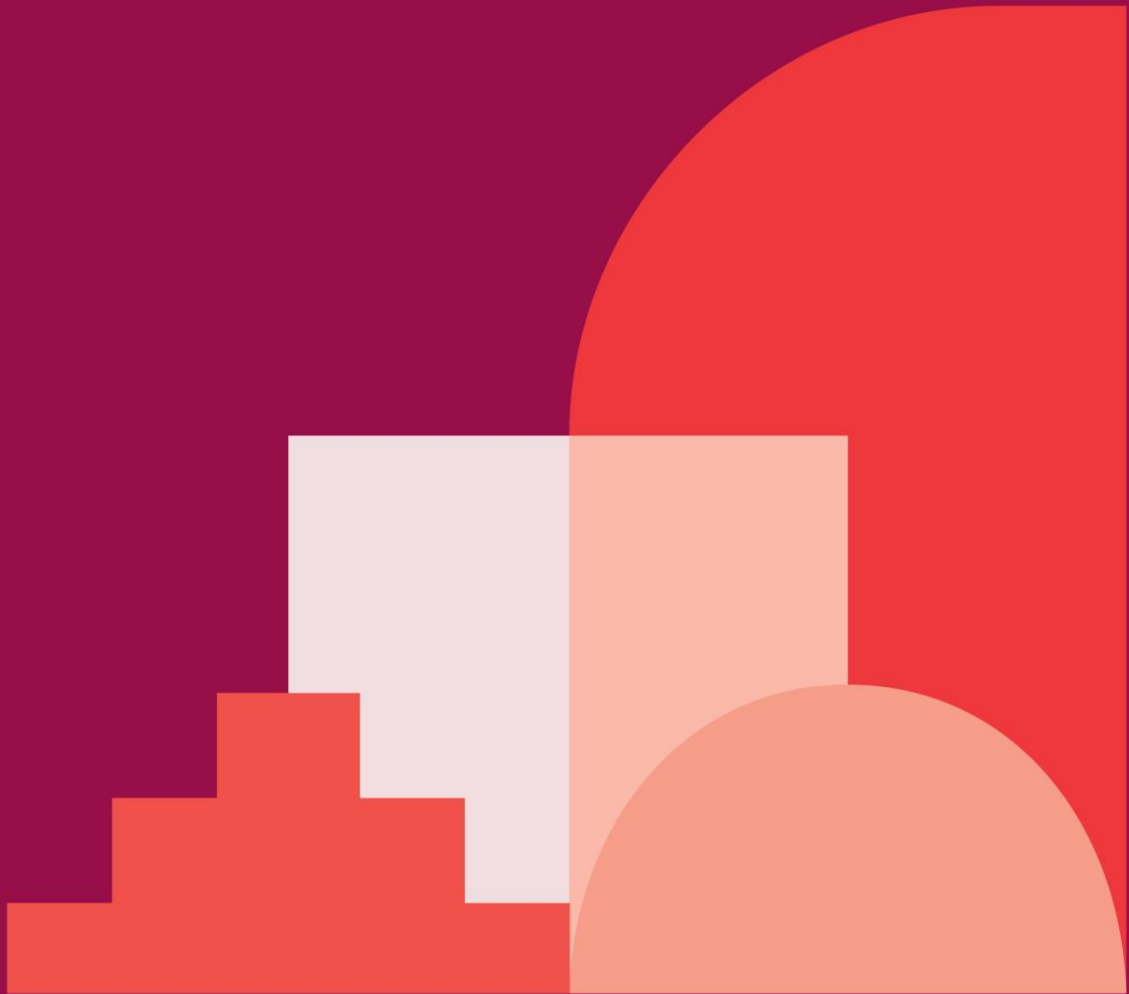


Special Entertainment Precincts Management Plan

V3



Title		Special Entertainment Precincts Management Plan	
Summary		The purpose of this plan is to balance the approach to the management of sound from <i>entertainment activity</i> within Special Entertainment Precincts. It identifies the roles of all stakeholders including residents, businesses, Council, Liquor and Gaming NSW and the Police in managing entertainment sound, as well as outline the approach to the resolution of entertainment sound related complaints.	
Document Type		Management plan	
Relevant Strategic Plan Objective		<ul style="list-style-type: none"> Strategic Direction 3: Creative communities and a strong economy Strategic Direction 5: Progressive responsive and effective civic leadership. 	
Legislative Reference		<ul style="list-style-type: none"> <i>Local Government Act 1993</i> <i>Environmental Planning and Assessment Act 1979</i> <i>Protection of the Environment Operations Act 1997</i> <i>Liquor Act 2007</i> 	
Related Council Documents		<ul style="list-style-type: none"> Model Code of Conduct Good Neighbour Policy Inner West Local Environmental Plan 2022 Marrickville Development Control Plan 2011 	
Document	Special Entertainment Precincts Management Plan	<i>Uncontrolled Copy When Printed</i>	
Custodian	Senior Manager Planning	Version #	Version 3
Adopted By	Council	ECM Document #	38462063
Next Review Date	Mid 2026		
Amended by		Changes made	Date Adopted
Strategic Planning		New Management Plan	8 August 2023
Strategic Planning		Amended to: <ul style="list-style-type: none"> Include six new precincts Introduce trading hours Update Sound Category areas General updates in line with legislation 	17 June 2025



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1 Introduction

Live Music, entertainment and cultural production are synonymous with the identity of the Inner West as Sydney's centre of creativity. Creative and performing arts activities make a significant contribution to the Inner West's economy, with an estimated value of \$153 million for the 2021/2022 financial year, a 13.4% growth from 2016/2017 (National Institute of Economic and Industry Research).

Musicians, artists, actors, comedians, dancers, production crew and a plethora of other talents and jobs that make the Inner West a vibrant and interesting place rely on the availability of venues to engage with audiences and other spaces for cultural production. Throughout Sydney many of these spaces are either under threat or have closed in recent years. One factor leading to the closure and lack of investment in venues is the current sound management framework in NSW, specifically the strong weighting given to complainants over the social, cultural, and economic value of venues. Compounding this is the ambiguity in the current framework that relies on qualitative tests and fluctuating background noise levels to determine if a business is operating within acceptable limits.

Special Entertainment Precincts (SEPs) seek to address this by recalibrating sound compliance to a more balanced approach. They also secure trading certainty for businesses with specific hours set for each precinct that businesses may trade within without needing further approval from Council.

2 Locations

Council's Special Entertainment Precincts are identified in the Special Entertainment Precinct mapping series of the Inner West Local Environmental Plan 2022 (IWLEP 2022). The maps can be found on the [NSW Planning Portal](#).

There are seven precincts across the Inner West. A description of each precinct is provided in the Table 1 below.

Precinct name	Description
Balmain	Balmain commercial area on Darling Street between Arthur Street and Ann Street, Balmain. Notable landmarks include Balmain Town Hall, Unity Hall Hotel, Loyalty Square, Cricketers Balmain, and the London Hotel.
Dulwich Hill	Covers Dulwich Hill Village and commercial properties along New Canterbury Road. This includes Marrickville Road properties between New Canterbury Road and Macarthur Parade, properties on the northern side of Seaview Street and employment zoned properties on New Canterbury Road between Herbert Street and Dulwich Grove light rail station. Notable venues include the Gladstone Hotel, Butchers Brew Bar and Lazy Thinking record bar.
Enmore Road	Commercial area of Enmore Road between Edgeware Road and Number 2 Enmore Road, Newtown. Also includes 216 Enmore Road and the Warren View Hotel at 2 Stanmore Road, Enmore and Young Henry's brewery at 76 Wilford Street, Newtown. This precinct includes the Enmore Theatre and numerous live music venues.
Leichhardt	Covers Norton Street between Macauley Street and Parramatta Road, as well as Parramatta Road between Railway Street and Charles Street. Also includes the southern side of Parramatta Road between Charles Street and Phillips Street. Notable landmarks include Leichhardt Town Hall, the Royal Hotel, Palace Cinemas, Norton Plaza, the Italian Forum, Norton's Pub, and Crowbar.
Marrickville North	<p>Covers a large area along Victoria Road between Sydenham Road at the south and Addison Road at the north. Also covers the western side of Farr Street, Mitchell Street, Faversham Street the northern side of Fitzroy Street, Chapel Street, Rich Street, Cook Road, Brompton Street, Denby Street, Jabez Street, the northern side of Chalder Street, and the western side of Shepherd Street. The Golden Barley Hotel at the corner of Llewellyn and Enmore Road is also in this precinct.</p> <p>Notable landmarks include the Vic on the Park Hotel, Factory Theatre, Marrickville Bowling Club, Wicks Park development, Red Rattler, Messina HQ as well as many creative business, breweries, and distilleries.</p>

Table 1: SEP descriptions

Precinct name	Description
Marrickville Town Centre	Covers the commercial and partially industrial area fronting Marrickville Road and Illawarra Road. This includes Railway Parade, Marrickville Road between Railway Parade and Livingston Road and Illawarra Road between Marrickville Road and Renwick Street. Notable landmarks include Camelot Lounge, Alex Trevallion Plaza, Lazybones, Marrickville Hotel, Marrickville Library and Pavilion.
Rozelle	Covers the commercial properties on Darling Street, Rozelle on either side of Victoria Road from Rozelle village between Beattie Street and Denison Street. It also covers a few Victoria Road facing properties around the Darling Street intersection. Notable landmarks include the former Balmain Leagues club site, Rozelle Public School, The Bridge Hotel, the Sackville Hotel, and The Red Lion Hotel.

Table 1: SEP descriptions

3 Special Entertainment Precinct Objectives

Objective 1 – Central objective

Special Entertainment Precincts thrive as diverse mixed-use neighbourhoods with flourishing arts and cultural production economies, including live music.

Objective 2 – Neighbourhood amenity

Surrounding neighbourhoods are afforded with reasonable amenity and sound levels coming from the precincts.

