

Music festival licence guidelines

Following the drug-related deaths of a number of young people at music festivals, an [Expert Panel](#) recommended applying a more rigorous regulatory framework to music festivals in NSW to improve their safety*. On 28 February 2019, the NSW Government introduced a new music festival licence for higher risk music festivals.

The new licencing scheme is designed to ensure that higher risk events will face greater oversight and are able to access additional support from Government to run a safer event.

You will only need to apply for a music festival licence if you are running a music festival and have been directed to apply for a music festival licence by the Independent Liquor & Gaming Authority (ILGA).

All other music festivals can operate under an existing licence or apply for a [Limited Licence – Special Event](#) for each event.

Music festivals that may not be required to apply for a music festival licence are still encouraged to take advantage of the support offered by NSW Health, NSW Police and NSW Ambulance to festival organisers.

These guidelines provide further information on:

- ▲ eligibility for the music festival licence
- ▲ how decisions are made by ILGA
- ▲ how your music festival licence will work.

What is a music festival?

A music festival is an event, other than a concert, that:

- is music-focused or dance-focused, and
- has performances by a series of persons or groups that are engaged to play or perform to live or pre-recorded music, or to provide another form of musical or live entertainment, and
- is held within a defined area, and
- is attended by 2,000 or more people (on any one day), and
- is a ticketed event.

Do I need to apply for a music festival licence?

You will only need to apply for a music festival licence if you are running a music festival and ILGA requires you to apply for a music festival licence.

All other music festivals can operate under an existing licence or apply for a [Limited Licence – Special Event](#).

How will ILGA determine if I am required to apply for a music festival licence?

ILGA will determine whether your festival would be more appropriately dealt with under a music festival licence than any other type of licence. In making this decision, ILGA will consider:

- ▲ any advice from the NSW Health Secretary or Commissioner for Police that there are elevated health risks associated with your event that would be more appropriately managed under a music festival licence
- ▲ any death at, or in connection with, your festival in the previous three years
- ▲ any submission you make to ILGA that your festival should not be required to apply for a music festival licence.

ILGA will not make a determination that your festival is required to apply for a music festival licence until after you have had the opportunity to make a submission.

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What will NSW Health and NSW Police consider before giving advice to ILGA?

Before providing advice to ILGA on whether a music festival would be more appropriately licensed under a music festival licence rather than another type of licence, NSW Health and NSW Police will have regard to the following event-specific risk factors:

- ▲ The festival has had one or more drug related serious illness (an illness resulting in admission to an intensive care unit) or drug related death that has occurred at, or in connection with, the music festival in the previous three years.
- ▲ The festival has experienced a significant year on year increase in the number of drug related medical presentations and/or admissions to hospital over the last two years of operation.
- ▲ Whether the proposed Safety Management Plan will be able to sufficiently address the risks associated with running a higher risk event, including:
 - sufficient number of appropriately qualified doctors
 - correct mix of health service professionals
 - sufficient number of ambulances and/or appointment of Ambulance Forward Commander
 - broader compliance with the NSW Health [Guidelines for Music Festival Organisers: Music Festival Harm Reduction](#).
- ▲ The festival is new and the festival promoters have a lack of experience running a higher risk event (as characterised by the general indicative risk factors outlined below).

The following general indicative risk factors of a higher risk event may also be taken into account:

- ▲ Predominant target demographic of people aged between 18-29 years
- ▲ Projected attendance of 8,000 patrons or more
- ▲ Music type being predominantly high energy and/or electronic dance music
- ▲ The event is held over a long period (i.e. eight hours or more), and/or extends past midnight
- ▲ Anticipated weather conditions, such as high temperature, particularly if the event is to be held outdoors.

All risk factors will be considered in the context of your festival, and how these risk factors interact with one another in that context.

How can I respond to any advice from NSW Health or NSW Police?

Before making a determination, ILGA will provide you with a copy of the advice from NSW Health and/or NSW Police. You will be given at least 21 days to provide a written submission to ILGA in response, should you so choose. You also may appear before ILGA in person if you wish to do so.

ILGA will not make a determination until after you have had the opportunity to make a submission.

ILGA will hold its meeting with you in an informal manner, without the need for you to be legally represented or to make formal oral submissions. It is an opportunity for you to put before the ILGA members any further information which you believe is important for them to understand in assessing your situation.

Copies of all submissions may be made publicly available by [ILGA](#).

I am a good operator, why am I being asked to apply for a music festival licence?

We know that most festival organisers have been working hard to run safer events, and wish to emphasise that a higher risk rating is not a reflection of your commitment to safety or your professionalism.

The music festival market is dynamic and constantly evolving and sometimes circumstances can change from one year to the next. The licensing scheme is designed to make sure that organisers get access to the right health expertise and advice should that happen. The primary objective of the licensing framework is to allow events to go ahead with better planning and risk mitigation strategies in place.

