

Live Music and Performance Action Plan Status Report 2018

City of Sydney
Town Hall House
456 Kent St
Sydney NSW 2000

December 2018



Background

The City of Sydney's *Live Music and Performance Action Plan* was adopted in April 2014. Its aim is to increase the City's support for the local live music and performing arts community and was developed through a collaboration between the City of Sydney and a taskforce of industry experts.

The plan contains 60 actions to be delivered over five years, recommended by the taskforce and confirmed through broader consultation. The commitments include City of Sydney policy and regulation reform, strategic projects and pilots, advocacy to other levels of government and research.

The action plan is a 'whole of organisation' strategy, meaning that responsibility for its delivery rests with a range of internal business units. Responsibility for coordinating, monitoring and reporting on delivery of the action plan is the responsibility of the City's Strategy Advisor – Live Music and Performance.

Commentary

2018 saw a renewed emphasis on the night time economy in NSW, in particular, Sydney. The Legislative Council of the NSW Parliament undertook an inquiry into the music and arts economy, delivering a report largely concerned with the urgent issues facing late night and licensed businesses. Concurrently, another bill attempting to revoke aspects of the *Liquor Amendment Bill 2014*, better known as the "Lockout Laws", was unsuccessfully introduced.

The City's Live Music and Performance Action Plan was developed prior to the introduction of the lockouts, but always recognised the relationship between live performance, licensed venues and alcohol sales. The industries are often symbiotic and the Action Plan highlighted several areas for reviewing liquor regulation to better consider the impact of restrictive or complex legislation on the creative industries and the livelihood of performing artists.

As such, much of the focus of the City's work in implementing the Live Music and Performance Action Plan has been influenced by the impact of the lockouts on the night time economy, the City's global reputation and the morale and confidence in the sector. We have made targeted, strategic efforts to safeguard and sustain businesses and venues who support the night time economy and the artists who work in it.

In just twelve months, the City's new Business Support Grants – Live Music & Performance, and Night Time Diversification have approved more the \$850,000 in matched cash grants to businesses operating at night. The grants may fund the introduction of staging facilities to businesses not currently offering a performance program, or equipment upgrades, acoustic treatments and sound attenuation works for existing venues. More than \$260,000 has also been invested in live music and cabaret programs in local venues including "Live on the Golden Stage" at Golden Age Cinema, "KX Presents" at Kings Cross Hotel, "After Midnight" at Oxford Art Factory, and Frist Nations drag performances at the Imperial Hotel. 28 local venues have benefited from the grants and a further 7 new venues have or will be created.

The City has worked closely with Destination NSW to refocus our contribution to the Vivid Festival. The City has matched an annual \$100,000 (x 3 years) commitment from Destination NSW to fund local venues to take part in the festival. The Vivid X|*Celerate* program offers grants to venues to extend and innovate their music programming with special events to draw the festival's significant audience reach into the villages and into the smaller operators that keep the city's nightlife unique, eclectic and authentically-Sydney all year round.

To help inform policy and project delivery, in 2018 the City convened its first Nightlife and Creative Sector Advisory Panel. The City received 126 nominations for the panel and 15 industry experts were selected representing hospitality, hotels, small bars, live music, theatre, festivals, retail, and public health and safety sectors. Amongst the priorities identified by the panel a need to “change the negative narrative about Sydney’s nightlife” was key.

The Live Music and Performance Action Plan calls upon the City to support local performers through our own marketing channels, which we’ve continued to do through our What’s On website and regular e-bulletins, however we’ve amplified our strategic marketing activity to better shape and propel the nightlife narrative. In the past year we’ve invested \$35,000 in media partnerships and sponsored editorial focusing on the bars, venues and artists that are making their mark in Sydney’s continued, world-class nightlife and performance culture.

We’re not only looking outward, however. The majority of the items in the Live Music and Performance Action Plan ask the City to review and reform our own policies, procedures and regulatory frameworks that put in place unnecessary barriers to live music and entertainment. Many of these require close collaboration with other levels of government or targeted research and advocacy.

This work has culminated in a suite of regulatory proposals titled *Open and Creative City: Planning for Culture and the Night Time Economy*, released as a discussion paper for community feedback at the end of 2017. *Open and Creative* brings together a number of actions from three City of Sydney strategies – the Open Sydney Strategy, the Creative City Cultural Policy and the Live Music and Performance Action Plan. Together they make recommendations for later trading and small-scale cultural activations without requiring consent, new planning controls to better cater to the needs of cultural and performance venues, fairer management of entertainment sound by introducing the “agent of change” principal, and clearer, more consistent compliance guidelines for responding to noise complaints about entertainment venues.

Feedback to the discussion paper strongly supported the proposals. The amendments are now being drafted and exhibited, and will be put forward for adoption and implementation in 2019.

These proposed reforms will complete most of the work of the Live Music and Performance Action Plan. They are supplemented by continued, tailored assistance offered to the creative sector to navigate council processes, planning policy and health and building compliance requirements. The City’s “Cultural Champions” program provides one-to-one case management for creative businesses, venues, projects or festivals needing clarity on Development Applications and their obligations under various codes and planning law.

Likewise, a hands-on, proactive process for responding to and managing noise complaints connects venues with the information, guidance and processes they need to solve neighbourhood noise issues or to modify out-dated development consents.

These processes are led by the City’s Cultural Strategy Advisors who actively liaise with industry sectors as well as act as a first port of call at council. This is also a process of organisational change, setting priorities and procedures in place for staff across all divisions of the City to better understand and respond to the needs of the creative and cultural sector, and importantly, to focus on finding solutions rather than issuing penalties. This approach to valuing and nurturing cultural businesses and operators will out-live the Live Music and Performance Action Plan and recommendations for how this program should continue or evolve will be made as part of the final evaluation of the Action Plan in 2020.

