

Busking Guidelines Review

19 September 2017

Presenter: Geoff Robinson, Manager Engineering Services

Purpose and background

1. The purpose of this report is to seek endorsement of proposed changes to the Busking Guidelines and rebrand them as the Melbourne Busking Handbook.
2. The City of Melbourne Busking Guidelines ('Guidelines') were approved by the Future Melbourne Committee in April 2011. The objectives of the Guidelines are to complement the retail, commercial and residential sectors by activating the streets with live music and street performances.
3. Busking often competes with other activities occurring in the public realm. On 16 December 2016, management reported the findings of the 'Non-Amplified Busking Zone Trial in Swanston Street' and outlined its intention to conduct a comprehensive review of the busking guidelines. Management undertook to provide a subsequent report to the Future Melbourne Committee. The aim of the review is to develop improved guidelines that better reflect the current and emerging needs of the community in relation to managing busking activity.
4. There are 1924 valid busking permits in the municipality comprising of 1690 General Area permits, 114 Bourke Street Mall permits, 73 Pavement Art permits and 47 Circle Act permits. Permits are issued for either three or 12 months and fees were first introduced in 2011.

Key issues

5. The review has involved 121 internal and 344 external stakeholders (refer to Attachment 1 - Stakeholder consultation). To finalise the review, officers undertook targeted community engagement in June 2017 to ascertain the relevance and currency of the Guidelines. This engagement included stakeholder workshops with buskers, the Music Advisory Committee, business and resident groups, online surveys and on-street intercept surveys.
6. The engagement established that the current Guidelines are robust and 88 percent of stakeholders agreed that busking is a positive part of life in Melbourne. Ambience and atmosphere were listed as key reasons. Some improvements were suggested with the main feedback themes relating to sound management, quality of busking performances, number of premium busking sites (such as Bourke Street Mall), what is considered to be busking and administration of the permitting process. Details of the engagement are provided at Attachment 1.
7. Noise management was identified as the most significant issue raised by buskers, residents and businesses during the stakeholder engagement. The acoustic assessment of 15 locations across the city found that amplified performers were not aware they were exceeding noise limits. Sound assessment techniques will be incorporated into the Guidelines to improve sound management across the city.
8. Based on the engagement, proposed changes to the Guidelines are detailed in the Review Matrix (Attachment 2). As a consequence of these changes, 41 existing busking permit holders may no longer be eligible for busking permits as listed in the matrix. To inform all stakeholders of the changes including those affected, a communication plan will be developed. In addition, provisions can be made for a new busking permit type to support special interest activities, which will allow an avenue for these types of activities to continue to occur.

Recommendation from management

9. That the Future Melbourne Committee:
 - 9.1. Endorses the proposed changes to the Busking Guidelines as outlined in the 'Busking Guidelines Review Matrix - 2017' for the purposes of creating the revised and rebranded Melbourne Busking Handbook.
 - 9.2. Authorises the Director City Operations to make minor editorial changes prior to publication and any future editorial changes to the Melbourne Busking Handbook to ensure they remain current with any amendments to the Street Activity Policy and Activities Local Law.

Attachments:

1. Supporting Attachment
2. Busking Guidelines Review Matrix – 2017

Supporting Attachment

Legal

1. There are no direct legal implications with the report recommendations.

Finance

2. There are no other direct financial implications arising from the recommendations contained within the report. The plan has been prepared assuming that all initiatives will be incorporated into existing positions, and therefore funded within existing budgets. These impacts will be monitored and reviewed accordingly.

Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Stakeholder consultation

4. Council officers have undertaken a Busking Guidelines Review. Council officers managed the internal review between Dec 2016 – Feb 2017 and specialist consultants (Capire and Arup) were contracted to deliver the external stakeholder consultation in June – July 2017.
5. The internal review involved staff from Street Trading, On-Street Compliance and Events Melbourne. Staff participated in workshops and all other staff across the organisation were invited to complete an online survey. 100 staff members responded to the internal survey. Findings from the internal review were reported to Council on 6 April 2017.
6. ARUP was engaged in June 2017 to undertake assessments of noise amplification at busking locations. In addition, they tested phone Apps on different phone brands for sound measuring accuracy. The Consultant suggested that:
 - 6.1. “an alternative metric, LAeq, 1min,” could replace the L10 sound measurement as it is easier to measure using a mobile App and is less affected by occasional short term peaks in general ambience. Phone Apps cannot replace specialist sound measuring equipment, but can be used as an indicative tool to assist buskers, retailers and residents. Buskers may require instructions on how and where to measure sound using the App.
 - 6.2. “The use of wet and dry batteries is acceptable for busking provided the appropriate precautions are taken, particularly during charging.”
 - 6.3. It is up to buskers to recognise their sound limits and adjust the amplifier accordingly. The City of Melbourne could do more to help buskers set their speaker limit to the approved sound levels as all amplifiers are capable of exceeding noise levels.
7. Capire was contracted to undertake a targeted consultation with external stakeholders. The consultation occurred between the 18 June and the 16 July 2017. A total of 344 responses were received from buskers, the Music Advisory Committee, residents, business, students and visitors. This included a mixed method approach that included an online survey (158 responses), workshops (27 participants) and on-street intercept surveys (150 responses) undertaken to cater for varying engagement needs of stakeholders.
8. Street Trading received nine written submissions that contributed to the overall analysis of responses and the redrafting of the Busking Guidelines.

9. Overall, 88 percent of stakeholders agreed that busking is a positive part of life in Melbourne, with ambience and atmosphere being the main reasons for liking busking. The feedback was very positive about busking and the cultural significance it has to Melbourne. In particular, the response to the online survey showed that key stakeholders have great interest in the renewal of the Guidelines. There was strong support for the Guidelines and for the role that the City of Melbourne plays in regulating busking activities. The professionalism of the busking scene was highlighted and was seen as something that is valued by participants.
10. The main themes raised through the review included the creation of ambience and atmosphere in the city through busking and opportunities for improvement such as the quality of performances and noise impacts in some locations. Many participants want to see greater diversity and higher quality of acts across the central city.
11. The following digital capability improvements were identified: providing a streamlined application process including the ability for buskers to provide a digital submission of intended performances, an online information briefing, digital permit issue, busking website overhaul including video presentations, online maps, more extensive FAQs, and more promotion of buskers.

Relation to Council policy

12. The Busking Guidelines enables the City of Melbourne to regulate busking as part of the Street Activity Policy 2011. The Activities Local Law 2009 ensures that busking activity is conducted in a manner that minimises the impacts on safety, access and amenity of the City.
13. This report is consistent with overall strategies contained in the Future Melbourne 2026 Plan, Council Plan 2017–20 and to the goals and objectives of the City of Melbourne’s Street Activity Policy, Retail and Hospitality Report 2013 -1, Tourism Action Plan 2016-19, Reconciliation Action Plan 2015-18, Aboriginal Heritage Action Plan 2015-18, and Music Strategy 2014–17.

Environmental sustainability

14. There are no environmental sustainability issues or opportunities identified in the report

BUSKING GUIDELINES REVIEW MATRIX – 2017

The suggested improvements / changes to the Guidelines detailed in the matrix below were developed following internal and external feedback. Over 408 responses were received internally and externally through online surveys and intercept surveys. It was clear that **88 percent of stakeholders agreed that busking is a positive part of life in Melbourne, with ambience and atmosphere being the main reasons for liking busking.**

The consultation reinforced the benefits busking brings to the City and the contributions to activation and vibrancy, but it also exposes some gaps in the management of noise (compliance), quality of performances (perception), application and approval process (digital access) and buskers accessing premium locations like the Bourke Street Mall (international exposure & reputation).

To strengthen Council's position of being recognised as a leading busking city, changes are being proposed to the Busking Guidelines to improve the management and delivery of busking across the City.

Key Headings	Current	Proposed Change	Consequence of Change
Document Title	Street Activity Policy 2011 Busking Guidelines	Melbourne Busking Handbook	Using the term 'Guidelines' does not give the impression that they are rules to be adhered to. Views shared by the community.
Introduction	<p>Whilst City of Melbourne recognises the valuable contribution street entertainment and busking performances makes to the life and vitality of the city, it also recognises the importance of having a structured policy framework in place to minimise complaints, criticism and other issues relating to the ambience and amenity of the city's public realm.</p> <p>The Busking Guidelines 2011 provide this framework to assist performers, businesses and</p>	<p>The City of Melbourne is proud of its reputation for supporting lively street culture and greatly values the diversity of entertainment that buskers provide within the public realm.</p> <p>We are also committed to providing a safe, accessible and culturally sensitive environment for all visitors, workers and residents.</p> <p>The City of Melbourne acknowledges that:</p> <ul style="list-style-type: none"> Melbourne has a strong history of busking and buskers contribute to the character and culture of the city of Melbourne. The City of Melbourne is internationally recognised as a city that supports music 	No impact. The change of working sets the tone for some minor changes to busking in the City.

