



INTRODUCTION

The City of Ballarat is committed to supporting a lively street culture and welcomes a diversity of entertainment in public areas. Artistic and cultural performances are integral to a creative and vibrant city and the City of Ballarat aims to improve and encourage such performances.

With a strong history of performers from the City this guide aims to encourage and provide a framework for current and future buskers in the City, and provide businesses and other users of the public realm the framework for which buskers can perform. The desire is to deliver an environment that enables performers of all backgrounds and abilities to express their craft for the public to enjoy.

OBJECTIVES

The objectives of this busking guideline are to:

- Support the City of Ballarat' Making Ballarat Central: The CBD Strategy in activating public areas
- Support and encourage performers in the City
- Maintain the heritage of Ballarat's identity and levels of public amenity
- Provide a clearly understood, fair and transparent framework for managing public performers/buskers
- Provide a level of certainty to traders, businesses and all users of the public realm

The City of Ballarat recognises that:

- Busking and performing arts makes an important contribution to the fabric of a vibrant and cultural city
- Ballarat has a strong history of performing arts and artists
- Busking activity should not adversely affect public safety, amenity and pedestrian traffic, conversely, busking should enhance the public realm

WHAT IS BUSKING?

Busking is the practice of providing entertainment by performing in public places, for donations.

Types of busking may include;

- Performing with an instrument or instruments
- Performance of a dance routine and/or a song
- Juggling, clowning, magic or living statue
- Actively working in an artistic medium

What is NOT considered busking;

The activities below are NOT considered busking

- Vendors of any kind – including flowers, jewellery, food and other merchandise
- Touting or spruiking
- Political rallying
- Religious spruiking
- Face or body painting
- Fundraising events or promotions, even if they have an element of performance
- Begging – begging is illegal and enforcement is the responsibility of Victoria Police

Busking permits will not be issued to companies, clubs, individual or businesses wishing to promote their services or products.

Locations

Busking is permitted in public spaces throughout the City of Ballarat where it is able to meet the criteria outlined in the Busking Guidelines. Consideration must be given for the capacity of the street/footpath to accommodate buskers, crowds and appropriate pedestrian traffic, busking should occur in locations where the activity enhances the vibrancy and activation of the area. Sites may move, be temporarily unavailable or permanently removed at the City of Ballarat's discretion. Buskers must follow the direction of City of Ballarat authorised officers if any busking site becomes unavailable either temporarily or permanently.

Please note shopping centres such as Central Square and Stocklands Wendouree are NOT Council managed public spaces and buskers must contact these Centres directly for information on busking requirements.

Diverse and Engaging

Busking should offer a range of performances which engage with the public positively while creating a sense of curiosity and interest.

Accessibility

Busking should not compromise pedestrian movement or alternate activities through a street or an area and should maintain adequate clearances for disability access.

Safety

The safety and security of the public, the performers, traders and Council assets must be considered at all times.

Amenity

The overall amenity of the area should be considered, which must not be compromised by way of excessive noise, anti-social behaviour or odour from fuels.

EASY APPLICATION PROCESS

Please contact Council's customer service team, located within the Phoenix Building, 25 Armstrong Street South to complete a busking application.

An application fee of \$5 will apply for all permit applications. Permits are valid for 6 months from date of issue.

GUIDELINES AND CONDITIONS

Age Restrictions

Performers should be over the age of 16, those wishing to obtain a permit under the age of 16 will require parent/guardian consent prior to the issuing of a permit.

Animals

The use of non-domesticated animals will not be permitted as part of a busking performance. Buskers who use animals as part of their act;

- Need to ensure that the act complies with RSPCA guidelines for the use of animals in entertainment
- Must comply with the Domestic Animals Act 1994
- Must provide a clean, comfortable and safe environment for the animal while performing
- Must not put themselves, the animal or any member of the public in danger at any time
- Will wholly be responsible for addressing any allegations of cruelty or misconduct directed against them

Group Acts

Group acts are generally limited to four (4) performers with larger groups assessed on a case by case basis. The same busking conditions apply to both individual, duo and group acts.

Public Liability

Buskers are wholly responsible for all claims made against them for personal injury or property damage. Buskers are not covered under the City of Ballarat's public liability insurance policy and are encouraged to hold their own public liability insurance.

Safety

Buskers are to ensure that neither themselves nor their audience, pedestrians or the general public are put at risk at any time during their performance.

Pedestrian Access

Buskers are responsible for maintaining pedestrian flow and public amenity at all times.

Performers should ensure that they or their audience do not block shop doorways during business hours, dining areas and cafes, bus stops, fire escapes, roads and residential doorways. Wheelchair access around the site must remain at all times.

Buskers must not perform within five (5) metres of a road intersection including any pedestrian crossing or traffic lights.

Cleanliness

Buskers must keep the site in use clean while they are working, ensure that their use of the site does not pose a threat to public safety and that the busking site is left in the condition that it was found.

Management of Sound Generated by Busking

Sound from busking in the public realm has the potential to disrupt business trading, affect workplace performance and detract from public amenity. Even though on street sound from busking contributes to the vibrancy of the city, it can be the cause of great discomfort for others when it is excessive.

Designated Sound Levels

Busking activity in the City of Ballarat should operate at a level so that the sound:

- Is not intrusive above background levels to the degree that a passer-by would have to strain their voice to be heard above the sound
- Is not readily audible over other background noise when a person is more than two standard building frontages from the source of the sound

The sound from a busking performance shall at no time disrupt business trading including retail and dining establishments, affect workplace performance or detract from public amenity.

Performance Times

Buskers should only perform for a maximum of two (2) hours per day at each location. Buskers are encouraged to take breaks. Upon completion of the two (2) hour maximum for that location the busker must move to another location (at least four (4) building frontages away) and not return to that location again that day.