



BUSKERS POLICY

Adopted: 27 July 2022

TRIM: 157421.2022

BUSKERS POLICY

DIRECTORATE: City Community & Culture

BUSINESS UNIT: Events

1. PURPOSE/ OBJECTIVES

This policy encourages activities that contribute to a vibrant city and provide opportunities for alternative voices to be heard through public performance.

Provide an equitable system of use for popular locations in Liverpool and support the rights of buskers to express themselves earning a living in an artistic manner.

Promote public safety through lively surrounds and improved ambiance encouraging pedestrian traffic.

2. SCOPE

Buskers make an important contribution to the cultural life of a community to express their creative talents, provide cultural experiences and entertain members of the public. Reflecting styles, values, and issues of society at large.

Busking provides an opportunity for our community to access the arts and provides an accessible, inclusive, and indirect means of exposing new audiences to artists.

3. DEFINITIONS

Authorised person: an appropriately delegated Council employee or a police officer

Busker: a person who entertains in a public place by playing a musical instrument, dancing, singing, clowning, juggling, creating an artwork or performing acts of a similar nature with the intention of receiving donations from members of the public

Permit: A Busking Permit issued under this policy

Council means Liverpool City Council

Liverpool means the City of Liverpool Local Government Area

4. POLICY STATEMENT

Busking permits

Performers are required to obtain a valid permit from Liverpool City Council. For groups, one representative will be required to obtain a permit on behalf of the group (for a maximum of 4 performers per group)

- A valid photo ID include a current driver's licence, proof of age card, student card or passport as proof of identity is required with an application for a Busking Permit.
- Parent or guardian must remain near supervise a child 16 years and under for the duration of their performance.
- All buskers (or people wishing to undertake busking) within Liverpool City Council must obtain a Busking Permit and must with the busker's standard.
- If a busker is directed to stop or modify their act by any authorised person or a Government Public Order they must do so immediately.

Busker Registration Application Online Form

<https://www.liverpool.nsw.gov.au/forms/busker-registration-application-form>

Busker Under 18 Years of Age Registration Application Online Form

<https://www.liverpool.nsw.gov.au/forms/busker-under-18-years-of-age-registration-application-form>

- The details of all approved buskers permit will be kept on a register by Council.
- Buskers must always have the permit on them ready to provide to a Council or Police representative.
- A permit will be valid for a period of six months and are not transferable. Except where varied by a condition of approval set out in the permit or if the permit is revoked or modified by Council.

5 Eligible criteria

Public Liability Insurance

Buskers will be covered by Councils' public liability insurance provided their act is not deemed as potentially dangerous by the authorising Council representative assessing their application.

Buskers may prefer to obtain their own public liability insurance. If a busker is covered by their own or any other public liability insurance policy, they will be considered covered by that policy for their busking activities.

Limitations on busking

Buskers must not perform in any street or road without the written permission of Council.

- Buskers are limited to 2 square meters of performance space and can only perform for a maximum of two hours in the one designated location. Upon completion of the two (2) hour maximum for that location the busker must move to another busking location (at least more than four building frontages away).

- Performing acts must not cause a public disturbance or nuisance, whether by the volume or nature of the sound they produce or the physical impact of the act on other people, property, or public space. If a busker is directed to stop or modify their act by any authorised person, they must do so immediately.
- Buskers are responsible for their impact on their environment and should manage removal of their own waste, materials, and litter consequence of their performance.
- Buskers must not congregate with other persons in or upon any street or over any footway to obstruct the free passage of traffic.
- Council will not issue permit for performances which involves an animal, reptile, or bird. A busker who is supported by an assistance animal (as defined by section 5 of the *Companion Animals Act 1998*) may deliver a performance while accompanied by that assistance animal. The assistance animal must not form part of the performance.
- A busking site must not be established where the act or their audience is likely to block access to an entry or exit of a building (including any fire exit), street, laneway, or carpark.
- A busker is required to assess the busking location on the day of the performance and address any concerns or risks ahead of their performance with the Councils authorised representative. An established busking site must not block access to an entry or exit of a building (including any fire exit), street, laneway, or carpark.

Children and young persons

During school term, children and young persons under 16 years of age will only be permitted to busk outside of school hours, that is, before 9:00am and after 4:00pm and during daylight hours and must be supervised by their parent or guardian at all times.

