



# Busking guidelines



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## Surfers Paradise Broadbeach

Date 10 July 2015

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## 1. Introduction

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

To help manage busking activities The Council of the City of Gold Coast (the Council) have developed this 'Busking Guidelines Document'.

The purpose of this document is to provide simple guidelines to ensure that busking is well managed within the Surfers Paradise and Broadbeach precincts, presently the only areas where busking is permitted on land controlled by the Council within the City of 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 the Council in conjunction with Surfers Paradise Alliance Limited (SPAL) and Broadbeach Alliance Limited (BAL) can best manage its streets and malls in the interests of all stakeholders.

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

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

## 2. Objective

These guidelines have been developed:

- To provide the framework for managing busking activities in the Surfers Paradise and Broadbeach Precincts, 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 Precincts ;
- To identify suitable busking sites within the Surfers Paradise and Broadbeach Precincts 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, residents and the accessibility of visitors.

## 3. Application process

### Written application

- The Busking Application form can be found on either the SPAL, BAL or the Council websites and must be completed and received by the closing date for the next permit period;
- Closing dates are specified on the SPAL & BAL websites - [www.surfersparadise.com](http://www.surfersparadise.com) and [www.broadbeachgc.com](http://www.broadbeachgc.com);
- All applicants will be advised by phone/email if their application has been successful in progressing to the second stage, consisting of an audition

### Audition

- Applicants will be required to demonstrate their performance to a judging panel;
- The dates and times for auditions are given on the SPAL & BAL websites;

- 
- Applicants must bring 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 SPAL & BAL & the Council 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. SPAL and BAL may recommend to the 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

### **Approval, permit acceptance and payment process**

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

Buskers must hold a current permit to busk, authorised by the Council on the recommendation of either SPAL or BAL before they can busk in either precinct.

### **Surfers Paradise Alliance Limited**

Successful applicants can pay the busking permit fee to SPAL using the following methods:

- Online banking by direct credit. SPAL will advise account details and upon receipt of payment the busking permit will be posted;
- Post the payment (cheque/money order) to SPAL who will post the busking permit;
- Make payment in person at the SPAL office (cheque/ money order) and pick up their permit at that time;
- Fees for permits must be paid by cheque, money order or direct deposit, cash is not accepted.

Permits may be collected from:

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

### **Broadbeach Alliance Limited**

Successful applicants can pay the busking permit fee to BAL using the following methods:

- Online banking by direct credit. SPAL will advise account details and upon receipt of payment the busking permit will be posted;
- Post the payment (cheque/money order) to BAL who will post the busking permit;
- Make payment in person at the BAL office (cheque/money order) and pick up their permit at that time;
- Fees for permits must be paid by cheque, money order or direct deposit, cash is not accepted.

Permits may be collected from:

Broadbeach Alliance Ltd  
Ground Flood Synergy Building

## 4. Licence periods and permit fees

The permit periods are as follows:

Month when application must be submitted	Permit period	Applicable fee
February	March, April, May	Refer to the application form for current fees. (Cheque or money order, SPAL only direct deposit ) (Cash not accepted)
May	June, July, August	
August	September, October, November	
November	December, January, February	
As above	1 September to 31 August or part there of	

Note:

- Busking Permits are issued on a three (3) month or twelve (12) month, or part thereof 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 only one fee will be charged.
- Please note the period of any busking permit will be on the recommendation of either SPAL or BAL.
- Please also refer to Clause 12 'Restrictions' which may affect the ability of the busker to perform on certain days

## 5. Proof of identity

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

## 6. Permit details

### Performance times

Unless otherwise specified

- Busking activities are only permitted between the hours of 10:00am and 10:00pm;
- 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;
  - 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.

