



Department
of Industry

Liquor & Gaming

Music Festivals Stakeholder Forum

28 November 2018

Agenda

- 1. Overview of Keeping People Safe at Music Festivals regulatory approach**
- 2. Interim assessment process – L&GNSW**
- 3. New Music Festival Licence – L&GNSW**
- 4. Security and environmental factors – NSW Police**
- 5. Drug and other health risks - Ministry of Health**
- 6. General discussion**



Keeping People Safe at Music Festivals - overview

Keeping People Safe at Music Festivals

Recognising your contribution

- Over 40 large-scale festivals each year in NSW
- Hundreds of thousands attend each year to see a wide variety of acts and performers in one place
- Attract overseas acts & DJs and develop local talent
- Significant economic contribution – especially in regional areas
 - Direct employment of thousands of people
 - Benefits for local caterers, accommodation providers and other small businesses and services across NSW

Keeping People Safe at Music Festivals

Recognising your contribution

Premier's message:

- ▲ **“Music festivals are a significant part of NSW’s entertainment scene, and an important part of our economy - but we owe it to young people, and their parents and families, to make sure they are safe”.**

Keeping People Safe at Music Festivals

Current state of play

- Six deaths between 2013 and 2018 at music festivals on NSW crown land, including two deaths at Defqon.1 in September 2018.
- Government endorsed Expert Panel's recommendations in late October.
- Legislation passed November – allows creation of new Music Festival Licence and legislated new criminal offence.
- L&GNSW has been asked by ILGA to assess all pending applications against Expert Panel's criteria. (15 assessed so far)
- Aiming to work with industry to make a smooth a process– while ensuring organisers are effectively identifying and managing risks within new harm minimisation framework.
- New Music Festival Licence to be introduced in 2019.

Keeping People Safe at Music Festivals

Expert Panel Report

Expert Panel established September 2018:

- Chair, the Independent Liquor & Gaming Authority, Phillip Crawford
- Chief Health Officer, Dr Kerry Chant
- NSW Police Commissioner Mick Fuller

Recommendations:

- ▲ A new music festival licence - specific and consistent licensing regime to improve safety, and provide certainty for the music festival industry and other stakeholders
- ▲ Strengthening drug and alcohol education, and providing more support for frontline health workers at music festivals, and
- ▲ Strengthening laws to target drug suppliers by introducing a new offence that will hold drug dealers responsible for deaths they cause, and trialling on-the-spot fines for drug possession at music festivals.

Keeping People Safe at Music Festivals

Expert Panel Report – key points

1. Music festival includes a music-focused event, often involving performances by multiple music performers and held either indoors or outdoors attended by 2,000 or more patrons for a duration of no less than 6 hours.
2. All music festivals likely to be in the regime, but then assessed according to risk profile.
3. Assessment as ‘base tier’ or ‘higher risk’ with expectation of event safety management plans varying depending on level of risk and conditions will tailored to risk profile.
4. No single approach or ‘tick a box’ – each festival will have unique risk profile and management approach should reflect this.
5. Event promoters are responsible for creating this safe environment.

Keeping People Safe at Music Festivals

Expert Panel Report – assessing risk

In assessing the risk tier of music festivals, the Panel recommends considering the following indicative risk factors (**Table 2**). One factor alone may constitute a 'higher risk' determination for a festival. However, this list is not exhaustive and other factors may be considered to identify a festival's risk profile.

Table 2: Indicative guide to assess the risk of a specific music festival

Indicative risk factor
The event targets people aged 18-29 years.
Attendee numbers are high relative to available services at the location.
The event is held over a long time (e.g. six hours or more), and/or extends past midnight.
Anticipated weather conditions, in particular heat.
The event has limited access to acute hospital services.
The event operator/organiser is inexperienced.
Events by this organiser or landholder in the previous three years have seen:
a death or serious medical presentation as a result of alcohol or other drug-use, crowd behaviour or improper safety management
a high rate of drug or alcohol-related medical presentations*
a high rate or probability of illicit drug supply or use.

* Note that early identification and rapid transfer to hospital of patients with drug-related illness should be encouraged. Requests for ambulance transfer should not be considered an adverse performance outcome.

Keeping People Safe at Music Festivals

Expert Panel– safety management tiered conditions

Table 3: Indicative tiered system of conditions

Interagency Committee Consists of relevant authorities (e.g. NSW Police Force, NSW Health, L&GNSW, Local Council)	
Safety Management Plan	
Base Tier Characteristics	Higher Risk Tier Characteristics over and above base tier
<p>Risk assessments, plans of management, and other assessments are required.</p> <p>These requirements should be, at a minimum, what is required currently. Further work is required to formalise and describe what is required of event organisers.</p>	<p>Risk assessments, plans of management, and other assessments are required.</p> <p>The requirements will become more stringent and closely scrutinised if an event is in the 'higher risk' tier. The requirements are over and above the 'base tier', recognising an event's higher risk.</p> <p>(For example, more stringent on-site medical service provider requirements)</p>

