

**Submission
No 211**

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

Organisation: Penrith City Council

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Penrith City Council welcomes the opportunity to provide feedback to the Inquiry on the Music and Arts Economy in New South Wales (NSW). As an officially recognised Regional Centre, Penrith is a well-positioned vital hub for regional business, education, employment, logistic, arts and culture.

Penrith is home to regional arts facilities The Joan Sutherland Performing Arts Centre and Penrith Regional Gallery & The Lewers Bequest. The Penrith local music and arts scene comprises genuine diversity and capability.

Our response to the Inquiry's Terms of Reference provides an insight into the opportunities in Western Sydney and some clear recommendations to support the economy to move forward in NSW.

1. Progress on the implementation of the Government response to the New South Wales Night-Time Economy Roundtable Action Plan 1

Night time economies (NTEs) are key features of attraction in major cities worldwide. NTEs are defined by place and context, activity and aspiration. Urban planners often talk about how to create a sense of community and vibrancy, but all too often this neglects the central role that the arts play in creating our cities. Artists and musicians are vital cultural practitioners that help our cities develop character, liveability, population and visitation.

NTEs offer vibrant and diverse cultural experiences. They also have the capacity to support and give opportunity to artists, musicians, businesses and their local communities. The Government's most recent approach to preserving public safety has meant tighter controls on cities, with stricter licencing laws used to regulate the flow of people and alcohol. The Council-endorsed *Penrith Night Time Economy Strategy* has a vision for a NTE that is a safe, diverse and busy - noting no two NTEs are the same.

Penrith City Council has committed to transforming the city centre using the strategy *Penrith Progression, A Plan for Action 2016* through which the creative economy and an active city are identified as city shaping elements. It recognises that creative arts stimulate community participation and contributes to enhancing our culture and that vibrant cities are active 24/7 with food, entertainment and activities that attract people.

Consideration should be given to broaden the focus of the roundtable to include a state-wide discussion on NTEs and how the State Government can better support Local Governments and the sector in this area.

Recommendations:

- a) Establish a NSW wide Regulation Roundtable to address the longer-term regulatory issues impacting on the cultural development of NSW, including the events approvals process and alignment of the operation of Liquor, Planning and Environmental Protection regulations and process.
- b) Develop resources to guide and assist Local Governments to better support local arts and music economies. Online guides and training for planners would be of great assistance.
- c) Ensure policy is enforced in a way that does not disadvantage the people that live in the places nor those who benefit from the fact that

the venue, activity or event is there. These communities are important to keep in mind when developing hubs of night-time economy.

2. *Policies that could support a diverse and vibrant music and arts culture across New South Wales.*

There are a range of benefits that potentially accrue from our experience in the music and arts economy. These benefits occur at both the community and the individual level, from both participation and consumption. They include:

- enhanced city reputation/image
- education and inclusion benefits
- increased health benefits
- increased sense of place
- associated tourism benefits
- increased feeling of safety.

Whilst we acknowledge there are opportunities for musicians, artists, event producers and venues, they continue to face significant challenges from red tape and poor alignment of regulation.

This inquiry provides a timely opportunity to raise important issues facing the music and arts economy including:

- zoning and planning controls
- environmental protection regulations and associated noise limits
- liquor licensing and application process
- building code classification and change of use process
- lack of suitable performance venues between 200-400 capacity
- lack of policy for live music in New South Wales (NSW).

Penrith is well located within Western Sydney, a fast-growing region which is home to Australia's third-largest economy, nearly 2 million people (over half of whom were born overseas), and a diverse landscape, rich with green spaces and biodiversity.

The 2015 Deloitte Access Economics Report *Building Western Sydney's Cultural Arts Economy: a Key to Sydney's Success* presents a compelling case for greater investment in Western Sydney's Cultural Arts Economy. The Report affirms that Western Sydney 'is a microcosm of Australian culture, with the art created in the region reflecting the nation's diversity, aspirations, individuality and uniqueness'. The Report finds that 'this art continues to break new ground, sets new standards, and rivals in excellence art created elsewhere in Australia, and overseas'. The Report also found that in 2011 Western Sydney households spent an aggregate of \$232 million directly at museums, art galleries, live theatre, music concerts and on cultural fees and charges; by 2021 this is expected to grow to \$444 million.

A key finding of the Deloitte Report confirmed that while Western Sydney represents 1 in 10 Australians, the region attracts only 5.5 % of NSW arts, heritage and events funding (and 1% of Commonwealth arts program funding). The Report recognises that the cultural and creative economy is already one of the most valuable sectors of the Australian economy - and indeed a large part of that of Western Sydney.



In February 2015, the NSW Government launched a Western Sydney arts funding package largely focused on Parramatta, including \$10 million to develop a business case to relocate the Powerhouse Museum to Parramatta. Only an additional \$7.5 million over four years was allocated to support artists and organisations across the remainder of Greater Western Sydney.

