

REPORT ON PROCEEDINGS BEFORE

**PORTFOLIO COMMITTEE NO. 6 – PLANNING AND
ENVIRONMENT**

THE MUSIC AND ARTS ECONOMY IN NEW SOUTH WALES

CORRECTED

At Council Chambers, Newcastle City Hall, Newcastle on Thursday, 23 August 2018

The Committee met at 2:05 pm

PRESENT

The Hon. Paul Green (Chair)

The Hon. Catherine Cusack

The Hon. John Graham

The Hon. Shayne Mallard

The Hon. Taylor Martin

The Hon. Penny Sharpe

Ms Dawn Walker

The CHAIR: Welcome to the seventh hearing of Portfolio Committee No. 6 inquiry into the music and arts economy in New South Wales. The inquiry is examining policies to support music and arts culture. The committee is also considering whether local councils are setting realistic noise abatement and environmental impact targets in their consideration of development applications from cafes, restaurants and live music venues. Before I commence I acknowledge the traditional custodians of this land. I also pay my respects to the Elders past and present and extend that respect to any Aboriginals who may be with us here today. Today we will hear from local councils, business owners and residents. Before we commence I will make some brief comments about the procedures for today's hearing.

In accordance with the broadcast guidelines, I inform members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses may say outside of their evidence at this hearing. So I urge witnesses to be careful about any comments you may make to the media or to others after you complete your evidence, as such comments would not be protected by parliamentary privilege if another person decided to take action for defamation. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be some questions that a witness could answer only if they had more time or with certain documents at hand. In those circumstances witnesses are advised that they can take a question on notice and provide an answer within 21 days. Witnesses are advised that any messages should be delivered through the Committee secretariat. To aid the audibility of this hearing, I remind both Committee members and witnesses to speak into the microphones. In addition, several seats have been reserved near the loud speakers for persons in the public gallery who may have hearing difficulties. I remind everyone to turn off their mobile phone or put it to silent for the duration of the hearing. I acknowledge the presence of the local member for Newcastle, Mr Tim Crakanthorp.

DECLAN CLAUSEN, Deputy Lord Mayor, Newcastle City Council, affirmed and examined

IAN RHODES, Community Planning Coordinator, Newcastle City Council, affirmed and examined

The CHAIR: Do you want to make an opening statement?

Mr CLAUSEN: I am the Deputy Lord Mayor of Newcastle. Today I am appearing on behalf of the City of Newcastle, along with my colleague, Mr Ian Rhodes, the Community Planning Team Coordinator. We thank the committee for the opportunity to present to you this afternoon, and welcome you to the City of Newcastle. It is fitting that the committee is holding a hearing in Newcastle. Census data demonstrates that Newcastle has more artists and creators than any other city in Australia. We have a long live music history, and as a city are responsible for a variety of amazing artists including rock bands like Silverchair and the Screaming Jets, country songwriters like Catherine Britt, and Indigenous hip-hop bands like The Last Kinection.

A well-planned night-time economy has a central role to play in city centre revitalisation, as well as exerting a major influence over the visitor and cultural economies of the city and the broader region. The Newcastle night-time economy is significant at a national and regional scale; presently it is the sixth largest night-time economy in the country, accounting for 5.4 per cent of the total Newcastle economy worth \$1.358 billion in 2015, and employing more than 12,000 Novocastrians.

Newcastle City Council has heard the calls and has prioritised a conversation about the city's live music scene and we are looking at how to plan and protect venues from noise complaints and those at risk of being shut down and we have taken action. On 27 February Newcastle City Council, following a motion put by Labor councillors, unanimously resolved to implement a Live Music Strategy. I table a copy of that motion for committee members. This motion is supported by several key strategic documents, which will assist us to address concerns about the future of live music, namely, our Newcastle After Dark Strategy. The Newcastle 2030 Community Strategic Plan, which outlines our vision to build a Smart, Liveable and Sustainable Global City, now specifically identifies council as a leader when it comes to incorporating live music into our active public places. Our strategic documents underpin the action we will take to protect live music and ensure a flourishing night time economy. I table each of these documents for the reference of committee members.

Some of the actions following our motion on live music can be rolled out quickly. As a council we are working to open council venues and facilities to young musos as both rehearsal and concert spaces. As a young person, I recognise this point as being of particular importance and something that we have long advocated for. I am so pleased that this work is already underway. I also take this opportunity to acknowledge the work that council previously undertook in this space with The Loft youth venue, and particularly acknowledge my local government colleague, Councillor Barney Langford in the gallery. We have already undertaken extensive engagement with musicians, industry players and venues, through the Live Music Taskforce, chaired by the member for Newcastle, council's own recent live music roundtables and a number of community workshops.

In the longer term, the lord mayor and council have been strong in their advocacy that residential developments need to coexist alongside live music venues in the city centre, and that live music venues need to be aware of the challenges that higher density city living will present. Residential density is increasing in the city and with this comes the challenges of balancing the needs of those calling the city home, and those who visit for entertainment. Our After Dark Strategy notes that Agent of Change principles may be of use to address the tension between valuable social, cultural and creative benefits of live music and performance, and the legitimate demands of city residents not to be unduly disturbed.

As members would know, this legal principle outlines that the entity responsible for introducing a change into the built environment carries the onus of mitigating the impacts of that change. Applied to city living and the night-time economy, the Agent of Change principle would imply that a developer responsible for building a residential complex needs to "design in" reasonable noise mitigation measures, such as double glazing. Conversely, a late-night venue seeking to extend venue space or hours of live performance would need to ensure noise impacts are mitigated for the neighbours.

The City of Newcastle is currently undergoing a once-in-a-generation revitalisation with significant funding dedicated to urban renewal. It is worth putting on the record that last year this city approved \$1.5 billion in development applications. A well-planned night-time economy has a central role to play in city centre revitalisation, as well as a major influence over the visitor and cultural economies of the city and the region. We need to ensure that the live music industry, which is such a vital aspect of our night-time economy, not only survives, but flourishes.

To this end, the Newcastle Live Music Taskforce was set up under the guidance of the New South Wales Office of Live Music, with the assistance of our local State and Federal members of Parliament, particularly Tim Crakanthorp, and is made up of musos, promoters, venues, education advocates and community radio. This group is set to advise all three levels of government about the specialised needs of the Newcastle live music community. Currently, the taskforce is undertaking sector mapping, which is incredibly important in creating a strong foundation of knowledge, to make sure that we know the lay of the land.

The larger legislative changes that may be required need all three levels of government cooperation, so council and the taskforce will be ensuring that a detailed Live Music Strategy will be guided by best practice principles and that we then work together with our friends in the State and Federal parliaments, to protect the live music industry and Newcastle's night-time economy. To this end, we very much look forward to the findings of this committee's body of work. As I have outlined, a significant body of work has already been undertaken by council's strategy and engagement team to ensure that we understand the concerns, and the challenges that the live music industry faces in Newcastle. I will now hand over to my colleague, Mr Ian Rhodes, who can provide you with some insights into what we have learnt so far. Once again, I thank you for the opportunity to address you this afternoon. I thank you for choosing to hold a hearing in Newcastle.

Mr RHODES: I reiterate where Councillor Clausen has left us, in the past two months council has undertaken an online survey of the community to understand what the community thinks about live music, where the shortfalls are and where we might proceed in this town. I can table those documents for the committee today to review, if you would like to have them at your fingertips now.

The CHAIR: It would be helpful.

Mr RHODES: Subsequent to the online survey we staged an industry workshop in town to gain the views of the music industry on what they see particularly are the shortfalls, the need and the gaps in music in Newcastle. That workshop was held earlier this month. It is interesting that a number of key points came out of that workshop. I am happy to take questions as I go if you see things in front of you or as I speak. One of the key planks of achieving an effective night-time economy with music incorporated was transport. The music industry highlighted very strongly that public transport and alternative transport needs in this town were not meeting actual closing times, and supporting venues as they traded into the night.

Second, it was also identified that in a youth space sense, in an all-ages sense for music, some fledgling venues have been launched in this town, rather than being at Adamstown, called The Y Project and another one at Islington called Softy's. These are the incubated spaces for music in this town and will be the future of music in this town. The industry advised us very strongly that we need to work collaboratively with all levels of government to encourage rehearsal space, studio space and work with the education sector, particularly the University of Newcastle Conservatorium of Music and TAFE to foster the skills required for those young musicians to enter the workforce professionally and then maintain and sustain a music career.

Third, it is fair to say that there was confusion in the industry over the regulations and legislation around noise management. Council would like to see some changes and perhaps a close relationship between the Protection of the Environment Operations Act and the Environmental Planning and Assessment Act. The two Acts are in parallel—one, of course, is more aimed at the development consent conditions and the other is perhaps more regulatory—but in the guidelines for the Protection of the Environment Operations Act there seems to be an inflexibility with respect to background sound. The guidelines actually state that five decibels of sound above a habitable room level is considered intrusive. However, within the City of Newcastle there is already a five decibel background hum, if you like, of the city operating. So venues, once they exceed that level, have already compromised those guidelines. We would perhaps like to see some consideration of special guidelines in, say, B4 zonings that would allow live music to effectively operate as part of the city sound, recognising that the city does have a sound and an ambient noise. Those guidelines would be very useful.

We would also like to consider that we enter into some significant design partnerships with the University of Newcastle to look at how we might attribute or attenuate sound infiltration from various types of land use within a B4 zone because you have clearly got residential living upstairs and you can have commercial downstairs which will foster live music. I think they are probably the four key elements that came out of the industry workshops. Chair, do you have any questions on those matters?

The CHAIR: Committee members will ask questions when you have completed your statement.

Mr RHODES: I reiterate, we have prepared a draft Newcastle After Dark Strategy which is before you that has been out on community exhibition. We have received 160 submissions on that document. It is scheduled to go back to council for adoption in November. So what you have in front of you may change, subject to

community feedback but essentially that document will be the parent document to our Live Music Strategy that we will complete once we have factored in the evidence from the Music Taskforce in terms of sector mapping.

The CHAIR: Are you aware of Melbourne's Agent of Change policy that contains approximately 10 points? Have you looked at how that might affect the city?

Mr RHODES: We are aware of that.

The CHAIR: Have you embraced it in relation to the night economy?

Mr RHODES: It was certainly raised at the workshop by industry players. Council in determining development applications within the city centre, is already adopting that in principle, in that if a venue is arriving subsequent to residential development, that development will be asked to attenuate sound or vice versa. We are aware of the principles of Agent of Change and we are considering them. It is actually referenced in the Newcastle After Dark document as a mechanism to improve live music sustainability.

The CHAIR: I note in council's submission it talks about section 149 certificates. You also mention Wollongong. Do you acknowledge, outside what Wollongong does, any aspects of the section 149 certificates? Have you added anything to it?

Mr RHODES: We have not added anything further to what Wollongong has developed.

The CHAIR: What is the feedback from developers as you increase the density? Are they happy with the noise attenuation that you are asking for? Has it been well received? Is it making development unaffordable?

Mr RHODES: It is a challenge for developers, particularly in the cultural entrepreneur area. For example, triple glazing to add to the front of a development will triple the cost of that glazing. I note that the City of Sydney has actually got business grants available for cultural entrepreneurs to use to mitigate sound in such development. It is a challenge. Simply put, if you have a residence above a venue, and you have double glazing in that residence, the moment those doors are opened to attract a summer breeze in the evening that mechanism has gone.

The CHAIR: In Melbourne it was open for the developer to negotiate, maybe, with the live music venue, to do some sound noise attenuation in their property rather than having triple glazing.

Mr RHODES: Certainly.

The CHAIR: Are you aware of approaches of that kind?

Mr RHODES: Certainly we are, yes. Just to take that a little further, developments in public address systems now are quite exciting. I attended an event at The Factory in Marrickville on Sunday evening and the public address system in that venue, which is run by Century Venues, produces very high quality sound at a lower to medium volume. In a work, health safety sense, promoters and venues are being aware that sound attenuation at a venue needs to be high quality, but in a work health safety sense must be reduced both for patrons and workers. There are advances in that sector as well.

The CHAIR: Recently I was told about new technology for cars where the sound space is protected which will apply very well in these circumstances.

The Hon. JOHN GRAHAM: Councillor Clausen, you referred to close cooperation between the council and State and Federal representatives. How important has that been to the success of what you have done so far?

Mr CLAUSEN: It is absolutely critical. The fact that the roundtable involves representatives from local government and both State and Federal members has been very important in bringing key players together, ensuring that we have an understanding of the legislative change that may be required at numerous different levels. It has also been important for the gaining of some grants. We had very successful events: Darby Street Live and Darby Street Live Unplugged that were only brought about because of the collaborative partnership that existed between council and the State Government.