Keeping People Safe at Music Festivals

Summary

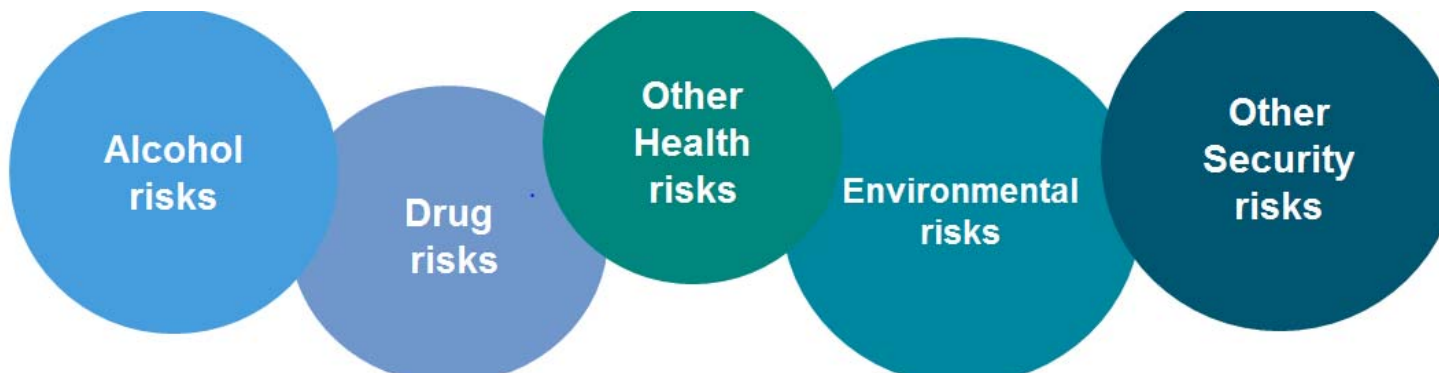
2018 – interim assessment

- All existing applications to be assessed according to Expert Panel's criteria.
- Applications assessed in consultation with NSW Health and Police Force
 - Some higher risk applications will be decided by ILGA.

2019 – new licensing regime

- New Music Festival Licence commences.
- Cross Government assessment committee established (L&GNSW, NSW Health and Police Force)
 - Guidelines will be issued publicly to assist applicants.
 - ILGA will make all decisions.

Focus areas for assessment





Overview of Interim Licensing Requirements: interim arrangements summer 2018-19

Liquor & Gaming NSW Licensing Requirements

Current application process:

- Application must be lodged at least 30 days before the event.
- The application is assessed and management plans will be checked to make sure that identified risks are addressed.
- Committee members identified depending on event location:
 - Police Area Commands - NSW Police
 - Local Health Districts – NSW Health
 - Liquor & Gaming NSW
- Committee members assess the plans and advise of any changes or additions needed.
- Once the management plans finalised, the application is submitted to the determination.
- Further clarification or information may be needed before a decision is made.
- The licence is issued with conditions – including adherence to Event Safety Management Plans.

Liquor & Gaming NSW Licensing Requirements

What can make an event high risk?

- Extends past midnight
- Attendee numbers are high relative to available services at the location.
- The event has limited access to hospital services
- Hot weather conditions
- The event operator/organiser's compliance history

The history of the event over that last few years:

- Has there been a death or serious medical incidents
- Was there a high rate of drug or alcohol-related medical presentations
- Is there a high rate or probability of illicit drug supply or use.

Note: ambulance transfers excluded from provisions assessment process as early transfer to hospital encouraged by NSW Health.

Liquor & Gaming NSW Licensing Requirements – assessment template



ASSESSMENT

Consideration	Impact Factors	Proposed Controls	Plan of Management Reference
Weather – Sun/Weather Exposure	<i>EXAMPLE Risk:</i> Sick Staff/patrons Dehydration	<i>EXAMPLE</i> <ul style="list-style-type: none"> • Monitor XYZ weather report through the day • Extra resources, such as... 	<i>EXAMPLE</i> Risk Management Plan Page 12 Paragraph 3
Security Management – Patron Behaviour / Crowd Control		<i>EXAMPLE</i> <ul style="list-style-type: none"> • Security Schedule developed • Guard positions and duties established • All guards briefed on duties and reporting protocols • Procedures for early intervention established • Procedures for criminal activity established 	
Emergency Vehicle Access	<i>EXAMPLE Risk:</i> Access block by vehicle Access block by patron	<i>EXAMPLE</i> <ul style="list-style-type: none"> • Traffic management plan • Dedicated access route • Emergency communication done through Event Co-ordinator 	
Number and location of bars	<i>EXAMPLE</i> Is liquor available throughout licensed area or only specific areas	<i>EXAMPLE</i> <ul style="list-style-type: none"> • Specific bar areas provided 	

TEMPLATE

Liquor & Gaming NSW Licensing Requirements

Your application

General information needed:

- Name and location of event
- Time and date
- Local council or consent authority
- Development consent
- Proposed number of patrons per day
- Patron demographic
- Site plan
 - Boundaries
 - Exit/entry points
 - Bar areas
 - Medical tents/facilities
 - Surrounding streets

Liquor & Gaming NSW Licensing Requirements

Your application

Safety management plans:

Liquor:

- All staff must carry a valid NSW RSA photo competency card, digital licence, or interim certificate while working.
- How will you ensure RSA practices are observed, and intoxication prevented?
- Number and location of bars or selling points
- The type and quantity of food available throughout the event.
- What are the RSA marshal & security arrangements
- Is this an all age event?
- Is BYO permitted?

