



Gold Coast City Council

# Busking Guidelines



**surfers**paradise  
a l l i a n c e

## **1.0 EXECUTIVE SUMMARY**

Buskers provide entertainment, cultural diversity and thought provoking experiences for tourists and members of the general public.

To help manage busking activities Surfers Paradise Alliance Limited (SPA), Broadbeach Alliance Limited (BAL) and Surfers Paradise Street Performers (SPSP) in consultation with Gold Coast City Council (GCCC) have developed a 'Busking Guidelines Document'.

The purpose of this document is to provide simple guidelines to ensure that busking is well managed within the Surfers Paradise precinct and Broadbeach Mall, the only areas where busking is permitted on the Gold Coast.

The Busking Guidelines outline the busking application and audition process and give some rules that must be followed when busking to ensure that Council in conjunction with SPA and BAL can best manage its streets and malls in the interests of all its stakeholders.

The Busking Guidelines give consideration to balancing street entertainment with the needs of traders and the accessibility of visitors to the precinct.

The Busking Guidelines are not law and are subject to the intent and objectives of Council's Local Law No.11 (Roads and Malls) 2008 and Subordinate Local Law No.11.1 (Interference with a Road) 2008.

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## 1 OBJECTIVES

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These guidelines have been developed:

- To provide the framework for managing busking activities in Surfers Paradise and Broadbeach Mall thus allowing entertainment that contributes to the vitality and cultural life of these precincts.
- To provide an equitable system for busking in Surfers Paradise and Broadbeach Mall.
- To identify suitable busking sites within the Surfers Paradise Precinct and Broadbeach Mall whilst providing an even coverage of busking entertainment throughout these areas.
- To minimize complaints, criticism and other problems associated with buskers whilst supporting the rights of individuals to express themselves in a democratic manner.
- To give consideration to balancing street entertainment with the needs of traders and the accessibility of visitors in the precinct.

## 1 APPLICATION PROCESS

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### **Stage 1 - Written Application**

- Buskers must hold a current permit to busk, authorised by the GCCC on the recommendation of either SPA or BAL.
- The Busking Application form can be found on either the SPA or BAL website under the Busking & Street Performance section and must be completed and received by the closing date for the next permit period.
- Closing dates are specified on the SPA & BAL websites - [www.surfersparadise.com](http://www.surfersparadise.com) and [www.broadbeachgoldcoast.com](http://www.broadbeachgoldcoast.com).
- All applicants will be advised by phone if their application has been successful in progressing to the second stage, consisting of an audition.

### **Stage 2 - Audition**

- Applicants will be allocated 3 minutes to demonstrate their performance to a three person panel.
- The dates and times for auditions are given on the SPA & BAL websites.
- Applicants must bring photographic proof of identity with them when they attend the audition. (*refer to Section(3). Proof of Identity for acceptable forms of identity*).
- At the time of audition each applicant must agree to have their photograph taken which is used by SPA & BAL as a record of the buskers costume.
- Please note being successful in progressing to the second stage consisting of an audition does not guarantee a busking permit will be granted.

- Applicants will be judged against certain criteria. SPA and BAL may recommend to Council to approve or not approve an application and feedback may be given upon request.
- Applicants must bring along to the audition any equipment that is used as part of their performance.

### **Stage 3**

#### **Approval, Permit Acceptance and Payment Process**

- Successful applicants will be notified by email, mail, or phone that they have been successful in applying for a busking permit and will be provided with details for payment options as summarised below:

#### **Surfers Paradise Alliance:**

1. The applicant can pay the busking permit fee to SPA using online banking by direct credit. SPA will advise account details and upon receipt of payment the busking permit will be posted.
2. Successful applicants may post the payment (cheque/money order) to SPA who will post the busking permit.
3. Successful applicants may make payment in person at the SPA office (cheque/ money order) and pick up their permit at that time.

#### **Broadbeach Alliance Limited:**

1. Successful applicants may post the payment (cheque/money order) to BAL who will post the busking permit.
2. Successful applicants may make payment in person at the BAL office (cheque/money order) and pick up their permit at that time.

