

Response to

**Public consultation paper for a new
National Cultural Policy**

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1. About the author

By way of introduction, I was a member of the 2004 Victorian Live Music Taskforce that established the Agent of Change Principle. I am also a co-signatory of the 2010 Live Music Accord between the Victorian Government and the Live Music Industry, represented by FairGo4LiveMusic, Slam and later, Music Victoria. I was a long-standing member of the Victorian Government's Live Music Round Table (10 years) and a two-term elected board member of Music Victoria. I was also a board member of Music Victoria's predecessor, VicMusic. I was involved in all consultations regarding the Live Music Clause in the Victorian Planning Provisions (53.06) and its related Planning Practice Note. I was also an industry representative in the Victorian EPA's technical reference working group on noise and co-wrote Music Victoria's submission to the current Environmental Noise Regulations. Currently, I am a member of Music Victoria's advisory Regulatory Reform subcommittee, advising on planning, environmental sound regulations and standards, and liquor licensing policy relating to live music. I have submitted several submissions to the government regulatory consultation process and inquiries into live music, including the Standing Committee on Communications and the Arts, into the challenges and opportunities within the Australian live music industry. Lastly, I am the author of the 2019 "A review into the efficacy of Section 53.06 - Live Music Entertainment Noise of the Victoria Planning Provisions, known colloquially as the "Agent of Change" clause".

<https://www.musicvictoria.com.au/wp-content/uploads/2023/07/Agent-of-ChangeWhite-Paper-Music-Victoria-2018-UPDATE-Ver.-2.pdf>

I publish a live music and cultural policy forum on Substack.

<https://www.counternarrative.art/>

I have operated six live music venues over 28 years, including Bar Open (current), The Tote Hotel, Yah Yah's, Pony, The Marquis of Lorne Hotel and The Melbourne Spanish Club. I am also a musician, playing in bands since I was a teenager. I have a fine art degree (honours) in sound art from RMIT.

2. Response to each pillar of the National Cultural Policy (NCP)

The author broadly supports the NCC policy framework. However, this submission focuses on Pillars 3, 4 and 5. Within these discussions, there may be references to Pillars 1 and 2. These will be noted when this occurs.

The focus of this response is to contribute policy proposals for the Government to adopt to strengthen the live music ecology and the broader music industry. These policy proposals go beyond merely tweaking existing policy and draw on successful international experiences when relevant.

Two substantial revenue sources are identified that the Australian Government could redirect to a music community and industry trust fund (including a separate First Nations-controlled fund) that could be used to fund a suite of music-related programs independent of Government funding. When considered in conjunction with the Australian Live Music Business Council (ALMBC) proposal for a \$1 ticket levy on stadium-sized live music shows, the cost of the following proposals could be conservatively considered cost-neutral to the Australian Government.

The key questions below are responded to in-line.

- The challenges and opportunities seen in the pillars most relevant to the Live Music Ecosystem.
- Why the five pillars matter to live music venues and musicians and their practice, and
- What policy should be adopted by the government and reflected in the next NCP

Some of the policy ideas were originally included in a submission to the Standing Committee on Communications and the Arts, titled “The challenges and opportunities within the Australian live music industry written by Jon Perring on the 12th of April 2024”.

The key policy proposals for Government consideration are in summary:

1. Support for developing professional musicians through a performance-based employment insurance scheme for gigging musicians and a suite of multi-year creative fellowships dedicated to non-performance based musicians.

3.3.1

2. Music Australia to implement a formal Recommended (non-binding) Minimum Ticket Price for local Live Music shows.

3.3.2

3. The Australian government to intervene immediately to stop unattributed “black box” copyright revenues being distributed to the major labels and that these revenues be used to exclusively fund new urgent music industry-related projects such as a

superannuation scheme for musicians, an unemployment insurance scheme for working musicians and live music performers, and other underfunded needed areas of the music industry sector to the benefit of musicians, a dedicated portion of which should be Indigenous-led and Indigenous-determined.

3.3.3

4. Initiate a thorough root and branch review of copyright law to develop policy directions to reform copyright law to fairly serve Australian musicians and composers.

3.3.4

5. Initiate action to redirect copyright revenues from illegal AI impersonation of Australian Artists with deepfakes and the Hijacking of Australian Artist's identities on streaming and online platforms to a music community/industry trust fund.

3.3.4

6. Clearly define what a professional versus an amateur musician is, so the applicability of the Live Performance Award [MA000081] for musicians is clear, thus removing the existential risk of the economic unviability of the amateur live music scene for shows with audience sizes under 300-400.

3.3.5

7. Implement an Alcohol Excise and Wine Equalisation Tax rebate scheme for Live Music Venues and Festivals.

3.4.1

8. Implement a broad parliamentary inquiry into the cost of public liability insurance that covers live music venues and events, including the potential for tort reform or refer the situation experienced by live music venues and festivals to the ACCC.

3.4.2

9. Update the National Construction Code to include sound attenuation for residential developments from external sound sources.

3.4.3

10. Implement an Australian publicly owned music streaming platform that streams Australian music content.

3.5.1

11. The Australian Government should move to set standards of conduct for government arts and cultural bodies, government-funded arts organisations and their officers to better ensure integrity and respect for artists, their works and their right of political expression by

- Preparing for criticism and deliberate politicisation of artists and their work from specific interest groups when announcing major commissions and awards.
- Requiring Officers of government funded arts bodies to sign a **Declaration of Interest** that requires them to disclose any association, financial support, or affiliation with foreign governments, military, or state-sponsored entities
- Politicians and senior public servants should refrain from attempting to shut down healthy political discussion in our society when artists express a view they may be uncomfortable with.

3.5.2

Finally, I have read and support the Music Victoria Revive submission for a new National Cultural Policy

3. Pillar 3 — Centrality of the Artist

Supporting the artist as worker and celebrating artists as creators. As creative practice, technology and work patterns continue to evolve, the government is seeking views on how cultural policy can respond to changing conditions for creative work, including safer and fairer workplaces, the protection of creative rights in the digital environment and the role of arts education, creative skills and lifelong learning, and how creators are recognised across the broader economy.

3.3.1 A better way for the Australian Government to support musicians.

The Gig Economy and the Precarity of the Musician.

One of the great myths of the music industry is the notion of a sustainable arts practice. There are of course independent musicians who manage to earn a living in Australia (ABS suggests approx. 6000). However, these individuals are the exception rather than the rule. The education sector, peak bodies and all levels of government have propagated the fictional notion of sustainable artist careers.

When the COVID pandemic hit in March 2020, artists and musicians were one of the groups hardest hit, as was, for that matter, the entire music industry. The myth was well and truly exposed by the reality of the quantum of lost work. However, the myth persists, underpinned by ad hoc government programs at all levels that come and go with the political winds and can set artists and musicians up to fail on the other side of success.

In a national survey by I Lost My Gig of over 3,000 professionals, **32,000** gigs and events were found to have been cancelled, totalling nearly **\$94M** in lost income since July 1st this year. Of this lost revenue, survey results showed that 99% had no income protection or event cancellation insurance. (See “<https://ilostmygig.net.au/>”).

The deliberate design of JobKeeper by the Morrison Government to exclude almost all practising artists and musicians entrenched the precarity of musicians and artists, with many leaving the sector.

As the Music Industry continues to rebuild in the shadow of the COVID era, it is vital that artists and musicians can earn a living. It is central that the music industry and governments address this contradiction, as artists are the foundation of the Australian music industry, which it is built upon or as Tony Burke stated in the Minister’s message of the Public Consultation Paper March 26, 2026 , “arts and culture are not a luxury, they are essential to our economy, our wellbeing, and our sense of belonging”.

The solutions to the problems of a musician's career and economic sustainability are not simple. An understanding of the contradictions and economic tensions between stakeholders and the economic constraints of the law is central to addressing and designing policy solutions.

