

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

Name: Name suppressed

Date received: 16 February 2018

Partially
Confidential

Some points here that I would like to air re the Australian music industry. I write this as a person who has worked professionally in the industry for over five decades and in most of its aspects, as a performing musician at all levels playing local pubs and clubs to stadium shows with audiences of 80,000 + and televised around the world. I have also worked with young people in music education for which I have been given an Australia Day Award and a major music industry award. I speak here with some experience and this is my considered view.

* Musicians remuneration, playing local pub venues I played recently in a local pub sitting in as a favour to a friend to replace a sick band member. I was paid \$75 for the three hour gig I was told that the maximum the venue paid was \$300 no matter how large the band. The last time I had played that particular space was in the 80's in a trio and we were paid exactly double that which I was recently paid? (We played to a similar sized crowd in both eras)

This I believe is at least partially caused by the huge decline in venues and the competition this has created amongst musicians (I no longer play bread and butter gigs as it is not worth walking out of my door with thousands of dollars worth of gear and much experience to be paid a pittance) and I would shoot some of the blame for this directly to the noise laws that are extremely unreasonable. I will point out just a couple of examples of that unreasonableness from my own personal experience.

I was playing every Friday evening with a Jazz trio at a coastal hotel starting at 6:30pm through till 9:30pm. Each week at about 7pm the Police would walk through the door stand and listen to a couple of tunes. make a gesture of turning down the volume Upright Bass, acoustic piano and small drum set played with brushes. The first week they came they stayed until our break and came over and said that they had had a noise complaint from an older gentleman who lived over a block away and that when they came to the venue they couldn't hear the music out in the street so they went to the complainants house to verify. He insisted that the music was "Shaking the windows of his home". The Police said they could not hear any sounds at all.

It came to a head one night when the boss told us not to start until 7:30pm as a cricket club were have a presentation and speech night so we set up at our normal time and went up town for coffee to kill the time until the start time. When we go there we played only a song or two before the Police arrived and told us that they had their regular call for the guy up the road at 6:45pm complaining again about the excessive sound levels they came to the pub to go through the regular motions and we weren't there and joked that we were the loudest band ever even when we weren't playing.

On the Tuesday we were contacted by the manager who told us the music was being shut down because of this one person's continual action. Three family men lost a large percentage of their family income as well as some bar staff lost their regular shift twenty five years later that venue still no longer has live music. Who does this serve.

Example #2 I was running my own very successful music school with an in house children's orchestra we were operating in an industrial area and operating three days per week fro 4 pm - 8:30pm. One afternoon I got a visit from the local council who told me that they were ordering me to close down then and there because of a noise complaint by a resident almost a kilometre away and the it was so loud that it was shaking the walls of his home and was threatening to sue for damages if the structure of his building was compromised by the noise? I refused the direction to close down in the middle of a term as we had accepted term fees and had paid rent etc and couldn't find the cash to refund. They then told me that they would be back the next evening with the Police and would physically evict us I told them "Great you bring the Police we'll bring the all of the students, their families and concerned community members and we'll see comes out of this still smelling of roses". They came back the next night (No Police) and agreed that we could stay until the end of term but we would have to employ an acoustic engineer to prove that the noise level was legal. I told them that I had opened wide the main doors of the studios and had the drummers play as loud as they could I turned up the PA and got the group to play the most raucous pice in our song list and went up to the house in question and I could

hear the cars up on the highway frogs and insects in the gardens all louder than the music I then knocked on the door and the adult daughter of the complainant answered and I said I just wanted to clarify the noise issue and told her what the children were doing and pointed out that this was way louder than we ever play and all the doors are wide open as they never are open at all normally and I asked her "How can this possibly be shaking your house?" She replied that she could hear it as we spoke but when she was inside she couldn't hear it at all, it was just her Dad had a bed in his bonnet about it for some reason that she couldn't understand.

I offered to take Council up there to speak with the daughter and I would also repeat the experiment for their benefit but they refused saying the both the daughters and my assessment was subjective and if they went up theirs would be also. We found a new studio in another industrial area and moved there but before we did I asked a friend who is a highly qualified acoustic engineer if he would do me a favour and put a logger in place and measure background and our times of operation. One evening when it was in place I repeated the experiment opened all doors etc. The results our sounds had no effect on the background noise including during the experiment.

The orchestra went on to represent Australia at National and International event seven times in a decade, they broke records that had stood for 26 years at one of the worlds most prestigious International youth festival they played to more than 200million people including live performances playing to audiences of more than 80,000 and live international television to 75 countries with an estimated viewing audience of a minimum of 200 million.

Had the council gotten their way none of that would have happened children from that group are now working all over the world in name bands and orchestras we even have a student who was there at that time who has won a Grammy Award.

Thank you