Group acts

In special circumstances, groups with more than four members may make a written request, setting out valid reasons, to Council to busk in certain locations.

Busking areas

All busking must be undertaken within a designated area defined as an area of public land approved by an authorised person.

Liverpool CBD Busking Sites

- 113 Northumberland St, Liverpool
- Macquarie Mall (Southern End), Liverpool
- Macquarie Mall (Northern End), Liverpool
- 232 - 250 Northumberland St, Liverpool

- Bigge Park, facing Elizabeth St, Liverpool
- 12 Railway St, Liverpool NSW
- Bigge Park, facing Moore St, Liverpool
- 1 Memorial Ave, Liverpool
- Liverpool City Library

Council's Events team will consider a busking application for other locations in Liverpool LGA. An approval will be subject to consultation with other relevant directorates.

Permissible times for busking

Council will designate areas within Liverpool for the purpose of busking. Permit holders may busk within designated areas during the following times:

- a) 8am -10pm Sunday – Thursday
- b) 8am – 11pm Friday and Saturday

Unacceptable acts

Unacceptable busking acts include but are not limited to the following:

- a) The use of sharp objects or other dangerous instruments including knives, swords or chainsaws, stock whips, fire, flammable liquids, and any other equipment that may create a hazard to public safety.
- b) Causing damage to public property including permanent painting or drawing on footpaths.
- c) Using children or any other person not covered by the permit.
- d) Including any animal in or as part of a performance.
- e) Advertising any non-approved product, service or sponsorship.
- f) Haranguing, arguing with, abusing or causing discomfort to the public.
- g) The use of public address systems and sound amplifying equipment shall not cause 'offensive noise'. The sound generated cannot exceed the ambient background noise level (LA90) in any octave band centre frequency (31.5Hz to 8KHz inclusive) by more than 5dB as defined by the Protection of the Environment Operations Act.
- h) Offering for sale or the provision of goods or services or one-on-one consultation is not considered to be busking under the terms of this policy, for example, balloon sculpting, modelling, fortune telling, tarot card and palm reading and massage or any type of healing therapy.

Sale of CDs and DVDs

Buskers may sell their own original music or video recordings, artwork, or merchandise as a complement to their performance.

The sale of music, video, artwork, or merchandise must not be delegated to another person and must not dominate the time a busker is occupying a busking pitch.

The primary purpose of busking is to perform an act or to create an artwork for the entertainment of the public, any sales of any products must be secondary to this purpose

Legal obligations

Buskers must comply with all relevant laws, regulations and policies and lawful directions of authorised persons. The holding of a permit will not constitute a defence where a busker has committed an offence.

Permits may be revoked or modified at the discretion of Council or if a Busker breaches any law, any requirement of this standard or any condition of a permit.

Permit process

Buskers permit process
An application to be submitted online via our website or in person at Councils customer service counter (33 Moore Street, Liverpool)
Events Approving Officer will assess the application ensuring all supporting documents are provided
Events Approving Officer will liaise with the applicant for any additional information required
Events Approving Officer to issue a busker permit to the applicant, which is valid for six months
Events Approving Officer to enter busker's details in the Buskers Register (located on Content Manager)
Events Approving Officer to provide Community Standards with a list of buskers at the beginning of each month for a compliance check

6. THIS POLICY HAS BEEN DEVELOPED IN CONSULTATION WITH

Governance and Legal Services

Customer Service

Economic Development

Community Standards

7. REFERENCES

City of Sydney: Interim Busking Policy

AUTHORISED BY

Acting Chief Executive Officer (CEO)

EFFECTIVE FROM

This date is the date the policy was approved by the Council

REVIEW DATE

This date will be 4 years after the Council has endorsed it.

VERSIONS

Version	Amended by	Changes made	Date	TRIM Number
1		Liverpool CBD Busking sites and will consider other location in Liverpool LGA	27 July 2022	157421.2022

Liverpool City Council

Liverpool CBD Busking Sites

LIVERPOOL
CITY
COUNCIL



1 113 Northumberland St, Liverpool

2 Macquarie Mall (Northern End), Liverpool

3 Bigge Park, facing Elizabeth St, Liverpool

4 Bigge Park, facing Moore St, Liverpool

5 Liverpool City Library

6 Macquarie Mall (Southern End), Liverpool

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8 12 Railway St, Liverpool NSW

9 1 Memorial Ave, Liverpool