 <p>PLANNING PROPOSAL REPORT From Strategic Planning team</p>	
Planning Proposal Number	PPAP_2023_0001
Proposal Name	Enmore Road Special Entertainment Precinct
Proposal	Planning proposal to amend the <i>Inner West Local Environmental Plan 2022 (IWLEP 2022)</i> to designate part of Enmore Road, Enmore as a Special Entertainment Precinct.
Recommendation	That the Inner West Local Planning Panel advise Council: THAT the Planning Proposal prepared by Council officers dated February 2023 to amend the IWLEP 2022 to include part of Enmore Road, Enmore as a Special Entertainment Precinct has sufficient strategic and site-specific merit to be submitted to Minister for Planning for a Gateway Determination in accordance with Section 3.34 of the <i>Environmental Planning & Assessment Act 1979</i> .

1.0 DISCUSSION

The Enmore Road Special Entertainment Precinct (SEP) began as a 3-month pilot program and aims to revive live music and entertainment, activate local businesses and the night-time economy; and create more places for our community to enjoy. Venues within the precinct are encouraged to provide live entertainment and will have an extension on both their trading hours and outdoor dining as an incentive to prioritise the arts.

Between September and November 2022, a survey was open for the public to indicate their support or opposition to the SEP; with a significant 91% of the 310 responses in support. As most responders were in support of the SEP continuing, the SEP was extended on a trial basis until 31 July 2023. The extension gives Council time to consult the community and venues about their experience of the precinct and to prepare a planning proposal to make the precinct permanent. A survey of local businesses and residents gauged support and identified potential impacts. The survey closed 24 February 2023 and an engagement outcomes report has been provided in Attachment 1. The survey showed continued community support for the SEP.

A planning proposal must be submitted to the Department of Planning and Environment to amend the Inner West Local Environmental Plan 2022 (Attachment 2) for the SEP to become permanent. This would allow amplified music to be regulated by Council in accordance with the Special Entertainment Precinct Management Plan (Attachment 3).

A new Development Control Plan (DCP) chapter (Attachment 4) is also proposed to be added to the Marrickville DCP. This will:

- Require new or modified sensitive receivers such as residential accommodation and office premises to attenuate against entertainment noise in and around the precinct,
- Require new or modified venues to demonstrate they can operate without breaching set sound limitations, and
- Require future proofing of commercial tenancies within new or modified mixed use developments to allow them to be used as entertainment facilities without needing further attenuation.

It is intended to place the DCP on public exhibition alongside the planning proposal once a Gateway Determination has been received from DPE. It should also be noted that information will be included on planning certificates to inform existing and future residents that a property is located within a sound category area of a Special Entertainment Precinct.

2.0 ATTACHMENTS

1. Enmore Road Engagement Outcomes Report
2. Enmore Road SEP Planning Proposal
3. Enmore Road Special Entertainment Precinct - Management Plan
4. Draft Development Control Plan Section 2.26 - Special Entertainment Precincts

ATTACHMENT 1 - Enmore Road Engagement Outcomes Report



Engagement outcomes report
Enmore Road special
entertainment precinct

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Summary

The Enmore Road special entertainment precinct has been in operation since 1 September 2022. It was meant to initially be run as a three-month trial, however this has been extended to July 2023 whilst Council considers its future.

Engagement for the precinct was carried out in two stages. Stage one included a survey open for Enmore Road visitors. Its purpose was to gauge support for the precinct amongst people experiencing it. Over 270 people completed the survey. There was an overwhelming level of support, with 91% of people in support of Enmore Road being designated as a special entertainment precinct.

Stage two of the engagement was specific for residents and businesses within the precinct. Local residents and businesses were invited to complete a survey on their experience with the precinct.

Of the eight local businesses that completed the survey, all were in support of the precinct being made permanent. Three noticed an increase in patronage during the trial and the remainder stated it was the same as before. One business also indicated that they put on live entertainment because of the trial.

Approximately 64 residents completed the survey. 63% of residents were supportive of the precinct being made permanent. Support was higher for residents that lived a block away from Enmore Road, as opposed to those living immediately adjacent Enmore Road, where support was 25%.

Availability of street parking was the number one issue raised by residents, followed by increased noise, anti-social behaviour and litter.

Background

New legislation made in 2020 enables Councils to designate areas as special entertainment precincts. Inner West Council resolved in 2021 to designate Enmore Road as the first such precinct in NSW.

The purpose of the precinct is to allow live music venues to make certain noise levels without compliance action. These levels are set to allow reasonable noise levels whilst still protecting the amenity of residents.

Promotion

Stage one – visitor survey

A survey open for all visitors to Enmore Road to gauge level of support for the precinct amongst people experiencing it.

- Coasters with a QR code at all Enmore Road live music venues
- Posters with QR codes in Enmore Road live music venue shopfronts
- Decals with QR codes on Council's Enmore Road street bins
- Your Say inner west webpage

The QR codes on the posters, decals and coasters proved very successful with over 270 unique responders.

Stage two – resident & business survey

A survey open to residents and businesses on and around Enmore Road to understand their experience with the precinct.

- Hand delivered letter to each business on Enmore Road directing them to complete the survey.
- Hand delivered letter to every resident on and within a few blocks of Enmore Road. Figure 1 below is a map of the included properties.
- Letter sent to all owners of residential properties that live elsewhere.
- Follow up email to Enmore Road businesses due to low survey response rate.
- Total of over 4,000 letters issued.

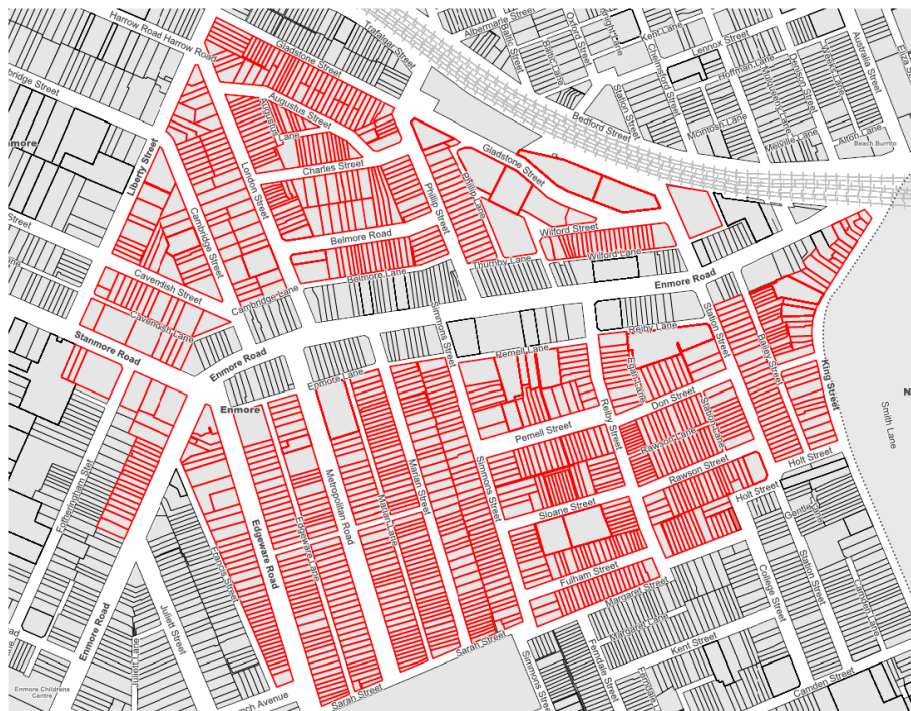


Figure 1: map of all properties hand delivered a letter inviting them to fill out a survey

Engagement methods

Stage one – visitor survey

- webpage on Your Say Inner West
- Online survey

Stage two – resident & business survey

- Online survey specific to either residents or businesses
- Ability to also submit a formal submission

Engagement outcomes

Stage one – visitor survey

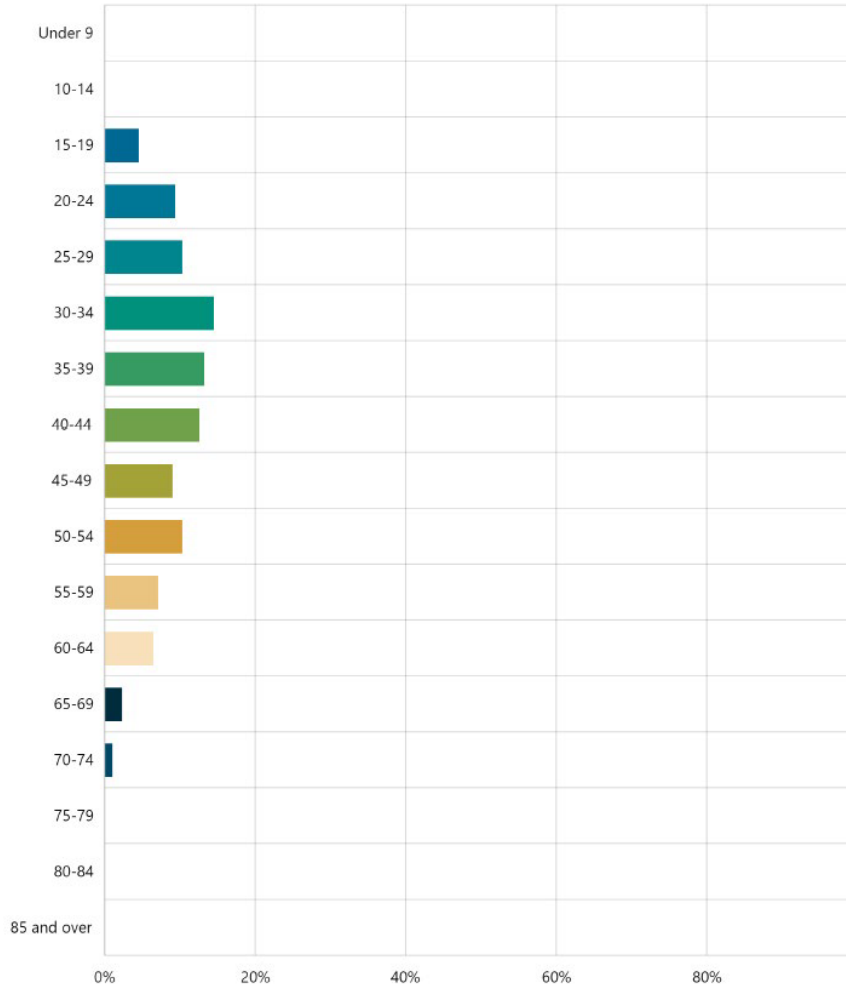
Key stats

- 2,293 unique visitors to the Your Say Inner West page
- 312 completions of the survey from 273 unique contributors

- 247 downloads of the draft precinct management plan

Demographics

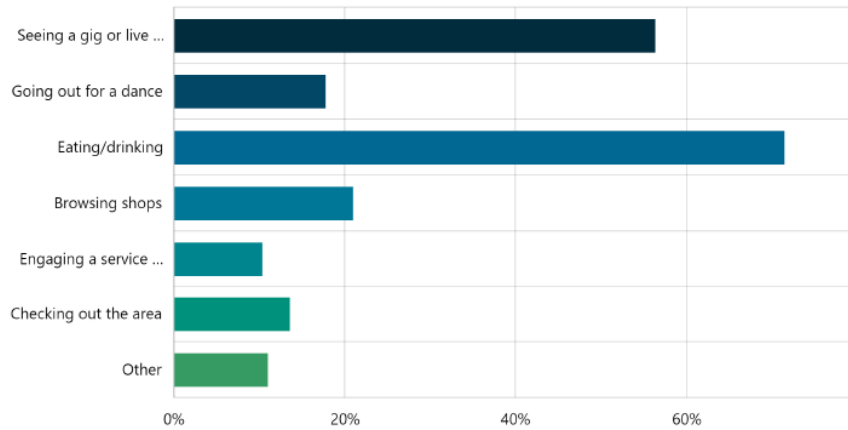
- Age spread of respondents:



Findings

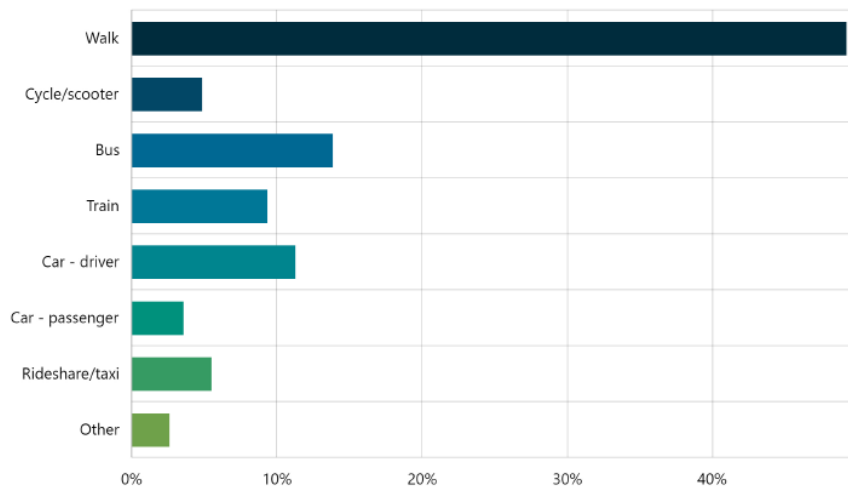
- 91.3% of surveys indicated support for Enmore Road to be designated as a special entertainment precinct
- Responders visited the area for a range of reasons, number one being eating/drinking followed by seeing a gig:

4. What are the reasons for your visit to Enmore Road today? (select all that are applicable) Required
 Multi Choice | Skipped: 1 | Answered: 311 (99.7%)



- Most people walked (49.2%) to the precinct followed by bus (13.8%). 11.3% of people drove in their own car:

3. How did you get to Enmore Road today? Required
 Multi Choice | Skipped: 1 | Answered: 311 (99.7%)



- Overall, there is a strong level of support for the precinct.
- Common comments among supporters include:
 - Sydney's night life is substandard and projects like this are required to revive and protect it
 - Enmore Road is a vibrant area with a great live music scene

- Comments from people not in support include:
 - Street parking is already difficult – this will make it worse
 - Traffic congestion in local streets
 - Crowds are rowdy and anti-social
 - Increased noise is disturbing residents
 - Street cleaning is substandard

Stage two – resident and business surveys

Residents survey

Key stats

- 64 residents completed the survey
- 8 formal submissions were uploaded

Findings

- 40 (63%) of residents support Enmore Road being designated as a special entertainment precinct
- 20 (31%) do not support it being designated as a special entertainment precinct
- 4 (6%) are not sure of their support

- Support for the special entertainment precinct increases the further residents are located from Enmore Road:
 - Support for the precinct from residents who indicated they live “immediately adjacent” Enmore Road was 25%.
 - Support from residents who stated they live “within a block” or “more than a block” away from Enmore Road was 74%.