Objective 3 – Roles of stakeholders

The roles of stakeholders including, businesses, residents, industry, Council, Liquor and Gaming NSW and the Police are clear and committed to balance amenity and reasonable sound levels coming from the precincts.

Objective 4 – Ongoing evaluation

Monitor the operation of each Special Entertainment Precinct and adjust the management of the precincts as required.

4 Special Entertainment Precinct Trading Hours

Section 202 of the *Local Government Act 1993* requires that Council define trading hours within SEPs. All eligible businesses can trade within the hours specified in Tables 2 and 3 without further approval from Council. Maps contained within *Appendix 1* of this plan clearly identify the defined trading hours for each precinct.

Weekday Trading hours (Sunday to Thursday)

Precinct	Indoor Trading hours*	Outdoor trading hours^
Balmain	8am – Midnight	8am – 11pm
Dulwich Hill	8am – Midnight	8am – 11pm
Leichhardt	8am – 1am the following morning for Norton Street properties, 8am–2am for Parramatta Road properties	8am – 11pm
Marrickville North	8am – 2am, for the majority of the precinct, 8am – midnight for Shepherd Street and Farr Street properties	8am – 11pm
Marrickville Town Centre	8am – 2am the following morning	8am – 11pm
Rozelle	8am – 1am	8am – 11pm
Enmore Road	8am – 2am the following morning, apart from 76 Wilford Street, Newtown (Young Henrys), the Warren View Hotel and 216 Enmore Road, Enmore that are restricted to midnight	8am – 11pm

Table 2: Weekday SEP trading hours

Weekend Trading Hours (Friday, Saturday and the day before a public holiday)

Precinct	Indoor Trading hours*	Outdoor trading hours^
Balmain	8am – 2am	8am – midnight
Dulwich Hill	8am – 2am	8am – midnight
Leichhardt	8am – 2am	8am – midnight
Marrickville North	8am – 2am	8am – midnight

Marrickville Town Centre	8am – 2am	8am – midnight
Rozelle	8am – 2am	8am – midnight
Enmore Road	8am – 2am, apart from 76 Wilford Street, Newtown (Young Henrys), the Warren View Hotel and 216 Enmore Road, Enmore that are restricted to midnight	8am – midnight

Table 3: Weekend SEP trading hours

**All businesses within a SEP may trade within the hours specified in Tables 2 and 3 and on the maps in Appendix 1, except:*

- *Restricted premises (as defined in the IWLEP 2022),*
- *Sex services premises (as defined in the IWLEP 2022),*
- *Premises hosting adult entertainment (e.g. strip clubs), and*
- *Premises hosting any kind of activity alike those described above.*

^Outdoor SEP trading hours apply to footpath trading areas, as well as areas on private land including, but not limited to courtyards, balconies, colonnades, rooftops and beer gardens.

Businesses with existing approvals to trade later than the hours listed in Tables 2 and 3 may continue to do so. Others may apply to Council for extended hours through a development application.

Liquor licence trading hours still apply. Businesses with a liquor licence that is more restrictive than these hours must contact Liquor & Gaming NSW to amend their licence conditions.

5 Existing Policy Considerations

Several existing Council and NSW State plans and policies have interactions with or work alongside this document. These include:

Local Environmental Plan

A Local Environmental Plan (LEP) is a piece of legislation that controls development in an area. It determines what can be built, where it can be built, and what activities can occur on land.

LEPs contain both a written document and maps. These should be viewed together to provide an understanding of zoning and development controls for an area or a particular property.

Special Entertainment Precincts are legislated under the Inner West Local Environmental Plan 2022 (IWLEP 2022), which also includes maps identifying the properties located within each precinct.



Development Control Plan

A Development Control Plan (DCP) guides development, complimenting the corresponding LEP. Section 2.26 of the Marrickville DCP 2011 and Part C, Section of the Leichhardt DCP 2013 set out controls for development within and around SEPs. This includes sound proofing requirements for new sensitive receivers such as apartments, houses, health care facilities and tourist accommodation.

It also includes requirements for new or modified venues within the precinct, ensuring that they can operate without unreasonably impacting on neighbourhood amenity. As well as a requirement to future proof commercial tenancies in new mixed use buildings.

Anyone researching development in the area or lodging a development application must read and understand their obligations under the DCP.

Development Consents and Conditions

Under the *Environmental Planning and Assessment Act 1979*, Council can issue consent for the use and development of land subject to conditions. Conditions deal with a range of matters including sound from entertainment activity.

Development consents for entertainment and hospitality venues will typically have a condition restricting operational sound to a standard criterion. The typical condition applied to a premises is the background sound level +3db or +5db, before midnight and 0db above background after. This means the premises cannot operate louder than these metrics.

With a SEP in place, noise conditions on development consents relating to maximum sound levels are superseded by the sound criteria contained in section 8 of this plan. This is in accordance with Section 202 of the *Local Government Act 1993*.

Trading hours for premises can also be regulated by development consent conditions. Section 202 of the *Local Government Act 1993* requires Council to set trading hours for premises within SEPs. These hours are outlined in Section 3.1 and Appendix 1 of this plan.

Liquor Licences

Liquor licences are issued and regulated by Liquor & Gaming NSW. Any premises in a SEP that serves or sells alcohol is required to have a liquor licence in place.

Liquor licences contain conditions that must be upheld whilst alcohol is being served and consumed. Conditions cover a range of matters including but not limited to security requirements, licencing boundaries, and hours of operation.

All premises located within a SEP must comply with the conditions on their liquor licence. Extended trading hours are possible for venues deemed dedicated live music venues. Venues must contact Liquor and Gaming NSW to activate these additional trading hours.



Protection of the Environments Operations Act 1997 (POEO)

Under the administration of the NSW Environmental Protection Agency (EPA), the objectives of the Act include protecting and enhancing the environment of NSW, as well reducing risks to human health from pollution and environmental degradation.

The Act gives effect to the offensive noise test. This is the standard qualitative test used by Council's and NSW Police in determining if noise coming from a premises is causing a disturbance.

Premises located within a SEP are not subject to the POEO Act 1997, meaning the offensive noise test and NSW Police will not have a role in entertainment sound regulation, except for emergency situations.

Good Neighbour Policy

Introduced in 2017 By Inner West Council, the Good Neighbour Policy embeds resolution of disputes between residents and businesses into compliance procedures. Complaints received by Council will utilise the Good Neighbour Policy when the situation requires.

Local Approvals Policy

Yet to be adopted at time of writing, the Local Approvals Policy will oversee the use of public land for commercial and community purposes. The policy is relevant to SEPs as it contains the provisions for the use of footways for outdoor dining purposes and enables activation of public spaces for things like market stalls, small events, and other commercial and community activities.

6 Application of this plan

This plan applies to the operation of all commercial premises within SEPs. It manages the regulation and compliance procedures for commercial premises generating sound from *entertainment activity* (defined at the end of this plan).

For disturbances unrelated to the entertainment activity sound, please use existing complaint channels through [Council's online self-service portal](#).

7 Compliance Procedures

Sound from entertainment activity from Licenced premises

Liquor and Gaming NSW is responsible for regulating and managing compliance of sound from *entertainment activity* generated by licenced premises within SEPs. Compliance procedures are outlined in [Part 5, Division 3 of the Liquor Act 2007](#), with further guidance available in Liquor & Gaming's [Disturbance Complaint Guidelines](#). For more information, including steps to take before



lodging a noise complaint, visit: www.liquorandgaming.nsw.gov.au/community-and-stakeholders/have-your-say/complaints/make-a-noise-complaint

Sound for entertainment activity from un-licensed premises

Inner West Council is responsible for regulating and managing compliance of sound from entertainment activity generated by un-licensed premises within SEPs. This section details the procedures that Council will undertake in relation to the compliance of *entertainment activity* related sound coming from unlicensed venues in SEPs.

Steps to take before lodging a complaint

The flow chart on the next page identifies the process that should be taken before lodging a complaint with Council regarding sound coming from *entertainment activity* in un-licensed premises.

Unlicensed premises disturbances

1. Identify the source

In dense urban environments it can be difficult to determine the source of a disturbance. Accurately identifying the source of the noise disturbance will assist with alleviating the impacts and approaching the venue.

2. Approach the venue

Council's experience shows that when neighbours approach one another with reasonable grievances, they tend to be resolved quickly. If possible you should contact the venue by phone, or by approaching them in person.

If a venue is an ongoing problem, requesting the number of the on-site manager will enable you to contact them directly in the event of a disturbance.

Resolutions may involve minor changes to the venues operation such as closing certain windows and doors, placing security in areas with loud patrons, lowering volume or advising a resident of when the entertainment will end.

It's also expected in these discussions concessions may need to be made by residents, including closing their windows or doors, and working around occasional episodes of higher sound levels.

3. Re-evaluate disturbance

If you are not satisfied with the response from the venue, or the disturbance remains at an unreasonable level, feedback or a complaint should be lodged with Council.

Who to contact

Within a SEP, any complaints related to sound from an *entertainment activity* from an un-licenced commercial premises should first be directed in a civil manner to the venue. If a resolution is not reached, then a complaint can be made to Inner West Council. For other disturbances/issues, the correct agency to direct a complaint can be determined in Table 3 below.