Permits may be collected from the relevant office:

#### **Surfers Paradise Alliance Office**

Rooftop (Level 3)  
Surfers Paradise Transit Centre  
10 Beach Road  
Surfers Paradise

#### **Broadbeach Alliance Ltd Office**

Level 12 Niecon Tower  
Victoria Avenue  
Gold Coast QLD 4218

- Upon receipt of payment of the permit fees the successful applicant will be allocated the dates and locations where they are allowed to busk.
- Fees for permit must be paid by cheque or money order, cash is not accepted.

- All Buskers must adhere to the 'Busking Guidelines'. Non-compliance to the 'Busking Guidelines' may result in their busking permit being suspended or cancelled.
- Busking permits are issued in good faith that the performers will maximize the opportunity to busk on a regular and consistent basis.

## 2 LICENCE PERIODS & PERMIT FEES

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The permit periods are as follows:

<b>Months when applications must be submitted</b>	<b>Permit Period</b>	<b>Applicable Permit Fee</b> (Cheque or money order, SPA only direct deposit ) <b>(Cash not accepted)</b>
February	March, April, May	\$78.00 including GST
May	June, July, August	\$78.00 including GST
August	September, October, November	\$78.00 including GST
November	December, January, February	\$78.00 including GST
As above	1 September to 31 August or part there of	\$312.00 or part there of

\*Please also refer to Clause 12 'Restrictions' which may effect the ability of the busker to perform on certain days.

*Note:*

- Busking Permits are issued on a three (3) month or twelve (12) month, or part there of basis. New performances must complete a minimum of a three month trial period.
- Upon expiry of a busking permit all buskers seeking to renew their permit must submit a new application and will be subject to all the terms and conditions of the application process.
- Permits are not automatically renewed and the renewal of busking permits is not guaranteed.
- Buskers must not busk with an expired permit.
- Where an act consists of a group each member must complete an application form, though only one permit will be issued to the group and one fee charged.

## 3 PROOF OF IDENTITY

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Photographic proof of identity must be presented by all applicants if successful at Stage 2. Acceptable forms of identification are:

- Passport
- Drivers License
- Proof of Age Card

- Student ID Card

*Note: other forms of identification may be accepted on a case by case basis.*

## 4 PERMIT DETAILS

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### 4.1 Performance Times

- Busking activities are only permitted between the hours of 10:00am and 10:00pm.
- Buskers must perform in the allocated locations within the allocated timeframes.
- Buskers can only remain for a maximum of one and three quarter (1¾) hours at each location.
- Duration of performances must not exceed 45 minutes per set and there must be a minimum interval of 15 minutes between sets. i.e. two (2) sets of forty five (45) minutes duration with a 15 minute break between sets.
- Upon completion of the one and three quarter (1¾) hours session the busker must move to another busking location allowing a minimum of three (3) hours before returning to the same location.

### 4.2 Busking Locations

Busking is only permitted at specified sites subject to conditions outlined in these guidelines. These sites are subject to review.

The use of designated sites for busking activities and compliance to the busking guidelines will be monitored by Gold Coast City Council.

Designated Busking locations are clearly marked by a numbered brass disc on the pavement. Buskers are only permitted to perform in the designated sites as allocated on current permits:

#### Surfers Paradise:

#### Within Cavill Mall performance types are restricted to specific sites

- 1 Cavill Mall – Eastern end of Mall adjacent Jacks Doner Kebabs (sound producing performances only)
- 2 Cavill Mall – Eastern end of Mall adjacent Off Ya Tree Body Piercing (sound producing performances only)
- 3 Cavill Mall – Eastern end of Mall adjacent to Rip Curl (living statues only)
- 4 Cavill Mall – Directly in front of Centro entrance, middle of Mall (sound producing performances only) **(No amplification prior to 6pm)**
- 5 Cavill Mall – Adjacent to Ripley's Believe it or not (living statues only)
- 6 Cavill Mall – Adjacent to City Beach (sound producing performances only)
- 7 Cavill Mall – Adjacent to Papa George's Pizza Bar (living statues only)
- 8 Cavill Mall – Outside of Baskin Robbins (sound producing performances only)