- Comments from supporters include:
 - The precinct has had a positive impact on Enmore Road businesses and night life vibrancy
 - Live music venues need to be protected
 - The precinct supports the artist and creative community
 - It created a great atmosphere on Enmore Road
 - Vacant shopfronts were more likely to be occupied
 - There has been no increase in traffic or noise

- Comments from people who do not support or are unsure about the special entertainment precinct include:
 - Street parking is already limited and has been made worse

- Excessive noise from venues has increased
- Noise has not been kept within the set levels
- Crowds on Enmore Road are not being properly managed
- Increased traffic congestion on local streets
- Anti-social behaviour from patrons has increased e.g., drug use, littering, alcohol related violence, public urination, graffiti
- Other areas should be considered instead e.g., King Street, Newtown
- Public transport use should be encouraged
- It is pointless – there has been no increase in patronage
- Businesses are not accountable for their impacts
- Additional trading hours and live music concessions subverts the development assessment process
- Safety in the area has decreased

Businesses survey

Key stat

- 8 businesses completed the survey

Findings

- All 8 (100%) businesses support Enmore Road being designated as a special entertainment precinct
- 3 businesses indicated an increase in patronage since the special entertainment precinct began operation. The remaining stated it was the same.
- 1 business provided live entertainment when they had not done so before. The reasons other businesses didn't include:
 - They never intended to have live music
 - Premises is too small
- 1 business utilised the additional 30 mins of trade, reasons why others didn't include:
 - Not a late night operation
 - Security arrangements after midnight were too expensive
 - More than 30 minutes is needed to make it viable
 - Tight labour market with no staff available
- Other comments from businesses include:
 - The precinct has been a success and made Enmore Road more vibrant
 - Indoor and outdoor trading should be extended further
 - Great initiative – additional allowances will continue to be utilised

- It gave businesses on Enmore Road a needed boost
- There has been a notable increase in street litter in rear lanes

Submissions received during the trial

During the trial Council also received a number of submissions via email and through our online portal. These submissions have been separated from noise complaints regarding specific venues as they were dealt with when received.

There were 13 submissions made during this time. 5 were supportive of the precinct, 6 made suggestions on how to better the precinct and 4 raised concerns or were against the precinct (some sit in multiple sentiment categories).

Reasons submissions supported the precinct include:

- A leaflet was received in the mail denouncing the special entertainment precinct. This is not the view of the majority of residents.
- There has been no increase in noise, parking, or other issues.
- I run a business of Enmore Road - I fully support this precinct.
- Glad to see an increase in activity on Enmore Road
- The precinct should become a permanent addition

Suggestions made include:

- The precinct management plan is difficult to read and largely ignores residents.
- The survey open during the trial was not for residents
- Signs should be erected at the top of streets reminding visitors to reduce noise in residential areas.
- Poorly implemented as there is no baseline info on footfall, vehicle traffic, venue patronage, venue turnover. Success can therefore not be determined.
- Consider traffic calming measures, enhanced footpaths, more beings, and more rubbish collection.
- Provide more parking in a multi-level car park
- Footpaths should be widened on Enmore Road, and it be made single lane each way.
- More outdoor dining

Issues raised in submissions against the precinct include:

- Gigs loudly spill into nearby streets
- Car parking is become scarce
- Streets are constantly blocked due to high traffic volumes

- Litter on the streets has increased
- Inadequate security at venues
- Anti-social behaviour including yelling, public urination, violence, damage to property and trespassing
- Queues lined down residential streets
- Excessive noise
- Footpaths are too narrow to cope
- Pedestrian and vehicular safety has been compromised

Redacted versions of these submissions are contained in Appendix 4

Officer comments

Overall, there has been a high level of support for the continuation of the special entertainment precinct from businesses, residents and visitors.

People living on or immediately adjacent Enmore Road, especially those directly adjacent live music venues, are the exception to this. They raise excessive noise, crowd management, car parking availability, safety concerns and anti-social behaviour such as alcohol related violence, drug use, littering and public urination as issues.

Council conducted three sound surveys during the trial to understand if businesses were operating within the set limitations. It was found that most were. Exceptionally loud businesses were notified of their breaches.

Misconceptions on the effect of the special entertainment precinct were also identified. Whilst Council allowed an additional 30 mins of trade, allowing businesses to host live music that would otherwise have been prohibited is not unique to Enmore Road. Recent changes to state planning legislation have made development consent and liquor licence conditions prohibiting live music invalid state-wide.

Parking and traffic issues have been discussed with the relevant units at Council. This includes individual requests that came through during the trial's operation. Street parking is a notoriously difficult issue to address, as kerbside space is limited and is a shared resource amongst residents, businesses, and visitors. The impacted area is slated for a parking review in 2026.

Stats from the visitor survey indicate that most Enmore Road visitors either walk, cycle, catch public transport or use rideshare services (82.6%). Driving to the precinct is limited to 14.75% of trips.

Council staff met with the local Police consistently throughout the precinct's trial operation. The purpose was to discuss local matters including significant incidents, trends, observations, and problem venues. This resulted in several actions being taken by Council to pull venues into compliance with the precinct management plan and remind businesses of their obligations in maintaining good neighbourhood amenity.

Whilst certain issues may persist into the future, it is expected that overtime businesses, residents, Council, and the Police will adapt to the new scheme and that the positives delivered from the Enmore Road special entertainment precinct outweigh the negative impacts.

Next steps

The Enmore Road Special Entertainment Precinct will be reported to Council in March 2023. This report will include a Planning Proposal to embed the precinct into local planning controls in perpetuity.

This community engagement report will be reported to Council alongside the planning proposal.

Appendix 1 – verbatim responses to stage one survey

Identifying details have been redacted

Stage one – visitors survey	
Q. "please explain your answer" follow up to question "do you support Enmore Road being designated as a Special Entertainment Precinct"	
1.	Proximity to Newtown means has long history of young, entrainment focus. Loss of other entertainment in area. Value of reinvigorating zone
2.	Does it extend the hours for the _____ also? How are crowds dealt with? It's not ok that queues for the theatre block access to peoples homes! What is being done to resolve parking issues with the extra visitors you are trying to attract to the area. More ques - no space
3.	i think enmore has potential for vibing buzz hub of the innerwest ! . REMOVE and clean up the area - and all that unsightly offensive graphic tagging !! and the potential is there !
4.	I love the vibrancy of the area but I am frustrated that there isn't more done to maintain cleanliness. I regularly have to collect rubbish from gutters because there is insufficient street sweeping.
5.	It's important to have live event and build community
6.	Happiness is so important this year out of all years and this just brings so many People happiness
7.	Everyone enjoys the music and events here
8.	It brings community together and allows a safe space to enjoy live local arts and entertainment in small intimate venues
9.	It's a fantastic space with great people, music and community
10.	Sydney is in desperate need of a live entertainment district and enmore/ newtown is the perfect location. As a Newtown resident I couldn't think of anything better than to have convenient access to live music and performances. We went out Friday night and it was amazing!
11.	Me, my friends, and my family really enjoy being able to enjoy a night out, especially if there is live music which sadly in the past few years has been affected (not just by covid). My only concern is about the possible rise in rent and house/property prices as a consequence

12.	It was so exciting to see a band play fantastic music. It really made me feel alive and brought home to me how little we get to see small gigs these days in our suburb. It truly brings a vibrancy to the area and makes it feel pretty special. Totally agree we need a music precinct
13.	Awesome plans and planning keep sydney alive
14.	It's a fun environment to enjoy live music
15.	___ Enmore road rocks
16.	Mad
17.	Absolutely awesome gigs
18.	I'm having the time of my life, i'm so glad i got the chance to see up and coming bands and i hope i can see more in the future
19.	_____, was amazing was so good to see live bands in the inner west
20.	Has a beautiful vibe in the area and brings people together
21.	Sydney needs more live music venues and a broader set of rules to encourage venues to remain open and provide this type of entertainment.
22.	Went to a live show a few weeks ago to see a local band, the crowd was friendly and the host was kind, really loved the night and made me want to come back to enmore to support the local shop owners and bands
23.	We need a hub for live music and entertainment, tape needs to be cut!
24.	Sydney needs this. I've just returned from 7 years in Melbourne; the music and entertainment scene couldn't be more different. We need hubs for people to come, drink, dance and be with each other. Without it, Sydney will die a cultural death.
25.	Sydney is dying on its knees and has nothing to do eye with other cities and global cores where you can take friends, international guests to that isn't designed for rich boring farts who stay at home. This is the last chance saloon and as more is Jesus coming back to help us!
26.	The area has thrived without the need for additional flexibility of venues and does not need this extra flexibility to continue to do well. The trial is causing significant parking problems and other problems including drunks wandering noisily in residential streets all night.

27.	we don't want enmore to turn into halls gap where you can't get anything to eat past 8!
28.	We have lost so many live music venues, bars, restaurants over the past 20 years. It would be good to have a precinct that has a focus on these places to go out and enjoy.
29.	Some of the best hospitality and entertainment in Sydney. We've already lost the Sly Fox, small independent businesses need to be supported in order to thrive.
30.	Council has a role to play in balancing the needs of businesses and the night-time economy with those of local residents. Council is much better placed to achieve satisfactory outcomes in this regard than Liquor&Gaming.
31.	There has been no consultation with the local community about how noise, parking etc will be dealt with. It is not fair to tell residents that they will need to tolerate more noise and then not tell us limits on what this will be. It reeks of a policy that can't be trusted.
32.	Enmore has a history of being an entertainment centre. I would like to see more music and events for young people that are good quality and affordable. It's an element of life that Sydney lacks and enmore is a place that people look to to provide that resource.
33.	The local community really want this to be a more vibrant precinct, including a street fair since it can't be done on King St. Many people lament the loss of the Newtown Festival so making enmore road an entertainment precinct is exactly what we need. Also drives local business
34.	great for locals and visitors alike
35.	It's a great place for food and entertainment, unique is Sydney.
36.	Love it. I'm a local.
37.	great area for this type of thing. already exists and is merely an extension. as a local resident I welcome this.
38.	This initiative is great and should be continued and expanded. I favour outdoor dining and support to live music. Enmore Rd should be as pedestrian-friendly as possible. I think the next steps should be to reclaim driving space for walking and dining, and better ped crossings
39.	This is wonderful. We desperately need to bring back a vibrant arts and music culture to enmore and Newtown
40.	The inner west is a vibrant hub of creatives and building connections between our communities is literally life saving.

	_____ provides ACCESSIBLE gigs. Last night all monies raised by entry fees were donated directly to queer out reach program I showcased emerging artists
41.	Love it, Enmore Road has always been famous for its lively vibe and the fewer barriers to putting on a good time the better
42.	I have been so jealous of the city of sydney street side dining in Surry Hills. it's so difficult to eat outside anywhere and there are so few live music venues left. It would be a fantastic improvement to our suburb.
43.	Everything you could want for a night out exists on Enmore Road. Allowing businesses to operate with more freedom, encourages to visit and stay at these locations.
44.	I think a vibrant city is an alive city. That's where I want to live. I accept there is noise that comes with an alive city, and I'd rather that than a barren wasteland.
45.	I am a direct resident behind the _____. Council can not manage the rubbish and disturbance as it is. It is a restaurant precinct not a live entertainment area. I would like to know compensation details for existing residents before we have to involve lawyers.
46.	Having gone on a Wednesday, I was not expecting the street to be so pleasantly busy. I do not think I have ever seen the street so lively on weekday and this must be because of the Special Entertainment Precinct!
47.	Culture, nightlife, and vibrancy are at the heart of what makes a place and city so wonderful
48.	I live right next to Enmore rd at _____ and I love it this! The nightlife is amazing and it really creates a fantastic atmosphere. Its what Sydney needs and as a local living near these venues the noise has not been a problem!
49.	Its great! More night life please!
50.	I think it is great to support live performance and entertainment in Sydney. Especially after the Lockout Laws destroyed Sydney nightlife.
51.	I think this is a fantastic initiative that would do wonders for the area, especially if traffic management is included such as blocking access to turn into Simmons st so theatre queues are safer, restaurant dining extended areas instead of parking to ensure pedestrian access

52.	Pop up venue has been created with very loud music (intolerable). It is in the backyard of a shop premise and no regard for neighbours
53.	Would like clarity on location of live music- should only be allowed indoors. Some businesses eg _____ at _____ Enmore road are hosting live music at the rear of the premises opening out onto residential area which is so disruptive
54.	This is a inner city suburban street. Live music pushes the noise levels up this too far and makes the area unappealing to anyone with kids or over the age of 40.
55.	Will change fabric of the area. Parking and toilets already an issue. The crowds are getting rowdier and uncontrolled. Venues like hideaway and duke create messy drunk people that have stopped the area being family friendly already.
56.	Yes it brings culture back to a city which is dead. If you don't have culture then economics fail, employ suffers, house prices drop and social issues increase
57.	I moved to the area to live in a vibrant environment with a range of entertainment options. Was sad to see some of the venues (such as The Sly Fox) close down and believe that Sydney nightlife desperately needs revitalisation. Enmore Rd nightlife can be a big part of that
58.	Eating and drinking on the street would be great, especially with COVID still at large
59.	We need more live music and gig venues in Sydney and Enmore road is easy to get to and has some really cool spaces
60.	I support the creative arts industry and believe that the voices of the people need to be heard above opposing idealisms. I feel it's my duty to support the arts as a contributor to the creative arts in and around Sydney. We want to be able to party without looking over shoulder
61.	The night life in Sydney has been killed. We need more late night venues. We need to stop people moving in to an area only to complain about the noise and getting venues shut down.
62.	Restaurants need to be allowed to be open later and eat outside on the street until at least midnight. Makes for safe streets for women walking home at night.
63.	It's a fab, eclectic area and needs the conditions that accompany a Special Entertainment Precinct so visitors can get the most out of it.

