



NEW SOUTH WALES

NEWS RELEASE

The Hon. Kristina Keneally MP

Member for Heffron
Minister for Planning
Minister for Redfern Waterloo

Thursday 18 December, 2008

LIVE ENTERTAINMENT COMING TO A BAR NEAR YOU

Many famous signers and songwriters started out playing in their local pub, and the Government today issued instructions to councils to make it easier to stage live performances such as these.

Red tape which stalls small-scale live entertainment in pubs, bars, cafes and restaurants has been cut, according to directions sent today from the NSW Government to all councils.

This will cut back the time it takes for small venues to host live performances, and potentially save them hundreds of thousands of dollars in building changes that they would otherwise have to make.

Planning Minister, Kristina Keneally, said development applications are in many cases **not required** for entertainment in these venues.

“Councils have today been issued with a circular from the Director General of the Department of Planning, asking them to remove outdated information about live entertainment rules from their websites and public information systems,” Ms Keneally said.

“Back in October 2007, the Government removed requirements for new venues to apply for a Place Of Public Entertainment (POPE) licence from councils, and councils need to local businesses know the new rules.

“A local restaurant does not need night-club style safety equipment such as smoke extractors, fire hoses or extra wide doors to allow two blokes with a guitar and saxophone to play in the corner.

“But there are up to 27 councils who are continuing to advise restaurant, bar and pub operators that POPE licences are required and the application forms for the licences are still on their websites.

“That’s not the case for many forms of live music and that’s why we are asking councils to remove those references from their public information systems.

“This will solve most issues being experienced by bars, pubs and restaurants with the POPE laws. Businesses should not be filling out paperwork they are not longer required to.”

Ms Keneally said that while the principal purpose of pubs, bars, cafes and restaurants was to sell food and drinks, it was common practice for these venues to provide live music.

“Small bars, restaurants, cafes and pubs are often locally owned, and we want these businesses to flourish, not get buried in unreasonable and unnecessary red tape,” Ms Keneally said.

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“Recorded or live music, which do not change the primary purpose of eating or drinking venues, does not and should not require further development consent.”

Ms Keneally said that if the entertainment had a ‘character of its own’ or if a distinctly separate room of a venue was used for live music performances, that part of the venue would be described as used ‘for the purpose of entertainment’ and would need to be approved for that use under the EP&A Act.

The simplified rules will not apply to nightclubs and major venues which have the capacity to affect local communities.

In a circular on places of public entertainment sent to councils today, the Director General of the Department of Planning, Sam Haddad, also reminded councils of their duties concerning numbers of patrons in the premises, fire safety and provisions of the Liquor Act regarding drunken behaviour.

Mr Haddad also indicated that Government agencies, councils, and industry representatives were participating in the implementation of recent planning reforms, including changes to provisions for entertainment in pubs, bars, cafes and restaurants.

A new State Environment Planning Policy, new regulations and new guidelines are being prepared by the NSW Government and will be in place by late next year.

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