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	<p>residents in understanding the rules for busking.</p> <p>The aim is to foster an environment that encourages and enables a range of busking performances to thrive in our city.</p>	<p>and busking.</p> <ul style="list-style-type: none"> • Busking activity should not adversely affect public safety, pedestrian traffic or the amenity of a public space for city users. <p>The Melbourne Busking Handbook aims to assist performers, city visitors, businesses and residents in understanding the rules for busking and foster an environment that encourages and enables a range of busking performances to in our city while ensuring that safety and amenity are maintained. We want to ensure that busking continues to flourish and remains a positive aspect of Melbourne city life</p>	
Objectives	<p>The objectives of the Busking Guidelines 2011 are to:</p> <ul style="list-style-type: none"> • support City of Melbourne’s Street Activity Policy 2011 and other strategic policies and plans • support and encourage busking performances to enhance the vibrancy, vitality, diversity and ambience of the city • provide certainty and self-regulation to buskers within a clearly understood, fair and transparent operating framework for managing busking activities • maintain the heritage of the 	<p>The objectives of the Melbourne Busking Handbook are to:</p> <ul style="list-style-type: none"> • support the City of Melbourne’s Street Activity Policy 2011 and related strategic policies and plans such as the Council Plan and Melbourne Music Strategy • minimise issues associated with busking 	<p>For clarification and to raise the profile of busking by linking to specific policy such as the Council Plan and the Melbourne Music Strategy.</p>

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	<p>city's identity and existing levels of public amenity</p> <ul style="list-style-type: none"> • minimise complaints, criticism and other problems associated with busking • facilitate regulated use of the public space 		
Table of Contents		Updated only to reflect changes in the table of content.	No impact.
Principles	<p>Safety and Amenity</p> <p>The safety and security of crowds, pedestrians and residents are significant considerations when assessing a busking application. Busking should provide a sense of safety and security at all times during the performance. It must not compromise the amenity of area caused by noise, excessive amplification, anti-social behaviour or odour from fuels for example.</p>	<p>Safety and Amenity</p> <p>The safety and security of crowds, pedestrians and residents are significant considerations when assessing a busking application. Busking should provide a sense of safety and security at all times during the performance. It must not compromise the amenity of area caused by noise, excessive amplification, anti-social behaviour or odour from fuels for example. Buskers have a responsibility to regulate their sound in accordance with the designated sound levels</p>	<p>There is a minor change to Safety and Amenity to give more responsibility to buskers to self-regulate their sound levels. This may help to establish a collaborative approach between all stakeholders to monitor and manage sound levels in the municipality.</p>
Definitions	<p>Busking is defined as sounding or playing a musical instrument, singing, reciting or performing conjuring, juggling, puppetry, miming, dancing or other</p>	<p>Busking is defined as the sounding or playing of a musical instrument, singing, giving a recitation or performing any conjuring, juggling, puppetry, mime, dance or other entertainment or doing any of those things</p>	<p>Interpretation of what is and isn't busking will support the assessment, approval and compliance processes. There may be a reduction in the number of busking permits issued as a result of the change.</p>