64.	Sydney generally needs more of it. Having a dedicated precinct will boost it
65.	Flexibility on where music and arts can be shown will lead to diverse and more emerging acts pushing through. Set it up and people will come.
66.	I visited ___ Enmore Road last night to see djs perform, it was amazing. We shopped at local stores, bought beer from the local breweries, ate the biggest pizza slice I've ever found, and found a quirky t-shirt. I had an amazing time. Why can't we have more of this?
67.	After the Covid years and lockout years I'm in full support of later nights, love music etc - bring back the fun. Anyone who lives near these streets and venues should be open to an active nightlife.
68.	Live music is my favourite thing about the enmore area. The concessions to allow gigs to happen easily is so important. I believe it will allow the area to flourish and enriches our local identity, nighttime economy and enables local businesses to prosper.
69.	It's a great safe community! Local artists have more exposure and given a chance to showcase themselves, which I 100% support!
70.	The city needs entertainment precincts, it is essential
71.	Close to city, great restaurants and music
72.	It needs to maintain the vibrancy and eclectic vision of all great precincts across the globe. It is a little East Village meets Kreuzberg. I love it!
73.	I'm glad to see more entertainment and food being offered at later hours, it makes it worth travelling into Sydney.
74.	Enmore and it's surrounding locations are a natural hub for dance, art, music, live venues and general creativity. exploring these avenues rather than restricting them ultimately benefits everyone in the community and those who are not yet aware of it
75.	I have always enjoyed the entertainment in Enmore Road. Wether that be the _____ or the sly fox, I believe this a great place to socialise.
76.	Enmore road is surrounded by residential streets and young families. Live music is OK when its not intrusive into peoples homes as it has been. Music is being played in laneways,

	behind shop fronts, in courtyards along residential properties. This is not Enmore road.
77.	I live on enmore rd and love music
78.	Love to come to Newtown for the interesting shops and great vibe. Fantastic at night and lovely people
79.	No parking, noise from people walking streets trying to find a car and/or moving between venues is not managed. No infrastructure to support the initiative. Tafe car park requires walking down residential streets
80.	We need more areas where live music, entertainment and dining is made more accessible to all. Enmore is in my community and I would love to see that here
81.	Perfect for the area. Revive the area
82.	EXTEND IT
83.	People who move into the area knowing it's a live entertainment precinct have no right to shut it down for the many thousands who enjoy the area every week.
84.	I love being able to walk the strip and choose the best place to spend time. I can peruse the funky shops, have a drink, eat a meal, listen to a DJ, or catch a live performance. I can meet up surf friends and we can decide what to do, or change our plans because of the options.
85.	It was impossible to find parking. When I finally found a park, I was 1 kilometre from the restaurant and subsequently 30 minutes late for dinner. Ruined my night.
86.	Entertainment and late night culture is critical, a designated area is the only solution to nimbyism
87.	The more venues with live music the more vibrant an area
88.	Live music keeps it interesting and fun
89.	Sydney needs these areas, and Enmore has all the ingredients
90.	It's a wonderful idea and I believe it will invigorate the area. 30 minutes extension doesn't sound sufficient though, it should be permitted at least until 1-2am.
91.	Went to a great DJ Gig on Enmore road thanks to the entertainment precinct trial. Loving it.
92.	I have recently attended live music events in enmore and they were amazing and fun. Brought the community together through musics
93.	Its a perfect place in Sydney for more live music and later opening hours. Great initiative IWC!
94.	It's just such a unique and interesting chunk of Sydney.

95.	There is such a great range of food, drink, shops on the road, small venues that are not too crowded or loud.
96.	All live music is very professionally handled, lovely area that feels very homely
97.	Lots of fun great environment. So good to be away from pubs
98.	I like to boogie oogie oogie
99.	Great area for live music and entertainment in Sydney
100.	Fun, safe, responsible
101.	So much fun. Literally all I look forward to!!!!
102.	This is awesome I love these people and this entertainment precinct
103.	Fun!!!!
104.	Let's allow this area to be what it wants to be, a free, fun area for the youth + all ages to enjoy. All major cities globally have a diverse crowd of party goers. Let's allow Sydney to be part of the convo. Don't Shut this down!we're having fun!
105.	It's awesome
106.	Fuxkijg sick love it here
107.	Fucking great night, love this place, yay Enmore ___ !! Love it hete go prefix
108.	absolutely great night! Love this place, such good vibe
109.	___ enmore has bustling live music!
110.	I think it's a great idea to make Enmore Rd a special precinct. So glad to live nearby and enjoy the ambience!
111.	I previously lived on ___ St, Newtown and having local establishments on my doorstep was fabulous. I did get some noise bleed from the Enmore Theatre & considerable foot traffic past the house, but knew this was to be expected being close to the action.
112.	The community needs an area designated for this. It's sadly deficient in Sydney.
113.	It's great to be able to see live music in a bar, I really enjoy having great food options outside of pubs where there is plenty of entertainment (besides the Enmore Theatre) to be had. The precinct has great variety.
114.	I encourage the efforts to support live music. I have lived in my home for 8 years and in the area another 7. The new owners of _____ and _____ have absolutely no regard for the locals. Live music is not the issue, blasting their hi-fi until 2.30 in the morning is.

115.	It's time to actually open sydney up. It's been vanilla for way to long. Please have the courage to take steps to let culture flourish instead of piggy backing on it. A 30 minute extension to current licence times is insulting & limp. Do it properly, it's time.
116.	More live music and events is a good thing for the area, more for us to see and do. I'm sure it will be good for business too, as our nightlife recovers from the lockout laws
117.	It's so great to have the freedom to go to an area as diverse as Newtown and listen to the talent that Australia has while indulging in a drink or food pending what I choose. I love the vibe of the place!
118.	
119.	Lived in the area&visited Enmore Rd for 7 years now & have seen it gradually come to life. It has been slowly filling up with wonderful restaurants&bars with a really welcoming, friendly& inclusive feel. _____ is a fantastic venue with a great array of artists. Pls stay!
120.	The number of restaurants, cafes, bars, etc on Enmore Rd make the area extremely appealing to visit. Not as hectic as Newtown nor as preppy as the CBD. It has it's own uniqueness, welcoming vibe and acceptance of all members of the community.
121.	Enmore is a vibey and creative suburb. I love the variety of bars and restaurants. It is even better now that more venues have live music.
122.	Live music and the hospitality of the area are intrinsic to the identity of Enmore and we have to nurture and support the incredible and unique culture they bring
123.	With the arts being devastated by COVID-19 we need more places for bands to play.
124.	It'd a great way to protect the character of enmore and encourage more live music!
125.	Sydney's nightlife needs all the help that it can, support from local council for vibrant areas is a welcome development.
126.	It's a hub for social events and venues, the history of the _____ and adds such vibrance and life to the area, including businesses.
127.	Great to have well managed, diversified entertainment and dining options.
128.	I grew up in Europe and Sydney nightlife is absolutely shockingly boring by comparison. I strongly support the creativity a hot spot like this can bring to the community

129.	The area is getting more lively and there is a lot of great stuff to go see and enjoy. I live within a few blocks of Enmore Road and I am never bothered by noise or anything. Keep it up, more late night venues please!
130.	It is the perfect place for this. Very accessible and with the right restaurants and bars
131.	There aren't many places left where you can go for a late night drink or for socialising any more. The precinct again offers that option and stimulates our economy. I love it
132.	I think it is great to have this area given special attention to create a more vibrant and culturally diverse entertainment area. The trial is a huge success
133.	Now, more than ever, we need to encourage and support hospitality businesses and make it easier and more fun for people to get out and enjoy them. Having a dedicated precinct for this in a safe and friendly area is so important!
134.	It adds character to the area and supports local businesses
135.	Sydney needs Enmore Road, with the _____, _____ which is amazing, lots of yummy restaurants, other pubs and bars. We need the lifestyle for ever.
136.	Love the idea of extended hours on a space so walkable. As someone who doesn't work a traditional 9-5 job (and hence lives a non-9-5 schedule) I really appreciate having good social options later at night.
137.	Enmore rd is getting full of love the last couple of weeks. It's nice to see people enjoying the area
138.	Evenings are great on Enmore Road now. Very lively with all the music venues and such.
139.	It's a place where everything you need is only a short walk away
140.	Great area with so much to offer. Food and craft beers !
141.	It's a great atmosphere
142.	We need some life back in Sydney!!!! This area has the culture, don't waste it!
143.	Sydney has lost a lot of live music venues in recent years. We need more outlets for musicians to perform, and having a group of venues together promotes creativity and adds culture.
144.	Need more live music venues
145.	“Visitor” experience should not be at the cost of resident amenity.

146.	I live in the Inner West and I struggle to find somewhere to take international friends when they come to Sydney because everything closes so early.
147.	Great to see hospitality supported. need to keep culture alive
148.	I support live music. I want to see Sydney's live music scene revitalised. However, granting venues with inadequate sound-proofing permission to host live music until such late hours- even now at 11.15pm on a Monday!- is a poor solution that doesn't balance locals needs for sleep.
149.	Live Music has died in Sydney over the last three years because of covid. Enmore road is probably the best place to start in terms of reviving live music due to a few venues still open in this neck of woods. Hoping it will expand to other areas including Parramatta Road
150.	PLEASE YES MAKE IT PERMANENT. I am a resident, people are noisy, THAT'S A CITY. Please breathe some life into the late evening in this place. I would appreciate having more eyes on the street, later: more people out later, more businesses open to make me feel safe getting home.
151.	We have had too much of our night-life curtailed, leaving so little culture and colour in our neighbourhood. It's about time council recognised enmore for what it is; a colourful, fun and entertaining area for everyone.
152.	revive to survive
153.	It is one of the key entertainment hubs of the city. Vital. Should be open much much later than this extension but it is a nice start. More emphasis / relaxation of licensing must be placed on music venues.
154.	Sydney desperately needs this. As a local resident, I wholeheartedly support this initiative
155.	Over the last 3 nights, I've seen and noticed undesirable behavior, which is disgusting and not welcome, especially with kids and families around. I've seen 2 fights on the street, one including a female being king hit near _____ and another brawl outside the _____
156.	Sydney is a dead international joke. It's like we live under an 8pm curfew. Ridiculous for a supposedly 21stC international city.
157.	Sydney night life needs to be brought back to life, it should be a 24/7 city.

158.	So many dead old empty shops could be converted into little bars and venues and make it more lively like some of the areas city of Sydney have created..it strengthens the community and creates a positive Street vibe
159.	I support live music and musicians making a living
160.	Lively strips such Enmore Rd emerge through the entrepreneurial roll of the businesses knowing their market. A precinct needs to listen to the needs of the business to maintain the focus & support their capacity to attract and maintain their audience
161.	It's a great area that will benefit from extended trading hours
162.	Enmore used to be busy and vibrant at night. Hopefully some of these changes the council is suggesting will help. I can't see why everything especially venues that serve food as well as alcohol have to shut before midnight.
163.	There should be more entertainment and later hours during the week, not just on the weekends.
164.	It is a lovely area, full of warmth and happiness. Adding live music adds to the ambience. Would love to see the old Hub reinvented too.
165.	sydney needs more formal support for music performance at all levels
166.	It's a good location, and Sydney desperately needs more areas like this.
167.	Enjoying & supportive of live music & free entertainment with more reason & inspiration to go out has improved mental health & social ability
168.	Where you see all the Local and national gigs. _____
169.	We need to get Newtown and Enmore back to some of what it was!
170.	So glad to see some life back in the Inner West!
171.	Because going out for a dance is groovy! No body wants to be told by some square cat that it's too late and you have to go home! Or sorry there's no restaurant open because its after 9. What a drag daddio!
172.	Great to have a place close to home to go see a gig & catch up with friends
173.	Its great there is music but there should be more late night dining options and shops should be allowed to trade later .

174.	Love the fact the _____ I still being used and the area desperately needs an entertainment area which would bring life to the inner west and business and employment opportunities for those in the entertainment field.
175.	Need more late night options for eating out/drinking/music
176.	It shouldn't need bureaucratic crap like "Special whatever precinct". (Where are we, the Bronx or something?) Just leave people and businesses alone. Let them open whenever they want, like it used to be before it got gentrified. Geek politicians that don't drink there have no idea.
177.	It's ridiculous not to. It's a vibrant part of Sydney and it's music culture should be supported LATE NIGHT.
178.	It's already a great destination for food and hospitality. Exploring how the arts can be boosted in this area is a great idea. Parking is terrible but has been for years, so no real harm in doing more here.
179.	Enmore Road is a vibrant and active street and encouraging this as an entertainment precinct makes a lot of sense and would be a benefit to the community
180.	I Support increased activity on Enmore Rd itself. The _____, if managed well with guests exiting and remaining on Enmore rd is fine. Recently gigs at the Enmore have had inadequate security to move guests and artists on from _____ - excessive noise, rubbish results
181.	This area has always been a hive of activity. The crowd is generally respectful. We need to bring back live music and provide a culture set for the young and young at heart.
182.	Culture is life. Art is life. No art- No culture- No life
183.	Sydney needs. Oxford Street is envious of lovely hub. areas like Enmore Road, it brings vibrancy to the area and for a good night out. Such a great mix of pubs, bars, restaurants and shops. Plus Enmore theatre is an icon for live music and comedy
184.	Culture. It's dead in Sydney. Enmore is a last chance and has a strong history in it. We can't let people opposing it, who've only recently moved

	there, who don't understand its cultural impact, ruin it cos they want to enjoy they don't like noise at TIPM.
185.	Sydney desperately needs an area where people can stay out late, in a safe environment, with various food and entertainment options in the one area
186.	So great to be able to go locally to watch and listen to artists, and there needs to be more opportunities for artists to have paid opportunities. There's lots of local talent too why not showcase it!
187.	It's time to recreate the environment which served us so well in the past
188.	There are so few places for legitimate cultural showcasing in sydney. I would love Enmore road to be this, even more than it already is. It's the appeal of the area.
189.	Amazing that there finally is a vibrant pocket of Enmore that's close by, within walking distance and has food and drinks without being too policed! Finally someone has heard our prayers!
190.	Sydney has become so dull&soulless. The cbd is dead. The inner west needs to give the cultural nightlife experience we once had everywhere. It's become so boring and depressing living in Sydney. Having a designated area like this will only promote more life around other areas.
191.	The area needs a boost in night life outdoor precincts and support venues in the area, that being said the roads and surrounding lanes a very much car oriented, streets and lanes should be upgraded to shared pedestrian and car zones with wider footpaths and more pedestrian access
192.	It's a shame this didn't happen earlier as the Slyfox was one of the most popular venues in Newtown/Enmore and many businesses along Enmore Rd were affected by it's closure as there's a lot less foot traffic these days.
193.	Sydney desperately needs more urban life - and more culture and vibrancy. Having spent time in European cities, Sydney is embarresingly short of exciting interesting arty and cultural things to do at night. We need more small, quirky places doing interesting things.
194.	We live in the Street next to _____ and cannot ever park our car at all when there is an event on. People park their cars there the noise of them all coming back at night and early morning is

