



NSW PARLIAMENTARY INQUIRY INTO ARTS AND MUSIC

Response to the QUESTIONS ON NOTICE: Creative Victoria

Answers are to be returned to the Committee secretariat by 7 September 2018.

QUESTION ONE:

Ms DAWN WALKER: Perhaps more broadly, I am interested in what you saw as the biggest challenges to this creative economy that you have built so successfully. Can you outline some of those thoughts?

Ms RIVERS: Where do we start?

The CHAIR: You can take that question on notice.

Ms CRAWLEY: It might be good if we did. It is a really important question and a complex one. We feel very positive about the way the strategy has been designed and has delivered thus far. However, we need to note that it is not the end of its time frame; we are into year three of it. As Ms Rivers said earlier, we have gone to market for a formal evaluation, which we really need to have conducted because there is such a multiplicity of policy levers and investment mechanisms that make up this package. I feel in a sense that we would be doing a disservice to what we have done not to take the question on notice. I would welcome the chance to come back with some detail.

Answer:

- A formal evaluation of the Music Works program is currently in train and will be received by Creative Victoria at the end of 2018.
- Given the breadth of the program and its initiatives, I feel that providing an anecdotal response would be a disservice.
- Learnings from the formal evaluation can be shared.

QUESTION TWO

The Hon. SHAYNE MALLARD: Is there any documentation you can provide to the Committee about the policies in relation to the roundtable? Is there an annual report we can see?

Ms RIVERS: There is no annual report, but we have the terms of reference.

Ms CRAWLEY: We have terms of reference and composition.

The Hon. SHAYNE MALLARD: That would be good.

Ms CRAWLEY: We would be able to supply that.

The Hon. CATHERINE CUSACK: Was that in relation to the Live Music Roundtable?

the Hon. SHAYNE MALLARD: Yes.

Answer: Attached are the Terms of Reference for the LMRT

QUESTION THREE

The Hon. CATHERINE CUSACK: I am particularly interested in that in relation to local government. These venues need to have multiple licences from multiple agencies in New South Wales. One of the issues we are grappling with in New South Wales is development applications. If you want to amend a development application, every part of the approval comes under scrutiny. People are very reluctant to do anything once they have their approval. Getting a simple amendment sounds logical, but they would never do that because they do not want to re-open the whole thing. Do you understand what I am saying?

Ms RIVERS: I am not entirely following you. Is that in relation to creating new music venues?

The Hon. CATHERINE CUSACK: Yes, and in relation to having dancing on a dance floor. It might be a good idea for that venue, but they would need to amend their development application and their development approval would require an amendment.



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Ms RIVERS: That sounds like a unique situation to New South Wales. I cannot comment because we do not have the expertise.

The Hon. CATHERINE CUSACK: But councils approve venues in Victoria?

Ms RIVERS: There will be planning approvals to create venues and the use of venues, and there will be liquor licensing requirements associated with any normal practice. If you wish to open a live music venue, you would have to get the appropriate planning and licensing conditions in place. If you wanted to change them, that may trigger some review. Unfortunately, I cannot speak directly to that. I will have to take that question on notice and refer it to the Office of Liquor, Gaming and Racing and/or planning.

Answer:

For more information: The Victorian Commission for Gambling and Liquor Regulation

<https://www.vcglr.vic.gov.au/> The Department of Environment, Land Water and Planning,

<https://www.planning.vic.gov.au>

The Victorian Building Authority, <http://www.vba.vic.gov.au> , and

Music Victoria's Best Practice Guidelines for Live Music Venues <http://www.musicvictoria.com.au>

ATTACHMENT 1

Terms of Reference for the Live Music Roundtable

Live Music Roundtable

Terms of Reference

Purpose and role

The purpose of the Live Music Roundtable is to support a vibrant, successful and responsible live music industry, and promote best practice for safe and well-managed music venues in Victoria.

The role of the Live Music Roundtable is to:

- discuss significant issues in relation to Government regulation and reform that affect the live music industry;
- consider best practice standards, guidelines or other materials that would benefit the industry;
- put forward proposals or recommendations to Government on potential improvements to Government regulation as it relates to live music venues; and
- provide feedback to Government on proposals where requested.

Scope

The scope of the Live Music Roundtable's discussions will be limited to matters of Victorian Government regulation which affect live music venues, such as:

- liquor licensing
- planning
 - terms, including land use definitions
 - heritage and cultural protection
 - built form review
 - impacts of *Agent of Change* legislation
 - noise and acoustic management
- health and safety
 - security
 - behaviour change programs including sexual harassment
 - issues and impacts at festivals, large events and nightclubs

While the focus of the Live Music Roundtable is live amplified music, the matters considered by the Live Music Roundtable may also relate to and have an impact on recorded amplified music.

Membership

The Live Music Roundtable will be chaired by Ms Jane Crawley, Director, Arts Investment at Creative Victoria.

Permanent core membership of the Live Music Roundtable comprises representatives of the State Government, Victoria Police, local council, , live music industry representatives and relevant experts.

The membership consists of the following 17 core member organisations:

Creative Victoria	Live Performance Australia (LPA)
Office of Liquor, Gaming and Racing (OLGR)	City of Melbourne
Music Victoria	Municipal Association of Victoria (MAV)
Save Live Australian Music (SLAM)	Live Music Office (LMO)
Fair Go for Live Music	Australian Hotels Association (AHA)
Victoria Police Liquor Licensing Unit	
Victoria Police Drug and Alcohol Safety Unit	
Department of Environment, Land, Water and Planning (DELWP)	Victorian Commission for Gambling and Liquor Regulation (VCGLR)A regional Council (TBD)
Environment Protection Authority (EPA)	
APRA AMCOS	

Core members are required to declare any private interests that may relate to their participation in the Live Music Roundtable, including possible conflicts of interest.