It is often said that the Music Industry is the original gig economy. One of the great challenges is for a musician to cross over from being a successful amateur emerging musician to becoming a professional musician with a sustainable and hopefully secure career. This pathway is currently fraught with risk due to the many precarities a musician is faced with in Australia.

If Creative Australia are shifting focus to have Australian artists and musicians focus on paid international career opportunities as indicated in Minister Tony Burke's statement, "how can we make sure that international income becomes real for Australian artists? Because that makes it more likely that more people can have a long career in the arts" ([Source](#): see link below), then it is imperative that these artists and musicians are not setup to fail.

<https://www.artshub.com.au/news/news/building-a-new-national-cultural-policy-burke-talks-to-artshub-2852756/>

To address Minister Tony Burke's subsequent question raised in the above Artshub article – "How can we make sure that artists have long-term careers?" -I believe bespoke, targeted Government initiatives could assist in easing these inherent risks in career pathways.

Support for developing professional musicians.

The challenges faced by performance-based (gigging) musicians and non-gigging musicians and creatives who produce work, such as composers, producers, sound engineers and studio musicians, are different as the characteristics and structure of their practice is different. As such, assistance from the government should be tailored accordingly.

A Proposal for the Support for performance based developing professional musicians.

The following performance-based developing professional musician is proposed:

The Federal Government should consider co-funding an employment insurance scheme for practising musicians who perform

- more than 100 days a year and
- earn greater than a weekly income of \$750 as musicians (averaged over a 12-week period).

The insurance could be drawn upon when a musician experiences a period when working as a performer is absent for a number of weeks. Such a system would assist in securing the careers of many professional musicians, most of whom experience periods where work is scarce. Such a system could be modelled on the French system **Régime salarié intermittent à employeurs multiples** (system for intermittently salaried workers with multiple employers), taking into account its achievements, strengths and weaknesses.

The advantage of such a system is that the policy intervenes when a musician is most vulnerable. A practising musician who gigs on the weekend but holds down a day job can tailor and control their musical practice to their economic situation. They can pick and choose their gigs on their merits without entirely compromising their income. The problem currently comes when they turn professional and attempt to entirely exist on earnings from playing music. If they hit a dry run of gigs or lose money on a tour because a festival cancels or a

venue unexpectedly closes, they can endure crippling debt with no prospect of secure future employment to service it. Such a system of employment insurance for eligible musicians outlined above would help mitigate the economic risks of turning professional. By underpinning the development of emerging musicians, the Government would be creating real, sustainable pathways for active, committed musicians to confidently persevere.

A Proposal for supporting non-performance-based emerging professional musicians and creatives such as composers, producers, sound engineers and studio musicians.

The Federal and State Governments should consider establishing a number of fully funded multi-year creative fellowships dedicated to musicians. A number of about 100-200 would make a significant impact and also help many artists whose careers were derailed by the pandemic and subsequently changed careers. Such a proposal should be open to all music genres, not just those educated in the university sector, such as classical musicians. Industry peers representing various genres should award these fellowships. It is also important that a travel component be included in the stipend so these musicians can network and have the opportunity to perform and collaborate internationally. A similar proposal for the wider arts sector is presented in 'Creativity in Crisis: Rebooting Australia's Arts and Entertainment Sector' (Eltham and Pennington, 2021, <https://futurework.org.au/report/creativity-in-crisis-rebooting-australias-arts-and-entertainment-sector-after-covid/>).

However, this proposal means there are gatekeepers that can create problems in itself. Clear guidelines would need to be established to ensure that these creative fellowships were not dominated by particular sectors or elites, such as university-trained musicians with experience in writing grants, instead of working musicians who have come up through a practice of gigging in small venues.

These fellowships should have application guidelines that take into consideration the artists' and musicians' career realities, as well as their skills in applying for grants. Applications should be simple and not labour-intensive, as these artists are not equipped with organisational staff and support to fill in lengthy and complex applications.

Nevertheless, such a scheme would assist musicians who are project-based rather than those who regularly gig.

Both proposals have strengths and weaknesses. They could be both considered for implementation or one chosen over the other. Importantly, both proposals should be designed with tailored guidelines to complement each other by targeting the differing practices of musicians.

There is no single solution to the precarity of artists and musicians. The nature of both their cultural and economic contribution to Australian society means that government policy development and implementation to address fair career remuneration and sustainability requires a bespoke multifaceted and prioritised approach specific to the Live Music Sector.

Originally published at <https://www.counternarrative.art/p/a-better-way-for-government-to-support> (Jan 16, 2025)

3.3.2 Recommended minimum ticket prices for live music shows.

One of the major impediments to the viability of smaller live music shows is the market expectation of ticket prices for local bands sitting between \$10 -\$20. Our experience is \$15 is commonly chosen by bands.

The government should give consideration to a body such as Music Australia recommending a formal Recommended Minimum Ticket Price for Live Music shows. Making such a recommendation would send a strong price signal to the market. Such a recommendation should be non-binding. However, it should also explain how the figure is arrived at and why it is important.

With such large disparities between the price of international shows (mostly now \$100 -\$200) and local shows, the dysfunctional economics of live music cannot be seriously easily tackled. For example, VIP tickets for the Taylor Swift EROS tour were up to AU\$1249 with the reduced visibility seats starting at \$80.

The commonality of such a low base for local ticket prices also feeds into the psychology of the value proposition of Australian live music and infers a lower quality of music played locally. The notion that music played anywhere in the world is any better or worse is, of course, preposterous. Nevertheless, such cultural snobbery exists. In reality, the live music experience in a small venue is often superior to that in a larger venue because of the visual proximity of the audience to the players and the more intimate listening experience of the instruments. It is simply more visceral.

Promotion of such live music experiences combined with a concerted and well-funded audience development plan would go a long way in re-establishing both the local live music value proposition but also turnaround and potentially drive a live music recovery.

3.3.3 Unattributed “Black Box” Royalty payments.

Royalty revenue distribution from streaming platforms such as Spotify, Apple Music, Facebook, YouTube, etc., to Australian artists is notorious for its fractional and pitiful financial return to artists (Spotify pays approximately 0.004c per play). Spotify has recently set minimum levels of pay, meaning that most Australian musicians are now unlikely to receive any revenue for their songs from streaming. Australian music streaming revenues were \$517m in 2025 (<https://themusicnetwork.com/news/australian-recorded-music-seventh-year-of-growth-aria-figures>). Unattributed royalties, often referred to as “Blackbox royalties”, are unpaid mechanical royalties, unpaid performance royalties, unattributed master royalties, unpaid audio-visual royalties, etc. There are a couple of key reasons why royalties end up in the Black Box:

- **Incomplete or Inaccurate Data:** Poor data quality or lack of information, making it challenging to allocate them correctly.
- **Lack of Registration:** Where songwriters, publishers, or their works are not registered with the collection agency or pay source, and consequently, royalties go unclaimed.

Although figures are not available and estimates vary as to the value of Blackbox royalties, a number of researchers have estimated the pool to be as large as 20% or greater of those

collected. When this percentage is applied to the Australian context, the pool could be as large as \$200m. A back-of-the-envelope calculation made in the lunch queue by an industry expert at the recent VMDO Music Data and Insights Summit 2026 calculated the value at up to \$300m based on the Australian market share (20-30% of 2%) of global annual music royalties. Neither APRA/AMCO nor the PPCA is transparent in relation to the collection and payout of Blackbox royalties. Neither discloses the actual figures.

Source: <https://www.billboard.com/pro/unclaimed-black-box-royalties-how-much-money/>
<https://www.digitalmusicnews.com/2023/02/03/mechanical-licensing-collective-black-box-royalties/>

The Black Box Royalty distribution methodology pays these royalties to publishers based on their market share, resulting in the permanent loss of revenue for the original creator.

This royalty money, belonging to the original creator, is permanently paid to someone else! A situation that can only be considered unconscionable.

Tunecore's website states that "Black Box Royalties are commonly distributed to local publishers based on market share." ([Source](#)):

Immediate Government action is required to address this legal injustice.

