

**Submission
No 36**

**INQUIRY INTO THE MUSIC AND ARTS ECONOMY IN
NEW SOUTH WALES**

Organisation: Darlingurst Business Partnership

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I am a resident of Potts Points (18 years) and have run a recordstore in Darlinghurst for 22 years. This is day-time retail business but the nature of the music we sell (dance music for DJ's) means that I am extremely well acquainted with the night-time economy.

(b)(c) The number one thing NSW could do to support arts and culture is to amend the planning laws so that all new residences (in fact all buildings) are soundproofed and insulated. Really, a new inner city high-rise should have clubs and pubs in its basement, retail at ground level, office space at 2 & 3 and then residents above that, and all of them should be able to go about their businesses without impacting others. A fully soundproofed and insulated building is also cheaper to run and uses less electricity.

Unfortunately this will take a generation to have a significant effect. In the interim, identifying and declaring 'Arts, Culture and Entertainment' precincts is the first step. Then we must change how we manage them. Currently the responsibility for everything that occurs at night is almost exclusively managed through Liquor and Gaming and Justice and put on licenced venues. This is a ridiculous way to manage the night time economy.

The problem lies in the fact that NSW has never legislated around this in any meaningful way and the only pieces of legislation we do have are proscriptive, they in no way set out to nurture and support vibrant evening and late night economies. These are the LEP (predicated on reducing the impact of late night traders on residents) and the 'Lockout laws', which is a containment policy.

Compare this to QLD, where the pre-amble to the Fortitude Valley Act is (I paraphrase) "QLD explicitly recognises the economic and social value of Arts and Culture to the QLD economy." Or Melbourne, where they do not 'Other' night life, but include it simply as one cycle in the 24 hour rhythm of the city. This enables 'whole of government' planning and management and the integration of the day and night time economies, which are intrinsically linked. The research we did on the economic effect of the Lockout Laws shows this clearly. Night time trade was down by 33% and day time down by 25%. <http://www.dbp.org.au/lockout-survey-results/>.

The massive drop in visitation to KX after the lockout laws were put in place shows what happens when we let the balance between day and night time businesses get out of kilter. Inner city precincts with a mix of business, entertainment, cultural venues and residents must be managed and in some sense, curated. The way to start doing this is to EXPLICITLY recognise in legislation not only the value of the night-time economy but that it is part of a 24 hour cycle. This will flow down into all decision-making. I attach an image of how Melbourne understands itself.

Arts, culture and entertainment tend to cluster, so we should identify and recognise precincts, such as Darlinghurst, and then manage them. Agent of Change laws are one plank of a good strategy but they will work against the arts unless we take a survey of such precincts, work out the ratio of residential to entertainment to public to businesses spaces and then work to maintain that when development occurs. For example: say hypothetically that a healthy, well-balanced and functional Darlinghurst precinct had 10k residents and 3k social, leisure, arts and entertainment capacity. If you put in another 1000 residents, then you should also look at increasing the entertainment capacity by 10%.

As stated, the precincts would need to be managed in a 'whole of government' sense, by a bureaucracy and police force that explicitly understand that these areas are highly valued by the State and are to be supported; this is where things like the QLD pre-amble mentioned above have a great impact, they set the tone. This is not to say that bad actors should not be punished.

The primacy of residential grievances over all other concerns is also a massive impost on arts and culture; if one resident's serial complaints about a business are regarded more highly than that businesses right to trade when their DA legally allows them to (for example, a restaurant in KX had complaints levelled against outdoor diners at 9:30 pm), then there is an imbalance. This might work in a suburb, but not a city environment.

Gentrification also needs to be managed, or it will displace local cultures, this can be achieved by have minimum quotas of affordable housing and low rent creative space.