This whole of organisation approach is influencing developments beyond the scope of the 60 actions in the Action Plan. Our proposed changes to the Late Night Trading Development Control Plan incentivise venues who program live entertainment by offering an additional hour of later trade to premises hosting live performance. Likewise our advocacy to Liquor and Gaming NSW has helped delay lockout times for performance venues and lift the liquor licence freeze for new operators offering live music or performance as part of their business.

As we head into the final year of the Action Plan, we set a renewed and matured focus on the remaining core issues the plan was originally designed to address. Away from the politics and the hype of the lockout laws and the destabilising force they have driven through live music culture in Sydney, there has been a long-term trend that has not yet turned a corner – the lack of affordable, available and suitable space.

Affordability is a challenge that faces all artistic fields in Sydney. From the housing and rental market, to studio, rehearsal and recording space, to adequate venues to present work in, space is increasingly expensive and in increasingly limited supply. Coupled with static wage growth for the primary cultural industries, there is a broader market failure that threatens the entire creative supply-chain in Sydney if not redressed.

In 2019 the City will develop a cultural infrastructure strategy beginning with a discussion paper that will analyse Sydney's growing needs for both production and presentation space including a review of international action in this area. We have to be inventive and flexible in finding new spaces for music, theatre, dance and contemporary performance practice, as well as securing more traditional mid-sized performance venues that are adequately resourced and open to a broad range of uses and users.

Access to affordable space is a bigger and broader issue than the live music and performance sectors alone and, much like the Open and Creative City proposals, needs a holistic approach that intersects cultural, social, economic, property and planning policy. The enduring value of strategies like the Live Music and Performance Action Plan and the Creative City Cultural Policy is that they give impetus and insight to these conversations and outside of any specific actions or commitments, provide a mandate to continue to evaluate and evolve the City's response to our creative industries' needs.

Lex Davidson
Strategy Advisor – Live Music and Performance
December 2018

Outcomes by numbers

PROGRESS

5 year strategy

- 4 years 6 months *since adoption*

60 actions

- 35 actions *implemented (58%)*
- 17 actions *in progress (28%)*
- 8 actions *pending (14%)*

CASH INVESTMENT

\$18.8M in cash grants to the sector since July 2014

- **\$2.29M** for live music projects, organisations and venues
- **\$2.28M** for performing arts projects, organisations and venues
- **\$14.23M** for festivals providing a platform for music & performance

\$741,260 in artist fees paid for City-produced events during FY 2017-18

SPACE

23 Music and Performance artists or organisations housed in City owned property since July 2014

- **10** in Accommodation Grants Program
- **13** in live/work affordable tenancies
- Over **\$400,000** in rent-foregone value provided by these subsidies *each year*

1,220 free student rehearsal bookings in the City's community spaces in 2018

MARKETING SUPPORT

What's On free event listings since relaunch in September 2015

- 8,242 listings tagged 'music' or 'performance'
- 2,136,965 page views for 'music' or 'performance' tagged listings

\$35,000 invested in strategic marketing partnerships FY 2017-18

- 13 industry articles about local venues and artists published through partnerships

ADVOCACY

13 live music and performance related research or advocacy publications released since 2014

- 6 studies or research publications
- 3 discussion papers
- 4 submissions to related inquiries and reviews

15 industry resources produced

- 4 Music Business 101 sessions
- 9 sector development workshops
- 2 "how to" and info guides
- Seed-funding for the Contemporary Music Roundtable

Action Updates

The Live Music and Performance Action Plan is 60 Actions grouped into four thematic areas or “Working Groups”:

1. Development Controls and Noise
2. Building Code of Australia
3. Liquor Licensing
4. Audience and Sector Development

Whilst these categories effectively outline the key issues and fields of focus, they don’t capture the paths taken in order to address them. Often a cross-working-group effort to meet a number of actions with one approach has been implemented. For this reason, in this status report, the action updates are grouped by how they have been approached:

1. Whole of organisation response (internal policies and procedures)
2. Open and Creative City (proposed planning and regulatory reforms)
3. Alcohol and the live performance economy (Night Time Economy Taskforce items)
4. Direct sector support
 - a. Research and advocacy
 - b. Strategic Funding
 - c. Infrastructure & Space

Attachments

- A. [Open and Creative City: Planning for Culture and the Night Time Economy](#)
- B. [Busking Policy and Guidelines Review 2018](#)
- C. [Draft Sydney Development Control Plan: Late Night Trading 2018](#)
- D. [Valuing Live Music in the City of Sydney – University of Tasmania](#)
- E. [New Ideas for Old Buildings – Discussion Paper](#)
- F. [Low Risk Arts and Cultural Venues Case Study](#)
- G. [Submission to NSW Parliamentary Inquiry into the Music and Arts Economy](#)

A Whole of Organisation Approach

The following actions have been implemented through new approaches to internal Council processes, collaboration across City divisions, and partnerships with other agencies.