	just awful we get woken up many times during the night this will make it worse.
195.	Live music & entertainment industry needs to be supported more by all levels of government.
196.	It would be great if the road could be made more pedestrian friendly to better facilitate the Precinct.
197.	I live just five doors down, from _____ & multiple venues. I knew what I was getting into when I moved here, and I love the vibrancy of the street. Keep live music in Enmore! Great work IWC
198.	Enmore Road is a great example of cultural diversity, nightlife, great food and drink venue and great retail shops which is a rare mix. The eclectic mix of uses is what makes Enmore Road special.
199.	There is too much traffic. My street _____ is too narrow for easy flow of two lanes of traffic. Not enough parking. Rubbish left in gutters and footpath. Too much noise from passersby at night. Too many intoxicated people around at night. Lack of diversity of businesses.
200.	Music and the arts are good for mental health community connecting business etc
201.	Precinct is mainly about expanding types of activities and changing of noise restrictions. The area is already subject to aircraft noise, noise into night is not tenable. Enmore lacks infrastructure to deal with crowd e.g. parking, toilets, bins
202.	What about the residents? We can't park anywhere near our houses when there is a gig at the _____ already- this will just make it worse.
203.	Needs to be more of this everywhere. Enmore, Newtown and surrounding suburbs are relaxed peaceful areas with not a lot of trouble on the streets compared to some other areas. So why not allow these suburbs and area to stay open longer, enjoy music, dine on footpaths.
204.	I completely support this! It is bringing a vibrancy back to Sydney that had been frighteningly slaughtered.
205.	I think it's excellent but should go further - traffic calming in the area, reduced speeds on side roads and potentially pedestrian only areas or changed traffic flow to support Enmore rd
206.	Enmore Road has a thriving live music scene. This should be supported by the government to help bring Sydney's nightlife back where it's supposed to be.

207.	titly support this to make our suburb more vibrant and to allow people who like to go out later to have places to ho
208.	Sydney needs a light night district to maintain a social and cultural relevance
209.	With the obliteration of the arts community in Australia i see this as a really positive step forward
210.	It would help revitalise Sydney's culture and make the city fun to live in again
211.	<ul style="list-style-type: none"> - increased traffic leading to gridlocks and noise - Pedestrian danger - inadequate parking - increased rubbish on the streets, noise disurbance, intoxicated people, increased violence, drug dealing. - council refusing to police noise - venues disregarding residents
212.	Love any improvements to the Sydney night life!
213.	I like to go out for a dance and I enjoy live music
214.	This is the bloody heartland of live music. Embrace embrace embrace
215.	The back streets of Enmore cannot cope with more traffic congestion as the paths and streets are too narrow. The councils lack of clean up usually after any big weekend is pretty poor as vomit and rubbish is left on the streets for a good few weeks after.

Appendix 2 – verbatim responses to stage two survey

Business responses	
Q. Please explain why your business did not provide live entertainment during the trial.	
1.	Not enough space
2.	Because we are an architectural firm
3.	We are not equipped to provide live entertainment in our venue. We are focused on what we do well at – food and beverage
4.	We are an animal welfare shelter.
Q. Please explain why your business did not take advantage of the additional trading allowance.	
1.	No additional customers
2.	Liquor police notified us that we would require security on the door if we traded past midnight, so we decided the extra expense was not worth the extra 30 minutes of trade, and continued to close at midnight.
3.	1. Find me more staff that will work the extra hours. We struggle to cover regular hours 2. extending hours and increasing our labour costs forces our business to sink into the abyss that is payroll tax. With the recent forced increases to the restaurant awards- we have been forced into now paying payroll tax- despite our cost of goods (due to inflation) increasing by over 20% on average within the last 12 months.
4.	needs to be longer not 30 mins is not enough
5.	Because we are an architectural firm
Q. Please leave any additional comments about the Enmore Road Special Entertainment Precinct trial here.	
1.	It's a great idea that would boost businesses on Enmore Rd.
2.	This is a great move forward for the area and we plan to continue utilising the new provisions to provide live music and entertainment for our guests. We hope it is made permanent
3.	As a rule of thumb..I will always be agreeable and support any initiative to further develop our suburb as an attractive go to destination

4.	i support it but would like restaurants and venues be allowed to be open on the street later and have outdoor areas open later.
5.	It improves the buzz and vibe of the place
6.	We have noticed an increase in garbage being dumped in Thurnby Lane, particularly at the start of the week. It would be greatly appreciated if Council could ensure illegally dumped garbage is promptly cleaned up.

Resident responses	
Q. Please leave any additional comments about the Enmore Road Special Entertainment Precinct here	
1.	I support the Enmore Road Special Entertainment Precinct and its positive impact to the local businesses and the night life in Enmore; however, request the service laneways behind EnmoreRd are cleaned and maintained on a more regular basis as there has been a significant increase in the rubbish and subsequent pests and pungent smells on these lanes - where I live. Could cleaning and rubbish removal (pvt/Council) also occur between 7AM-10AM as existing services are loud and a disturbance.
2.	I support the entertainment precinct, however associated parking issues for local residents need to be addressed. Please see attached submission
3.	I do not think that there has been enough consideration for the residents with regards to: adequate parking, excessive noise from venues on Enmore Road and people arriving and leaving those venues, increased vehicle traffic and noise from traffic, excessive crowds on Enmore Road not being managed, which blocks pedestrian access and creates dangerous situations with traffic, anti-social behavior from people attending venues ie: littering, drug taking/dealing or alcohol related violence.
4.	It is great for businesses, but the locals living within 5 blocks in any direction of Enmore Rd get to deal with the noise and damage to property of those arriving and leaving, the rubbish and vomit left behind, and the lack of car parking for locals (I have a permit, but as your council does not send parking inspectors to check, the permit is useless). I love where I live, as the neighbourly environment is fantastic & friendly, but a little cleanliness & privacy would be appreciated.

5.	Please see attached submission which explains that my support for this designation is qualified.
6.	As an owner/occupier of a business and residence in the Newtown precinct for the past 34 years, it is about time that this has happened. Countless music venues forced to shut, or cut their hours making them unviable, or the increase of antisocial, socially, morally bankrupt poker machines creeping in to keep businesses afloat, all because of the gentrification and nimby-ism of newcomers. The area remains a community of artists and musicians in spite of this, so I thank you with all my heart.
7.	<p>We support a vibrant and busy Enmore with restaurants etc, but as we see no reason as to why Enmore Road should be specifically targeted as a "Special Entertainment District".</p> <p>Given Newtown's King Street is also busy and vibrant, why target Enmore Road?</p> <p>Allowing nightclubs and more late night venues along Enmore Road results in increased pedestrian street noise after midnight, when we're trying to sleep.</p>
8.	Brings activation and life to the street
9.	Please see letter attached in relation to the _____, and the impact of the trial on residents of _____ which back onto the back entrance to the _____ including but not limited to, inadequate crowd management and security, excessive noise from performances and patrons well beyond limits, poor behaviour of patrons at the conclusion of events including excessive noise, blocking of the laneway, relieving themselves on residents fences/front gates.
10.	Updated our location to adjacent to the precinct for accuracy. Additional cars in the area mean properties adjacent to the precinct need additional parking support. That is, adjacent properties that already have restricted parking access need to be given additional parking permits. We are constantly getting parked in due to visitors to the area. We need additional parking permits.
11.	After the venues close to the public they continue with their operations generally outside. Late at night we are regularly disturbed by various venues banging around with their garbage in the street and undertaking other activities. Staff and patrons

	regularly loiter in the back streets behind venues talking loudly, drinking, yelling and generally disturbing the peace late at night. The _____ is particularly bad.
12.	I loved how lively it was and the buzz of people around for entertainment .. not just dining
13.	The noise has increased Graffiti has exploded around the area. I am tired of cleaning it off my walls. Rubbish has increased. More hoodlums latee at night and drunk
14.	I am incredibly disappointed in Council's approach to this scheme. I have lived in my apartment for eight years and in the area for 15 and no longer recognise Enmore. The local community had been decimated in the interest of chasing a dollar. It is now a drunk's playground. Live music is not a problem. Businesses without accountability to the locals is. As a member of the Labor party, I am ashamed that the party is putting profit before people. Constant noise and antisocial behaviour the result.
15.	We all choose to live in Enmore because it is a walkable, lively area. We support the precinct. Council and Govt should also invest in the local built environment to manage more pedestrians eg more street trees, less sign clutter, more street cleaning
16.	It has become a nightmare for parking. People park despite restrictions. Cars cruise the streets making it impossible to get home. I no longer feel comfortable walking along Enmore Road on Friday and Saturday evenings. It's become unpleasant, loud, drunken and crowded. It is a blight on those who actually live here.
17.	'The Enmore Entertainment Area' is an absolute disgrace. Broken footpaths, nothing is cleaned properly, graffiti on every building. Please can we improve to make this an area where we can all be proud instead of being disgusted. I attended a meeting prior to the precinct being opened and all the suggestions I made at that meeting and Council Officers agreed, have not been attended.
18.	I love the liveliness of having lots of people around and I'm a huge supporter of live music.
19.	This is a truly great initiative!! Let's make it permanent.
20.	I moved to the area for the food and entertainment and it has a real buzz since the trial came in!

21.	Think it's fantastic. Enjoy the vibrancy it has brought to a previously dull Enmore Road, with vacant shop spaces.
22.	Make sure area is kept safe. Do not tolerate drunken behaviour or violence as this would ruin the suburb.
23.	Haven't noticed any increase in traffic, street noise at all. Occasionally hear more live music, but not so much that it's a problem
24.	*Elevated noise that is not within the regulated levels. *Filthy, messy back streets that the council sweeps up once a month *Aggressive driving and blockages around narrow back streets. People insisting on walking up the street and not on the footpaths to and from the theatre. *Loud patrons walking back to their cars from the theatre often after 11pm on weeknights. *Increased aggressive behaviour outside venues
25.	We have more drunk people who wake me up by their shouting/groaning/crying after midnight/very early morning that disturb my sleep hence affect my health. Who wants to witness woman urinating on the street you live on in the civilised society? It's ridiculous. Please respect residents who live in this area.
26.	Thank you, to all involved. Enmore, now has a positive atmosphere. I'm thoroughly enjoying every moment.
27.	We do not support this as we feel there has been an increase in people urinating and vomiting on Pemell Lane since the extended trading hours have come in to effect. There need to be a way to support the local arts and hospitality industry without turning Enmore/Newtown into a pre-lockout laws Kings Cross where excessive drinking that would ruin the character of the neighbourhood.
28.	The best thing about Enmore is its thriving music and entertainment scene. It's why I live in Enmore ! The entertainment precinct trial should definitely be made permanent !!!
29.	Congratulations to Council on this initiative, but it would be significantly enhanced if some greenery/flora could be installed along Enmore Road, especially between Stanmore Road and the border with Newtown. These could be in boxes or hanging. The positive psychological effect of plants is well documented. This

	area is poorly served by greenery in the main streets compared to other parts of the InnerWest.
30.	Great for local business. Great energy on Enmore road. It's what's needed in Sydney. Very proud about it.
31.	No provisions have been made to account for the increased need for affordable parking for patrons of restaurants and music venues. Local residents, most of whom do not have off-street parking options, are already bearing the brunt of increased number of vehicles wishing to park in the residential streets adjacent to Enmore Road.
32.	This is the beating heart of the inner west. It should be supported to continue to be a vibrant centre of arts, music and entertainment
33.	I do support Enmore Rd entertainment precinct as an important contributor to the culture of Newtown/ Enmore. As a resident however I consider it essential to protect residents ability to get parking so that they aren't stranded until closing time. I recommend Pemell st be angle parking and the residential parking on Sloane street be extended to both sides as currently it is very limited. Rangers policing is essential please.
34.	Makes it nice and busy on Friday/Saturday nights. I felt safer walking home after gigs at the Enmore. I've stopped in at a shop I'd never been to because they had music on. I think it improved business post covid lockdowns
35.	It isn't for the benefit of local residents, leading to additional noise later in evenings, as well as extra rubbish being evident from patrons who load up prior to heading into these venues. Groups of younger people are regularly socialising on the street, with zero action in moving them on. Then of course, there is the pressure on parking, which surprise surprise, hasn't improved. I will not be voting for anyone supportive of this programme. This means you Darcy and I am a Labor voter.
36.	Because it has caused an increase in noise, particularly from the second hand store that was located next to _____ on Enmore road. It has caused an increase of loud drunks outside my home who pee in my doorway, leave food packaging outside my home and on my windowsill, bang on my windows, and sit in their cars for hours blasting music. It has become increasingly miserable and exhausting living in this neighbourhood.
37.	Where do i start as a rate payer for multiple properties within the LGA.