- 1. The government should intervene immediately to stop this practice and hold these revenues in trust.**
- 2. The government should facilitate efforts to improve greater data accuracy and encourage songwriters to register their works.**
- 3. After an acceptable period (say 18 months to 3 years), the unclaimed Blackbox funds should be used to fund worthy music industry-related projects such as a superannuation scheme for musicians, an unemployment insurance scheme for working musicians and live music performers, and other underfunded and needed areas of the music industry sector to the benefit of musicians. A fixed portion of which should be Indigenous controlled.**
- 4. Royalty claims should not be extinguished after unclaimed royalties have been redistributed as per the previous point. Adequate provision should be made within the trust fund to account for historic late claims.**
- 5. All unsuccessful royalty claims not paid should be appealable.**
- 6. What should not happen is for these funds are given to wealthy corporations based on their market share! There is no justification for giving these corporate interests a second bite of the royalty pie.**

In conclusion, copyright law is no longer fit for purpose and no longer serves the needs of the 110,000 (number of APRA/AMCOS members) Australian songwriters and composers.

A proper Government inquiry into copyright law is needed that follows the money, researches and analyses the complex distribution rules and can properly propose new solutions to address the current inequities experienced by most musicians. Australian music streaming revenues that are supposed to trickle down but collected royalties require better transparency and Government regulatory attention to address the entrenched inequities that sustain the viability of the careers of Australian musicians, composers and songwriters.

3.3.4 Copyright law in the music industry.

There needs to be a proper review of copyright law, its foundation principles, its revenue collection, and distribution in Australia. Australian artists simply do not get a fair share of the collected review pie. There needs to be consideration of the collection of mechanical royalties of sound recordings collected from their use. As sound recordings are a product of industrial production, they are not in the same category as a creative (cognitive) work such as the composition of music and lyrics of a song. Sound recordings are produced on land of which original Indigenous sovereignty was not ceded.

The right to copyright royalties for sound recordings was originally justified by the extremely high cost of recording and production. However, this is no longer the case. The cost of creating sound recordings has migrated from requiring expensive specialist recording studio spaces to the realms of DIY laptop-based studios, often located in the home or bedroom. The justification for such a generous and long-lasting (70 years) claim on the revenue stream should now be re-evaluated, diminished, and redistributed. Particularly because the enduring monetary value of locally created intellectual property is a by-product of the land dispossession of the original inhabitants of Australia and the land's subsequent economic re-use.

Some of this revenue should be directed to an Indigenous-led First Nations sovereign wealth fund funded by copyright royalties, which would be a small step toward Reconciliation.

Consideration of this proposal would also satisfy NCC Pillar 1 – First Nations First. Other areas of consideration could be for revenues to fund a superannuation scheme for musicians and an unemployment insurance scheme for working musicians and live music performers, as outlined elsewhere (2.3.1) in this submission.

Action is needed on AI impersonation of Australian Artists with deepfakes and the Hijacking of Australian artists' identities.

The other area that needs to be addressed by government is the illegitimate capturing of royalties from streaming by hijacking or impersonating of an artist's identity. This is done by posting tracks under their hijacked artist's name or by manipulating metadata. Whether these tracks are AI-sound-alikes or just any tracks is not the point.

[REDACTED]

[REDACTED]

The cost to the music industry is estimated to be at least two to three billion dollars (USD) internationally. As a proportion, the Australian music industry is 10-15% of the US music industry, which translates to a proportional cost to the Australian music industry of three hundred to six hundred and fifty million.

<https://shuftipro.com/blog/idv-for-streaming-fraud-prevention/>

These illegitimate royalties should be seized by the Australian Government and redistributed back to a central fund as described above, which can then be used to fund programs agreed by the music community.

3.3.5 Understanding the micro-economics and professional status specificities of the Live Music Industry/Sector.

There are two distinct sectors operating at two different speeds in the Live Music Industry.

The first is live music played in small- to medium-sized venues, in backyards and at parties, in garages, warehouses, and at community and small music festivals. If this is an industry, then it has collapsed as live music in these contexts does not pay its way. The cost of hosting the gig, as well as the cost of performing, is both subsidised by the presenter, usually the small venue and the musicians who play there.

At the other end of the spectrum, brand-name international acts tour Australia and are handsomely rewarded from ticket prices in excess of \$120 in large capacity venues. For instance, Live Nation recently posted a profit of US\$22.7 billion worldwide in 2023, up 36% from the prior year. Live Nation now tour the largest international acts in Australia.

A good comparison is with sport. Most sport is played at an amateur level by players, club officials and umpires who participate for the love of the game, whilst professional players are well remunerated through contracts and enterprise agreements in commercially focused codes at both national and international levels. There are also clear career pathways between amateur and professional participation.

One of the great attributes of playing music is the ability to connect and bridge cultural and social groups that might not otherwise interact. Hence, the motives for playing music are often about social inclusivity and collective cultural engagement. The act of playing music creates community and contributes to the social fabric by participation in live music culture in all its forms. Many musicians are motivated by this with financial considerations considered secondary to socio-cultural and artistic outcomes.

The difference between the sport and live music sectors is that the pathway from emerging, mostly amateur-level musicians to the developing, fully professional level is ill-defined. What's more, musicians may participate in differing contexts both at amateur and professional levels simultaneously. They could play in both an established bankable brand-name band and also, in another unknown band with some other weekend warriors (established bands who pay for the fun of it).

The federal government needs to give serious consideration and intent to the needs of musicians and live music presenters as to how these differing industry levels operate and are regulated or not.

What we traditionally understand by 'professional' musicians in Australia are mostly players who are employed by arts companies and orchestras under award conditions and play music as directed. They are highly trained and are mostly university-educated. They play for a fee. However, the majority of professional freelance independent musicians who constitute the

main fabric of the sector have typically gained enough cultural capital to make a living by playing in festivals line-ups or have a following capable of reliably filling large venues with a premium ticket price to sustain their careers. University training is not a prerequisite for this cohort. The ABS estimates that there are about 6,000 full-time musicians in Australia.

Emerging Amateur bands/musicians and weekend warriors typically prioritise audience accessibility and numbers over revenue. They are often more interested in their friends attending, commonly swelling their guest lists. Artistic exploration and pursuit are often prioritised over popular repertoire, intended to drive economic success.

This places downward pressure on ticket prices by undermining the viability of musicians seeking to sustain a professional music career in the marketplace. The rights and desires of amateur musicians to practice and participate in their culture are often in conflict with the financial viability and context in which they play.

Both amateur and professional musicians' interests need to balance this conflict of interests, to avoid unintended consequences if remuneration regulation is being considered by the government. The applicability of any future regulation needs to reflect such a balance.

Workable definitions for emerging amateur and professional musicians are required, as is an appreciation of the contexts in which they may be relevant, remembering that individual musicians often can play in both amateur and professional contexts, depending on the particular band and gig.

The aspirational statement by Music Victoria in Action 4 of their Priorities for the Victorian Music Industry July 2022, of which I concur in principle, states,

“Through conditions attached to grants, performances, engagements, and current usage, governments can ensure musical artists involved in projects are paid a minimum **recommended** for any music’s live performance of \$250 per person.”

Vague statements such as this example require clarification to achieve a fair balance between the human right to access and participate in one's culture, and the “recommended” musician’s individual choice regarding the applicability of any minimum callout fee, with particular attention to the line between the amateur choice and professional wage protection within context of being a musician. Otherwise, regulatory precision will be compromised, and avoidable conflict may be unnecessarily fuelled between stakeholders.

The Live music sector is not just an industry; it is also a cultural and artistic pursuit in itself. The government should proceed with caution in considering any regulatory agenda and consider these conflicting values. The live music Industry is not the same as the taxi or food delivery industry. If it were, economic dysfunction would have decimated it like other long-gone Australian industries, such as the automotive, white goods manufacturing and shoe industries. The reason it exists today is a testament to all who work hard to make gigs happen because they love and revere the art form.

