

Item 3.

Post Exhibition - Amended Busking and Aboriginal and Torres Strait Islander Cultural Practice Policy and Sydney Busking Code

File No: X130950

Summary

In our local area, the rules regarding busking in public places are outlined in the Busking and Aboriginal and Torres Strait Islander Cultural Practice Policy (the Policy) and the Sydney Busking Code (the Code).

On 17 November 2025, Council resolved to undertake an urgent review of the Policy and Code. The resolution requested City staff consult with the busking community, investigate increasing the number of safe busking sites on George Street, and consult with the light rail operator on the safety implications of any proposed changes.

Online and in-person consultation with buskers took place throughout December 2025 and January 2026, providing buskers with the opportunity to suggest new sites and changed arrangements. A draft amended Policy was reported to Council with the following changes:

- simplification of language
- removal of amplification as a criterion for a high impact act
- reinstatement of 2 busking pitches in Pitt St Mall for low impact acts
- allowance for busking on all of George Street except for 3 locations which have caused safety concerns or amenity impacts for residents
- reinstatement of the 2-hour duration for busking on George Street for low impact acts
- inclusion of safety guidance for busking around light rail.

The Policy and Code were placed on public exhibition from 24 February to 7 April 2026. A summary of consultation activity and responses is outlined in an attached Engagement Report.

The feedback indicates the Policy is broadly supported by buskers, residents and businesses and it is recommended the Policy be adopted as exhibited and implemented as soon as practicable.

Amendments to the Code, especially changes to Special Busking Sites, received mixed feedback and some further amendments are proposed. These are:

- updated guidance regarding safety when busking beside light rail tracks
- inclusion of permissible busking times in the Code, to reiterate and clarify the times of day when busking is allowed
- limited busking outside World Square on Fridays and Saturdays only.

The majority of feedback received related to compliance with the policy, noting most issues related to busking are not about the policy settings, but arise from buskers failing to comply with the Policy.

If adopted, when the amended Policy and Code are implemented, the City will undertake a period of increased monitoring of popular busking locations. This proactive monitoring of busking will focus on educating buskers about the updated Policy and Code in the first instance, supporting buskers to understand and comply with the rules. However, for buskers who demonstrate repeated non-compliance with the Policy and Code, enforcement action will be taken. This may include the issue of a fine, having a permit modified from Low Impact to High Impact, or having a permit suspended or revoked in accordance with the process under the Local Government Act 1993, as outlined in section 19 of the Policy.

A new interactive digital version of the Sydney Busking Code has been developed which provides a more accessible and responsive way to navigate the rules related to busking, as well as a platform for buskers to provide feedback to the City and receive notification about activities or issues impacting busking sites. A beta version of the digital Code will be trialled over the next 6 to 12 months.

Recommendation

It is resolved that:

- (A) Council note the feedback outlined in the Engagement Report, as shown at Attachment A to the subject report;
- (B) Council adopt the Busking and Aboriginal and Torres Strait Islander Cultural Practice Policy (the Policy), as shown at Attachment B to the subject report;
- (C) Council note the Sydney Busking Code (the Code), as shown at Attachment C to the subject report, a guidance document to be published alongside the Policy; and
- (D) authority be delegated to the Chief Executive Officer to make minor amendments to the Busking and Aboriginal and Torres Strait Islander Cultural Practice Policy and Sydney Busking Code in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

Attachments

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| Attachment A. | Engagement Report - Amended Busking Policy and Code, Public Exhibition |
| Attachment B. | Busking and Aboriginal and Torres Strait Islander Cultural Practice Policy |
| Attachment C. | Sydney Busking Code |

Background

1. In our local area, the rules regarding busking in public places are outlined in the Busking and Aboriginal and Torres Strait Islander Cultural Practice Policy (the Policy) and the Sydney Busking Code (the Code). The Policy was last updated in September 2025.
2. Following concerns raised by buskers, on 17 November 2025, Council resolved to undertake another review of the Policy and Code. The resolution requested City staff consult with the busking community regarding recent changes to the Policy and Code, investigate increasing the number of safe busking sites on George Street, and consult with the light rail operator, Transdev, on the safety implications of any proposed changes. This consultation was undertaken in December 2025 and January 2026.
3. Informed by this consultation, an amended Busking Policy and Code were reported to Council and approved for public exhibition on 16 February 2026.
4. Key changes in the amended Policy and Code include:
 - (a) removal of the use of amplification as a criterion for a High Impact permit
 - (b) removal of clauses prohibiting busking on George Street or within 5m of light rail tracks
 - (c) amended conditions for Pitt Street Mall to include 2 pitches for Low Impact Acts only - at the North and South ends of the mall, and 1 pitch for Extended Duration Acts - in the middle of the mall
 - (d) amended conditions for Martin Place, allowing busking in all sections of Martin Place except for the area between Pitt Street and Castlereagh Streets
 - (e) amended conditions for George Street, allowing busking anywhere on George Street (in accordance with the Busking Policy) except for 3 locations:
 - (i) the intersection of George Street and Hay Street
 - (ii) either side of George Street between Goulburn and Liverpool Streets
 - (iii) the southwestern corner of the intersection of George and Bathurst Streets
 - (f) inclusion of safety guidance for busking near the light rail.
5. The amended Policy and Code were placed on public exhibition for 42 days, from 24 February to 7 April 2026.