**Please note** Buskers must not perform more than twice in any one location per day

### **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 the 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:

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## Surfers Paradise Busking Locations

Foreshore Busking Sites



## Foreshore Busking Site Requirements

F1 – Living Statues only - Site not to be used between 2:30pm-10pm Wednesday, Friday.& Sunday

F2 – All Performances - Site not to be used between 2:30pm-10pm Wednesday, Friday.& Sunday

F3 - All Performances - Site not to be used between 2:30pm-10pm Wednesday, Friday.& Sunday

F4 - All Performances - Site not to be used between 2:30pm-10pm Wednesday, Friday.& Sunday

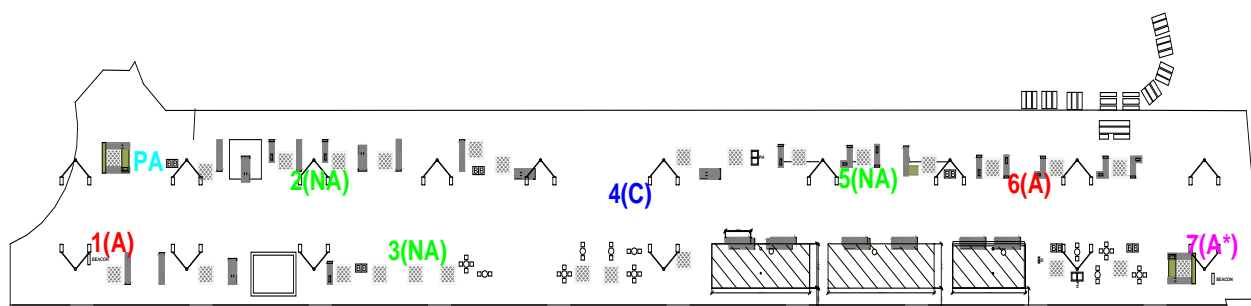
F5 - All Performances - Site not to be used between 2:30pm-10pm Wednesday, Friday.& Sunday

F6 - All Performances - Site not to be used between 2:30pm-10pm Wednesday, Friday, Sunday  
or at any other time when Surfers Paradise Alliance is using the area for an event.

F7 All Performances - Site not to be used between 2:30pm-10pm Wednesday, Friday & Sunday

All performances using amplification at the foreshore sites must ensure the amplification is directed towards the beach (east).

## Cavill Mall Busking / Public Address Sites



## Cavill Mall Busking/Public Address Site Requirements

**PA** Northern side Cavill Mall adjacent Ray White Real Estate - Permit required to conduct a public address. Amplification **not** permitted. No busking permitted at this site at any time.

1 Southern side Cavill Mall adjacent Coffee Club - Amplification permitted.

2 Northern side Cavill Mall outside City Beach - Amplification **not** permitted.

3 Southern side Cavill Mall adjacent Seafood Empire/Belly Busters - Amplification **not** permitted.

4 Centre of Cavill Mall (Site No. 4) is subject to the following conditions:

- Any busking performance is permitted prior to 6pm (amplification not permitted);
- Only Circle Acts are permitted after 6pm (amplification permitted);
- The duration of performances must not exceed thirty (30) minutes per show;
- There must be a thirty (30) minute interval between shows;
- Buskers must not perform more than two (2) 30 minute shows.

5 Northern side Cavill Mall adjacent Rip Curl/Hog's Breath Café - Amplification **not** permitted.

6 Northern side Cavill Mall adjacent McDonalds/O' Malley's bottle shop - Amplification permitted.



- 7 Southern side Cavill Mall adjacent Jacks Kebabs - \*Site not available to buskers between 7pm – 10 pm Friday and Saturday nights.