#	Action	Status	Notes	What next?
1.3.1	Establish a live music and performance liaison role that acts as first point of contact for regulatory enquiries and applications in relation to live music and performance.	Implemented	The full time Strategy Advisor – Live Music and Performance role was implemented in June 2014 and is resourced until June 2020.	The cessation, continuation or evolution of this position will be considered in the final evaluation of the Live Music and Performance Action Plan.
1.3.2 & 2.1.1	Develop information guides in multiple formats that provide specific information on the planning requirements and resources available for setting up a temporary or permanent live music or performance venue in the City of Sydney.	Implemented	These actions have been addressed through a number of initiatives. The City has worked with the Live Music Office to provide a series of information sessions and seminars “The Essentials of Live Music” and “Bringing in the Music” as well as support for the Live and Local scheme and a number of printed and online resources. The Strategy Advisor – Live Music and Performance role provides one-to-one support for venue operators in negotiating planning requirements and processes.	Following successful implementation of the <i>Open and Creative City</i> proposals, the City will provide updated resources for venues operators, promoters and producers on what they need to know to comply with the amended regulatory and planning landscape.
2.1.2	Investigate partnership opportunities for dissemination of nationally relevant information relating to the Building Code of Australia	Implemented	The City has seed-funded the establishment of the Contemporary Music Roundtable which continues to provide ongoing industry commentary and resources around these issues.	
1.6.3	Develop a process to ensure that all relevant staff are appropriately trained and informed of legal developments in relation to live music and performance.	Implemented	This is now a responsibility of the Strategy Advisor – Live Music and Performance, and through cross divisional collaboration on delivering the Live Music and Performance Action Plan, has become entrenched as business as usual for Planning and Health & Building units, and the City Business and Safety unit.	
1.6.2	Ensure that authority to commence compliance actions against live music and performance venues involving assessment of “offensive noise” is restricted to appropriate staff who are experienced and trained to assess and determine “offensive noise”, and that formal procedures reflect this.	Implemented	These actions were implemented in 2016 through: <ul style="list-style-type: none"> The development of an MOU between City Rangers and the City’s Health & Building teams that City Rangers may investigate and gather evidence in regards to noise complaints, especially outside of business hours, and this evidence will be provided to the Health & Building unit to take appropriate action and the Cultural Strategy unit to troubleshoot permanent solutions. A training program on effective assessment and management of neighbourhood noise for Health & Building staff. The establishment of a “Cultural Champions” program amongst the City’s Planning and Health & Building staff, whereby each team has at least one staff member with additional experience in assessing the specific needs of cultural and entertainment venues and creative operators. These staff work alongside Cultural Strategy and Operations staff to provide tailored advice to the sector. The establishment of a cross-divisional Night Time and Cultural Regulation project control group of key staff associated with regulating and monitoring the businesses who operate in the night time and cultural economies. This group oversees the <i>Open and Creative</i> project and also considers ongoing and emerging issues and opportunities, sets organisational priorities and leads staff education in these areas. 	Processes for managing compliance issues and ‘offensive noise’ complaints are being further evaluated and considered through the implementation of the <i>Open and Creative</i> proposals. The effectiveness of the Cultural Champions program and the Night Time and Cultural Regulation PCG will be evaluated as part of the final evaluation of the Live Music and Performance Action Plan. This will include recommendations as to how these projects might be continued as business as usual for the City.
1.7.1	Implement an education and induction program about the City’s cultural priorities and support for live music for City of Sydney staff responsible for planning assessments, enforcement and compliance matters. This program could consist of training and annual refreshers about sector trends and issues affecting live music in Sydney, as well as the recommendations of the Taskforce and priorities outlined in Creative City, OPEN Sydney and Sustainable Sydney 2030 documents.	Met by other means		

An Open and Creative City: Planning for Culture and the Night Time Economy.

The following actions are currently being implemented through a project that ties together a number of complementary City of Sydney strategies.

1.1.1	Review the Sydney Development Control Plan 2012 to optimise its support for live music and performance by identifying and protecting areas with strong traditions of live music and performance and by supporting areas where urban and cultural amenity can be improved by live music and performance activity.	In progress	These actions and other reforms to support live performance, small scale cultural activations and better trading conditions for the night time economy have been packaged into a suite of planning and regulatory recommendations titled <i>Open and Creative City</i> . The proposals aim to: <ul style="list-style-type: none"> • Make it easier for shops and businesses in city and village precincts to trade from 7am to 10pm, 7 days a week • Allow for small-scale cultural activities (such as pop-up performances and special events) to take place in a variety of building types without requiring consent • Protect live music and performance venues from residential development through fair and consistent processes for managing the transfer of sound from entertainment venues to neighbouring properties. This includes introducing the “agent of change” principal to planning approvals and streamlined processes across government agencies for responding to noise complaints and the management of entertainment sound. 	<p>The <i>Open and Creative City</i> Discussion Paper was placed on public exhibition in 2018 and received wide-spread support from the community for later trading, more diverse activities at night, reduced regulatory barriers for cultural activations and better protections for entertainment and culturally significant venues.</p> <p>Consultation data and feedback has been reviewed and, at the time of writing, final recommendations for planning and regulatory reform are being drafted. These are due to be put to Council for endorsement early in 2019 and will then be put to State Government for approval and implementation.</p> <p>The State Government have, in 2018, committed to scoping a suite of regulatory reforms similar to those proposed by the City of Sydney. A number of the recommendations that came out of the Parliamentary Inquiry into the Music and Arts Economy in NSW either support, replicate or complement the Open and Creative City proposals.</p> <p>The Department of Planning is aiming to release a discussion paper in 2019 that will pose ideas to address impediments to the growth of the night time economy, including noise management, building code issues and alternate approval pathways.</p> <p>These will follow the release of a state-wide strategy for Contemporary Music in NSW, developed by Create NSW.</p>
1.2.1	Review City of Sydney planning controls to identify opportunities to streamline approval processes for small-scale and temporary live music and performance activity, including development of definitions for small- to medium-scale live music and performance and consideration of expanded “Exempt and Complying Development” provisions in Sydney Local Environmental Plan 2012.	In progress		
1.2.2	Advocate to the NSW Government to amend the SEPP (Exempt and Complying Development Codes) 2008 to include definitions and provisions for live music and performance.	In progress	Further to action 1.1.1 the City is preparing a Local Strategic Planning Statement which sets out a 20 year vision for land use planning in the council area. The Statement will respond to the Greater Sydney Commission’s District Plan and actions to support cultural activity and the night time economy through planning reform. The statement is prepared in consultation with the residents and businesses of Sydney and draws upon their articulation of the character of the city’s villages, the cultural life, day-to-night experience and built-form of our city’s precincts.	
1.5.1	Advocate to the NSW Government for legislative reform to remove duplication and inconsistencies in the regulation of noise from live music and performance premises.	In progress	A proposal to change the City’s late night trading planning controls to incentivise live music, performance and entertainment by providing the opportunity for an additional trading hour in dedicated performance venues and existing venues that host performance has been exhibited in late 2018.	
2.4.1	Undertake research into design and construction standards for attenuation of low frequency noise, with the view to potentially implementing new standards within planning controls or conditions of consent.	In progress	The City’s submission to the Parliamentary Inquiry into the Music and Arts Economy in NSW recommended addressing regulatory overlap associated with the management of entertainment sound.	
3.5.1	Advocate to the OLGR for simplification of the process for securing temporary liquor licensing, to assist cultural organisations to access short term licences more easily and efficiently.	In progress		
1.4.1	Ensure the review of Standard Conditions of Development Consent is informed by international best practice approaches in supporting local cultural activity and that any changes proposed to the City of Sydney Standard Conditions for Development Consent consider likely impacts on the live music and performance sector.	In progress	Supplementary to the preparation of the <i>Open and Creative City</i> proposals, a review of the City’s standard conditions for development consent for entertainment and cultural venues is being undertaken.	

