

**Submission
No 380**

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

Organisation: MusicNSW

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Emily Collins
Managing Director, MusicNSW
62 Glebe Pt Rd, Glebe, 2037

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Attention: Portfolio Committee No. 6, Planning and Environment
NSW Legislative Council

To the Hon. Paul Green MLC and Committee Members,

Regarding: Inquiry into the music and arts economy in NSW

Thank you for the opportunity to contribute to the inquiry into the music and arts economy in NSW. This is a submission from MusicNSW, the state body for contemporary music in NSW.

We are a not-for-profit industry association set up to represent, promote and develop the contemporary music industry in NSW, including regional areas. We run skills and professional development programs for musicians and industry, administer funding programs on behalf of Create NSW, and provide support, advice and referrals. We were established in 1998 and this year will celebrate 20 years of continued music development in NSW.

SUMMARY OF RECOMMENDATIONS

- As put forward in the NSW Government's Night Time Economy 25-point plan, develop and adopt a Contemporary Music Plan for NSW in consultation with MusicNSW, industry, local government and relevant NSW Government agencies
- The Contemporary Music Plan should include specific development strategies for:
 - Artist Development: Emerging and Established
 - Industry Development: Music Venues, Festivals and Events
 - Regional Music Development: Revitalising towns across NSW
 - Young People: Industry Renewal, Future Artists and Future Audiences
 - Audiences: Stronger Communities, Thriving Businesses
- Support the delivery of this Plan with a significant financial investment in funding and industry development programs
- Establish a dedicated music development role within government to liaise with MusicNSW and other stakeholders to lead delivery of this plan and spearhead industry development
- Simplify the complex regulatory environment for venues, festivals and promoters in NSW by adopting a Better Regulation Policy
- Provide avenues for music venues who comply with certain criteria to be fully exempt from lock out laws, wherever they apply

NSW CONTEMPORARY MUSIC INDUSTRY - CONTEXT

A Reputational Crisis

In 2015 the University of Tasmania released a study that estimated NSW as the largest contributor to the Australian live music industry at \$3,623M and 23,207 jobs¹. 22% of APRA AMCOS members² and 39% of the Association of Artist Managers' (AAM) members³ live in NSW. In 2014, NSW's Live Music Attendance (concerts, festivals, ticketed and free events) was over 16 million attendances, more than 3.5 million attendances more than Victoria, 6.75 million more than Queensland and over 10 million more than Western Australia⁴.

With ample evidence placing NSW at the centre of the contemporary music industry in Australia, it has been alarming to witness in recent years the erosion of business confidence in our local music industry, dwindling audiences across the state, reduced performance opportunities for artists and the emergence of a deeply troubling narrative around the health and viability of music as an art form in NSW. All this has been occurring in a climate where there has been no sign of investment from state government, which throws us in stark relief to a range of major initiatives in other states.

It is this overarching narrative of decline that concerns us most. What used to be considered a thriving industry in NSW is now often derided – not just by local industry and audiences in NSW, but across Australia and internationally. The overarching perception is that we've killed off our industry, there's no thriving scene here, and you're better off moving somewhere else that actually supports and appreciates music. This sentiment is pervasive in our day-to-day engagement with our music communities – we're told by artists we work with that they're moving to Melbourne where there's a more supportive environment, or they're moving to Brisbane where it's cheaper and easier to get a gig because they have such a thriving live music scene. We're told by venues that government doesn't care about the fact that business is impossibly hard and it'd be much easier to just close their doors. Our music industry colleagues tell us they're burnt out, exhausted from over-consultation and demoralized from no visible signs of change or improvement. And we're told by audiences that Sydney is "dead" and NSW is not a great place for making or enjoying music. This sentiment is exemplified by the comments section on MusicNSW's Facebook post about this Parliamentary Inquiry which had over 1500 shares. While one should never read the comments on Facebook, this is a prime example of the narrative around music in this state.

Countering this reputation is the biggest challenge facing the NSW Government. With the advent of the lock out laws, inadequate investment, and a rapidly changing entertainment and economic landscape, the reputation of the music industry, and NSW as a state, is in crisis.