Ultimately, musicians should make the final decision as to what applies in what gig context so that they can choose between protection of minimum income or prioritising their “right to take part in cultural life guarantees the right of everyone to access, participate in and enjoy

culture, cultural heritage and cultural expressions” as stated in Article 27 of the Universal Declaration of Human Rights of which the Australian Government is a signatory.

Drawing the line between Professional and Amateur.

The universal application of a minimum performance payment would decimate all live performance opportunities for musicians in venues with a capacity of about 400- 500. This would be driven by the underlying economics of live music shows. For example, a typical three-band lineup comprised of four-piece bands equals 12 musicians participating. This represents the average makeup of a live music show line-ups common on Australian stages.

In most contexts, this is how the industry works. The promoter/headline band decides on the ticket price. After the show, they invoice the venue with an ABN (mostly), indicating that they are legally constituted as an enterprise and collectively branded under their band name. Tickets are sold, usually by an online ticketing company and/or on the door by the venue staff acting as an agent on behalf of the headline band or promoter (the headline band often acts as the show promoter).

The contractual arrangement is as follows. The venue hires to the promoter/headliner, the band room, PA and lighting infrastructure for a designated time in exchange for a small venue fee (around 15% of ticket price or 3 to \$4 per ticket). The headline band/promoter receives the majority of the ticket revenue (80-90%) and is also responsible for paying the support bands, sound and lighting technicians. The support bands and technical crew are subcontracted to the headline band/promoter.

If a typical ticket price is assumed to be between \$15-\$20 (based Victorian Live Music Survey 2016 indexed for inflation), a minimum sized paying audience of 200-250 is required to cover the show cost (breakeven point). This equates to \$3,000 in potential revenue. Add \$800 to cover OneMusic fees, the venue fee and the sound engineer. The show cost is now equal to \$3800 . This equation represents the minimum case in which each musician earns an average fee of \$250.

No venue or promoter sizes a room at the breakeven point, so a typical viable band room capacity would be 400-500. Most independent Live Music Venues fall under this size. Both bands and the venue accept equal financial risks if the show does not break even. Venue bar revenues are directly proportional to the number of tickets sold. Both venue and promoter/headline band share equally the risk/reward equation for the live music show staged.

However, as the size of the venue increases in scale, venues typically charge a fixed venue hire fee to the promoter. Show profitability rapidly increases with scale as both ticket price and audience number potentially compound show revenues.

Venue capacities of above 1000 can be considered to be conducted in a professional context, whilst shows in venues under a capacity of 500, are almost entirely conducted by amateur musicians who do not depend on playing music exclusively as their sole income.

Consideration by Government to universally extend the minimum call out fee as defined in the current Live Performance award is, in my opinion, justifiable at the professional

levels of the music industry. However, it should not be considered to be applied as mandatory in the amateur context as discussed above *unless the gap is fully funded by the Government*. In particular, coverage should not apply where musicians are engaged as hobbyists as declared on an ATO “Statement By Supplier” form. That is, of course, unless the government funds the difference.

If the minimum callout fee was extended to the amateur context without gap funding, it would effectively create a situation where anybody other than professional musicians or bands with existing and reliable audience sizes of 400 and above would become the only live bands playing gigs. This predictable outcome is simply dictated by the economics. Such a scenario would create a cultural elite, reinforced by the high economic and cultural capital costs of entry for all musicians outside it.

The economic realities will disproportionately impact emerging and amateur musicians whose shows could no longer be viably staged in small to medium live music venues. The consequence to the independent band scene would be devastating to what is already a sector in economic freefall.

This would mean no punk scene, no reggae or Latin scene, no grind-core scene, most jazz, folk, funk gigs, and importantly, no developmental gigs for emerging and independent musicians of all genres.

The flow-on effect to Australian Music Culture would be profound, as it is in small live music venues where new Australian bands begin their journey, develop their stagecraft, tryout new compositions, and form their audience. No band starts in a stadium or even a large venue because audiences always start small. In many cases, they remain small by choice, which regulators should also respect.

It would hasten the closure or cessation of live music within small to medium independent live music venues, adding to the count of the 1300 lost live music venues since the pandemic reported by APRA/AMCOS. Source:

<https://www.apraamcos.com.au/about/governance-policy/annual-reports/year-in-review>

In Victoria, only venues such as The Gershwin Room (The Espy), The Corner, Max Watts, The Forum, The Croxton could survive whilst The Tote, The Old Bar, Bar Open, The Northcote Social Club, The Curtin Hotel, Night Hawks, The Vineyard, The Dogs Bar, Cherry Bar, The Cactus Room, Shotkickers, The Jazz Cat, Jazz Lab, etc would no longer be viable commercial operations as dedicated live music venues.

The impact on certain types of bands would be devastating if they were forced to be considered professional. Specifically, bands with large memberships as dictated by the genre or traditions, such as Latin bands, choirs, amateur orchestras, big bands, etc. These bands would simply become unbookable if they were not allowed to set their fees appropriately for the performance context. Single electronic artists and DJs, singer-songwriters would be more cost-competitive and prosper at the direct expense of larger ensembles. The lower a musician headcount, the more economically viable the show becomes.

Finally, Punk bands and Grind-core bands typically can't play longer than twenty minutes because of the strenuous nature of the genre and the short nature of their material (two minute songs is typical for Grind-core). This leads to a larger band count on a lineup, which would

competitively disadvantage these types of bands against bands with larger two or three 45 minute long set repertoires.

In conclusion, defining what a professional is versus an amateur musician is, so the applicability of the Live Performance Award [MA000081] for musicians is clear, will go a long way to removing the existential risk of the economic unviability of the amateur live music scene for shows with audience sizes under 300-400.

3.4 Pillar 4 — Strong Cultural Infrastructure

Providing support across the spectrum of institutions which sustain our arts, culture and heritage. The government is seeking views on how Australia’s cultural infrastructure can remain resilient, adaptable and fit-for-purpose, including how existing partnerships, investment, infrastructure and systems could be used more effectively to support long-term sustainability.

3.4.1 Alcohol Excise and Wine Equalisation Tax rebate scheme. A better way for the Federal Government to financially support small to medium Licensed Live Music Venues and Festivals still in crisis post COVID.

Prior to March 2020, when the COVID pandemic hit, the Live Music Industry was growing economically as a sector. Like many industries, it had its headwinds and distortions, but nothing could prepare it for what would come.

The sector got well and truly smashed by the lockdowns. It was affected more than any other sector of the economy, and the pronounced Morrison “Snapback” never happened. Post-Covid, inflation spiked, and operating costs, like public liability insurance, ballooned whilst audiences and the number of active bands halved.

In the 2025 Music Victoria Live Music Venue Audit, it has revealed a decline in regular live music activity, with the number of venues hosting at least one gig per week falling 19.4% since 2019. The damage from the COVID lockdown is extensive and is enduring. The economic and cultural damage done to the sector is now widely accepted.

The Federal and State Governments continue to respond with their standard toolset: programming grants.

However, these tools are competitive, ad-hoc, over-subscribed, and require substantial resources and skills to apply for them. The criteria often steer the grant funds into activities that are not critical to the organisation's survival. Whereas Live Music Venues' financial priorities are core fixed costs such as rent, property costs, permanent staff costs, public liability insurance, etc. Many festivals and venues also carry substantial debt accumulated during the lockdowns, which grants specifically cannot be directed to address.

Examples include grants such as RISE, Live Music Australia, Revive and The Victoria Government's 10,000 gigs program. They mainly target equipment upgrades, training and programming costs. Program-oriented grants have proven to be ineffective in reversing the decline in live music venues and activity since 2020, as they do little to reverse venue trading losses and, therefore, result in gig losses. Whereas correctly targeted assistance to struggling venues’ core operating costs will save live music venues and the gigs they host.

What live music venues desperately need is a direct injection of money into their working capital. Without this, live music venues and festivals will continue on the now established trajectory of economic attrition and sector contraction.