The Hon. JOHN GRAHAM: In your submission you referred to working with the Live Music Office. How did you find them to work with? I raise that because its funding has now been cut federally so its capacity to help is presumably reduced. How crucial has it been to the process you have undergone here?

Mr CLAUSEN: Very important. The motion that was included in the submission from this council was unanimous which, for quite a political council, is highly irregular. The fact that we had a number of briefings with representatives from the Live Music Office and were able to bring each of the players just within this chamber on

board was extremely important in ensuring that we could have a proactive conversation. I am very pleased that that is a position the city is in and, in large part, is credit to the work that we have been able to undertake with the Live Music Office.

The Hon. JOHN GRAHAM: It is impressive to have a proactive Newcastle council pressing on these issues and some of the steps the council has taken are very practical and go to the heart of some of the matters, for example, the planning certificates, double glazing, coordinating noise complaints, the development application process and streamlined event processes. In relation to the regulation of noise, it has become clear to the committee there are seven agencies, including councils, who are responsible for regulating noise in New South Wales. No one wants to be in charge because it does not work for venues or residents. How open are you to that being clarified and some of those responsibilities resting much more clearly with local councils? What is your view if that were a recommendation of this committee?

Mr CLAUSEN: Speaking frankly with the committee, there are a large number of authorities that have involvement but ultimately when any of those authorities make a decision, particularly in Newcastle, it is the local council that gets the blame. I would much prefer that we had the opportunity to holistically consider noise complaints, for example, so you do not have the situation where residents can shop around to the appropriate authority and have a circumstance where our planning officers believe that something is appropriate, but an officer of the Environmental Planning Authority or some other agency, takes a different view. I would much prefer that that was a single entity that had the primary responsibility.

Mr RHODES: In terms of complaints, we are a complaint led system in that regard under the Protection of the Environment Operations Act. Council would like to see us more in the genre of performance based, rather than complaints based. Late last year council made a submission to the Independent Liquor and Gaming Authority's review of the Newcastle conditions. In that submission council recommended that plans of management for any given venue be given greater strength and voracity and that, in turn, they are monitored and then venues could be rewarded for good behaviour and receive some benefit in terms of trading or adding of live music to that venue.

Mr CLAUSEN: We can table a copy of our submission to the Horton Review if that would be useful.

The Hon. JOHN GRAHAM: That would be, thank you.

The Hon. PENNY SHARPE: What was the outcome? Has it been finalised?

Mr CLAUSEN: Mr Rhodes may know more but my understanding is that it has been finalised and there were no changes to the conditions. The review was essentially that the status quo remained in place.

Mr RHODES: Correct.

The Hon. PENNY SHARPE: Newcastle has had lock-out laws longer than Sydney. This committee has heard a lot of evidence about the impact that has had on live music. Do you have any views, given it has been operating longer here and given council's submission that a more flexible approach would be useful?

Mr CLAUSEN: I think the comment that would be worth making is there is a single set of rules that are applied to all venues, regardless of their behaviour and the level of risk. The position that we have advocated is a risk-based approach where large venues, high impact venues would have no change to the current rules because in many respects they have been successful in reducing violence. There was a particular problem in Newcastle with relation to our correlated violence. Those rules should not necessarily apply to all venues so your small bars, fairly small venues, niche live music style venues, should not necessarily have to comply with the same level of restrictions and there should be reward for good behaviour from venues looking holistically at the statistics in relation to police inquiries and the like. We have tried to take an evidence based view in the position we have been advocating and move away from a one-size-fits-all style of approach. It was perfect for the time. It suited the situation well but it is no longer ideal in a maturing city like Newcastle.

The Hon. PENNY SHARPE: The After Dark Strategy looks fantastic although it is not yet adopted by council. I am interested in the views, particularly of new residents, who have moved into the city and are living in high density which is a relatively new form of housing for the city. Do you have any reflections on how they are being managed and what the expectations of those residents are when they move in? I am not so much talking about people who move next to a pub but more so those who are actually moving into the high density accommodation? What do you find?

Mr CLAUSEN: Mr Rhodes may have further comments but I would say, very similar to the experience of the inner west and elsewhere where you have people move into areas that have long had live music venues and we certainly do see complaints from new residents. I think that is a fair comment to make.

Mr RHODES: We acknowledge that we need to manage expectations better than we do when people move into the inner city. For example, we could turn to the initiative undertaken in Fortitude Valley and actually produce MP4s of what a given time of night sounds like when you move into an urban area. It is something we are considering and we do need to make people aware that the city is not a quiet place in that regard.

The Hon. PENNY SHARPE: There are certificates obviously but have you been able to do any work with real estate agents and others around educating new residents about this? Is council doing that?

Mr RHODES: They are an identified stakeholder in this regard and as we go forward and implement the After Dark Strategy we will be working with groups such as those.

The Hon. PENNY SHARPE: What will be the hardest thing to implement out of the After Dark Strategy. We know there are easy things but what are the most challenging ones? What assistance do you need from State Government to make things easier for you?

Mr RHODES: I think clarity around the guidelines for the assessment of noise in an urban environment would be very helpful. There is a lot of grey areas in the way the legislation is set out currently which, in a compliance setting, makes it difficult for council officers to administer but it also opens it up for legal challenges from those who are unhappy with the given decisions. I think if those guidelines could be clarified that would be excellent.

The Hon. TAYLOR MARTIN: What are the common barriers that you hear from groups or people who want to establish in Newcastle?

Mr RHODES: I think in terms of a small-scale venue—let us call it at the grassroots level—finding a venue that is affordable for a fledgling music business is tough. It is possible that we could consider a Renew Newcastle style approach to the creation of venues for music. Renew Newcastle, as you are aware, has been very successful in, organically, redeveloping the city centre in a temporary sense. It has not included music venues but a version of it could include music at a pop-up or small scale just to give those fledgling businesses a start. Clearly rental of property in the city centre or any of our identified growth corridors is tough, but that would be the primary obstacle.

The Hon. TAYLOR MARTIN: Do you have anything to add Mr Clausen?

Mr CLAUSEN: I think it was quite comprehensive.

The Hon. TAYLOR MARTIN: Do you look towards milestones or key dates in the taskforce and strategy?

Mr RHODES: The next key milestone is the completion of the sector mapping which is essentially what gigs are happening and where and when across the local government area. That information will then feed into the final body of evidence for the development of the Live Music Strategy. We are expecting the second round of sector mapping will happen in October and November.

The CHAIR: The Committee has received a number of documents to make reference to and your evidence has been very clear. The committee may have some further questions and you will have 21 days to answer them. I thank you for hosting the committee and I hope our time here will be fruitful not only for Newcastle but for the whole of New South Wales night-time economy.

(The witnesses withdrew)

SAMANTHA HARDIE, Chair, Night Time Economy Working Group, Lake Macquarie City Council, affirmed and examined

JACQUI HEMSLEY, Manager, Cultural Services, Lake Macquarie Council, affirmed and examined

The CHAIR: Do you want to make an opening statement?

Ms HEMSLEY: Just to give a little bit of a background to put it into context. Lake Macquarie is an early entry into night-time economy debate and strategy. We are in early stages of developing our own consultative and community based night-time economy policy and strategy, of which we hope to have resolved through community in September, out for community consultation and activation ready for a January activity and implementation date.

The CHAIR: Ms Hardie, do you want to add anything?

Ms HARDIE: No.

The CHAIR: Lake Macquarie is somewhat different from Newcastle. Why do you have your role and how is it going?

Ms HARDIE: I am a strategic planner by practise. We started looking at the night-time economy as part of the Night-Time Economy Local Councils Group. We have attended a number of forums with that group. It became pretty clear that this is something that we need to drive. Currently Lake Macquarie is pretty quiet. We have got about 360, 380 night-time economy businesses that operate regularly with the majority of them being food and beverage, not so much retail happening. It is pretty quiet but it is something we want to build. We are getting a lot of interest into our economic centres for further development and infill. This type of economy really helps to boost that development so it encourages people to put infill development into our economic centres. It also encourages populations to transition and move to those centres where there is activity and things happening. As part of our planning we have got our Lake Mac 2050 Long-term Strategic Strategy that just went out on exhibition as of Monday. A lot of that is focussed on infill housing and bringing people to our centres. So this really ties in with that work and will support that strategy moving forward.

The CHAIR: What do you anticipate will be the community's response to lift the night-time economy in a quiet community?

Ms HARDIE: We have spoken to some of our councillors already and they have been extremely positive towards this. This is actually something that our community has been telling us that they want as well. So we have had a few different projects that we have done previously: our Cultural and Arts Strategy that has been out, our long-term strategic plan as part of that consultation developing that strategy, and I think our community strategic plan as well that went out last year—all three when we engaged with the community came back and said that they want more things to do after work and in our centres. So we took that as they want more things to do after 5.00 p.m. Currently a lot of things shut so it does not give our residents much of an opportunity to stay in their local centres. It means that they are forced to come to places like Newcastle or for those in our southern areas, like Morisset and Wyee they are forced to go to the Central Coast as well.

That is where our drivers come from to start with. So we are taking that and we are hoping to go out on consultation in October with the night-time economy policy and get some more feedback from our community exactly what type of night-time economy they want and where they might like to see it as well. We have done an initial business survey which is where we got the numbers for our current existing businesses. We were able to see where those focuses were which is Warners Bay, and then we have got Charlestown and Glendale, two of the high ones, and followed by Toronto, Swansea and Morisset. But there are some surprise centres like Wangi Wangi as well that came out of that too. It is those sorts of things we want to find out do they want to focus on the big economic centres or do they want some smaller centres involved? What is working for them and what is not. Where would they like to see that progress?

The CHAIR: It sound like you are keeping Councillor Luke Cubis very busy.

The Hon. JOHN GRAHAM: That was a very useful run through. While the night-time economy has not been as big in the Lake Macquarie area, from a music point of view some of those places like Warners Bay or Swansea have been very important over time to the music scene. What pressures are you dealing with as you are trying to deliver these strategies? Is it development pressure, as it is in Newcastle, balanced against some of those needs for entertainment?

Ms HARDIE: I do not think we have seen that to the extent in Newcastle. Our centres are quite small. We have had a couple of developments where we have had some issues with noise but it has not been around live music at all, it is mainly to do with restaurants being too noisy, and knives on plates, and some interesting complaints from residents. It is usually within the same building and because we do not have that residential density around our centres and around those music venues we have been quite fortunate in that respect. This is definitely an opportunity for Lake Macquarie to be able to encourage more venues and to have more live music before that residential development starts to come in and we start to see those pressures and those competing demands. So if we can set that baseline and set a real precedent and work with our existing policies to update them to support these industries.

The Hon. JOHN GRAHAM: How could the State Government help as you are grappling with those problems? Obviously having a plan for contemporary music would be a good start but there is not one in New South Wales—we are the only mainland State without one. What other things could the State Government help with as you are dealing with these issues in your local area?

Ms HARDIE: I think the main thing would be some form of consistent noise policy or strategy as to how it is managed for existing businesses versus new businesses and for existing versus new residential as well. So having it really clear as to who gets precedence and how to manage noise—not just clear within councils but clear across the community—and all the other policing forces as well. It is not just councils that deal with it; after-hours it is generally the police who deal with those issues. From the feedback we have got it needs to be made aware across all the departments that police this about what the bench line is and who manages it.

The Hon. JOHN GRAHAM: Of the seven agencies that deal with noise, if the view was put to you that it would probably make sense to handle this locally, or we are going to move it more towards council being the primary body that deals with this, is that something that makes sense to you? Is that something that the council would be happy to lead on?

Ms HARDIE: For compliance in managing development applications [DAs] and things, definitely it is quite helpful for council because the policing of it particularly with the night-time economy makes it quite difficult. A lot of our council officers finish at 5.00 p.m. and the actual resourcing of being able to have rangers or someone respond to those complaints would be very difficult, which is why the police are often involved. Then you end up with inconsistent messages if it is the police versus the council. It is something we have already seen in other areas as well but thankfully for us it has not been too much of an issue. But I know, especially with after-hours the struggle of who resources and who manages those complaints will come in, particularly if it is a certain event or something that needs to be in a timely manner, who is going to appoint somebody responding to the complaint the following day when it is all quiet again.

The Hon. PENNY SHARPE: In your submission, which was written in February, you made a comment around supporting a dedicated office outside the responsibility of CreateNSW. Can you explain what you meant by that?

