approval process

Busking and other public performance activities within the Inner West LGA, on land which Inner West Council is the landowner, requires approval and a busking permit from Inner West Council.

To obtain approval and a busking permit, buskers must secure approval apply from the Inner West Council, by completing a Busking Permit Application Form and Agreement. Application forms are available on Council's website at <https://www.innerwest.nsw.gov.au/council/forms>

Pursuant to Sections 113(1) and 113(5) of the Local Government Act 1993 requires the Inner West Council to keep a record or register of any person or persons approved to busk in the Inner West LGA. The information contained in this record/register is to be made available for public inspection at the office of the Council upon request.

The accessible information includes, but is not limited to, the name and home address of the busker, and a description of what has been approved.

Busking permits are valid for 12 months and incur no fee. Buskers under 18 years of age require consent from a parent/guardian.

## 5.2 Performance conditions

Buskers are encouraged to:

- Advise nearby cafés/stores/businesses of their plans before setting up
- Comply with directions issued by an authorised person (Council staff) who may request the busker to cease performing
- Be aware of their location and ensure that pedestrian and vehicular thoroughfares are left clear
- Keep their performance area clean
- Keep their area safe and free of hazards
- Share the public space with other buskers in a courteous manner
- Respect the rights and diversity of our business owners and community members.
- The sale of goods and services (i.e. CDs) are permitted under the condition it complements the busking performance. Advertising/promotion is permitted, only if it is displayed in a manner that does not impinge passers-by/ pedestrians', is only displayed during the performance period and complements the busking performance.

A busker may accept voluntary donations (money or goods) in appreciation of their performance; however donations are to be offered voluntarily and at the discretion of the audience. Buskers are not to request donations from the audience.

Buskers are asked not to:

- Perform excessively loud and disrupt business trading including retail or dining establishments, affect workplace performance or detract from residential or public amenity. Busking in the vicinity of the Marrickville Metro along Victoria Road, buskers are not to use electrical amplification. However, in remaining areas buskers are permitted to use amplification under the condition Council reserves the right to impose a decibel limit at its discretion.
- Use obscene language or inappropriate acts (acts must be appropriate for all ages)
- Set up any temporary structure such as a stall, table or stage
- Engage in any hazardous type activities including acts with fire, knives and other dangerous goods



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- Perform acts with live animals or reptiles
- Perform acts which is offensive but not limited to, racial, sexual, gender or disability
- Request donations from the audience

## 5.3 Areas Where Busking is Permitted (Permitted Busking Areas).

Busking is permitted in the main streets/urban centres in the Inner West Local Government Area. The most appropriate busking areas are locations which are open, have room to cater for buskers and are not used for a specific purpose (such as a bus stop). Examples of appropriate busking areas include a public bench, plaza, wide footpaths and outdoor dining areas that are not in-use. Locations which neighbour residential areas, buskers are advised to perform at a reasonable level of noise for the location and to be respectful of residents.

Conditions where buskers are not permitted to busk:

- Areas that already have approved public events taking place
- Without express approval of Council
- Along Liverpool Road, Ashfield (except in front of the Ashfield Civic Centre)

Busking is permitted between 9am and 9:00pm, 7 days a week. Buskers are permitted to perform for a maximum of 2 (continuous) hours at any one site. Buskers are encouraged to then move to a different location upon completion of their performance.

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