Public Consultation

6. The community were invited to provide feedback on the Policy and Code through a survey on Sydney Your Say, via written email submission, or through face-to-face consultation with City staff.
7. The consultation was promoted through the City's social media channels and e-newsletters.
8. An email was sent to 467 stakeholders, including all buskers registered with the City of Sydney and people who made a submission during previous consultations inviting them to provide feedback.
9. Flyers with information about the consultation were distributed to buskers and businesses at busking locations throughout the city centre including Pitt St Mall, Martin Place and George Street.
10. Transport for NSW, ALTRAC and Transdev (Light Rail operator) were directly invited to make written submissions.
11. The Sydney Your Say page was viewed 1,324 times and the busking policy and code were downloaded 195 times.
12. A total of 155 submissions were received, including 108 surveys, 46 emailed submissions and one face-to-face meeting.

Insights

13. Feedback suggested the updated busking policy and code strikes a good balance between buskers, residents and wider community.
14. The majority of respondents support the proposed approach to busking on George Street and the re-establishment of 2-hour time limits for low impact acts.
15. There was broad support for the 3 proposed areas to be excluded from busking on George Street, especially from residents of George Street.
16. Some buskers acknowledge the safety implications of busking on George Street at the corners of Bathurst Street and Hay Street, but think that outside World Square is a well-designed space for busking and it should remain a busking location.
17. Busking at very high volumes is the primary issue raised, with many suggesting amplification restrictions could address this.

Issues and Recommendations

Issue	Response
Loud busking and amplification The primary issue raised was dissatisfaction with buskers performing at very loud volumes. Questions were raised as to why the proposals permit amplification with both low and high impact acts. Requests were made that use of amplification be limited to 1-hour and restricted in busy locations.	Almost all busking acts rely on some form of electronic amplification. It is impossible to support a broad range of performance styles without including amplification equipment as a standard. The issues related to amplification are caused by buskers playing at unreasonable volumes. The policy and code aim to: • provide guidance to buskers about how to identify if they are busking at a reasonable volume. • minimise busking in locations with high levels of background noise. • require buskers to alter their performance and/or turn down their volume if directed to by an authorised person. • penalise acts who repeatedly perform at unreasonable volumes by moving them to a high-impact permit, thus limiting their access to some busking sites and capping their performances at one hour.
Non-compliance by buskers Many submissions complained about a lack of enforcement of the Policy, in particular, a lack of management of a few specific, consistently non-compliant buskers. There were calls for proactive monitoring of locations with known issues and enforcement action for buskers who repeatedly fail to comply with the policy.	If approved, when the amended Policy is adopted and implemented, the City will undertake a period of increased monitoring of popular busking locations. This will focus on educating buskers on the updated and finalised arrangements for Special Busking Sites and compliance with the Busking Policy. Buskers who demonstrate repeated non-compliance with the Policy and Code will be subject to enforcement action.

Issue	Response
Safety around light rail Many submissions, including one from a former tram driver, affirm concerns raised about busking adjacent to light rail, especially at intersections. Many submissions support excluding busking on George Street at locations with known risks related to light rail.	The proposed excluded areas on the corners of George and Hay Streets and George and Bathurst Streets are supported and proposed for adoption.
Practicality of safety guidance for busking along the light rail Many buskers agreed with the safety guidance to position themselves between their audience and the light rail track, with their back to the light rail. Some submissions from buskers noted that guidance to remain 5 metres from the light rail track was difficult to achieve in practice, often placing the performer into the middle of a busy thoroughfare.	The post-exhibition edit of the Sydney Busking Code includes updated safety guidance for busking adjacent the light rail track. It notes buskers should position themselves a minimum of 2 metres from the track.
Busking hours Some submissions sought clarity on permissible hours for busking, noting instances of buskers performing very late at night, past midnight, and for several hours.	A new section has been added to the post-exhibition Busking Code to reiterate permitted busking hours.
More spaces for busking Some submissions suggested even more flexibility was needed, allowing for busking in more places across the city.	Feedback received suggests the proposed amended Policy and Code strike the right balance in providing ample, flexible space for buskers in balance with the needs of residents, businesses and other users of public space. The City can only approve busking in areas under its management. We will continue to advocate to the NSW Government to open up more spaces for busking in the rail and metro network, and on other NSW Government managed land.

