



Policy Owner: Director Community, Planning & Environment

Category: Operational

Direction: 4. Our Social Vitality

1. STATEMENT OF INTENT

1.1 The aims of this Policy are to:

- a) manage busking within the North Sydney local government area; and
- b) encourage performers and events which contribute to the cultural life of North Sydney.

2. ELIGIBILITY

2.1 This Policy applies to any person or group performing in a public space in the North Sydney local government area.

2.2 Busking areas are in the CBD, outside railway stations, village centres such as Crows Nest, Neutral Bay, Kirribilli and Cammeray (including Council plazas such as Ernest Place, Cremorne Plaza, Mount Street Plaza, Raleigh Place and the currently named Barry Street Plaza), but not including privately owned plazas such as Greenwood Plaza.

3. DEFINITIONS

3.1 Busker - a person performing an act/performance to be seen by the general public. Buskers accept volunteered monetary appreciations.

3.2 Frequent hirer (busker) - a performer who hires the Council designated busking area more than six times in a 12-month period.

3.3 Casual hirer (busker) - a performer who hires the Council designated busking area less than six times in 12 months.

3.4 Non-profit performer - a person performing an act/performance to be seen by the general public but who or which does not accept volunteered monetary appreciations.

3.5 Soliciting funds - the act of asking, begging, seeking or requesting money or goods from members of the public.

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- 3.6 Non-professional performer - a person still acquiring performance and artistic skills, or act being performed as practice.
 - 3.7 Dangerous materials and implements - are those that pose risk or uncertain outcomes for people, including materials that give off any kind of heat or toxicity.
 - 3.8 Council does not define fortune, tarot, palm readers, masseurs or masseuses, vendors and artists selling portraits as a busking performance. These acts will not be eligible to apply for a permit.

4. PROVISIONS

- 4.1 Applications for permit/s allowing busking in the Council designated areas must be sought through Council. Allow up to two (2) working days for permit applications to be processed. Buskers must hold their authorised permit on their person, to be shown at the request of Council Rangers/Officers.
- 4.2 Applications for permit/s will be allowed to the following hirer/s after payment - refer to Fees and Charges outlined in the *Busking in North Sydney Local Government Area Application Form*.
 - 4.2.1 Casual hirer (busker)
 - 4.2.2 Frequent hirer (busker)
- 4.3 Non-profit performers do not have to pay a permit fee but must still apply for a permit - refer to the Fees and Charges outlined in the *Busking in North Sydney Local Government Area Application Form*.
- 4.4 Children under 18 years of age do not have to pay a fee but must still apply for a permit - refer to the Fees and Charges outlined in the *Busking in North Sydney Local Government Area Application Form*.
- 4.5 Buskers must remain in their hired/permited area.
- 4.6 Buskers must not solicit funds. Buskers can accept volunteered monetary appreciations.
- 4.7 Permits are not transferable or refundable.
- 4.8 Buskers must carry out directions issued by NSW Police Force, Ambulance, Fire and any other emergency services or Council's Rangers/Officers.

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- 4.9 Council Rangers and Officers may at any time request buskers to immediately terminate their performance if the Ranger/Officer deems the act as too loud, offensive, dangerous or as causing harm to private or public property.
- 4.10 Non-professional performers may not perform in or near areas that have stationary audiences, including cafés and restaurants. Non-professional performers must play where there is a continuous flow of pedestrian traffic.
- 4.11 Buskers must not unreasonably restrict or cause obstruction to pedestrian flow or entrances to shops or buildings.
- 4.12 Buskers must make sure their site does not pose a threat to public safety.
- 4.13 Buskers must keep their designated site clean while they are performing.
- 4.14 Buskers must not use dangerous implements or materials as part of their performance.
- 4.15 Buskers must not perform longer than three hours at any one hired area.
- 4.16 Buskers must not sell or make offers for sale of any commodity.
- 4.17 Buskers must not advertise or be seen to be endorsing any product of any kind in conjunction with their performance.
- 4.18 Display structures are not permitted, including A frames.
- 4.19 Buskers must not use mains voltage amplification. Buskers may use battery-operated amplification.
- 4.20 By signing the *Busking in North Sydney Local Government Area Application Form*, applicants must agree to comply with the conditions laid out in this Policy.
- 4.21 Insurance
- 4.23.1 Frequent hirers (buskers) must provide Council with evidence of current:
- a) Workers Compensation Insurance, where required by law.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council's Customer Service & Records Department is responsible for issuing permits and providing the Community Development Department with annual busking data.
- 5.2 Council's Ranger & Parking Services Department is responsible for enforcing the provisions of this Policy.

6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Compliance and Enforcement Policy
- Customer Service Policy

Version	Date Approved	Approved by	Resolution No.	Review Due
1	29 November 2004	Council	1264	2008/09
2	16 February 2009	Council	61	2012/13
3	18 February 2013	Council	61	2016/17
4	25 June 2018	Council	214	2020/21
5	10 October 2022	Council	324	2024/25