Saving a single live music venue from closure would equate to saving about 780 live music shows over the 4-year life of the program. This equated to 2,345 band gigs, assuming three band line-ups. These are shows that would otherwise be lost.

Financial assistance and saving live music venues from closure would have a more significant and enduring impact than existing ad-hoc program funding grants.

This is further backed up by one of the recommendations of Music Victoria's 2022 Victoria Live Music Census,

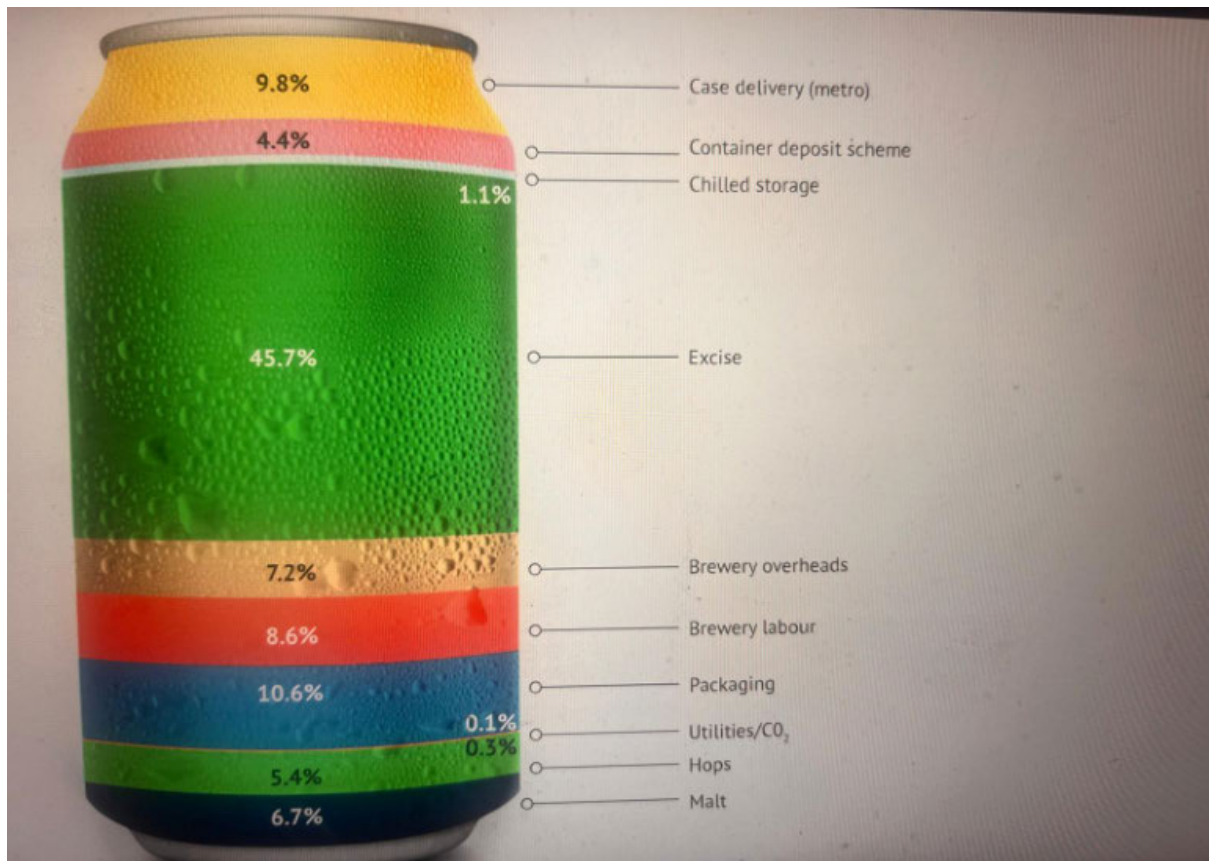
*“That the state government extend the live music venue support grants to assist small venue operators to refurbish infrastructure and **restore the viability of their operations and to reinvigorate our famous live music scene.**”*

Although this recommendation was directed at the Victorian State Government, it is equally relevant to Federal Government policy as the Australian Music industry generates annually \$10.76 billion (The Bass Line 2. Charting the economic contribution of Australia's Music Industry. Second Edition, Music Australia, 2026) in the Australian economy. The cultural and economic damage to live music will be long-lasting unless the government implements effective policy options instead of continuing with the current ineffective suite programming and equipment upgrade grant targeting venues and festivals! We know that every \$1 consumers spend on live music generates \$3 in economic activity, so simulating live music activity will yield economic results.

<https://livemusicoffice.com.au/research>

The disproportionate tax burden.

Live Music Venues pay more tax, levies and licensing fees than almost any other sector of the economy. These taxes include the Wine Equalisation Tax, Alcohol Excise, Liquor License Fees, Land Tax (either directly or indirectly through rent), PAYG, Payroll Tax, Council Rates, Health Licenses, Fire levies, GST, water and waste charges, and Company Tax. Although not a tax, live music venues and festivals are also responsible for paying OneMusic music copyright license fees.



Brewer costs of Beer. Source: The Age.

The Government should consider that if licenced live music venues and festivals fail or cease operation, then this is enduring taxation revenue that the government would not otherwise raise.

A Proposal for an Alcohol Excise and Wine Equalisation Tax rebate scheme for hospitality-based Live Music Venues and Festivals to facilitate financial recovery from the ongoing Covid-related economic damage.

This is a simple proposal that would be easy to implement by the Federal Government to address struggling hospitality-based small to medium live music venues and licensed festivals which would offset core costs and is likely to be revenue neutral.

This proposal is for a system of Alcohol Excise and Wine Equalisation Tax rebates for Live Music Venues and Festivals that hold liquor licenses. The Federal Government could create a rebate scheme on alcohol excise and the Wine Equalisation Tax (WET) currently collected by the Federal Government that would only be available to legitimate licensed grassroots live music venues and small live music festivals. It would not need to be permanent and would only need to last for a set recovery period (say 4 years) to assist these culturally vital organisations in recovering from the COVID lockdown's enduring financial impacts.

This would be achieved by targeting their critical financial problem of lack of profitability in the current post-COVID ramp-up recovery period when they are carrying the added weight of

accumulated COVID debt generated during and after the lockdown whilst they are operating at substantially reduced income levels.

It could operate as follows:

- Eligibility would be specific to small to medium live music venues and music festivals under 10,000 capacity that hold both a valid liquor license and a OneMusic license covering live music royalty collection. Also, a documented history of staging live music or other performance activity, such as comedy, by presenting records of door reconciliation sheets, OneMusic live music reports or other proof of live music programming. The eligibility criteria for this rebate proposition are simple and have already been utilised by the Live Music Australia Grants.
- Alcohol excise is based on alcohol volumes, not sales value, but can easily be accounted for by licensed Live music venues and festivals. The summation of alcohol purchase quantities organised by the Excise Tariff sub-item category could easily form the basis of the rebate calculations by using invoices for stock from the licensed Live music venues or festivals suppliers as the documentary evidence basis to a validate rebate claims.
- The WET is based on 29% of the wholesale price of wine so the invoiced amount from licensed live music venues or festivals suppliers would also suffice for a claim with invoices forming the evidence base.

Although there is an administrative overhead for this scheme, this is well outweighed by the beneficial financial impact of the proposal. The rough value of alcohol excise represents around 12% to 15% (25% COG of 46% wholesale excise) of a live music venue's turnover. This would turbocharge the profitability of legitimate small to medium live music venues and festival bar sales. The increased cash flow would address the disproportionate operating costs caused by accumulated COVID lockdown debt and other disproportionate inflationary headwinds such as the massive increases in public liability insurance.

Although a direct injection of working capital into live music venues and festivals by the Government is an alternative through correctly targeted grants, this rebate proposition would equally work to specifically address live music venues and festivals' future economic needs and underpin musician employment sustainability.

Implementation of this proposal by the Government would not require any new or amended legislation in parliament.

