

Resolution of Council

18 October 2021

Item 14.3

Loading Zone Access for Live Performance

The original Notice of Motion was moved by Councillor Scully and seconded by the Chair (the Lord Mayor).

It is resolved that:

(A) Council note:

- (i) on 1 September 2021, the Road Transport (General) Regulation 2021 (“2021 Regulation”) repealed the Road Transport (General) Regulation 2013 (“2013 Regulation”) and introduced some changes to the Road Rules 2014, including the following:
 - (a) ticketed loading zones were replaced with ‘controlled loading zones’;
 - (b) 15-minute and 15-minute ticket parking options were abolished for all loading zones (there was previously an opportunity for station wagons to use these zones);
 - (c) vehicles that are classified as ‘station wagons’ are no longer permitted to park in loading zones, unless they are involved in dropping off or picking up passengers; and
 - (d) previous 10-minute ‘grace period’ that applied before a penalty notice could be issued in a ticketed parking area, has been extended to 15 minutes (applies to paid parking for more than one hour);
- (ii) these changes will compound the barriers faced by those working in the live performance sector, preventing them from using loading zones to load and unload instruments and equipment when performing at venues in our local area and across NSW;
- (iii) the City supports live music and performance through a range of policy and planning initiatives:

- (a) in March 2021, the City adopted the Open and Creative Planning Reforms which offers an extra trading hour for venues in late-night trading areas programming live entertainment or creative or cultural events;
 - (b) the Live Music and Performance Grant program provides support for capital works and equipment upgrades for venues operating at night, to enhance the quality and quantity of live music and performance programming and creative spaces;
 - (c) in 2018, the City updated its Busking Policy and Guidelines to simplify the rules and provide more opportunities for busking and live performance in City locations;
 - (d) the City has appointed a live music and performance liaison since 2014. This liaison acts as a first point of contact for regulatory enquiries and applications in relation to live music and performance;
 - (e) the City's Entertainment Sound Management Proposal seeks to enable the fair management of entertainment sound to protect live music and performance venues and the community from potential adverse impacts; and
 - (f) as part of our Covid-19 Recovery Plan, the City is inviting businesses with outdoor dining areas to apply for approval to host live entertainment;
- (iv) the City of Sydney's Live Performance Action Plan notes that "most live music and performance venues do not provide parking spaces for performers while they load their equipment in and out of the venue";
 - (v) this issue has been the subject of ongoing advocacy by the City of Sydney in delivering on the Live Performance Action Plan. Some reforms were also being investigated by the NSW Government's 'Better Regulation' program, delivered through the Department of Finance, Service and Innovation under the supervision of Victor Dominello MP, Minister for Innovation. The Live Performance Action Plan also notes that "Other cities known for their live music scenes such as Austin, Texas and Nashville, Tennessee, have developed Musician Loading Zone programs to support their local musicians and to make a public statement about the role that music and performance plays in the cultural life of the city"; and
 - (vi) while other Australian councils such as the City of Yarra and the City of Port Phillip have introduced Live Music Venue Parking Permit schemes, in NSW it is NSW Government regulations that define how loading zones can be used and the types of vehicles that may use them. Therefore action must be taken at a State Government level to provide a solution for the live music sector; and
- (B) the Lord Mayor be requested to write to the Minister for the Arts, Minister for Transport and Roads and the Minister for Customer Service to advocate for:
 - (i) an amendment to the Road Rule (2014) Regulation 179 to expand the permissible use of a loading zone to include creatives loading and unloading equipment into performance spaces; and

- (ii) a musicians loading permit or another practical solution for musicians, performers and their crew to load their equipment in and out of venues, regardless of the vehicle type they use to transport their equipment.

Amended motion carried unanimously.

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