

Schedule 18 Operation of temporary entertainment events

Section 11

1 Prescribed activity

Operation of temporary entertainment events.

2 Activities that do not require approval under the authorising local law

(1) An approval under the authorising local law is not required for activities undertaken by way of cultural exchange.

(2) In this section—

cultural exchange means activities undertaken in accordance with recognised traditional and cultural practice of Aboriginal and Torres Strait Islander people, which otherwise would be considered an “entertainment event” (eg. traditional dance or song etc).

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) evidence of compliance with the standard public liability insurance condition; and
- (c) a copy of any registration, licence, permit or approval required under any other law; and
- (d) if the business or activity is to operate from a vehicle – a full description of that vehicle and its registration number; and
- (e) a plan of the temporary entertainment event’s venue; and
- (f) details and drawings of buildings and other structural elements of the temporary entertainment event’s venue; and
- (g) if applicable, Native Title consent and land-owner consent; and
- (h) a detailed statement of the nature of the entertainment to be provided at the temporary entertainment event and when the event is to be open to the public; and

- (i) if the applicant is not the owner of the temporary entertainment event's venue—the written consent of the owner; and
- (j) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are –

- (a) whether the application has been submitted more than 10 days prior to the event; and
- (b) the design and construction of the temporary entertainment event's venue is safe and appropriate to the nature of entertainment proposed and the number of people expected to attend the venue; and
- (c) entertainment of the proposed kind would not unreasonably detract from the amenity of the area in which the entertainment is situated; and
- (d) entertainment provided at the temporary entertainment event will not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood; and
- (e) there will be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public; and
- (f) the likely effect on the local environment and any possible pollution or other environmental damage; and
- (g) the likely impact on the ability of the general public to use the site concurrently with the proposed activity; and
- (h) the applicant's proposals regarding the provision of shade and shelter to protect against environmental conditions; and
- (i) adequate availability of resources (eg. no water restrictions); and
- (j) the proximity of the activities to other existing commercial businesses;
- (k) adequate provision will exist for the disposal of refuse generated by the conduct of the temporary entertainment event; and
- (l) adequate provision will exist for people and (if relevant) vehicles to enter and leave the temporary entertainment event.

5 Conditions that must be imposed on approvals

A condition that must be imposed on an approval is that the approval holder must comply with the standard public liability insurance condition.

6 Conditions that will ordinarily be imposed on approvals

For all approvals, the conditions that will ordinarily be imposed on an approval are that the approval holders must –

- (a) permit access to local government staff and contractors at all times to inspect or service facilities; and
- (b) display the approval in the ways stated in the approval and produce the approval for inspection on demand by an authorised person; and
- (c) maintain a defined access point for emergency vehicles at all times; and
- (d) if the approval authorises the approval holder to use a specified part of a local government controlled area or road for the event –
 - (i) pay rental specified in the approval to the local government at specified intervals; and
 - (ii) maintain the area where the activity takes place in clean, tidy and orderly condition; and
- (e) maintain Native Title consent and tenure; and
- (f) ensure specified action is taken to maintain or improve the temporary entertainment event's venue; and
- (g) ensure that the operator provides specified equipment, and to take specified measures, for the safety of the public; and
- (h) ensure that the operator provides specified facilities and amenities; and
- (i) comply with the hours of operation of the temporary entertainment event; and
- (j) comply with the requirements for illumination of the temporary entertainment venue and light spillage from the temporary entertainment event's venue; and
- (k) comply with requirements for noise emission from the temporary entertainment event; and
- (l) ensure that the operator provides specified equipment, or takes specified measures, to reduce adverse effects of activities in the temporary entertainment event's venue on the surrounding neighbourhood to acceptable levels.

7 Term of approval

The term of an approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.