

“For music to develop, it needs an environment where it can grow. NSW used to have the most vibrant live music scene in the southern hemisphere. With these new regulations in place, it stands a real chance of reclaiming its former glory.”

Dale Barlow – Jazz musician and composer

What is new for venues?

The NSW Government has removed the need for venues to have a *Place of Public Entertainment* (POPE)—venues can now have live entertainment as part of their main business without the need for separate approval.

Entertainment is now part of normal activities at pubs, cafés, restaurants and clubs during the week and on weekends. Examples include a small restaurant engaging a jazz trio, a Celtic folk band playing in an Irish pub or a rock band at a club.

Do venues still need to obtain a POPE licence?

No. POPE licences have been abolished.

Do the conditions on my POPE licence continue to apply?

No. From Monday 26 October 2009, live music will be considered a normal part of a venue's activities. These conditions no longer apply.

When will venues need to obtain development approval?

If live entertainment will fundamentally change the principal use of your venue, development approval may be required.

However, if live entertainment is merely part of your venue's main business, you will not need additional approval.

Entertainment can be considered as part of the development approval for new venues, or for changes to existing venues.

In some cases, alterations and additions to existing venues can be complying development, which means that development approval will not be required.

To find out if you need development approval, contact your local council. Further information is also available on the Department of Planning's website www.planning.nsw.gov.au.

Do the conditions on my development consent dealing with entertainment continue to apply?

Yes, however you can apply to modify these conditions by contacting your local council. In some cases, the conditions may be reviewable without the need for an application. Further information is available on the Department of Planning's website at www.planning.nsw.gov.au.

Fact Sheet for venue operators

Music is set to make a comeback in NSW with the introduction of a simpler and fairer approval system for public entertainment.

The NSW Government has cut red tape for live entertainment in venues—pubs, clubs, restaurants, cafés and other live music spaces no longer need a special licence.

This measure will enliven NSW's music scene, and allow musicians to do more of what they do best—perform.

This fact sheet aims to help venue operators to understand the new system.

Further information

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Bringing back the music

Making it easier for restaurants, pubs, clubs and cafés to have live entertainment



What happens if someone complains about noise coming from my venue?

Council and the local police will still handle noise and other complaints. In addition, the NSW Office of Liquor, Gaming and Racing has powers under the *Liquor Act* to respond to noise complaints about venues.

These powers include:

- Negotiating a workable solution with venues
- Responding to formal disturbance complaints, which can be lodged by three or more local residents, the police, local council, or a person whose financial interests are affected by the venue
- Issuing warnings or directions to a venue, and
- Imposing temporary or permanent conditions on a venue's liquor licence to address the concerns.

How can I control the spill of patrons from my venue and reduce anti-social behaviour that generates noise and other complaints?

The NSW Office of Liquor, Gaming and Racing has prepared information documents to help you reduce the risks of noise disturbance in the neighbourhood caused by events and patrons at your venue.

These documents are available from the NSW Office of Liquor, Gaming and Racing's website: http://www.olgr.nsw.gov.au/bb_music.asp.

Suggestions include displaying signs reminding patrons to be quiet when they leave, having security patrol the area, cleaning-up after patrons, preventing patrons taking bottles or glasses onto the street, and ensuring transport is available to take patrons away from the venue.

How do I establish an effective relationship with my community?

Regular communication with your local community can help your neighbours feel comfortable with your venue, and help to avoid conflicts in the future. The NSW Office of Liquor, Gaming and Racing has prepared information and resources on how to build relationships within your local community.

More information can be found at the NSW Office of Liquor, Gaming and Racing's website: http://www.olgr.nsw.gov.au/bb_music.asp.

What responsibilities do I have as a venue operator?

Venues are responsible for ensuring that noise levels are managed appropriately for that particular local area—whether the music is live or recorded.

By considering local residents on issues such as noise control and patron numbers, you respect the local community, and your neighbours are more likely to accept your venue's activities.

We want what you want!

Both the NSW Government and musicians want more live music across NSW. We understand the importance of having a variety of performance venues to foster a creative and dynamic music industry.

This policy opens up many possibilities for energising the live music scene.

“Business owners can now enliven their spaces, and musicians will get to play more often and please us all. It's time to get NSW's pubs and clubs and cafés moving again.”

Tim Freedman – The Whitlams