



Monday 22/08/22

Dear Minister Burke,

I am pleased to provide you with the Australian Live Music Business Council's submission to the development of a new National Cultural Policy.

The Australian Live Music Business Council (ALMBC) is a national music industry association led by Australian business owners to benefit the long-term sustainability and value of Australian contemporary music.

The ALMBC is the voice of Australia's vibrant *live* music industry, working to advance and promote the many employment, economic, social, and cultural benefits that the live music sector creates.

The ALMBC provides focused advocacy for thousands of Australian-owned small businesses and sole traders that support Australian music in public performance places and create tens of thousands of Australian jobs in the creative economy.

Membership is open to concert and festival promoters, event presenters, venues, booking agents, artists, DJ's, technical crew, show crew, show labour, venue staff, ticketing companies, merchandise companies, catering companies, venue workers and indeed anyone whose primary vocation is in the live music sector.

The live music sector is the most critical component of the overall music supply chain. Not only does it provide a creative proving ground for Artists, but it also sustains the vital platforms and infrastructure required to develop and commercialise an artist's IP.

Businesses that operate in the Live Music sector employ thousands of skilled, knowledge workers and technicians. They also provide commercial opportunities for thousands of small businesses that work within the sector - from stage crews to signage companies, security companies and food vans... and many more.

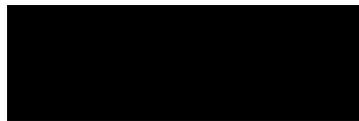
Australian contemporary music is the nation's biggest cultural export, and our largest domestic creative industry with live music activity worth around \$16 billion to the nation and for every dollar spent on live music, a further three dollars is returned to the community. Despite this, and the fact that contemporary music represents over 50% of all performing arts activity in the country, the existing investment from the Government does not match the existing contribution nor its potential. There has never been a better opportunity to implement a whole of government approach with the music industry to build Australia as an international music powerhouse.

ALMBC Key Policy Priorities

1. To represent the interests of Australian owned, live music businesses at all levels of government and within the broader Australian music industry.
2. The establishment of a Live Music Public Liability Insurance scheme to help venues that have been unable to secure or afford Public Liability Insurance.
3. To work alongside other stakeholders in music, hospitality and other industries to resolve urgent and systemic issues surrounding skills and labour shortages.
4. To help raise awareness regarding the under-use of options like portable superannuation by gig-economy workers in the live music sector.
5. To work with businesses in the live music sector to improve commercial practices and behaviour - including facilitating Best Practice Guidelines for the industry.
6. To support the development of a National Touring Network to make it easier for members and the broader industry operators to find relevant venues, contractors, services and to include coverage of Traditional owners and Traditional Place names.

Should you have any questions in relation to the ALMBC submission, please don't hesitate to contact me directly.

Sincerely



Stephen Wade
Chair, ALMBC



The ALMBC endorses and supports the submission that reflects the views of the collective stakeholders in the Australian music industry. This is an unprecedented coming together of the interests of the Australian music industry and has been through a thorough and exhaustive consultation process across the country.

For the purposes of this submission, the ALMBC addresses each of the 5 pillars through the lens of why they are important to the organisation and provides feedback as to the challenges, opportunities and recommendations for each pillar.

First Nations

In keeping with the broader Australian music industry, the ALMBC takes a First Nations First approach as a guiding principle. The development of cultural policy with a framework to support the creation of great local music must ensure Aboriginal and Torres Strait Islander musicians, artists and workers have a voice and agency across the full breadth of the music industry ecology.

The ALMBC understands that it is founded on First Nations land and that in both historical and contemporary practice, the music industry is a non-Indigenous construct and as such has not enabled itself to benefit from the history and learnings of Indigenous Australian cultural practice. It's important that we acknowledge the significant traumatic impact to First Nations Australians that has occurred since colonisation. Taking that into consideration and applying it to the music industry then we have an over-concentration of First Nations members of the community who are already involved in numerous activities. In seeking the First Nations community to be involved and provide perspective at the foundational and structural level needs to be balanced with existing and often competing priorities for First Nations community members. Consultation is a cultural process requiring the input of the many voices that make up Australia's unique diaspora of traditional owners and language groups. We must honour that process and resource it accordingly.

