

## Resolution of Council

**11 March 2019**

### Item 3.1

#### Music Festival Licensing

#### Minute by the Lord Mayor

To Council:

I have received a letter from Kerri Glasscock, Co-chair of the City of Sydney's Nightlife and Creative Sector Advisory Panel, relaying the Panel's concerns about the Liquor Amendment (Music Festivals) Regulation 2019 which came into effect on 1 March 2019.

The NSW Government has justified the regulation, which creates a new "music festival licence", claiming it is necessary to improve safety at large music festivals.

The Panel is deeply concerned about the economic and cultural impacts that this rushed regulatory change will have on the live music industry and our sectors. The Panel points out that the contemporary music industry contributes \$3.6 billion and 23,207 jobs to the NSW economy, "with music festivals providing a platform that celebrates our sub cultures and provides the community with a space to connect".

Many in the sector share these concerns, which include:

- the lack of time given and consultation undertaken to develop a completely new legislative approach;
- the government's overwhelming focus on regulation and enforcement without a similar focus on drug harm minimisation;
- considerable confusion and lack of clarity and transparency about the requirements which must be met to obtain a music festivals license; and
- the additional financial burdens relating to the music festivals licence.

On 21 February 2019, thousands gathered in Hyde Park for the 'Don't kill live music' rally to protest against the regulation and the government's attack on music festivals. Among the many powerful speakers was Councillor Jess Scully, who described the music festivals license as a "*half-baked rush job*" pointing out that there was only 90 minutes of consultation with the sector.

She said the festivals license undermined the role that local councils play in approving local events. "*Local governments are responsible for approving festivals development applications under the Environmental Planning and Assessment Act 1979, and our expert staff coordinate with local NSW Health and NSW Police on a daily basis.*

*"Under the festivals license, that power moves away from local communities and to the office of Liquor and Gaming, but they don't have the local knowledge, the technical expertise or the staff to do this in a timely way, or to understand local needs and conditions. This is undermining local governments and stripping control from local communities across the state."*

On 23 February 2019, the Australian Festivals Association, Live Performance Australia, APRA/AMCOS, MusicNSW and the Live Music Office called on the Government to defer implementation of the new regulation to allow for genuine and extensive consultation with the sector, and for the regulation's economic, cultural and operational impacts to be understood. This call was ignored.

Instead, on the same day, the Government announced that 14 festivals would be subject to the new licensing regime. This did not allay the disquiet and uncertainty within the sector.

I believe Council should support the Panel's request and call for a repeal of the new music festival regulation until further consultation with the sector can be carried out and a regulatory impact review is undertaken.

## **Recommendation**

It is resolved that Council support calls for the Liquor Amendment (Music Festivals) Regulation 2019 to be repealed to allow for:

- (A) genuine and comprehensive consultation with the live music and festival sector; and
- (B) a comprehensive review of the economic, social, cultural and operational impacts of the regulation.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

Moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the minute by the Lord Mayor be endorsed and adopted.

Carried unanimously.

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