2.2.1	Develop a pre-lodgement or advisory process (based on the Edinburgh “Temporary Theatre Licence” concept) involving City of Sydney building approvals, planning, health and building, and cultural strategy staff to support the creation of non-traditional and temporary live music and performance venues.	Implemented	<p>This action was explored and successfully trialled through a Sydney Fringe Festival pop-up theatre pilot project. The findings of the pilot have been published in a report on the City’s website.</p> <p>In parallel, the City convened a <i>Creative Spaces and the Built Environment</i> forum engaging a range of key creative sector and government stakeholders to assess feasible options for easing current planning and building code restrictions on creative spaces and entertainment venues.</p> <p>The outcome of these projects was the New Ideas for Old Buildings report that identified a strategic framework for policy reform to assist short-term creative activations in a range of building and business types.</p> <p>This work became a key contributor to the recommendations for small-scale cultural uses in the <i>Open and Creative City</i> proposals.</p>	
2.3.1	In conjunction with the Victorian Live Music Roundtable, prepare a joint state submission to the Australian Building Codes Board proposing the adjustment of BCA categories and definitions to recognise hybrid-use spaces for cultural activity.	Implemented	<p>The City has continued to engage directly with the Australian Building Code’s Board and did make a formal submission to the review of premises standards in 2015.</p> <p>Following the release of the New Ideas for Old Buildings report, issues facing hybrid-use spaces are being approached through adaptive reuse guidelines for existing buildings (rather than the Building Code which largely relates to the construction of new buildings). The Australian Building Code Board’s advice has been that local government needs to focus on developing innovative local solutions. Hence the City’s focus has shifted to reforming its own planning controls and these actions are now being addressed through the Open and Creative City proposals.</p>	
2.3.2	In conjunction with the Victorian Live Music Roundtable, monitor the impacts of compliance with premises standards on the live music and live performance sector, with a view to preparing a joint submission to the 2015 Review of the Premises Standards of the Building Code of Australia.	Implemented		
1.6.1	Develop clearly defined and publicly available compliance guidelines for enacting compliance measures in response to amenity complaints against live music and performance venues, including consideration of the noise-related development consent conditions applied to the venue being investigated, consideration of order of occupancy, and improved criteria for assessing “offensive noise”, processes for liaison staff to be informed of amenity disputes and processes to ensure that appropriate compliance decisions are made in relation to historic or out-dated consent conditions.	In progress	<p>This action is to be addressed through DCP Schedules and Practice Notes accompanying the <i>Open and Creative City</i> planning and regulatory reforms.</p> <p>Guidelines will be made available for operators, the community, and compliance staff in clear, easy to understand formats.</p>	Should the <i>Open and Creative City</i> proposals be implemented, City staff will investigate streamlined processes for venue operators to amend out-dated consents to align with amended planning controls.
1.8.1	Provide options for alternate dispute resolution about live music and performance in the City of Sydney through the establishment of a formal mediation policy and pilot process that offers free, independent and confidential mediation services for resolving amenity complaints about live music and performance in the City of Sydney, in collaboration with NSW Police and the NSW Office of Liquor, Gaming and Racing, as appropriate.	Pending	<p>This action is pending the outcome and implementation of the <i>Open and Creative City</i> proposals, the NSW Governments discussion paper and proposed amendments and any implementation processes that might accompany them, or further recommendations of the Night Time Economy Task Force.</p> <p>In theory, the City continues to support the implementation of such a service, if not met by other means.</p>	

Alcohol and the Live Music and Performance Economy.

The following actions are being implemented through the City's work with Liquor & Gaming NSW and the NSW Night Time Economy Task Force.

