

**Submission
No 253**

INQUIRY INTO THE MUSIC AND ARTS ECONOMY IN NEW SOUTH WALES

Organisation: Australasian Music Publishers' Association Limited (AMPAL)

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Hon Paul Green MLC
Committee Chair
Portfolio Committee No. 6 – Planning and Environment
Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

By online submission

The Music and Arts Economy in New South Wales

AMPAL

The Australasian Music Publishers Association Limited (AMPAL) welcomes the opportunity to make this submission to the Portfolio Committee No. 6 – Planning and Environment inquiry into the music and arts economy in New South Wales (the Inquiry).

AMPAL is the trade association for Australian and New Zealand music publishers. Our members include large multi-national companies as well as many small businesses, a large number of which are based in New South Wales. AMPAL's members represent the overwhelming majority of economically significant musical works enjoyed by Australians.

Music publishers invest in songwriters across all genres of music. They play a crucial role in nurturing and commercially exploiting their writers' musical works and providing returns to songwriters. AMPAL and our members also recognise the immense cultural and artistic significance of the works that music publishers represent.

Music publishers make a critical contribution to the creation of great Australian music. Music publishers actively support the songwriters they represent to allow writers the time and resources to create. They are responsible for the collection and distribution of songwriters' income on a global basis and they create new income streams for songwriters by facilitating licences within the continually evolving digital space.

AMPAL members are also members of the Australasian Performing Right Association (APRA) and the Australasian Mechanical Copyright Owners Society (AMCOS), and we endorse the submission of the Live Music Office.

The Committee has invited submissions on the Inquiry terms of reference. We set out our comments below.

Comments on the Terms of Reference

It should be noted from the outset that a thriving live music sector is of critical importance to the entire music industry, including music publishers and songwriters. Music publishers work with other intermediaries in the business such as record companies and managers to bring songwriters' works

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to market, and live performances are a crucial avenue for songwriters' works to be heard. Indeed, a great number of songwriters are also performing artists in their own right. The Australian live music sector has a great tradition of being an 'incubator' of local talent and as an artist training ground for local and international success. More broadly, as the University of Tasmania has highlighted, '[a]mong its many attributes, live music events build communities and social connections; provide economic value, employment and career paths; and help create vibrancy, buzz and atmosphere in a precinct'.¹

Aside from the vast social and cultural contribution that the live music sector makes to Australian communities, the economic importance of the industry was highlighted in research by the University of Tasmania. The study found that the live music sector contributed \$15.7 billion of value to the Australian community in 2014, with taxation revenue generated for all tiers of government. Additionally, the research established that for every dollar spent on live music, three dollars of benefit is returned to the wider community. It estimated that NSW is the largest state/territory contributor to the Australian live music industry at \$3.6 billion annually, and with 23,207 jobs in the sector.² In order to maintain its position as a national leader in this regard, it is essential for communication and collaboration between NSW agencies, between levels of government, and between government and industry on live music issues to improve. AMPAL submits that as between government and industry, further regular roundtable meetings are essential.

AMPAL notes that in December 2016, the NSW Government tabled its response to the New South Wales Night-Time Economy Roundtable Action Plan, developed out of the Night Time Economy Roundtables. The Roundtables were held in response to issues raised regarding the Sydney 'lockout' laws. AMPAL supports the strategic actions committed to in relation to the live music, performance and creative industries, particularly the proposals to:

- Develop a Contemporary Music Strategy to provide guidance for live music venues / industry.
- Develop a night-time economy master plan for Sydney.
- Encourage and facilitate the use of vacant commercial spaces and public places for establishing pop-up performance and art offerings.
- Reform the planning regulations to provide greater incentives for small, creative start-up businesses and reduce red tape through changes to Exempt and Complying Development and the Building Code of Australia (BCA).

AMPAL refers to the comments of the Live Music Office in relation to the progress on the implementation of the Government response, and further issues arising out of the Roundtables regarding Sydney live music. AMPAL also emphasises the importance of policies to support regional live music venues and events.

AMPAL is also supportive of any other policies that support a diverse and vibrant music and arts culture across New South Wales, and policies that support the establishment and sustainability of

¹ The University of Tasmania, 'The Economic and Cultural Value of Live Music in Australia 2014' (2014), <http://www.utas.edu.au/latest-news/utas-homepage-news/live-music-dollars-boost-the-australian-economy-three-times-over> (last accessed 15 January 2018), page 7.

² Ibid.

permanent and temporary venue spaces for music and for the arts. We refer to the submission of the Live Music Office in this regard.

AMPAL notes that robust strategic plans for the contemporary music sector at the state and territory level are in place particularly in Victoria through its Music Works program and South Australia through the Music Development Office. Similar work has also been undertaken in Queensland by the Department of Premier and Cabinet. AMPAL also notes that significant funding investment programs are in place in Victoria via the \$12.2 million Music Works contemporary music package,³ and in Western Australia via the \$3m Creative Music Fund.⁴ Equivalent strategic plans and investment to support New South Wales' live music sector would be welcomed by the industry.

Finally, while being a matter of federal government responsibility, AMPAL must also comment on the importance of copyright to the music industry in New South Wales. The music industry has been transformed in the digital age. There are now an abundance of legitimate digital services available to the Australian public at a variety of price points - including (ad-supported) free. These services are gaining traction but the market is still in a fragile space. The music industry has been innovative in the digital age, and music publishers have comprehensively demonstrated their flexibility in licensing new music services to allow a broad range of legal services to flourish. The Digital Content Guide⁵ sets out the range of these services. It is important to note that Australia has repeatedly been one of the earliest markets for the launch of new global music services by licensees. And at a time when the Australian Government is grappling with potential changes to copyright law, it is timely to recognise that a strong, balanced and flexible copyright framework is critical in providing certainty for creators and other copyright owners, and licensees. Music is central to our culture and our identity, and songwriters, composers and music publishers depend on the current certainty of our robust copyright laws in order to invest in and encourage their innovation, and to be fairly rewarded for their creative efforts in continuing to advance the cultural heritage of Australia.

Conclusion

AMPAL thanks the Committee for the opportunity to make this submission to the Inquiry. We reiterate our support for policies developed in consultation with industry that remove barriers to live music sustainability and that improve and develop the live music sector in New South Wales through government investment, better regulation and small business support.

Please contact me if we can be of any further assistance.

Matthew O'Sullivan

General Manager

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³ <https://www.premier.vic.gov.au/music-works-new-grants-for-victorias-music-industry/> (last accessed 26 February 2018).

⁴ <https://www.markmcgowan.com.au/news/creating-new-jobs-through-arts-culture-and-hospitality-1344> (last accessed 26 February 2018).

⁵ <http://www.digitalcontentguide.com.au> (last accessed 15 January 2018).