

Submission
No 45

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

Organisation: MusicNSW
Date Received: 12 July 2019

Date: 11 July, 2019
Attention: Regulation Committee

To the Hon. Mick Vietch MLC and Committee Members,

Thank you for the opportunity to contribute to the inquiry into NSW's Music Festivals Regulation. This is a submission from MusicNSW, the state body for contemporary music in NSW. MusicNSW is a not-for-profit industry association set up to represent, promote and develop the contemporary music industry in NSW. We run skills and professional development programs for musicians and industry, administer funding on behalf of Create NSW, and provide support, advice and referrals. Established in 1998, we have over 20 years' experience developing contemporary music in NSW.

Music festivals employ thousands of people, support small businesses and cultural tourism, and provide inclusive spaces for many different communities to come together for a positive experience. They are vital not just to the NSW economy, but also to the social and cultural vibrancy of our cities and towns.

They are also incredibly important to artists and the music community, as tastemakers, as employers, as venues for networking and business deals. They are a key part of the music industry ecology, particularly in NSW given the damage done to the live music scene after 5 years of lockout laws. There are fewer performance opportunities in Sydney, so festivals provide valuable opportunities for artists and an outlet for the music community.

Festivals often provide emerging artists with their first live show. They are a key stepping stone in an artist's development, as they provide access to audiences outside of the artist's immediate network. Festivals also enable artists to leverage their experience to lock in other gigs. In a highly competitive market, getting a festival slot - whether it's your local council festival or Splendour in the Grass – can mean huge advances for your career as an artist.

The Festival Regulations introduced this year were the result of knee-jerk decision-making, rushed and half-hearted consultation and political expediency. Despite repeated requests for inclusion and genuine consultation, much of the festival and broader music industry were not consulted in the development of these regulations. No festival representatives were included on the Expert Panel looking at Music Festival Safety. As such, it is no surprise that the regulations are causing major concerns for festival operators, with many asserting the regulations will not solve the issues for which they're intended. We're also seeing festivals consider leaving NSW or having to close down. The impacts of these major businesses being forced to leave is huge for NSW, and we urge the Committee to fully consider the impact these regulations are having on the festival industry.

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The festival community is built on the celebration of music and joy. No festival operator wants anyone to feel unsafe at their events, let alone experience harm, injury or risk their lives. It's time the NSW Government worked with festivals to find a system that is health-focused, rather than punitive. The festivals are ready and willing to work alongside government and we hope this Committee recognises the opportunity in front of them to make things markedly better.

The Australian Festival Association is the ideal organisation to work with state government to work out a plan for achieving better health results at festivals. We fully endorse their submission, and second their recommendations, which we have included below.

RECOMMENDATIONS

MusicNSW supports and endorses the recommendations made by the Australian Festival Association:

1. Remove the current regulations and manage the sale and supply of liquor through existing suitable license arrangements including Limited Licence – Special Event (Large Scale Commercial where appropriate).
2. Manage health-related risks at music festivals through NSW Health, with an updated NSW Health Guidelines for Music Festival Organisers included as part of event planning at the Local Government/venue level
3. Establish a Regulatory Roundtable for Festivals in NSW to address regulatory changes in a measured, consultative approach
4. Significantly increase investment in Peer-based Harm Reduction Services to ensure recommended service levels are available to Event Organisers
5. Centralize Major Event Police operations to ensure consistency and efficacy of addressing safety concerns at large-scale gatherings
6. Establish a Live Music Roundtable in New South Wales, based on the Victorian model, that includes key government agencies and music industry stakeholders
7. Commission regular research into recreational drug use to adopt an evidence based, health-focused approach to drug regulation
8. Work with health, festival and drug experts to develop pill-testing trials at permanent and festival-based location

If you'd like any more information please do not hesitate to get in touch.

Regards,

Emily Collins
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MusicNSW