An Opportunity

Despite the negative narrative surrounding our industry, all is not lost. We are fortunate to have incredibly resilient and passionate artists and operators, who, despite overwhelming challenges, continue to be global leaders. There is an incredible appetite for Australian music internationally, and NSW commonly has the largest representation at international showcasing markets.

But with the pervasive narrative of doom and gloom, this message of opportunity and success isn't cutting through to the broader sector, in particular local audiences and industry. So, this presents an

¹ The Economic and Cultural Value of Live Music in Australia 2014

² Figure provided by APRA AMCOS

³ Figure provided by the Association of Artist Managers

⁴ The Economic and Cultural Value of Live Music in Australia 2014

excellent opportunity for NSW to step up and support music industry development to ensure that audiences, artists and music businesses can enjoy a thriving music sector here in NSW.

Music is vital to all communities. It brings people together, is a source of pride and identity, is proven to improve health and well-being of practitioners and appreciators alike, has significant economic impact and most importantly, brings joy and vibrancy to our modern lives. It's important that we develop a strategic approach to our contemporary music industry so that our artists, industry and audiences are nurtured and developed. Without this, NSW will be left behind and our communities will suffer.

1. RESPONSES TO THE TERMS OF REFERENCE

a. Progress on the implementation of the Government response to the New South Wales Night-Time Economy Roundtable Action Plan1

- Little to no visible progress has been communicated to the music sector, or Roundtable members
- A Contemporary Music Plan for NSW is essential to bring NSW into line with other states

In my role as Managing Director of MusicNSW, I was invited to participate in the Night-Time Economy Roundtable and was involved in the creation of the 25-point Action Plan. The Government Response to this plan was to adopt and support a range of these actions, the central activity being the establishment of the Night-Time Economy Taskforce to sit within Arts NSW (now Create NSW) and oversee the delivery of the remaining recommendations. While I have met with members from this team, there is little-to-no public information available on the progress of this division or the delivery of any other significant actions managed by the Taskforce. This is not to say they've not made progress, but as one of the key organisations involved in the development of the Action Plan, and a key industry stakeholder in Sydney's Night-Time Economy, MusicNSW has no knowledge of the status of those action items and has only had one brief meeting with the Taskforce team when it was first established and setting the scope. Given there have been no announcements and very little consultation, we can only assume that most of the actions are yet to be completed, despite all actions being given a 12-month or 6-month timeframe.

Interestingly one of the recommendations put forward by the Roundtable but not adopted by the Government was the development of a Contemporary Music Plan for NSW. In NSW, there is no strategy for music industry and artist development from the state government. Consequently, investment in contemporary music, compared to that of other Australian states, is dismally low given not only the size of our population in NSW but also the density of industry and artists. The adoption of this action would bring NSW into line with many other Australian states who already have specific priorities and strategies identified for the development of contemporary music, with significant funding schemes attached to support their delivery.

For example, Creative Victoria is implementing its four-year \$22.2M *Music Works* package – which outlines a range of strategies and programs seeking to develop and support contemporary music in Victoria. Similarly, South Australia has the Music Development Office overseeing the delivery of development strategies for their contemporary music industry, which include funding programs for artists and industry, marketing initiatives for local contemporary music and policy development initiatives. Create NSW's NTE Taskforce discussed the development of a NSW Contemporary Music

Plan with MusicNSW at the one and only stakeholder consultation we had when the Taskforce was first established, however we're yet to see any significant movement on this front.