Outside of Cavill Mall performance types are not restricted to specific sites

- 9 Cavill Avenue – outside Centro Surfers Paradise Blvd entrance, (kerb side)
- 10 Orchid Avenue – Outside 'OK Gifts' (kerb side)
- 11 Orchid Avenue – Outside Louis Vuitton (kerb side)
- 12 Surfers Paradise Boulevard – Outside Centre Arcade entrance (kerb side)
- 13 Surfers Paradise Boulevard – Outside Chevron Renaissance Brothers Nielsen, north of pedestrian crossing (kerb side)
- 14 Surfers Paradise Transit Centre (Beach Road; front entrance)

### **Broadbeach:**

Busking in Broadbeach is restricted to the Broadbeach Mall. Locations will be advised on application to Broadbeach Alliance Ltd.

### **Busking locations in Surfers Paradise**



## **5 GROUP ACTS**

Group acts are limited to four (4) performers only with larger groups assessed on a case-by-case basis. Each member must complete and submit an application for a Permit to Busk. One permit will be issued and the permit will list the names of all members of the act. The act/group must display their permit at all times during the performance. Only one permit fee is payable per act.

GCCC reserves the right to not issue permits for group acts which Council considers may present a risk to pedestrian safety.

Members of group acts must at no time perform on an individual basis, or without all approved members being present.

## **6 AGE RESTRICTIONS**

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The GCCC reserves the right to impose conditions on approvals to busk for persons under the age of 18 years. The aim of such conditions is to minimise the risk to a minor and the GCCC may grant a permit on the condition that the permit holder take specified measures to maintain personal safety when busking. Safety measures may include specifying hours of busking and adult supervision, i.e.

- Under the age of 14 years supervision required at all times (i.e. 10.00am to 10.00pm).
- The ages of 14 up to and including 17 years supervision required from 6.00pm to 10.00pm.

## **7 MONETARY APPRECIATION**

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Buskers may receive voluntary monetary appreciation from the audience for their performance but are not to solicit funds in anyway.

## **8 MEDIA EXPOSURE**

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Through application of a busking permit the applicant automatically consents to media exposure both during the application process and whilst busking. Media exposure includes but is not limited to television, radio, photographic and internet mediums.

## **9 NOISE LEVELS**

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No amplification is to be used while busking unless prior arrangement is made and approved during the application process. In the event amplification is approved, the use of amplification will be noted on the relevant busking permit.

If amplification is approved, buskers may only use amplification that is battery operated. Mains voltage amplification is prohibited and excessive amplification will not be tolerated.

The sound levels from the busker's performance shall at no time intrude into nearby retail or restaurant establishments or interrupt trade of local businesses in any way.

GCCC reserve the right to impose a decibel limit on amplified sound in compliance with the Environmental Protection (Noise) Policy 1997.

Where a complaint has been received about any of the issues listed below, particularly in relation to the proximity of that act to a place of work or residence and the complaint is deemed to be justified, a busker may be directed by authorised GCCC officers to cease busking and may have their permit suspended or cancelled.

- Excessive noise
- Level of noise amplification
- Music of a percussive or repetitive nature
- Excessive duration of an act
- Touting
- Non compliance to the 'busking guidelines'

## **10 CLEANLINESS**

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Buskers must keep the site in use clean while they are working and ensure that their use of the site does not pose a threat to public safety.

## **11 PERSONAL APPEARANCE**

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The busker's personal appearance is to be clean and presentable at all times and any costume including footwear is to be similar to that which was presented at the audition.

The busker must advise SPA or BAL if they wish change their act or appearance in anything other than a minor way to the representation made at the audition.

## **12 RESTRICTIONS**

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Buskers may not offer goods and services for sale, display, demonstrate or advertise goods for sale or associate themselves with such advertising in conjunction with their performance.

GCCC officers, Emergency Service personnel and any other authorised officers reserve the right to prohibit the use of any particular area while Council or other works are in progress.

In addition restrictions or prohibition on busking may be imposed during special events such as SuperGP, Schoolies, Christmas Eve, New Years Eve, Australia Day, Anzac Day or other public holidays or events.

