

LIVE MUSIC ACCORD 2010

Between representatives of the live music industry and the State Government of Victoria

The live music industry is represented by *FairGo4LiveMusic*, *Save Live Australia's Music* and the newly established *Music Victoria*.

The parties agree that:

- Discussions to date have been productive, and there is broad agreement that the current application of security conditions is having unintended consequences on some live music venues.
- The automatic coupling of live music and 'high risk' security conditions on liquor licenses is not appropriate and the Government commits to continue to undertake research and work with the music community and industry to determine the most appropriate solution to redress this as soon as possible. The parties will endeavour to expedite a solution within 6 months.
- The parties recognise the role that contemporary music plays as a cultural, social and economic driver and acknowledge the \$7.1 million dollar *Victoria Rocks* program, allocated over the past 4 years and the start up funding of Music Victoria.
- The parties agree to work together to secure continuing and satisfactory financial support to contemporary music in Victoria. This includes a commitment to revisit the issues considered by the *Live Music Taskforce* initiated in 2003, specific music policy development and other funding initiatives including building on the highly successful *Victoria Rocks* program.
- Inclusive, community based cultures like live music should be encouraged.
- The viability of the live music scene is vital to ensure Melbourne's status as the live music capital of Australia.
- Alcohol-related harm is a serious and a significant concern. The parties are committed to taking action to tackle this issue and to promote amenity and public safety in and around our pubs and clubs while supporting a vibrant music scene.
- Those operators that do not adhere to the law or have poor security records should face tighter security measures, however venues with good security records and management practices should be recognised and have appropriate regulation.
- The parties will continue to meet regularly to resolve a number of concerns about the impact current liquor licensing arrangements have had on a number of small live music venues.
- In good faith the parties will immediately take the following measures to address the situation:

The Government will recommend to the Director of Liquor Licensing (DLL) that:

1. There will be no new or additional imposition of the current, "high risk security conditions" with regard to crowd controllers on any venues where the only basis is that a venue:
 - a. has live music; and
 - b. is licensed to trade after 1am.

2. "High risk security conditions" as they apply to crowd controllers should only be applied to live music venues in the future when there is demonstrated need for them such as Victoria Police recommendations, demonstrated poor security practices, where they are a condition of a planning permit approval and/or compliance breaches. The DLL may assess the need for conditions to be applied or varied if there is a significant change in the nature of a business, however the aforementioned principles should apply.
3. Where the DLL has imposed or sought to impose crowd controller conditions in the last 12 months as a result of the implementation of standard conditions across the State, the State Government will ask the DLL to reverse conditions relating to crowd controllers if:
 - a. The venue requests such a reversal; and
 - b. The Victoria Police have no objection.

Note: This reversal will not affect existing requirements for Responsible Serving of Alcohol training or security cameras. Further it will have no impact on other specific licence conditions that apply to a venue such as those that have arisen as a result of compliance issues, mediated outcomes with local government, residents, the DLL or police, planning requirements or in the case of determinations by VCAT. Licensees will still be expected to maintain a safe venue with due regard to amenity.

4. The Government will investigate:
 - a. A temporary exception process whereby licensees can apply for a special and temporary exemption from their minimum conditions for one-off events (such as an event or age profile that may reduce the requirement for security).
 - b. An appropriate 'help desk' and review process to assist licensees to navigate the system and to address concerns that may arise.
 - c. The Government will consider music industry representation on the Liquor Control Advisory Council.
5. The compliance directorate will continue their review of licenses in the live music sector and will make 'common sense' recommendations to the DLL for license variations. Such variations will be subject to appropriate consultation periods.
6. Venues that experience compliance related or other violent incidents in the future may be subject to appropriate specific conditions, as per the normal process of the DLL.
7. Music industry representatives will work with Government to support appropriate and agreed measures to promote and encourage a safe and vibrant live music scene.
8. These measures will remain in place for a minimum of 12 months or until the parties reach further agreed resolution.