

National Cultural Policy Consultation: *Revive* Policy Update

Submission of Australian Production Design Guild

The Australian Production Design Guild (APDG) was established in 2009 as a not-for-profit organisation that represents designers and their associates in screen, live performance, events and digital production across Australia. The APDG is committed to nurturing excellence, raising the profile of designers and building a connected, vibrant and future-focused creative community.

INTRODUCTION

The APDG makes this submission from a shared commitment to the future of Australian screen and live performance culture, the strength of our industries, and the people who bring them to life. Australia should have the conditions to make ambitious, distinctive and high-quality screen and live performance work that connects with audiences and strengthens our cultural presence at home and internationally. Achieving this requires policy settings that give practical force to the five pillars of the National Cultural Policy and recognise screen and live performance as central to Australia's cultural identity, economic infrastructure, and creative life.

EXECUTIVE SUMMARY

The APDG welcomes the opportunity to provide this submission to the *Revive* National Cultural Policy consultation.

The APDG thanks the Federal Government for setting up the initial *Revive* consultation process, the formulation of a comprehensive Arts Policy, the subsequent progress report and this current stage of further consultation with the arts community and stakeholders. This process demonstrates transparency, accountability and communicates the government's intentions clearly.

As a core member of Australia's creative ecology, the APDG represents designers, creatives, and artists. The APDG is the collective voice of costume designers, lighting designers, production designers, set designers, video designers, makeup designers, graphic artists, game designers and many more artists within the screen and live performance sectors. These designers and artists hold the great responsibility and honour of creating Australia's visual identity, historical resonance, and physical worlds and characterisation of Australian storytelling.

Aligning with the APDG Strategic Plan, this document outlines how visual craft must be protected, defined, and nurtured under a modernised national cultural policy framework. Furthermore, to fulfil the ambition of a thriving sector, this policy must address the reality that the screen and live performance industries are currently facing a structural crisis. True sustainability requires urgent intervention in workplace safety, contracting structures, training pathways, the looming threat of artificial intelligence and the demise of sustainable cultural infrastructure such as costume and prop houses*.

**Costume and prop houses are specialist screen and live performance industry infrastructure that preserve, manage and recirculate costumes, props and production assets for future creative uses. There are many successful international businesses profiting from such infrastructure systems.*

1. First Nations First & Distinct Australian Voices

The APDG aligns with the *Revive* pillar to centre First Nations stories. Production design is inherently tied to Country, place, and historical truth. To ensure true creative authority and safety, we advocate for:

- **Visual Sovereignty:** First Nations-led productions must be designed by, or in deep, equitable collaboration with, First Nations designers who understand the specific cultural iconography and nuances of the stories being told.
- **Legislative Protection Against Fake Art:** The government must fast-track standalone Indigenous Cultural and Intellectual Property (ICIP) laws and amend the Competition and Consumer Act to prevent non-First Nations individuals and businesses from profiting from fake Indigenous art and designs.
- **Cultural Safety:** We support the development and funding of a First Nations Cultural Safety Code of Practice for the cultural sector to ensure workplaces are safe and respectful environments for First Nations creatives.
- **Cultural Infrastructure:** The creation of traditional costumes, props and material culture by First Nations artists and makers for screen productions carries significant cultural knowledge, storytelling and connection to Country. The APDG advocates for sustainable archival infrastructure that documents and preserves not only the making processes, collaboration, and embodied knowledge embedded within these cultural practices.
- **Training First Nations designers:** The APDG welcomes the work of *Revive* to fund arts training institutions over 4-year cycles. However, we note that currently these institutions are not attracting First Nations students. The APDG supports targeted training strategies for young First Nations people who show potential as designers for screen or live performance. For example, the APDG has a purpose-built mentoring program, that with support could place suitable candidates within one-to-one mentoring relationships, to help support, guide and transition them into the industry or into training places.

2. Artificial Intelligence: Protecting Human Visual Craft

Historically, production and costume designers, art directors, and concept artists are early adopters of technology. However, the unmitigated rise of generative AI poses a structural threat to the intellectual property, credit, and employment of visual creators. What we must not allow AI to do:

- **Erosion of Concept Roles:** Generative AI must not be used to bypass the employment of human concept artists, set designers, production designers and costume designers during development and pre-production.
- **IP Exploitation and Style Mimicry:** The scraping of an Australian designer's proprietary look-books or frame compositions without consent or compensation must be strictly prohibited. Furthermore, copyright law must be amended to protect creators' discernible styles from being mimicked or passed off by AI, reserving copyright strictly for human-made works.
- **Equitable Remuneration:** We urge the government to legislate Equitable Remuneration domestically, guaranteeing an inalienable, non-waivable right to payment when a creator's work is exploited to train AI or generate synthetic outputs.
- **Condition of Funding:** Federal and state screen funding must be contingent on the explicit protection of human craft. Funding should be withheld from projects that use generative AI to displace Heads of Department (HODs) or their core department crews. All AI-generated content in screen and live performance must also be mandatorily watermarked.