	<p>The rubbish around the streets is appalling, there is tagging war going on at the moment with tagging rampant above awnings that nothing is being done about.....what about the rat problem???</p> <p>Every business I have to do with doesn't want to hear from council or your mignons , nobody knows what this is & doesn't equate to \$\$ in business accounts.....what's really going on ? Is commonly asked.....</p>
38.	<p>I support the trial as long as Council increases the number of rubbish bins on Enmore Road and street sweeping on adjacent streets such as Station and Reiby Streets.</p>
39.	<p>I don't have enough information about the impact on us. Currently I clean up lots of rubbish every day in Crescent Lane. And I also daily deal with the impact of illegal parking in the Lane. My unit directly faces the lane and there is noise and privacy implications when the lane is used illegally. Also people who come into the lane to take drugs, to urinate and to paint/ tag on our wall, plus homeless people. We need regular patrols to help reduce illegal and antisocial behaviour.</p>
40.	<p>I didn't see any difference in business, patron, vehicle or foot traffic during the trial period. So I can't see the point.</p> <p>It's already an internationally recognised entertainment precinct anyway, however if you're genuinely serious about promoting the area, I suggest including King St Newtown & King St to Alice St as well. I acknowledge that consultations with City of Sydney would therefore be necessary.</p>
41.	<p>Signage needed to encourage visitors to be quite & respectful within the residential areas adjacent to the entertainment precinct, especially after 10pm and when returning to their cars. Address safety for cars entering by Simmons St between Enmore Road & Enmore Lane - there is insufficient room to turn into Simmons with cars parked adjacent to The Duke & cars/trucks parking illegally in the no stopping zone adjacent to Cincotta Chemist. Noticeable increase in litter in street to be addressed</p>
42.	<p>Parking for locals is an issue that is exacerbated by this. My side of _____ has no restrictions- people park and walk up to Enmore rd - I see it all the time - they are dressed to go to the pubs, bars, restaurants, music venues. Lynch ave, Juliette st, Scouller st are all affected like this. I come home 6-8pm and cannot park anywhere near my house. If you want to encourage visitors, make them use</p>

	public transport. Make out streets restricted parking like those behind Enmore theatre.
43.	I had some initial concern that there may be some more noise on Simmons St later than before but that hasn't been my experience. I think the vitalisation of Enmore Rd is excellent.
44.	I know there have been complaints about the sound - but even with extended opening hours I have not found it any more disruptive than usual. This has always been a lively area and I believe the special permissions are in line with Enmore's character.
45.	Great initiative. Only negative impact is there is more commercial garbage piled in Thurby Lane in violation of DA conditions attracting even more vermin and other illegal dumping. There has been no compliance enforcement of this contravention to commercial food premises DA conditions. This is a negative for residents but also for visitors to the precinct who need to walk past or through the rotting and stinking garbage.
46.	It's been a really great thing for local business and the community!
47.	I fully support this endeavour. Ignore NIMBYs.
48.	Support live music and local arts in the area. Live music in small venues brings people into the area respectfully and attracts business without disruption to residents.
49.	It makes enmore a more vibrant area, and during the trial we haven't had problems with noise.
50.	More tagging graffiti on Enmore Rd and side streets. More litter . Council needs to improve removal of these
51.	I have seen no increase in noise pollution, parking issues or evidence of drug usage compared to normal, but a significant increase in street litter and in graffiti tagging, both on buildings along Enmore Rd and in our side streets. Council needs increased street litter removal and a graffiti removal taskforce for Enmore Rd and adjacent streets.
52.	I see absolutely no difference on our end of the street ,I live _____, you can speak to all the local businesses everyone says the same thing on our forgotten end. The space on the corner of Enmore rd and metropolitan street should have some entertainment there ,such a waste of space .Please do something to help out side of the street ,I've been living here for years and never seen it so bad

Appendix 3 – formal resident submissions

These submissions have been redacted

Inner West Council
PO Box 14
Petersham NSW 2049

17 Feb 2023

To whom it may concern,

Submission for the evaluation of the Enmore Special Entertainment Precinct

I write as a long-term resident and homeowner in Enmore. My home address is [REDACTED] [REDACTED] which is very close to Enmore Road and the new Enmore Special Entertainment Precinct.

I support the Entertainment precinct and am happy to have more live music in the local bars and hotels assuming noise levels will be properly monitored.

My main concern is with the limited resident parking available on Edgeware Road which only has resident parking on one side of the road, which only cuts in after 6pm. As it stands now, I experience extreme difficulty in finding parking anywhere on Edgeware Road or surrounding streets from Wed-Sun from approx. 6pm. This situation is exacerbated when there is a performance on at the Enmore Theatre which is walking distance from Edgeware Road.

The resident parking scheme within the Enmore area should be reviewed as a priority given the extension of the Enmore Special Entertainment Precinct. At a minimum both sides of all roads in close proximity to Enmore Road should have resident parking availability on both sides of the road as occurs in a number of other precincts in the Inner West Council LGA.

Additionally, the Inner West Council needs to ensure that funds are provided for adequate monitoring of parking in resident parking zones so that some parking is still available for residents.

Enmore Road has become one of the most popular precincts in the Inner West due to the proliferation and range of high-quality restaurants and small bars and this is acknowledged by the Council through its project to create the Enmore Entertainment Precinct.

It's important that Council takes responsibility for the loss of resident's amenity due to this growth and I look forward to Council's response to this situation.

Thank you for your consideration of these issues.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

10:53



< SEP Reply



12 February 2023 at 10:45 am

I would be more enthusiastic about the SEP if I thought that resident's amenity was being well guarded by Council.

What I find is that council makes these gestures with little consideration or concession for the locals who have to put up with increased traffic (road and foot).

I chose to live here because of the vibrant and diverse community but increasingly I'm finding the very thing that makes Enmore Road special is adversely affecting my quality of life. Having to trawl the streets to get a park after work and being woken at various times by loud pedestrians is caused by the SEP.

Enmore is well served by Public Transport - more effort to promote that would be very, very welcome. I know human nature is not Council's domain but better traffic and people management is needed here - it's sadly lacking.

I fear, the SEP will be shiny and new for a time and will then fall into the 'old hat' or 'not our problem' basket. Council will move onto another area and 'corporate memory' lost.





Although I support the precinct (we need to resurrect Sydney's night time economy) I hold reservations about the impact on the amenity of the residential area in respect to parking and precinct patron ingress.

I expect that council will monitor the situation and provide information and encourage visitors to use the ample public transport at Newtown's doorstep.

I do not wish Newtown to fall victim to the problems of other entertainment areas such as KX with rowdy behaviour and rubbish left through the on King and Enmore and the surrounding streets.

[REDACTED]

10 February 2023

Dear Local member, Councillor, Officer, Inner West Mayor,

I am writing to provide feedback on the Special Entertainment Precinct ('SEP') being trialled for the Enmore Theatre in September through to 30 November 2022, which has subsequently been extended until July 2023.

Newtown has always been a vibrant, creative cultural hub. It is what attracted us to the area in the first place. Whilst I understand the intent of the Special Entertainment Precinct is to support the live music industry and hospitality venues, unfortunately the plan lacks important details to ensure a successful trial and subsequent implementation.

Fortunately or unfortunately, my family spent our life savings on a property situated in [REDACTED] in 2014 which is now impacted by the SEP. As a rate payer to Council whom in part I pay to look after my interests, it seems unfair that the Inner West Council can change the rules of the game over night, directly impacting our quality of life and enjoyment of our family home. Since we purchased our home, we have happily lived almost immediately behind [REDACTED] – This was until the start of the trial period of the SEP where it appears the Enmore Theatre has been given license to do whatever they please, in addition to being able to have extended trading hours by 30 minutes. We, and other residents in [REDACTED] also have small children who are directly impacted by the conduct of the Enmore Theatre, and its patrons.

I trust you'll consider and respond to our feedback below which is solely in relation to the Enmore Theatre and its patrons, during the trial period and ongoing. We agree with the SEP's objective of supporting other smaller local hospitality venues along Enmore Road through longer trading hours, outdoor dining expansion etc.

1. The Enmore Theatre does not have adequate security and crowd management;

- Enmore Theatre patrons are now regularly stretching down Pemell Lane blocking cars from using the lane and creating a very unsafe environment for patrons. In the past, patrons were directed to line up along Enmore Road rather than spilling into residential streets.
- Post music events crowds of 50-100 people often now congregate behind the Enmore Theatre to meet artists or otherwise continue their evening. These crowds often linger until midnight or later and have no regard for local resident amenity and make it impossible to sleep. Previously the Enmore Theatre provided security guards to manage crowds (moving people on, encouraging people to stay on Enmore Road back to public transport) however rightly or wrongly these guards have been absent since the SEP trial began. The SEP zoning should not abdicate a venues responsibility to manage their patrons before or post an event. Blocking of laneways by patrons or their

vehicles, poses risk to patrons and locals who are unable to use the laneways in an emergency or even just in the normal use of their property.

- Patrons have recently been seen relieving themselves on residential bins, fences and gardens (including our own fence, garden and front gate) at the end of events at the Enmore Theatre. Patrons also leave rubbish.

2. Traffic management and parking has not been considered;

- Pemell Lane is now often blocked by artist and event staff cars parked illegally behind the Enmore Theatre. I needed to take my wife to hospital one evening and was unable to leave my property due to the laneway being blocked by cars and people. This poses a risk to local residents and also prevents our normal and expected safe access to our own homes.
- Parking is already insufficient in the inner west – the SEP is likely to bring more people to the area. With increased volumes comes the need for parking – motorists will often park across driveways and park illegally. Whilst these motorists will likely receive a fine – fines do not seem to deter the behaviours which occur frequently.

3. The plan does not adequately consider the impact the changes may have on the local amenity, particularly around noise: Suggesting that community members should "close their windows" (quote from Darcy Byrne) is not an adequate approach given the number of gigs held at the Enmore Theatre per annum. This also seems incongruent if the new plan seeks to limit venues to 50 decibels (which is equivalent to a quiet conversation, quiet suburb or office), as noise levels should never get loud enough to require residents to 'close their doors and windows". Residents have spent millions of dollars to purchase properties in Newtown and pay commensurate rates to the Council. These properties have windows that provide vital airflow during summer months. Asking residents to close their windows to manage increased sound levels is not the right management strategy and shows a disregard to those who have been paying rates for decades.

- Has Council considered asking venues to install sound proofing?
- Has Council required as part of DA consents that venues engage appropriately skilled sound technicians for gigs so that the base isn't only heard but felt in reverberations in several houses (windows and doors shake) in close proximity of the venue?
- Has Council considered paying for sound proofing for residents?
- As part of this trial was any noise monitoring actually performed to understand the noise coming from the Enmore Theatre, made worse by the extension of hours by 30 minute?
- Is it reasonable to just give the Enmore Theatre the extension without them having to go through the normal due diligence of amending their consent?
- Can Council stipulate in the Enmore Theatres DA, that they must have
 - Adequate security to keep patrons on Enmore Road when an event finishes, rather than allowing patrons to spill onto residential streets? This is what used to happen – why can't this practice be insisted upon going forward.

- Take reasonable steps to limit noise coming from the venue to 50 decibels (and Council actually seek to enforce this).
4. **Drug use and drinking in public seems to have increased;** an increased number of syringes, alcohol bottles, nang cartridges and rubbish has been left in streets, laneways and front yards on the day of, and post events at the Enmore Theatre. The Enmore does not have its own bins outside the theatre. Does Council have an approach to manage this? What are the Enmore Theatre's responsibilities to clean up the local amenity after events? Or are rate payers picking up the street cleaning bills?
 5. **Lack of evidence that measures were actually used to test the draft precinct plan** - On the Inner West council it outlines that testing measures were in place, as part of the trial from 1 September - 30 November, under the draft Precinct Management plan, including "new compliance procedures", "fixed sound criteria for commercial premises". Based on our experience of living in [REDACTED] over the past 6 months since the trial began, there has been little evidence of the Enmore Theatre being under any new compliance procedures or fixed sound criteria. In fact, it appears they have been allowed to do whatever they please.
 6. **Extension of the trial beyond 30 November 2022 to 31 July 2023** – Allowing the trial to be extended again, in practice allow the venues to continue operating as they are, circumventing appropriate process and consultation with sensitive receivers indefinitely. This feels like a deceptive way to push through changes. The SEP is also allowing businesses to host live music without having to seek a formal amendment of their consent, thus bypassing all appropriate due process.
 7. **Lack of confidence that Council will effectively deal with complaints in real time or subsequently if the SEP becomes permanent.** Darcy Byrne has been quoted as saying: "This groundbreaking change will give real incentives for venues to host live music instead of pokies, through late trading allowances and reduced avenues for noise complaints against music venues," and ""This Special Entertainment Precincts program will reduce the number of government agencies someone can lodge complaints to just one – the local council." Furthermore, in a letter dated 30 January 2023, Darcy Byrne is already claiming "The success of the Enmore Road Entertainment Precinct".

The Enmore Theatre has continued to be allowed to hold events without adequate crowd management, and with performers and patrons emitting excessive noise and at times poor behaviour, throughout the past 6 months.

We have attached some photos below as evidence of our concerns, none of which truly give justice to the effect on the local amenity. We also have several videos which are too large to attach where you can hear the sound is clearly above 50 decibels, and you can hear/ feel the reverberations from the base/ sound, and you can observe the poor behaviour of patrons and the entourage of performers having no regard to neighboring residents simply wanting to enjoy living and sleeping in their own homes. I look forward to your response.

We ask you to consider for a moment that if you lived in [REDACTED] would you be happy with any of the following common incidents each time there is an event at the Enmore Theatre? Excessive noise (even with windows and doors closed); closing your windows and doors throughout summer every time there is a gig (which is very frequent); people relieving themselves on your front fence and gate and leaving rubbish on your property; having your windows/ doors shake from the vibrations of the base booming from the theatre; not being able to easily leave your property in foot or by car due the laneway being blocked with people?

Regards,

[REDACTED]

Wed 28 September 2022

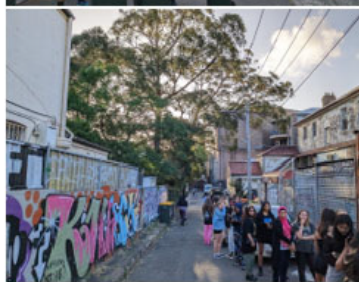
- Cars associated with performers and patrons lined Pemell lane for hours during/ at end of the gig, loudly playing music, beeping horns. One security guard spotted as inadequate to manage the number of people and vehicles.



Fri 14 October 2022 -
Patrons line the laneway for hours before and after the gig



Thurs 15 Dec 2023 -
Patrons line the streets
making it even difficult for
Council garbage trucks to
empty bins.