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

- NSW's music industry pathways and broader ecosystem need immediate attention
- NSW needs a contemporary music strategy that charts the state's course back to a healthy industry, developed in partnership with the industry and resourced for successful delivery
- The strategy needs to specifically focus on:
 - Artist and Industry Development
 - Regional development
 - Audience Development and Industry Renewal through young people

MusicNSW exists to support, celebrate and develop the contemporary music industry in NSW. As an organisation with just 2.6 staff, this vision is significantly restricted by our capacity. Despite our remit being to support the whole of NSW, expenses associated with travel, accommodation and program delivery often restrict us from thorough and meaningful engagement with regional communities. We're frequently asked to provide support and guidance for musicians, venues and promoters, yet are rarely able to accommodate the demand for our services. That said, we're the only organisation in NSW that works broadly to support the industry regardless of genre, location or career stage and we frequently consult with our members and community and can attest to their needs. With 20 years' experience working across NSW to support artists and industry, we have acquired intimate knowledge of our fast-paced, resilient music sector and are well-placed to offer insight into a range of policies to support a stronger, more diverse and vibrant music culture in NSW.

The music industry in NSW is a complex ecosystem with many moving parts. We have incredibly talented and diverse artists across the state, from double-platinum record producer Flume to Wollongong's indie surf-punk four-piece The Nah to MC, performer and hip-hop artist Kween G. We have a range of fantastic venues, from the stalwart Enmore Theatre with a 2200 capacity, to the gorgeous Golden Age Cinema in Surry Hills with a 60 capacity, to the grassroots community all-ages music space Midnight Café in Dubbo with an 80 capacity. There is a large dynamic industry behind these artists and venues, made up of publicists, venue managers, record labels, festivals, booking agents, artist managers, bar staff, sound engineers, lighting technicians, roadies, ticketing companies, dancers, photographers, makeup artists, film makers, designers and so many more. But like any ecosystem, when you disrupt one part, the ripples of impact can be felt across the entire industry.

The lock out laws have destabilised the contemporary music sector in NSW, as they made it near impossible for small-medium venues to operate in an economically viable way. We've seen many venues close since the lock outs were introduced, and only a few new ones have opened. Aside from the fact that this has ruined businesses and detrimentally impacted business confidence, it has also meant there are fewer performance opportunities for young, emerging and local artists, ensuring the disruption of pathways for development for our NSW musicians. These pathways are crucial, not just for the artists but for the industry as a whole, as entire businesses are centred around the development of artistic careers. The City of Sydney explains the business disruption in its Alcohol Consumption in Live Music Venues paper:

"While designed to curb alcohol related violence, the impacts of the measures on the city's live music and performance sector have been

confirmed by independent review.² Lock outs specifically (no entry to the venue after a certain time, but alcohol service continues) cause significant challenges for live music venues not because live music is programmed up until closing, but because when ‘feature programming’ occurs (i.e. activity which attracts patrons and is the focus of their attention while at the venue), less money is generally made over the bar, and tickets will not usually make up the shortfall. As such, venues rely on the time period between when the feature programming concludes and the venue closes to make back revenue lost earlier in the evening. In order to avoid having to recoup this revenue by maximising the amount of alcohol sold to a captive audience, a key aspect of this is allowing patrons to replenish through a free flow of patrons in and out of the venue. Essentially, what the regulatory intervention seeks to curb (migration of patrons between venues and replenishment of patrons) is a key aspect what makes the business model viable.”⁵

NSW musicians and artists are disadvantaged because of the damaged ecosystem in NSW and unless the State Government intervenes with significant support, the future for NSW artists and industry is very bleak. The impact the lock outs have had on the perceptions of Sydney as a city are significant, and until they are repealed or significantly changed the erosion of Sydney’s music, culture and reputation will continue.

The lock out laws are not just an issue for Sydney either. Sydney plays a pivotal role in NSW’s music ecosystem, with regional and remote artists often moving to Sydney or touring regularly to the more densely populated areas to build audiences. We frequently hear of regional artists moving to Melbourne or Brisbane or Adelaide instead of Sydney – because the promise of a thriving music career is no longer there.

