

**Submission
No 241**

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

Organisation: City of Parramatta Council

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CITY OF PARRAMATTA

27 February 2018

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The Director
Portfolio Committee No. 6
Parliament House
Macquarie Street
SYDNEY NSW 2000

Attention: Jenelle Moore – Principal Council Officer

Dear Mr Challen,

SUBMISSION – INQUIRY INTO THE MUSIC AND ARTS ECONOMY IN NEW SOUTH WALES

City of Parramatta Council welcomes the opportunity to provide a submission on the inquiry. It is a timely matter that this inquiry is currently taking place as there has been considerable attention and media around the music, arts and night time economy of New South Wales.

City of Parramatta is committed to becoming a global city, one that champions music and arts as key to our vibrant Central River City. We are dedicated to ensuring our city is liveable, has a strong sense of place, invites creativity, encourages prosperity and celebrates our diversity as a strong and growing community.

Significant consultation with over 2250 community members (collectively) informed the direction of our *Night Time Economy Discussion Paper (Attachment 1)* and *Parramatta CBD Cultural Plan (Attachment 2)*. Our community passionately expressing what they love about our City, their needs, desires and frustrations.

We know there is a great opportunity to capitalise and grow our night time economy to be more diverse and welcoming, while providing a wide range of great experiences for our community and visitors¹.

Our community has also told us that they want to see more music in Parramatta and more support for a live music culture in the city², but they also want us to be mindful and proactive about managing entertainment noise³.

¹ City of Parramatta, 2017, Night Time Economy Discussion Paper pg. 21

² City of Parramatta, 2017, Culture and our City: A Cultural Plan for Parramatta's CBD 2017-2022 pg. 55;

City of Parramatta, 2017, Night Time Economy Discussion Paper pg. 42

³ City of Parramatta, 2017, Night Time Economy Discussion paper pg. 42

Businesses in our community want to see a more integrated approach between the development application process with the liquor licensing application process. They also want the flexibility to host creative and cultural uses ancillary to their core business without the formal requirement of a development application⁴.

As our City continues to experience significant unprecedented growth and change, we will continue to champion the role that culture plays in city building and as a driver of the night time economy.

Council is pleased to provide comments on the inquiry and make recommendations that will foster further growth of City of Parramatta's and NSW's arts and music economy, as per the Terms of Reference:

a) **Progress on the implementation of the government response to the New South Wales Night Time Economy Round Table Action Plan**

Recommendation 1 - Involvement of City of Parramatta Council on the NSW Night Time Economy Taskforce

The night time economy (NTE) is an important part of the City's economy and identity as the Central City of Sydney and the largest centre in Western Sydney. The NTE provides great economic, social and cultural benefits to the residents, visitors, businesses and workers of the City and Greater Sydney. .

To achieve the City's three-year Delivery Plan and 20-year Community Strategic Vision, Council is currently in the process of enhancing and growing its music, arts and night time economy in collaboration with other stakeholders. Significant work includes:

- a) The development of a Night Time Economy Discussion Paper
- b) Collaborative work with the Live Music Office on Live and Local and Amplify programs
- c) Adoption and delivery of key actions under the Parramatta CBD Cultural Plan
- d) Delivery of major events including Parramatta Lanes Festival, Parramasala, Winterlight and Loy Krathong
- e) Diversifying licensed venues through the Parramatta CBD Small bars policy
- f) Providing information resources such as 'How to open a small bar', 'How to put live music in your business'

In light of Council's significant work in this policy area, and the strategic importance of City of Parramatta as the Central River City in the Greater Sydney Commissions' 'three cities' metropolis, City of Parramatta Council should be represented in the NSW Night Time Economy Task Force.

Recommendation 2 - Develop a holistic approach to night time economies aligned to the Greater Sydney Commission's Regional and District Plans

The Action Plan identifies the need to develop a night time economy master plan for Sydney⁵, which has yet to be undertaken. The draft masterplan should be done in collaboration with Councils and key stakeholders with a focus on Greater Metropolitan Sydney rather than just Sydney CBD.

⁴ City of Parramatta, 2017, Night Time Economy Discussion paper pg 54

⁵ NSW Department of Justice, 2016, Sydney Night Time Economy Round Table - Action Plan pg 2.