Ms HEMSLEY: As part of the opportunity that we have taken to develop a night-time economy strategy, we joined the joint night-time economy committee process. As part of that—and I think it just started based on a Parramatta workshop that was earlier that year—we discussed a lot with regards to how we develop a night-time economy for the State to be part of CreateNSW or as part of a new initiative. At that time, talking with the committee and with other colleagues who had been involved in night-time economy developments in their towns, we were in support in principle of having a dedicated night-time economy committee group that would be able to focus on the development of the night-time economy, rather than as part of CreateNSW.

The Hon. PENNY SHARPE: So distinctly different from what CreateNSW was able to provide?

Ms HEMSLEY: Yes.

The Hon. PENNY SHARPE: That is what I thought you meant but I wanted to check. Given that in some ways you are at the beginning of the journey around developing the night-time economy, what has surprised you in relation to the response from residents or businesses? Are there particular things that they need or want that was unexpected? Can you take the Committee through the discussions that you are having, given that it is quite a different community to the Newcastle central business district. I am interested in the kind of feedback you are getting from businesses and community members?

Ms HARDIE: We have not really done the consultation with businesses yet, that is something that will occur in October—that is where we are aiming for. We are doing a community one but that will run concurrently with the business one as well. We are going to be involving Dantia, which is our economic development group,

and Lake Mac Business, as well as individually engaging the businesses where we can. We have included a section for them to opt in as well, so they can volunteer themselves for future activations and trial events and things too. We have not had much direct feedback at this stage but from early indications, just looking at DAs and things, it is not something we actually get much interest in that sort of sense.

We get a few event requests and things in which we have had issues with car parking and noise management, those sorts of things—for instance, we had an event application for a boxing match that was to take place in a car park of a pub. So it would outdoors but it was pretty challenging because there was not enough car parking obviously because it was proposed to be taken up by the boxing ring itself and having the patrons outside. Then you have got the issues of noise and things for surrounding businesses and residences too. So that sort of is the only thing that comes to mind really about the interest we have had. Everything else is fairly self-managing at the moment but it is not something we have had people at our doorstep going, "We need more help with this" or "We want to open up these businesses" because we are quite small.

The only other one we have had has been the issue with Swansea's McDonald's with the drive-through. That was quite contentious with opening that 24-hours and, once again, that was mainly a noise issue. That has been on trial for a few months now and I have not heard too many complaints since that trial has actually begun. It is just the initial fear factor from a lot in our community because it is so new to them as well. It is something we want to start creating an expectation but we are hoping through the consultation with the businesses in October we will get a little bit more feedback as to what some of the challenges are and possibly how council can help overcoming those challenges or removing some of those barriers internally to help get this off the ground and getting a little bit more happening in Lake Macquarie.

The Hon. PENNY SHARPE: In your events program do you have many events involving live music? Can you give the Committee a sense of the types of events you are running, where you get your talent from and that kind of thing?

Ms HEMSLEY: Back in February last year we did an arts, heritage and cultural plan—it was the inaugural one for the city—and we consulted quite widely. There was a lot of demand from the community about more events, night events and live music, unique events that were around the lake and used our recreational spaces, as well as our economic town centres, and that stimulated this as part of the action strategy to develop that. We do not have an events strategy working in conjunction with the night-time economy strategy, and our action plan is actually to develop a more sophisticated events strategy for the city. There is obviously a demand there and when events are activated they are very popular. There is more opportunity to experiment. So that comes back to your question about local talent and activity; it is at an entry level element. There are lots of opportunities and new open space development that Lake Mac is undertaking over the next decade that will facilitate a much greater and wider breath of live music entertainment for the area and, hopefully, to then complement the wider region.

Ms HARDIE: I think numbers wise we have about 200 events each year but they are not specifically live music. They vary greatly. We have got small markets and then we have got things like our big Living Smart Festival that is happening later this month as well. So they do vary in the types of things. We do not tend to control too much about what they do. They will often have small musicians performing, soloists and things. They do have to have some noise-management plans as part of that, so noise management, waste management and traffic are generally standard conditions that we put on any event application that we have, but I could not tell you the exact number of music ones. They tend to be more focused to a market or to a holistic event, which incorporates the music element as part of it.

The Hon. TAYLOR MARTIN: Can you update the Committee on where the Charlestown Innovation Precinct is up to?

Ms HEMSLEY: Council has allocated funds for the development of the Pearson Street Mall area. For the Charlestown Innovation Precinct [ChIP] elements, the project control group [PCG] has started to meet internally and with some external stakeholders to start with what the activation elements would look like as part of the rollout of Dantia's low-width—

Ms HARDIE: Lower end.

Ms HEMSLEY: —lower end rollout. You will be able to see more wider comments about that, as well as some infrastructure early next year.

Ms HARDIE: As part of that as well where Pearson Street Mall joins on, you have also got the northern part of Charlestown Square. They have actually just had a recent DA approved for the Charlestown Square's North Piazza to have a bit more outdoor dining. They do have a live music space as well, so at this stage for soloists and

duets as part of that. The idea is to flow between the two fairly seamlessly. They were part of the working with council for that development because it is on council-owned land. They have been working with council to make that space a bit better to flow into the two.

The Hon. TAYLOR MARTIN: Have any common barriers to entry for small creative businesses that want to set-up in Lake Macquarie been put forward? For example, any issues in engaging with the council or the State Government?

Ms HARDIE: I think on the council side from what I gathered—I did do a little bit of development application work earlier this year—it is tough for some of the small businesses; it depends on where they are going. Their development contribution fees can be quite expensive and a little bit of a barrier for some of those businesses getting in. So I think some funding or some assistance for those small businesses wanting to start-up to overcome those initial costs is very important. When you start putting all the costs for your liquor licence, your development application, your development contributions, as well as all your plans and putting together a development application, it is quite a lump sum cost upfront and that can be quite confronting, quite difficult for small entities trying to get off the ground, and it is quite timely as well.

I think some form of funding assistance and some form of application assistance to help them through the process. A lot of them are just general people who have no experience with the planning system at all so it can be quite overwhelming to start, particularly when they are young people trying to get into the industry and that as well, it is not something they are familiar with. It can be quite daunting to get into that process and have to speak to planners who speak a bit of a different language sometimes than the general public.

The Hon. TAYLOR MARTIN: That is a very good point you make about young people trying to get in to start their own business in areas where they grew up and where they want to live. Does Lake Macquarie Council engage in trying to help them through that process?

Ms HARDIE: We have our duty planners so people can email, call or come visit our council at any time. If someone comes in we will have a duty planner who will sit down and speak to them. They can go through the process of what you need to submit to council and I, as part of my development planner experience, did some of that role as well. We try to assist wherever we can in that sense. For a slightly bigger development we also offer concept meetings and preapproval meetings. That allows people to come in with their plans and their ideas and speak to council's planners and go into a little bit more detail about some of the issues that might be there. So some of the noise issues is something we would encourage people to come in and say, "Let's have a chat." We can go through a formal meeting for about an hour and they are given detailed minutes from that meeting as well as about what council expects as part of a development application, or if there are any identified barriers then we can identify them early before putting that development application in.

The CHAIR: Ms Hardie, you mentioned earlier that there was a proposal for an event at Wangi Wangi. Would you be able to expand on that? Given that the character on the western or Wangi Wangi side of the lake is quite different to the eastern or Swansea side of the lake, is there a change happening on the western side of the lake or was that a one-off?

Ms HARDIE: It was not an event that I was speaking about—

Ms HEMSLEY: We had Float Your Boat. It was a trial event actually, which presented the lake as a stage. It was in winter. It was a series of illuminated boats that actually wrapped around the lake from Marmong Point down to Wangi Wangi and from Marmong Point to Belmont. The first time we ran it, that night, that evening, there was no-one around the town centres. The second year we ran it, we activated Warners Bay, Toronto and Wangi Wangi and there were thousands of people who were out on the lake enjoying the illuminated parade but also barbeques and elements. What we found with Wangi Wangi in particular—and this was only in June this year—there were eight restaurants and businesses that were open in that township that evening and the place was very activated, which was a really big shift from the same time the year before. So there is obviously very much an identity with that township—I beg your pardon, I should not call it a township—that town to develop more of that evening activity.

Ms HARDIE: I was just pointing out there were eight actual businesses and they are consistent businesses too. They are not a one-off event; they are there every weekend. It is quite a compact town centre so it just happens that they are nice and close together and they work really well. It was just a bit of a surprise when we did the business land use survey to see that, otherwise if you went only on the centres you would never know that was there. That is something we are hoping to get more information out of the community about when we go on consultation.

The CHAIR: Does council offer any of these new start-ups, where you are trying to bring that culture into your towns, deferred payments or section 94s or section 64s so they can get a hand up, rather than smash them at the beginning with all these fees that you have spoken about?

Ms HARDIE: Not currently at this stage, but there is a little bit of internal dispute between the departments as to how we should look at these businesses and treat them. The development contributions generally do not have to be paid until construction commences or to get their occupation certificates. So there is that little bit of a lead-in time I guess but it is not much. If you want to get your business up and running it is generally upfront and it varies as to the premises they are building or their business is going into.

If it is something that had similar uses then we take that into consideration and their contribution fees can be less, but say if it was an old house that is in a business zone that is being turned into a new event space or creative space, depending on their demand I guess, the people we expect to be there, it would depend on how many patrons we expect as to how much they actually get charged. That can vary quite a bit. The other thing is that there is no known amount so it is very variable. They might come in and be like, "We have an estimate for something small" and then when we do the full calculations it is quite different. So it is not a guarantee as to how much they are going to be charged. That can be a bit daunting for people as well that the amount that we can quote as part of a concept meeting or a pre-lodgement meeting can change by the time the development application comes through, depending on how many patrons the final outcome could potentially draw.

The CHAIR: That is my point: Sometimes we kick the legs out from these businesses before they even start and create any jobs. Sometimes a long-term thinking plan would be to assist them to achieve their dream, even though they are quite ambitious at the beginning.

Ms HARDIE: Yes.

The CHAIR: To help them to get up and going. Perhaps council could take a fee hit for a little while; I am not saying they should waive the whole amount. We have got to try and help these start-ups get going.

Ms HARDIE: It is internal things that the working group is looking at, how we can improve the process for everybody and make it a lot easier. There are a number of things that we are looking at and we are hoping that maybe we can assist with that part as well.

Ms HEMSLEY: Yes.

The CHAIR: On that very positive note, I thank you both for appearing before the Committee today. In light of your evidence the Committee may have some further questions that will be put on notice. You will have 21 days to answer any questions taken on notice.

(The witnesses withdrew)

IAN LOBB, Owner and Licensee, Lass O'Gowrie Hotel, affirmed and examined:

The CHAIR: Welcome to this inquiry. Mr Lobb, would you like to make a brief opening statement.

Mr LOBB: The Lass O'Gowrie is a family-run hotel. Both our daughters, Michelle and Fiona, work there. My wife, Sharon, works in a lesser capacity now—she just makes the pies. We have been there 26 years. We have turned the Lass O'Gowrie Hotel into an original music venue where the kids come out of their mother's lounge rooms and their father's garages into a hotel. We do 18-plus. We consider the Lass O'Gowrie Hotel to be the cradle of Newcastle original music. This is where they start and gain experience. They get to play in front of—for the first couple of times—their mothers, their families, their grandmothers and their friends. They all come and it is a wonderful thing to see.

From there they go into bigger venues, of course, as they get more experienced. We would do up to 20 bands a week and sometimes when we have events we will do 20 original Newcastle bands in one day. We do not really advertise too much; they know where we are and they find us. We have always been underground a little bit, tried to keep under the radar from everybody. It has been a wonderful experience for those 26 years to see the kids develop and go on to play in bigger bands. A lot of the kids also in the bands from 26 years ago still play there today in different bands, of course. I see them come from heavy rock bands—I am glad that era has gone—to rock billy and soft rock. That is basically what we are about to start with. I will leave it there.

The CHAIR: In terms of local council regulation, is there good or bad regulation that is hindering these opportunities to start these kids off?

Mr LOBB: No, I think we have got a pretty good relationship with council. We have had noise complaints. We did have one a couple of years ago, where a resident moved in across the road and took offence at the noise of the bands. They wrote a letter to the council, the council bypassed the licensing police and went straight to Sydney to the Office of Liquor, Gaming and Racing [OLGR]. We had a team from there come down and they brought with them the decibel counters. The end result was we received a letter saying that everything was okay, to be careful of amplified music but we had not breached any conditions. That would be one thing that could be fixed with the licensing police. They come round and they say, "We have had a complaint." If there is something there you can do you plug the hole straight away, not wait until you get hammered. What can happen is that you can get conditions put on so you have got to be flexible with the police.