## **13 PUBLIC INTERVENTION**

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Buskers are at all times expressly forbidden to film, photograph, and/or sound record any member of the public.

The busker is not to harass, annoy or disturb people, traders or residents of nearby accommodation premises and/or business establishments in the relevant areas.

## **14 ACTIVITY NOT PERMITTED**

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- Pavement art (chalk art)
- Utilisation of dangerous implements and materials
- Tarot card/palm readers/fortune readers

- Masseurs or masseuses
- Vendors of any kind (including vendors of flashing light toys, fluffy toys, jewellery etc)
- Solicitation of money for any purpose
- Art created by spray paint

## **15 PERMIT DISPLAY**

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The permit holder is required to prominently display the “Monetary Appreciation” side of the permit at all times whilst performing and must have this permit and conditions in their possession at all times when carrying out busking activities i.e. setting up.

## **16 PEDESTRIAN TRAFFIC/ACCESSIBILITY**

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Buskers must not unreasonably interfere with pedestrian flow or public amenities, or cause an obstruction to traders or delivery vehicles, including by way of encouraging audience formation in such a manner as to cause such interference.

Buskers must keep clear of all shopping centre/shop doorways, dining areas and emergency exits. Buskers must only use the designated sites specified on the busking permit.

When not busking in mall areas, the busker must perform on the kerbside of the footpath with the audience to be positioned furthest from the roadway.

## **17 PERMIT TRANSFERS/REFUNDS**

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Permits are non transferable or refundable and apply only to the nominated holder.

## **18 PUBLIC LIABILITY**

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Buskers are insured under Council’s Public and Products Liability Policy while the busker complies with the conditions and requirements for busking as outlined in this Busking Guidelines.

## **19 CESSATION AND/OR RELOCATION**

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Authorised officers of the GCCC may direct that a Busker cease busking or relocate to another site, if the officer is of the opinion that:

- The performance is loud or intrusive, or
- Excessively repetitive, or
- Is causing public inconvenience, or
- Is likely to cause harm to the public or property.

The busker must immediately comply with such a request which may also result in suspension or cancellation of the permit.

GCCC officers, Emergency Service personnel and any other authorised officers may require the busker to relocate to another busking site for the duration of any particular works that are being carried out in the area.

Buskers must at all times comply with any and all directions issued by members of the Queensland Police Service and any other emergency services (SES etc).

## **20 CANCELLATION OF PERMITS**

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SPA and BAL may recommend to the GCCC that a permit be suspended, amended or cancelled if the permit holder fails to comply with the requirements and conditions of approval.

The GCCC may issue a show cause notice on the person or persons holding a busking permit, giving reasons for the suspension, amendment or cancellation of the permit. The show cause notice will allow the permit holder to respond with a specified period as to why the permit should not be suspended, amended or cancelled. A decision notice will then be issued by an authorised GCCC officer at the expiration of the specified period.

GCCC may issue the busker a show cause notice when the busker:

- Is deemed by the GCCC to be causing a nuisance, behaving in an offensive, inappropriate, dangerous manner or contrary to the amenity of the area.
- Is causing an obstruction to pedestrians or vehicular traffic or entrances to shops/buildings.
- Is interfering in any way with an approved entertainment or activity without permission.
- Is selling or offering for sale any articles or commodity.
- Is not maintaining an acceptable standard of personal appearance and hygiene.
- Does not display or have in their possession a 'permit to busk'.
- Is in breach of the conditions of the busking guidelines.

## **21 ADDITIONAL TERMS AND CONDITIONS**

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### **21.1 The permit holder shall:**

- a Comply with all conditions imposed in the permit.
- b Only commence the performance after a valid permit has been obtained.
- c Perform in a safe way, in particular they must not endanger themselves, the public, or any property in the area including private vehicles, street furniture etc.
- d Allow free access along pathways and at the entry or exit to businesses.  
Buskers should not perform within 10 meters of an intersection or pedestrian

crossing unless otherwise approved by the GCCC and if necessary they should ask the audience to move aside so that the pedestrians/vehicles can pass freely.