Key Headings	Current	Proposed Change	Consequence of Change
	<p>entertainment or doing any of those things concurrently. Busking also includes the activity of drawing any message, picture or representation on a pavement, paper or canvas surface.</p> <p>What is busking?</p> <p><i>Retain all of existing text</i></p> <p>What is not considered busking?</p> <p>The activities listed below are not considered busking.</p> <p>Busking permits will not be issued for any of the following activities:</p> <ul style="list-style-type: none"> • vendors of any kind – including glow sticks, flowers, jewellery and other merchandise sellers • fundraising, events or promotions even if they involve any element of performance as listed previously 	<p>concurrently. <i>Busking also includes pavement art such as chalk art, drawing and painting.</i></p> <p>A busker is considered to be an entertainer who is actively providing a performance in the public space in exchange for a donation.</p> <p>What is busking?</p> <p><i>In addition to the above, the City of Melbourne may identify unique and special activities that meet the busking principles and deemed suitable for a Street Entertainment Permit or temporary busking permit.</i></p> <p>What is not considered busking?</p> <p>Any activity or demonstration involving the sale or exchange of merchandise, products and services is not busking.</p> <p>Busking permits will not be issued for any of the following activities:</p> <ul style="list-style-type: none"> • accepting money in exchange for merchandise or goods • vendors of any kind – including glow sticks, flowers, jewellery making, wire twisting, calligraphy, portraiture and caricature, photography, balloon sculptures, origami, games of chance, cosplay, and other merchandise sellers 	<p>There are 41 existing busking permits that will not be reissued as a result of these changes. These include:</p> <ul style="list-style-type: none"> • Handmade wire sculptures • Spray painting on vinyl records • Calligraphy • Balloon art sculptors • Bubble blowing • Animal performances • Spontaneous poetry • Telescope demonstrations • Yo Yo tricks • Portrait Art and Caricatures <p>There are also some expired permits that would not be renewed. In addition, there are some pavement art permit holders who may need to revise their activity to meet the new definitions. Anything smaller than A4 is considered to be too small for a performance and is more suited to street trading.</p> <p>There is an option to explore a new busking permit type for special activities that are not eligible for Street Trading Permits but are otherwise entertaining, engaging and create a sense of curiosity and interest.</p>

Key Headings	Current	Proposed Change	Consequence of Change
	<ul style="list-style-type: none"> • touting or spruiking • political rallying • religious spruiking • tarot card reading, palmistry and fortune telling • massage, chiropractic treatment or any other physical manipulation • face or body painting • artists selling pre-fabricated work – pavement artists must be actively engaged in producing their artistic medium and not simply selling displayed goods • temporary tattoo applications • any activity defined as street trading pursuant to City of Melbourne’s Street Activity Policy 2011 • begging (begging is illegal under the Summary Offences Act and enforcement is the responsibility of the Victoria Police). 	<ul style="list-style-type: none"> • fundraising, events, promotions, surveys or advertising even if they involve any element of performance as listed previously • touting, spruiking • political rallying • religious spruiking or street preaching • tarot card reading, palmistry and fortune telling • massage, chiropractic treatment or any other physical manipulation • face or body painting • henna and temporary tattoo applications • artists selling pre-fabricated work – pavement artists must be actively engaged in producing their artistic medium and not simply selling displayed goods • where animals are involved in any part of the busking performance • any activity defined as street trading pursuant to City of Melbourne’s Street Activity Policy 2011 • begging (Begging is illegal under the Summary Offences Act and enforcement is the responsibility of the Victoria Police). 	
Permit Types		Busking permits allow buskers to perform in public spaces within the City of Melbourne.	The Bourke Street Mall permit has been renamed the Premium Busking Permit. More

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	<p>There are four permit categories for busking:</p> <p>1. General Area Permit</p> <ul style="list-style-type: none"> • Buskers applying for this permit type are assessed by Level 1 Review Criteria at a Safety, Amenity and Performance Review. <p>2. Pavement Art Permit</p> <ul style="list-style-type: none"> • Buskers applying for this permit are assessed by Level 1 Review Criteria at a Safety, Amenity and Performance Review. • A Pavement Art Busking Permit allows buskers to work in appropriate locations within the boundaries of the City of Melbourne, excluding the Bourke Street Mall or designated Circle Act sites. 	<p>Restrictions apply to sites such as the Bourke Street Mall and designated Circle Art sites. Buskers are required to have the correct Busking Permit to perform in restricted areas.</p> <p>No busking is permitted in specified no-go zones.</p> <p>Restricted and no-go zones are listed on the City of Melbourne website.</p> <p>There are five permit categories for busking:</p> <p>1. General Area Permit</p> <ul style="list-style-type: none"> • Buskers applying for this permit type must demonstrate they meet the Level 1 Criteria. <p>2. Pavement Art Permit</p> <ul style="list-style-type: none"> • Artists working on an easel must be positioned in such a way that an audience can view their artwork as it is created during their performance. • Buskers applying for this permit type must demonstrate they meet the Level 1 Criteria. 	<p>premium busking locations like the Bourke Street Mall will provide more opportunities for premium buskers to get greater exposure in areas of higher pedestrian activity. The Premium Busking permit restrictions will be modified to make it easier for touring artists to perform in these locations.</p> <p>Criteria for developing additional Premium sites will need to be developed incorporating the guiding principles. New Premium locations may create an additional level of complexity to the approval and site allocation process that currently operates via a ballot process involving attendance.</p> <p>Short term approvals may be given to visiting international and interstate acts making it easier to attract and showcase visiting artists.</p> <p>An additional Street Entertainment Permit (for Temporary or Special Activities) has been developed for those activities that are not eligible for Busking or Street Trading Permits but are otherwise entertaining, engaging and create a sense of curiosity and interest and/or special interest activities such as fundraising for the homeless. Applicants will need to apply for fundraising permits via the usual channels, but will be able to perform in the public realm.</p> <p>This provides an alternate permit type that</p>