The CHAIR: Did the situation become vexatious after that or was it just the one complaint from that person?

Mr LOBB: I did not get to find out who it was from but I did find out that it was fairly close and they had only just moved in. Our last noise complaint was on Anzac Day at 7.30 p.m. That day we had a lot of different local bands on and the police come and said, "We have had a noise complaint. Can you quieten it down?" Then we went back and found out what had happened. Some of the locals, the people watching the bands had opened up the front doors so the music went straight down Bishopsgate Street and came to the attention of someone and upset them. There is no real attack on the hotel. I suppose it is human nature, if you get woken up or disturbed you are going to lash out somewhere.

The Hon. JOHN GRAHAM: You have managed to work through that system, particularly on the noise-complaints side, and you have really kept music playing in Newcastle by putting a lot of bands on in your hotel over time. One of the things that has been proposed to the Committee is for those venues that have to look at dampening down the noise in various way that there be some sort of grant where the State pays half and you pay half. Would that sort of thing be helpful to your venue?

Mr LOBB: It certainly would be. One of the things that we have not got—we are only a small venue and we do not have a lot of money. To bring somebody in to do a sound assessment and then to implement that is a lot of money. We have not got the money at this stage to do that.

The Hon. JOHN GRAHAM: That is a big deal from your end. You are rolling along okay but if you have to do those sorts of things that would be a big hit on your cash flow?

Mr LOBB: It certainly would affect us. We are only making ends meet now because, as you probably know, the road in front of the hotel was cut by the railway line, the new Wickham interchange, and it has isolated us completely. We have no passing trade anymore and our turnover has probably been halved. I feel for the people up town too because they are all coping it at the moment but ours was 3½ years ago and it has been difficult. We

have had to put in our own money to survive. We have had a lot of offers from developers—the land is worth more than the business these days.

The Hon. JOHN GRAHAM: This Committee is discovering that the music venue crisis is really being driven by development pressures in a lot of cases and that is really the case in your instance, is it not?

Mr LOBB: I have got three live offers at the moment from developers but I do not want to sell to a developer. I would rather see the legacy of the Lass go to a publican who would keep the live music going.

The Hon. JOHN GRAHAM: That is really the challenge, is it not? The Committee is looking to keep venues open and you are literally describing what the challenge is. You could sell out to a developer and probably get a better price but the music is gone.

Mr LOBB: A much better price on the figures of the hotel?

The Hon. JOHN GRAHAM: Yes.

Mr LOBB: You could get a better price for the land. Per square metre it is worth a lot of money now.

The Hon. JOHN GRAHAM: So get a good price and the music is gone?

Mr LOBB: Exactly.

The Hon. JOHN GRAHAM: Or keep the music going and do it essentially out of love?

Mr LOBB: You can only put your money in for a certain amount of time and then it finishes. Either that or I get too grey and I have got to go anyway.

The Hon. JOHN GRAHAM: We have heard from the council that \$1.5 billion worth of approved DAs are rolling through the corridor, some of which is I presume is near you. You have managed to operate pretty well for a long time and deal with very few noise complaints really—

Mr LOBB: Yes.

The Hon. JOHN GRAHAM: Some of that development is moving quite close to you. What will that mean to your operation?

Mr LOBB: There is a \$83 million development on my fence line—twin towers with 206 units—and in January next year they start to build that. So possibly at least 400 people are going to be there. I did put a submission in when the plans went in with my concerns about the live music venue and the noise. I did ask them to do a sound check and to double glaze the windows. I spotted the girl doing a sound check from the company that was put on to check the sound. She was doing it in the daytime. I said, "Why don't you come back when the bands are on? This is crap. You are taking the sound of the leaves falling. You need to be here when the noise is on." We finish our music around about 12 o'clock with the bands. She said, "No, everything is okay. This is what we are here to do."

The Hon. JOHN GRAHAM: Who was paying for her to do that assessment?

Mr LOBB: It would have been the developers.

The Hon. JOHN GRAHAM: They were paying her to do this assessment.

Mr LOBB: It would have been coming from my submission to the Government.

The Hon. JOHN GRAHAM: So she was assessing the sound?

Mr LOBB: That is right.

The Hon. JOHN GRAHAM: The result of that was potentially a lot of money either way for the developer hanging on that assessment?

Mr LOBB: She did say they only had to go to a certain decibel and they have only got to double glaze to a certain level. I said, "That is no good to me because I am over the level." We try not to be, of course, but it is live music, it is a band and amplified music does that.

The Hon. JOHN GRAHAM: But it seems pretty ridiculous to be measuring for noise but not measuring when the noise is playing?

Mr LOBB: Exactly, and that is what I told her. I did not employ her so I could not say anything. I just had that question.

The Hon. JOHN GRAHAM: Have you got any recourse for that?

Mr LOBB: Not really.

The Hon. JOHN GRAHAM: So you are going to have hundreds of people move in next door and potentially hundreds of customers, which is good news, but maybe hundreds of noise complaints as well?

Mr LOBB: I think you will find if that happens the hotel will probably have to be gentrified and that would change its dynamics. You would have your coffee shops in instead of bands.

The Hon. JOHN GRAHAM: You would lose the music.

Mr LOBB: You would lose the music venue; it would go as it is now. It still might have a soloist or whatever.

The Hon. JOHN GRAHAM: You might be able to deal with those issues but it is pretty hard without some sort of backup from the State or some proper regulation for you to balance those things with all these people moving in right next door.

Mr LOBB: It would certainly help. I have never asked for it but it would certainly help.

The Hon. PENNY SHARPE: Have you had conversations with the council about whether they are going to try and impose some requirements on that development and for them to do some noise amelioration from their end?

Mr LOBB: They did come round to the venue, a committee, including the mayor. Yes, they were interested. They did take some information with them when they went. I felt very positive from that conversation.

The Hon. PENNY SHARPE: I do not know whether you were here for the councils evidence earlier but their night-time economy planning is picking up exactly the issue that you are facing. So it would be interesting to see if they have been able to implement it.

Mr LOBB: No, I did not hear it. I have been here for maybe one hour.

The Hon. PENNY SHARPE: They were talking about trying to look at ways in which they could work with developers and support live music venues—

Mr LOBB: It is going to be very, very difficult because it is human nature to go crook. If you have a look at the paper today there are 80 people lined up going crook about trucks unloading down near Hannell Street. That was in the *Newcastle Herald* today and those trucks are operating in an industrial area. It is human nature. It is very, very difficult to work around this one, but I think if you can contain the noise from inside as best you can that is probably the way to go.

The Hon. PENNY SHARPE: I want to ask you not so much about the planning issues but with 26 years of experience I am interested in how you have seen the live music change in Newcastle over time. I am interested particularly in what you saw the impacts the introduction of the lockouts in 2007 as being and where you see the changes happening now?

Mr LOBB: The lockout when it happened did not include me. I put on a voluntary lockout because I was getting all the ones who got locked out, they were coming down to Wickham. I said, "I don't want this. They are not here for the music. They are just here to play and make trouble." It was 1.30 a.m. in town and we went to 1.00 a.m. without lockout. It was a totally voluntary lockout. We can let people in anytime we want. We have not got that restriction. It was probably good for the Lass when they locked out in town because when we had people watching the bands and music they decided it was not that bad a place to stop, instead of moving on and traversing all over town.

That part was okay, we did not have a problem there. As far as the music is concerned, we have had some wonderful bands come through, some wonderful music. Just to bring to mind ones that would play in Sydney: Kira Piru, Mojo Juju. People who actually lived in the old Morrow Park Bowling Club round the corner—their music reaches out to everybody; it is wonderful stuff. And all the kids in Newcastle, we have got some unbelievable talent coming through and they do not get a place like the Lass to show themselves. There are not enough places.

The Hon. PENNY SHARPE: There is a problem with all-ages venues, is there not?

Mr LOBB: Yes. We steer away from all-age. We try and be 18-plus. Now and again one might come through where there is a 17-year-old in the band but we take precaution and then shuffle them off when they are finished. It is not the place to be for under-18s as far as I am concerned.

The CHAIR: Thank you. You have played a major part in the music industry in this area. In light of your evidence the Committee may have some further questions. You will have 21 days in which to answer those questions.

(The witness withdrew)

BRIAN LIZOTTE, Owner, Lizotte's Restaurant, sworn and examined

The CHAIR: Welcome. Would you like to make a brief opening statement?

Mr LIZOTTE: Yes. My background goes back in Australia in the hospitality and music industries. In 1989 I started a business called More Than A Morsel, which was a rock'n'roll catering company. That was fuelled by starting off in a recording studio and I have been feeding musicians since then. My involvement in the industry started off as a catering company in Sydney. We did all the music industry catering for all the major venues and all the major recording studios. We single-handedly had a monopoly on just about every promoter in the country at that time for about a 12- to 15-year period. In 2000 I left Sydney and the mobile catering business that I was doing and I moved to the Central Coast.

I started what was then a small little restaurant in Hardys Bay RSL Club but after some time there I missed the music and I was offered to start up another restaurant across the water in Ettalong. We opened what was then Lizotte's, phase two, and found the restaurant struggling and the directors of the club thought what could you do? I started a music restaurant and incorporated music. So it has been part of my life for many, many years. With that we went and finally found a little small venue in Kincumber in the Central Coast. We had a lot of trouble with noise complaints back then. Many times people tried to shut us down. We persevered and found ways to make sure that the one neighbour, that it always is, was shut up finally and we were able to operate that restaurant for 10 years. In the midst of that we opened another one in Dee Why and had noise complaints also for five years with one neighbour and overcome those as well.

And I say we successfully ran those venues simultaneously with the Newcastle one for a period of about five years but it was difficult financially in the sense that my music restaurant, or dinner show concept, although we did not invent it, I always like to say we revisited it and put it back into the limelight. We were probably one of the only successful operators of its kind for many, many years throughout Sydney, the Central Coast and Newcastle. There were lots of people over the past 10 years who have tried to make a go of it and many have failed. We are probably one of the only long-standing dinner show venues in the country to this day.

In saying that we did close the other two restaurants just recently in the past 3½ years. I did have plans to roll them out along the Eastern Seaboard and support as many musicians as I could. I am getting a little bit older and a little bit wiser in thinking to simplify my life and start enjoying what I did and what I created for all those years, we decided to just keep Newcastle. We own the building. We will be the proud owners in the coming years of a 110 year old theatre that is, as I said, was once called the Kings Theatre. So that is where we are today. Our tenth birthday is next year.

The CHAIR: In light of your experience what do you say are the catchpoints between council or regulations? You mentioned one which is vexatious complaints normally from one person all the time who seems to have power over 120 people?

Mr LIZOTTE: I think I lost many, many nights' sleep. The stress and the mental health issues that I had constantly. I think I remember in Kincumber once the police turned up. We had the Angels back then. Chris Bailey was still alive with us and it was without Doc but we still had the official Angels actually play in the restaurant. The police turned up about two songs before the finish of the night and even they stood out the front and said "There's nothing wrong with this".

The CHAIR: They just wanted to come to the concert.

Mr LIZOTTE: They stayed for the two songs and then left. I remember the amount of stress that could go on with thinking that someone could close down your venue despite the fact that I was keeping thousands of people happy every week. It did not make any sense for what that was worth.

The CHAIR: What should be the approach to vexatious complaints?

Mr LIZOTTE: I think the process should definitely be to get a meter out there. Councils have levels. For us unfortunately in those areas, in that particular venue, it was all to do with Mother Nature a lot of the times. The way the wind was blowing also had a lot to do with it. I prayed for rain and a thunderstorm every time we had a louder act that would muffle the sound and then nobody would ever complain because they could not hear anything over the thunder. What is the problem with some of the best music in the whole wide world? I guess, finding out what the real problem is instead of taking someone's word because council has to act; it has to act for the community and that is what keeps us all honest.

The CHAIR: Was that complainant anonymous?

Mr LIZOTTE: No, it was the person at the back of the property. Saying all of that and mentioning both Dee Why and my other venues I will fixate now on Newcastle. I am very fortunate, and I have mentioned this at other hearings or other get-togethers we have had with the music task force, to have in New Lambton this beautiful 110-year old venue that has been looking after the social life of people for a long time. In the 10 years that we have had it, to my knowledge, we have never had an official complaint. We continue to do that every week. We have turned up the heat, or the volume, so to speak on several occasions just in the recent years with a couple of acts that I thought we might get some sort of movement, and I have been very aware of that, and not a thing. We have had no official complaints about violence or alcohol related issues either. We have been a very successful model in what to do. By 11.30 or 12 o'clock there is nothing coming out of that venue and all of the customers have left very, very respectfully as well. So we are very happy to report that.

