



BOURKE SHIRE COUNCIL  
PO BOX 21 BOURKE NSW 2840  
PH: (02) 6830 8000 FAX: (02) 6872 3030

## PLACE OF PUBLIC ENTERTAINMENT APPLICATION

To complete the form, please place a tick in the boxes | and print in the relevant sections.

### 1. PREMISES NAME (premises known as)

Premises Name:

### 2. EXISTING/PROPOSED BUILDING AT/TO BE ERECTED AT:

Lot No & DP, MPS, Vol/Fol

Unit/Street No:

Street Name:

Suburb:

Postcode:

### 3. OWNER OF BUILDING

Name

Address:

Contact Phone No:

### 4. APPLICANT

Owner  Occupier  Promoter  Other: \_\_\_\_\_

Fees of \$ \_\_\_\_\_ is enclosed.

Name

Address:

Contact Phone No:

Signature:

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

### 5. APPLICATION DETAILS (Details are to be supplied in support of this application)

1. State the type of entertainment proposed to be given:

2. Specify the maximum number of persons (including staff and entertainers) proposed to be permitted at any one time in the area to which the application relates. Refer Building Code of Australia, Table D1.13:
3. Specify the system or method to be used by the applicant to check that the authorised capacity is not exceeded:
4. Detail the sprinkler system, hydrants or hose reels, installed or proposed to be installed in the building in which the area is situated.
5. Is it intended to exhibit cinematograph film on the premises  Yes  No.
6. Has the proposed entertainment area previously been licensed under the Theatres and Public Halls Act, 1908 or the Liquor Act, 1982? Provide details:
7. Detail the system or method or mechanical ventilation installed or proposed to be installed in the building in which the area is situated:

**NOTE : The following documents are required to accompany the initial application.**

**Floor plan indicating the following:-**

- a) Fully dimensioned floor area of the proposed area to be approved.
- b) Position and width of all exits from the proposed area.
- c) Position of all fire services within the approved area.
- d) Copy of Annual Fire Safety Statement.
- e) Detail position and number of toilet facilities provided.

Council will assess the application in accordance with the requirements of the Environmental Planning & Assessment Act and the Building Code of Australia. The applicant will be advised of work to be completed prior to issue of approval for a place of Public Entertainment

Where building work is proposed, the applicant will be required to lodge a Development Application in accordance with standard procedures.

**APPLICATION FEES**

Fees are calculated on the number of persons that may be accommodated within the licensed area, according to Section D1.13 of the Building Code of Australia (BCA). Bourke Shire Council's current Management Plan Fees & Charges for Place of Public Entertainment of up to 250 people is **\$300.00**.

**SUBMISSION REQUIREMENTS**

Each application is to be accompanied by the following:

- Two (2) copies of current floor plans of the building structure (drawn at a scale of 1:100). The area to be used for public entertainment **must be highlighted**.
- Plan showing the location, types and dimensions of all existing and proposed exits from the entertainment area.
- Plan showing details of all essential fire and other safety measures proposed or installed in the entertainment area (eg, sprinkler system, hydrants, fire hose reels, emergency lighting, exit signs, portable fire extinguishers).
- Plan showing the positions and number of toilet facilities provided for the entertainment area.
- Plans shall indicate each proposed different use of the area/s, table/seating layout (including fixtures, fittings and amenities) and the capacity of people calculated in accordance with section D1.13 of the Building Code of Australia as follows:

| TYPE OF USE                     | SPACE PER PERSON  |
|---------------------------------|---|
| Places of Public Entertainment: |   |
| Other than Auditorium:          | 1.2m <sup>2</sup> per person  |
| Auditorium: standing area:      | 0.5m <sup>2</sup> per person  |
| removable seating:              | 1.0m <sup>2</sup> per person  |
| fixed seating:                  | Count seats   |
| bench seating:                  | 450mm/person  |
| Bar: standing:                  | 0.5m <sup>2</sup> per person  |
| other:                          | 1m <sup>2</sup> per person  |
| <b>Note:</b>                    | bar standing is the area used by standing patrons and extends not less than 1.5m wide from the outside edge of the bar top for the length of the serving area of the bar. |

- Details of the construction and material finishes of all walls, floors and ceilings for the entertainment area.
- Details of the capability and design of the existing or proposed mechanical ventilation serving the entertainment area.
- Copy of the most recent Annual Fire Safety Statement in respect of the building.
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## PLACES OF PUBLIC ENTERTAINMENT ("POPEs")

A "Public Entertainment Approval" is an approval for the use of a building as a Place of Public Entertainment. A Development Application must be lodged and approved, in order for premises to be used as a place of public entertainment. Please contact Council for more information.