This proposal also aligns with the proposal by APRA/AMCOS for a Live music tax offset.

The report prepared by BIS Oxford Economics indicated that sector-wide support for live music would be as follows:

- The BISOE report found that a tax offset would incentivise existing live music venues to host more live performances and enable non-live music venues to host live music performances.

- A combined venue offset (of 5% of expenses for current live music venues and \$12,000 in expenses for those not currently hosting) would boost the incomes of musicians and artists by \$205 million per year with an additional 203,200 gigs.
- Such a combined offset could also support 7,400 direct and indirect jobs across entertainment, hospitality and tourism, and contribute \$636 million per annum to Gross Value Added (GVA).
- The tax offset would boost annual industry GVA by between \$310 million (i.e. an increase of approximately 10%) and \$495 million (an increase of 15%); and contribute to employment by between 3,600 (an increase of 10%) and 5,800 jobs (an increase of 15%), depending on the scenario modelled.
- A key motivation of the offsets is to encourage a healthy live performance ecosystem.

Apart from establishing a vibrant cultural life in Australia's cities and rural centres and enhancing quality of life, supporting live music may also provide other long-term benefits such as enhancing Australian musical exports and soft power.

Although the APRA/AMCOS/BISOE report did not consider this Alcohol Excise and Wine Equalisation Tax rebate proposed, the report specifically did not specify the mechanics of how a tax offset for live music could be implemented.

<https://www.apraamcos.com.au/about/supporting-the-industry/research-papers/economicimpact-of-tax-offsets-on-the-live-music-industry>

<https://assets.apraamcos.com.au/images/PDFs/About/APRA-OE-Report-Tax-IncentivesFINAL-REPORT.pdf>

Precedents

There are precedents for such an initiative. The three examples given show that such an excise rebate scheme is not novel and is viable. Although the jurisdictions and scheme's scope vary, they do offer benchmarks for the establishment and implementation of this proposal.

Further research would result in a more extensive list.

The Victorian Government established the Community Support Fund (CSF)

In 1991, The Victorian Government established the Community Support Fund (CSF). It is a trust fund governed by the Gambling Regulation Act 2003 to direct a portion of gaming revenue back to the community.

As prescribed by the legislation, the CSF receives 8.33 per cent of the revenue generated from the operation of electronic gaming machines in hotels. Any investment interest earned on the fund is retained and distributed for the community purposes set out in the legislation, including arts and tourist based initiatives and funding of support or advancement of the community as determined by the Minister.

In 2019-20, the CSF received \$112.23 million in revenue. This was lower than expected due to the COVID-related public health restrictions.

<https://www.dtf.vic.gov.au/funds-programs-and-policies/community-support-fund>

Other examples of alcohol excise rebates being redirected to live music include:

Texas Music Incubator Rebate Program (Austin, Texas, USA)

The Texas Music Incubator Rebate Program allows live music venues in Austin to receive up to \$100,000 annually in liquor tax rebates. This program was established to provide financial relief to venues that significantly contribute to the live music scene. The Texas Music Office administers the program, which has a total funding of over \$10 million for the next two years. To qualify, venues must meet specific criteria related to their operations and the promotion of live music.

<https://www.austinmonitor.com/stories/2023/05/austin-music-venues-could-receive-100k-liquor-tax-rebates-from-new-state-incubator/>

Proposed Liquor Tax Rebate Program (Cleveland, Ohio, USA)

In Cleveland, a proposal has been introduced to create a live music fund using liquor taxes collected from venues with a capacity of 3,000 people or less. If approved, this program would allow these venues to apply for rebates of up to \$100,000 annually, with a total cap of \$10 million for the initiative. This proposal aims to support the local music industry and enhance the cultural landscape of the region

<https://www.wosu.org/2024-08-29/ohio-lawmakers-propose-liquor-taxes-to-support-live-music-venues-at-rock-hall>

In conclusion

As Live Music Venues and Music Festival employ and contract a substantial proportion of Australian bands and musicians, Live Music Venues and Festivals are the important economic scaffold for musicians and music workers to sustain their careers. This is particularly true for emerging and developing musicians and bands.

Live music venues and festivals are the creative cauldron of the music industry's 60,000 jobs. The federal government has historically underinvested in contemporary live music compared to other industries of similar size, and even in terms of the shrinking arts funding pool.

As such, this proposal will likely be close to revenue neutral, representing a sound and wise investment by the Federal Government in the Live Music industry and the future of Australian musical culture.

Recommendation 6 - 4.29 it states,

“Special Entertainment Precincts should benefit from a regulatory regime more supportive to their ongoing viability. This may include exemptions to trading hour

restrictions, **concessional liquor excise rates** and differentiated noise complaint processes”

in the House of Representatives Standing Committee on Communications and the Arts - Am I Ever Gonna See You Live Again? Yes way! You bet! Oh yeah! This recommendation floats the idea of concessional excise rates as a mechanism for stimulating Live Music (albeit in the context of Live Music Precincts). This acknowledgment by a bipartisan is an endorsement of the proposal’s merit and therefore should be seriously considered by the Australian Government to be implemented.

Originally published at <https://www.counternarrative.art/p/a-better-way-for-the-federal-government> (Jan 17, 2025).

Addendum: Excise and the recent escalating fire bombings of hospitality venues.

As an addendum to the above proposal, in recent weeks, many hospitality venues have been firebombed. Speculation in the press and online is that this is related to organised crime pressuring licensed venues to sell cheaper illegal alcohol. This follows a spate of shop fires linked to the sale of cheaper, illegal, and untaxed tobacco.

The question that these fire-bombings raise is the existential threat that organised crime now poses to the cultural infrastructure provided by licensed live music venues as a result of what is clearly a failed government policy of excessive taxation, through the levying of excise, on alcohol and tobacco.

The live music industry is one of the highly taxed industries in the country, paying directly or indirectly “wine equalisation tax, alcohol excise, liquor license fees, land tax, PAYG, payroll tax, council rates, health licenses, fire levies, GST, water and waste charges, and company tax. Although not a tax, live music venues and festivals are also responsible for paying OneMusic music copyright license fees” (quote by Jon Perring, Am I Ever Gonna See You Live Again? Yes way! You bet! Oh yeah!, House of Representatives Standing Committee on Communications and the Arts, March 2020, p20) and is under extreme economic pressure whilst organised crime is undercutting the hospitality and retail sector with the illegal supply of alcohol and tobacco netting \$767 million and growing in alcohol (ATO, <https://www.ato.gov.au/about-ato/research-and-statistics/in-detail/tax-gap/a-h-tax-gaps/alcohol-tax-gap/latest-estimate-and-trends>) and about \$10 billion in Tobacco (<https://www.abc.net.au/news/2025-08-04/illegal-tobacco-is-a-deadly-10-billion-industry/105607186>).

The policy settings of high taxation of alcohol and tobacco have not eliminated the use of these drugs, nor has prohibition eliminated the consumption of other illegal drugs. It has just funded organised crime.

Establishing an excise rebate for live music may not only support the struggling live music sector economically but also help prevent the sale of illegal alcohol within the sector, thereby mitigating the risk that excise revenues will flow to organised crime.

3.4.2 Public Liability Insurance

This specific issue directly threatens all venues (Theatres, Live Music Venues, Bars, Concert halls, etc.) and events (Festivals, small outside one-off events, etc.). The problem has persisted since the pandemic and remains seemingly intractable. Anecdotally, I have heard from our industry colleagues that several Live Music Venues have not had the option of obtaining any public liability at all, others have received increases of 1100% of their premiums and specifically, others received quotes in the range of \$250,000 to \$600,000. Some venues' policies have excesses of up to \$75,000. We have not listed the specifics as the conversations were given in confidence. However, horror stories are widely documented in the press and by organisations such as the ALMBC, state music peak bodies and APRA/AMCOS. Massive Public Liability costs have been cited by some venues as the reason they are closing.