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	<p>3. Bourke Street Mall Permit</p> <ul style="list-style-type: none"> • To apply, buskers must have held a General Area Permit for a minimum of six months and be assessed by Level 2 Review Criteria at a Safety, Amenity and Performance Review. • Visiting professional acts may apply without waiting the six month period but they need to attend a Safety, Amenity and Performance Review. • A Bourke Street Mall Busking Permit allows buskers to work in designated locations within the Bourke Street Mall. <p>4. Circle Act Permit (with or without Dangerous Goods)</p> <ul style="list-style-type: none"> • Buskers applying for this permit are assessed by Level 1 Review Criteria and are subject to the endorsement of a peer assessor to ensure that they have the requisite skills to safely manage any dangerous goods used and the large crowds that these acts can draw. 	<p>3. Premium Busking Permit (e.g. Bourke Street Mall)</p> <ul style="list-style-type: none"> • To apply, buskers must have held a General Area Permit for a minimum of six months and demonstrate they meet the Level 2 Criteria. • Visiting professional acts seeking a temporary permit may apply without waiting the six month period but must demonstrate they meet the Level 2 Criteria. <p>4. Circle Act Permit (with or without Dangerous Goods)</p> <ul style="list-style-type: none"> • Buskers applying for this permit type must demonstrate they meet the Level 1 Criteria. • Buskers who use dangerous goods are subject to the endorsement of a peer assessor to ensure that they have the requisite skills to safely manage any dangerous goods used and the large crowds that these acts can draw. <p>In addition to the five busking permit categories, a Street Entertainment Permit (for</p>	<p>will enable forms of street entertainment to be considered that meet the busking principles but don't fit easily within the other permit types. Assessment criteria will need to be stringent to ensure street trading, events and standard fundraising activities are not granted a busking permit.</p>

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		<p>Temporary or Special Activities) can be issued.</p> <p>Street Entertainment Permit (for Temporary or Special Activities)</p> <ul style="list-style-type: none"> • Applies to performers who have an activity that is not eligible for a busking permit but is otherwise entertaining, engaging and creates a sense of curiosity and interest, do not use dangerous goods in their performance and can perform in accordance with the guiding principles. • Special interest activities can include fundraising for the homeless, small album launches, and a variety of programs featuring renowned local, interstate and overseas artists. Applicants will need to apply for fundraising permits via the usual channels. • Performers applying for this permit type must demonstrate they meet the Level 1 Criteria. • A Street Entertainment Permit allows the permit holder to perform in designated locations within the City of Melbourne, but excludes any Premium Busking sites, Circle Act Sites and designated no-go zones. 	

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<p>Permit Application Process</p>	<p>Buskers apply online or with paper and attend a Safety & Amenity Review.</p> <p>Applicants are unable to submit their performance digitally for a desktop assessment.</p>	<p>Buskers apply online and submit a digital link of their intended act and a statement of how they will manage safety, amenity and other issues while busking.</p> <p>Those applicants who are eligible for a busking permit will proceed to next stage of payment and attendance at an information briefing to receive permit.</p> <p>Those applicants who are unable to provide a digital link require attendance at a Safety & Amenity Review.</p>	<p>The Pathway system and online application process would need to be updated to accommodate these changes. A plan will be developed in conjunction with Information Technology.</p> <p>Streamline permit assessment process and ensures that permits are issued to those applicants who can demonstrate that their performance meets the criteria for a busking permit.</p> <p>Improve the quality and diversity of busking in the city.</p> <p>Reduces administrative demands associated with refusal and refund of application fees of ineligible acts. Improvements to online application and assessment criteria may mitigate reputational risks.</p> <p>Online application process requires further refinements to make it easier for customers to apply.</p> <p>Future aim is that new buskers, excepting Premium Busking Zones, don't have to come in to auditions or compulsory information briefings and permits can be issued within an agreed timeframe using the digital audition for the permit assessment. This will require refinement and improvements to the website content for buskers including video</p>

