

ITEM 3. BUSKING IN THE CITY OF SYDNEY**FILE NO: S122196.001****SUMMARY**

On 7 April 2014, Council adopted the City of Sydney Live Music and Performance Action Plan. Within this action plan, the City committed to reviewing its Busking Policy to identify ways to simplify the busking framework, explore opportunities to support busking and promote buskers to the general public, retail operators, landowners and event producers. This commitment arose from recommendations of the Live Music and Live Performance Taskforce and was reinforced by consultation undertaken to support the action plan.

Surveys of residents and visitors to central Sydney suggest buskers are popular within the community. However, if busking is not adequately supported within a clear policy framework, street performers also have the potential to negatively impact residents, visitors, workers and businesses in the inner city.

To ensure a full range of views are taken into account when revising the current framework for busking in the City of Sydney Local Government Area (LGA), and to determine the appropriate scope for such changes, a discussion paper has been developed to prompt discussion and engagement with buskers, residents, workers, business owners and visitors.

A key focus of the review is ensuring that busking continues to be a viable activity for the full range of performers who participate in it. However, in the City's role as both an enabler and a regulator, this work must be done in a way that balances the needs of the entire community.

Busking, like many cultural activities, is affected by a range of overlapping policy areas. While the City considers it to be an area of cultural policy, it is also relevant to areas such as economic policy, place making, urban design and environmental health.

As such, the discussion paper covers a broad range of areas, including costs and processes for getting a permit, where busking can occur, navigating different landowners, the current City of Sydney policy and guidelines, strategies for monitoring busking impacts and compliance, managing access to and impacts of high value pitches, investigating the development of new or unused locations, opportunities for government agencies to collaborate and projects that increase the skills and promotion of buskers.

Following Council endorsement, a consultation and engagement process will be undertaken that includes an open call for submissions as well as targeted discussion with buskers, residents, business and other government agencies.

RECOMMENDATION

It is resolved that:

- (A) Council approve the *Busking in the City of Sydney* discussion paper, as shown in Attachment A to the subject report, for public exhibition for a minimum period of two months; and

- (B) authority be delegated to the Chief Executive Officer to make amendments to the *Busking in the City of Sydney* discussion paper in order to correct any minor drafting errors prior to its exhibition.

ATTACHMENTS

Attachment A: *Busking in the City of Sydney* discussion paper

BACKGROUND

1. On 7 April 2014, Council adopted the City of Sydney Live Music and Performance Action Plan. Within this plan, the City committed to reviewing its Busking Policy in the following action:
 - (a) Undertake a review of the City of Sydney Busking Policy to identify ways to simplify busking requirements. In addition the City will explore opportunities to support and promote buskers to the general public, retail operators, landowners and event producers.
2. This commitment is reinforced in the *Creative City: Cultural Policy and Action Plan 2014 – 2024*, adopted by Council on 25 August 2014, which prioritises precinct distinctiveness and creativity in the public domain as a strategic direction. This action highlights the need for creativity to be visible on the streets of Sydney, in both a planned and unplanned way.
3. Both action plans highlight the need to focus on regulatory and ‘red tape’ barriers to cultural activity. The review of the City’s framework for busking will include consideration of the current regulatory and compliance framework, as well as broader sector development initiatives.
4. Busking is both a cultural expression as well as a creative profession. However, the labour conditions of busking are precarious and insecure. Buskers pursue an immediate and physical connection with audiences in an increasingly digital and virtual global economy. As the busking review is a commitment of the Live Music and Performance Action Plan, it focuses heavily on possible revisions to the busking framework that will support musicians and performing artists, with the understanding that the City must provide this support in a way that balances the needs of all of its stakeholders.
5. Busking in the City LGA is currently managed under a Busking Policy and Busking Guidelines. These documents were adopted by Council in 2011 as a temporary framework until a full review could occur.
6. Busking has both local and international impacts. Locally, it is an activity that enriches our streets for residents, workers and visitors (local, intrastate, interstate and overseas) as well as being a viable option for local musicians to gain experience and income. Sydney is also a world city visited by buskers who regularly travel between major centres.
7. Managing and implementing the busking program involves a range of City staff from across the organisation. These staff work closely with buskers and each other to both support the activity, as well as resolve conflict that may concern busking pitches, noise levels and the frequency of their performances. Appropriate execution of this work can require significant resources for the staff responsible and is currently undertaken alongside a range of other, broader duties.
8. Preliminary research undertaken to inform the discussion paper suggests that the City’s approach to busking is generally working, but that there is opportunity to improve our approach and how we support busking, as well as catalyse other activity through possible partnerships and advocacy.

9. Anecdotal and quantitative findings suggest that noise complaints about busking received by the City of Sydney have generally declined in recent years, despite noise complaints generally increasing over all. The process of reviewing the busking policy and guidelines aims to further address conflict arising from busking.
10. Similarly, research undertaken into the varying different approaches that other local governments take to managing busking identifies that the City's current approach is a relatively flexible and supportive one. This finding is evident within the regulatory matrix included in section 4 of the discussion paper.
11. Preliminary research also identified, however, that there is opportunity to improve on the current framework through improved or increased relationships with buskers directly and clearer compliance processes for resolving conflict.
12. The discussion paper covers a broad range of challenges and opportunities relevant to busking in the City LGA, and proposes examples of the types of questions stakeholders might like to consider in relation to each issue.

KEY IMPLICATIONS

Strategic Alignment

13. The discussion paper has been developed as a specific commitment of the Live Music and Performance Action Plan and Creative City Cultural Policy and Action Plan. However, it also has relevance to a broad range of other policies or strategic documents including OPEN Sydney, Economic Development Strategy, Retail Action Plan, Tourism Action Plan, Central Sydney Planning Strategy and others.

Organisational Impact

14. The discussion paper broadly discusses a range of possible projects and policy revisions that may impact on the level of human resources dedicated to managing busking in the City LGA. However it does not propose that Council endorse any particular commitment beyond that required to undertake community consultation at this stage.

BUDGET IMPLICATIONS

15. The discussion paper broadly discusses a range of possible projects and policy revisions that may impact on the level of financial resources dedicated to managing busking in the City LGA. Budget implications will be taken into account in formulating recommendations to Council following the consultation process.

PUBLIC CONSULTATION

16. It is proposed that the discussion paper be placed on public exhibition from 1 March to 30 April 2017.
17. The priority of the engagement process will be to receive a broad range of views relating to busking, and Council endorsement of the discussion paper for public exhibition will allow the City to undertake a public consultation process that will include:
 - (a) an open call for submissions, advertised in local and sector specific media. Submissions will be able to be made online through Sydney Your Say and email, as well as by post or in person; and

- (b) targeted consultation with key stakeholder groups such as other government agencies, buskers, residents groups, business owners and workers, and visitor and tourism agencies.
- 18. Responses to the discussion paper will guide the City's revision of the current busking framework and any future busking related projects.
- 19. City staff will report back to Council following the closure of the consultation period.

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