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# Busking Permit

This application is made under *Whitsunday Regional Council Local Law No. 1 (Administration) 2014*. A copy of these laws may be found on website: <http://www.dip.qld.gov.au/local-government/local-laws-database.html> and select 'Whitsunday Regional Council' to search.

If you have any questions about how to complete this form, please contact Council's Health & Environment Department on 07 4945 0259.

Please complete this application in BLOCK LETTERS and tick or fill in boxes where applicable. If a question does not apply, please indicate 'n/a'.

## **Application Type**

Application fee \$61.00  
(Once only fee – Not Refundable)

**NOTE: All fees current until 30 June 2018**

## **Applicant Details**

Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Locality/Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Day Time Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

## **Site Location of Activity**

Address: \_\_\_\_\_

Locality/Suburb: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_

## **Business Owners Consent (if performance is adjacent to trading business)**

Name of Business: \_\_\_\_\_

Name of Business Owner: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_

Signature of Business Owner: \_\_\_\_\_ Date: \_\_\_\_\_

**Type of Activity**

Provide detailed description of performance/act

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**Proof of Identity**

Please attach copy of relevant identification

- Drivers Licence       18+Card       Other (please specify) \_\_\_\_\_

**Parental/Guardian Consent (if under 18 years)**

Name of Parent/Guardian: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

## **Applicant Agreement with Local Government**

Buskers will be required to take out a public liability insurance policy to the value of twenty million dollars (\$20,000,000.00) with the Whitsunday Regional Council being endorsed as an insured party. This policy must be submitted to Council prior to commencing the busking activity.

Surname: \_\_\_\_\_

Given Names: \_\_\_\_\_

I acknowledge that any licence issued pursuant to this application shall be subject to the following conditions:

- a) the licence holder shall, at times, hold harmless and keep indemnified the Council, its members, officers, employees, and agents from all actions, suits, proceedings, claims, demands, losses, costs, charges, and expenses which may be taken against, made on, or suffered by it or any of them directly or indirectly on account of or in respect of or arising out of any act, matter or thing done or omitted to be done by the licence holder or his agents or employees or any of them in connection with any activity carried out or supporting to be carried out under the permit or in observance, fulfillment, non-observance, or non-fulfillment of any condition of the licence;
- b) the holder of the licence must take out a public liability insurance policy to the value of TWENTY MILLION DOLLARS (\$20,000,000.00) with the local government being endorsed as an insured party;
- c) the busking act must be performed in accordance with Council's Policy for Busking (as described below) and all other relevant Local Laws.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

## **Proof of Public Liability**

Name of Insurance Company: \_\_\_\_\_

Expiry Date: \_\_\_\_\_

### **IMPORTANT NOTE**

**A copy of your Public Liability Insurance Policy must be attached to this completed application.**

## **Conditions for Busking**

1. The following are **not** considered to be busking under the terms of the Whitsunday Regional Council policy and therefore **prohibited**:
  - a) Tarot card and palm readers, fortune readers;
  - b) Artists selling their works (such as portrait artists);
  - c) Masseurs or masseuses;
  - d) Pavement Art
  - e) The use of dangerous materials and substances
  - e) Vendors of any kind
  - f) Soliciting of money for any purpose, or; any like act or activity.
2. Buskers **must** display their Permit to Busk in a prominent, highly visible position in the busking site at all times during their act;
3. Buskers may only perform between the hours of 9:00am and 10.00pm inclusive;
4. Buskers may perform for a maximum of two (2) hours at any one site including designated sites;
5. Buskers must keep the site being utilised clean and tidy while they are working and ensure that their use of the site does not pose a threat to public safety;
6. Buskers may receive voluntary donations from the audience but may not solicit funds;
7. No form of amplification is to be used during a performance;
8. 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;
9. Buskers must not interfere with pedestrian flow or cause obstruction to traders or delivery vehicles, including by way of encouraging audience formation in such a manner as to cause such interference. A minimum two (2) metre pedestrian clearway must be maintained to ensure pedestrians are not adversely obstructed;
10. The use of percussion instruments is limited to restricted areas;
11. Police and Council Authorised Officers are able to revoke permits if the holder is causing public inconvenience, likely to cause harm to public property, or in breach of this Policy;
12. No more than two Buskers are to be performing at any one time within the Airlie Beach Lagoon Precinct;
13. Must not cause a nuisance to the proprietors of business premises or occupiers of any residence located in close proximity to the busking activity;
14. Must not accost or cause a nuisance to passers-by; and
15. Must not solicit audience participation in the busking activity.

## **Restricted Areas**

1. Busking is not permitted in relation to Special Events unless busking forms part of that event or specific invitation is granted by Council.
2. Busking is not permitted within 20 metres of outdoor dining facilities or Licensed venues during operational hours unless specific invitation has been supplied by management of the business.

**This policy is to remain in force until otherwise determined by Council.**