



Busking Code of Conduct

Introduction

This Frankston City Council Busking Code of Conduct provides guidance in order to ensure street performances are conducted safely, at appropriate times and are compliant with the Street Performance Permit Conditions.

Council sees the proactive management of the Busking Code of Conduct as a way to foster the cultural diversity and entertainment that street performance brings to Frankston City while ensuring safety, amenity and access for the public.

The Code provides information about acceptable parameters, guidelines and behaviours for street performers in Frankston City.

Street Performance is defined as the playing of a musical instrument, singing, giving a recital, creating art or performing.

Street performers in Frankston City are bound by this Code of Conduct.

Permits

Street performers are required to:

- hold a current and valid Frankston City Council street performer permit;
- visibly display the valid permit while performing, and
- at all times comply with the Frankston City Council Street Performance Permit Conditions.

Frankston City Council reserves the right to alter the conditions or cancel a permit at any time.

Safety

Street performers must:

- always perform in a safe manner, and
- not endanger members of the public, themselves, or any property.

Audience management

Street performers are required to manage their audience so that traffic flow and pedestrian access remain unimpeded and safe.

Times

Allowable street performance times are outlined in the Street Performance Permit Conditions.

Performance sites

Street performers can only perform in designated busking zones as specified in the Street Performance Permit Conditions.

The issuing of a permit does not guarantee a site.

Noise levels

Street performances should be within acceptable volume levels as outlined in the Street Performance Permit Conditions.

Alcohol and other prohibited substances

Street performers are not permitted to perform while under the influence of alcohol or other prohibited substances.

Local laws

Street performers must comply with all local laws.

Interaction with the public

- Street performers must not offend any member of the public by their behaviour, performance or other offensive language/material;
- Active solicitation for money from the public is not permitted, and
- Selected merchandise may be permitted, see the Street Performance Permit Conditions for details.

Related Documents found on Frankston City Council website

- General Local Law 2016 – No.8
- Street Performance Permit Conditions
- Application for Street Performance



Street Performance Permit Conditions

Street performers in Frankston City must follow these conditions:

Permits

- *Street performers* may only perform if they hold a valid permit and must obey the conditions of that permit. Laminated valid permit is required to be visibly displayed while performing;
- For the purposes of identification, before a permit will be issued, applicants are required to provide a certified copy of proof of identity in one of the following forms:
 - Student identity/proof of age card
 - Current passport
 - Current driver's licence
- In the case of a group, one permit will be issued but each member will be named on the permit and each member must provide identification;
- *Street performers* under 18 years of age require written permission from a parent or guardian and must be accompanied by a parent or guardian when performing;
- *Street performance* permits are not transferable;
- *Street performers* must carry out any directions given by Victoria Police, Ambulance, Emergency Services or an Authorised Officer of Council;
- At any time Council may cancel a permit without prior notice if the permit holder fails to comply with any of the provisions contained in the permit or Frankston City Council's *Street Performance* Code of Conduct, and
- An Authorised Officer of Council may at any time instruct a *Street Performer* to immediately terminate their performance.

Safety and Insurance

- *Street performers* are required to hold their own public liability insurance for the life of the permit (twelve months). A permit will not be issued without public liability insurance in place and a copy of a certificate of currency is to be attached as part of the application process. Absence of appropriate coverage may expose them to personal liability.

In the instance where a street performer does not hold public liability insurance cover will be provided under a separate general liability policy taken out on behalf of hirers of Council owned or controlled facilities, participants of Council run or Council approved events or programs or permit holders.

*PLEASE NOTE – this policy DOES NOT provide cover for your liability for personal injury or property damage arising from any participation by spectators (Busker Participation). If this is of concern to you, you should obtain alternative policy cover or seek independent advice.

Please also note that the policy specifically excludes coverage in relation to sexual abuse and use of security personnel – please refer to the Summary of Cover attached to this application.

A fee of \$15.00 will be incurred (some exclusions apply);

Street performers must always perform in a safe manner. In particular, they must not endanger themselves, the public, or any private and publicly owned property in the area;

- *Street performers* that use *dangerous or flammable materials or dangerous implements* as part of their performance must undertake a Street Performance Assessment to demonstrate their skills, experience and their understanding of safety for the public and themselves. These performer must provide their own Public Liability Insurance;
- An Authorised Officer of Council may at any time instruct a *Street Performer* to immediately terminate their performance if the Officer deems it to be too loud, offensive, dangerous or harmful to private / public property or people, and

Street performers must adhere to any State Government regulations that may be imposed from time to time.

Pedestrian Access (footpaths, shops and intersections)

Street performers are required to manage their audience so that pedestrians can pass freely and safely.