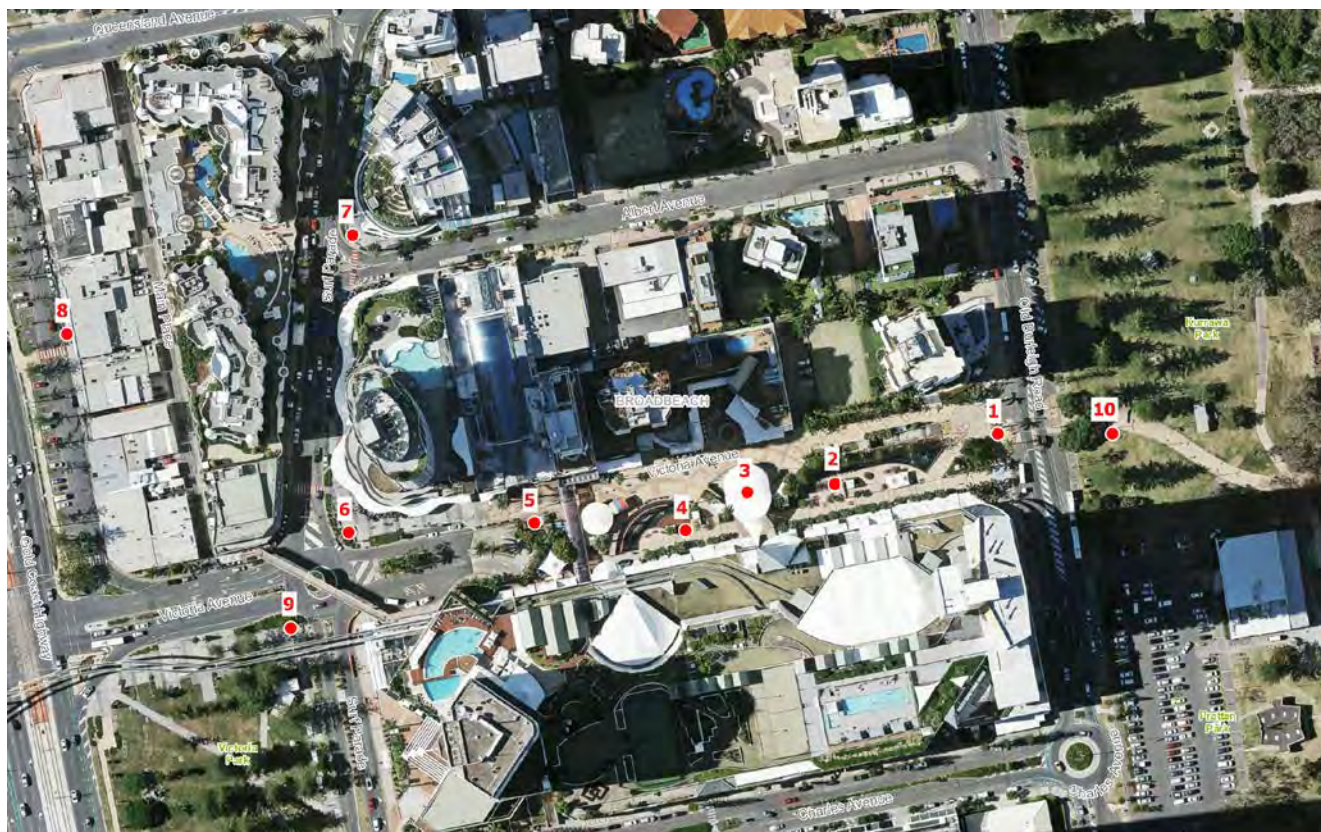
**CBD Busking Sites**



- 1 Cavill Avenue – outside Centro Surfers Paradise Boulevard entrance, (kerb side).
- 2 Orchid Avenue – Outside 'OK Gifts' (kerb side).
- 3 Orchid Avenue – Outside Louis Vuitton (kerb side).
- 4 Surfers Paradise Boulevard – Outside Centre Arcade entrance (kerb side).
- 5 Surfers Paradise Boulevard – Outside Chevron Renaissance Brothers Nielsen, north of pedestrian crossing (kerb side).

6 Surfers Paradise Transit Centre (Beach Road; front entrance).

## Broadbeach Busking Locations



- 1 Eastern end Broadbeach Mall – Amplification permitted
- 2 Mall area adjacent to access stairs east of tortoise (trial site) – Amplification permitted
- 3 Broadbeach Mall stage – Amplification permitted (Circle Acts permitted)
- 4 Boardwalk – Amplification not permitted
- 5 Old stage area western end of mall adjacent to Niecon Plaza entry (trial site) – Amplification permitted
- 6 Wave Corner – Amplification permitted
- 7 Corner Surf Parade and Albert Avenue – Amplification permitted
- 8 Main Place – Amplification permitted
- 9 Victoria Park (corner Surf Parade and Victoria Avenue) – Amplification permitted
- 10 Kurrawa Park – Amplification permitted

**Please note** that the Broadbeach Mall Stage (Site No.3) may not be available from time to time due to Dance Companies and School Band Performances (Local & Interstate) scheduled for the community

## 7. 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.

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

Members of group acts must not perform as an individual, or without all approved members being present

## **8. Age restrictions**

The Council 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 Council 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, that is

- 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.