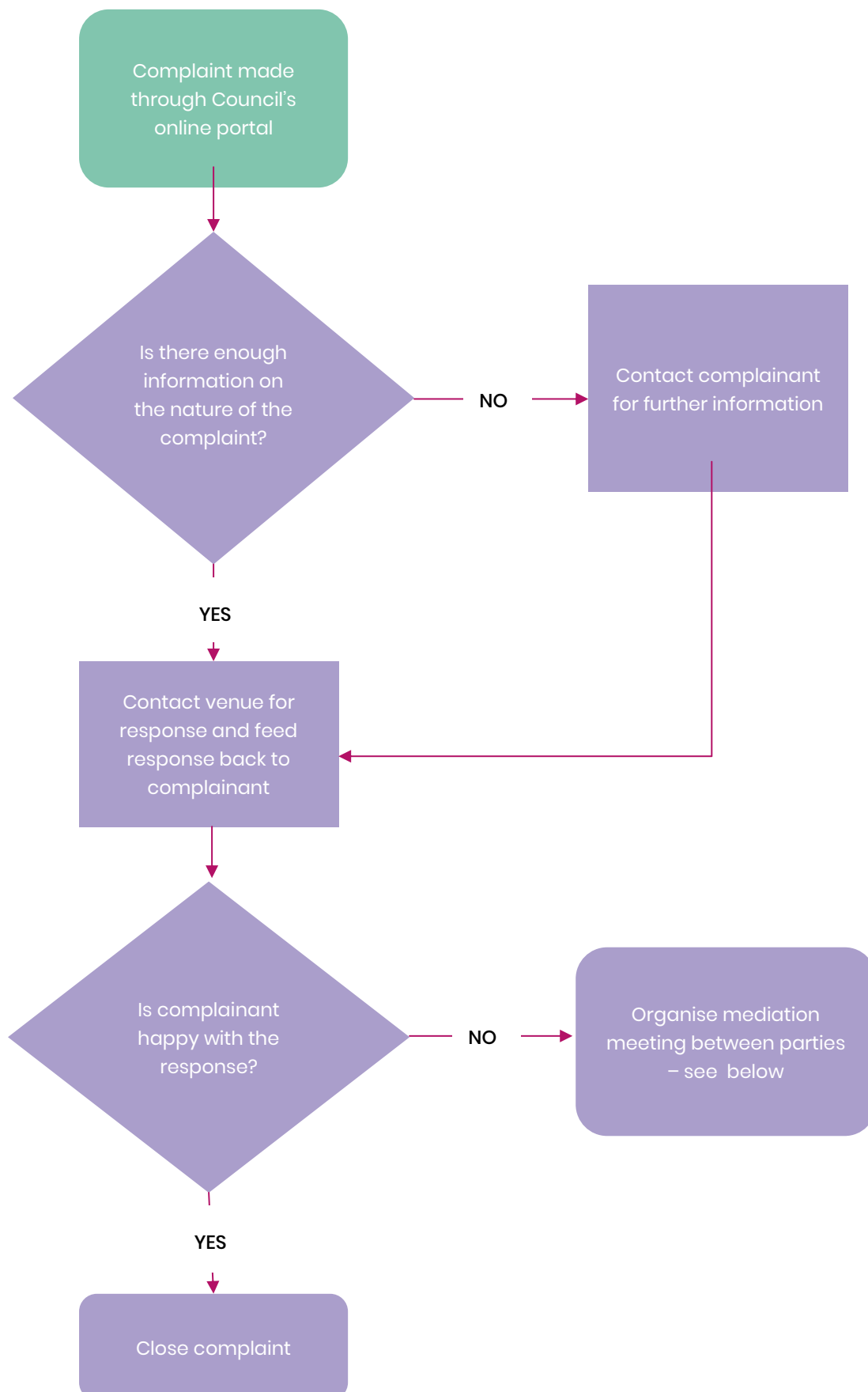
	Council – online or by phone	Liquor and Gaming NSW	Police
General feedback related to the Special Entertainment Precinct	X		
Reporting entertainment sound that from a licenced premises that exceeds the criteria in this plan		X	
Reporting entertainment sound from an un-licenced premises that exceeds the criteria in this plan	X		
Anti-social behaviour that requires immediate attention			X
Complaints from other sources of noise e.g., air conditioners, refrigeration units, loading/unloading, deliveries	X		
Development consent condition breaches	X		

Table 3: Where to direct feedback and complaints

Council procedures for complaint handling (unlicenced premises)

Regardless of when it is made, complaints will be handled by Council through the same procedure. Serious breaches within businesses hours that require immediate attention may be expedited.

The flow chart on the next page illustrates the typical complaint handling process.





Resolving complaints through mediation (unlicenced premises)

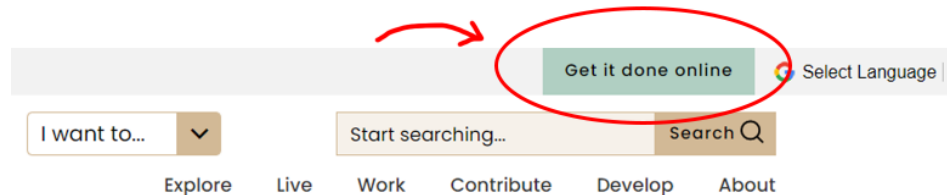
Complaints made to Council are expected to be resolved once Council has feedback from the venue. Responses from venues should include a verbal commitment to lessening the disturbance in the future.

If the disturbance is an ongoing issue that has not been resolved through previous attempts, a meeting will be facilitated by Council, bringing the complainant and venue together to understand and resolve issues. These meetings will be attended by Council staff from relevant units, which may include, although is not limited to, Environmental Health, Compliance, waste management, Economic Development and/or Planning. The licensee and/or venue manager must also be present. The complainant(s) will also need to attend the meeting.

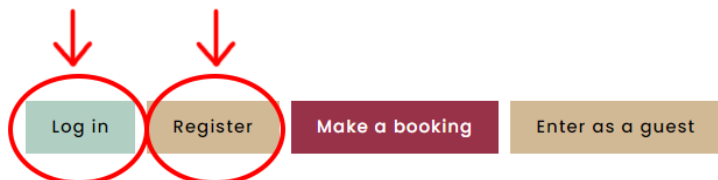
Such meetings will ideally be held face to face on site, either in the venue or on the street outside the venue. There may be circumstances with scheduling conflicts where an online meeting is favoured.

How to use Council's online self-service portal to make a complaint or provide feedback

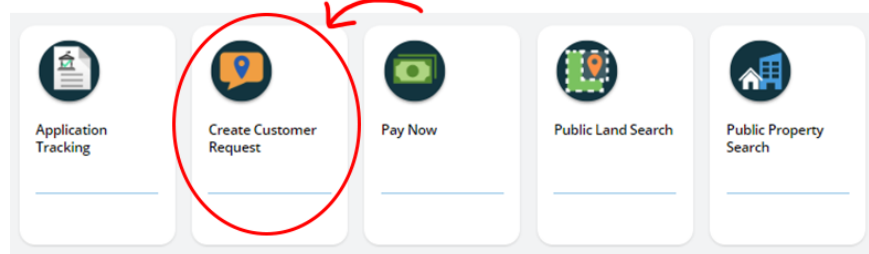
Complaints and feedback regarding the special entertainment precinct should initially be made through Council's online self-service portal. The link to this portal is located at the top of Council's webpage titled 'get it done online'.



Customers may then enter as a guest, or log-in/register (preferred).



When within the portal click the icon labelled "Create Customer Request".



From the drop-down menu on the next page, select "Special Entertainment Precinct - ...". This will create another drop down menu below where you can select from a range of sub-categories. Please select the one relevant to your request. ***Note: Entertainment sound complaints made against licenced premises will be referred to Liquor and Gaming NSW.***

Attachments can also be uploaded. Submitting photographic, video or other evidence will assist Council in understanding the nature and impact of the complaint or feedback.

Fill out all required fields below and submit. This will be sent to the relevant team to be addressed as soon as is practicably possible.

8 Suspending or revoking a SEP

In accordance with Step 3 of the NSW Special Entertainment Precinct Guidelines, there are mandatory steps for Council or the Minister for Planning and Public Spaces to suspend or revoke a SEP. This section outlines the situations in which Council will suspend or revoke a SEP, where ongoing issues cannot be resolved through existing compliance pathways. Issues relating to individual venues can be dealt with through existing Liquor and Gaming or Council compliance pathways.

A SEP can only be suspended or revoked by a formal Council resolution, and only if the following thresholds are met:

- The cumulative impact of business operations is unreasonably disturbing the quiet and good order of the neighbourhood
- There are persistently high levels of anti-social behaviour over a significant period
- All other compliance mechanisms have been exhausted and suspension is the only remaining option

Any suspension or revocation must:

- Be supported by strong evidence and data
- Be an agreed approach between NSW Police, Council, and the Office of the 24-Hour Economy Commissioner
- Be considered a last-resort measure

Council may also choose to revoke a SEP if it is no longer considered a suitable framework for the area.

For more information, refer to the NSW Special Entertainment Precinct Guidelines and the NSW Special Entertainment Precinct Handbook.

9 Sound Criteria

Overview

This section outlines fixed sound criteria for sound coming from *entertainment activity* from commercial premises within SEPs. It should be read in tandem with Section 2.26 of the Marrickville DCP 2011 or Part C, Section 5 of the Leichhardt DCP 2013, depending on which applies to the premises.

The following approach to *entertainment activity* related sound management within and surrounding the precincts has been informed by the following key factors:

1. Acknowledgement of the existing ambient noise levels, activation, vibrancy and positive contribution entertainment venues provide to neighbourhoods and the community.

2. Acknowledgement of the intended future uses of the precinct. To set noise emission requirements that are consistent with enabling the uses that are envisaged within the precinct.
3. The need to balance this activation with the reasonable amenity expectations of co-located and nearby sensitive receivers, such as residential premises
4. To provide greater consistency and certainty for businesses, residents, and compliance officers regarding allowable sound emissions and amenity expectations
5. Provide opportunity for managed growth of entertainment venues within the SEPs, minimising potential cumulative impact
6. The current minimum noise mitigation standards for sensitive development related to road and aircraft noise exposure

This Plan replaces existing development consent and liquor licence noise criteria with one simplified overarching approach that can be applied holistically across the SEPs and surrounding streets. In addition, the Plan will allow for clearer communication regarding expectations of venue operators and the community.

To provide greater consistency and certainty across the SEPs, predetermined fixed sound level criteria have been defined, rather than sound criteria relative to the background level. The fixed sound levels vary by time of day, day of week and geographic location to reflect the desired balance of activation and amenity across the SEPs. Derivation of this approach has been informed by extensive review of current conditions, licenses, national and international literature review, acoustic measurements across the precincts, and community expectations.