Visibility of First Nations artists in Australian music has improved significantly in recent years however, there are many First Nations participants in the music industry who may not want to be a performer but love music and don't know how to forge a career in the industry. Equally, there are many businesses in the Australian music industry that would like to commercially engage with more First Nations businesses and workers but simply cannot find them. The ALMBC proposes a mapping of First Nations engagement in the live music sector (outside of the artist community) so there is a quantifiable figure on which to

draw on. The ALMBC supports the creation of pathways to meaningful engagement, employment and business skills development in the Australian music industry led by First Nations peoples.

High-level principles

- The First Nations pillar of the national cultural policy must be strengthened from ‘recognise and strengthen’ to ‘invest, implement and sustain’.
- Self-determination must be an embedded principle in all First Nations programs and initiatives.
- To achieve the goal of producing and presenting more First Nations work we must strengthen First Nations led music organisations to deliver this critical role.

Key Priorities

- Develop a First Nations Music Skills & Workforce Capacity Building Plan for the next decade and beyond.
- A dedicated First Nations Music Commissioning Fund for First Nations artists and First Nations led organisations.
- Acknowledge that cultural processes cost money. Fund these costs.

Specific programs and initiatives

- Make adherence to cultural protocols, Indigenous Cultural and Intellectual Property (ICIP) management and community consultation an explicit and eligible expense in project grant budgets.
- Pilot program to identify and develop regionally based, and on Country, First Nations producers and presenters.
- Create pathways and resources (including bridging funding) to prepare emerging companies for multi-year funding.

A Place for Every Story

Australia is a collection of communities and cultures. From coastal communities to the inland interior, to the far north and the deep south, over east and to the west, we have First Nations stories, European settler stories, migrant stories, refugee stories, gender stories, stories of disability. There are good stories

and bad stories and stories that need to be told in the context of one's own community. Many of those stories are delivered with music as the medium. It is vitally important that communities have access to music creation and story telling opportunities.

Live Music plays a critical role in delivering a material source of revenue for the music industry, artists and practitioners alike. It also plays a key role in incubating and exposing emerging artists while also providing the training ground for emerging industry workers to learn their trade and become experts in their field. With live music all but shut down through 2020, we have had a material interruption in the upstream supply and development of talent that will be felt by the industry for some time to come. As evidenced by leading music and media industry research company MIDiA Research who have written on the impact on the entire music industry based simply on the struggle of smaller venues:

The plight of these smaller venues has had a fair amount of media attention, but the long-term impact of their potential demise will send shockwaves that will reverberate through the entire music business. Without this testing ground for emerging artists, an artist development gap is going to appear. One that could hold back the careers of the next generation of artists, affecting not just their live business but the entire spread of their careers – with clear implications for labels and publishers.

The impact of the pandemic has laid bare the unique and symbiotic nature of the live music industry ecosystem and how reliant each member of the supply chain is upon the other. At the centre of the ecosystem, almost conjoined, are the artist and their audience with everyone else reliant on each other to be able to bring those two elements together on a regular basis.

Live music plays an important and critical role to enable that story sharing and in the absence of venues, our stories will struggle to be shared. Live music venues of all sizes are a key platform for those stories and they are increasingly under threat as many live music venues have been reeling from the financial downturn brought about by the pandemic. Key areas impacting the presentation of live music more broadly are:

- Public liability insurance - either not being renewed by underwriters or commercially unviable premium increases
- Skills and labour shortages across all segments of the live music ecosystem
- Touring infrastructure requiring investment
- Consumer confidence being seen on slow ticket sales

- Audience development as many new and younger audience members are new to live music
- Reluctance for live music programming in venues

Strategies to support the ongoing development of the live music industry are required to ensure we continue to have places to share our stories with one another. The key areas identified above are critical to the success of the live music industry. We would urge the Government to consider the following solutions (each of which are addressed further in this submission and in more detail with the ALMBC strategic industry stakeholder group):