Places of Public Entertainment ("POPE's") include drive - in / open air / and other theatres, public halls, premises licensed under either the Liquor Act or the Registered Clubs Act, amusement provided by means of a ride or device, amusement provided by other means such as pinball machines / video games / exhibitions / sporting events / contests, or public meeting places.

They also include entertainment at private functions on licensed premises such as reception venues, karaoke at licensed restaurants, and entertainment at hotels or clubs. Entertainment can include soloists, bands and other acts performed live, but admission charges do not necessarily have to be charged before the use is a POPE.

Before live entertainment can be conducted, approval to use the premises as a place of public entertainment must be obtained from the local consent authority (usually your local council). This approval is necessary regardless of whether or not patrons may be charged for the entertainment.

### Notes for completing Annual Fire Safety Statement

An annual fire safety statement is a statement issued by the owner of a building. The statement is a written confirmation to say that essential fire safety measures installed in that building have been inspected by a properly qualified person and were operating correctly at the time of assessment. The essential fire safety measures are generally measures incorporated into the design of the building that assist to safeguard the building and its occupants in the event of a fire. The combination of essential fire safety measures and the annual fire safety statement are designed to ensure that the measures are maintained to their operational/installation standard.

The person who carries out the assessment must inspect and verify the performance of each essential fire safety measure. In order to certify that an essential fire safety service is operating correctly that person must have a detailed understanding of the installation and maintenance requirements of the relevant service. The following services and recognised appropriately qualified inspection personnel, are provided as **examples**:

## **Essential Fire Service Qualified Inspection Personnel**

### *Portable Fire Extinguishers*

*Owner, specialised fire service firms, architect, building surveyor.*

### *Hose reel systems*

*Plumbers with advanced trade qualification, hydraulic engineer with tertiary qualifications, fire services personnel supervised by qualified plumber or hydraulic engineer.*

### *Fire Alarm*

*Electrical services engineer (qualified degree in building services) specialised fire services personnel supervised by qualified engineer.*

### *Exit signs/emergency light systems*

*Licensed electrician, electrical services engineer*

*(qualified degree in building services), specialised fire services personnel supervised by qualified engineer, building surveyor, owner.*

Many buildings will have several essential fire services listed on the schedule. The owner of the building must arrange for each service to be inspected by an appropriately qualified person. When services have been inspected the details are then recorded on the Fire Safety Statement. The Fire Safety Statement and the Essential Fire Safety Measures Schedule are both required to be prominently displayed in the building. Copies of the Fire Safety Statement are to be sent to Council and to The Commissioner of NSW Fire Brigades.

The assessment and inspection of the essential fire safety measure or building must have taken place within the period of three (3) months prior to issue of the Fire Safety Statement. The choice of person to carry out the assessment or inspection is up to the owner of the building.

**Failure to comply with this State Government regulation is an offence under the Environmental Planning and Assessment Act 1979 and is liable to penalty notice(s) of \$600 per offence.**

Companies who may be able to assist in preparation of development application for Place of Public Entertainment License

#### **Geolyse Dubbo**

PO Box 1842, Dubbo NSW 2830

1st Floor, 62 Wingewarra Street, Dubbo NSW 2830

TELEPHONE 02 6884 1525 FACSIMILE 02 6884 1470

EMAIL [dubbo@geolyse.com](mailto:dubbo@geolyse.com)

#### **Barnson Dubbo**

Barnson

"Riverview Business Park"

Unit 1, 36 Darling Street

DUBBO NSW 2830

T: (02) 6884 2944

F: (02) 6884 5857

#### **NDF Consulting**

Beck Frecklington

Orange

Phone 0428 975972

Fax (02) 6361 1063

[ndfconsult@bigpond.com](mailto:ndfconsult@bigpond.com)

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