Fri 3 Feb 2023



My objections to the designation of Enmore Road as an Entertainment Precinct

Dear Planners of the Enmore Road Special Entertainment Precinct,

I have lived in [REDACTED] for 25 years and when I bought into the area there was no way of foreseeing that it would become part of an 'Entertainment Precinct'. Since the lockout laws in the Kings Cross area there has been a steady growth of restaurants, bars, and live entertainment on Enmore Road. The influx of visitors to the area has changed the atmosphere of our back streets. Here is a list of how the increased night life on Enmore Road has adversely affected our streets:

1. I no longer feel comfortable when I go out at night because there are more drunk and rowdy people around. I am a [REDACTED] year old woman living on my own.
2. I am often woken up late at night when people return to their cars. They speak loudly and seem to have no regard for people who might be sleeping.
3. There is often no parking for residents. I sold my car because it was such a problem when coming home at night to find a parking spot.
4. There is increased traffic on our narrow streets. I often stop to watch as drivers coming from different directions face off to see who will reverse first. When I had a car my mirror was knocked off twice because cars attempted to pass each other rather than reverse.
5. The amount of rubbish dropped in my street has increased. Sometimes people even drop drink bottles or take-away containers in my garden, but more often in the gutter. I pick a lot of rubbish up because I hate to think of it ending up in our waterways. But I can't pick it all up myself and there is always the health consideration of touching other people's rubbish. It is also particularly annoying if people put rubbish in our bins without regard for whether it is garden or recycling. So I worry that maybe the garbage collectors will not take my bin because of incorrect items being dumped in it overnight.
6. In the last few weeks the noise from the Enmore Theatre has been louder than ever. Last week I could hear it when I was inside the house at night. It made me very nervous and stressed.

When I moved into the area there was the Enmore Theatre and a few pubs but that was nothing compared to the entertainment here now with so many bars and restaurants added to the mix. It seems unfair that residents have had this Entertainment Precinct imposed on them. The Mayor Darcy Byrne may well thank me for my support in his recent local area leaflet drop but let it be known that I do not in fact support the Enmore Road area becoming an 'Entertainment Precinct'.

Not happy,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Submission to Inner West Council re: Enmore Road Entertainment Precinct – February 2023

Re: Local Parking Permits

Dear Council,

As a resident / property owner / ratepayer at [REDACTED] since 1997.

I've seen Enmore Road grow into the bustling hive of activity it is today.

However, with the growth of the Enmore Road entertainment precinct over several years , with this growth I've witnessed a massive upsurge in visiting motor vehicles to visit entertainment premises on the Enmore Road strip this combined with an upsurge in local resident vehicle ownership.

Our property has 1 motor vehicle shared by myself and my wife. Outside our home there are 2 x 2 hour clearways Monday to Friday, essentially making on-street parking during the week very limited, I accept this as I bought the property knowing this before purchasing.

However, what has the Inner West council done to ensure ratepayers / property owners close to the Enmore Road Entertainment precinct done to ensure that I have priority for a car space close to / outside my home out of hours and on the weekends.

Nothing it appears. You try getting a car park at 6pm on a Saturday night near my property.

What is the council going to do to address this issue, I'm not against extending the Enmore Road entertainment precinct, even making it permanent.

However, in fairness to the local residents this Parking issue needs to be addressed.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

ENMORE NSW 2042

24th February 2023

Appendix 4 – submissions received during trial

These submissions have been redacted

[Redacted]
[Redacted]
[Redacted]

Attention Innerwest Council

We received the attached unsolicited and anonymous letter box drop in our letter box the evening of the 9th of November 2022.

We would like to confirm that we are in no way in agreement with this document and in fact we applauded the Innerwest council for taking the initiative to create the Enmore Entertainment Precinct.

My wife and I are older residence who have lived in [Redacted] for nearly twenty years and we have not experienced any increases in noise, parking or any other issue related to the Entertainment Precinct.

This letter drop does not represent any discussion we have had with our community in our area, and I can only assume that this campaign is politically motivated or by a recent arrival who want to change the area to represent their own personal outcomes.

Enmore Road is the reason we live in the area, and I am sure that is the case for the vast majority of current residence.

If I can be of any further assistance in this matter, please contact me, my details are below.

regards,

[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]

From [REDACTED]
Sent: Thursday, 15 September 2022 1:16 PM
To: Billy Cotsis <billy.cotsis@innerwest.nsw.gov.au>
Subject: Re: Enmore Road SEP, photographer to venues and media coverage

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Billy,

I hope you are well,

My name is [REDACTED] and I own and operate [REDACTED] in Enmore. I wanted to reach out and say that I fully support the Entertainment Precinct Project. If you or your team have noticed that we have not applied to participate in the project and make use of the extension in trade. The key reason is our venue size/design, we have a rather narrow foot print and would lose too much seating to fit in live entertainment. If there is opportunity to be involved or offer feedback without offering live entertainment I would be happy to participate or offer feedback on the project.

And if it helps with your planning and pilot summary it's worth noting that as of last Wednesday night, We [REDACTED] [REDACTED] A great result and worth noting that we are open 7 nights per week within the precinct. Again thanks for creating the pilot and let me know if I can help.

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, 28 September 2022 10:52 PM
To: Billy Cotsis <billy.cotsis@innerwest.nsw.gov.au>
Subject: Website enquiry - Enmore SEP

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi Billy,

Happy to see activity on Enmore Rd increase under the new proposed entertainment precinct. We also want to see Enmore Theatre and live music thrive however it's unpleasant for the surrounding neighbourhood when gigs loudly spill out into surrounding streets/lanes and go well past 11pm, blocking laneways with cars and people to the point residents can't leave their houses, and the streets and our front yard are littered with rubbish and bottles - this is a problem and surely not what Inner West Council had in mind with creating a special precinct.

On 28/9/22 Central Cee played. The security was inadequate, especially for the clientele that were attracted to this artist. There was many cars double parked and blocking the laneway, playing music loudly and not being moved on whilst they waited for the artist to leave the venue. Guests were sitting on our driveway, leaning over our fence, yelling profanities, there was altercations between attendees.

Since this trial period has come in for Enmore Theatre, this has been the case for many other gigs as well.

We have owned and lived in [REDACTED] for 7 years and never had an issue with the Enmore Theatre until now. We are aware of several families with young children that live in [REDACTED]. We love live music and support it. But we don't support poor event management by the Enmore Theatre and it's promoters, and poor behaviour of attendees post events that go unhandled.

The survey requesting feedback on the new precinct did not allow me to adequately describe my concerns. Please direct this feedback as required.

Regards

[REDACTED]
[REDACTED]

Sent from my iPhone

From: [REDACTED]
Sent: Wednesday, September 7, 2022 8:23 AM
To: Cllr Pauline Lockie <pauline.lockie@innerwest.nsw.gov.au>
Subject: Someone is going to get killed

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Pauline,

I am writing to you with great concern about the Enmore entertainment precinct and the Enmore Theatre.

On Tuesday 6th September the theatre has lined up patrons down Simmons st stretching from Enmore Road to Pemell st and around. Simmons St is a residential st.

Residents are entitled to peace and quiet and shouldn't have to put up with noise coming from a licensed venue or patrons leaving from or arriving to that venue.

Residents or anyone for that matter cannot safely walk down Simmons st. Enmore Road is near impossible to walk on when the theatre is on.

We have cars zooming around fighting for parking and beeping horns trying to negotiate the narrow dimly lit streets.

The roads and footpaths cannot cope, it is a genuine safety issue and only a matter of time until someone gets killed or seriously hurt.

At the very least the theatre and any other venues should be restricted to lining patrons up on Enmore Road and allow them to enter the theatre/venue whilst they wait for the show/event to begin.

I would like to see all streets display 1hr parking residents exempt. Clears signs saying 'local traffic only'

The theatre acts as a law unto itself with no regard for residents.

The theatre actively puts bollards on the streets, both Enmore Road and Pemell lane blocking legitimate parking and security hounds anyone who tries to park there.

They are treating the lane as a performer entrance.

It also leaves its Bins in the lane 24/7 blocking parking too. Is that acceptable?

At night we have drunk patrons leaving the venues making a racket leaving glass bottles and rubbish on the footpaths and roads. Who is going to clean the rubbish up left behind?

The proposed Enmore Entertainment Precinct is only going to make things worse.

What is the council going to do about the theatre and venues disturbing the peace of residents?

What is the council going to do about the theatre blocking parking and leaving their bins in parking spaces?

What is the council going to do about pedestrian safety?

Regards

[REDACTED]

[REDACTED]

The photos below are the patrons lining up from the top of Simmons St all the way down to Pemell St and some photos of the bollards and bins.







Regards



From: [REDACTED]
Sent: Wednesday, September 7, 2022 8:23 AM
To: Cllr Pauline Lockie <pauline.lockie@innerwest.nsw.gov.au>
Subject: Someone is going to get killed

You don't often get email from [REDACTED]. [Learn why this is important](#)

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The proposed Enmore Entertainment Precinct is only going to make things worse.

What is the council going to do about the theatre and venues disturbing the peace of residents?

What is the council going to do about the theatre blocking parking and leaving their bins in parking spaces?

What is the council going to do about pedestrian safety?

Regards

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Friday, 11 November 2022 4:56 PM
To: Billy Cotsis <billy.cotsis@innerwest.nsw.gov.au>
Subject: Website enquiry - Enmore SEP

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Billy, my name is [REDACTED] and I live in [REDACTED] Enmore.

I wanted to understand the research, planning and objectives of the Enmore Entertainment Precinct so I read (or tried to) the draft Precinct Management Plan.

Firstly, there are large parts of it that are completely unintelligible. Particularly the analysis of sound. I'm not a sound engineer, nobody I know in my neighbourhood is a sound engineer. I'm not sure who the audience of this document is, but it's linked to the page so I assume it's for residents to read? There doesn't seem to be much else.

The thing that really concerns me though, is that it largely ignores anything to do with residents. It has information on businesses and the arts. But is silent on residents: demographics, the types of dwellings we live in, foot traffic, parking, policing. The only thing it seems to note is that there are reasonable amenities. (I had to google that and I still don't understand what it means in the context of this document).

The draft plan reads to me as here's shiny idea in a complete vacuum. It doesn't acknowledge that people live here - a lot of people live here. And we have a community which will be impacted.

I'm a governance expert by profession. This appears to be a poor piece of analysis from a resident's perspective. As a resident, I don't feel confident at all about this plan, it feels very much like a tick-a-box exercise.

I also had a quick look at the feedback survey, it's not even for residents.

This is a poor way to engage residents. I'm already getting alarming letters in my mailbox from neighbours. People are genuinely concerned that this will impact the quality of their lives.

I don't know if I'm for or against the Precinct. But what I do know is that this process feels very dodgy to me and the council needs to do better if it genuinely want to engage with residents.

Thanks

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: Friday, 2 September 2022 7:36 AM
To: Billy Cotsis <billy.cotsis@innerwest.nsw.gov.au>
Subject: Website enquiry - Enmore SEP

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Billy,

I have just had a look at the enmore special entertainment precinct survey and I am disappointed that the survey seems to not have an option for 'residents' to express there concern.

In fact the survey seems to be pro precinct.

The biggest impact is upon the local residents whom are already suffering, yet the council seems to have no regard for them.

Regards

[REDACTED]

From: [REDACTED]
Sent: Monday, November 21, 2022 2:59 pm
To: Clr Pauline Lockie <pauline.lockie@innerwest.nsw.gov.au>; Clr Liz Atkins <liz.atkins@innerwest.nsw.gov.au>; Clr Chloe Smith <chloe.smith@innerwest.nsw.gov.au>; Mayor, Darcy Byrne <darcy.byrne@innerwest.nsw.gov.au>
Subject: Enmore Road live music precinct

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Councilors,

As a constituent of Damun ward (closest house to Enmore Road) I would like to give some feedback about the Enmore Entertainment Precinct.

While I am not overall opposed to giving musicians a place to express their art, there needs to be checks and balances in place to ensure noise levels outside the venues do not impede on the quiet enjoyment of people who live in the area.

Basically, if I can clearly hear the music over the explosive scenes of Die Hard and feel the music through my walls and floorboards, it's too loud.

One case in point is the dance party vibe coming out of [REDACTED] Enmore Road on many a Friday, or Saturday night. This is an unlicensed venue that basically operates as a night club on occasions with amplified music in an open courtyard. The highest level of sound we recorded (from our bedroom window) at one stage was 137dB which more than double the accepted levels outside venues approved for live music in greater Sydney. This along with the sale of drugs in the adjoining alleyway, smashed bottles and the lack of bathroom facilities with people also using the adjoining alleyway etc. As this is an unlicensed venue Police have no jurisdiction over noise complaints until after 12 on a Friday or Saturday night. The troubling thing about this is it is being encouraged by IWC.

I am sure we will all come to a solution, maybe free triple glazing and soundproofing for all properties within a certain radius? Or possibly a buyout of affected properties by IWC before their values were depreciated by being in an entertainment district, or maybe one of you would kindly house swap for the night these events are on.

Or a cheaper and more permanent solution is to make venues keep within acceptable legislated noise levels, ensure they have adequate bathroom facilities in compliance to IWC's own rules (that are not being enforced) and make all venues with live music use Security at acceptable ratios to ensure unsociable behavior outside the venues is enforced.

Kind regards,

[REDACTED]
[REDACTED] Enmore
[REDACTED]

From: [REDACTED]
Sent: Sunday, 13 November 2022 3:13 PM
To: Clr Pauline Lockie <pauline.lockie@innerwest.nsw.gov.au>
Cc: Mayor, Darcy Byrne <darcy.byrne@innerwest.nsw.gov.au>; Clr Liz Atkins <liz.atkins@innerwest.nsw.gov.au>; Clr Chloe Smith <chloe.smith@innerwest.nsw.gov.au>; Simone Plummer <simone.plummer@innerwest.nsw.gov.au>; [REDACTED]
Subject: Enmore Entertainment Precinct

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Pauline,

Since the start of the trial of the new Enmore Entertainment Precinct (EEP) there have been some very undesirable consequences for local residents in Enmore, and particularly in our street, London Street.

The last two months have seen our lives disrupted in the following ways:

1. There has been an increase in the volume of loud, intoxicated pedestrian traffic late at night when we are trying to sleep;
2. There was an incident where an intoxicated person threw a neighbour's door mat from the footpath onto our upstairs balcony while we were trying to sleep;
3. There has been an increase in items of rubbish such as empty beer bottles and cans in our garden and on the verge garden;
4. There has been damage to plants on our verge garden;
5. The ability to find a park for ourselves and our visitors has been made even more difficult than it usually is since the EEP trial.

In short, these negative consequences flowing from the EEP trial have all adversely impacted life in our neighbourhood.

There may be some small economic benefit to a few of the local businesses, but there is no benefit for local residents in permanently introducing these tradings in our view.

Of course we would like to see our local businesses thrive, however, we do not think that this trial should be extended into a permanent arrangement in terms of the trading hours because it is detrimental to the quality of lives in our community.

