

# Busking Guidelines within the City of Mandurah

## What is busking?

A busker is considered an entertainer who is actively providing a performance in the public place in exchange for a donation. Busking is defined as, but not limited to: sounding or playing a musical instrument, singing, giving a recital or performing any conjuring, juggling, puppetry, mime, or dance act.

## What is not considered busking?

- 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
- 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
- Solicitors of money for any purpose
- Street performers engaged by the City of Mandurah as part of a festival or special event.

## What type of busking is not permitted in Mandurah?

- Acts with dangerous goods (includes the use of substances that are flammable or toxic, or that use hazardous implements such as swords, knives and whips)
- Acts which include animals.

## Where can I perform?

Busking adds to the vibrancy of the City, while providing opportunities for local and visiting artists. Busking can be carried out in a local government-controlled area within the Mandurah City Centre, and requires a permit. The City does not control busking on private property, including non-council controlled areas. Should a busker wish to enter such areas, then a separate arrangement needs to be established between the relevant parties.

Busking and street performances are only allowed at the following City Centre locations:

- Smart Street Mall - (Busking is not permitted at any events/festivals/markets unless authorised by the Event Coordinator)
- Eastern Foreshore (excluding Rotunda) - (Busking is not permitted at any events/festivals/markets unless authorised by the Event Coordinator)
- Western Foreshore
- Mandjar Square
- Mandurah Ocean Marina (please check availability with Marina Office)

Exclusion areas are the Mandurah Boardwalk and any area covered by a lease, a hire site or on private property.

## How do I Apply?

There is no interview or audition process required to engage in busking in Mandurah, however permits are required.

All applicants are asked to read these Busking Guidelines and agree to the terms and conditions therein before a permit is issued. By accepting the permit, the applicant agrees to fully comply with all of the terms and conditions of the permit and the Busking Guidelines on the understanding that failure to obtain a permit or non-compliance with the permit conditions could result in a breach of the City of Mandurah Local Government Property and Public Places Local Law 2016.

A breach of the local law could result in the permit being revoked and/or an infringement notice being issued.

Applications are to be made at least one week prior to the first requested performance. Permits can be applied for a period of one, three, six or twelve months. To apply, complete the online busking application form. The application form must be supported by one of the following forms of proof of identity:

- Driver license
- Passport
- Student identity/proof of age
- Another document containing a signature, a recent photograph and date of birth which establishes the person's identity to the satisfaction of the City.

Buskers are required to carry their permit at all times when carrying out busking. The City of Mandurah does not charge a fee for busking permits.

## Busking by Minors

Any busker under to age of 18 years must have a parent or guardian complete and sign the Parental Consent section of the Application Form. Any busker under the age of 16 must have parent or guardian supervision at all times (including throughout performances).

A person under the age of 16 years should not perform:

- During school hours
- Between 7.00pm and 6.00am.

## The rules:

- A distance of at least 100 metres must be kept between buskers and any other entertainment at a commercial venue
- Buskers may only perform for a maximum of two hours in any one area (not including set-up time)
- Busking is not allowed at any City of Mandurah events/festival/markets unless authorised by the Event Coordinator
- The use of amplification during a performance:
  - Shall not create noise levels that undesirably impact on the operation of adjacent retail outlets or the enjoyment of the public or surrounding tenants.
  - Can only be battery operated, as main voltage amplification is prohibited. Amplification must be at a level that does not adversely affect commercial operations or the public. The maximum level permitted is 65dB (A).
  - Is not permitted in an approved busking area between 10.00 pm and 7.00 am.

- The City may require a probationary period on any new applications
- The busker must carry the permit issued while performing as he/she may be required to produce it if approached by an authorised Officer of the City.

**The busker shall not:**

- Create noise level that impacts on the operation of adjacent retail outlets or the enjoyment of the public or surrounding tenants
- Cause a blockage or nuisance to pedestrian movement or hinder in any way entrances to shops or buildings
- Use discriminatory/offensive language or behaviour in their performance that may cause distress or embarrassment to the public
- Perform wearing dirty or ragged clothing
- Use or fire any weapon or object with sharp edges
- Perform any act of cruelty to an animal
- Have more than four (4) people perform, unless otherwise authorised by the permit
- Sell or permit the sale of any music tapes, recordings, compact discs or merchandise unless authorised

**What if there is a complaint?**

Following a complaint or a report of a breach of permit conditions or any requirements under the guidelines, an authorised City officer will visit the site and seek rectification if a breach is identified.

- Non-compliance with the permit conditions could result in a breach of the City of Mandurah Local Government Property and Public Places Local Law 2016. A breach of the local law could result in the permit being revoked and/or an infringement notice being issued.

For further information on busking please contact Economic Development by phoning 9550 3202 or email: [economicsteam@mandurah.wa.gov.au](mailto:economicsteam@mandurah.wa.gov.au)