The Hon. JOHN GRAHAM: The committee has found there are more hurdles than there should be to run a venue with music in it. We have talked about noise. You have successfully run venues and not many others have. There should be more venues with dinner and music. What makes it hard to make that succeed in the venues you have run?

Mr LIZOTTE: Some of my recommendations is definitely the lack of budget that we have as a small venue and just recently they have done the survey with this taskforce that has been put into place and one of the biggest things that came out of that survey was just how many people thought of a smaller venue from 100 to 500 capacity is where the majority of that survey of people wanted to spend their time, money and energy in supporting live music. It was not in the big huge festivals, concerts and the massive thousands and thousands of people who are miles from the stage. They want intimate venues and that is where I think we, as a small venue do not have the budget. Bringing the big the names often does not allow us to have that budget. We have such high guarantees and high expectations and expenses to bring those acts.

The Hon. JOHN GRAHAM: That is a pressure you do not have a lot of flexibility—

Mr LIZOTTE: A hand to promote better, would be better. It would be great.

The Hon. JOHN GRAHAM: What other regulations make it hard? Are there are other hurdles to make it easier to run a venue like what you are describing? Is the noise the one that keeps people awake?

Mr LIZOTTE: Noise is not a problem for us. I think I put in a submission to council where my neighbour did say that he was selling his building behind us. He showed me plans that had been done by an architect to sell the building that had not gone to council. There was an apartment with a bedroom which would have had a pillow about a metre from where a drummer would have been sitting behind that wall. I thought if that happens then we are finished. There is no way someone is going to live behind my stage. These are the sorts of things that just cannot happen. It should not be even zones to be able to put an apartment behind my wall. If there was one recommendation it would be like, an existing venue should have the right to continue the same business they have operated for over 100 years in entertaining the community.

The Hon. PENNY SHARPE: I think you have covered it pretty well. I have got to say that we have talked a lot about noise. What sort of liaison do you have with your neighbours? To run a business successfully you obviously have to be a good neighbour and talk with them, leaving aside your regular complainants. I am interested in how you do that. I am also interested in how much security you are required to have or that you choose to have at the venue?

Mr LIZOTTE: As far as liaising with my neighbours, I probably know a good percentage of them. I probably do not know exactly where they live but I know for a fact that I have got some people who come and tell me to turn it up because they cannot hear it—I have got those few neighbours. I regularly invite them to shows, as well as the diversified style of genres of music that I like to provide every week. I design it so that every week there is nice wide selection of artists. There is never one week where I will have a live rock band that will be blowing the roof off six nights that week; it just does not happen. There is never a week where someone could say, "Oh my God, every night, night after night, we have had to put up with a louder volume." And the neighbours know that it is a respectful thing—from comedy, where they will not even know anything is happening inside, to a classical event, to jazz.

Probably one big plus in any venue is to diversify what they do. I know that some venues are known for a specific type and that is what also makes them successful, whereas my blueprint model is definitely the other way. I am getting as much diversification as I can, to get as many bums on seats as I can. With that comes the problem of sometimes my rock shows will obviously be my biggest spend and pay my rent, wages and bills for the week, whereas if one night I choose to do a high school night, which I do so much of, the spend is minimal or it is a younger crowd where they cannot drink. I am an all-ages venue and I prefer to do that, so I am limited. If

I could get the acts, which sometimes I cannot, I would probably go with more acts so that would make me more money in food and drink sales and a higher spend, but it is not my driven force to do so. It is more to keep diversity going and that is to my detriment sometimes too.

The Hon. PENNY SHARPE: Are you required to have security?

Mr LIZOTTE: No, and we have never had one issue in 10 years of operation. The only issues I have had they have been external from other venues, from other people passing by. I have had to call the police about someone just walking in off the street intoxicated. I have had to ask them to leave because they are not welcome or they have tried to get into the venue to see a show. Those are about the only problems I have had. Closing when we do and I suppose having a slightly larger ticket price for some of my shows does limit the number of people who will cross the line, so to speak.

The CHAIR: Given your experience, if you could draft any recommendation for this Committee's report what would it be?

Mr LIZOTTE: Obviously just to allow and support existing venues to keep them going. That is not to forget about the development of new venues but to not forget the old ones and to put us first.

The CHAIR: It is much easier to keep a venue than having to start a new one?

Mr LIZOTTE: That is it. After listening to Ian Lobb, it just brings tears to my eyes to think that he has made that decision. Some venues make the decision to go, they have that opportunity to sell to a larger developer and to see that history go. I would hate to think—I am not sure whether my venue is a national heritage or in a heritage situation where I could not sell to a developer or make my venue into a house, but I could not think of anything worse than taking 110 years' worth of history in looking after the community's social life and turning it into anything other than what it is right now. For us, it is also the ability to have help in securing and keeping the venue as a good steadfast property. But we do not have that money because there is not the money to be—

The CHAIR: Are there no grants for that particular building? I would have thought there would be.

Mr LIZOTTE: We are looking into it. Just recently I have had some help to do that. So we are looking into being able to keep that venue in tip-top shape for sure.

The CHAIR: The Committee may have some further questions. You will have 21 days to answer any questions taken on notice. We appreciate you telling us your story today and wish you all the success in the future.

(The witness withdrew)

(Short adjournment)

GRANT WALMSLEY, The Screaming Jets, affirmed and examined

MARCUS WRIGHT, Director ,Big Apachee, affirmed and examined

The CHAIR: Good afternoon gentlemen, would either of you like to make a short opening statement?

Mr WALMSLEY: I would like to give a bit of a history. It is quite an amazing day today, I started my professional career 35 years ago in this very building at a year 10 school dance. Here we are today 35 years later. I am the last of a dying breed. My family hales from the East End to Wickham to Hamilton, all the areas or most of the areas specifically we are discussing about live music. My band was a band I put together called The Screaming Jets and we went on to sell a million units and toured the world. I personally wrote our biggest hit, which is one of the most played songs in the history of Australian rock music. That song, amongst other songs off our first album, became the success it did partly to do with treading the boards in the venues of Newcastle, most of which are now gone. I feel that I am very educated to speak here on behalf of professional musicians and that is what I am doing today.

The CHAIR: Mr Wright, do you have an opening statement?

Mr WRIGHT: I certainly do. I am very passionate about Newcastle music industry. I started off in the early 90s. I was born in Newcastle, left Newcastle at the age of 10 for the Gold Coast and returned at 20 and got addicted to music. I got addicted to the live music scene that Newcastle had. The Palais Royale is one of the best venues I have ever been into and watched a live performance and seen bands like The Screaming Jets, Midnight Oil, Noiseworks and The Baby Animals in one weekend. It was pretty big for me. It really changed my life. I was a base player, so I was a musician for six years. I was in three original bands and I was signed to a record label called Oracle Records in Brisbane in a band called Pivot that I perform in. I started a rehearsal and recording studio which the old 2NX building called The Music Production Factory. I took that over in 1994.

My base teacher told me that I was probably a little bit better at the business side of things than playing base—god bless Dave Carter. He was accurate and true, so I followed those dreams and set up a recording studio. I went with Silverchair and did preproduction on their first three albums in Newcastle and they became one of the biggest rock bands in the world. I have managed lots of different acts from independent artists, do it yourself artists like Suncloto, where we had an international deal that we brokered with Sony, Denis Hamelin, in Sydney. I am a music promoter, I am a manager, I am a music business teacher at TAFE, I have worked at Hunter TAFE for 10 years teaching music business and I recently purchased The Wickham Park Hotel last year. The reason my business partner and I are doing that was the concern of the Lass O'Gowrie, the Cambridge Hotel. I have worked at the Cambridge Hotel since 1994 booking live music. I am very passionate about that.

I also ran an all age venue called The Pit underneath my recording studio where we did, I would not say illegal shows, but different types of shows that were not probably across the board with all the conditions needed. At the time that was all I could do and I was putting on shows with European bands like 59 Times the Pain and touring bands that were getting 400 underage people on a Tuesday night at \$40 a ticket. It was fascinating. This is in the 90s. I have a very strong passion for Newcastle music, not only the venues but the musicians and also the patrons that go to these places. That is where I stand and I am proud to be part of the taskforce and here today as a witness.

I am happy and proud of the movement that is happening again in Newcastle. It happened 20 years ago, so it is good to see it kicking off again and addressing some of the issues that we do have in our music industry. It is a creative industry. To my knowledge we are the second largest industry in the city only to coal. I think it should be more respected and I think we need to work more as a team with the police, the council and the government to ensure the potential growth of the industry maximises where it should be. That would be my opening statement.

The CHAIR: Given your history with the music industry and following our meeting with Apple Streaming this morning and seeing what it takes for an artist to get going, what is your take on the loss of entertainment opportunities in terms of infrastructure? How important is that to someone learning their craft?

Mr WALMSLEY: I have also been a leading music educator for over 15 years. I have worked for universities and TAFE and I now represent a community training organisation. Let me put this to you: I wrote a hit once and we road tested that song at the Cambridge Hotel. If a place like the Cambridge Hotel did not exist then that song would not exist, Australian music would not exist. I see a big university building down the road here with "creative industries" plastered all over the side of it. My question is: when we knock all the venues down because big business and unbridled property development comes in and knocks down something like the Lass

O'Gowrie where are these graduates going to go? Are the uni telling them that after four years and a big HECS debt there is no career? That is a fair point to make.

I would also add that Ian Lobb's story with the Lass O'Gowrie is nothing short of a story like the movie *The Castle*, if you are familiar with that. My father's family are from Wickham and I understand Wickham better than anyone in this room, it is a very noisy suburb. The Lass O'Gowrie is next to a train line and trucks—has he ever complained about noise? Never, I guarantee it. And yet 250 odd people buying units from a property developer all in the name of profit and preaching that they have to close him down because he is making noise. The Lass O'Gowrie is second to none. I know no other venue in Australia that has 20 original bands a week.

Let me step back a minute. I met Brian Lizotte in 1991 recording our debut album, which is a big album. We recorded that in a studio call Rhinoceros Studios where Brian told the panel before he was a caterer. Using the analogy of rhinos, they are an endangered species and our venues in Newcastle are an endangered species. This is a crisis. We are in a critical condition. We are not in a serious condition, this is ICU material. If we lose The Lass, if we lose the Cambridge, if we lose the Wicko, if we lose Lizottes, they are gone and they are as gone as the Palais. My band played the Palais Royale. The video was played on MTV and Channel 9. We flew in the editor of RIP Magazine, Lonn Friend, from Los Angeles, California, who invited us to play at the Hollywood Palladium with the biggest bands in the world in 1991.

We also invited the editor of *Kerrang!* magazine from the U.K. to the Palais Royale. The Palais Royale is a venue where my great uncle played base in the 30s, the 40s, the 50s and the 60s. My parents met there. Most parents of Novocastrians met there. Most bands played there seven nights a week. It is now proudly, I say with sarcasm, the southern hemispheres largest KFC. Another place I trod the boards in the early days was the Burleigh Hotel, which is now a Macca's. Lizottes is not in the so-called entertainment precinct we discussed, however on that strip is a venue called The Mark Hotel, which used to be called the Marcus O'Lone, which is where my first band with David Gleeson played for four years on a Wednesday night. In that street is the Northumberland, the Lambton Park Hotel and Lizottes: four vibrant entertainment venues that are not in a marked precinct.

But, I digress. So, what does it mean to have these venues? There will not be musicians in Newcastle. They will move to Melbourne. They will move to Brisbane. They will move to Perth, or they will move to London. And good on them; that is where they should move if we cannot provide a platform for them to develop their craft. Please understand that this is a craft, like drafting or engineering. Creative industries might start at music but they branch off to many, many things. It teaches people soft skills. It teaches people to network. It teaches people to be part of a vibrant community and society. Big business coming to town with unbridled property development, building units and knocking down places like the Lass O'Gowrie Hotel must be stopped. There must be some control. It is critical now or it will die. Once it is dead—once the last rhino has breathed its last breath—it is over.

The CHAIR: Thank you for that impassioned speech.

The Hon. JOHN GRAHAM: You have covered some highlights there—let me put it that way—but I think at the heart of what you have said the venue crisis. We have heard that across the State. You talked about the fact that without that it is just impossible for bands to learn the craft and do what they need to do. I think you have put an excellent case. You have really confirmed that this is not just an issue in Sydney. This is really an issue across New South Wales, isn't it?

Mr WALMSLEY: Can I add to that. I am a professional musician, ladies and gentlemen, of 35 years. I am almost 50 years of age. I have never had another job. I have sold a million units. I have written hits. I work off my proverbial to make an income. The irony is that the public still ask, "What's your real job? What do you do for a career?" I am a musician, and I am proud to be a musician. What are these younger people doing, who have not had the opportunities and the success that I have had?