#	Action	Status	Notes	What next?
3.1.1	Work with the National Live Music Office and APRA AMCOS to gather data and undertake geographically specific research into alcohol consumption and behaviour patterns at live music and performance venues.	Implemented	<p>The research was undertaken in 2015 and a preliminary analysis was published in the paper Alcohol Consumption in Live Music Venues. The study indicates a possible link between live music and lower overall alcohol consumption by patrons in licensed premises.</p> <p>The principal study recommends further, broader and more targeted research.</p> <p>The link between live entertainment and lower alcohol consumption and rates of violent crime has become a subject of discussions analysing the efficacy of the State Government lockout laws and liquor licensing policies. The City's role on the Night Time Economy Taskforce has helped increase interest in this avenue of research and the City continues to provide data to further studies.</p> <p>What has been evidenced by the Parliamentary Inquiry into the Music and Arts Economy, conducted throughout 2018, is that liquor legislation has a demonstrable impact on the cultural and entertainment industries that operate in the night time economy.</p>	<p>This field of research is best placed in a National, or at the least, State context, with a broader scope factoring licence freeze zones, lockout laws, cumulative impact data, precinct management, the relationship between recreational drug use and alcohol consumption and harm minimisation approaches.</p> <p>The City will continue to advocate for a mature, nuanced and evidence based approach to liquor licensing policy to minimise the negative impact of restrictive legislation on the cultural industries who operate within the night time economy.</p>
3.2.1	Propose biannual meetings with the Office of Liquor Gaming and Racing and Independent Liquor and Gaming Authority to discuss issues specifically related to the live music and performance sector.	Implemented	<p>Through continued collaboration with Liquor & Gaming NSW, the City of Sydney became the only non-State Government member of the NSW Night Time Economy Taskforce. Through this role the City actively advocates for the needs of local licensed businesses, including music and performance venues, and represents the concerns of local residents and businesses for a vibrant, engaging, globally competitive and safe city.</p> <p>The City has made several submission to relevant NSW Government inquiries such as the Callinan Liquor Law (lockouts) Review, the Small Bars Legislation Review and the Parliamentary Inquiry into the Music and Arts Economy.</p> <p>The City's advocacy and research helped influence extended service hours for live performance venues in lockout areas and the lift of the liquor licensing freeze in the CBD precinct for live music and performance venues.</p>	The City continues to play a proactive role on the Night Time Economy Taskforce.
3.2.2	Invite the Office of Liquor Gaming and Racing and Independent Liquor and Gaming Authority to explore ways to align processes, minimise costs and establish clear timeframes for the establishment of new live music and performance venues or for the variation of trading conditions for existing venues.	Implemented		
3.2.3	Invite the Office of Liquor Gaming and Racing to develop complementary information resources for licensees that outline rights and responsibilities, pre-emptive and affordable noise attenuation techniques and advice on developing and maintaining productive relationships with neighbours.	Implemented		

3.2.4	Continue to advocate for greater transparency in the liquor licence decision-making process, including making meetings of the ILGA Independent Liquor and Gaming Authority open to the public or, preferably, the establishment of a joint City and state government Committee to jointly exercise planning and licensing powers in relation to significant applications for licensed premises.	In progress		
3.3.1	Work with the OLGR/ILGA Independent Liquor and Gaming Authority to jointly provide appropriate trading conditions for primary purpose live music and performance venues, including suitable trading hours and proportional security requirements, where supported by the outcomes of the research undertaken as part of action 3.1.1.	Implemented		
4.10.4	Advocate to the NSW Government for greater clarity and consistency in the user-pays policing process, including introducing provisions that take into account the operating history of event proponents.	In progress		
4.15.1	Advocate to the NSW Government to create a dedicated live music and performance community development fund from gaming revenue, separate to existing ClubGRANTS or Unclaimed Winnings funds and including a minimum yearly contribution.	In progress	Recommendation 21 of the NSW Parliamentary Inquiry in the Music and Arts Economy advocates that “the NSW Government develop a community benefit fund... that uses the revenue from gaming machines to support the live music industry.”	
3.3.2	Continue to advocate for an increase in the allowable capacity for venues with small bar licenses from 60 to 120 people.	In progress	The capacity for venues licensed as a small bar has been increased to 100.	The City will continue to work with the Small Bars Liquor Accord and Liquor & Gaming NSW to establish a safe and commercially sustainable, satisfactory capacity for the small bar category and the consideration of other mid-size or low-impact licence categories.
3.4.1	Advocate to the NSW Government to minimise the negative impacts of the Liquor Amendment Bill 2014 (Lockout Laws) on live music and performance and consider exemptions for primary purpose live music and performance venues in relation to the liquor freeze and liquor licensing saturation management tools.	In progress	<p>The City of Sydney has continuously campaigned for a review and repeal of the 2014 Liquor Amendment Bill known as the “lockout laws”.</p> <p>The City of Sydney prepared a detailed submission to the Callinan Review of the legislation in 2016. Recommendations from the review lead to provisions for extending entry and last drinks times for live entertainment venues. For some well managed venues, these provisions have been extended further.</p> <p>A bill to repeal the legislation was introduced to NSW parliament in November 2018, but did not proceed.</p>	Another review of the “lockout laws” is proposed for April 2019.

Direct Sector Support

The following actions are being implemented through targeted support for the live music and performance sectors.