In addition, a minimum of 3 and up to 5 rotating representatives will be nominated by the Chair and committee annually from the following sectors:

Venue	Education and Research
Industry	Legal
Artists	Nightclubs Melbourne Licencees Forum
All Ages	

Rotating positions are effective for 12 months and can be re-nominated.

The Live Music Roundtable may resolve to make recommendations to the Minister regarding the appointment of further members. The Minister may, where he/she considers appropriate, remove a member from the Live Music Roundtable.

Any Live Music Roundtable member may request that a person of their choosing attend a meeting or give a presentation at a meeting. The request must be approved by the Chair in writing.

Should a core member be unable to attend a meeting, they may make a request to send an appropriate proxy. The proxy must be approved by the Chair. Core members are expected to attend 75% of scheduled meetings or provide a proxy.

Governance and accountability

The Live Music Roundtable will have no formal reporting structure. The Live Music Roundtable may prepare reports or recommendations to be presented to the Minister for his/her consideration. Such decisions must be approved by the Chair.

Meetings

Meetings will be held at 121 Exhibition Street, Melbourne. The Live Music Roundtable may, if it so chooses, agree to hold a particular meeting or meetings in another location.

Members will be expected to cover the costs of their own travel and expenses to attend meetings.

The Live Music Roundtable shall meet quarterly commencing September 2017.

The following meetings are proposed for 2017 - 2018:

Meeting 8	11 September 2017, 3pm
Meeting 9	11 December 2017, 3pm
Meeting 10	12 March 2018, TBC
Meeting 11	11 June 2018, TBC
Meeting 12	10 September 2018, TBC

Administration

Creative Victoria will provide secretariat support for the Live Music Roundtable. The Department is responsible for organising meetings, circulating meeting papers, managing membership and providing support to the Chair.

Conflict of Interest

Situations that may give rise to a direct or potential conflict of interest include, but are not limited to:

- where a member is likely to gain financial benefit directly or indirectly (pecuniary interest);
- where a member of their immediate family or a close associate is a contractor or advisor;
- personal relationships that go beyond the level of a professional working relationship;
- personal beliefs or attitudes that influence the impartiality of advice given;
- other employment that compromises the integrity of the member; and
- political activities and making inappropriate political comments

If there is any possibility of a conflict of interest, or a perception of a conflict of interest, you must bring this to the attention of the Chair as soon as practicable, and – where possible – well in advance of the upcoming meeting. The Chair will establish the level of the conflict of interest, whether it is direct or indirect, and determine the action, if any, to be taken.

Potential conflicts of interest may be dealt with in a number of ways, depending on their significance. These include:

- recording the details of the disclosure and taking no further action because the potential for conflict is minimal and is eliminated by the disclosure;
- the member relinquishing the personal interest;
- the member withdrawing from any decision-making process relating to the topic or work plan in question.

Review

These Terms of Reference will be reviewed on an ongoing basis.



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Response to the supplementary questions: Creative Victoria

Answers are to be returned to the Committee secretariat by 7 September 2018.

- 1. In evidence to the Committee references were made to the total Government support for the music sector of approximately \$27 million over four years.**

A: Direct support for the contemporary music sector via Creative Victoria include the 2014 Music Works election commitment of \$22.2 million from 2015/16-2018/19. Creative Victoria has received a further \$4 m for VMDO and the Music Market operations and \$0.25 m to deliver the Music Cities Convention in 2018.

- 2. What is the average processing time between applying for a quick response grant, and it being issued?**

A: Three weeks

- 3. How much funding does the Melbourne Fringe Festival receive?**

A: \$367,000 per annum for four years (2017-20) additionally the festival has received funding in 2018 for strategic initiatives (Innovation in Marketing, International Engagement, Talent Matters)

- 4. Is here any review of the Live Music Crawl programme that is available? Could you supply the guidelines for the programme as it has been developed?**

A: The Victorian Music Crawl was a pilot initiative delivered by Music Victoria on behalf of Music Works <https://www.musicvictoria.com.au/victorian-music-crawl>

- 5. What specific steps have been taken to reduce red tape around all ages gigs in Victoria?**

A: Please refer to Music Victoria - <http://www.musicvictoria.com.au/news/10285>

- 6. Can you give us any more information on the governance arrangements for the Live Music Roundtable? Membership, meeting structures, how it has evolved, agenda?**

A: The Live Music Roundtable was formed in 2012 as a specific requirement of the 2010 Live Music Accord. The original Terms of Reference are located on the Live Music Office Resources section. Since 2017 The Live Music Roundtable secretariat has been



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located within Creative Victoria with the Chair, Jane Crawley. Director of Arts Investment. Membership comprises of key stakeholders for the live music sector and relevant government and regulatory bodies. Meetings are held quarterly. The purpose of the Live Music Roundtable is to support a vibrant, successful and responsible live music industry, and promote best practice for safe and well-managed music venues in Victoria. The scope of the Live Music Roundtable's discussions is generally limited to matters of Victorian Government regulation which affect live music venues. The current workplan includes All Ages Activation, Agent of Change and Land Use Definitions.

7 What research is available in Victoria about the relative risk of music venues as opposed to other venues?

A: Please clarify the area of risk which is referenced in this question.

8 What are the Victorian government requirements for security for venues? We received some evidence that there is a rough rule of thumb of 1/100, but with a written security plan a venue can vary such arrangements. What are the requirements? Where are they contained? How flexible are they?

A: Please refer to:

https://www.vcglr.vic.gov.au/sites/default/files/Liquor_licensing_fact_sheet_-_Licence_conditions_for_live_music_venues.pdf