AREAS OF FOCUS FOR A STRONGER MUSIC INDUSTRY

MusicNSW recommends that the NSW Government focus on the following key areas for policy development, alongside a recognition of NSW’s diverse communities of interest including:

- First Nations peoples
- Young people
- Women and gender non-conforming peoples
- Regional and remote communities
- Western Sydney communities
- People from culturally and linguistically diverse backgrounds

Artist Development: Emerging and Established

- Supporting sustainable and viable music careers for NSW artists and industry through professional development opportunities
- Stimulating industry development to ensure increased performance opportunities for local, young, emerging and early-career artists across the state
- Supporting the export of NSW artists to international and showcasing markets through strategic funding initiatives

⁵ Alcohol Consumption in Live Music Venues, City of Sydney website - cityofsydney.nsw.gov.au

- Supporting independent artists in their efforts to tour, record and promote their music
- Nurturing emerging artists and industry professionals to ensure the industry pipeline is supplied
- Supporting artists based in Sydney to overcome challenges related to accessibility and affordability of creative spaces by offering affordable rehearsal space, recording space and networking opportunities in a central location of a Music Industry Hub, based in Sydney

Industry Development: Music Venues, Festivals and Events

- Implementing a Better Regulation Policy that specifically supports music venues, festivals and events
- Introducing support programs for music venues, especially rooms that have under 500 capacities
- Fostering and encouraging a stronger and more collaborative relationship between music venue operators and government regulators, such as NSW Police, local councils and Liquor and Gaming NSW, around issues that impact the music industry
- Supporting audience development through collaborative marketing campaigns and promotional campaigns for NSW music.

Regional Music Development: Revitalising towns across NSW

- Ensuring regional artists and industry have equal access to NSW Government funded music industry opportunities and support services
- Developing initiatives that foster a viable touring network in regional and remote NSW for NSW, interstate and international artists
- Supporting regional councils in the development of council-specific music plans to stimulate local music economies
- Assisting in MusicNSW's development of online resources and support services to better support regional artists and communities

Young People: Industry Renewal, Future Artists and Future Audiences

- Prioritising music education within the NSW education system, and establishing contemporary music development opportunities for school age children
- Increasing access to under-18s and all-ages shows for young people by removing barriers, reducing red-tape, and strategic funding initiatives for promoters, festivals and venues putting on shows in this space
- Ensuring young musicians are celebrated, encouraged and supported through targeted skills and talent development programs

Audiences: Stronger Communities, Thriving Businesses

- Developing digital marketing strategy in partnership with industry stakeholders to build NSW music audiences through specific promotional platforms, events, and messaging
- Encouraging community and commercial radio in urban and regional areas to support NSW artists
- Encouraging retail spaces, hospitality businesses and other High Street premises to support and present live music
- Encouraging NSW Government funded venues and institutions to offer more affordable venue hire to promoters and musicians

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

The regulatory environment for music venues, both permanent and temporary in NSW is incredibly complex and convoluted. This environment, full of regulation overlap and excessive red tape, stifles creative activity in NSW and makes it near impossible for existing and new venues to operate in a sustainable way. There is a distinct lack of creative spaces for performance and work development, restricting the creation of new works and diminishing performance opportunities for artists. A review of the planning and regulation policy environment for venues, festivals and temporary creative spaces should be undertaken and a Better Regulation Policy be developed and adopted.

While recognising differences between planning and regulatory systems across states, this review should take into account regulatory models being used around Australia to support and develop contemporary music venues. Examples include:

- Victoria’s Agent of Change protects existing venues by ensuring the burden of sound attenuation for new development rests with the new-comer – meaning developers that build near existing music venues are responsible for sound management within their developments, not the pre-existing venues.
- Brisbane’s Fortitude Valley has a Special Entertainment Precinct that designates areas within the Valley where music-noise and development laws apply. This supports and protects new and existing music activity and offers a stable regulatory environment for operators:

“Entertainment venues in the Special Entertainment Precinct are exempt from the amplified music noise requirements of the Queensland Government’s liquor licensing laws. Responsibility for regulating amplified music noise from venues in the Special entertainment precinct has been transferred from the State Liquor Licensing Division to Council.

Amplified music noise levels in the precinct are regulated by Council’s Amplified Music Venues Local Law, which requires amplified music venues to have an Amplified Music Venues Permit.

The music-noise and development laws protect music venues from having to turn down their volumes when residential development is built nearby. Instead, the onus is on new developments to incorporate extensive noise insulation.”