Research and advocacy

4.1.3	Create an annual reporting process to communicate with the cultural sector and general community about the progressive implementation of the Live Music and Performance Action Plan and its impacts.	Implemented	This status report is how this action is currently delivered. The last update was the 2017 Status Report .	Unless there are significant developments in implementing the Open and Creative City proposals and remaining actions, the next report will be the Action Plan's final evaluation report in 2020.
4.1.1	Develop and implement an annual venue satisfaction survey to build a better understanding of the experiences of venue operators with City of Sydney staff and services, explore opportunities for improved service to this sector and track trends over time.	Implemented	The City has engaged Dr Martin Cloonan, a noted music industry researcher based in the UK, to undertake a confidential survey of Sydney music venues. The surveys conducted in 2016 and 2018 seek to identify the key issues facing venues, sector confidence and resilience, familiarity with the City of Sydney's policies and programs in support of live music and the experience venues have in dealing with the City. The 2018 study has also tracked emerging issues as well as changes in perception, confidence and the experience of venues in Sydney.	This research informs the City's strategic work with music venues, including responding to new and emerging issues, implementing initiatives that are outside of the scope of this Action Plan, and evaluating the service the City provides to venues. A further, final study will be undertaken in 2020.
4.1.2	Establish a "Live Music and Performance Network" to meet biannually and include live music and performance venue operators and City of Sydney officers responsible for regulation, compliance and cultural policy.	Re-scoped	In 2016 an industry forum attended by over 60 representatives was convened. At this forum it was decided that a Sydney Live Music Alliance representing venues, booking agents, artist managers, artists and festivals be formed with administration provided by Music NSW. The City provided a grant for the establishment of the alliance, however attempts to activate and incorporate the entity were unsuccessful and the funds were returned. The City of Sydney has since appointed a Nightlife and Creative Sector Advisory Panel incorporating representatives from the music, performing arts, arts, small bars, hotels association and other key night time economy players to act as an industry network to provide advocacy direct to the City and other government and private stakeholders. The Panel were appointed in 2018 for a three year term.	A new category of Business Support Grants – Place & Industry has been established, which provides funding to business chambers, associations and industry networks. This fund would be placed to support any future iteration of a live music and performance alliance or network.
2.3.3	Co-host a public symposium in partnership with the National Live Music Office in 2014 on the Building Code of Australia and the live music and performance sector. This forum will invite representatives from the Australian Building Codes Board, the City of Sydney, NSW Department of Planning and the creative sector to investigate compliance and affordability for live performance in small-to-medium-sized venues.	Implemented	The event was held on 12 June 2015. Titled <i>Creative Spaces and the Built Environment</i> , the forum was held in collaboration with the Live Music Office and University of Sydney at the Faculty of Architecture, Design and Planning. 120 people attended. The outcomes of the forum had a significant impact on the <i>Open and Creative City</i> work and subsequent proposals.	
4.2.1	Partner with the National Live Music Office in the development of an ongoing localised research framework aimed at measuring the social and cultural role of live music and performance in the City of Sydney.	Implemented	A research methodology has been developed through a project in partnership with the Live Music Office, University of Tasmania, City of Melbourne and the South Australian Government. The key finding of this research is that live music spending in Australia delivers at least a 3:1 benefit-to-cost ratio. The initial report conservatively values the total net benefit of live music to the Australian	

			<p>community be approximately \$15.7 billion in 2014, with \$3,623M attributed to NSW.</p> <p>The City commissioned a further study using similar methodology to estimate economic, civic and individual value of live music in the City of Sydney LGA to be \$353.5M in 2016. The report is published under the title Valuing Live Music in the City of Sydney.</p>	
4.6.2	Based on the City of Yarra's Live Music Venue Parking Permit initiative, conduct a pilot program trialling the use of a permit system which allows musicians and other workers associated with live music and performance to access existing loading zones adjacent to music and performance venues in the LGA for fifteen minutes for the purpose of unloading and loading instruments and equipment.	Transferred	<p>City staff have thoroughly investigated available options for delivering this action. Currently NSW Government regulations define how loading zones can be used and the types of vehicles that may use them. The City has advocated on behalf of local musicians to the State Government to consider implementing this action. It has been transferred to the Create NSW Contemporary Music Strategy.</p> <p>Within the scope of the City's influence, the City of Sydney Neighbourhood Parking Policy has been updated to include provisions for adequate high-turnover parking spaces adjacent cultural facilities, including music venues.</p>	Monitor.
4.6.3	Advocate to the NSW Government to amend loading zone regulations to provide musicians, performers and technical staff with access to loading zones, irrespective of the vehicle type used.	Transferred		
4.6.1	Amend section 3.3 of the City's draft Neighbourhood Parking Policy ('Community and Recreational Facilities') to 'Community, Cultural and Recreational Facilities' and ensure that parking controls adjacent to these facilities allow for turnover that balances the needs of all users.	Implemented		
4.4.1	Work with the Australian Government Department of Immigration and Citizenship and Ministry for the Arts, as well as local promoters, major venues and festivals in the City of Sydney local government area to develop new models for supporting the contribution of international visiting artists to the local community.	Not active	<p>Preliminary discussions and investigations have taken place. This is a somewhat complex issue relating to both visa conditions for international acts and also exclusivity arrangements with local promoters. It is not as simple as piloting an initiative or model and similar outcomes may need to be met by other means.</p>	Action to be further scoped, potentially transferred to a more suitable agency.
4.10.2	Undertake a review of the City of Sydney Busking Policy to identify ways to simplify busking requirements. In addition the City will explore and provide opportunities to support and promote buskers to the general public, retail operators, land owners and event producers.	In progress	<p>Throughout 2017 and 2018 the City conducted significant research and community engagement to inform a review of the Busking Policy and Guidelines.</p> <p>The review has proposed a simplified permit system that will provide greater clarity on the rules relating to busking in Sydney. In addition, the review identified five key areas for supporting buskers through the City's busking program. This includes:</p> <ul style="list-style-type: none"> recognising that the continued practice of Aboriginal and Torres Strait Islander cultural heritage and ceremony in public places is not busking. advocating for more consistent busking rules or permit systems across the councils of greater Sydney, if not an all-of-NSW approach. 	The proposed new Policy for Busking and Aboriginal and Torres Strait Islander Cultural Practice was placed on public exhibition in September 2018. Feedback is currently being processed and a final draft policy will be put to Council for adoption and implementation in early 2019.

