

**Submission
No 10**

**INQUIRY INTO LIQUOR AMENDMENT (MUSIC
FESTIVALS) REGULATION 2019 AND GAMING AND
LIQUOR ADMINISTRATION AMENDMENT (MUSIC
FESTIVALS) REGULATION 2019**

Organisation: Illawarra Folk Club Inc

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Legislative Council Regulations Committee

NSW Legislative Council

Parliament House

6 Macquarie Street

Sydney NSW 2000

Inquiry into the NSW Liquor Amendment (Music Festivals) Regulations 2019 and Gaming and Liquor Administration Amendment (Music Festivals) Regulations 2019

The Illawarra Folk Club Inc would like to make the following comments on the current festival regulations

The Illawarra Folk Club Inc has been in existence for 40 years presenting our genre of music within the Illawarra Region. The 2019 financial membership of the IFC is 353. We currently run 2 concerts a month, mainly in Wollongong and 2 music festivals a year. The Illawarra Folk Festival at Bulli, the larger of the 2 is in its 35th year and Folk by the Sea at Kiama is in its 7th year. By any criteria our organisation is a very experienced music event provider.

We have run these events without any major incidents of any kind and certainly no drug related incidents on site.

The IFC is a member of the AFA and supports the AFA submission to this inquiry.

1. As recognised in the various regulations and documents, festival organisers have to work within multiple regulators including multiple State departments and Local Government. As the regulations now stand there is no clear path to indicate who has overarching authority in the situation of a dispute between regulators. As an example our festivals hold a Development Approval from Wollongong Council which specifies traffic movement. The NSW Department of Health also specifies traffic conditions for emergency vehicles. Which agency has the final say and if it is Health, what local knowledge do they have over Wollongong Council who own the site?

2. Our organisation has been told (verbal and email) that we are low risk but the regulations do not show how that status was arrived at. We are at the mercy of various departments operating to unspecified criteria. The lack of regulatory clarity currently in force makes commercial decision making almost impossible in a process where lead act musicians are contracted over a year before a planned event.

3. The NSW Health guidelines as they stand and published seem to view all music festivals as risky events and suggest a number of risk mitigation actions that are totally inappropriate for community events such as ours with no history of drug problems. Nor given our audience demographics is it likely to be. In this we are not alone as the same applies to all the other community run Folk Festivals that our members regularly attend. This can flow on to decisions from other agencies that are totally inappropriate for community run events, i.e. the recent Northern Beaches Music Festival.

4.The NSW Health document also seems to stray into the Local Government Act when it refers to the Building Code of Australia, Food Providers and Sanitation.

Overall the events of the last year and the current regulations as written have left the Illawarra Folk Club Inc feeling very uncertain about our future ability to provide Folk Festivals to the Illawarra community. It is clear to us that the growing plethora of regulations across multiple agencies is rapidly overtaking the availability of resources of volunteer run community festivals. That we feel this way after 40 years of **safe musical activity** in the Illawarra region seems to indicate that the current regulations are in need of a serious review.

Thanks you for considering our submission to this Inquiry.

Rod Cork

V.P. Illawarra Folk Club Inc.