The rise in insurance premiums is not only unreasonable but also appears not to be based on any substantive evidence regarding claim increases or risk. Insurance companies do not make available their risk assessments of the industry. As a result, there is no meaningful way for operators to address any assumptions underpinning an insurance company's risk assessments and their often irrational policy conditions. The Old Bar's (Fitzroy, Victoria) policy famously did not allow its customers to drink in their band room!

Furthermore, in the situation where a Live Music Venue is leased, the tenant (venue) must pay for the landlord's public liability insurance, meaning that the tenant (venue) is paying twice. Insurance companies give no price considerations for any efficiencies for the overlapping policies.

Greater Government regulatory oversight is required of the insurance industry to prevent price gouging and to ensure the transparency of insurance risk assessment. Premiums should be correlated to relevant policy payouts and policy revenue income pools.

The Commonwealth Government should consider, at the very least, referring the situation experienced by music venues and festivals to the ACCC to investigate to ensure fair Public Liability insurance policy pricing, availability, and conditions.

Alternatively, the Federal Government should consider a parliamentary inquiry into public liability and event insurance. Such an inquiry should also examine the fairness and appropriate determination of payouts by courts to claimants and whether the statutory precision of the relevant provisions intended to guide such payouts can be improved.

The Government needs to consider Tort reform because excessive increases in Public Liability Insurance costs are not limited to the music industry. It is a problem that threatens the tourism and hospitality industries and many other sectors. It is a substantial brake on the wider economy and is a cost that now exceeds the community protections it is meant to safeguard against.

Music Victoria has advocated for live music venue public liability insurance to be covered by the Victorian Managed Insurance Authority so premium prices can be lowered to financially manageable levels. However, the proposal has been rejected. The issue remains a national problem requiring a national solution.

3.4.3 Update the National Construction Code to include sound attenuation for residential developments from external sound sources.

Live Music Precincts are being rolled out in most states to protect live music venues from encroachment of residential development that can potentially be exposed to music sound emissions. In Victoria, the Victorian Planning Provision utilise the Agent of Change Principle to place the responsibility of installing and paying for soundproofing solutions on who is the newcomer to the neighbourhood (Agent of Change). Live Music Precincts are also under consideration, which would ensure that, within these designated areas, any residential development would be required to install soundproofing. In each case, a bespoke engineered design is required.

However, in The Valley in Brisbane, design guidelines for soundproofing solutions are included in the City of Brisbane planning scheme.

The National Construction Code should be amended to include these standards and design guidelines for soundproofing of external building fabric (double-glazing, Winter Garden Designs, Ventilation requirements, wall specifications, etc) when buildings are constructed within a Live Music Precinct or within 50m of a Live Music Venue.

The benefits go beyond protection from live music sound emissions, as they protect inhabitants from noise from rubbish collection, transport-related noise, and other anthropogenic noise from the night-time economy.

Most of the design specifications exist in the Brisbane City Council's planning scheme, so these could be used as a starting point for a draft.

Including a new section in the NCC on soundproofing for residential buildings against external sound sources would reduce construction costs, as the construction industry could rely on standardised solutions.

The Government should initiate a NCC revision of soundproofing requirements for residential buildings.

3.5 Pillar 5 — Engaging the Audience

Making sure our stories connect with people at home and abroad. The government is seeking views on how cultural policy can respond to changing audience behaviours, discovery pathways and modes of engagement, including innovation in presentation and discovery to sustain participation, as well as marketing and distribution so Australian creativity continues to inspire, include and connect.

3.5.1 Proposal for an Australian publicly owned streaming platform that streams Australian music content.

Most Australian musicians receive virtually no copyright royalties from the major streaming platforms. Furthermore, the algorithms that select content are not focused on serving up Australian content, with only 8% of the top 10,000 artists streamed within Australia being local.

<https://www.theguardian.com/music/2025/jun/12/australian-artists-making-waves-globally-but-local-listening-at-historic-low>).

Although there are success stories - 370 Australian artists earned over \$100,000 annually – the majority of Australian composers and musicians are buried under the 120,000 new tracks uploaded to streaming services daily.

<https://www.musicradar.com/music-industry/more-music-is-being-released-today-in-a-single-day-than-was-released-in-the-calendar-year-of-1989-how-the-music-production-industry-has-taken-note-of-the-huge-number-of-self-releasing-artists>)

Yet we know the Australian audience has a thirst for Australian Music. Music Australia research show “**Australians love local music and want to hear more:** 71% of music-engaged audiences say they feel a sense of pride when they hear Australian music, and two in three (66%) say they want to hear more, but only one in three (33%) are actively seeking it out. Audiences would like to attend more live music, but many say they do not know where to find it.”

<https://creative.gov.au/news-events/news/music-australia-calls-audiences-seek-out-local-artists-new-research-reveals-gap>)

There is a discoverability gap between Australian audiences and available online music content. The community radio, particularly in Melbourne (3PBS and 3PBS), has long fertilised the local Australian live music audience as has the ABC 3JJJ national. However, community radio through its diverse roster of program hosts has promoted the independent music scene by playing local releases, proposing local band gigs, interviewing and broadcasting local bands live to air, but importantly, constantly contextualising who the local bands, musicians, and venues are in relation to their albums, songs and gigs. Importantly, there is no top 100. There is no elite.

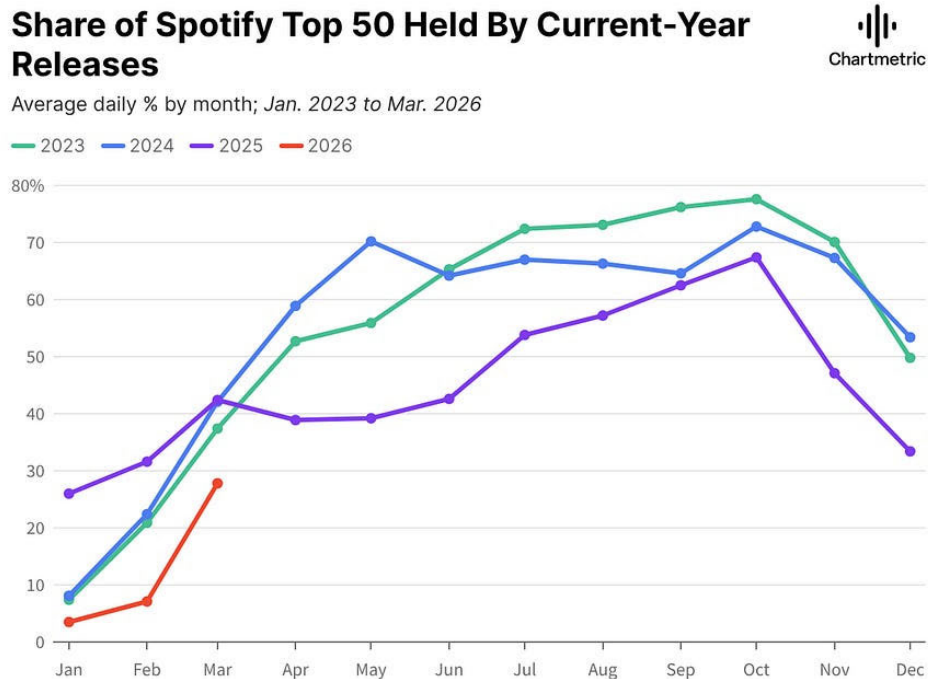
A recent report (Community Radio and Australian Music 2026: Building the Music-Media Ecosystem, May 2026) estimated that, across 10 case studies, music-focused community radio stations returned \$3.21 to live music for every input dollar. The Return on Investment (ROI) number is even higher (\$5.55 to \$1) for the top thirty-nine music-focused stations.