3. Redefining 'Australian' Content: Prioritising Visual Leadership

The APDG strongly endorses a systemic review of how "Australian Content" is defined across broadcast quotas, streaming obligations, and tax offsets. The current system focuses heavily on financial spend rather than creative authorship.

- **Mandatory HOD Points (CAVCO Model):** For a production to qualify as authentically "Australian" and access taxpayer-funded incentives, key visual HOD roles—specifically the Production Designer, Costume Designer and Makeup Designer—must be filled by Australian citizens or permanent residents.
- **Enforcing Subscription Video on Demand (SVOD) platforms Quotas:** Australia is experiencing a severe drop in domestic production, particularly the "missing middle" of mid-budget television and film. The government must immediately enforce local content investment quotas on streaming platforms (SVODs) and streamline co-funding models to stabilise our workforce.

4. A Sustainable Sector: Balancing Investment and Infrastructure

While international inbound productions provide vital economic activity, they must not come at the expense of Australian-led, IP-owning productions. Currently, the local industry faces a capacity crisis where international blockbusters crowd out local independent films.

- **Co-Design Pathways:** Publicly incentivised international productions should be required to hire Australian production designers and costume designers. Where an international designer is brought in, a mandatory, fully credited Australian "Co-Designer" pathway must be established to ensure genuine skill transfer.
- **Subsidised companies employ Australian designers:** Some major live performance companies customarily employ international designers on their productions rather than Australian designers. When an Australian live performance company or production receives a public subsidy, they should be required to employ Australian designers in the same way that rules currently protect the employment of Australian actors. When a company can demonstrate the need to employ an international designer, they should be required to employ an Australian Design Associate to rebalance the Australian creative team.
- **Cultural Infrastructure Fund:** The APDG advocate for the establishment of a ten-year \$5 billion cultural infrastructure fund to invest in galleries, theatres, studios, and other vital cultural venues, ensuring spaces are ring-fenced for local production.
- **Cultural Infrastructure and Sustainability:** All cultural institutions will need to refocus their activities under the shadow of climate change. The APDG is an active advocate for sustainable practice, and our designers are often leaders on productions in advocating for sustainability practices. A significant factor in our practice has been the reuse of stock items to build new work. For many years archived stores of costumes and props have sustained screen productions. In live performance many companies manage a limited store of set, costume, props and technical resources, however all stores and all companies are struggling with maintaining these resources. *Revive* could make a big difference to sustainability practices at a practical level by supporting centralised shared storage, and management of these facilities. Such long-term investment in sustainable costume and prop infrastructure - includes digital cataloguing, access systems, storage, conservation, circular hire systems, collection sharing - to preserve the material culture and design knowledge generated through screen production. Without coordinated archival and circular economy systems, costumes, props and production assets that embody Australian stories and aesthetics are routinely dispersed, discarded or lost. The erosion of these collections threatens the continuity of a distinct Australian identity, cultural nuances and increases reliance on imported American and European production assets.
- **Bridging Financial Support (The French Model):** To prevent highly skilled technical crews and artists from leaving the industry during production downturns, Australia should look to international frameworks, such as France's *Intermittence du Spectacle*. Implementing an unemployment insurance scheme that provides a bridge salary for gig-economy screen workers who meet a baseline of hours (e.g., 507 hours over 12 months) would ensure the retention of our world-class workforce.

5. Breaking the Cycle of Precarity: The Irish Basic Income Model

While the French *Intermittence du Spectacle* model provides a robust unemployment insurance bridge for technicians, Australia must also consider direct support mechanisms for independent artists, concept creators, and early-career designers. To this end, we advocate for the adoption of a framework similar to **Ireland's Basic Income for the Arts (BIA)**.

