

Licence conditions for live music venues

Licensed premises with live music entertainment can apply to Liquor Control Victoria (LCV) to vary the crown controller licence conditions. LCV will consider a licensee's venue management plan when considering whether to vary, remove or not impose crowd controller conditions. There is no fee for this application.

Existing licensed live music venues—applying for variation

All venues with live music entertainment and licence conditions that require crowd controllers and/or security cameras can apply to have their licence conditions varied or removed.

There is no fee for this application.

Applicants are required to complete the [Prescribed variation to licence conditions for live music venues](#) application kit, which contains guidelines on what to include in a venue management plan.

New live music licence applications

New licensed premises that provides live music entertainment will need to apply for a licence which will be assessed against the 'Live Music Licence Conditions Matrix' on page 3. The normal application fee for obtaining a liquor licence will apply to this application.

A management plan

The [Management plan](#) fact sheet provides guidance on what to include in your plan.

The plan must demonstrate that the venue can be managed without crowd controllers. We may seek further information about the plan, if required.

It is the responsibility of the licensee to manage the risks of alcohol-related harm in their venue. Each licensed premises presents different risks and licensees are in a unique position to understand the particular issues and risks relevant to their licensed premises.

Requirement to complete the plan

Generally, applications for trading after 1am or large patron capacities will require a management plan.

Venues that fall within Level 4 or 5 of the 'Live music licence conditions matrix' must submit a management plan.

Applicants in Levels 1, 2 and 3 are encouraged to submit a management plan to support their application.

Variation decision

It may not be appropriate to vary the conditions of a licence, for example:

- where the licensed premises has a demonstrated history of poor compliance with liquor licensing laws, or a history of incidents of alcohol-related harm or antisocial behaviour **and**
- where the applicant has not adequately demonstrated that they can manage their premises without crowd controllers present.

Consultation on varying conditions or granting new applications

LCV provides all new licensed applications to Victoria Police and local council for comment.

Applications seeking to vary licence conditions in most cases are sent to Victoria Police and local council. To determine if these steps are required, LCV will look at whether the licence conditions were imposed as a result of:

- compliance issues including any history of violence or antisocial behaviour associated with the premises
- mediated outcomes with local councils, residents, LCV or Victoria Police
- decisions of the Victorian Civil and Administrative Tribunal (where applicable) or the Victorian Liquor Commission.

Planning permit

Before LCV can make a decision on a live music application, the applicant must demonstrate that there is no conflict to varying their licence conditions because of a planning permit or planning scheme. This can be done by providing the most recent planning permit, or a letter from the local council.

Live music licence conditions matrix

The 'Live Music Licence Conditions Matrix' on page 3 sets out licence conditions for licensed premises that provide live music entertainment to address the requirements of the *Liquor Control Reform Act 1998*. As a guide, each level in the matrix sets out licence conditions differentiated by the trading hours and patron capacity endorsed on the licence.

Each level in the matrix has standard conditions. These standard conditions will be a minimum requirement for each licence that a licensee must comply with.

LCV will suggest additional conditions from the matrix for inclusion in the licence. The applicant can accept these additional conditions or have the option of demonstrating they can manage premises responsibly without the additional conditions. Applicants can do this by producing a management plan and proposing alternate conditions.

If LCV is satisfied that a management plan shows an applicant will manage their venue responsibly, then proposed conditions may form part of the licence conditions in place of some or all of the additional conditions from the matrix.

Live Music Licence Conditions Matrix					
	Level 1	Level 2	Level 3	Level 4	Level 5
Venues	All venues authorised to trade until 11pm or Venues authorised to trade between 11pm and 1am (and not after) with a maximum patron capacity of 400 or less or Restaurant and cafe licence or producer's licence#	Venues authorised to trade until 1am with a maximum patron capacity of 401 or more or Venues authorised to trade past 1am with a maximum patron capacity of 200 or less	Venues authorised to trade after 1am with a maximum patron capacity of between 201 and 600 patrons	Venues authorised to trade after 1am with a maximum patron capacity of 601 or more	Venues authorised to trade after 1am with a maximum patron capacity 601 or more + Poor compliance history or Venues that provide sexually explicit entertainment
	Licence conditions	Licence conditions	Licence conditions	Licence conditions	Licence conditions
Standard conditions	Basic conditions ^Δ	Basic conditions ^Δ	Basic conditions ^Δ	Basic conditions ^Δ + Security cameras Crowd controllers*	Basic conditions ^Δ Security cameras Crowd controllers* + Additional conditions determined by LCV
Additional conditions	N/A	Security cameras	Security cameras Crowd controllers*	N/A	N/A
Is a management plan required?	N/A	Optional	Optional	Yes	Yes

Δ Basic conditions include amenity, entertainment/music noise, patron capacity and/or trading hours. These conditions are currently imposed on most licences and would continue to be imposed as relevant and appropriate.

* Crowd controller licence conditions would be assessed on a case-by-case basis and would likely only require crowd controllers during specified times or when particular numbers of patrons are in attendance.

Restaurant and cafe licences or producer's licences will usually fall into Level 1. However, LCV has the discretion to change the suggested level of these licences for individual licensed premises, for example where the licence contains a large patron capacity.