Key principles of the technical criteria

The primary components of the technical criteria that apply within the SEPs are:

- External Sound Category Areas (SCAs) defined across the SEPs.
- Fixed internal noise criteria for sensitive receivers that are attached to venues by a common wall or floor/ceiling.

External sound categories

The SCAs have been informed by the desired character, existing sound levels and levels of vibrancy across the SEPs.

Five SCAs have been defined, generally assigned to:

1. Main Road Frontages in High Traffic/Activation Areas (SCA 1)
2. Street Frontages in Moderate Traffic/Activation Areas (SCA 2)
3. Side streets and rear lanes close to the SEP interface (SCA 3)
4. All other areas (SCA 4) (unmapped)
5. Lane adjacent the Enmore Theatre (SCA ET)

Areas with louder permitted noise emissions are concentrated on main streets with commercial activities. Permitted noise emissions are reduced at the rear of commercial properties and in side streets and lanes leading from commercial centres.

SCA maps of each precinct are contained within Attachment 1. SCA 4 is not marked on the maps. Areas that are not designated as SCA 1, 2, 3 or ET would have the SCA 4 noise controls applied.

The SCAs vary by time of day, day of the week and geographic location. Varying assessment periods have been developed to be in keeping with existing time profiles and in recognition of varying levels of activation and sensitivity based on time of day and day of the week. Relative targets per time of day and day of the week are presented for each assessment area below in Table 6.

The Sound Category Areas have been informed by existing ambient acoustic conditions (road traffic, venue noise) approval conditions, receiver building design standards, available venue and venue acoustic assessments, and independent surveys undertaken throughout the precincts.

Internal sound criteria

While the primary sound criteria are to apply when receivers are separated from venues by streets, lanes, open spaces or gaps between buildings, internal criteria are required to address situations where sound transfer is within the same or an adjoining building i.e., predominantly via a shared partition such as a party wall or floor/ceiling. In this

situation, compliance with the external Sound Category Area level may be insufficient to appropriately address potential impact on sensitive receivers.

The derivation of internal criteria has been based on various global standards, criteria, and literature, inclusive of Australian Standard 2107.

Technical parameters

The following summarises key technical parameters and principles that were taken into account in the process of deriving the criteria:

Parameter	Discussion of principle followed
Fixed vs relative to background criteria	Relative criteria, such as 'background + 5 dB', are a fundamental component of NSW policy. However relative criteria can be inappropriate when it is desired to change the character of an area, as is the case here. Fixed criteria have therefore been adopted.
Measurement descriptor	<p>Current conditions of consent vary between use of the L_{eq} and L_{10} noise parameters. L_{10}, being the sound level that is exceeded for 10% of the time, is currently adopted by Liquor and Gaming NSW. However, L_{eq}, being the average exposure level, is considered a good representation of on-going noise exposure over the course of an activity and is most widely correlated with the subjective effect of noise. L_{eq} has been broadly adopted in NSW policy for assessment of most environmental sound, including road and rail traffic, construction, industrial premises, and more recently, large scale entertainment events held at Western Sydney Stadium and the Sydney Opera House.</p> <p>The L_{eq} sound measurement parameter has been adopted..</p>
Measurement time period	<p>The logarithmic averaging nature of the L_{eq} parameter means that isolated loud events (e.g. entry doors opening, patrons leaving and gathering temporarily, etc) are taken in into account, however the degree of influence will depend the duration of the event. A 15 minute period has been used as it is sufficiently long to avoid temporary loud events excessively influencing the noise level.</p> <p>A 15-minute period has been adopted for consistency with other NSW noise policy.</p>
Broadband / Octave band criteria	<p>Broadband dB(A) criteria are proposed to be supplemented by criteria in octave bands 31.5 Hz–125 Hz. The octave bands relate to low frequency 'bass' content.</p> <p>The low-frequency criteria have been defined for two primary purposes:</p> <ul style="list-style-type: none"> For the assessment of low frequency 'bass' content of music, as the broadband 'dB(A)' criteria does not appropriately respond to a person's level of annoyance, and To enable the assessment and design of sound insulation for receiver buildings, as it is the low-frequency content that more often determines the sound insulation construction requirements of a building. <p>It is noted that the L&GNSW criteria include an octave band requirement for low and high frequencies (31.5 Hz to 8 kHz), however none of the reviewed literature suggested a need for high frequency octave band criteria.</p>

Parameter	Discussion of principle followed									
	<p>It is noted that research related to low-frequency noise often considers more detailed 1/3 octave band frequencies, however 1/1 octave bands have been utilised to reduce complexity of design, assessment, and compliance.</p> <p>In the application of criteria for new receiver development, much of the research factors masking effects of background noise, which can reduce the audibility and annoyance of low-frequency sound. However, in the case of encroaching development, future internal background levels cannot be readily predicted.</p>									
Time of day / days of the week	<p>Criteria, particularly fixed criteria, often vary by time of day. There is limited consistency across existing policy, for example:</p> <ul style="list-style-type: none">• Liquor and Gaming NSW use 7am to midnight, and midnight to 7am• NSW Noise Policy for Industry have day, evening and night periods, generally being 7am to 6pm, 6pm to 10pm, and 10pm to 7am respectively, and• The Environmental Protection Agency’s road and rail criteria adopt 7am to 10pm and 10pm to 7am. <p>Where existing criteria are relative to the background level criteria will also vary accordingly. Fixed criteria often seek to follow a similar approach that different criteria will be set for each period.</p> <p>With consideration to operating hours of entertainment venues and the community’s sensitivity to sound from <i>entertainment activity</i>, it is recommended to utilise a period representing the day and evening together, with two night periods (before and after midnight). These periods address the need for varying entertainment sound profiles, with a focus on providing adequate resolution during the night to allow changing noise environments in different areas of the precinct and across different days of the week.</p> <p>Further, different targets have been set for different days of the week in recognition of varying levels of activation and tolerance at different times of the week. Period definitions are presented below:</p> <table><tr><th>Days</th><th>Period 1 ‘Day/Evening’</th><th>Period 2 ‘Early night’</th><th>Period 3 ‘Late night’</th></tr><tr><td>Sunday 7am to Thursday 7am</td><td rowspan="2">7am to 10pm</td><td rowspan="2">10pm to midnight</td><td rowspan="2">Midnight to 7am</td></tr><tr><td>Thursday 7am to Sunday 7am</td></tr></table>	Days	Period 1 ‘Day/Evening’	Period 2 ‘Early night’	Period 3 ‘Late night’	Sunday 7am to Thursday 7am	7am to 10pm	10pm to midnight	Midnight to 7am	Thursday 7am to Sunday 7am
Days	Period 1 ‘Day/Evening’	Period 2 ‘Early night’	Period 3 ‘Late night’							
Sunday 7am to Thursday 7am	7am to 10pm	10pm to midnight	Midnight to 7am							
Thursday 7am to Sunday 7am										

Sound requirements for Venues

The criteria in this Section apply to all *entertainment activity* related sound coming from commercial premises within the SEPs and specify how sound measurement should be undertaken to determine compliance with the Sound Category Area Levels specified in Table 4.

1. *Entertainment activity* sound from venues within a SEP must not exceed the Venue Sound Criteria, equivalent to the Sound Category Area Levels specified in Table 4 by reference to the relevant map in Appendix 2.
 - a. Sound Category Area levels apply at the identified frontages of the receiver at the lot boundary, 1.5 metres above the floor level of all floors up an existing building.
 - b. The Sound Category Areas will apply to all uses emitting sound related to *entertainment activity*.
 - c. The criteria below are cumulative noise levels. Where a venue is adjoined by another venue, the noise targets below are to be reduced by 3dB(A) unless reporting demonstrates that cumulative noise emissions will not cause an exceedance of the criteria below.

Table 4: Sound categories - venue external levels

Sound Category Area (SCA)	Days of the week	Venue external assessment criteria, dBL _{eq(15minute)}											
		Day / Evening (7am to 10pm)				Early Night (10pm to midnight)				Late Night (midnight to 7am)			
		Broad band dB(A)	Octave band (Hz) dB			Broad band dB(A)	Octave band (Hz) dB			Broadb and dB(A)	Octave band (Hz) dB		
			31.5	63	125		31.5	63	125		31.5	63	125
SCA 1	Sun 7am to Thurs 7am	65	69	68	66	60	64	63	61	55	59	58	56
	Thurs 7am to Sun 7am	65	69	68	66	65	69	68	66	60	64	63	61
SCA 2	Sun 7am to Thurs 7am	60	64	63	61	55	59	58	56	50	54	50	46
	Thurs 7am to Sun 7am	65	69	68	66	60	64	63	61	55	59	58	56
SCA 3	Sun 7am to Thurs 7am	55	59	58	56	50	54	50	46	45	54	50	46
	Thurs 7am to Sun 7am	55	59	58	56	55	59	58	56	50	54	50	46
SCA 4	Sun 7am to Thurs 7am	50	54	50	46	50	54	50	46	45	54	50	46
	Thurs 7am to Sun 7am	55	59	58	56	50	54	50	46	45	54	50	46
SCA ET	Sun 7am to Thurs 7am	65	69	68	66	60	64	63	61	50	54	50	46
	Thurs 7am to Sun 7am	65	69	68	66	65	69	68	66	50	54	50	46

2. Entertainment Sound from venues with an adjoining sensitive receiver, that may be affected by noise transfer via the common partition shall be evaluated against the Receiver Internal Sound Criteria specified in Table 5, at the most-potentially affected location (no less than 1 metre) from the common partition.

