

**Submission
No 269**

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

Organisation: Oxford Art Factory

Date received: 28 February 2018

28th Feb 2018

To: The Honorable Paul Green, MLC, Chair

Re: Submission to the inquiry into the music and art culture in NSW

Dear Mr. Green

My name is Mark Gerber,

I am the Founding CEO and Curator/Licensee of the Oxford Art Factory.

The Oxford Art Factory is a Live Music and Art Performance space located on Oxford Street, Darlinghurst, it has been trading for more than ten years. As its name suggests, 'ART' provides the framework for the OAF concept, and throughout it creates a showcase for visual art, performance art and live music.

What keeps me going after 10 years running the OAF is my love of culture, music and all things art. My aim with the OAF is to connect as many people as possible with live music and the arts, as I firmly believe that this kind of exposure has both far-reaching social and personal benefits for anyone who comes in contact with them. It is my belief that exposure and interaction with the arts are the way forward for the well-being of the City's day and night cultures and importantly its youth.

Since opening its doors in 2007 the Oxford Art Factory Theatre has become a major force in the Australian and global Live Music Industry. It has won multiple awards and received accolades from around the globe for its staging and handling of its live music and art offerings and the significant beneficial addition it brings to the cultural landscape of Sydney. The success of the Oxford Art Factory can be attributed to its senior management skills, and the management of staff, patrons, the community, live acts, artists, promoters, agents, and performers.

The current discussion around the live music and art cultures of Sydney has highlighted the dire need for live music venues specifically, to be able to survive, as they not only provide vibrancy to our already beautiful city but a positive outlet for cultural expression and diversity. Live music venues are the epicenter of a structure that impacts local businesses as well as a quality of life. Music venues are economic indicators of the health of an area. For every live music venue that closes down, secondary and tertiary businesses are impacted. Live music venues are at the center of a web of interconnectivity — their success creates both cultural and economic vibrancy, impacting restaurants and bars in the area, hotels, and increased use of transport, taxis and retail outlets.

In 2006, the City of Sydney Council DA application for the OAF Theatre clearly showed our business model relied heavily on the revenue streams from its late-night trade on weekends. The Council recognized this need. It foresaw the culturally significant benefits the OAF could bring to the City's Day and Night time cultures. The DA consent was approved unanimously with the inclusion of provisional extended late-night trading hours from 12AM-6AM seven days a week, including the

condition that no newcomer is allowed to enter after 3AM. The OAF is currently into its 4th round of approved extended late night trading hours.

Since the Lockout Laws were implemented in 2014, the OAF has seen an overall decrease in revenue of approximately 40%, despite this revenue decrease, expenses have not changed. The restrictions in trade the CBD POM has placed on the OAF since 2014, has seen an overall downward trend in revenue that is of very great concern to the ongoing viability of the Oxford Art Factory. As a sign that the government was taking notice, the Callinan Review was set up and part of its findings included giving venues with a focus on live entertainment an extra half hour exemption from the lockout as well as small bars being able to trade past midnight till 2AM. The OAF was clearly in line for this and was granted a half hour exemption from the lockout from 1:30AM to 2AM in early 2017. The change to our trading hours has seen no benefit whatsoever to the business. There has been no increase in trade or attendance, in fact we are still very much on the same downward spiral as we were prior to it being granted. The reason is that the public perception of the entire Oxford Street precinct continues to be one of closure at 1:30am...a no-go zone for any late-night activities and not worth going to anymore. Oxford Street nowadays starts to look like a ghost town after midnight on weekends, after 1:30AM you can count the foot traffic on one hand, when in the immediate years before to the lockout it was approaching the kind of vibrant and diverse night life that cities such as London, New York, Paris and Melbourne are still proud of today. To my knowledge, no small bars have taken up the opportunity to extend their trading to 2am, perhaps none of them are able to apply or, they haven't been afforded the right knowledge and proper means from the government on how to go about it? Who knows? There has been no significant attempt that I know of by Liquor & Gaming to advise the small bar industry on the possible changes and steps in that area. Extended trading of the small bars in our area is essential, it's a much needed and necessary addition for any change to occur to the current negative perception of the Oxford street precinct. If the Oxford Art Factory were to cease trading this would not only greatly and adversely affect the more than 5000 professional musicians and artists engaging with the OAF each year, it would also directly affect 22 full and part-time staff as well as sound engineers, security, stage managers, numerous nationwide tour promoters and various other professionals from within the music industry. The more than 65,000 patrons who come through our doors each year would go missing from the precinct, as well as up and coming people involved in Sydney's live music scene. From a local perspective, it would have an adverse effect on the many businesses who depend on our entertainment offering to draw customers to their business, such as small bars, retail shops, hotels, restaurants and cafes that make up much of the night-time economy of the precinct.

I believe the only way to save Oxford Street from impending doom is a further relaxation of the lockout laws to 3AM for entertainment venues such as the OAF and maintaining the allowance for small bars to go till 2AM, worked out to the satisfaction of all parties and stakeholders, it is unlikely to have a negative effect on the precinct, as people who attend the area, by and large, are from a discerning and intelligent demographic. Comprised mainly of university students, young professionals, the LGBTIQ community, musicians, artists, writers, filmmakers, and performance artists as well other like-minded individuals who pride themselves on having a connection with the artistic cultural profile of Sydney. Areas outside of the lockout laws, such as Newtown, which bears a

real resemblance to the Oxford Street precinct both culturally and demographically, already works to a voluntary 3AM lockout without any major troubles occurring - granting Oxford Street the same would even the playing field, relieve the pressure on Newtown and bring back a balance to the fractured landscape that Sydney is currently living under.

Safeguarding a unique late-night economy such as that which Oxford street has to offer, including the Oxford Art Factory, will be seen by all as an acknowledgement that the government has Live Music and the Performing Arts included into its cultural strategy for Sydney and NSW.

Yours sincerely,

Signed
Mark Gerber (CEO, Curator and Licensee)