The Hon. JOHN GRAHAM: Here is the contradiction, because we have heard about the venue crisis but we have also heard that recorded music is growing for the first time over the last couple of years in Australia. That is the optimistic part of the story, here. There is now a model to make money out of music, but, at the same time we are killing the music scene, just as you have described.

Mr WALMSLEY: Absolutely.

The Hon. JOHN GRAHAM: That is the contradiction of the moment we are living in, isn't it?

Mr WALMSLEY: Yes.

Mr WRIGHT: The reason that is happening is because of technology. Once upon a time you would have to go into a recording studio to record your music. I know a guy on the Gold Coast who recorded a whole

album off his iPhone, and sent it to get mastered and then released it. Now he is selling the music. So, things have changed. The venue crisis is a big issue but I strongly believe that we need to work together, because development will always occur—take place.

Like Ian Lobb pointed out, the person turning up and taking a sound reading when there was nothing going on in the middle of the day was pretty good. However, they have to have different timeframes. Like Grant said before, with a train line or a track going past, I do not think a lot of people are aware of how loud certain things are in the community, and I do not think people are aware of how loud an artist needs to perform live, to be able to work within the community. If those two elements were addressed we would have a lot less trouble.

Mr WALMSLEY: Isn't it funny that if we bought a place above the Honeysuckle Hotel, for instance, you would hear a lot of foot traffic. It would be quite loud, and you would expect that. But if we build next to a pub that has entertainment the minute we hear base and drums, "Oh God," there is hell to pay. I did a decibel [dB] test yesterday with some students, and we clocked up to 83 dB just by singing loud notes acoustically. Live music is 100 or 110 dB. That is what it is. Newcastle is a rock town; it is a music town. If I talked to Jimmy Barnes, to the late Doc Neeson, Peter Garrett or the late Michael Hutchence—all people I have known—they would tell you that Newcastle is the No. 1 rock town in Australia.

The Hon. JOHN GRAHAM: Sure. I am not declaring this as a conflict of interest, Chair, but one of the best gigs I have ever been to was to see the Oils on Hunter Street. That is still in my top couple of gigs ever.

Mr WALMSLEY: Absolutely.

The Hon. JOHN GRAHAM: So I am agreeing with you on that front. Let's just talk about what is at stake in Newcastle right at this moment. The council has talked up and talked about \$1.5 billion worth of DAs approved, that are going to be rolling through town. We have heard about the development pressures. This is really the moment where Newcastle is going to keep its music scene or not, isn't it, as that development rolls through? If we get it right this is going to be very good, but it could go very badly wrong.

Mr WALMSLEY: We should be looking at Melbourne and places like New Orleans. We should be looking at international music centres. That is what we should be looking at. Thank you for coming to Newcastle. Thank you for this opportunity to share it. We do have to work together, but unfortunately sometimes it takes people like me to stamp their feet and speak up to stop the madness, because there is no balance. I just think that that is what has happened in Newcastle. There was nothing happening in Newcastle for many years and then all of a sudden we have just swung the other way. For the things that have built this culture in this community over decades and decades, if people like us do not stand up and say, "Whoa, we need to get some balance," it will be just gone in the name of profits.

The Hon. JOHN GRAHAM: Yes. Great. Thanks for that.

Mr WRIGHT: I would like to add to that. I had an all-age venue called The Pit, where I was doing large concerts of 400 or 500 people at a time. Bands like Grinspoon and Super Jesus would play there. It was very underground—literally; it was the carpark, which I turned into a venue. The council came down and spoke to me about that. They really liked what was happening. From there the Palais Royale became the youth venue. From there we went to The Loft. I am very surprised that a place like Newcastle does not have a facility for all ages, and be supported by the council to develop an all-ages scene. It is not just about the musician; it is also the booking agent, the graphic designer, the security and the accounting people. There are so many jobs and roles. I have a passion, as well, for the youth and for mental health. I do a lot of work with Lifeline and help children in trouble, I guess

I have gone into classrooms and taught people, where they've said, "You'll need a security guard." I have said, "I won't need a security guard." I have not had one ounce of trouble out of any of them. It is just that the children basically have nothing to do. They get bored. Now ice is so bad on the streets that the kids are turning to drugs or graffiti because they do not have anything to do. I think that we need a facility in place. I used to drive bands down to Wyong. We used to go into the Wyong Youth Centre, which was a tin basketball stadium. It sounded absolutely dreadful but there would be 400 or 500 kids there, packing and helping load in and helping load out.

There was this culture and scene going on. I really think that is very important. It is part of the venues, because we need to support that and we need to have that. It is a development process from when they are young until they are middle aged like myself and Grant, and even further on. I work with an artist called Flash Sheedy and Kerry Miller. Kerry Miller is 73 years old. He played gigs with Little Pattie up at Nobby's Beach in the day.

Do you know what I mean? I think we have to look at it from the youth right through. We definitely need to address the all-age problem that we have in this city—how big it is and where we are.

The Hon. PENNY SHARPE: You talked about New Orleans. What do they do differently and well? You have pointed to them. We talk a lot about the problems. I am interested in places that you have seen and know do it well, and what it is that they do.

Mr WALMSLEY: They have community radio. They have council support. They have government support. Musicians are treated like gems and part of the fabric and the culture. We used to be, but it is endangered. I am back in the music education business. So often I hear the rhetoric, "My child has to do the HSC and go to uni." You have heard it before. It is what we hear. What do they do after university? Where are the creative industries graduates going to work? If we had a vibrant hub where we had music venues, and we supported music venues and we supported the publicans of these venues, people like Ian would not fear that what they have created over decades is going to be decimated or gone. If we supported them and empowered them there would be much more opportunity for youth—as Marcus said—not only in performing live sound but in front-of-house management, ticketing, graphic design and all these soft-skill areas.

I could list another 20 occupations. What do New Orleans and places like that do differently? They have their own festivals, they have regular festivals, they have regular gigs everywhere. If you have ever walked down Bourbon Street, bang, bang, bang, there is just music everywhere and it is just beautiful. Newcastle should be like that. You should get off the boat so to speak here—or get the light rail into town—and walk like we used to walk from the Cambridge to the East End, there are bars and bands all the way through. That is what I think we should be doing, and that is just this street. There is Beaumont Street, there is Lambton and other areas as well.

Mr WRIGHT: There are people who arrive in Newcastle—and I see this—and they go, "Wow, where is the scene? We have heard about it. I have not been here for a long time. I have been away for 10 or 20 years, what has happened? Where is that vibrant live music scene?" It still exists; the talent is still here. It is probably stronger or as strong but it is just harder for them to perform live in spaces.

Mr WALMSLEY: We do not want the energy to go somewhere else. It will not disappear; the energy will move somewhere else and that is what we fear. I mean, you can see the passion in me. I was born and bred in this town. I want to reiterate that guys like Ian Lobb should be a pin-up for this. He is—what is the name of the guy in *The Castle*? The Corrigan's or the Kerrigan's?

The Hon. PENNY SHARPE: The Kerrigan's.

Mr WALMSLEY: He is Mr Kerrigan. He should be the face of this. My heart almost broke when he told me what was going on there.

The Hon. JOHN GRAHAM: Just coming back to the all-ages question. You made a really good point but I just wondered if you wanted to chip in on that question as well?

Mr WALMSLEY: I would actually. I officially supported The Loft. For those who are not from Newcastle, The Loft was a council-run and funded venue in the mall. It was a wonderful place for kids.

The Hon. JOHN GRAHAM: How much was it used?

Mr WALMSLEY: Two or three nights a week. It also had rehearsal space and recording space where kids, as Mr Wright said, had something to do. Now this was a time when Newcastle had a massive alcohol and violence situation going on and the irony at the time was to close that down, which gets kids away from a culture of this, and put these lockout laws on. In my opinion, which is worth noting here, lockout laws are probably more relevant in Sydney than they are here. I do not believe that there is problem with lockout laws and music here to be truthful with you. I certainly as a musician do not want to play on a stage after midnight for many reasons, which I will not go into.

The Hon. JOHN GRAHAM: So in your view it might work here but it might not work in Sydney, is that correct?

Mr WALMSLEY: I think music is a before midnight thing personally because I think it is good for the society and the community. Just getting back to all ages, there is an energy that needs to go somewhere. Now I have just talked to a young lady who runs a gig at The Dungeon, which is another really great little bastion in town run by the Uniting Church I believe. I have just got on board with the WA and I am hoping to run some all-age shows on Beaumont Street as well. These are places where we can get in some cases, you know, the kids who are not engaged at school, who want to get out of school, at least we can give them something, some training and some experiences, rather than the alternative.

The Hon. JOHN GRAHAM: A bit of positive reinforcement in a safe environment?

Mr WALMSLEY: Absolutely.

The Hon. TAYLOR MARTIN: On page 2 of Big Apache's submission it says:

... the musician union is considered I won't say a joke but more token than anything that actually achieves anything ...

I am interested in the sentiment expressed there about the musician's union. Mr Wright, were you the author of this document?

Mr WRIGHT: That would be me. There is a lot of talk about rights for musicians. I pay artists anywhere from \$50 for a live performance to \$100,000. So there is a big difference in pay fees, is there not, and people ask me why. An artist gets paid on their drawing capacity. So an artist gets paid on how many people attend or want to watch or hear that performance? When I first started in the music industry there was talk of getting set amounts of money for each artist, which I disagree with because a talented artist as opposed to someone who is not as talented will be paid differently. There were also situations where they wanted to have this set fee so that a venue would have to pay \$78 per hour or per this.

That cannot work either because venues would then employ duos, solos or three-piece bands, they would not employ a seven-piece funk band. From my experience with the union here in Newcastle from when I started and what I know—which I would not repeat on microphone what happened with a lot of money with the people running it, I was appalled. If you are going to have a union for the musicians, that is a great idea but it has got to be run properly. You cannot just blanket across the whole industry what everyone is going to get paid. I am personally involved in a concert at the moment where I am putting something together with a team of people and the first thing that raised its head was people arguing about how much money they are getting paid and not actually, "Let's do the concert for Newcastle." I hope that answers your question.

The Hon. TAYLOR MARTIN: It does. Mr Walmsley, do you have anything to add?

Mr WALMSLEY: It is funny but the word "union" these days does not seem to carry not much weight any more, which is a shame. My great grandfather was a local member for Newcastle by the way, so I come from a fine, working class, socialist background. I was making a living in 1985 to 1987 playing music and I can tell you for a fact that the pay grade has gone down considerably.

Mr WRIGHT: Musicians are getting paid less than what they were 22 years ago. Back then they are telling me the schooners were \$2, a packet of cigarettes was maybe \$5 and I think petrol was around 40¢ a litre. I know some venues where I actually still work at where the pay rate has not changed in 15 years. I do not know if any other industry could say the same thing. I would imagine that you guys get paid more than 20 years ago and most industries do, do they not? They increase as the years go by.

The CHAIR: Probably as State members of Parliament we do but I think mayors and councillors are still on a pittance.

Mr WRIGHT: They have definitely not gone backwards, or be a promoter like me and risk your own money, your own house and your own assets, if you know what I mean. You can risk that, which I have done numerous times, and it is very scary. It is not only scary to work very hard for three months but also to work for three months and someone says, "Here is your bill. Here is an invoice. You actually owe me \$18,000." So you actually get a bill for \$18,000 for working for three months.

Mr WALMSLEY: I would like to think that it is not an ideal but could become a reality where there is minimum fee for all musicians paid for by licensed premises because we are not silly. We understand that alcohol, bistros, food and hospitality pay the bills, so let's pay the bills and let's pay the artists. I think there should be a minimum standard award, I absolutely do, and I think there should be legislation that puts that in place. You know the irony is that we have poker machines and smoking rooms in the poker machine rooms and all these sorts of things but no-one wants to talk about that. It seems that these things can be taxed, so let's see some of that come back to the real entertainment—that is, actually people making the entertainment.

The CHAIR: Let me clarify what you are saying. You think we should be looking at taking some of the tax from the poker machine revenue and putting it through an initiative that would go back to employing the service of musicians?

Mr WALMSLEY: Absolutely. If I could just quote a song by The Whitlams: *Blow Up the Pokies*. I was playing in pubs when the backroom, which is now the casino in all pubs, was the stage where the bands played. It seems fair enough to me 30 years later.

The CHAIR: The Committee has heard evidence that poker machines have played a part in being a revenue raiser more than bands.