The draft plan should also include an acknowledgement of the potential to develop and grow existing night time economies in each of the “three cities” (Sydney, Parramatta and Airport cities), and such “loci” can have local intensity and critical mass, and would support each other.

Recommendation 3 - Establish an entity within Government which has ongoing responsibility to implement the action plan at a Greater Sydney level, in collaboration with Councils

While we recognise that Create NSW has been appointed, there needs to be a dedicated office which can more easily pull together diverse agencies outside the responsibility of Create NSW.

A cross-sector network of service providers, local governments, state agencies and business representatives is required to drive change.

Recommendation 4 – Create a clear reporting and evaluation system for actions in progress and actions completed

The Action Plan has a number of critical actions that can assist in developing our night time economies. However, there appears to be no clear reporting and evaluation system to determine whether an action has been started, is in progress or has been completed.

Of importance are those actions with elements that have proven (through best practice) to be crucial to a thriving night time economy, such as efficient late night public transportation.

b) Policies that could support a diverse and vibrant music and arts culture across New South Wales

Recommendation 5 - Proactive approach to Entertainment Noise

In order to balance a thriving night time economy that supports music and arts culture, it is necessary to ensure that new developments are better attenuated to minimise potential land use conflicts between sensitive uses and the night time economy.

As the Greater Sydney Commission and other state agencies advocate for a “30 minute city”, locating housing in close proximity to entertainment and other uses, the conflict between residents and noise-generating uses will need to be proactively managed.

To develop effective policies, the following issues need to be considered:

- The maturity of the precincts (established, in growth or developing).
- Application of the “agent of change” principle where relevant. This principle holds the “agent of change” accountable for sound attenuation. Victoria State Government have introduced the Agent of Change as part of their *Planning Scheme Amendment VC120 2014* and Clause 52.43, which is triggered when a new planning application is lodged.
- Planning objectives for vibrant mixed use precincts need to incorporate appropriate building design responses, particularly for the ground and first floor levels, and also consideration of potential trading hours for commercial uses (day, evening and late night) to address expectations of both residents and business owners and reduce potential for conflict.

Sound attenuation policies should be developed to establish minimum criteria with which to build new development. These policies should be applicable to any new development including state significant developments assessed by the state government. Policies

should also take a considered approach for residents' needs, and determine the maximum LAeq levels and Bass levels for new venues that are opened.

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

Recommendation 7 - Identify reform to planning regulations

Planning regulations need to be reformed to ensure the sustainability of permanent and temporary venue spaces are available for music, the arts and creative uses. Examples of how this can be achieved include:

- **Establish an independent music and arts committee that can provide feedback on planning reforms**

The Department of Planning and Environment are currently doing a review of retail policy to improve the NSW planning system for retailing. As part of this, they appointed an independent committee – the Retail Expert Advisory Committee to provide advice. The committee has provided the following recommendations:

- Develop state-wide retail planning policy
- Change the standard instrument
- Improve the assessment process
- Provide clearer planning guidance

Using this example, it is recommended to undertake a similar process to determine the way forward with planning reform to support the establishment and sustainability of permanent and temporary venues for music and the arts.

- **Flexibility with the standard instrument** – There is a growing trend towards multi-functional and multi-use development such as cafes with live music, and shopfronts and galleries that are licenced. Examples of this trend include '107 Projects' in Redfern and 'Trouw' in Amsterdam, which is a night club with an art scene, a creative accelerator, a bar, restaurant and Sunday Markets. These types of multi-functional and multi-use developments however are difficult to assess in the existing planning framework. There needs to be more flexibility with the standard instrument to make it clearer for planners and for applicants that wish to establish permanent venues.
- **Amend the SEPP Exempt and Complying Development Code** to introduce controls for temporary arts, cultural and live performance uses to ensure existing underutilised spaces in appropriate areas can be activated without the formality of a development application. This will assist in creating a thriving day and night economy.

d) **Policy and legislation in other jurisdictions and options for New South Wales including red tape reduction and funding options, and**

Recommendation 8 - Integrated application process for Liquor Licensing and Development Applications

There should be an integrated process when development applications come to Councils that also seek to serve alcohol as a licensed premise. For example, this could include a gateway process for venues to determine whether a Social Impact Statement is required (SIA) and if so, no CIS would be required. This means venues should be able to submit a single CIS or SIA (as determined appropriate) that can be assessed in the development application process and in the liquor licensing application process.

