

CHECKLIST: Places Of Public Entertainment

Follow the checklist below to determine what is required for your premises:

Part A – Is a consent required from Council?

Premises with ‘incidental entertainment’

No further consent from Council is required.

This form of entertainment is background entertainment such as video screens, a band in a corner for background music etc. Incidental entertainment is entertainment for regular patrons that would not be likely to increase the patronage of the venue above its original consent for patronage numbers. The incidental entertainment can take place on the premises provided that the original consent conditions are adhered to.

Premises with entertainment with ‘a character of its own’

This form of public entertainment includes special events, crowd-drawing events, and events which require or are held in a separate area to the regular eating and drinking activities of the venue. In particular, any event that would increase the number of patrons to the venue above the original consent or change the nature or activity of a crowd drawn to a particular venue. (eg from local bar into Friday night disco) The consent for this sort of entertainment is determined on a case by case basis and takes into consideration any additional public safety or amenity requirements generated by proposed entertainment.

Go to Part B.

Part B – When consent from Council is required:

Premises with existing POPE

The use of a POPE licence granted prior to October 2007, is permissible until the 26th October 2009 under the savings and transitional provisions in the EP&A Act. Arrangements for operation after the 26th October 2009 are under review.

Please contact your local Council for an update on the review process.

Premises with existing DA post 26th October 2007

Under the new provisions, the development consent remains with the premises rather than with the tenant or operator. Public entertainment events can continue to take place at the venue as described in the development application and subject to the conditions placed on the consent by Council.

No further action is required.

Premises without consent

The nature of the entertainment proposed as well as the ability of the facility to cater for the activity will need to be submitted to Council in the form of a development application. The development will be assessed for suitability, and consultation with the community takes place prior to determination. A comprehensive Statement of Environmental Effects will need to accompany the development application. Any alterations necessary for the premises to conduct the public entertainment proposed will need to be completed prior to the entertainment taking place.

Please contact your local Council for a Development Application and Information Pack and to book an appointment for a site assessment.