However, the major streaming platforms (Spotify, Apple, etc) actively discriminate against Australian artists. Of the “1.44 million AU origin tracks are at most 21 times less likely (simple probability), in comparison, to appear in recommendation outputs. (Examining Digital Platform Interactions to Assess the Performance of Australian Artists on Algorithmic Playlists, Andargoli, Forkan, Mohsin Malik, Morrow, Jayaraman, Weerasinghe, 2025)“. This Victorian Music Development Office Funded report concludes that “proportional bias—a structural imbalance in music and artist exposure based on the relative representation of artists and listener demand. This bias statistically disadvantages underrepresented communities, such as AU artists within Spotify’s recommendation algorithm. It has the potential to amplify prevailing social preferences and cultural hegemony. This disparity is also influenced by the proportion of established artists in each region.”

<https://www.vmdo.com.au/dsp-algorithm-research>

Furthermore, the new top 50 releases on Spotify are declining in favour of holder over releases from the previous year, indicating that existing listening patterns are being actively reinforced over new releases. The major record labels are increasingly investing in old songs

rather than new artists, whilst streaming platforms are pushing AI-generated tracks. This is not about culture; it's about digital content farming for large profits for a small number of multinational companies.



Source: [Chartmetric](https://www.chartmetric.com/)

https://www.honest-broker.com/p/new-music-is-slowly-dying?utm_source=post-email-title&publication_id=296132&post_id=192979958&utm_campaign=email-post-title&isFreemail=true&r=1r66e6&triedRedirect=true&utm_medium=email

In [the paper](#) *Down, and Under Pressure*, the researcher and author Tim Kelly, noted the share of Australian artist albums in the ARIA top 100 fell from an average of 29% (2000–2016) to 18% (2017–2023) and reached only 4% in 2023. Also, Australian artists' share of streaming consumption fell from 12% to 8% between 2021 and 2024, while local content consumption on streaming services fell by 31% over the same period.

<https://australiainstitute.org.au/post/algorithms-are-a-problem-for-australian-music/>

Tinkering around the edges isn't going to cut it. Campaigns like Ausify (<https://ausify.com.au/>), although noble in intent, are essentially naive and ineffective against globalised algorithms focused on profits for the technocracy.

Equally, requesting that Spotify and other streaming platforms algorithmically favour Australian artists' content through AU geo-ringing strategies will be ignored, as it's simply counter to their economic interests.

Only government-backed intervention can effectively counter the US technocracy's cultural imperialism and monopolisation of streaming revenues at the expense of the Australian music industry.

A free Australian streaming platform that serves up curated Australian music could go a long way to closing the discoverability gap for Australian artists for Australian audiences. Of the one million six hundred thousand weekly community radio listeners who discovered a local or emerging artist, they could potentially listen to them on an Australian streaming service, with the artist receiving fair royalties instead of being, as they currently are, directed to Spotify (1.5m) where the artist receives little or no payment and will then have their music listen habits algorithmically refocused on the small number of non-Australian tracks the streaming companies favours.

[Source: Community Radio and Australian Music 2026: Building the Music-Media Ecosystem, May 2026.](#)

I am therefore proposing that the government investigate such a service, but instead of replicating Spotify's algorithm, curated playlists are provided by people such as:

- Community Radio Hosts
- Festival and Venue Bookers
- Prominent Musicians and DJs that are embedded in the local music scene.
- Other locally recognised knowledgeable music identities (music journalists, nurds, taste makers and tragics, etc).

Tracks and playlists could be linked through to venue gig listings (<https://www.livemusiclocator.com.au/>), ticketing links (Oztix, Moshtix, etc), street press (Beat, etc), festival programs, local artist and labels webpages. Such a service would become the central hub of the Australian ecosystem. The benefits of music discovery by audiences would result in a positive economic impact (likely a ROI of 3.2:1 or higher) on the music industry that would be significant.

Ideally, subscriptions and track uploading would be free. Such a proposal could sit within the ABC charter.

AUSTRALIAN BROADCASTING CORPORATION ACT 1983 - SECT 6 Charter of the Corporation states in the Charter of the Corporation

“(1) The functions of the Corporation are:

(a) to (i) broadcasting programs that contribute to a sense of national identity and inform and entertain, and reflect the cultural diversity of the Australian community; and

(b) to transmit to countries outside Australia broadcasting programs of news, current affairs, entertainment and cultural enrichment that will:

(ba) to provide digital media services; and

(c) to encourage and promote the musical, dramatic and other performing arts in Australia. “

However, there are reasons to consider why such a proposal should exist outside of the ABC. The ABC Terms of Service state,

“By contributing content to any ABC Online Service, you grant the ABC a **royalty-free**, irrevocable, non-exclusive licence to use Your Content in any way, and in any media worldwide. This may include the use of your photos or video on ABC television, social channels, transmission of the material by our overseas partners and syndication to our Australian content partners. You retain copyright and any other rights you hold in Your Content.”

However, the Radio Cap under the Copyright Act does not apply to online content. A negotiated copyright payment rate for artists would need to be agreed upon by stakeholders. ABC policy requires the absence of advertisements and commercial sponsorship. It is one of the ABC’s distinctive features of its domestic television and radio services. However, non-broadcasting services provided by the ABC that deliver content using digital technology, including online, mobile and social media services, may, if approved by the ABC board, allow advertising and commercial sponsorship for ABC’s digital media services.

Such considerations would need to be resolved before a streaming service proposal was finalised, if such revenues were to be considered as contributing to agreed contributions to artist copyright payments. If a paid, ad-free premium service were offered, ABC policy considerations would also need to be resolved.

3.5.2 The Australian Government should move to set standards of conduct for government arts and cultural bodies, government-funded arts organisations and their officers to better ensure integrity and respect for artists, their works and their right of political expression.

Recently, we have seen a number of controversies and conflicts in the arts and cultural space. Specifically, but not limited to:

- The cancellation and subsequent reinstatement of the artists Khaled Sabsabi and curator Michael Dagostino to represent Australia at the Venice Biennale.
- The Cancellation of Dr Randa Abdel-Fattah’s appearance at the 2026 Adelaide Writers’ Week resulted in its cancellation.
- Following educator Kellee Green’s award speech at the 2025 Queensland Music Awards, Brisbane City Council would revoke its \$25,000 in funding for the QMAs.
- Pianist Jayson Gillham had his performance cancelled by the Melbourne Symphony Orchestra (MSO) for dedicating a piece to journalists killed in Gaza.
- The Victorian and NSW governments are threatening Live Music Venues with possible adverse consequences for their liquor licence if staged book Hip-hop band OneFour.

Musicians and artists have opinions on the day's geopolitics. They naturally chime with the zeitgeist. They express this through their art and often in public when they have a platform. In these cases, they feel deeply about the suffering of people who are in desperate situations. It is their right to express these views and how they feel about.

It is not the role of governments, politicians, or arts institutions to control the perceived controversial expression of these views. Although different artists may have varying levels of understanding of the issues, governments, politicians, and arts institutions should support the

artists and their work. They can do so without endorsing any specific views expressed within the boundaries of Australian law.

It is well established that autocracies and theocracies (China, Russia, Israel, Iran, etc) actively try to influence the platforming of arts and the free expression of their views, whilst also the fermentation of hatred of their geopolitical, theological, and ideological adversaries. This can be either overt, through direct lobbying, or clandestine methods.

Being able to talk about these complex subjects, both through discussion and art, is a paramount role of the government in facilitating the maintenance of our democracy and a healthy, civil, multicultural, and pluralist society. Furthermore, if the Australian Government wishes to pursue cultural diplomacy as part of exercising its soft power on the international stage by engaging artists and musicians, it is paramount that its representatives and institutions, including those it funds, treat and protect those artists better than it has in the past.

To address these concerns, Government should:

- Arts organisations and government bodies, such as Creative Australia, should prepare for criticism and deliberate politicisation of artists and their work from specific interest groups when announcing major commissions and awards.
- All board appointments and senior positions in government-funded arts and cultural institutions and organisations should sign a **Declaration of Interest** that requires appointees to disclose any association, financial support, or affiliation with foreign governments, military, or state-sponsored entities.
- Politicians and senior public servants should refrain from attempting to shut down healthy political discussion in our society when artists express a view the government or institution may be uncomfortable with.