## **9. Monetary appreciation**

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

## **10. Media exposure**

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

## **11. Noise levels**

No amplification is to be used while busking unless 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 noise levels from the busker's performance must not unreasonably intrude into nearby shops, interrupt trade of local businesses or cause a loss of amenity.

Should noise levels be deemed to be causing a nuisance, an authorised officer may direct the busker to cease the use of the amplification.

Cleanliness

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

## **12. Personal appearance**

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.

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

### 13. Restrictions

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.

Officers authorised by the Council, Emergency Service personnel and any other authorised officers may prohibit the use of any particular area while works are in progress.

Restrictions or prohibition on busking within the Surfers Paradise precinct may be imposed during special events such as GC 600, Schoolies, Christmas Eve, New Years Eve, Australia Day, Anzac Day or other public holidays or events, and

Restrictions or prohibition on busking within the Broadbeach precinct may be imposed during special events such as Blues on Broadbeach music festival, Broadbeach Country Music festival, Broadbeach Jazz festival Christmas Eve, New Year's Eve, Australia Day, Anzac Day or other public holidays or events held within the precinct.

### 14. Public intervention

Buskers **must not** film; photograph, and/or sound record any member of the public.

The busker/s is not to harass, annoy or disturb any person, traders or residents of nearby accommodation premises.

Should a busker/s find them self in a potentially volatile or harassing situation involving a member/s of the public it is recommended that the busker/s:

- **Remove themselves from the situation; and**
- **Contact Police for assistance.**

### 15. Activity no permitted

- 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

### 16. Permit display

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

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## 17. Pedestrian traffic / accessibility

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.

## 18. Permit transfer / refunds

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

## 19. Public liability

Buskers are not insured under the public liability insurance policy of the Council and as such, are not covered for any injury or damage that they may cause to another person or property as a result of the actions of the busker or the buskers performance.

Where a busking performance involves equipment, instruments, props etc. or actions that have the potential to injure a person or damage property, the busker will be required to supply to the Council, evidence of their broadform public liability insurance policy for at least \$10 million that notes the interests of The Council of the City of Gold Coast.

Busking performances that are considered low risk i.e. performances or acts that have minimal potential to cause injury to the public or damage to property will not be required to provide proof of public liability insurance. However it is strongly recommended that buskers hold their own public liability insurance.

## 20. Cessation and / or relocation

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 officers authorised by the Council to cease busking.

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

Officers authorised by the Council, 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.

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

## 21. Cancellation of permits

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

The Council 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 officer authorised by the Council at the expiration of the specified period.

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

- Is deemed by the Council 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';
- Constituting a risk to public safety;
- Is in breach of the conditions of the busking guidelines

## 22. Additional terms and conditions

The permit holder must

- 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 metres of an intersection or pedestrian crossing unless otherwise approved by the Council 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 Council and as allocated by SPAL 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 lawful directions of Officers authorised by the Council, SPAL and BAL authorised officers, members of the Queensland Police Service and any emergency services;

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- 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 ensure that their use of the site does not pose a threat to public safety;
  - l) Reinstate 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'.

The permit holder must 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 per day;
- c) Involve animals, reptiles or birds in a performance (unless otherwise approved);
- 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 behaviour;
- 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 thereof;
- 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.

## **23. Busking guidelines review**

The Busking Guidelines will be reviewed from time to time to ensure information relevant to the activity of busking is available and up to date

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## 24. Glossary of terms

BAL	Broadbeach Alliance Limited
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
Dangerous materials and implements	Materials and implements that pose a risk, hazard or uncertain outcomes for people including: <ul style="list-style-type: none"><li>• 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.</li><li>• Dangerous implements include knives, spears, swords, spikes, and sharp implements of any kind that pose a threat of harm to the general public.</li></ul>
Designated sites	Specified sites within restricted areas where busking can occur under defined conditions
The Council	The Council of the City of Gold Coast
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.
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.
Performance	Musical, dramatic or other entertainment substantially involving musical, theatrical or circus performance skills.
Soliciting funds	The act of asking, begging, seeking or requesting money or goods from members of the public.
SPAL	Surfers Paradise Alliance Limited
SPSP	Surfers Paradise street performers





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For more information

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