Penrith City Council views cultural vitality as a key indicator of the quality of life in the region's diverse communities; and recognises that cultural development fosters innovation, engages people's creativity, and promotes individual and community well-being. We believe that participation in the arts, access to opportunities for creative expression, and engagement with cultural events that represent and reflect the distinctive characteristics of the region are key to fostering dynamic and sustainable cultural and creative sectors.

Recommendations:

- a) NSW Government to support and resource an ongoing Western Sydney Arts and Music Economy Forum to support the development of the sector in NSW.
- b) CreateNSW to work with the arts and music sector to develop policy to better support enterprise development, through business and marketing skills development.

3. *Policies that could support the establishment and sustainability of permanent and temporary venue spaces for music and for the arts*

Apart from theatres, nightclubs and ancillary entertainment in liquor licensed premises, it is often the case that small scale and experimental live performance happens in buildings designed for industrial or retail use that are underused or in transition.

The adaptive reuse of buildings for creative use— including pop-up venues and low risk entertainment use characterisation (with their associated planning challenges)— is recognised as a complex and difficult area of built environment policy, however there are initiatives underway investigating these problems. More investigation should be supported in the area.

There are a number of issues faced by the creative sector in building a vibrant culture, particularly as practitioners seek to establish pop-up venues and artist run spaces within existing regulatory frameworks. Larger capacity premises appear to establish more easily, through significant public funding or a focus on alcohol sales. In smaller scale cases, creative use becomes unachievable without significant capital investment and additional intervention from the highest levels of government, including via funding.

Issues for pop-up venues and low risk entertainment uses across the identified range of built environment regulation include:

- complexity and cost of the planning system for applicants
- permitted use across various land zoning
- classification of buildings under the BCA (Building Code)
- liquor licensing options and process
- adequacy of planning and EPA provisions to deliver affordable cultural and mixed land use.



The 2015 Mayoral Arts & Culture Summit brought together over 100 artists, creative entrepreneurs, educators, arts and cultural groups, and key stakeholders from across the Penrith, Blue Mountains and Hawkesbury Local Government Areas. Through the summit a number of regional requirements were identified that resonate with the ongoing challenges of arts/music sector development:

- need for creative hubs/incubators which support artists, designers and creatives to grow their practice and generate professional opportunities for emerging, mid-career and established artists
- support for artist-run pop-ups across the region, nurturing a culture of art in everyday local spaces
- need to promote arts and culture to diverse communities through community cultural engagement initiatives that maximise participation and access, foster social inclusion and strengthen communities
- need to customise professional development and mentoring programs for emerging, mid-career and established artists in the region to develop their practice, and enhance access to employment opportunities
- development of digital multimedia capacities and hubs/incubators to engage wider audiences and reach, enhancing global opportunities for the regions artists, designers and creatives.

Recommendations:

- a) Advocate to introduce a Building Code variation and associated planning provision to ensure that
 - i. venues where live performance is ancillary to hospitality industry consent; and
 - ii. premises that comply within certain low risk provisions are not assessed as an assembly building under the Building Code of Australia / National Construction Code.
 - b) Support more Councils to investigate policy development for the reuse of buildings for creative use.
 - c) Encourage Local Governments to consider allocating a duty planner to provide technical support for the creative sector and give guidance in navigating building codes, planning controls and community engagement for the reuse of buildings for live music and creative use.
 - d) Specify in voluntary planning agreements cultural development activities in s.93F of the *NSW Environmental Planning and Assessment Act 1979*.
4. *Policy and legislation in other jurisdictions, and options for New South Wales including red tape reduction and funding options*

The South Australian Working closely with industry peaks and the sector will be key to growing the arts and music economy in NSW as evidenced in South Australia where State Government have a number initiatives supporting the arts and music economy, including more specific support for live music.



Recommendations:

- a) That the Government encourage - through funding deeds and agreements - that cultural facilities deliver more in the community, outside of their venues.
- b) Increased investment in the Western Sydney arts and music economy in line with support for metropolitan Sydney.

5. *Any other related matter*

The arts are deeply embedded in the cultural sector, and cultural activity makes a substantial contribution to the Australian economy. From local experience the arts and music economy generated the following benefits—

Economic Benefits

- Economic Growth and macro economy
- Employment and workforce
- Spill overs to other industries
- Growth in creative capacities
- The majority of these benefits are relatively easy to quantify e.g. jobs, visitation

Civil Participation and Social Cohesion

- Participation in arts and culture
- Volunteering
- Charitable giving.

Social and Community Cohesion benefits

- Increased sociability, greater connection with community, sense of place
- Shared identity and reduced anti-social behaviour
- Cultural awareness
- Educational benefits.

Other Benefits

- A form of relaxation
- Improve cognition
- Increase morale
- Nonverbal communication
- Social inclusion.

Council is open to new ideas, new people and new cultural expression. We welcome opportunities to work closely with the NSW Government and other stakeholders to foster opportunities for the music and arts economy in Penrith. We are a city of innovation and looking at new ways of working with our community to activate our places. We see the local arts and music economy as key to creating vibrant and safe places, particularly to support a thriving night time economy and provide increased amenity to our growing community.