Regards,

[REDACTED]

[REDACTED]
[REDACTED]
Enmore

22/11/2022, 15:21

Summary

Special Entertainment Precinct - Enmore Road

Request Summary

Reference Id: [REDACTED]
 Tracking Number: [REDACTED]
 Received: 12-Sep-2022 10:23:40
 Priority: Medium
 Status: Inactive
 Recategorised From: [REDACTED]
 Stage: Completed
 Address: [REDACTED] ENMORE NSW 2042

Additional Location Details: All surrounding streets in Enmore

Detail: I enjoy living in Enmore. It is lively, colourful & friendly & have now been here 7 years.
 After reading the article in the paper a couple of weeks ago suggesting that Enmore was becoming a burgeoning food & entertainment district, I would like to make a few suggestions.
 Due to all the foot traffic in the surrounding streets at night, noise levels can be high, would appreciate signs at the top of the streets reminding visitors to reduce the noise in consideration of local residents.

Categorisation

Request Type: Planning and Regulatory Services
 Request Category: Special Entertainment Precinct
 Request Sub Category: Special Entertainment Precinct - Enmore Road

Stage Updates

Date Completed	Stage
15-Sep-2022	Completed
12-Sep-2022	New Request

Resolution

Date Resolved	Resolution	Resolution Details	Possible Cause
15-Sep-2022 13:38:30	Resolved by Council	Emailed [REDACTED] thanking her for her suggestion, and that her request has been flagged as a submission to e considered at the conclusion of the trial period.	

Caller Details

Caller ID: [REDACTED]
 First Name: [REDACTED]
 Surname: [REDACTED]
 Email Address: [REDACTED]
 Phone Number: [REDACTED]
 Address: [REDACTED] Enm NSW 2042
 Notification By:
 Notify On:

22/11/2022, 15:49

Summary

Special Entertainment Precinct - Enmore Road

Request Summary

Reference Id: [REDACTED]
 Tracking Number: [REDACTED]
 Received: 10-Nov-2022 10:54:08
 Priority: Medium
 Status: Active
 Stage: New Request
 Address: [REDACTED] ENMORE NSW 2042
 Detail:

Hello.
 Despite how this reads, I am in favour of the special entertainment precinct on Enmore road. What I am not in favour of is how the council approaches it. For high streets and communities to grow culture and evolve, initiatives such as this are important. But with improper planning and consideration, all they will do is divide.

Let's compare this to my recent experience to make changes to my home. 2 assessment processes, 1 planning panel, countless consultants (heritage, acoustics...) and 7 months later I was able to proceed with the changes. Now, for the special entertainment precinct, all that I am aware of that relates to planning was a virtual community consultation session - which only highlighted and raised the gaping holes in the implementation of the initiative. No baseline information on foot traffic, venue turnover, venue patronage, vehicle access, traffic flows - nothing. All of our questions were ignored under the guise that this is a pilot and we will learn from the process. This is flawed - with no baseline information, you cannot learn from what you do not know - this is hypocritical when compared to a simple DA request.

Again, I am in favour of the initiative, but you must give back to the local community - Traffic calming measures, road access closures, speed limits of 40 that mirror Enmore Rd, enhanced footpaths, more bins, rubbish collection following weekends - anything that shows you are serious about this. Is Enmore Rd an arterial road or a community high street? If Crown street can pull off both I'm sure we can.

Thanks [REDACTED]

Categorisation

Request Type: Planning and Regulatory Services
 Request Category: Special Entertainment Precinct
 Request Sub Category: Special Entertainment Precinct - Enmore Road

Stage Updates

Date Completed: 10-Nov-2022
 Stage: New Request

Caller Details

Caller ID: [REDACTED]
 First Name: [REDACTED]
 Surname: [REDACTED]
 Email Address: [REDACTED]
 Phone Number: [REDACTED]
 Address: [REDACTED] ENMORE NSW 2042
 Notification By: Email
 Notify On: Lodgement, Completion

22/11/2022, 15:25

Summary

Special Entertainment Precinct - Enmore Road

Request Summary

Reference Id: [REDACTED]
 Tracking Number: [REDACTED]
 Received: 23-Oct-2022 15:12:27
 Priority: Medium
 Status: Active
 Stage: New Request
 Address: [REDACTED] ENMORE NSW 2042

Additional Location Details: My residential address

Detail: As a resident located within the Special Entertainment Precinct Noise Areas, I'm fully supportive of this proposed initiative. I haven't noticed any difference in sound transmission at night. It has had no impact on my residential amenity. I'd love to see this become a permanent addition to Enmore, and even expanded further in the future.

Categorisation

Request Type: Planning and Regulatory Services
 Request Category: Special Entertainment Precinct
 Request Sub Category: Special Entertainment Precinct - Enmore Road

Stage Updates

Date Completed	Stage
23-Oct-2022	New Request

Caller Details

Caller ID: [REDACTED]
 First Name: [REDACTED]
 Surname: [REDACTED]
 Email Address: [REDACTED]
 Phone Number: [REDACTED]
 Address: [REDACTED] Enmore NSW 2042
 Notification By: Email
 Notify On: Lodgement, Completion

22/11/2022, 15:24

Summary

Special Entertainment Precinct - Enmore Road

Request Summary

Reference Id: [REDACTED]
 Tracking Number: [REDACTED]
 Received: 22-Oct-2022 12:10:09
 Priority: Medium
 Status: Active
 Stage: New Request
 Address: 121 Enmore Road ENMORE NSW 2042
 Additional Location Details: [REDACTED]

Detail: As a local resident, living just off Enmore Road, I think the special entertainment precinct is a brilliant idea!
 To really make this idea work, though, I think it needs more work:
 1. More parking. The local streets are currently a game of "musical chairs" for people trying to park their car to visit local restaurants, bars and the theatre. Could council perhaps build a multi-storey car park somewhere nearby? For example, the Edgeware Road car park is ideally located to become a multi-storey car park.
 2. In the evenings, the foot paths along Enmore road are choc-a-bloc full of pedestrians. Perhaps Enmore road could be changed to a two-lane (i.e. single lane each way) road, and remove street-side parking to instead widen the foot paths. This would also give the local restaurants and bars more space for outdoor seating and could create a really nice street atmosphere at night.

Categorisation

Request Type: Planning and Regulatory Services
 Request Category: Special Entertainment Precinct
 Request Sub Category: Special Entertainment Precinct - Enmore Road

Stage Updates

Date Completed: 22-Oct-2022
 Stage: New Request

Caller Details

Caller ID: [REDACTED]
 First Name: [REDACTED]
 Surname: [REDACTED]
 Email Address: [REDACTED]
 Phone Number: [REDACTED]
 Address: [REDACTED] ENMORE NSW 2042
 Notification By: Email
 Notify On: Lodgement, Completion

ATTACHMENT 2 - Enmore Road SEP Planning Proposal



Inner West Council

Planning Proposal

Enmore Road Special Entertainment Precinct

IWC/PPAC/2023/0001

Planning Proposal

Enmore Road Special Entertainment Precinct

IWC/PPAC/2023/0001

Date: 14 March 2023

Version: 1



PO Box 14, Petersham NSW 2049

Ashfield Service Centre: 260 Liverpool Road, Ashfield NSW 2131

Leichhardt Service Centre: 7-15 Wetherill Street, Leichhardt NSW 2040

Petersham Service Centre: 2-14 Fisher Street, Petersham NSW 2049

ABN 19 488 017 987

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Introduction

The Inner West night-time economy makes a significant contribution to the local economy, employment, cultural identity, and recreation of Inner West. This includes a vibrant live music scene, a diverse creative and cultural economy, and a strong hospitality sector that benefits residents, workers and visitors to the area including domestic and international tourists.

Enmore Road is a premier night life destination in Sydney; where Inner West's culture, creativity and hospitality is on offer. This flourishing strip has evolved over decades of transformation in a creative and entrepreneurial ecosystem; however, its existence and continued growth are threatened by gentrification.

As is happening elsewhere in Sydney and cities around the world, inner city suburbs are gentrifying and new residents moving in. The live music and entertainment offerings that attracted people to the area often start to be considered a nuisance when residents circumstances change resulting in noise complaints against venues. Under current laws complaints relating to sound coming from these venues must be addressed by the venues themselves, whether or not the venue existed before the adjacent residential use, or cease trading.

Complicating matters further, noise complaints against venues are currently dealt with by three bodies depending on where they are directed; Council, Liquor and Gaming or the Police. There are also no requirements for new developments to recognise existing venues. For example, if a flat building is built next to an existing live music venue, they do not require sound proofing to ensure that the venue can continue to operate without disturbing the new residents, with the onus falling on the venue.

This planning proposal seeks to allow the Enmore Road Special Entertainment Precinct to continue on an ongoing basis. This initiative is aimed at making it clear to residents, businesses, Council staff, developers, and other stakeholders what the expectations are for entertainment sound levels in the area and create a consistent quantitative based approach to sound regulation and compliance.

This Planning Proposal has been made in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning, Industry and Environment's 'A guide to preparing planning proposals' and 'A guide to preparing local environmental plans'.

Background

Section 202 of the *Local Government Act 1993* was gazetted on 30 April 2021 enabling Council's to establish Special Entertainment Precincts in NSW.

Inner West Council responded to this new legislation on 24 May 2021 by resolving to:

- Designate Enmore including the Enmore Theatre as the first Special Entertainment Precinct in NSW.
- Consult with live music and performance venues in the Inner West LGA about other appropriate locations and venues to designate as Special Entertainment Precincts.

While awaiting guidelines to be drafted and released by the Office of Local Government and/or the Department of Planning and Environment (DPE), Inner West Council was contacted by DPE officers with an offer to be part of a pilot program.

The Pilot

Council worked with DPE to develop a pilot special entertainment precinct (SEP) on Enmore Road to test the new approach to entertainment sound compliance permitted by the changes to the *Local Government Act 1993* in a real-life scenario. The pilot was developed to provide an opportunity for Inner West to effectively consult with the community regarding the establishment of a permanent precinct. That is, it would allow Council to trial a Noise Management Plan for licenced venues that have amplified music, and for Council, venues, and the community to experience the practical aspects of changes to noise management in the precinct.

An Explanation of Intended Effect (EIE) explaining the changes to planning controls required to trial the Inner West's special entertainment precinct in Enmore Road was exhibited by DPE from 10 June until 8 July 2022. The EIE received 95 submissions, with 88 in support (93%), 4 opposing (4%) and 3 providing suggestions for improvement (3%).

A State Environmental Planning Policy amended *Inner West Local Environmental Plan 2022* by inserting Clause 6.32 which established the temporary Inner West Special Entertainment Precinct and mapped the precinct boundaries. The pilot was initially proposed to operate for three months between 1 September 2022 and 30 November 2022.

During the pilot's operation Council ran a survey for visitors to the area asking if they supported Enmore Road continuing as a SEP. Most responders were in support of the SEP continuing (283 (91%) of the 310).

In response to this overwhelming support, Inner West Council requested an extension of its trial SEP on a section of Enmore Road until 31 July 2023. The purpose of this is to keep the SEP in

Planning Proposal – Open and Creative Inner West

operation whilst Council works towards deciding on its future. The extension gives Council time to consult its community and venues about their experience of the precinct and to prepare a planning proposal if they decide to make the precinct permanent.

Post-trial consultation update

Local residents and businesses on and around Enmore Road were invited to complete a survey on their experience during the trial precinct. Over 4000 letters were sent to residents and businesses. The survey was open for 21 days between 3 February and 24 February 2023.

64 residents completed the survey and 63% of residents were supportive of the precinct being made permanent. Support was higher for residents that lived a block away from Enmore Road where support was 71%, as opposed to those living immediately adjacent Enmore Road, where support was 25%. Availability of street parking was the number one issue raised by residents, followed by increased noise, anti-social behaviour, and litter.

Eight local businesses completed the survey. All eight were in support of the precinct being made permanent.

A copy of the engagement outcomes report has been provided with this planning proposal.

Part 1 Objectives and intended outcomes

The objectives of this proposal are to:

- Support Enmore Road as a diverse mixed-use neighbourhood with a flourishing arts and cultural production economy, including live music.
- Strike a balance between reasonable amenity for residents in the neighbourhood surrounding Enmore Road and reasonable sound levels coming from the precinct
- Clearly define the roles of stakeholders including businesses, residents, industry, Council and Police to balance amenity and reasonable sound levels coming from the precinct.
- Implement a consistent and adaptable regulatory response to noise complaints in the precinct.

To achieve the objectives, it is proposed to amend Clause 6.32 of Inner West LEP 2022 by removing the end date.

Note: Clause 6.32 currently states:

6.32 Special entertainment precinct

(1) This clause applies to land identified as "Inner West Special Entertainment Precinct" on the Special Entertainment Precinct Map.

Planning Proposal – Open and Creative Inner West

(2) For the Local Government Act 1993, section 202, a special entertainment precinct is established on the land to which this clause applies for the period commencing on 1 September 2022 and ending at the end of 31 July 2023.

Part 2 Explanation of provisions

This Planning Proposal seeks to amend Clause 6.32 of IWLEP 2022 by removing the end date, allowing the Enmore Road SEP to continue in perpetuity. The intended effect and suggested wording of the clause are detailed below.

1. Intended effect

The intent of the proposed amendment is to provide clarity to businesses, residents, developers, and Council enforcement officers, on sound level expectations in the precinct, specifically entertainment sound from venues along Enmore Road.

This is to support the continued operation of existing venues and the establishment of new venues in the precinct, whilst maintaining adequate amenity for the residents living on and around Enmore Road, as well as sound proofing new developments in the area from the impacts of entertainment sound.

To achieve this, Inner West Council propose to amend Clause 6.32 of the IWLEP 2022 by removing the end date, designating Enmore Road as a SEP in perpetuity.

2. Accompanying documents

To operate a SEP in accordance with Section 202 of the *Local Government Act 1993*, two documents are required to give effect to the LEP clause. They include a Special Entertainment Precinct Management Plan and a Development Control Plan. The purpose and effect of these documents are detailed below.

Special Entertainment Precinct Management Plan (SEPMP)

Clause 202(5)(a) of the *Local Government Act 1993* requires Council to “prepare a plan for regulating noise from amplified music from premises in the special entertainment precinct and publish it on the council’s website”. A SEPMP was proposed to manage the operation of the special precinct. It has been updated for the future operation of the precinct.