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How can I get a music festival licence?

What will I need?

- ▲ your Safety Management Plan*
- ▲ your development consent or landholder approval
- ▲ your public liability certificate
- ▲ a detailed site plan
- ▲ a proposed list of scheduled artists
- ▲ if applicable, approval from existing licence owner for temporary suspension of their licence (for example, where an existing on-premises licence is in operation and needs to be suspended to allow the music festival licence to operate for the duration of the festival)
- ▲ if applicable, contact details for your proposed approved agent
- ▲ payment for the application.

*We encourage you to reach out to your Local Police Area Command, Local Health District and NSW Ambulance before you lodge your application. This will allow you to incorporate their feedback into your Safety Management Plan. Information on the level of detail required in your Safety Management Plan is available in the [Music Festival Licence application form](#).

Who you need to consult with

NSW Health

NSW Health's [Guidelines for Music Festival Organisers: Music Festival Harm Reduction](#) describes medical services expectations and harm reduction strategies to support event organisers to deliver safer music festivals in NSW. You are encouraged to use these Guidelines to ensure you will have appropriate health service professionals in place to effectively respond to any incidents that may occur during the festival. Event organisers as well as medical services providers should read these guidelines so that both parties have a similar understanding of the expectations of medical services at the event.

Local Health Districts and Ambulance

Your [Local Health District](#) and NSW Ambulance are also available to provide you with specific information on how you can make your festival safer. We recommend engaging with these agencies when you are developing your Safety Management Plan and after you have submitted your application.

NSW Police

You are encouraged to engage with NSW Police before you finalise your Safety Management Plan to determine whether NSW Police can assist you in ensuring the safety and security of your event. This may include police asking you to enter into an agreement with NSW Police for user pays police. If you enter into an agreement with NSW Police for [user pays police](#):

- ▲ you will not be required to pay for drug detection dog activities unless you have expressly request this service from NSW Police, and
- ▲ the user pays agreement will be endorsed by the Police Regional Commander.

How will my application be assessed?

Before issuing a music festival licence, ILGA must be satisfied that you have appropriate plans in place to manage the risks associated with your event.

In assessing your plans, ILGA will consider:

- ▲ your Safety Management Plan, including its consistency with the NSW Health [Guidelines for Music Festival Organisers: Music Festival Harm Reduction](#)
- ▲ number of people likely to attend
- ▲ target age group of music festival
- ▲ anticipated weather conditions for the time the music festival is to be held
- ▲ type of music featured at the music festival
- ▲ circumstances of any drug related death or presentation at the festival or other festival managed by you in the previous three years and any steps you have taken to address the risk of this re occurring
- ▲ your capacity to implement your Safety Management Plan to manage the risks associated with your event.

Your Safety Management Plan must clearly detail what mitigation strategies you are proposing to put in place to deal with the risks associated with your event. Mitigation strategies should include:

- ▲ suitable onsite medical services
- ▲ harm reduction services and messaging
- ▲ adequate provision of shade
- ▲ provision of free chilled drinking water inside and outside of bar areas
- ▲ appropriate levels of security.

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In undertaking this assessment, ILGA will provide a copy of your application and Safety Management Plan to the following bodies for advice:

- ▲ NSW Police
- ▲ Fire and Rescue NSW or Rural Fire Service
- ▲ NSW Health
- ▲ your local council.

If any agency provides comments or suggested changes to your Safety Management Plan, ILGA will provide you a copy of those comments and provide you with an opportunity to respond or amend your Safety Management Plan. Following this consultation process, a copy of your application, updated Safety Management Plan, and any outstanding submissions from agencies or you, will be considered by ILGA.

ILGA may:

- ▲ grant you a music festival licence (including with conditions)
- ▲ request additional information from you or an agency about your application or Safety Management Plan, or
- ▲ refuse your application for a music festival licence.

The primary objective of the licensing framework is to allow events to go ahead with better planning and risk mitigation strategies in place.

When will I get my licence?

ILGA will aim to issue a licence no less than 7 days from an event start date. The earlier you engage with ILGA the sooner they will be able to determine the outcome of your application.

For applicants who do not provide sufficient information as part of their Safety Management Plan on how they will address the risks associated with their event, there may be delays in issuing a licence.

What help will I get to run my event?

The NSW Health [Guidelines for Music Festival Organisers: Music Festival Harm Reduction](#) describes harm reduction strategies to support event organisers to deliver safe music festivals in NSW. You are encouraged to use these Guidelines to ensure that you have an appropriate mix of health service professionals to effectively respond to any incidents that may occur during the festival.

Your Local Health District and NSW Ambulance are also available to provide you with specific information on how you can make your festival safer. You are encouraged to engage with these agencies when you are developing your Safety Management Plan.

You are also encouraged to engage with NSW Police before you finalise your Safety Management Plan to determine whether NSW Police can assist you in ensuring the safety and security of your event.

Need more information?

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