Table 5: Internal venue criteria for adjoining premises, Leq(15 minute)

Receiver ¹	Period ²	Broadband dBLAeq(15min)	Octave band centre frequency (Hz), dBZ ²		
			31.5	63	125
Residential accommodation - bedrooms	7am – 10pm	35	59	52	46
	10pm – 7am	30	54	47	41
Residential accommodation – other habitable rooms	7am – 10pm	35	59	52	46
	10pm – 7am	35	59	52	46
Tourist and visitor accommodation (bedrooms & sleeping areas)	–7am - midnight	38	62	55	49
	midnight - 7am	33	57	50	44
Information and education facilities	All times	35	59	52	46
Place of public worship	All times	38	62	55	59
Health services facility	7am – 10pm	40	64	57	51
	10pm – 7am (wards only)	35	59	52	46

Notes:

- Internal criteria apply to entertainment sound only.
- Habitable room is defined as a room used for normal domestic activities, and—
 - includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but
 - excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.
- Noise level criteria in Table 4 relate to single venue noise contributions. Noise levels experienced in the precinct may be above those stated where there is a cumulative impact from entertainment sound from multiple sources/venues. The potential for cumulative impact has been factored into the single venue criteria.

10 Breaches of this Policy

Breaches of this policy may result in an investigation of the alleged breach in line with relevant Council policies including the Model Code of Conduct.

Any alleged criminal offence or allegation of corrupt conduct will be referred to the relevant external agency.

11 Glossary

Common Partition is a shared wall, floor, ceiling, or other built divider between two premises that is shared. This includes party walls but does not include independent boundary walls wholly contained within separate properties.

Entertainment activity has the same meaning as in Section 202A of the *Local Government Act 1993*.

Existing use is a venue or premises that has an activated development consent for a specific location.

Habitable room is a room that is intended for occupation and normal domestic activities, including:

- A bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom;
- Excludes any other space not specified above of a specialised nature not occupied frequently or for extended periods including a bathroom/water closet, balconies, laundry, pantry, walk-in wardrobe, corridor, lobby, and clothes-drying area.

Sound Category Area Level is the external Venue Sound limit from Venues in the Precinct.

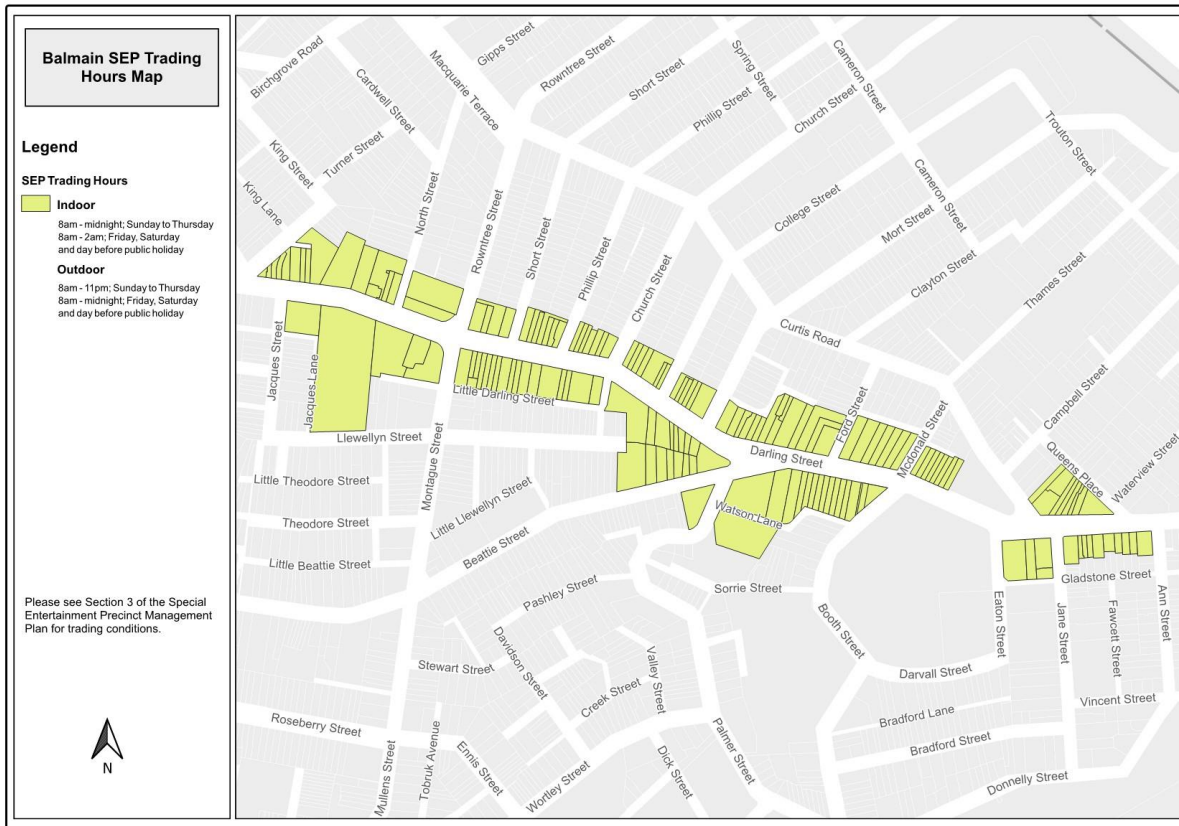
Special Entertainment Precinct has the same meaning as in Section 202B of the *Local Government Act 1993*.

Suitably qualified acoustic consultant is a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia, or the Association of Australian Acoustic Consultants at the grade of member.

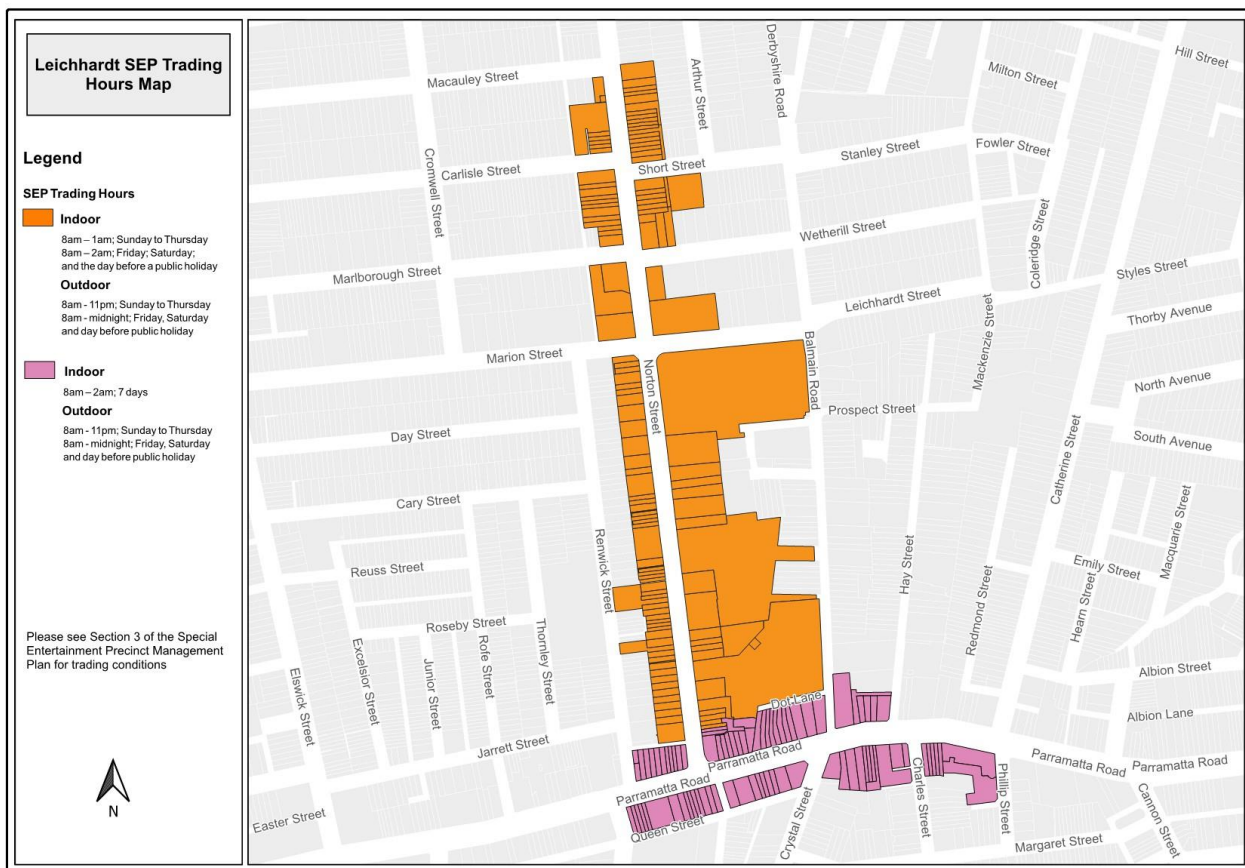
Venue refers to a premise in the Precinct that generates Entertainment Sound.

Venue Sound Criteria is the external entertainment sound limit from a single Venue, equal to the Sound Category level.

