

BUSKING PERMIT TERMS & CONDITIONS

By obtaining a busking permit (Permit), the Permit Holder agrees to act in accordance with the following conditions.

1. Permit Duration

- a) Permits are valid for 6 months from the date of issue.
- b) The Permit Holder must have a copy of the permit on them at all times during performances.
- c) Permits are not automatically renewed and the renewal of permits are not guaranteed.
- d) Permit Holders must not busk with an expired permit.
- e) Permits are not transferrable and apply only to the nominated Permit Holder.

2. Designated Busk Spots

Designated Busk Spots are located at Jetty Road and Moseley Square, Glenelg and sites at Somerton, Brighton and Seacliff. *Please note: requirements and conditions vary depending on each of the busking zones.

- a) Busking is only permitted at the Designated Busk Spots in line with specific busking zone and requirements.
- b) The City may restrict or prohibit busking during street improvements, maintenance work, special events or any other reason.
- c) Permit Holders must comply with any request from the City to move from the Designated Busk Stop.

3. Busking Zones & Performance Times

Busking is only permitted at the approved sites and times and within the permit conditions. Permit Holders are responsible for being across the conditions for their approved Zone.

Zone A – Jetty Road Glenelg (4 sites located along Jetty Road, Glenelg)

- a) Busking must only be undertaken between 9am – 6pm at these locations.
- b) Permit Holders can only perform for a maximum of 45 minutes at one time, no repetition of songs or of the performance must take place during that 45 minute timeslot.
- c) Permit Holders must only remain at a Designated Busk Spot for a maximum of 90 minutes and then must move on.

Busk Spot 1. Area located at the Jetty Road entrance to the Bayside Village Shopping Centre (corner of Jetty Road and Brighton Road, Glenelg).



Busk Spot 2. Area located on the apron in front of Cheap and Chips (152 Jetty Road, Glenelg).



Busk Spot 3. Area located on the corner of Chapel Street, Glenelg near the St Andrew's Uniting Church. *Please note: Busking must cease during Church Services including Weddings, Christenings and Funerals.*



Busk Spot 4. Area located on the corner of Nile Street and Jetty Road, Glenelg.



Zone B – Moseley Square (Amplification allowed and groups up to 4 performers)

- a) Busking must only be undertaken between 9am – 8pm in Moseley Square.
- b) Battery powered amplification is allowed at this site.
- c) Permit Holders can only perform for a maximum of 45 minutes at one time, no repetition of songs or of the performance must take place during that 45 minute timeslot.
- d) Permit Holders must only remain at a Designated Busk Spot for a maximum of 90 minutes and then must move on.
- e) Performances in **Zone B** may incorporate dangerous objects. Permit Holders wishing to perform dangerous acts are required to obtain prior written consent from Council and are required to submit a copy of their Public Liability Insurance of \$20 million.



Zone C – Designated sites along the Esplanade at Somerton Park, Brighton & Seacliff.

- a) Busking must only be undertaken on the weekends between 10am – 6pm;
- b) Permit Holders can only perform for a maximum of 45 minutes at one time, no repetition of songs or of the performance must take place during that 45 minute timeslot.
- c) Permit Holders must only remain at a Designated Busk Spot for a maximum of 90 minutes and then must move on.

Busk Spot - Somerton Park. Plaza located on the corner of Repton Road and Somerton Esplanade near the Somerton Surf Life Saving Club.

Busk Spot – Brighton. Plaza located at the entrance to the Brighton Jetty near the War Memorial.

Busk Spot – Seacliff. Plaza located along the Seacliff Esplanade at end of Wheatland Street, Seacliff Plaza.

4. Age Restrictions

- a) Performers under the age of 16 years must have parental or legal guardian consent to apply for a Permit.
- b) Minors under the age of 15 years must be supervised by a parent or guardian at all times while performing.
- c) Permit Holders under the age of 16 are not permitted to perform during school hours.

5. Risk and Liability

- a) The City of Holdfast Bay has public liability insurance in place, but Council does not accept liability nor assume any responsibility for any acts or omissions for buskers regardless of whether or not they are authorised to perform.
- b) It is not a mandatory condition of this Permit that a busker holds and maintains a public liability insurance policy. However, in certain circumstances, the absence of appropriate insurance coverage may leave a busker open to a personal liability claim in the event that a negligent act leads to third party injury or loss
- c) The City of Holdfast Bay strongly recommends that performers obtain their own insurances appropriate for busking.

6. Monetary Appreciation

Permit Holders may receive monetary appreciation or voluntary donations from members of the public for their performances but must not solicit funds in any way.

7. Sales of Goods and Services

Permit Holders must not offer, display, demonstrate or advertise goods or services for sale unless written permission has been obtained from Council to sell items such as CDs or artworks created while busking.

8. Dealing with members of the public and business owners

- a) Permit Holders must not disturb, create a nuisance, harass, or annoy other people, traders or residents while busking.
- b) If a Permit Holder is in a potentially volatile or harassing situation the Permit Holder should remove themselves from the situation and where necessary contact the police for assistance.

9. Pedestrian traffic and accessibility

- a) Permit Holders must not obstruct pedestrian flow, public amenities, or traders by encouraging audience formation that causes obstructions.
- b) Permit Holders must only use Designated Busk Stops.
- c) Permit Holders must reinstate the Designated Busk Spot and associated area to its original condition on completion of the performance and ensure that the area is clear of rubbish and debris.

10. Media and Publicity

The Permit Holder consents to media exposure and photograph during performances for unlimited use in publications and publicity.

11. Noise Levels & Amplification

- a) Buskers need to be aware of the sound level at which they are performing and may need to adjust the levels of their performance in accordance to the location and environment.
- b) The use of battery powered amplification is only permitted at the Designated Busk Spot in Moseley Square. If a Permit Holder is using amplification, they must comply with the decibel level specified in the Environmental Protection Noise Regulation 2007 (SA)
- c) If a Permit Holder uses amplification during their performance in Moseley Square they must have means of ensuring the decibel level generated is no greater than 80dB(a)
- d) No use of amplification is permitted at the Designated Busk Spots in Glenelg, Brighton or Seacliff other than the Moseley Square site.

12. Permitted Forms of Busking

Types of busking may include:

- a) Performing with an instrument or instruments
- b) Performance of a dance routine
- c) Juggling, clowning, puppetry, magic or mime act
- d) Comedy, spoken word, poetry or lining statue
- e) Actively working in an artistic medium (excluding aerosol art)

13. Prohibited activities

The following activities are prohibited:

- a) Performances that involve animals;
- b) Touting or spruiking including religious spruiking or street preaching;

- c) Vendors of any kind including but not limited to: flowers, jewellery, food, balloon sculptures or other merchandise;
- d) Political rallying;
- e) Performances that use abusive, offensive or indecent language or materials or behave in an indecent or abusive manner;
- f) Tarot card reading, palmistry and fortune telling;
- g) Face or body painting including henna and temporary tattoo application;
- h) Begging or requesting money;
- i) Massage treatments or any physical manipulation;
- j) Artists selling pre-fabricated works, artists must be activity creating the work as part of the performance;
- k) Fundraising events or promotions, even as part of a performance;
- l) Use of dangerous objects or materials, *unless otherwise agreed upon with Council;*
- m) Perform under a sponsorship or fee;
- n) Disturb another performance, activity or event that has been approved by Council.

14. Cancellation of Permit

The City may suspend, revise or cancel a Permit if the Permit Holder fails to comply with the requirements or conditions of approval.