

<b>Policy Reference Number:</b>	1.34
<b>Classification:</b>	General
<b>First Issued/Approved:</b>	13 November 2012 (Res 113/2013)
<b>Review Frequency:</b>	After the general election – every 4 years
<b>Last Reviewed:</b>	9 December 2014 (Res 235/2015) 18 December 2018 (Res 247/2019)
<b>Next Review Date:</b>	December 2019
<b>Responsible Officer:</b>	Chief Executive
<b>Applicable Legislation:</b>	<i>Local Government Act 1999</i>
<b>Relevant Policies:</b>	
<b>Related Procedures:</b>	
<b>Compliance Standard:</b>	

**1. POLICY STATEMENT**

A permit for Busking in Robe is to be issued and signed by both the permit holder and Council and contain the conditions of the permit which are as follows:

**2. POLICY (Description)**

**The permit holder must not:**

- Perform without a valid permit.
- Perform outside daylight hours. All performances are to be conducted between the hours of 9am – 8pm.
- Undertake any act that involves excessive noise and/or amplification or, create what is, in the opinion of an Authorised Council Officer, a sound level that is excessive or that may adversely affect the enjoyment of the public.
- Use offensive or discriminatory language or behaviour.
- Advertise or associate with any advertising in conjunction with the performance.
- Perform with more than three other persons, unless written permission has been obtained from Council.
- Use any animal in conjunction with a performance.
- Use any child (being a young person under the age of 12) or other person not being a current permit holder in conjunction with any performance.
- Accost or solicit any by-standers or passers-by for money or assistance.
- Sell or offer for sale any object unless written permission has been obtained from the Council.
- Cause directly or indirectly any undue obstruction to the movement of pedestrians.
- Allow his or her permit to be used by another person.
- Perform in any designated area for a longer period than 1 hour.
- Use any implements or materials that an Officer of the Council deems unsafe and/or dangerous and/or a risk to public safety. Dangerous materials or implements are those which may in the opinion of the Officer pose a risk to persons and/or property and include: flammable materials, fire, chemicals, stockwhips, or any other sharp instruments such as swords and knives.
- Perform on the Robe Jetty or Robe Marina Working Hardstand.

**The permit holder must:**

- Display his/her permit at all times when performing.
- Perform only within the designated area prescribed.
- Upon completion of performance, reinstate the performance site to its original condition and ensure that the area is clear and free from debris.
- Upon the completion of a performance of up to 1 hour in duration, move to a different location at least 50 metres distance.
- At all times observe the provisions of Council By-Laws and act in accordance with the Law.
- Comply with the directions of any Authorised Officer and/or member of the SA Police Department.
- If performing in Victoria Street, move to another location as requested to do so by a proprietor or employee from a business in the vicinity of the performance location.
- Produce, upon the request of any Authorised Council Officer and/or member of the SA Police Department, the busking permit issued by the District Council of Robe, photographic identification.

**Minors**

- A busking permit may be issued to a parent or guardian on behalf of a child that is between 12 and 18 years of age if the application for permit has been approved by an Authorised Council Officer. Any permit granted to a parent or guardian on behalf of a child, is only valid during the daylight hours in which the child is not required to attend school in accordance with the *Education Act 1972*.
- The parent or guardian, to whom a permit has been issued on behalf of a child, must accompany the child at all times whilst the child performs.

**Public Liability**

- The Council has in place public liability arrangements, but the Council does not accept liability nor assume any responsibility for any acts or omissions of buskers regardless of whether or not they are authorised to perform.
- It is not a mandatory condition of this Permit that a busker holds and maintains a public liability insurance policy. However, in certain circumstances, the absence of appropriate insurance coverage may leave a busker open to a personal liability claim in the event that a negligent act leads to third party injury or loss.

**FURTHER INFORMATION**

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: [www.robe.sa.gov.au](http://www.robe.sa.gov.au)

Royal Circus, Robe SA 5276

Copies will be provided to interested parties upon request. Email [council@robe.sa.gov.au](mailto:council@robe.sa.gov.au)

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

**POLICY REVIEW**

This policy may be amended at any time and must be reviewed at least every four years since its adoption (or latest amendment).