Mr WALMSLEY: Poker machines have done as much to decimate live music in Australia as anything. If you go to Western Australia where there are no poker machines in pubs, there are bands, PA's and crews in every pub. That is happening right now—and maybe it is a little facetious of me to comment—but I still think that New South Wales has more poker machines than Las Vegas.

The CHAIR: Per head.

Mr WRIGHT: Per capita.

Mr WALMSLEY: But I do not want to digress.

The CHAIR: Are you of the view it would assist if the Committee were to recommend that some grants would be available for venues to put in hard wiring and allow new artists to not have to lug everything but be able to plug and play?

Mr WALMSLEY: That is happening a lot. There are good in-house P.A. systems. They are happening at the venue's expense. Maybe there should be grants to help us out.

The CHAIR: It allows the payment to the musician who normally has to provide all the gear and do all the lugging.

Mr WRIGHT: And that is where a venue will pay a slightly less fee because they say, "We will supply this for you". When, back in the day in the 80s and early 90s, that was the case. But now I would say that most touring venues have an in-house system and they have their in-house sound crew work at the venue. So, when the band arrives they have everybody there ready for them. All their specs are sent through and then they start working.

Mr WALMSLEY: Mr Green, if you looked in my car right now you would see a P.A. system. It is always in my van. I am just like a carpenter, I have to take my own tools to work a lot of times. Mr Wright is right some venues do have in-house systems. I would say 5 per cent of the venues I play at have in-house systems.

The CHAIR: That is exactly my point.

Mr WALMSLEY: So, if I want to get out there and make money I have to do all that as well to make the same money I was making in 1986.

The CHAIR: Thank you for your evidence. We have had well known musicians such as Peter Garrett, The McClymonts, The Preachers and Set Mo, and they are all singing the same song; that we need to do better in this space. It is great to get evidence from managers as well as musicians, they go hand in hand. In light of your evidence Committee members may have further questions, you will have 21 days to respond and the secretariat will assist with that. Thank you for contributing to the inquiry.

Mr WALMSLEY: Likewise, we appreciate you listening to us, thank you.

(The witnesses withdrew)

JOHN SAHYOUN, President Bulahdelah Chamber of Commerce and Tourism, sworn and examined

The CHAIR: Do you have an opening statement?

Mr SAHYOUN: Yes, I have a very short statement. Beyond the complex regulatory and legislative framework I wish to touch on one other matter, the financial viability of venues to support music and the arts. Smaller venues have to account in rises of excise tax, wage rises, penalty rates, increases to utilities such as electricity, and insurance premiums, to name but a few. This is coupled with a general decline of, for example, the clubs industry, which has been in steady decline since the late 1990s. Unless patronage and turnover increase for them they are unable to increase offerings. They go for the cost effective offerings. For example, they may only hire a soloist, rather than a band. Thank you for giving me the opportunity to address this inquiry.

The CHAIR: Could you talk us through what the situation is in Bulahdelah in terms of the night economy?

Mr SAHYOUN: Certainly. There is very little to talk about. Our offerings tend to be on Friday nights, we will have a soloist. There are three licensed venues, a pub and two clubs and what they tend to do is alternate between the pub and one of the clubs on Friday night. There is some entertainment but it tends to be special events. I am a director at the Bulahdelah Bowling Club and what we are looking at at the moment is dropping some of our solo acts from Friday night where the patronage is not very great and perhaps substituting it with a band one Saturday night a month and see how that runs.

The CHAIR: What are the challenges that you face that we can help with?

Mr SAHYOUN: Distance is the big one for us. Obviously, as I have touched on, the profitability of clubs. Unless we have patrons in we cannot afford to support any music offerings. That goes for the arts as well. We do not have an art gallery, as such. The last exhibition we had was supported by the Men's Shed in Bulahdelah.

The CHAIR: Do you have poker machines?

Mr SAHYOUN: Yes, in the bowling club we have 20, there would be seven at the golf club and about six or seven at the pub.

The CHAIR: Would there be capacity if the Committee was to recommend that some of the grant money was to go towards live entertainment? How would that impact on your revenue and running costs?

Mr SAHYOUN: I have seen the books recently. We had a board meeting just the other day. The poker machines can contribute up to 50 per cent of our income. Cutting back on that would severely limit what we can do.

The CHAIR: You have to pay tax on those?

Mr SAHYOUN: Yes.

The CHAIR: What if a proportion of that tax was to return for live entertainment?

Mr SAHYOUN: In the way of a subsidy or a grant?

The CHAIR: Yes.

Mr SAHYOUN: Yes, that would be a great idea.

The Hon. JOHN GRAHAM: I want to pick up on a couple of points you have made. The first is just how important clubs are once you get out of Sydney and inner city Newcastle.

Mr SAHYOUN: Yes.

The Hon. JOHN GRAHAM: They become an important place for people to see live music. Can you expand on that?

Mr SAHYOUN: I think traditionally clubs have been the breeding ground for live bands. If you look back half a generation one of the Midnight Oil albums is called *20,000 Watt R.S.L.* They were always the breeding ground for new forms of music. It is important that continue. There has been a trend recently with their decline that they are only looking for soloists or duos rather than having bands.

The Hon. JOHN GRAHAM: The heart of the reason you are here and your submission is sometimes this is seen as a Sydney issue but it is not, these pressures are real wherever you are in New South Wales, including towns the size of Bulahdelah.

Mr SAHYOUN: In Bulahdelah it is difficult to have offerings because of our small population, we only have 1,400 in our postcode drawing area. Obviously, anything you are going to put on is only going to be of interest to a particular section of the community. If you put on a country act you might get 100, if you put on a band you might get more, and if you put on a soloist they do not like you will get three.

The Hon. JOHN GRAHAM: There are different pressures, but the key point is that these venues that are not making a lot of money and if there are things that the State Government or local councils can do to make it easier—and sometimes we make it harder—for these venues to put music on while on a financial knife's edge it makes a difference. Is that the case you are putting?

Mr SAHYOUN: Yes, that certainly is the case in country areas. Just holding musical events away from clubs: We are looking at a drought relief fund raiser where there will be live music from locals throughout the day. Unfortunately, there is two dozen pages of forms that have to be filled in for the council. That inhibits things as well, jumping through those hoops.

The Hon. JOHN GRAHAM: I did want to ask about the other thing you refer to: venues should be encouraged to promote under-18 events.

Mr SAHYOUN: Yes. We have very few of those. There are probably two discos that are held throughout the year. There is a blue light committee that probably hold two more, but other than that there is nothing for under-18s.

The Hon. JOHN GRAHAM: Ideally you want to provide a safe place for them, you want them to have somewhere to go where they will have positive reinforcement and have some fun.

Mr SAHYOUN: Even away from clubs, because some people do not like licensed venues.

The Hon. JOHN GRAHAM: Do you want to expand on that at all—just what the need is or what you would like to see?

Mr SAHYOUN: What would I like to see?

The Hon. JOHN GRAHAM: Yes, what would you like to see, on that under-18s issue?

Mr SAHYOUN: I would like to see more encouragement—perhaps if they are subsidised or funded, if there was approval—and special licences for each police command could be given out as these come along would be wonderful.

The Hon. JOHN GRAHAM: Okay. Thank you.

The Hon. PENNY SHARPE: You have covered most of the things. I am interested, though, the clubs' perspectives of the noise issues. How do the noise issues impact?

Mr SAHYOUN: It does not. Because the main club that has the venues—Stroud Central Hotel—is right at the edge of Bulahdelah, it does not impact on the people around. The pub used to run into an issue many years ago, that every time I had loud entertainment if you opened the front door of the pub the person across the road would ring up. As you know, noise at any time of the day can be reported and the police can ask you to turn it down. I have been at backyard events where I have seen the police turn up. They say, "Just turn down the music." There are those types of impacts. It is probably not as bad as in Newcastle or Sydney, but certainly it is an issue.

The CHAIR: Is there anything else you would like to contribute that perhaps we have not asked you about?

Mr SAHYOUN: Beyond the legislative and regulatory environment it is just very hard for clubs because of the two excise increases in beer per year and particularly the cost of electricity. We have tried to minimise that by installing solar panels at the club. Insurance premiums are going through the roof, as you would understand. I was reading an article the other day that half a generation ago some of the venues in Newcastle, which were licenced for, say, 200, would pack 400 into it. You could not exist in an environment like that now because the police or some other regulatory agency would come around and shut you down straight away.

The CHAIR: Yes, and you only need one coroner's report—

Mr SAHYOUN: That's it.

The CHAIR: —and it leaves everyone found wanting. You just cannot justify—

Mr SAHYOUN: There used to be tonnes of venues in Newcastle but they have all shut down, over time. I think it is also a function of Sydney and Newcastle, because looking at Melbourne, their entertainment venues tend to radiate out, whereas in Sydney and Newcastle they tend to be clustered. So transportation comes into it. I was just saying to my son the other day, "If you want to go out you could catch the bus and train into Newcastle, but later at night there would be no transport." A taxi fare is cost prohibitive, plus the other expenses on top of that.

The CHAIR: Bulahdelah being where it is, have you ever explored the idea of doing festivals out there?

Mr SAHYOUN: We have looked at that in the past but it is just too much paperwork and too much risk. About 10 years ago we tried some music festivals. They were based out on the golf club green but they were financial disasters.

The CHAIR: Thank you for travelling down to give us some information.

Mr SAHYOUN: My pleasure.

The CHAIR: It was really helpful. It is very important, because we have had the cities give evidence but it is great to be out and hear from the towns and villages outside these areas, which struggle just as much to keep their industries alive. In light of your evidence we may forward further questions to you. You will have 21 days to answer them. Kate and the team will help you with that. Thank you very much for taking the time to do that.

(The witness withdrew)

SPENCER SCOTT, Musician, affirmed and examined

The CHAIR: Do you have an opening statement?

Mr SCOTT: I do. Hello, my name is Spencer Scott. Ironically, public speaking is not my strong point. I have been involved in the Newcastle music scene in some capacity since I was 14 years old. I have been a musician for roughly seven years, now. From what I can count, I have played around 400 gigs, primarily performing original live music in local venues in Newcastle and on the east coast. I have played solo. I play in a band called Paper Thin, which is currently gigging up and down the east coast. I have held open mic nights. I have played in backing bands. I have done a fair bit, I think—maybe. It says that I am here today as a musician, but it is important to note that I currently work as the entertainment coordinator at the Hamilton Station Hotel. The Hamo has been putting on live music for well over a decade, and we currently host live music three to five nights a week across two rooms. Most of these shows have two to five original acts. In 2017 we hosted an average of 20.5 gigs a month. Tonight we are hosting our 145th gig of 2018 featuring prog metal acts from Brisbane, Bundaberg and Newcastle. A 9.00 p.m. start, free entry!

The CHAIR: Free advertising.

Mr SCOTT: This week we have 14 original bands playing, and last week it was 16. I think it is safe to say that I contribute as much as I can to my local music scene and that I help the night-time economy in this city. However, I am honestly not sure how I would be in the privileged position that I am in without a place called The Loft Youth Arts and Culture Centre. The Loft was a council-run youth venue that was shut down in 2013. Last time I was in this room was when it was shut down. The Loft gave me access to live music at the age of 14, which introduced me to a world of alternative independent music. It was the first place that I ever recorded music in—a five-track demo with the budget of \$40. The Loft guided me through the process of booking my first show—a skill I now use three to five nights a week. Places like The Loft Youth Venue create not only passionate live music fans but music industry professionals.

Since the closure of The Loft, government involvement in Newcastle all-ages music has been almost non-existent. This has led to all-ages live music being held in venues that are not fit to hold live music—places like Drone and The Commons—springing up, building a following and then being shut down. This will continue to happen until council or government step in to lend a hand. A 17-year-old does not have the finances or access to run a live music venue, yet they have no other options. I have been working as part of the Live Music Taskforce in Newcastle. We were given the results of Newcastle City Council's live music strategy survey, which I have copies of. Can I table these?

The CHAIR: Yes, we can table them.

Mr SCOTT: I believe you already have copies from somebody else. I would quickly like to mention two results from the survey which stood out to me, and my concerns about the city. Around 40 per cent of East End residents who responded to the survey made comments complaining about live music in the area. It is closer to 50 per cent for Honeysuckle residents. Meanwhile, nearly 70 per cent of the Hamilton-Mayfield-Broadmeadow area said that this was a great area for live music. I think areas like this, that have a strong connection to live music, should be protected before gentrification rolls over them and silences their streets.