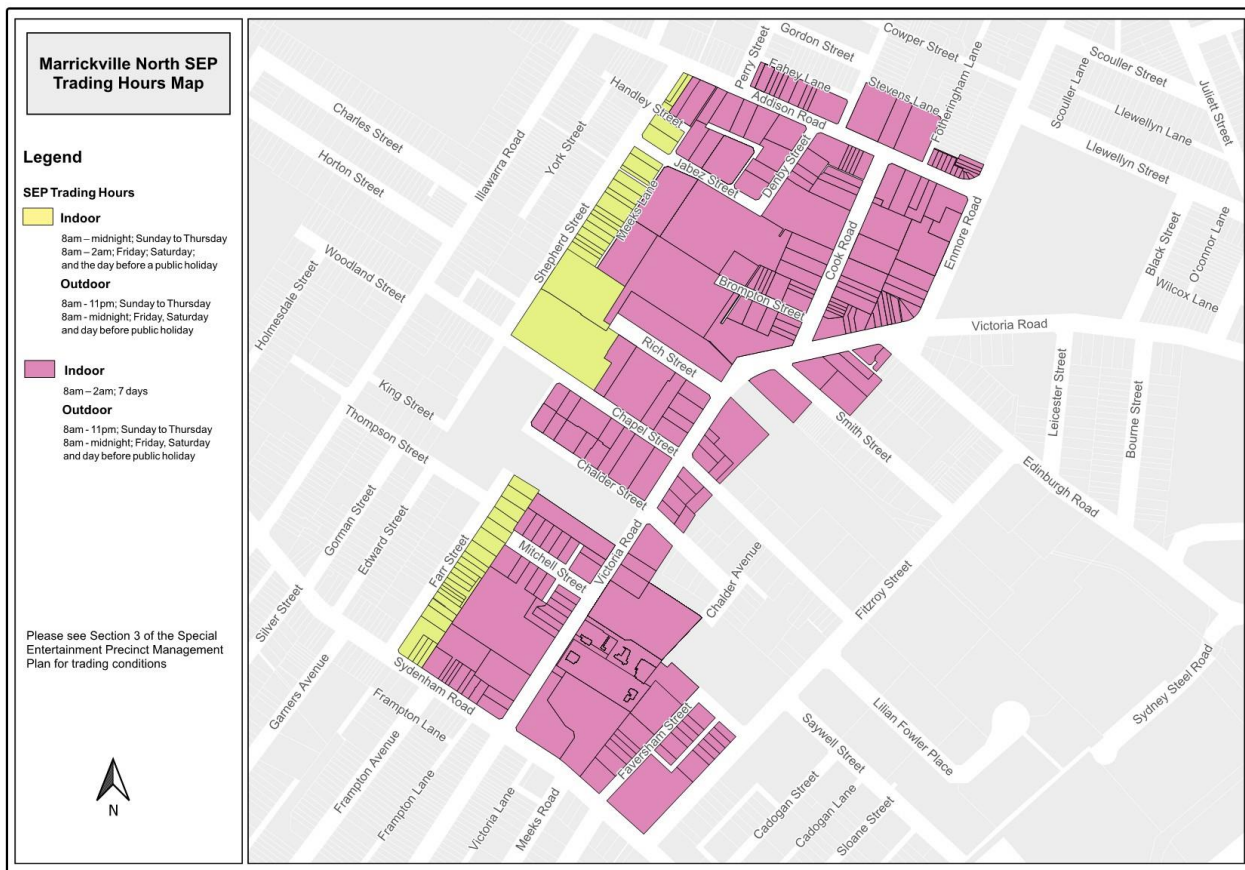
Appendix 1 – SEP Trading Hour maps



INNER WEST

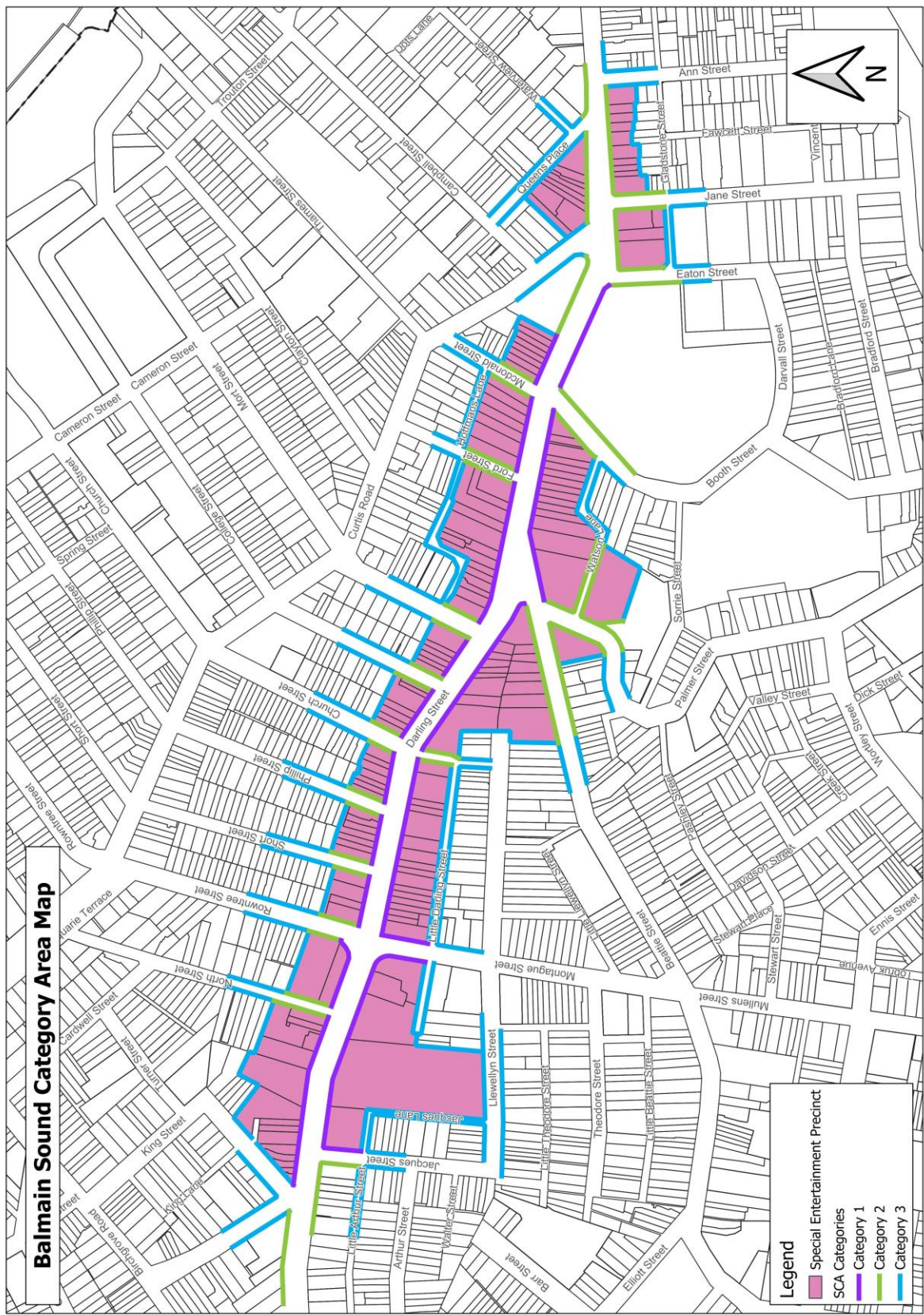


INNER WEST

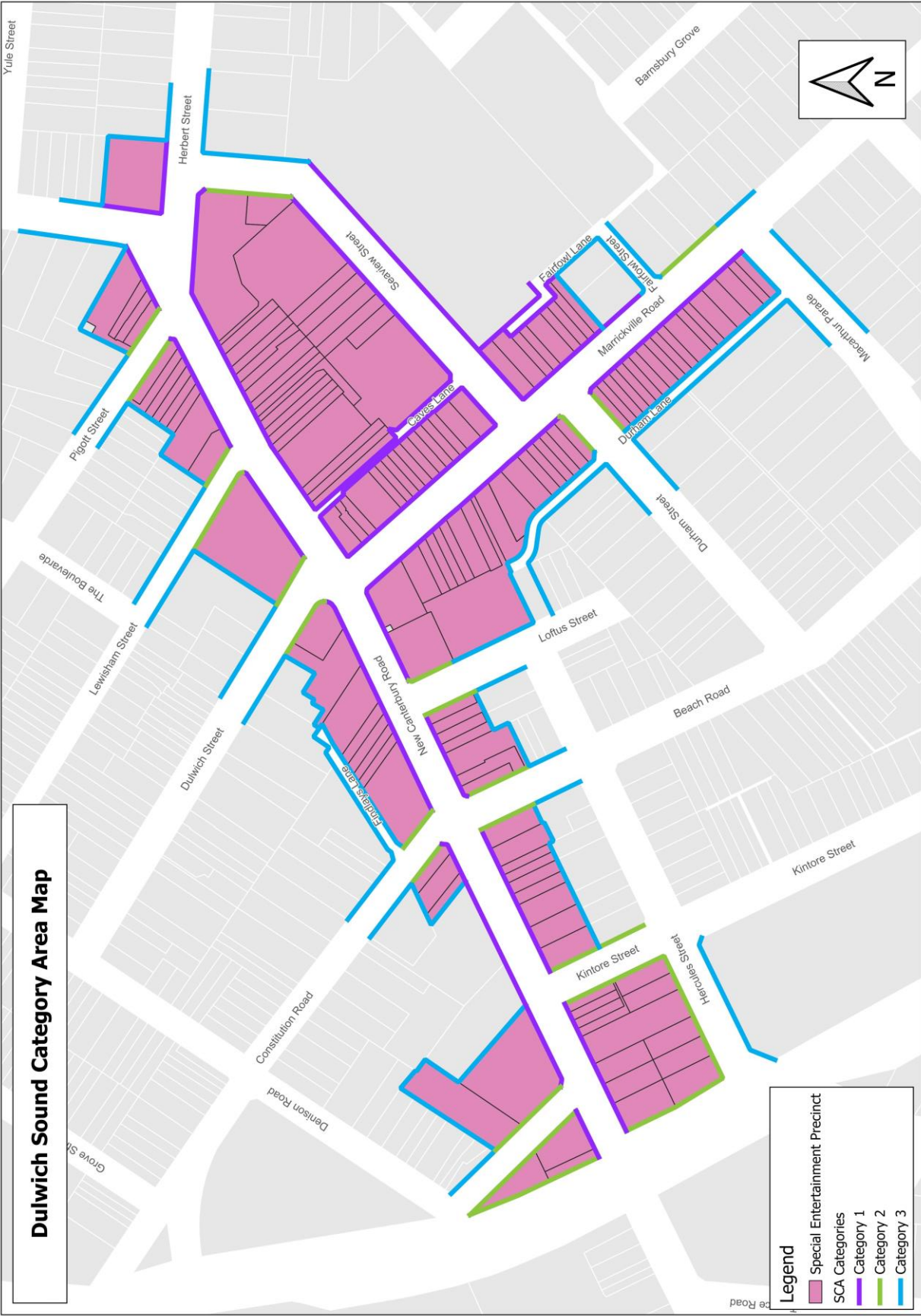




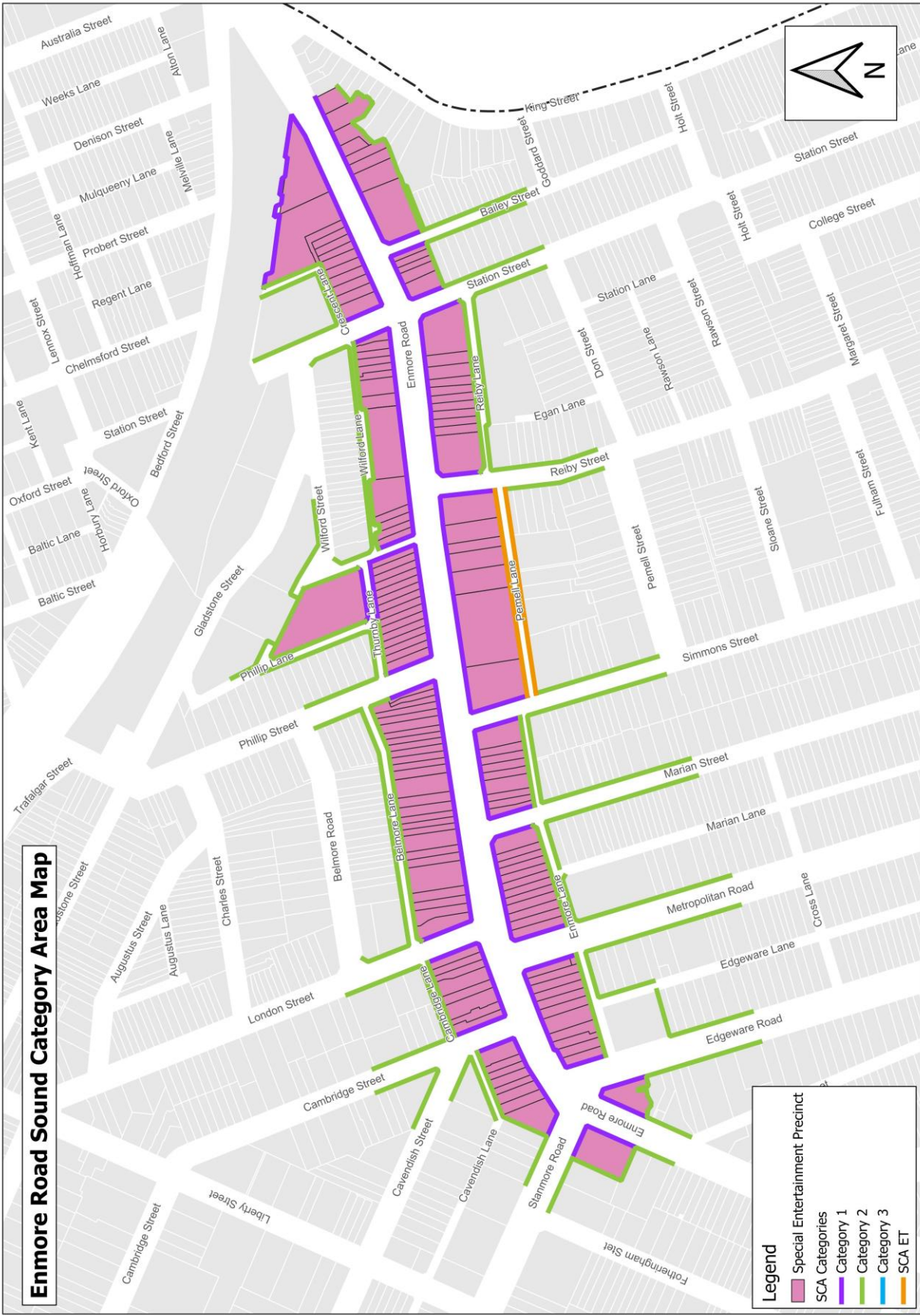