Times

- *Street performers* can perform between 9am to 5pm seven days a week, with the exception of the Library Forecourt where times are between 12noon – 5pm only, and street performances with the use of fire at the Frankston Foreshore can perform between 9am – 9pm, and
- Sets must be no longer than 30 minutes duration followed by a 10 minute break and no longer than 1.5 hours in any position.

Performance sites

- *Street performers* can only perform in designated *Street Performance Locations* (see attached maps);
- *Street performers* may be limited to playing in specific designated *Street Performance Locations* as deemed appropriate by the assessment panel;

- *Street performers* can only perform at the Frankston Foreshore site when performing with dangerous or flammable materials as part of their performance;
- *Street performers* are required to move to another designated site every 1.5 hours to encourage performance diversity within Frankston City;
- The issuing of a permit does not guarantee a site;
- Low volume amplified performances are limited to designated sites (see attached maps);
- Permission to perform in privately owned undercover shopping centres must be sought from the shopping centre administration. These facilities are not under the jurisdiction of Frankston City Council, and
- Library Forecourt – please seek prior approval with Council.

Noise levels

- All performances must be within acceptable volume levels, so as not to inconvenience the public or the operation of businesses in the area;
- Low volume amplification is permitted in some designated sites (see attached maps);
- In some circumstances amplification permission may be withdrawn, and
- Some sites are designated as “no amplification” (see attached maps).

Consumption of Alcohol and use of prohibited substances

- *Street performers* are not permitted to perform under the influence of alcohol or prohibited substances, and
- *Street performers* must not consume alcohol or consume any prohibited substances while performing.

Interaction with the public

- *Street performers* behaviour and performance must not include content that Council considers to be offensive to members of the public;
- A suitable receptacle or container for public donations can be placed within the performance area;
- Active soliciting of funds from the public is not permitted;
- Merchandise such as copies of CD’s or music recordings, maybe sold. Approval for any other form of merchandise must be obtained by Council at the time of permit application, and *Street performers* must adhere to any State Government regulations that may be imposed from time to time.

Assessment Criteria

Street performance in the public realm should be considered suitable and acceptable with regard to safety, amenity and its public appeal. To ensure compliance and quality of *street performers* in Frankston, a set of assessment criteria and conditions is applied to applications:

1. The performer is skilled in their art form and has the ability to entertain and engage an audience;
2. The performance positively enhances and activates a streetscape creating a comfortable vibrant ambience;
3. The performer sets a high standard for presentation and delivery of their craft;
4. Applicants will be required to submit links to their music, performance or visual files appropriate to their art form. No USBs will be accepted;
5. An application may be refused on the grounds of content or quality of performance;
6. Performers working with dangerous or flammable materials as part of their performance, will be required to provide their own Public Liability Insurance cover and undertake an assessment with a specialist busking peer assessor;
7. Each application is assessed by a panel of appropriately skilled council staff, and
8. Evidence of a developed and varied repertoire.

Definitions

Street Performer – A person performing an act/performance to be seen by the general public

Street performance – playing of a musical instrument, singing, giving a recital, creating art or performing

Performance sites – An area of public land designated by Frankston City Council as suitable for Street performing

Soliciting funds – The act of asking, begging, seeking or requesting money or goods from members of the public

Public Realm – the space around and between buildings that is publicly accessible, including streets, squares, parks and open spaces

Dangerous flammable materials or implements – Materials and implements that pose a risk or uncertain outcomes for people or property. This includes materials that give off heat or toxicity.

Substances allowed include flammable fuels including forewater, shellsol, low odour kerosene, citronella and other low aromatic, inert fuels.

Substances not allowed include:

- Explosives, fireworks and flares;
- Fuels including blue kerosene, shellite, petrol, turpentine, diesel, methylated spirits and alcohol.

Implements not allowed include:

- Swords, whips and knives and similar implements, and
Petrol motor power tools or props including chainsaws, grinders, whipper snippers and lawnmowers.

Frankston City Council reserves the right to alter the conditions of permits at any time.

Street Performance Locations – Frankston CAA



BEACH ST

Site 1

To the left of the entrance to Bayside Shopping Centre. Near the Taxi rank. Low volume amplification

STATION ST

Site 2

Where ground pins are marked
No amplification

SHANNON ST MALL

Site 3

To the left of the retailer at 10 Shannon Street.
No amplification

WHITE ST MALL

Site 4

Entrance of White St Mall on the right hand side. Next to retailer 54-58 Wells Street. Low volume amplification permitted

CINEMA FORECOURT

Site 5

Low volume amplification

Street Performance Locations – Frankston Foreshore



FRANKSTON
FORESHORE
Site 6
Low volume
amplification

FRANKSTON
FORESHORE
Site 7
Low volume
amplification

Street Performance Locations – Frankston Library Forecourt



FRANKSTON LIBRARY
FORECOURT
Times: 12noon –
5pm only
Site 8 & 9
Low volume
amplification