			<ul style="list-style-type: none"> • updating information about busking to be clearer, accessible and focused on proactive guidance on how best to busk, rather than simply articulating what not to do. • work with other jurisdictions and private landholders to increase high-traffic busking locations across the City to reduce competition for prime pitches and to better disperse high quality busking across the city. • develop a “Busking Code” for Sydney, in collaboration with buskers, that outlines the management systems for popular busking pitches, as well as guidance on managing volume, maintaining good relations with neighbours and other users of public space, and resources for staying safe while busking, including a process for registering intimidation, theft or assault in real-time with the City and other buskers. 	
4.2.2	Require City of Sydney funded festivals to submit local content and artist employment data as part of the grant acquittal process.	Implemented	A review of the City’s Grant Program Guidelines and reporting procedures introduced standardised assessment and evaluation criteria including evidence of local content, employment outcomes and fees paid to Sydney metro artists.	
Strategic Funding				
4.3.1	Contribute funding to an appropriate sector organisation for the establishment of a Music and Performance Program Coordinator role, subject to future Council resolution, to help venues in the City of Sydney local government area identify and implement live music and performance opportunities.	Implemented	<p>In 2015, Council endorsed funding of a pilot Live Music Programming Coordinator role to be delivered through a partnership between Live Music Office, Music NSW, City of Sydney, Leichhardt and Marrickville Councils.</p> <p>The role was responsible for developing a guide to new businesses wanting to introduce live music programming, as well as working with existing venues to optimise their programs. The pilot project, titled Amplify, was successfully completed and an evaluation report identifies positive outcomes, and improvements for future iterations. The program is not ongoing, however.</p>	
4.7.1	Expand the City of Sydney Youth Service program of events to provide monthly all-ages live music events utilising established venues.	Implemented	<p>The Sydney Youth Music team, coordinated through the City of Sydney Social Services unit have resourced and organised regular all-ages events since 2015 and continue to do so.</p> <p>Devolved funding was provided to Music NSW to deliver a series of all-ages gigs through their Indent Program, utilising local venues – Goodgod Small Club, Café Lounge, 107 Projects and Giant Dwarf.</p>	Funding for all-ages music programs and strategic initiatives that encourage the development of teenage audiences remains a priority for the City’s cultural and creative grants and matching grants.
4.7.2	Investigate the creation of a grant program with a total budget of up to \$25,000 to provide funding to venues in the City of Sydney local government area for the staging of all-ages live music and performance events.	Implemented	<p>Further funding has been allocated to Music NSW to pilot an ongoing monthly program of all-ages gigs at 107 Projects Redfern, curated and produced by a committee of young people.</p> <p>These actions have been furthered by the establishment of Playwave, a digital platform for providing free and low-cost tickets to music, theatre, dance and festival events for high school aged audiences. Playwave was seed-funded by the City of Sydney out of an action from the Creative City Cultural Policy.</p>	
4.9.1	Allocate \$20,000 matched funding to APRA AMCOS to support a proposal to help promote live music and performance in Sydney, focused on local artists and local venues.	Implemented	This funding was endorsed by Council along with the adoption of the Action Plan. The funding supported the creation and piloting of a venue-based precinct festival model called Live and Local . The model was developed by the Live Music Office in partnership with Sydney Fringe, ARIA Week and Volumes festival. The pilot project has grown to a fully established and significantly successful model that has been rolled out across NSW and other states.	

4.12.2	Investigate options to support the Australian pilot of a 'Gig Buddies' program.	Implemented	The Gig Buddies project was launched by ACL Disability Services in February 2015 and continues to date. The services has registered hundreds of volunteers who have received training and been matched with "buddies" with mild to moderate disabilities and autism to accompany them to gigs and shows. The project was kick-started with the assistance of a grant of \$20,000 from the City.	
4.11.1	Develop a collaborative marketing strategy with the live music and performance sector, utilising the City's own marketing platforms and leveraging its media relationships.	In progress	<p>The City provides free marketing support to the industry through listings on the What's On website, one of Sydney's most visited event listing sites. Since the site was relaunched in September 2015, music and performance listings have been viewed over 1,948,585 times.</p> <p>Further to this, the City has invested an additional \$35,000 in strategic marketing partnerships with Seventh Street Media, the Music Network, Concrete Playground and Broadsheet Media. These partnerships secure paid editorial coverage of local venues, artists and events. Whilst the City works with the publications to identify stories, the media partners maintain editorial independence and create the content with their own writers in the own voice.</p> <p>From 2017, the City has provided cash sponsorship to Vivid Sydney. The grant is a 3 year commitment of \$100,000 a year, each year, matched by Destination NSW, to provide small grants to local smaller venues to produce special events for the Vivid Music festival. The program, called X Celerate has funded and promoted 16 venues in 2017, 15 in 2018 and is set to feature more than 20 venues in 2019.</p>	Through a recommendation of the Nightlife and Creative Sector Advisory Panel, the City will look to new avenues of strategic marketing support for the night time economy in 2019.
4.3.2	Based on best practice models from other sectors, develop a financial assistance program that provides incentives to new and existing venues to invest in infrastructure and capital costs associated with live music and performance.	Implemented	<p>In 2017 the City commenced two new funding programs under Business Support Grants.</p> <p>The Live Music and Performance stream provides matched funding for capital works and purchases to either introduce stages to businesses that currently do not have performance programs, or to upgrade staging, equipment and acoustics for existing venues. Importantly, these grants prioritise sound attenuation works for venues that may be at risk from neighbourhood noise complaints.</p> <p>The Night Time Diversification stream provides matched funding for venues, retail and hospitality businesses to introduce or expand performance programs, cultural activations or special events to drive footfall and customer engagement in nightlife precincts after dark.</p> <p>The grant program has been very successful. The first three rounds have seen a steady growth in the number and diversity of applications and have funded 47 projects across 43 venues to the value of \$855, 700. This has included support for 28 existing music / performance venues and the establishment of 7 new venues.</p> <p>In addition, the eligibility criteria for a Quick Response Grant was updated in 2018 to include cash support for urgent expert advice to address compliance, consent or health & building issues for venues providing space for cultural activities. This may include the cost of acoustic consultants to assess compliance with sound restrictions or neighbourhood noise complaints.</p>	<p>The new Business Support Grant program will continue until at least 2020 and is currently being evaluated.</p> <p>"Expert advice" remains eligible for funding under the Quick Response Grant program.</p>