Liquor & Gaming NSW Licensing Requirements

Your application

Health and Safety:

- Anticipated weather conditions
- Medical staff on site
- Traffic management plan
- How will an ambulance access the site/reach the medical tent
- dedicated access route to the festival

- Number of security personnel and roles
- Physical security measures
- Entry and exit systems and conditions
- Incident and emergency management processes
- Drug management policies

Liquor & Gaming Licensing Requirements

Preparing you application

- Start early – engage Local Council, Police Area Command, Local Area Health District & Ambulance
- Prepare comprehensive Event Management Safety Plan
- Complete the L&GNSW assessment template
- Submit application early for agencies' assessment
- Organise a site walk-through before event
- Post event evaluation – lessons for next year



Proposed new liquor licensing scheme – 2019 onwards

A new music festival liquor license

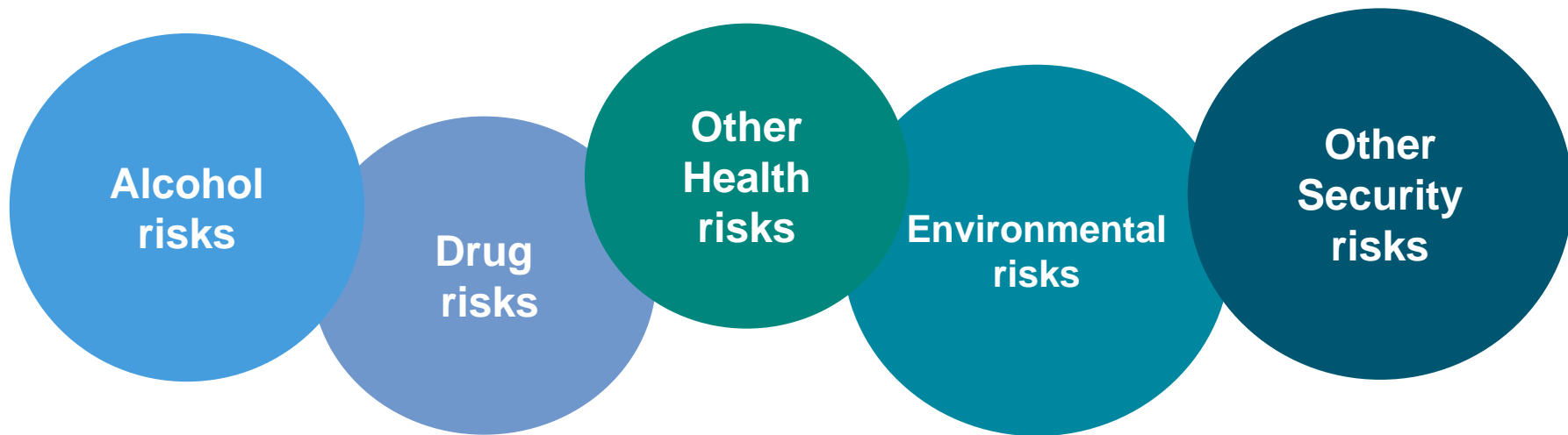
- Standalone music festival licence that will be compulsory for all music festivals
- Other licences will not be able to be used for music festivals
 - Suspension of existing licenses during music festival
- Renewed focus on Event Safety Management Plans

Preparing your application for new licence

- Will be similar to the interim Music Festivals assessment process over summer 2018-19.
- Need additional information on:
 - Kind of music
 - Patron attendance (numbers and demographics)
 - Information on experience in running these kinds of events
- Evidence of development consent or approval
- RSA Requirements
- Event Safety Management Plan

Event Safety Management Plan

- The Independent Liquor & Gaming Authority must be satisfied that Safety Management Plan appropriately deals with risks
- Risk assessment and mitigations required will vary depending on kind of music festival you are running, when and where
- Authority will receive advice from subject matters experts through committee assessment



Consultation and Assessment

- Applications must be tailored to the risk profile of the event and provide effective management of identified risks for that specific event and location
- Early engagement with Police, Health, Ambulance and other agencies to expedite process – do this before the 90 day application assessment period if possible
- Applications need to be submitted no less than 90 days before festival begins
- Interagency committee will assess applications – L&NSW, NSW Health and NSW Police Force representatives
- ILGA will be decision maker for all high risk music festivals
- Pre-event walk-throughs are a good idea

Note: transitional arrangements being considered for events scheduled less than 90 days after commencement of new Music Festival Licence.

Existing licences will be suspended

- Music festival organisers will obtain music festival licence – whomever holds the licence bears responsibility for all aspects of the event, not just liquor
- We acknowledge existing commercial arrangements will need to be considered – e.g. on-site bars & caterers
- Organisers and venues should start planning now for new licence requirements
- Open to feedback on how to manage transition



Overview of Ministry of Health Requirements

(refer separate presentation notes)



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