



ORDINARY MEETING OF COUNCIL SUPPLEMENTARY ITEMS NO 2

To be held at 5pm on

Tuesday 19 February 2019

Council Chambers

11 Manning Street, KIAMA NSW 2533

Members

His Worship the Mayor

Councillor M Honey

Councillor A Sloan

Deputy Mayor

Councillor M Brown

Councillor N Reilly

Councillor K Rice

Councillor W Steel

Councillor D Watson

Councillor M Way

Councillor M Westhoff

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15 ADDENDUM TO REPORTS

16.4 Music Festivals

Clr Neil Reilly has submitted the following Notice of Motion for Council's consideration:

MOTION

That Council, as a matter of urgency, write to the Premier for NSW, other relevant Ministers and Government agencies to:

1. Highlight the significant cultural and economic benefits that music festivals provide in regional areas, especially in Kiama.
2. Express concern about potential implications for Kiama tourism and cultural events from the proposed introduction of blanket regulation for music festivals and outdoor concerts.
3. Call for a hold on the implementation of the Interim Guidelines for Music Festival Event Organisers until further engagement and feedback from stakeholders is addressed.
4. Request that the Independent Liquor and Gaming Authority engage with stakeholders, including Kiama Council, prior to the framing of legislation to introduce a new music festival licence application process.
5. Request that NSW Police, Health agencies and local government, in consultation with music event organisers, develop a financially sustainable industry standard for user pays policing and medical services at events.
6. Support the demands that the Don't Kill Live Music industry group has submitted to the NSW Government.

Signed Councillor Neil Reilly

BACKGROUND

Kiama Municipal Council is committed to safety and best practice risk management at music festivals. Our staff work with event organisers and key NSW Government agencies including NSW Police, NSW Ambulance, NSW Health and Roads and Maritime Services to ensure good risk management is in place around events happening in our local area.

In recent years Council has worked collaboratively with the music industry to develop local events. In December 2018 the NSW Government released the Interim Guidelines for Music Festival Event Organisers: Music Festival Harm Reduction. It is

Supplementary Reports

15.3 Music Festivals (cont)

understood that the Interim Guidelines are to be revised and finalised, following further feedback, in preparation for a new music festival licence application process to be introduced by NSW Liquor & Gaming from March 2019.

The Interim Guidelines include a Health Risk Assessment for Planned Events and provides a rating from low to extreme risk. Events with an 'extreme risk' assessment will need to consider a range of additional harm minimisation approaches. The Folk by the Sea Festival would be deemed high risk under the current risk assessment matrix, which is absurd considering it has been running for years without one major incident. Red Hot Summer and The Jazz and Blues Festivals as well as Music in the park are under threat.

On 6 February 2019, the Independent Liquor and Gaming Authority held a briefing for organisers of festival events. This briefing has created some confusion as to what the legislation will look like and when it will be introduced. At this point Councils have not been invited to attend a briefing on this issue and advice from Liquor and Gaming NSW indicates that regulatory bodies, including Councils, are not expected to attend future consultations. This is concerning given that music festivals are tourist attractors and economic drivers for Kiama.

Depending on an events perceived risk rating under the Interim Guidelines, local police will require the event organiser to have a number of 'pay police' present to assist in managing anti-social behavior. This is in addition to the contracted security guard quota required for any licenced event (2 security for the first hundred people, then 1 security for every hundred people thereafter). The net impact is increasing running costs for events, making small to mid-size music events unviable in many cases.

The *Don't Kill the Music* group has been established by members of the music and festival industry to call for well-considered Government regulation of music events. The group requests that State Government:

- stops killing live music in NSW
- forms a music regulation roundtable to review all regulation impacting live music
- immediately undertakes a Regulatory Impact Statement for any regulation impacting music festivals
- develops an industry standard with full transparency for user-pays policing and medical services; and
- works with the music industry to develop robust, effective and achievable safety protocols for festivals.

It is appropriate that Kiama Municipal Council makes its position known on this issue.

18 CONFIDENTIAL SUMMARY

CONFIDENTIAL COMMITTEE OF THE WHOLE

Submitted to the Ordinary Meeting of Council held on 19 February 2019

PROCEDURE

- Recommendation to go into Closed Committee.
- Mayoral call for Public Representations.
- Consideration of Representations and issues to be removed from Closed Committee.
- Recommendation to exclude Press and Public if required.
- Closed Committee discussions if required.

18.1 Exclusion Of Press And Public:

RECOMMENDATION

That in accordance with Sections 10 and 10A of the Local Government Act, 1993 as amended, Council close the meeting of the Confidential Committee of the Whole to the Press and Public on the grounds detailed under the report headings as detailed below.

19.3 ACQUISITION: LOT 15 DP114668 AND LOT 1 DP1091690

Reason for Confidentiality: This matter deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business as per Section 10A(2)(c) of the Local Government Act.

19 CONFIDENTIAL REPORTS

19.3 Acquisition: Lot 15 DP114668 and Lot 1 DP1091690

CSP Objective: 4.0 Responsible civic leadership that is transparent, innovative and accessible

CSP Strategy: 4.1 Council is financially sustainable

Delivery Program: 4.1.2 Identify opportunities to diversify and maximise funding sources

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.