Both of these models have opportunities and challenges, and should be investigated as viable options for introduction into NSW cities and towns. The City of Sydney has already begun investigating these models and it would be valuable to have the NSW Government and City of Sydney working together to see a consistent approach across NSW.

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

- Legislation needs to protect, support music venues and stimulate music industry growth
- Any policies or legislation developed needs to be in consultation with industry

There are some fantastic and inspiring examples of great policy, red-tape reduction and funding frameworks from other states. As mentioned above, Victoria’s Agent of Change and Brisbane’s Special Entertainment Precinct are great examples of legislation that supports and protects music venues and communities. Below is a brief summary of contemporary music programs in Victoria and South Australia, however we’re more than happy to provide further context and additional examples should the Committee need more detail.

VICTORIA

Creative Victoria’s Music Works program focuses on the development of the Victorian contemporary music industry through a series of grants, mentoring and professional development programs, strategic initiatives and major projects.

“Music Works is designed to support continued growth in this dynamic, growing industry. It aims to build professional capacity, encourage sustainability and find new markets for Victorian music, at home and overseas.”⁶

Included in this program is:

<i>Major Funding Grants</i>	\$2,500 - \$20,000 for individuals, \$2,500 - \$75,000 for groups, organisations and programs
<i>Quick Response Grants</i>	Short-notice grants for \$1,000 - \$5,000 for individuals and \$1,000 - \$15,000 for groups and organisations
<i>Good Music Neighbours</i>	Sound attenuation funding program
<i>Music Passport</i>	international fellowship program for music managers and record labels, international showcase activities and in-bound trade missions
<i>Victorian Music Crawl</i>	an intrastate trade mission, the Victorian Music Crawl sees delegations of Victoria’s leading music artists, managers, booking agents and peak body representatives visiting targeted regions around the state to explore opportunities for contemporary music touring and collaboration.
<i>Music Under Wings</i>	\$1.6 million professional development program for emerging contemporary music artists, industry personnel, live music events and venues
<i>Australian Music Vault</i>	A dynamic new space at Arts Centre Melbourne charting the story of Australian music
<i>Music Cities Convention</i>	Melbourne is set to host the Music Cities Convention in 2018, becoming the first city outside Europe and the US to do so

SOUTH AUSTRALIA

The South Australian Government also supports contemporary music through a range of programs, funding and initiatives managed by the Music Development Office (MDO). The MDO, a “collaborative union of ‘Arts’ and ‘industry development’” manages “the delivery of initiatives that facilitate artistic and business development, market development and export strategies, within a

⁶ Music Works, Creative Victoria website - creative.vic.gov.au/funding-and-support/programs/music-works

supportive music cluster environment that incorporates commercial operators and broader creative industries, and aims to accelerate industry growth and attract investment⁷.

Included in the work of the Music Development Office:

<i>Artist Development Grants</i>	Funding for artist and audience development and the creation of original South Australian music.
<i>Industry Development Grants</i>	To support local music businesses to establish and strengthen sustainable partnerships and collaborative projects that support and develop the careers of professional musicians and contribute to a buoyant SA music sector.
<i>Music Industry Map</i>	A breakdown of the SA music industry
<i>Music Industry Council</i>	A sector-based council working to establish a shared vision for the industry and to work better with Government
<i>Music Industry Strategy</i>	A collaborative plan to accelerate growth of the music sector in South Australia
<i>Live Music Coordinator</i>	A position created within Music SA tasked to develop resources to help build knowledge, capacity and capability in local government communities to promote and stage live music.

e. Any other related matter.

MusicNSW is happy to provide further context on the contemporary music industry, to assist the Committee in making its determinations.

Thank you for the opportunity to participate in this process. MusicNSW is optimistic about the future of music in NSW and looks forward to a close and collaborative relationship with the State Government.

If you'd like any more information please do not hesitate to get in touch.

Regards,

Emily Collins
Managing Director
MusicNSW

⁷ Music Development Office website - mdo.sa.gov.au