- Coordinated reform of legislation across industry, federal and state governments to deliver more affordable public liability insurance
- Recognition of the unique skills and training environment for the music industry to incentivise and attract a new and returning workforce
- Implementation of a National Touring Network that connects regional, remote and metropolitan communities
- Business interruption support to stabilise the live and events sector
- Accessible spaces and programs to integrate music into everyday lives of Australian people
- Tax offsets to incentivise new and existing live music offerings

The Centrality of the Artist

The Australian music industry does not exist without the artist. They are at the centre of the wheel that makes up the live music ecosystem. That said, they are in lockstep with the punter, the audience, the ticket buyer, and the listener. While an artist may create music, without an audience, they cannot make a living without being connected to the people who are listening to their music.

Live music revenue has traditionally been a core part of the music artist's overall income stream. The impact of the pandemic on the live sector and therefore that of the artist cannot be understated. It has resulted in a drastic re-think for the entirety of the music industry to consider sustainable models to ensure a more resilient response in times of unforeseen crisis.

While the musician is a creator, they are also a small business and it is critical they are able to support and sustain their careers to ensure they remain financially fluid so they are able to continue creating and

contributing to the Australian cultural identity and economic landscape. To achieve this, there are several related ancillary businesses in the music ecosystem that support the ongoing development of artistic endeavours.

As an example, artist managers are critical to the development of sustainable careers for musicians. They are the glue that connects artists to their agents, publicists, media, brands, accountants, lawyers, record labels and publishers (or in the absence of these last two partners, they manage these rights on their behalf). They get the band there on time, make sure they have sound engineers, lighting technicians, tour managers and transport. They are there when the artist needs a shoulder to lean on when they need it most. The role of the manager has also drastically changed in the last few years as the structural changes have required them to be more nimble in the face of huge pressures on the live sector which has traditionally been the main source of revenue for artists.

Equally, the technicians, crew, booking agents, tour managers who are critical to the success of the artists have all been required to re-think their businesses so they are more aligned with the interests of sustaining an artist's career in symbiosis with their own. The idea of relationships being purely "contractual" and more "partnership based" is gaining significant traction so all parties are sharing the risks and the rewards.

In representing the broad group of businesses that operate in the Australian live music sector, the ALMBC advocates for further support to see the artists as CEO and their various business partners as vital to their ongoing success. Key to this is ensuring strong business to business networks are facilitated that create strong supportive relationships for artists' long-term prosperity.

Further, as the Australian music industry has faced significant economic pressure, there has been a significant increase in market concentration and aggregation of business services across the live music sector. This can sometimes create an environment that is not favourable to artists and the Australian business that represent them.

Key areas that require music industry-specific strategies:

- Business skills development and mentoring across the music ecosystem:
 - The live music industry has a very highly skilled and specialised workforce. Over the past 2 years, the live music industry lost its best people at an alarming rate to other industries. While many live music workers can transfer their skills to other sectors, the same cannot be said in reverse; and leaving businesses in a position where they will not have the skilled worker on hand to deliver live music activity. It's like losing one of the legs off a four-legged table.

- Financial and business literacy programs:
 - The live sector needs to be able to provide coordinated support for artists and related sector support on matters such as company structure, superannuation, intellectual property management, and financial planning for creative artists and the sector.
- Business accelerator programs:
 - Establish business accelerator programs, skills traineeship programs and mentorship programs for artists as music businesses.
- Monitoring market concentration:
 - It is imperative to the long term health of the Australian music industry, its businesses and most importantly its Artists that they are able to operate in a fair market with a level playing field. It is the Government's role to ensure there are safety measures in place to support this.

Strong Institutions

Immediate Investment and Support

The first step is to stabilise our industry by maintaining existing programs of support, urgently investing in skills lost to the pandemic and set in place the structures to support new growth by ensuring our visibility and attracting investment:

Emergency Support

Provide immediate additional support of \$30m over five years for *Support Act* to provide ongoing crisis relief and to help the industry create sustainable cultural and behavioural change in relation to mental health, wellbeing and safety at work issues for artists and music industry workers.

Skill and Traineeships

Critical investment in traineeships and skills development for young people as well as retraining opportunities to address the urgent skills shortage and rebuild post pandemic capacity across the live music industry as a result of the pandemic.

