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|  <p>City of Mount Gambier</p> | <p>COUNCIL POLICY P135 PLANNING - ENTERTAINMENT VENUES</p> | Version No: | 7 |
| | | Issued: | March, 2019 |
| | | Next Review: | March, 2020 |

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for entertainment venues within the Council area, and is to be utilised alongside the Development Assessment process. The policy does not override the requirements under the Liquor Licensing Act 1997.

2. ACOUSTIC REPORTS

- a) Council require an Acoustic Consultant's Report to be provided with every development application (at the Applicant's expense) for any premises where entertainment is proposed.
- b) The internal noise limit for each premises be determined by the qualified Acoustic Consultant's Report so as to ensure that external noise levels are in compliance with the noise levels as specified by the Environment Protection Authority (EPA).
- c) Council shall require that all applications requiring an assessment of the potential noise impacts as contained within an Acoustic Consultants Report be informally referred to the Environment Protection Agency for advice and comments.

3. NOISE AND NOISE LIMITING DEVICES

- a) When assessing development applications for entertainment venues, Council shall generally consider and determine noise levels rather than the actual type of music (i.e. live or recorded music, different types of performers, etc.)
- b) Council may require that all music, whether recorded or live music, be played through an ‘in house’ system which can be connected to a fixed wired noise limiting device.
- c) Council shall require a fixed wired noise limiting device to be installed within the premises so as to ensure that any noise, whether recorded or live, does not exceed the maximum internal noise levels specified as acceptable by the Acoustic Consultant's Report, where considered appropriate.
- d) The fixed wired noise limiting device shall be accessible to Council, the Police and any other appropriate person at all times to ensure compliance with this requirement.
- e) The microphone associated with the fixed wired noise limiting device shall remain satisfactorily exposed at all times, and shall never be covered, or the like, so as to affect the proper monitoring of noise within the premises, to the reasonable satisfaction of Council.
- f) The licensee shall take all reasonable steps to ensure that the entertainment does not give offence to people who reside in the vicinity of the licensed premises, and will ensure that the noise levels do not exceed the 8dB above the ambient noise level when measured outside the premises. In order to do this the licensee will, if necessary:
 - (i) ensure that doors and windows remain closed during entertainment;
 - (ii) undertake sound monitoring tests prior to the entertainment commencing; and
 - (iii) ensure that amplification from persons providing entertainment is limited to an appropriate level.

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4. SECURITY

- a) At all times when live entertainment is being provided on the premises, a licensed security person shall regularly patrol, by foot, in the vicinity of the premises, for that period from midnight until one hour after the closure of the premises to the public to ensure the quiet and orderly arrival and departure of patrons to and from the premises.

5. REVIEW & EVALUATION

This Policy is scheduled for review by Council in March 2019; however, will be reviewed as required by any legislative changes which may occur.

6. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website www.mountgambier.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

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| File Reference: | AF18/49 |
| Applicable Legislation: | Environmental Protection Act 1993; Planning Development and Infrastructure Act 2016 |
| Reference: Strategic Plan - Beyond 2015 | Goal: Securing Economic Prosperity, Strategic Objective: 2 & 5 |
| Related Policies: | L230 Licensed Premises |
| Related Procedures: | |
| Related Documents: | Environmental Protection (Noise) Policy 2007 |

DOCUMENT DETAILS

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| Responsibility: | General Manager City Growth |
| Version: | 7.0 |
| Last revised date: | 19 th March, 2019 |
| Effective date: | 19 th March, 2019 |
| Minute reference: | 19 th March, 2019 - Item 15.4 |
| Next review date: | March, 2020 |
| <u>Document History</u> First Adopted By Council: Reviewed/Amended: | 17 th July 2001 15 th April 2003; 19 th September 2006; 17 th February 2009; 19 August 2014; 20 th March 2018; 19 th March 2019 |