



City of Melville Busking Guidelines

June 2020

Introduction

City of Melville encourages activation of our public spaces and busking is a key part of this activity. There are some points to consider regarding performances in public spaces. This document outlines key responsibilities when busking in the City of Melville.

What is Busking?

The City of Melville recognises that:

- Busking is a valid means for people to make a living.
- Busking should not contribute to a lack of public safety or personal safety of performers.
- Busking should not unduly disrupt or interfere with pedestrian and vehicular traffic.

In the context of City of Melville Council's Busking Guidelines a busker is considered to be a person performing in a public place who is:

- Playing an instrument or multiple instruments both conventional or self-constructed performing music or other creative performance.
- Engaged in a dance routine.
- Engaged in other forms of public performance such as circus, street theatre, pavement or visual arts, mime, statue or spoken word.
- May receive voluntary donations from the audience.
- Not performing as part of another event or festival.

These guidelines apply whether the busker is accepting money or not.

Respect to the general public and shop owners should be adhered to at all times. A performance must not involve:

Anything that is offensive or obscene.

- b) The commission of a nuisance, or
- c) any activity or act, which endangers the safety of the public or an animal or damage to public property.

Busking at Designated Pitches

City of Melville has 4 designated Busking Pitches:

- Busking Spot 1: Willagee Central, Archibald Street in front of Willagee IGA
- Busking Spot 2: Riseley Street Shopping Precinct, Cnr Riseley Street Ardross and Kearns Cres in front of Flight Centre (south side) and Bad Apples Cafe and Bar (north side)
- Busking Spot 3: Applecross Shopping Precinct, Ardross Street in front of Applecross Village Newsagency
- Busking Spot 4: Marmion Street Shopping Precinct, Melville in front of Melville Heights Meat Supplies

Busking is also permitted within the vicinity of food trucks that are operating within City approved food truck sites.

It is the responsibility of the busker to ensure that the pitch is left in the condition that it was found in and that measures are put in place to ensure that all litter is removed, footpaths and paved areas are not left stained with any material, chemical or other stainable residue.

Busking pitches are allocated on a first come first serve basis with no pre booking required however performers are only permitted to be located at a busking pitch for a maximum of two hours. A busker can perform at the same pitch on multiple occasions but must have at least a two hour break between each performance in order to allow other buskers access to the pitch.

Busking may be permitted within the following times:

- Monday to Friday, 7am to 10pm.
- Saturday and Sunday, 9am to 10pm.

A busker who is performing pavement or visual art:

- Must use chalk unless working on paper or card.
- Cannot use spray paint unless it has been approved for a specific event by the City.

Busking Elsewhere

Busking on privately owned or managed land should be negotiated directly with the owner or management. If you fail to notify the surrounding businesses and you are deemed to be a nuisance or inappropriate, you may be instructed by an authorised officer to cease your activities.

There are some areas that are not appropriate for busking. They include, but are not limited to:

- Within 5 metres of a road intersection.
- Close to entrances or on steps of train stations.
- A designated area where public works are occurring.
- Directly outside the Civic Centre.
- Any residential area.
- Bus stops.

Performers, individuals and private landowners wanting to **nominate additional regular Busking Pitches** can contact Pete Stone, Creative Producer – Arts and Culture pete.stone@melville.wa.gov.au to suggest a location.

Pedestrian Access and use of Footpaths

Buskers must always allow free access along pathways and must not position themselves opposite the entry or exit to businesses or against the building line. Buskers must accept responsibility for the impact their performance may have on other city services. In the event of wet weather, buskers may not position themselves against the building line or under awnings.

Persons under 14 years of age

If a busker is under 14 then an adult parent or adult guardian must accompany the busker when busking on site at all times.

Noise Levels

Amplification of sound is not encouraged. If, however, some amplification is necessary because of the nature of the event or instrument/s then the busker should be aware of noise sensitive areas/people/times and adjust amplification to suit. Speakers must not be placed directly facing shops or at shop entrances.