A Commonwealth-backed insurance scheme.

Commonwealth backed business interruption insurance negotiated in partnership with the

states and territories, to protect live music investments and consumer confidence against COVID-related cancellations and rising policy costs.

Coordination with industry and Government jurisdictions on public liability insurance

Investigate legislative reform to deliver a consistent public liability framework to improve outcomes for both consumers and policy holders, ensuring the viability of live music venues, events and businesses operating in the live music ecosystem.

Creation of a dedicated Commonwealth Music Export Development Fund

Several years of disruption and border closures has seen the Australian music industry suffer significant economic and professional losses. We are at a critical crossroad where fierce competition and issues around visas and insurance threaten to impinge on our ability to effectively export in a meaningful way. As our artists and music navigate back to the world stage, it has never been more critical to have tangible and impactful support to help mitigate the serious risks and financial hardships associated with successfully exporting music.

Supercharge Policy and Investment - 'Music Australia'

New and sustainable growth requires a new and ambitious model of investment. Currently, there is no single government entity that can strategise, support and invest in the development of the industry at a national level.

COVID highlighted the disparate, unsupported circumstances of many small, highly valuable music organisations and programs – all essentially surviving hand to mouth – from one grant round to the next and with no guarantee of continued support.

A national contemporary music development agency – 'Music Australia' could oversee and support the investment in organisations and key strategic objectives including:

First Nations artists and First Nations led organisations

The support of First Nations music would be central to and prioritised throughout all the programs and activity delivered by Music Australia. The National Aboriginal and Torres Strait Islander Music Office, NATSIMO, would sit alongside Music Australia and help inform Music Australia strategy.

Policy Development

To work with industry and partners across all levels of government to ensure the policy settings are supportive toward music creation and export and foster significant productivity across the contemporary music ecosystem.

Workplace safety and culture

Partner with industry to address the findings and implement the recommendations of the Music Industry Review into sexual harm, sexual harassment and systemic discrimination.

Research

Invest in data collection, industry research including a regularly updated snapshot of industry activity, to inform federal policy and investment, industry trends, growth, export, and market opportunities.

Education and Creative Development

Synthesise, support and develop all grants, fellowships, residencies, music education programs and funding for the creative development of great new Australian music.

Market and Audience Development

Web3, Screen (Games/Film/TV), as well as strategic investment in regional, CALD and youth development programs.

Industry Development

Establish a national talent accelerator combined with new investment in, education, traineeships and skills development to rebuild capacity across the live music industry in metropolitan and regional areas.

Export

Support a whole of government ambition for Australia to become a net exporter of music, take advantage of the enormous potential of music export growth, and address barriers to international touring and promotion that are hampering our ability to succeed on the global stage.

Reaching the Audience

Local Content

Address challenges around the visibility and prominence of Australian music content.

The Australia Council for the Arts released [Creating Our Future](#) - its 4th Annual National Arts Participation Survey in August 2020. The report provides critical evidence concerning the pivotal role arts and creativity play to Australian society, culture and social wellbeing. Importantly, the results

demonstrate that Live Music is the most commonly accessed Arts and Cultural activity by Australians and is critically important to younger Australians. Importantly, nearly half of all Australians (48%) accessed Live Music in 2019 representing an increase of 5% since the survey started and 66% of young Australians access live music in order to *‘improve their wellbeing, understanding of other perspectives and culture, connect with the community and participate in the arts’*. Overwhelmingly, 76% of young Australians feel that *‘First Nations’ arts are an important part of Australian culture’*.

It is vital to ensure that Australian content remains easily accessible to all Australians and helps to develop and reflect a sense of Australian identity, character and cultural diversity. Our local songs are a vital means of expressing our voice, history, ideas, perspectives, values and identity and equally a means of projecting that to Australians and to audiences around the world.

Existing local content quotas and benchmarks are incredibly important for the local music industry. Given we know Australians like to hear their own sounds and voices, the visibility and prominence of local music provides an enormous opportunity for broadcasters and audio and video streaming platforms to celebrate great Australian music. We urge the government to review broadcast quotas, investigate local content benchmarks for audio streaming services.