Infrastructure & Space				
4.5.2	Ensure the City of Sydney's current and future cultural infrastructure plans (including its Integrated Community Facilities Strategy [draft]) set priorities that acknowledge the importance of music rehearsal spaces and that opportunities to build rehearsal space into new commercial developments in the City of Sydney are fully explored.	Implemented (ongoing)	<p>The City is currently developing a Cultural Infrastructure Discussion Paper to review the significant research, advocacy and work already undertaken in this area, in the context of current and future needs. The Discussion Paper will be used to guide community input and insights into the City's ongoing cultural infrastructure program and strategy.</p> <p>Increasing access to suitable, affordable production, development, presentation and work space for the cultural and creative industries is a major priority of the City's Cultural Policy and programs, the Live Music and Performance Action Plan and the Community and Cultural Facilities plan.</p> <p>The main areas in which the City influences increased access to facilities and space include:</p> <ul style="list-style-type: none"> • The Accommodation Grants Program which provides subsidised medium-term tenancies for cultural operators in City owned properties. • The Short Term Empty Property (STEP) program which provides short-term space in City owned buildings and shop-fronts for pop-up or pilot projects • Live/Work affordable tenancies program, which provides 9 residential tenancies at \$250 a week for one year to artists working in Sydney. • The Creative Spaces project that has overseen a number of capital works projects to convert under-utilised City property into new, purpose-built cultural facilities. • An audit and review of select City owned properties to determine their suitability and preparedness to be used as rehearsal or performance space. • The provision of City owned spaces, such as community centres and town halls for use as rehearsal or performance venues (including Landmark Venues such as Sydney Town Hall) at subsidised rates. • The provision of free music rehearsal space for students across City owned libraries and community centres. • Investing in the sustainability of new and existing venues in the LGA through the Business Support Grants program. <p>The Cultural Infrastructure Strategy seeks to further these existing services by articulating an integrated pathway by which all levels of government, the private sector, the cultural sector, creative industries and the community can contribute to the ongoing and increasing need for suitable, affordable creative space, the types of spaces required and broader considerations to support the whole supply-chain that feeds the cultural economy.</p>	The Cultural Infrastructure Strategy will be the key focus of the City's Cultural Strategy team in 2019.
4.5.3	Conduct an audit of City of Sydney community facilities and other properties to determine their suitability as rehearsal spaces, including their suitability for use by school-age musicians and a cost/benefit assessment of implementing higher level acoustic standards in key facilities.	Implemented (ongoing)		
4.8.1	Review opportunities to equip key City of Sydney hireable community venues with appropriate sound, lighting and seating infrastructure and any required approvals to enhance their capacity as performance venues.	Implemented (ongoing)		
4.8.2	Review hiring policies, prices, facilities and liquor licensing options associated with City of Sydney owned venues so that they are optimised to support small scale live music and performance in Sydney.	Implemented (ongoing)		
4.12.1	Work with Accessible Arts to gather data on current access standards in City of Sydney venues, and to develop resources and training focused on live music and performance, including advice on low-cost disability access solutions for temporary and non-traditional venues.	In progress		
4.13.1	Ensure that criteria developed for allocation of City-owned live/work space encourages applications from musicians and performers, subject to the suitability of their practice to the space offered.	Implemented (ongoing)		
4.14.1	Encourage applications for accommodation in City-owned space from start-up small businesses providing complementary services to the live music and performance industry.	Implemented (ongoing)		
4.5.1	Work with the Australian Hotels Association, Music NSW or other peak bodies to develop processes by which an increased number of appropriate hotel spaces in the City of Sydney can be made available to musicians and other artists for rehearsals.	In progress		

4.10.1	Ensure that the hiring policies, prices, facilities and liquor licensing options associated with City of Sydney managed outdoor spaces are optimised to support the provision of live music and performance, across small and large scales.	Pending	Outdoor spaces will be considered in the Cultural Infrastructure Strategy. Increasing the activation of open spaces with live music and performance is being considered through the Busking Policy review and the Art & About program.	Recommendations will be made in the Cultural Infrastructure Strategy in 2019. The City's public programs, subsidies and operations of public space continue to be monitored and evaluated. Further evaluation and recommendations will be made in the final evaluation of the Live Music and Performance Action Plan in 2020.
4.10.3	Work with neighbouring councils and the NSW Government to help establish a major new outdoor event space for the Sydney area.	Pending	Martin Place and other large outdoor venues in the LGA are provided to a variety of events and performances through the City's Venue Management team, including events such as the Big Busk. Community groups and cultural organisations may apply to use these spaces at reduced hire rates.	
4.10.5	Investigate the feasibility of holding a program of regular and ongoing free lunchtime concerts in the Martin Place amphitheatre featuring emerging Sydney bands and musicians.	Pending	The creation of new outdoor event spaces in Sydney is being considered in the NSW Governments Cultural Infrastructure plan through new agency Create Infrastructure.	
4.13.2	Advocate to the NSW Government for the inclusion of creative workers, including musicians and performers in affordable housing programs run in the City of Sydney.	In progress	This action is partly being addressed through advocacy to the Night Time Economy Taskforce, submissions to the Parliamentary Inquiry into the Music and Arts Economy and also through broader affordable housing considerations of the City's Social Strategy and Cultural Infrastructure Strategy.	For further scoping and updates.