



BUSKING POLICY P4.0227.1

BUSKING POLICY

DIVISION: Sport, Community and Activation

BRANCH: Economic Development and Activation

CATEGORY: 2

PART 1 - INTRODUCTION

1. BACKGROUND

- 1.1 Camden Local Government Area (LGA) is a vibrant and dynamic place, with a variety of distinctive public and open spaces. It has engaging retail and cultural precincts with a range of landscapes with unique attributes in urban, heritage and rural settings.
- 1.2 It is recognised that busking enhances the cultural richness and vibrancy of a local place providing entertainment and contributing to an inherent sense of safety and security for the community. Council acknowledges the valuable contribution that buskers make to the local culture and economy.
- 1.3 Camden LGA has a growing interest from local businesses and the community to support local musicians and live music in various venues in urban and open spaces and community events. A coordinated and strategic approach is required to support the increased level of requested activity.
- 1.4 Busking activity supports the initiatives of Council's Camden Town Centre Urban Design Framework and addresses issues that support activities as part of sustainable daytime and night time economies for social, cultural and economic outcomes.

2. OBJECTIVE

- 2.1 This policy provides a strategic approach to busking activities in the Camden LGA on Council approved sites.
- 2.2 The primary purpose of this policy is to provide a framework of guiding principles and decision-making criteria for buskers in the Camden LGA.

3. SCOPE

- 3.1 This policy applies to the approval and management of appropriate busking activity within Camden LGA on Council owned land.
- 3.2 This Policy outlines the considerations and criteria Council must consider when determining applications for busker registration approvals to operate within the Camden LGA.

4. DEFINITIONS

- 4.1 **Authorised person** is an appropriately delegated employee of Camden Council.
- 4.2 **Approved designated area** is a defined area of land approved by an authorised person. Land controlled by Council requires the approval of Council. This means that busking and other public performance activities on operational land such as footpaths and public plaza areas require the approval of Council.
- 4.3 **Busker** is a person who actively provides public performances in the public domain by dancing, singing, playing a musical instrument, reciting a story or poem, miming, puppetry, juggling or performing acts of a similar nature in exchange for a donation from members of the public.
- 4.4 **Busking** is the performance or making of an artwork, pavement art or activity by a busker in the public domain.
- 4.5 **General Busking Registration** is by application to Council issued under this Policy which allows a musician or artist wishing to busk or undertake pavement art.
- 4.6 **Pavement Art** is art that is drawn on to pavement as temporary public art, often ephemeral in nature, that can visually transform a pavement using easily removable drawing materials such as chalk and other approved material on paper, canvas or other removable surfaces.
- 4.7 **Pavement Art Registration** is by application that allows a suitably experienced artist to work in appropriate designed locations (upon application) within the boundaries of Camden LGA. This applies to artists actively engaged in artistic work which is either directly on the pavement using non-permanent art materials e.g chalk and other approved material on paper, canvas or other removable surfaces.
- 4.8 **Public domain** is space that is generally open and accessible to people including the pavement, streets, public squares, parks, outdoor and open spaces.
- 4.9 **Special Busking Permission**– an approval or permit that has been issued by a relevant peak body (if relevant) for street performers, required if undertaking performances involving dangerous acts or using dangerous implements or materials.
- 4.10 **Street Performer** means an artist (musician, actor, painter etc) who performs in a public place, usually for donated money.

PART 2 - POLICY STATEMENT

5. PRINCIPLES

5.1 Council will use its best efforts to ensure busking activities are:

- Relevant to the vision and objectives of the Community Strategic Plan.
- Facilitated with a high degree of community engagement with community and local businesses.
- Carefully managed for equity and fairness to all in a mixed-use environment.
- Relevant and appropriate to the context of its site.
- Non-offensive.
- Safe and accessible for the public.
- Not having any potential adverse impacts with nearby businesses, properties or community members.
- Of minimum disruption to pedestrian traffic, conduct of businesses, community safety and public amenity or any other approved event or activity.
- Not to solicit funds or undertake the act of asking, seeking or requesting money or goods from members of the public.
- Not to use amplified music unless otherwise approved by Council.
- Fostering an environment that encourages and enables a range of high-quality busking activity to thrive in the Camden LGA.
- Consistent with current planning, heritage, safety and environmental policies and any applicable plans of management and legislation.

6. BUSKING REGISTRATION

- 6.1 Buskers must register with Council to receive a General Busking Registration. Anyone wishing to busk or undertake pavement art within Camden LGA must hold a valid registration from Council.
- 6.2 Buskers operate in accordance with their Council approval for activity in public spaces.
- 6.3 Individual buskers must clearly display a current busking registration during their activity. Registrations are not transferable.
- 6.4 Buskers under 18 years of age require a consent signed by a parent/guardian. It is recommended they are accompanied by a person 18 years old or over.
- 6.5 Buskers may receive approval to work throughout Camden LGA in areas designated by authorised Council staff for the purpose of Council endorsed events and/or partnership with Council supported special events and activations.
- 6.6 Pavement artists and street performers must register and receive General Busking Registration. Anyone wishing to undertake any of these activities within Camden LGA must hold a valid registration from Council.
- 6.7 Special Busking Registration for street performers may be an additional requirement for assessment and approval by a relevant peak body (if relevant) if undertaking performances involving dangerous acts or using dangerous implements or materials.

7. BUSKING SITES

- 7.1 Busking is permitted on land where Camden Council is the land owner.
- 7.2 Busking activities are only permitted by Council in approved designated locations.
- 7.3 Council will use its best efforts to ensure that other relevant stakeholders involved in the provision of busking are informed of and abide by these principles.

8. OTHER BUSKING ACTIVITIES

Pavement Art

- 8.1 Pavement art is permitted on land where Camden Council is the land owner.
- 8.2 Material used is to be removable by water and is not to leave any residue or create a water pollution incident.
- 8.3 The art surface is to be a non-porous material, such as bitumen or concrete.
- 8.4 Any proposed material to be used in carrying out pavement art (whether wet or dry) must not be slippery or cause a public hazard, nuisance or offence.

9. REVIEW

- 9.1 It is recommended that the Policy be reviewed every two years with ongoing monitoring to inform future decision making on busking activity.

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RELEVANT LEGISLATIVE INSTRUMENTS: *Section 68(a) of the Local Government Act 1993*
Protection of Environment Operations Act 1997
Protection of the Environment Operations (Noise Control) Regulation 2017

RELATED POLICIES, PLANS AND PROCEDURES: Camden Council's Community Strategic Plan (CSP) 2017
Our Future Camden-Camden Town Centre Vision 2014
Camden Town Centre Urban Design Framework 2018
Camden LGA Destination Management Plan 2016
Camden Local Environmental Plan (LEP) 2010
Camden Development Control Plan (DCP) 2011

RESPONSIBLE DIRECTOR: Sport, Community and Activation

APPROVAL: General Manager through the Executive Leadership Group.

HISTORY:

Version	Approved by	Changes made	Date	EDMS Number
1	Council	New	Adopted Council meeting 26/11/19 – effective from 18/01/20	20/45944