Appendix 2 – Sound Category Area maps



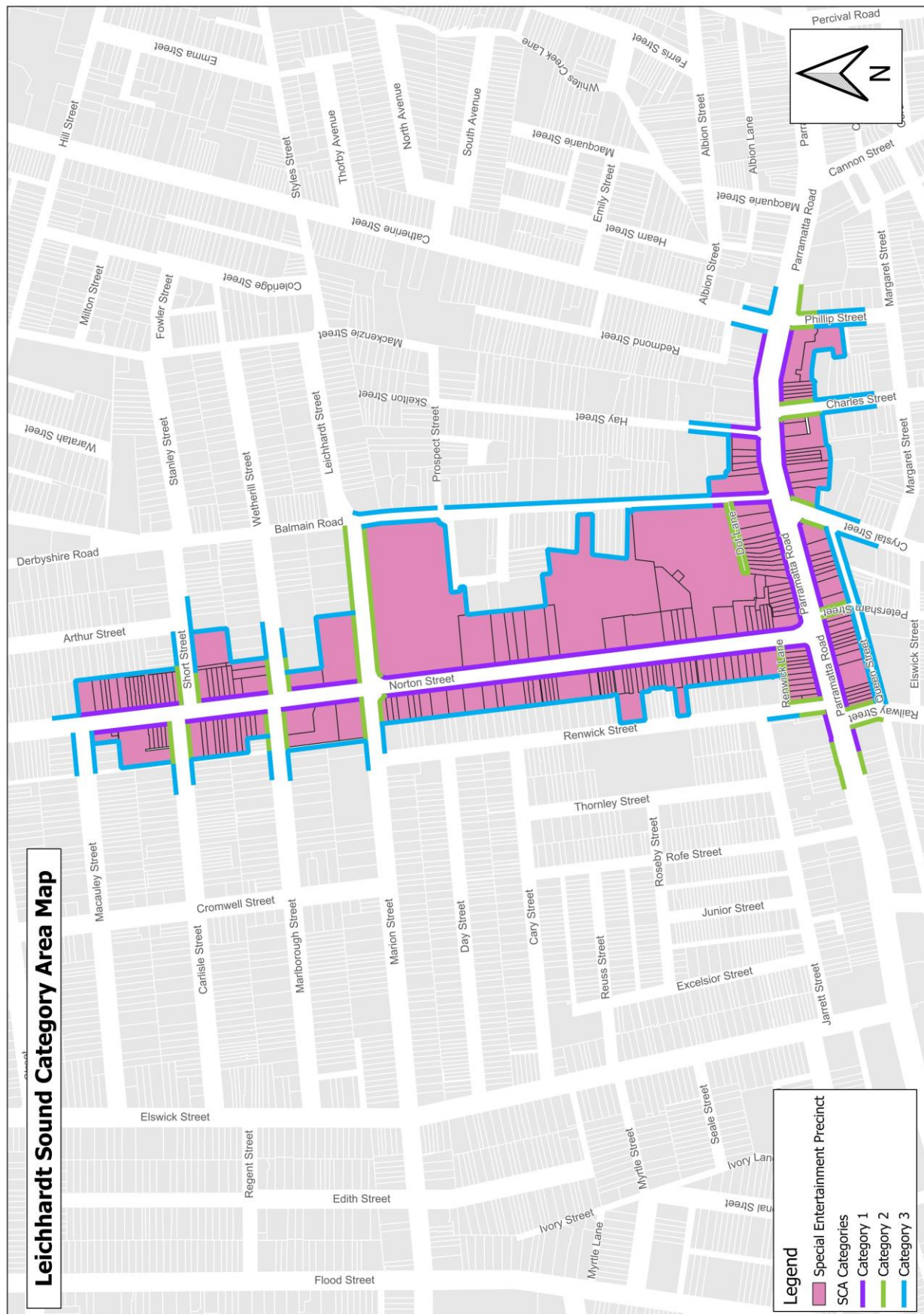
Balmain Sound Category Area map



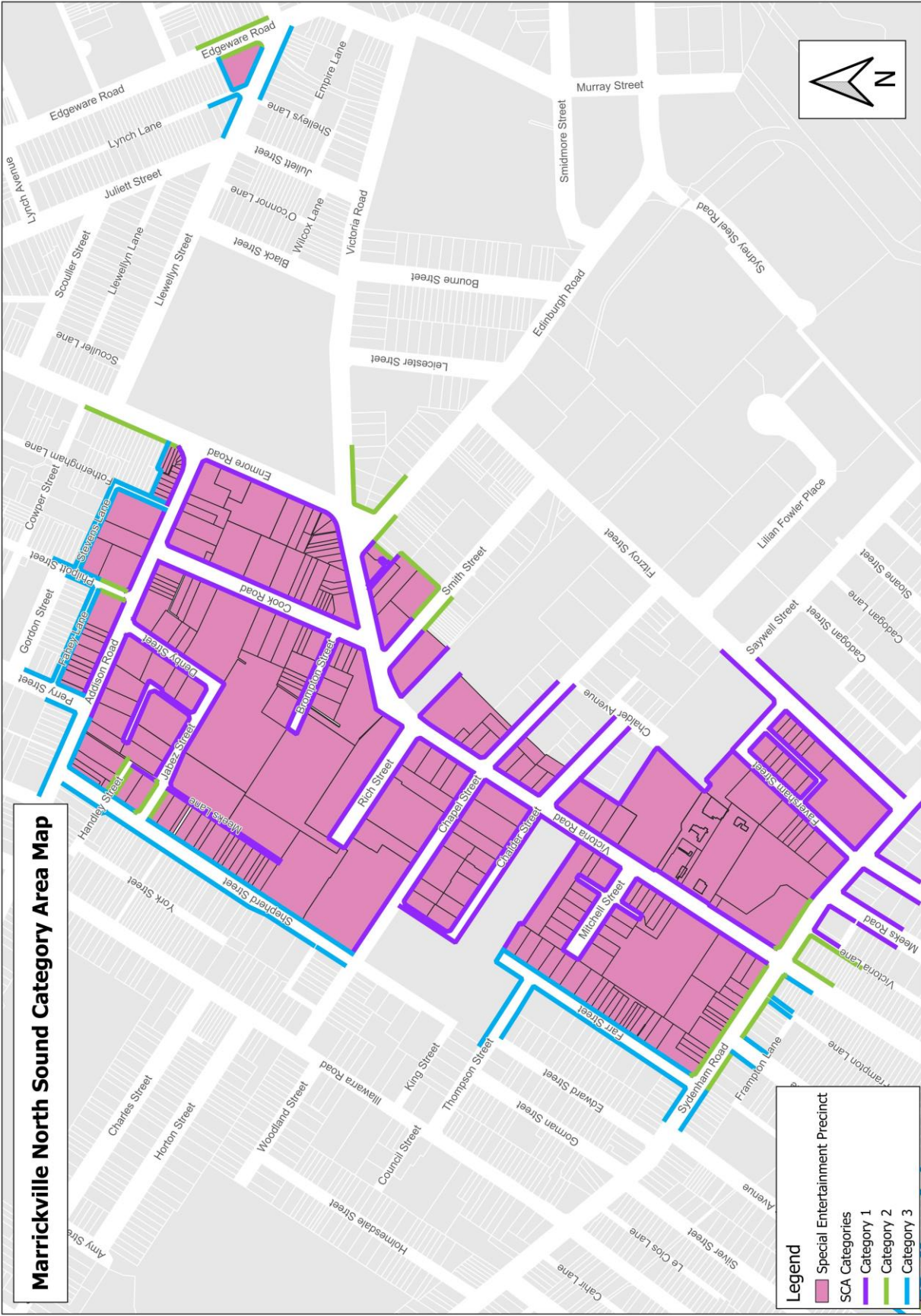
Dulwich Hill Sound Category Area map



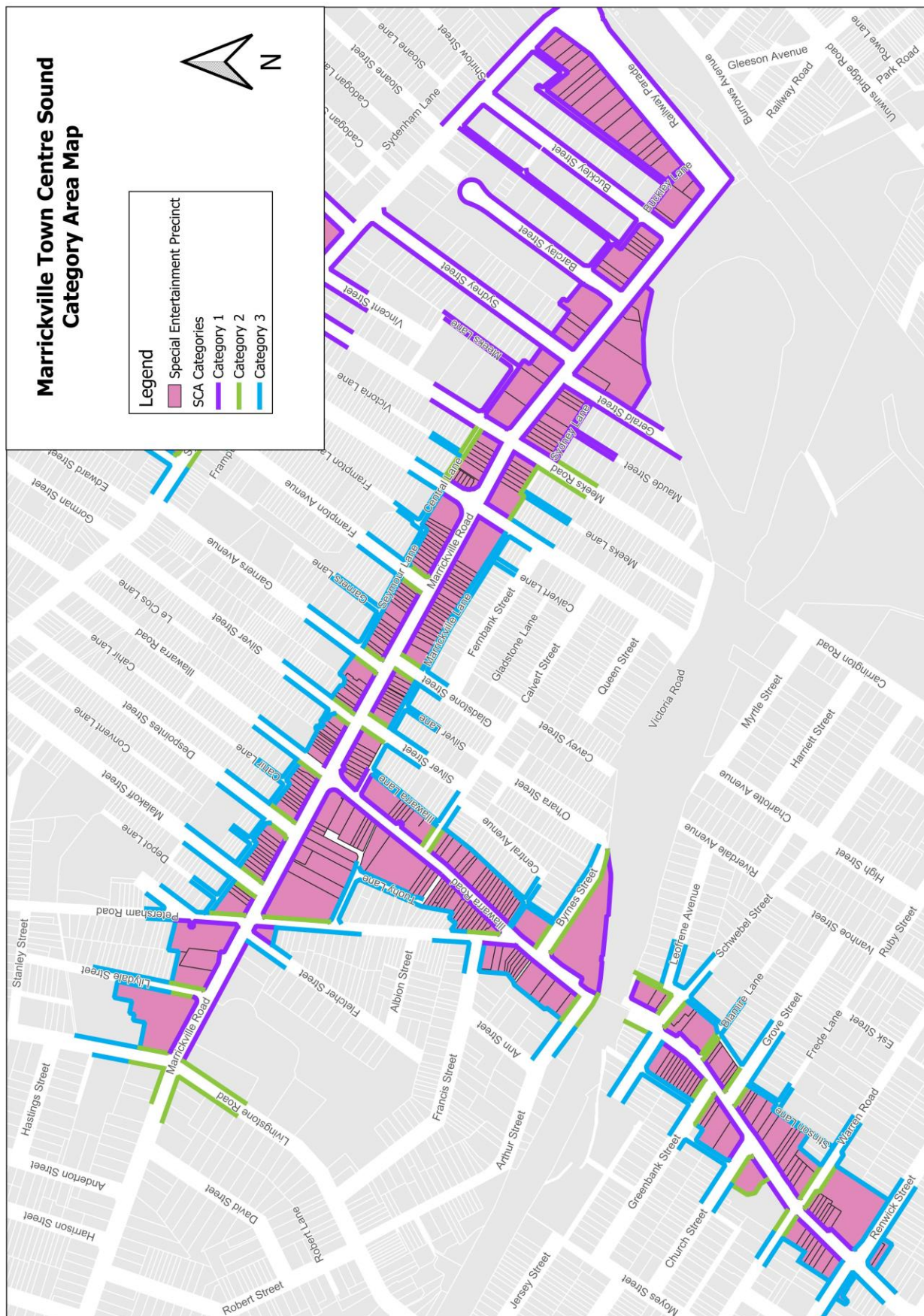
