

Item No: C0413 Item 20  
Subject: NOTICE OF MOTION: LIVE MUSIC ON PARRAMATTA ROAD  
File Ref: 4674/23738.13  
From Councillor Jo Haylen

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**MOTION:**

THAT Council notes that:

1. making Parramatta Road a live music and cultural hub has the potential to revitalise the industry and rejuvenate an urban wasteland through the introduction of a vibrant late night economy;
2. Parramatta Road's proximity to the CBD and status as a public transport artery, with limited existing residential frontages make Parramatta Road the ideal location for Sydney's first live music cultural precinct; and
3. Parramatta Road from Sydney University through Leichhardt already has a number of longstanding live music venues, a theatre and comedy club as well as ancillary businesses such as musical instrument retailers, repair shops, teaching and recording studios.

That Council resolves to:

4. work with Leichhardt Council and the City of Sydney to investigate what policies and programs can be implemented to support the development of the section of Parramatta Road between Sydney University and Taverner's Hill as a live music and cultural precinct, to nurture live music, comedy and theatre, small bars, and ancillary music industry businesses;
  5. investigate the establishment of a live music development control plan for Parramatta Road which would provide planning incentives and protections for live music and performance venues potentially including:
    - a requirement for appropriate sound insulation of new residential and commercial developments;
    - increased allowances for noise from live music and performance venues;
    - extended trading hours for licensed premises; and
    - an expedited approval process for applications and possibly rates concessions for new music venues.
  6. work with the Minister for Planning, the Lord Mayor of Sydney and the Mayor of Leichhardt and the Chair of the City of Sydney live music taskforce in developing this draft policy; and
  7. liaise with Brisbane City Council to incorporate successful elements of the development control plan governing the Fortitude Valley precinct.
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**Manager, Culture and Recreation Comments:**

Marrickville Council has long supported live music, through its Live Music Taskforce in the late nineties, which lead to Council funding a series of live music events in parks for 10 years and now takes the form of The Break Stage at the Marrickville Festival. With the advent of the City of Sydney Live Music Taskforce, it is timely to review Council's support of live music.

It is suggested that Council undertakes research to understand reasons why legal venues such as Notes Enmore, The Sando Newtown have closed down in recent months. This research should include factors such as economic sustainability, liquor licensing laws, BCA requirements and accessibility requirements. Once the above constraints have been identified, it will assist with the development of programs and policies that could support the proposed Parramatta Road initiative.

It is also suggested that further research take place to understand why alternative music venues such as Dirty Shirlovs and Median (both located in the industrial parts of Marrickville) were not able to meet the requirements to make the venues legal and permissible. Informal feedback indicates that the fire, safety and accessibility requirements expected of the venues make it financially unsustainable for small business owners to open and operate a music venue legally. This research could be used to inform the development of Council's role in fostering the live music industry.

A collaborative cross-Council group have commenced discussions on the industry forum and how Council can continue to support Live Music. Culture & Recreation expects that further suggestions regarding the Live Music Taskforce and the potential development of Parramatta Road as a cultural hub will be made at the consultation meeting of local music venue operators, performers and entrepreneurs involved in the live music industry as per the NOM Supporting Live Music (C0313 Item 5) adopted by Council on 19 March 2013.

**Manager, Planning Services Comments:**

With regard to the proposal that Council prepare a purpose specific DCP based on the Brisbane City Council Fortitude Valley Neighbourhood Plan it needs to be noted that this Plan, whilst similar to a DCP, operates under a different planning system and therefore is not necessarily replicable in the NSW system. In this respect, the Brisbane City Council Plan establishes the permissibility and assessment processes for live music land uses within designated 'Special Entertainment Precincts', permits greater noise levels from these premises within these areas and designates the desired character of the neighbourhood being to act as an entertainment precinct.

Under the NSW planning system a DCP cannot deal with the substantive issues of permissibility (which are dealt with under the LEP) or permit variations to acoustic controls (which are governed by the Protection of the Environment Operations Act). The Marrickville DCP does include Precinct Statements in Part 9 which identify the current and desired future character of an area however.

Accordingly, whilst there is scope to identify the Parramatta Road corridor within the LGA as a live cultural music precinct within Council's DCP the benefit of doing this is limited because any associated planning incentives in terms of the need to obtain planning approval and concessions on the impacts of these land uses are not able to be addressed via the Marrickville DCP. It is noted that 'entertainment facilities' are already permissible in the Local Centre Zone that applies to most of Parramatta Road under MLEP 2011.

**Item 20****Manager, Development Assessment Comments:**

Council cannot fetter its discretion to determine development applications based on merit, so implementation of Point 5 would need to be carefully managed, noting also that development application fees and statutory requirements for assessment are determined by legislation. Any fee subsidies would potentially impact on the development assessment budget.

**Resource Implications:**

Unclear at this stage.

**ATTACHMENTS**

Nil.