- e Only perform in designated busking areas as set by the GCCC and as allocated by SPA and BAL.
- f Only perform within the hours allowed for and the length of time allowed.
- g Perform within acceptable noise levels.
- h Comply with the directions of the GCCC ,SPA and BAL authorised officers, members of the Queensland Police Service and any emergency services.
- i Display the 'permit to busk' in a prominent, highly visible position at all times during their performance.
- j Be permitted to accept voluntary donations from the audience, but not solicit funds.
- k Keep the site in use clean while they are working and sure that their use of the site does not pose a threat to public safety.
- l Reinststate the site to its original condition following completion of the busking session.
- m Comply with all other guidelines, terms and conditions as outlined in this document 'busking guidelines'.

## **21.2 The permit holder shall not:**

- a. Perform for longer than 1¾ hours in any one location, i.e. two (2) sets of forty five (45) minutes duration with a 15 minute break between sets. Upon completion of the one and a three quarter hour (1¾) session buskers must allow a minimum of three (3) hours before returning to the same location.
- b. Perform more than twice in any one location (as allocated on the busking permit) per day.
- c. Involve animals, reptiles or birds in a performance (unless otherwise approved and only under strict guidelines, malls excluded).
- d. Use flammable liquids or lit torches.
- e. Use knives, swords, chainsaws or any other dangerous instruments.
- f. Mimic, upset or offend any member of the public by their behavior.
- g. Use abusive, offensive or indecent language, material or behave in an indecent or abusive manner.
- h. Display any advertising device.
- i. Distribute any publication e.g., printed or written matter, pamphlets, leaflet, circular, notice, ticket, voucher, pass, advertisement, poster magazine or other periodical publication.
- j. Sell, offer for sale, or offer for donation any merchandise or service.

- k. Charge any fee for the performance or part there of.
- l. Busk in trader doorways, shopping centre entrances.
- m. Use any street furniture for the purpose of the performance (street furniture must be left for the public use).
- n. Leave any equipment in a position that may create a hazard to the public.

## **22 BUSKING GUIDELINES REVIEW**

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The Busking Review Committee comprising of representatives from GCCC, SPSP, SPA and BAL will meet as needed to monitor the effectiveness of the guidelines and discuss busking issues that emerge in the precincts. The Committee will report to The Manager Health, Regulatory and Lifeguard Services. Representations regarding the guidelines can be made at any time in writing through the representatives mentioned above. All correspondence will be considered at each review committee meeting.

## **23 GLOSSARY OF TERMS**

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### **23.1 BAL**

Broadbeach Alliance Ltd

### **23.2 Busker**

An entertainer who provides impromptu performances for the public by playing a musical instrument, dancing, singing, clowning or juggling, or doing other acts of a similar nature in public places for voluntary donations from their audience.

### **23.3 Dangerous materials and implements**

Materials and implements that pose a risk, hazard or uncertain outcomes for people including:

- Flammable materials and chemicals, fire, fireworks, smoke, flares, heated elements or anything giving off a level of heat or toxicity that poses a threat of harm or damage to members of the public and public property.
- Dangerous implements include knives, spears, swords, spikes, and sharp implements of any kind that pose a threat of harm to the general public.

### **23.4 Designated sites**

Specified sites within restricted areas where busking can occur under defined conditions.

### **23.5 GCCC**

Gold Coast City Council.

### **23.6 Monetary Appreciation**

The voluntary giving of money from the audience in appreciation of a performance/act, where the giving on money is not mandatory, implied or requested.

### **23.7 Offering for sale**

The display or demonstration of items, particularly multiples of items, with an implication that they are available for sale or otherwise in exchange for money e.g. CD's, DVD's, sunglasses, fluffy toys, glow sticks, balloons or artworks,

**23.8 Performance**

Musical, dramatic or other entertainment substantially involving musical, theatrical or circus performance skills.

**23.9 Soliciting of funds**

The act of asking, begging, seeking or requesting money or goods from members of the public.

**23.10 SPA**

Surfers Paradise Alliance

**23.11 SPSP**

Surfers Paradise Street Performers