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<p>Review structure - Premium busking zones</p>	<p>Currently held monthly in City of Melbourne offices.</p>	<p>The Safety, Amenity and Review Panel should be able to assess auditions submitted digitally.</p> <p>To apply, buskers must submit an online link of their intended performance before progressing through to a live audition.</p> <p>Live auditions to be held quarterly in a public location.</p> <p>Visiting professional acts may apply without attending an audition but must submit their online application up to two weeks before they intend to perform.</p>	<p>presentations.</p> <p>The Pathway system and online application process would need to be updated to accommodate these changes. A plan will be developed in conjunction with Information Technology.</p> <p>Improved customer service for busking applicant. Long wait times for initial assessment are reduced as applicants can submit at any time.</p> <p>Impact on staff resources required is minimised.</p> <p>Improve the quality and diversity of busking in the city, particularly in Premium Busking Zones.</p> <p>A positive way of promoting premium busking acts to the public.</p>
<p>Safety, amenity and performance review</p>	<p>All new buskers must attend a safety and amenity review in order to receive a permit.</p>	<p>Applicants undergo a desktop assessment.</p> <p>All new buskers are required to attend a compulsory information briefing to receive a permit.</p> <p>Those applicants who are unable to provide a digital link require attendance at a Safety & Amenity Review for performance assessment.</p>	<p>The Pathway system and online application process would need to be updated to accommodate these changes. A plan will be developed in conjunction with Information Technology.</p> <p>Future aim is that new buskers could access information briefing digitally. Council's digital systems would need to be developed to accommodate this online capability.</p> <p>On-Street Compliance can work</p>

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			collaboratively with buskers to minimise issues with busking in the public domain.
Renewals/ reapplications	<p>Reapplications permitted as long as same act that was originally permitted.</p> <p>No limit on time lapsed if permit issued since 1 July 2011.</p> <p>No reminders sent.</p>	<p>No reapplications after three months of permit expiry.</p> <p>Premium permit holders need to reaudition after two years.</p> <p>Reminders to be sent one month prior to permits expiring.</p>	<p>Buskers who reapply after three months of permit expiry may expect to be able to reapply and pay the lower fee, however they will now be required to make a new application and meet the criteria associated with the new application.</p> <p>Intended to minimise issues with buskers not having current knowledge of busking permit conditions.</p> <p>This will improve the reapplication process and make it simpler for buskers to apply.</p> <p>Reapplications could be handled predominantly online to reduce staff intervention and administrative workload.</p> <p>The City of Melbourne's digital systems would need to be developed to accommodate this online reminder and permit issue capability.</p>
Permit Fees:	<ul style="list-style-type: none"> • An application fee of \$20 per year will apply for all new permit applications. • An application fee of \$10 for short term permits for interstate/international applicants which are valid for three (3) 	<p>Fees apply to all busking permit applications. The fees are as follows:</p> <ul style="list-style-type: none"> • \$40 for new permits valid for 12 months (excepting Premium permits) • \$100 for Premium busking permits valid for 12 months from date of approval and includes the General Area Permit. 	<p>Fees have remained unchanged since introduced in 2011. Feedback during the consultation indicated that a raise in fee costs may favour more professional acts.</p> <p>However, feedback also indicated that busking revenue has decreased over the past few years with less people carrying cash and</p>

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	<p>months.</p> <ul style="list-style-type: none"> • A reapplication fee of \$10 per year will apply for all permit types. • An annual fee of \$50 will apply for those artists wishing to sell CDs, DVDs or other original merchandise while they are busking. <p>* If you are busking as a member of a musical group and you are selling the same CD, only one selling fee of \$50 is applicable. All group members must have their own individual busking permit but do not need to pay a selling fee each</p>	<ul style="list-style-type: none"> • \$25 for short term permits for interstate/international applicants which are valid for three months (excluding Premium permits) • \$50 for short term Premium busking permits for interstate/international applicants which are valid for three months. • \$25 - \$100 for Street Entertainment Permits depending on complexity of application. • \$25 per year will apply for permit reapplications valid for 12 months (excluding Premium busking permits). • An additional selling fee of \$50 will apply for those artists wishing to sell CDs, DVDs or approved artworks made while they are busking. Maximum of 20 CDs on display or 5 pieces of pre-made artwork. <p>* If you are busking as a member of a musical group and you are selling the same CD, only one selling fee of \$50 is applicable. All group members must have their own individual busking permit but do not need to pay a selling fee each.</p>	<p>an increase in fees would decrease the diversity of acts and may discriminate against low income earners, families and those people experiencing homelessness.</p> <p>The introduction of two new permit types (Premium Busking Permit and Street Entertainment Permit) will provide more options to buskers and assist Council with managing the diverse range of busking that operates across the municipality.</p>
Animals	<p>The use of non-domesticated animals not permitted as part of a busking performance.</p> <p>Otherwise permitted with certain</p>	<p>No longer permitted.</p>	<p>Animals are unpredictable and pose a potential risk to the community. This is intended to minimise risks associated with the use of animals in entertainment in the public place.</p>