As well as this, the Australian Government must turn its attention to the longer-term value of supporting our world class composers through incentives aligned with screen and digital games offsets so that the entire screen ecosystem can benefit.

Are there any other things that you would like to see in a National Cultural Policy?

Recognition of the Mental Health Benefits of Music Participation

The positive impact of music on [mental health and cognitive function](#) has long been the subject of researchers for many decades now. Studies regularly cite the [positive impact of music listening, playing and participation](#). It is an innate aspect of the human condition and has been part of the human make for millennia. Attending live music shows has a profoundly positive impact on people and this can be evidenced. A recent [Australian led study on Emotional Response to Music](#) demonstrated that people participating and listening to music of their choice had a profoundly positive impact on the study subjects. Further studies out of the US by Professor Michael Bordieri on the [Impact of Live Music on Overall Psychological Well-Being](#) found that individuals who attend and frequent live music performances, concerts, tend to be happier, have greater social connectedness, and more psychologically adjusted in the world. Specifically, Borderi points to the difference between the impact of

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live compared to a recording:

"Some research has looked at what people experience when they listen to music on a recording vs. listening to it live. What they find is that there seems to be indicators of different brainwave activity and different emotional experiences among individuals exposed to live music compared to listening to a recording. All music can be beneficial; there's plenty of evidence there. But something about live [music] is special. It adds...increased engagement, stronger emotional expression, and associated stronger brain activation in those same regions. Which kind of makes sense. There's more happening live. There's something more to the experience that can be there."

Improving Policy Between All Layers of Government

Federal

The live music industry and the creative and cultural industries more generally tend to have their needs addressed by the Arts portfolio at a policy level. While the Federal Arts portfolio plays an important role in supporting these industries, a more holistic approach is required. There is a clear need to create a cross departmental / inter-agency approach to the entire creative and cultural sector, of which the live music industry is a vital and important economic driver. For example, the live music industry is relevant to a host of portfolios - not just the arts - given its employment, export and economic impact, particularly with Small to Medium Enterprise businesses.

The ALMBC addresses the needs of the music businesses that are intrinsic to the health and vitality of the live music industry and as such requires government investment at a strategic policy and investment level. A key and overarching feature that requires the attention of the Federal Government is the lack of current and relevant industry-specific data sets for the music industry more broadly. The environment that has been created by the pandemic has most certainly highlighted the vacuum that exists with respect to the availability of useful quantifiable and qualitative data sets that underscore the economic, social and health benefits of the impact of music in Australia. It is our belief that this is paralleled in other creative and cultural industry sectors.

A further issue requiring investigation is the identification of those businesses operating in the creative and cultural industries cross-referenced to businesses and activity identified through the Australian Bureau of Statistics (ABS).

It is highly problematic that the ABS does not accurately or adequately reflect the actual economic activity that is occurring in the creative and cultural sector. Specifically, our industry cannot be segmented into the relevant verticals, such as identifying the spread of activity in the live music sector versus sport, as but one example.

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This is not a new problem and has been raised by many other bodies previously over many years. We would highlight that this remains unresolved.

State

Critically, the nature of the relationship between State and Federal Governments has never been more acutely amplified than in the pandemic environment. The uncertainty around border closures and variables around social distancing measures that have impacted the live music industry highlights but one of the many issues where there are significant differences between Federal and State based responses. These are not limited to a pandemic environment. The impact of state-based legislation relating to insurance, noise, security, harm reduction, and violence have had a lasting negative impact on the economy of live music and the confidence of businesses to present and promote live music use in the community, across both cities and regions.

While accepting that the States act autonomously, a broader collegial approach to managing change and supporting live music industries across the State's infrastructure would prove positive and beneficial.

Local

The important role Local Government plays in the development of the live music industry cannot be underestimated. Local areas are the fertile breeding ground for artists and industry practitioners alike. The relationship between the Local, State and Federal jurisdictions in the development and regeneration of the live music industry both now, during these uncertain times, and also in the future needs a dedicated and strategic approach to ensure targeted outcomes for the music industry where "playing local and staying local" has never been more important.