Issue	Response
Busking outside World Square Submissions were received in favour of excluding busking on George Street between Goulbourn and Liverpool Streets due to impacts on residents and overcrowding on footpaths. Submissions were also received in support of retaining this location for busking due to the suitability of the design of the space for busking and the contribution of busking to the vibrant energy of the location.	A compromise is proposed for this location, to balance the needs of both residents and buskers, and to support the vibrancy of this location on weekends. Busking to be permitted on Fridays and Saturdays only, during the standard hours for a Special Busking site, 11am – 10pm.
Preachers, protesters, and begging Concerns were raised about the impact on busking of protests and preachers using loudspeakers to proselytise, especially offensive religious rhetoric. Some submissions note beggars and rough sleepers occupying busking pitches.	Public preaching and protesting are not activities that are regulated by local government and can only be undertaken in accordance with relevant state and federal laws. The preaching of hate speech should be reported to the police. The City does not “move on” people who are experiencing homelessness or sleeping rough. Where other people are using a public space in which a busker would like to busk, we suggest the busker use another suitable location.
Places for circus acts that involve fire Concerns were expressed by street performers whose acts involve fire not having a place to perform in the inner-city. These submissions note that fire performances are a part of the busking experience in many major cities and we should have spaces for this in Sydney.	This feedback is noted. The City has reviewed inner-city locations and there are no suitable locations on City of Sydney managed land for the safe use of fire. The City’s policies do not allow for the use of flames in our public parks. The City will continue to advocate for more access for fire acts in suitable NSW Government managed sites such as Barangaroo and Darling Harbour.

Post Exhibition updates

18. Informed by feedback received, the following post-exhibition edits are proposed for the Sydney Busking Code:
 - (a) Inclusion of permitted busking hours in the Code
 - (b) Allowance for busking outside World Square on Fridays and Saturdays only
 - (c) Updated safety guidance for busking adjacent the light rail, advising buskers to position themselves 2 metres from the light rail track with their back to the light rail.
19. The City has developed an interactive digital version of the Sydney Busking Code. It provides a more accessible and responsive way to navigate the rules related to busking, as well as a platform for buskers to provide feedback to the City and receive notification about activities or issues impacting busking sites. A beta version of the digital platform will be trialled along with implementation of the Policy and Code.
20. If adopted, when the amended Policy and Code are implemented, the City will undertake a period of increased monitoring of popular busking locations. This proactive monitoring of busking will focus on educating buskers about the updated Policy and Code in the first instance, supporting buskers to understand and comply with the rules. However, for buskers who demonstrate repeated non-compliance with the Policy and Code, enforcement action will be taken. This may include the issue of a fine, having a permit modified from Low Impact to High Impact, or having a permit suspended or revoked in accordance with the process under the Local Government Act 1993, as outlined in section 19 of the Policy.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

21. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
 - (a) Direction 3 - Public places for all - busking makes a notable contribution to a vibrant city centre, and bustling retail centres. Busking helps contribute to the human experience of visiting the city centre to shop, socialise and be entertained. By enabling Cultural Practice across our local area, we increase our communities' connections to Aboriginal and Torres Strait Islander peoples and heritage in our public places.
 - (b) Direction 8 - A thriving cultural life - busking is an important part of the music ecosystem, providing professional development and economic opportunities for musicians.

Organisational Impact

22. The Policy review has recommended no changes to how the management of busking is currently resourced.
23. The proposed actions to further support busking can be implemented within current resources. During the period of increased monitoring, City Rangers may need to prioritise managing busking over other duties

Risks

24. The Policy review has recommended increasing the number of locations for busking in George Street, Pitt Street Mall and Martin Place. These risks are assessed in balance with the considerable benefits that busking activities generate for the city. The Policy and the Sydney Busking Code are designed to manage those risks.
25. This approach is within the City's risk appetite which states:
 - (a) We are committed to conducting our activities in full compliance with applicable laws, regulations and relevant industry standards.
 - (b) We have a cautious to open appetite for our strategic, community development, urban planning and creative functions and services.
 - (c) We acknowledge that achieving a risk-free environment is not feasible, especially in the public domain. We therefore aim to minimise health, safety and wellbeing risks within our organisation and in the public domain as far as reasonably practicable and in keeping with our legal obligations.

Social / Cultural / Community

26. A comprehensive review of the City's approach to busking was recommended in an action in the City's Live Music and Performance Action Plan, 2014. This action initiated the comprehensive review undertaken in 2017 and 2018 which put in place a self-managed system for busking, enabled and managed through the Policy. The Policy has opened up most public locations in our local area to busking and dramatically increased busking opportunities in Sydney for 8 years.
27. This Policy review and consultation with the busking community was an urgent response to community feedback and advocacy received on behalf of buskers. The City has undertaken this consultation to ensure that those who are affected by the Policy are aware of proposed changes and have been given fair opportunity to provide feedback and inform policy outcomes.

Financial Implications

28. The Policy review recommends no changes to the currently budgeted resources for managing busking.

Relevant Legislation

29. Local Government Act 1993.

Critical Dates / Time Frames

30. If adopted, the amended Policy and Code will be implemented as soon as practicable. Buskers will be notified of changes via email, social media channels, updates to our website and the distribution of flyers directly to buskers.
31. Proactive monitoring of busking sites will commence immediately.

KATE DEACON

Executive Director Strategic Development and Engagement.

Lex Davidson, Manager Cultural Strategy.