The other result that concerns me is that out of 1,100 responses nearly 500 said that night-time transport options have prevented them from seeing live music in Newcastle. As a musician and promoter this is concerning. Many times at a gig I have had to choose between missing the second half of a headline act or standing in the cold for an hour after the show to get home. It is no secret that transport in this city is going through growing pains, and that is putting it politely. Part of the restructuring should include a more viable night-time transport plan. Thank you. I hope that was not too long. I was not sure how long that would go.

The CHAIR: You raced through it. It was incredible.

Mr SCOTT: I was told to speak for only three minutes.

The CHAIR: These girls are pretty tough. I have a couple of questions before I hand over. The Loft closed. What were the reasons?

Mr SCOTT: I believe it was budget. There was not enough money in the budget for—

The CHAIR: Do you know what the budget was to run it?

Mr SCOTT: Thirty grand, but that is remembering—

The CHAIR: Per year?

Mr SCOTT: Per year, but that could be super wrong. That is what I remember.

The CHAIR: Was it just the budget?

Mr SCOTT: I think so.

The CHAIR: Was it noise or misbehaviour?

Mr SCOTT: I do not remember any complaints about that.

The CHAIR: Okay. The other thing that you have brought up, which is a really good point, was about the transport options. A lot of kids just cannot get out and get access to venues.

Mr SCOTT: I am just trying to think. I think it is definitely an issue. Like I said, there are plenty of gigs. Even at the venue that I run, I have to be like, "Well, it's 11.30 now. Do I miss the second half of this band and get my bus home, or do I stay out?" The gig finishes at 12.00 and my bus home comes at 1.00 a.m. and I sit around in the cold. I am lucky I live in Mayfield and the venue is in Hamilton, which is a very easy bus route and there are a lot of transport options. Whereas like The Dungeon, which is in Kotara, it is not as clear how to get there. I even have a friend of mine who lives in Mayfield who says it is easier for her to get to a gig in Maitland than it is for her to get to a gig at the Cambridge because buses stop going into the city at a certain time but she can get a bus out to Maitland whenever she likes.

The CHAIR: It is a fair point to go a little earlier because of the transport issues.

Mr SCOTT: Yes.

The Hon. JOHN GRAHAM: I want to ask you about The Loft. The Committee has heard a bit about under-ages venues today and that has been particularly useful because we have not had the chance to discuss it a lot in other hearings. What was it like as a 14-year-old boy to walk into The Loft for the first time? What did you get out of it?

Mr SCOTT: I can honestly say that I am not sure who I would kind of be as a person or a musician without a place like The Loft youth venue. I was 14, and I am sure everyone knows that it is pretty weird being 14, and finding a place like The Loft—I remember the first time I went to The Loft, I could not establish the difference between local bands and rock stars. Do you know what I mean? In my mind every band was like Green Day. So when I went to The Loft there was just a bunch of 18-year-old kids playing music but to my mind it was, "Oh crap, I cannot believe they are here playing this." Instantly I remember wanting to come and I was going two or four times a month, as much as my parents would allow me to go.

Then it kind of snowballed where it was like I wanted to play in a band. So I got an instrument and I learnt how to play it. Then I wanted to put on a show so my band could play. So then you learnt how to put on a show. Then I learnt how to design a poster so I could do that and I learnt how to get in contact with other bands so they could come on my show. Then, all of a sudden, through a place like The Loft I had built enough tools to feel confident working in the music industry. Yeah, like I said earlier, it is like the kind of thing they taught me in 2010 maybe is like a skill that I am using every day now because there was someone there to take the time.

The Hon. JOHN GRAHAM: It was still pretty young to be wandering into somewhere and coming into contact with the music industry. Did it feel like a pretty safe place for you to do that for you as a 14-year-old boy?

Mr SCOTT: One of the things about The Loft, which I think was really the thing that made my parents let me go, was that it was drug and alcohol free with no pass outs. That is obviously a pretty easy thing to enforce when it is a council-run venue. They were able to have security there and for my parents—and I am sure for other people—it was like, "Oh well, there is security there and it is council-run" and that was another tick of approval for a parent. I think those things kind of left my parents saying, "Sure, you can go and do that." Obviously I never felt unsafe. You would go there and you could buy a coke and a packet of chips.

The Hon. JOHN GRAHAM: Presumably you have made networks and a whole lot of friends that you have stayed in contact with from there?

Mr SCOTT: Of course. The first band I ever joined was full of people I met at The Loft. The first band I ever saw at The Loft, the drummer from that band I now play in a band with him. That is kind of like a very special friendship that we have because the first time I saw his band I thought he was as popular as Green Day

and now we play in a band together. Definitely, I could spend all day listing people who I am still in regular contact with.

The Hon. JOHN GRAHAM: It sounds like a really successful model but it did have budgeting trouble. If the Committee was thinking about how to use that model here or elsewhere around the State, what are the things that really made it work for you? You have named some, but what really made the difference to someone who was under 18 going to a safe place? What was the set-up? What made it work as a place?

Mr SCOTT: I think a few of the things that made it successful as opposed to other all-ages venues that have kind of popped up in Newcastle, obviously the council-run aspect of it is huge. It is that kind of vote of confidence for parents who want to send their children there. The other thing is that with any music venue there is a huge financial risk, especially when you are talking about an all-ages music venue that has to some degree have to limit or ban the sale of alcohol, which is the lifeblood—I work at the Hamilton Station Hotel and selling alcohol is a huge part of the music industry.

The Government's involvement is this financial safety net that I think a lot of current venues like The Dungeon or Softys, there is less kind of like—I think it just provides this kind of safety net. When I was 16 I went up to someone who worked at The Loft and said, "I want to put on a gig." Obviously the financial risk on me, the 16-year-old, was very low and especially in Newcastle there is a group called Boys Don't Cry, which is run by a 17-year-old. He puts on some amazing gigs but a lot of that is on his back. A 17-year-old who is putting on these acts and standing there going, "I hope this goes well so I am not hundreds or thousands of dollars in the red."

The Hon. PENNY SHARPE: You mentioned in passing that as a result of the closing of The Loft there are people trying to find all-ages gigs. You mentioned also in your opening that it is difficult because they are not permanent, they appear to be getting a bit of a following but then they are getting closed down. Can you talk me through what is happening? People are trying but what is making it hard for them?

Mr SCOTT: There have been a few all-ages venues. I am only talking about the ones that I have played at, which was Hombre, Drone and the Commons.

The Hon. PENNY SHARPE: And they are?

Mr SCOTT: The first two could be considered some sort of like DIY space.

The Hon. PENNY SHARPE: A pop-up?

Mr SCOTT: It was a property on Hunter Street that someone had rented out. The Commons was some sort of community-run café. The community-run café was the main use of the Commons but on weekend nights it would be used for gigs, whereas Drone and Hombre were used almost primarily as a live music venue. What was happening with all of those—I cannot speak to exactly what happened because I am not the owners or anything—but they have started this venue, which is quite a difficult thing to do, and they have built up a following of under-age people who know that this is where the all-ages music happens, this is where they can go every Friday and Saturday night to see it.

Then, whether it be kind of not being up to code or noise complaints, they are then shut down and that community is in a lot of ways just lost, depending on how quickly that community can then find another venue. The distance between The Drone and The Commons was a pretty significant gap and when The Commons sprung up a different kind of music scene had been born essentially. The type of music that was played at The Drone and The Commons was two different types of music because the style had basically changed. There was not a new generation but a new group of underage kids going to gigs now.

The Hon. PENNY SHARPE: We have had differing views around the lockouts and Newcastle. You have a clear view in your submission that it is a problem. Do you want to talk about that?

Mr SCOTT: I have never been able to be in a pub without a lockout law, which I think is a slightly different perspective to most people I have talked to. That part of the submission was mostly coming from our venue. When submitting it I had a chat to our licensee and the manager just talking about what sort of things we would like to see and one of the things he always comes back to is the lockout laws have made trading harder and obviously the healthier our trade is the more capacity we have to put on live music.

The CHAIR: In terms of The Loft; who supplied the music gear, the council?

Mr SCOTT: I guess it would change. There were several events at The Loft run by council. The people who worked at The Loft were also the ones booking and facilitating the gigs, but it was also essentially a venue for hire. So, promoters and bands were welcome to use the space and charge ticket entry.

The CHAIR: The sound system was in-house?

Mr SCOTT: Yes, an in-house sound system.

The CHAIR: Did council buy that to put it in?

Mr SCOTT: I am not sure, sorry.

The CHAIR: Thank you for your perspective. The Committee may have further questions for you. You will have 21 days to respond in writing and the secretariat will assist you.

(The witness withdrew)

TONY PETERSON, affirmed and examined

The CHAIR: Would you like to make a short opening statement?

Mr PETERSON: Yes. Newcastle: "we built this city on rock'n'roll". Throughout the eighties and nineties every major band in Australia would kick off their tour here in Newcastle because they knew if you could make it in Newcastle you could make it anywhere else in Australia. When I first started in the hospitality industry on 14 March 1985 you could go out seven nights a week and see live music at so many different venues. Most of those venues are gone now. Of all of them I have listed only two still have live music.

Over the last few years the notion you can build a block of units next to a pub that has been there for 100 years seems to be ridiculous to me. The residents are able to complain about the noise and those residents might move out in six or 12 months but that pub has now lost its vibe forever. Venues like Fanny's, the Castle, the Jolly Roger, the Palais, the Ambassador, the Cambridge, the Empire, the Star, Lloyds, the Castanet Club, the Bellaire, and Cardiff and Newcastle workers clubs are all gone. None of them are around any more and no-one has live music.

The CHAIR: We have taken evidence today that says it is not totally gone. What would you do to revive it? What steps would you implement?

Mr PETERSON: Probably a dedicated entertainment precinct—at least one, maybe two—one in Newcastle and one in Hamilton would be a good step. Somewhere that can have live music playing until one o'clock where they do not get noise complaints or are forced to close.

The CHAIR: How do you suggest noise complaints are dealt with, with the increase in population density?

Mr PETERSON: It is a hard question, but there is a model in Melbourne: If you move in next to a pub you cannot make a complaint about that noise. Simple as that. Live with it. Do not move there.

The Hon. JOHN GRAHAM: You have put that very succinctly. We have talked about the pressures. We have had the council turn up with a better plan than we have seen in many parts of the State to get on top of this. It is a recent push.

Mr PETERSON: Terrific.

The Hon. JOHN GRAHAM: It looks pretty good. Are you optimistic or pessimistic about having the issue tackled at the moment?

Mr PETERSON: If you would have asked me 12 months ago I would have said pessimistic, but I think in the last 12 months it has turned the corner a little bit. There are some very proactive people on council who are doing a lot to look into it and revive it, which is fantastic.

The Hon. JOHN GRAHAM: You are hopeful that will have some impact, but it is really that noise and entertainment precinct discussion that has to work well if we are going to fix that issue in Newcastle?

Mr PETERSON: Yes, definitely.

The Hon. JOHN GRAHAM: I made this point earlier, but given the amount of development we have been told about today it is either going to get fixed now or the scene here will be gone for good.

Mr PETERSON: Absolutely.

The Hon. JOHN GRAHAM: Is that how you see it?

Mr PETERSON: Yes, definitely.

The Hon. JOHN GRAHAM: We are at a turning point when it comes to the Newcastle music scene.

Mr PETERSON: Yes, that is how I would see it, they really need to do it now.

The Hon. JOHN GRAHAM: Just on the point the Chair made, we have heard today there some good things happening and good artists coming through. I respect the history but you would acknowledge there is some of that still here, but it needs a place to go.

Mr PETERSON: Absolutely. It is definitely still here and there is still a culture of it, but not anywhere near the size it was 20 years ago and that is for a whole range of reasons and venues are just one of those reasons.

The Hon. PENNY SHARPE: You have worked in the industry, what do you do?

Mr PETERSON: I started collecting glasses, became a bar supervisor, and in the final 10, 20 years I was just a DJ

The Hon. PENNY SHARPE: Your comment that 12 months ago you would have been pessimistic is important. The council presented to the Committee today around the night time economy. You have had some involvement and have been watching what is going on, what do you think the council has done well in that process to build this level of optimism? What would you say to other councils they could learn from Newcastle council and what it has been doing?

Mr PETERSON: I think their enthusiasm and to work with the people rather than say that is how it is. As I said there are a few very good people on council who are proactive about music and the nightlife and they have been very good about putting their concerns forward and listening to everybody mainly and taking into account what people say.

The CHAIR: Mr Peterson, is there anything further you would like to contribute that we have not covered in questions?

Mr PETERSON: No, I do not think so.

The CHAIR: I thank you for evidence. The Committee may have further questions for you. If so, you will have 21 days to respond in writing and the secretariat will assist you with that.

(The witness withdrew)

(The Committee adjourned at 17:35)