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	conditions.		
Prescribed sound levels	<p>Sound from busking must be maintained in accordance with the designated sound levels listed below:</p> <p>Source</p> <p>Busking – General Area and Circle Act</p> <p>3m sound level 75 dBA L10 1 min</p> <p>6m sound level 69 dBA L10 1 min</p> <p>Busking – Bourke Street Mall</p> <p>3m sound level 82 dBA L10 1 min</p> <p>6m sound level 76 dBA L10 1 min</p>	<p>Consideration given to using the Leq metric as a noise limit as the current L10 is particularly sensitive to short term noise events. Also less readily available on phone apps and lower cost sound measurement instruments.</p> <p>Requirement using LAeq</p> <p>Source</p> <p>Busking – General Area and Circle Act</p> <p>3m sound level 72 dB LAeq 1 min</p> <p>6m sound level 66 dB LAeq 1 min</p> <p>Equivalent at 1m</p> <p>84 dB LA10</p> <p>81 dB LAeq</p> <p>Busking – Bourke Street Mall</p> <p>3m sound level 79 dB LAeq 1 min</p> <p>6m sound level 73 dB LAeq 1 min</p> <p>Equivalent at 1m</p> <p>91 dB LA10</p> <p>88 dB LAeq</p>	<p>Self-monitoring of noise levels is likely to be easier if the users are able to do this with a near-field measurement rather than one at 3m from the source (which is difficult to do without an assistant to measure while the busker is playing)</p> <p>Noise measurement equipment (APP) for buskers aims to help to reduce noise related complaints.</p> <p>City of Melbourne staff to offer guidance and assistance to help buskers adjust noise levels on their amplifiers to meet the agreed noise limits by conducting regular inspections.</p> <p>The CEO can approve the changes to Prescription number 83 and 84 under delegation.</p>
General guidelines and	Many headings that require a rewrite for clarity. Particular focus	Rewrite general conditions for clarity and in terms of rights, responsibilities and	Improved methodology and criteria aims to improve perceptions of compliance levels and

Key Headings	Current	Proposed Change	Consequence of Change
conditions	<p>is required to address noise, and breaches of permit conditions.</p> <p>Guidelines, particularly for ‘No - Go ‘Non-Amplified Busking Zones’ and selling need updating to reflect current and future practices.</p>	<p>regulations.</p> <p>Clarification of criteria and decision making process used to determine no-go zones, non-amplified/amplified zones.</p> <p>Clarification of space permitted for busking performances.</p> <p>Clarification of complaint management processes for residents, businesses, visitors and buskers.</p>	<p>reduce complaints. Also aims to ensure that decisions are made within defined criteria.</p> <p>Improve the quality and diversity of busking in the city, particularly in Premium Busking Zones.</p> <p>Director City Operations having delegated authority to approve administrative changes will fast track response time to issues.</p>
Penalties and Breaches	<p>Breaches of Activities Local Law (Busking Guidelines) currently 5 Penalty Units.</p> <p>Fines are currently \$500 for each breach.</p> <p>The prescribed penalty for failing to comply with a notice to comply is \$1000.</p>	<p>Revise this section of the guidelines to improve clarity of enforcement protocol.</p> <p>Introduction of an infringement review process for busking permit holders.</p>	<p>Feedback from community suggests these Penalties can be excessive at times.</p> <p>Buskers have clearer understanding of the enforcement processes.</p> <p>Clarification of permit suspension, amendment and cancellation processes including show cause and Notice to Comply processes. Information to be provided on City of Melbourne’s busking webpages.</p>