If in the opinion of a Ranger, Environment Health Officer, other City of Melville staff or Police Officer, the noise level is too high then the busker is expected to comply with the directions of that officer. Acceptable noise level measures are 75 dBA L10, when measured for one minute at a distance of three metres from the source of sound and 69 dBA L10, when measured for one minute at a distance of 6 metres from the source of sound.

Litter

It is the responsibility of the busker to ensure that the site is left in the condition that it was found in and that measures are put in place to ensure that all litter is removed, footpaths and paved areas are not left stained with any material, chemical or other stainable residue.

Cooperation with City of Melville Council Staff

Buskers must follow all instructions given by a City of Melville Council Authorised Officer or WA Police.

Risk Management

Public liability insurance is suggested for the following types of performers.

- Solo Musicians & Musical Groups
- Solo Dancers & Dance Groups
- Statue & Mime Artists
- Balloon Artists and Face Painters
- Chalk Artist/s

In all instances it is your responsibility as a busker to obtain the appropriate insurance coverage if required as the City assumes no responsibility for any acts of negligence arising from your activity.

Busking Permit

You need a busking permit to perform in public space but these permits do not need to be displayed when busking. There is no charge for a permit and it can be obtained by making an online application at <https://www.melvillecity.com.au/things-to-do/events>. The application process is simple and asks you to nominate:

- A description of your act
- Proof of identity

Public liability insurance may be required depending on the nature of the proposed street entertainment activity as outlined in Appendix A of these guidelines. In all instances it is the responsibility of the permit holder to obtain the appropriate insurance coverage if required.

The Application Process

Once your complete application is received and approved a permit will be emailed to you within 10 business days. There is no cost or expiry date for a permit however a permit can be cancelled by the City.

Cancellation of a Permit

Activities in Thoroughfares, Public Places and Trading Local Law 2014 outlines the responsibilities of buskers performing in the City of Melville. These responsibilities are reflected in these guidelines. Failure to comply with any of the conditions could result in the busking permit being revoked and/or a fine.

City of Melville may also cancel, suspend or amend any permit at any time if:

- It is requested to do so by the permit-holder.
- There have been repeated violations of the Busking Guidelines.
- There have been consistent complaints from nearby businesses or members of the public.



Further Information






All general busking enquiries should be forwarded to Pete Stone, Creative Producer – Arts and Culture pete.stone@melville.wa.gov.au

Appendix A: Minimum Requirements

| Type of Performer | Approved Pitches | Fire Blanket & Extinguisher | Noise Control | Insurance |
|-----------------------------------|--|-----------------------------|---------------|-------------|
| Solo Musicians & Musical Groups | All pitches for solo, Pitch 3 for groups | N/A | Yes | Recommended |
| Solo Dancers & Dance Groups | All pitches for solo, Pitch 3 and 5 for groups | N/A | Yes | Recommended |
| Statue & Mime Artists | All | N/A | N/A | Recommended |
| Balloon Artists and Face Painters | All | N/A | N/A | Recommended |
| Chalk Artist/s | Pitch 3 and 5 | N/A | N/A | Recommended |

Appendix B: Recommended Pitches

| Pitches | |
|---|--|
| 1. Willagee Central, Archibald Street in front of Willagee IGA |  |
| 2. Riseley Street Shopping Precinct, Cnr Riseley Street Ardross and Kearns Cres in front of Flight Centre (south side) and Bad Apples Cafe and Bar (north side) |  |

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| <p>3. Applecross Shopping Precinct, Ardross Street in front of Applecross Village Newsagency</p> |  |
| <p>4. Marmion Street Shopping Precinct, Melville in front of Melville Heights Meat Supplies</p> |  |
| <p>5. Point Walter adjacent to plant rotunda, in between café and toilets.</p> |  |
| <p>6. Attadale Shops, Hislop Rd, between café and bike shop.</p> |  |
| <p>7. Brentwood Shops, outside IGA.</p> |  |