Enmore Road Sound Category Area map



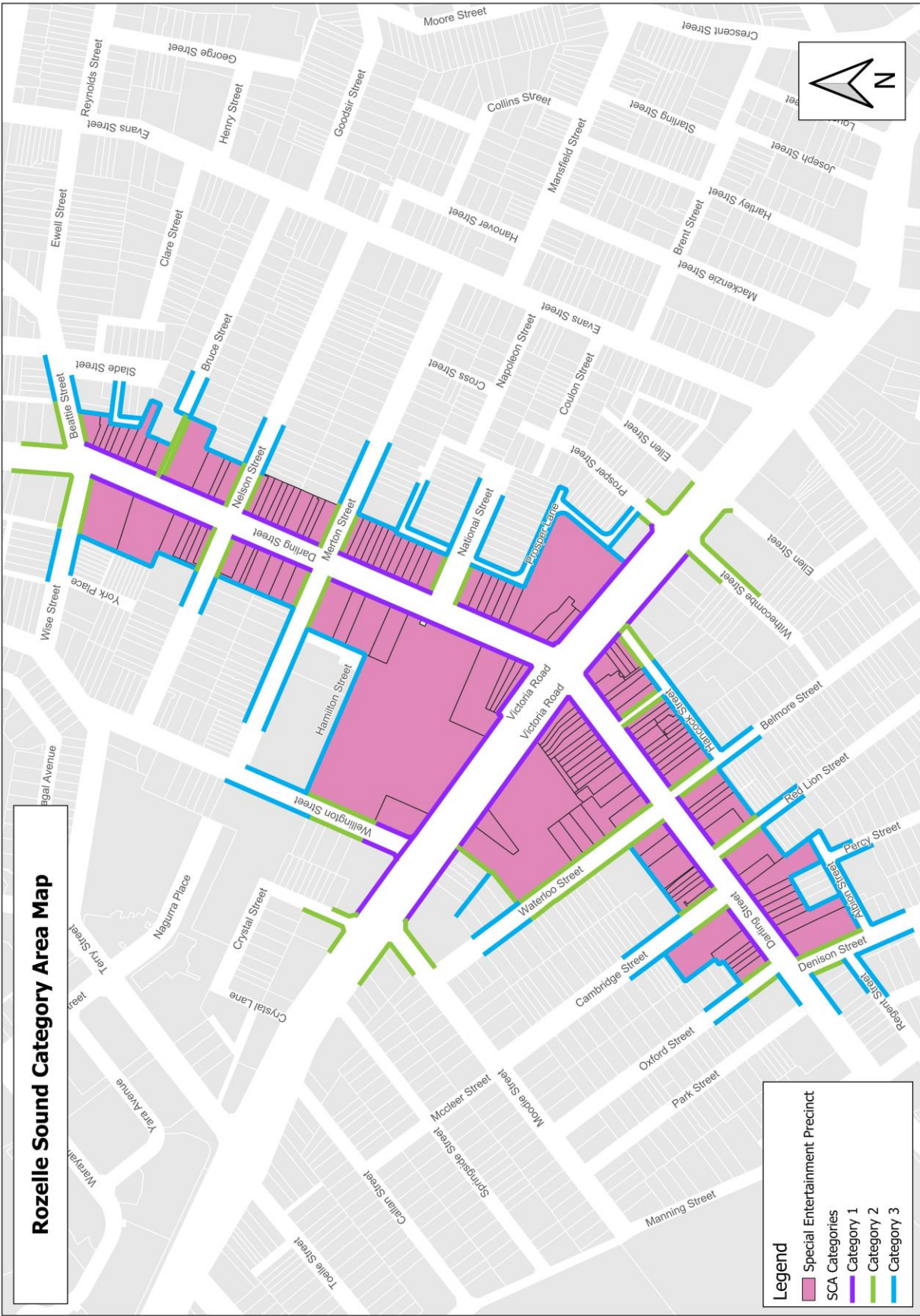
Leichhardt Sound Category Area map



Marrickville North Sound Category Area map



Marrickville Town Centre Sound Category Area map



Rozelle Sound Category Area map