- **A Proven Return on Investment:** Launched as a pilot scheme in 2022 and renewed as a permanent initiative in 2026, the Irish BIA provides eligible artists with a guaranteed weekly stipend (currently €325) to mitigate the systemic precarity of the creative sector. Independent evaluations of the pilot found that for every €1 of public money invested, society received €1.39 in return, generating significant socio-economic benefits.
- **Prioritising Artistic Autonomy and Wellbeing:** The gig economy forces designers and artists into a continuous hustle, regularly juggling freelance gigs with low-paying, non-industry work. The Irish model has demonstrated that a consistent baseline income deeply improves mental health, reduces financial anxiety, and allows artists to take creative risks, say no to exploitative work, and dedicate focus to long-term, high-calibre projects.
- **An Australian Pilot Scheme:** The APDG urge the federal government to establish a targeted Basic Income for the Arts pilot in Australia. By providing a reliable financial buffer, this policy would stem the exodus of creative talent from the industry and ensure that a career in the arts is accessible based on merit and talent, rather than the ability to endure poverty or rely on independent wealth.

6. Safe and Fair Creative Workplaces: Addressing Structural Realities

To fulfill the mandate of ensuring fair workplaces, cultural policy must recognise that workplace safety in our sector is dictated by budgets, schedules, and a highly precarious gig-economy ecosystem.

- **Eradicating the 60-Hour Week:** The standard working week in the screen industry is regularly 50 to 60 hours, leading to dangerous physical fatigue and severe burnout. Creative Workplaces must formally classify chronic, systemic overwork as a severe psychosocial and physical hazard.
- **The Weaponisation of Contracts & Portable Entitlements:** "Buyout" contracts strip APDG designers of our Intellectual Property (IP) and fail to pay for essential preparation time. Contracts regularly roll up penalty rates and overtime into inadequate flat fees. We require standardised industry contracts and the establishment of a Commonwealth portable entitlement scheme to give freelancers access to long service leave, personal leave, and parental leave.
- **Mandating 'Key Creative' Status:** When Production, Costume, and Live Performance Designers are excluded from "Key Creative" status, they are excluded from critical early-stage budgeting. An under-budgeted art or costume department is an inherently unsafe workplace. Designers must have a mandated seat at the table to negotiate realistic budgets and embed culturally safe practices for their crews.
- **Reclaiming Training Pathways:** Opportunistic private training providers are capturing grants while failing to deliver job-ready graduates. Funding must be aggressively redirected toward trusted, public institutions, championing TAFE for technical crews, whilst fully funding elite tertiary institutions like NIDA, AFTRS, and the VCA. Alternatively, policy settings could support the delivery of training through industry guilds such as the APDG.
- **Exempt grants:** Tax law should be revised to exempt grants, fellowships and prizes from income tax as some scientific awards do.
- **Industry awards to protect live performance designers:** The APDG supports the *Revive* initiative of working with the Workplace Commission to set up industry Awards for sectors not currently covered by the awards system. The APDG advocates strongly for an award to cover Live Performance costume, lighting, set and video designers who are not explicitly covered by the Live Performance Award (MA000081). This means that many designers working in this sector are not earning even minimum rates of pay.

- **Clarify the definition of 'contractor' in tax law:** The APDG supports the *Revive* strategy of defining the role of the arts worker in the gig economy, but more work urgently needs to be done in this area. 72% of Live Performance designers work as sole traders. The current tax law definition of 'contractor' is unclear in relation to live performance designers working as freelance artists. While these designers may be employed under contract, they do not work as other contractors do. Designers work closely within the company, to the conditions specified by the company employing them. Some companies are wedging their definition of 'contractor' to their advantage forcing designers into an insecure and financially unsustainable position in relation to the company, particularly in relation to insurance obligations. Many companies are avoiding their obligation to cover workers compensation and public liability insurances for designers working for them.
- **Gendered inequity:** The APDG applauds achievements under *Revive* and *Respect @Work* to eliminate bullying and sexual harassment in the workplace and build a fairer workplace. Workplace culture is being transformed through such initiatives. More broadly though, there are still areas of arts work where historic discriminatory attitudes to gender remain entrenched. Costume departments have traditionally been female-dominated workplaces, and unequal pay and conditions have become entrenched for designers and workers in costume roles. The APDG supports a policy of equal pay for all designers working at the same level of responsibility.

CONCLUSION

The visual identity of Australian screen and live performance culture cannot be automated by algorithms, nor should it be outsourced entirely to international creative directors. The APDG recognises screen and live performance design practice as a form of nation-building cultural work that shapes how Australian stories, histories and identities are represented and remembered.

By looking beyond simple codes of conduct to address the financial and structural levers—hours, contracts, bridging support, funding conditionality and cultural infrastructure — Australia will continue to build a distinct, resilient, safe, and world-class creative ecology that reflects the many facets of Australian identity and cultural expression.

