

PENELOPE BENTON, General Manager, National Association for the Visual Arts, affirmed and examined

The CHAIR: I note that on the back of your submission—section D—you talk about policy and legislation and emulating South Australia's approach to fostering live music venues. Can you give us a snapshot of why you suggested that?

Ms BENTON: Can I take that on notice and get back to you?

In May 2016 the South Australian government introduced a variation to the NCC (National Construction Code) that enables certain live music venues to be designated as Class 6 buildings (with fewer assessment hurdles) instead of as Class 9b buildings (involving significantly more compliance obligations).

A new reference to a small arts venue was added to the definition of Class 6 buildings the includes cultural activities such as live music, visual art displays, dancing, poetry and spoken word performances.

Then in 2017, the Development (Low Impact Entertainment) Variation Regulations 2017 were made, designating low impact entertainment as exempt development.

NAVA recommends this approach be adopted in NSW.

The Hon. SHAYNE MALLARD: I think I saw a little bit of that. You refer to emulating the South Australian approach to fostering live music venues, therefore performance art venues as well now. Can you touch on the high points of the South Australian policy?

Ms BENTON: As I mentioned before, I take that on notice.

The reference to small arts venue in the definition of Class 6 buildings in South Australia includes not only live music, but visual arts, dancing and performance.

This type of practice may also fit into the definition of low impact entertainment as per the SA variations made in 2017. There are different types of performance art practice, some of which is low impact, some completely still, or motionless, and also may be very quiet, or even silent.

To support this type of practice, venues should not need to meet onerous compliance regulations. NAVA recommends low impact entertainment be considered exempt development.

Ms DAWN WALKER: Is there anything happening in regional New South Wales that you think would work in Sydney, or that they are doing better, maybe with that interface between different mediums?

Ms BENTON: I do not know about the interface between different mediums, but there are certainly some very strong communities in different parts of regional New South Wales, that I know about, that are working collaboratively across galleries, and I guess pubs, that are collaborating for an art crawl. It might be the few galleries that are there will open at the same time, and I guess working in different types of studio spaces but I am not quite sure that is relevant to this. I will take that on notice as well and get back to you if I can.

Cementa and Desert Equinox are probably good examples.

Cementa is a biennial festival of contemporary art in the small post-industrial town of Kandos in the NSW Central West. In their third festival last year, more than 60 artists exhibited video, installation, sound, performance and 2D and 3D artworks in venues and locations across the town and its surrounds. Venues include shopfronts, vacant lots, the scout hall, local museum, community centre, golf course, people's yards, rural properties and public parks. The local community have really engaged with the event, and the grassroots culture and approach to buildings and spaces encourages artists to push their work in ways they perhaps wouldn't get to in a gallery.

Desert Equinox is an annual program showcasing solar powered and related artworks installed in and around Broken Hill. Artwork includes sculpture, installation, sound art and performance. Like Cementa, venues include shops, private properties, public parks, the Art Exchange out there and the Palace Hotel.

Both of these initiatives bring in inter-state and inter-national artists and audiences. This not only boosts opportunities and networks for local artists, but also boosts the local economy as all those people are needing to eat, sleep and travel around the town.

There are other examples like this, but the support of the local and state government to make temporary and permanent use of existing spaces for art and music is really important. Currently in Sydney, there tends to be greater restrictions on building and land use that prohibit or slow down low-impact cultural use or performances.