At minimum, the CIS should cover:

Topic	Expected Detail
Description	<ul style="list-style-type: none"> Describe the proposed development including geographic location
Stakeholders	<ul style="list-style-type: none"> Identify and describe the key stakeholders who are likely to be the primary customers of the proposed development. Identify and describe of the key stakeholders affected by the proposed development. Consider: <ul style="list-style-type: none"> Individuals Organisations Local neighbourhood
Consultation	<ul style="list-style-type: none"> Identify whether any additional stakeholder consultation has been undertaken or is planned above the standard DA public exhibition requirements. If additional consultation has taken place, describe the findings.
Proposed Changes and Probable Impacts	<ul style="list-style-type: none"> Briefly identify how the proposed development is likely to impact: <ul style="list-style-type: none"> Individuals <ul style="list-style-type: none"> Health Safety The Neighbourhood <ul style="list-style-type: none"> Public safety Pedestrian movement and transport Neighbourhood identity Identify any specific measures in place to manage and/ or mitigate impacts.
Author	<ul style="list-style-type: none"> Description of the report author, their qualifications and capacity to complete the comment

Recommendation 9 - Integrated approach for dealing with Noise Complaints

Currently the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, *Protection of the Environment Operations Act 1997 (POEO Act)* and the *Liquor Act 2007* all deal with entertainment noise, which makes it difficult for a venue, residents and applicants to navigate and understand the process. A more consistent approach to dealing with noise complaints across the three legislations would make it easier for the general public and businesses to understand and reduce 'red tape'.

e) Any other related matter.

Recommendation 10 – Involvement of the Night Time Economy Councils' Committee

The Night Time Economy Councils' Committee (NTECC), established late 2016, includes LGNSW and the councils of Wollongong City, City of Sydney, City of Newcastle, City of Parramatta and Waverley Council. New members were invited in early 2018, including Liverpool City, City of Canterbury–Bankstown, Lake Macquarie City and the Northern Beaches.

The objectives of the committee are to:

1. Share information on best practice approaches and contemporary issues to build knowledge and council capabilities to shape vibrant, safe and sustainable NTEs
2. Establish a consistent approach to the development and management of NTEs to achieve positive outcomes for business and the community
3. Advocate to State and Federal Governments on matters of common interest
4. Establish a network of night time economy policy practitioners across NSW councils

5. Improve councillor awareness of the value and benefit of taking a proactive approach to the development and management of the NTE and the work being done in this area
6. Promote the benefits of becoming a member of the National Local Government Drug and Alcohol Committee (NLGDAAC)
7. Facilitate capacity building and develop collaborative partnerships around NTE initiatives.

NSW Councils' Night Time Economy Forum Outcomes

The inaugural NSW Councils' Night Time Economy Forum was hosted by City of Parramatta at Parramatta ParkRoyal on Thursday 12 October 2017. The forum sought to enable information sharing and established a network to facilitate collaboration across metropolitan Sydney Councils to grow and develop their local night time economies. Over 120 people attended the forum representing 31 NSW Metropolitan and Regional Councils.

The event included presentations from a range of local councils and panel discussions. It also featured a workshop which identified key issues that inhibit progress in the development of local night time economies:

1. Inflexible planning regulations
2. Activation of under-utilised areas
3. Creating meaningful partnerships
4. Managing alcohol and related risks
5. Engaging and empowering business owners to take ownership and create community in their local areas
6. Lack of shared vision with external decision-makers (State Government agencies)
7. Understanding the value of the night time economy to the community and business
8. Resourcing events and place activations
9. The lack of integrated transport to service local night time economies

A copy of the facilitated workshop outcomes is provided as **Attachment 3**.

There is an opportunity to move the conversation forward and find solutions to better support the arts and music economy in New South Wales as per the recommendations above. I look forward to further updates on the outcome of the inquiry.

Should you require further information on this matter,
Economic Development can be contacted at

Project Officer-

ATTACHMENTS

- 1 - Night Time Economy Discussion Paper
- 2 - Parramatta CBD: Culture and Our City
- 3 - NSW Councils NTE Forum – Facilitated Workshop Outcomes

Yours faithfully,

Cr. Andrew Wilson
LORD MAYOR
CITY OF PARRAMATTA COUNCIL