The SEPMP contains the following information:

Planning Proposal – Open and Creative Inner West

- The identified area on Enmore Road
- A position statement and set of objectives for the precinct
- Existing policy considerations and how the SEP sits amongst the framework
- Where and when the plan applies
- Compliance procedures for entertainment sound related complaints
- Sound criteria including allowable sound levels for varying times of the day as they effect different properties

The SEPMP is for the use of businesses, residents, Council, the Police and other relevant stakeholders in understanding their role and responsibilities in the management of entertainment sound in the precinct. It also gives residents an understanding of noise levels they should expect at various times of the day depending on their property's location.

It is the central tool that will be utilised in substantiating entertainment sound related complaints, as it not only contains the complaint handling procedures, but also the sound level criteria that complaints are measured against.

A draft version of the SEPMP is currently in operation on Enmore Road as part of the ongoing trial that is due to end in July 2023. The final version of the SEPMP has been updated in response to feedback received during the trial, as well as issues Council have noticed with the trial operation. Amendments made in the final version include:

- Simplifying the sound category area levels by removing sound category area level 3 and placing sound category area level 2 in its place.
- Introducing a new sound category level specific to properties at the rear of the Enmore Theatre. This sound category level recognises higher sound levels whilst the theatre is in operation and giving these properties reprieve after midnight.
- Minor changes to the compliance procedures and complaint handling so they are consistent with Council's online system.
- Removal of references to the trial period that will have ceased operation when the SEP is in force.

Council will monitor and update the SEPMP overtime to ensure it is current and fit-for-purpose.

Development Control Plan

A Development Control Plan (DCP) provides detailed planning and design guidelines to support the planning controls in the Local Environmental Plan (LEP). In this instance, a DCP has been drafted to fulfill Clause 202(2)(b) of the *Local Government Act 1993*.

“(2) A special entertainment precinct is an area in which—

(b) requirements about noise attenuation apply to certain types of development in the area,”

The DCP sets out a series of objectives and controls that:

- Identify sensitive land uses (or certain types of development) that will require attenuation from entertainment sound
- Set out criteria for new or modified venues to demonstrate an ability to comply with
- Quantify the noise levels that sensitive land uses and new venues will need to comply with
- Detail when and acoustic report from an accredited acoustic specialist is required and what it needs to demonstrate

The DCP will be used by residents, developers, businesses and Council to ensure future development in the area is suited to the permitted sound levels in the precinct. This will ensure residents and inhabitants of other sensitive land uses are afforded reasonable amenity, and new venues can open in fit-for-purpose commercial tenancies.

3. Suggested wording

It's recommended that Clause 6.32 of the IWLEP 2022 be amended to remove the time limited period. The new suggested wording is as follows:

“6.32 Special entertainment precinct

- (1) This clause applies to land identified as “Inner West Special Entertainment Precinct” on the Special Entertainment Precinct Map.
- (2) For the *Local Government Act 1993*, section 202, a special entertainment precinct is established on the land to which this clause applies.”

4. Mapping

The existing LEP map titled “Special Entertainment Precinct Map – Enmore Road Sheet SEP_001 should be retained. An extract of this map is contained in Figure 1 below.

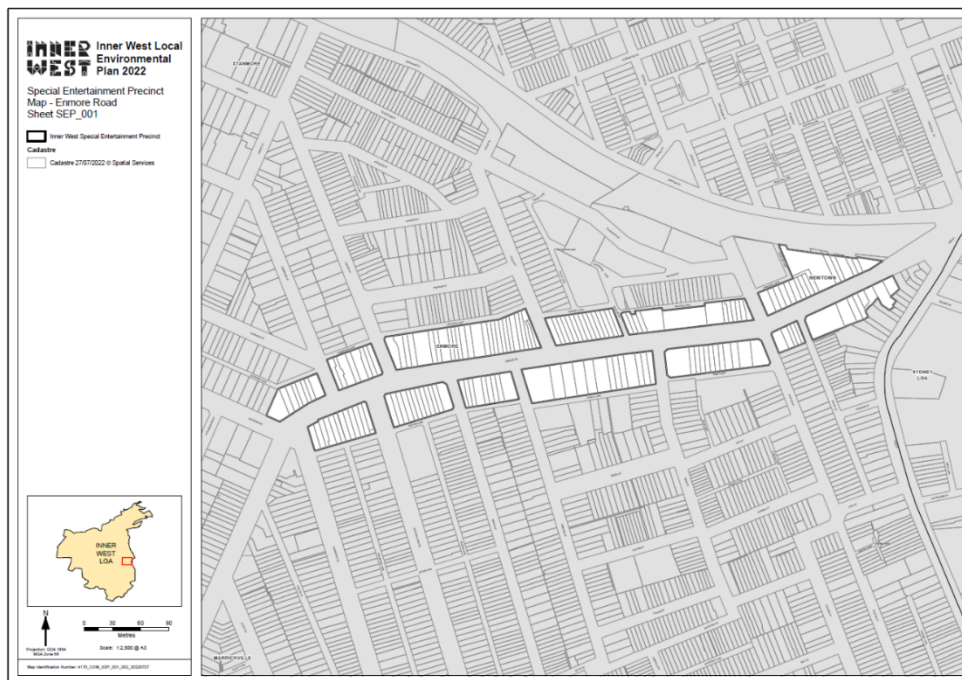


Figure 1: Special entertainment precinct map from the Inner West LEP 2022

DCP mapping is also included. It identifies each property on and around the SEP with a Sound Category Area (SCA). SCAs determine the exposure of entertainment venue sound to sensitive receivers at their property boundaries. This is then used to predict sound levels and attenuate premises accordingly through the development application process.

Part 3 Justification

Section A – Need for the planning proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The planning proposal is a response to recent resolutions by Council, new legislation made by the State Government, and to achieve actions under the endorsed Local Strategic Planning Statement (LSPS) and the endorsed Employment and Retail lands Strategy (ERLS)

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It is also a result of interest from the Department of Planning and Environment (DPE), with the current trial of the SEP being a collaboration between DPE and Inner West Council.

Recent changes to the state legislation as well as Council strategies, resolutions and other triggers that support the planning proposal are discussed below.

Special Entertainment Precincts under the Local Government Act 1993

On 30 April 2021 Section 202 of the *Local Government Act 1993* was gazetted. It enables the establishment of Special Entertainment Precincts by a Council. This planning proposal has been developed in accordance with this legislation.

Council resolutions

There have been three Council resolutions to establish Enmore Road as a SEP. they are summarised in Table 1 below:

Resolution	Date	Content
<i>Making the Inner West the Live Music and Performance Capital of Australia Again</i>	24 May 2021	<ul style="list-style-type: none"> Designate Enmore including the Enmore Theatre as the first Special Entertainment Precinct in NSW. Consult with live music and performance venues in the Inner West LGA about other appropriate locations and venues to designate as Special Entertainment Precincts.
Art Summit	13 September 2022	<ul style="list-style-type: none"> Note opportunities to support local artists and venues under the pilot Enmore Road SEP. Commence scoping to identify other SEP locations in the LGA.
Mayoral Minute: Enmore Road Special Entertainment Precinct	6 December 2022	<ul style="list-style-type: none"> Note success of the Enmore Road SEP trial. Welcome DPE decision to extend trial whilst a planning proposal is developed to make it permanent.

This planning proposal has been made to fulfill these Council resolutions.

Local Strategic Planning Statement (LSPS) & Employment and Retail Lands Strategy (ERLS)

Endorsed in March 2020 by Council and the Greater Sydney Commission, the LSPS sets out the vision for the Inner West in 2036 and lays out a set of actions that will be taken to achieve that vision. It is organised into 14 planning priorities. Planning Priority 9 – “a thriving local economy” directly supports this planning proposal. This planning priority is accompanied by a single action; “Action 9.1 to implement the ERLS”. Under this it includes:

“Identifying areas for night-time economic activity and implement appropriate LEP/DCP controls that encourage a diverse night-time economy, including the provision of a clear policy position on the rights of existing venues and neighbouring residents that incorporates the ‘agent of change’ principle.”

This is similarly contained under two actions of the ERLS, specifically:

- **Action 1.8.1** Embed the agent of change principle into Inner West planning regulations to protect live music venues and late-night precincts as well as employment and industrial areas. Note that this principle states that a person or business (the agent) introducing a new land use is responsible for managing the impact of that change, and
- **Action 1.8.2** Identify areas with existing and expected higher noise levels, including both industrial and entertainment noise. Implement a means of managing the expectations of noise amongst existing and future residents in and around these areas.

Establishing a SEP on Enmore Road will directly achieve all three of these actions. It identifies Enmore Road as an area with higher entertainment sound levels due to a concentration in night-time activity and live music venues. It seeks to protect these venues and residential amenity by quantifying acceptable noise levels from venues. This also has the effect of managing the expectations of existing and future residents.

The SEP will also require the attenuation of certain types of development within the area. Under the DCP accompanying this planning proposal, multiple sensitive land uses are required to attenuate against the allowable noise levels from venues within the precinct. Similarly, new venues will be required to demonstrate they can comply with the allowable noise levels. This is an agent of change approach to the management of entertainment sound.

Other external trigger – Spring 2022 Special Entertainment Precinct pilot

In October 2021 Inner West Council was contacted by DPE’s (DPIE at the time) Strategy and Innovation unit to participate in a pilot Special Entertainment Precinct on Enmore Road. Council agreed to be part of this pilot.

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The initial pilot operated between 1 September and 30 November 2022. This included having a draft precinct management plan in place for the management of entertainment sound throughout the precinct.

Due to the success of the pilot, it was continued through a Section 3.22 amendment to extend the conditions of the pilot until 31 July 2023 whilst Council worked on the future of the SEP.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Over the past decade there has been a gradual decline in the diversity, vibrancy and economic activity in Sydney's night-time economy. This is in part due to the controversial lockout laws, as well as Sydney's tarnished night life reputation.

Part of the decline is also the lack of confidence businesses have in navigating the planning system to establish venues, as well as the threat of compliance action from Council, Liquor and Gaming and Police from noise complaints.

An intended outcome of this proposal is to strike a balance between the amenity demands of businesses and residents. This planning proposal is considered the best means to directly achieve this.

The Special Entertainment Precinct quantifies entertainment sound levels businesses can emanate into the public domain and through shared partitions within buildings. With accredited acoustic advice, businesses can test if they can achieve the sound levels detailed in the Precinct Management Plan without having to consider fluctuating background noise levels that are utilised in the current management of noise in NSW.

Similarly, this will give residents assurances of the noise levels they can expect at their property boundaries or travelling through their building if they are attached to a venue.

The increased level of confidence for residents and businesses will have the flow on effect of achieving the remaining intended outcomes, including having a diverse mixed-use neighbourhood with a flourishing arts and live music scene, all stakeholders understanding their role in managing sound compliance and allowing Council to implement an adaptable approach to sound compliance.

The precinct also includes new development assessment measures in the form of a DCP. The DCP will guide the development of new sensitive receivers as well as upgrades to existing and establishment of new venues to lessen the impact of entertainment sound.

Section B – Relationship to strategic framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Regional Plan: A Metropolis of Three Cities

The Plan sets a 40-year vision (to 2056) and a 20-year plan to manage growth and change. It sets an overarching strategic planning policy to align land use, transport and infrastructure outcomes for Greater Sydney concurrently with Future Transport 2056 (Transport for NSW) and State Infrastructure Strategy (Infrastructure NSW). The Plan provides a set of objectives under the 10 Directions set out in Directions for a Greater Sydney 2017-2056.

Objective 9 of the Plan is directly relevant to this proposal. It states that “*Stimulating the night-time economy supports dynamic places and boosts local economies. This can generally occur in mixed-use centres with **adequate noise control**, locally appropriate operating hours and safe late-night travel options.*”

This objective seeks to foster and grow Sydney as a creative region with artistic and cultural expression encouraged alongside a strong night-time economy.

This planning proposal will assist in achieving this objective. Enmore Road is a premier night life destination in Sydney with a strong live music and cultural industry. This occurs within a mixed-use setting, creating a vibrant centre throughout the day and night. Designating Enmore Road as a Special Entertainment Precinct with adequate noise control measures in place will ensure Enmore Road continues to thrive.

Eastern City District Plan

The Eastern City District Plan is a 20-year plan to manage growth in the context of economic, social, and environmental matters to achieve the 40-year vision for Greater Sydney. It further explores the objectives of the Greater Sydney Regional Plan as discussed above.

Several Planning Priorities under the Plan are directly supported by this proposal. They include;

- E4 – Fostering healthy, creative, culturally rich and socially connected communities.

The Inner West is specifically mentioned under this planning priority with relevance to this proposal. It states that “*...it is important that the capacity for creative industries, arts and cultural uses near to major cultural institutions be protected, for example in the areas of the Inner West...*”.

Planning Proposal – Open and Creative Inner West

The Enmore Theatre is located within the proposed SEP. It is a major cultural institution for the Inner West and Sydney. Since opening in 1912 it has hosted numerous major international and local artists including Bob Dylan, Coldplay, The Cranberries, Gang of Youths and The Rolling Stones. It provides a 2,500-person audience to acts across multiple creative disciplines including dance, comedy, live music, theatre, film and television recording as well as a venue for local community meetings.

The Enmore Theatre is a major anchor for not only Newtown and Enmore, but surrounding areas with strong transport links including St Peters, Stanmore, Petersham, Marrickville, Chippendale, and Camperdown.

A 2016 Study by the University of Tasmania analysed the value of live music venues in the City of Sydney area. It determined that for every dollar invested in live music, over three dollars are returned in economic activity. This is due to all the additional spending that compliments live music events, including transport, food and beverage, retail and often accommodation. Due to the Inner West's proximity and similar character to the City of Sydney, a venue like the Enmore Theatre would generate a similar economic multiplier.

The Enmore Theatre is also part of a larger ecosystem of venues that provide opportunities for smaller artists on Enmore Road to perform and build a fan base. Venues that will be similarly afforded protections include The Duke, HiWay Bikini Bar, The Enmore Hotel, Midnight Special, Jacoby's Tiki Bar, Queen Victoria Hotel, Bar Planet and Secret Garden Bar. These are all venues that were granted additional trading by Liquor and Gaming NSW throughout the pilot period due to their live music offerings.

- E6 – Creating and renewing great places and local centres and respecting the District's heritage.

Great places and local centres are identified in their unique character and distinctive mix of land uses and activities. They are culturally rich and diverse with ample opportunities for social connectivity.

Great places within the Inner West are mentioned under this planning priority, including Newtown which is within and adjacent to the subject area. Designating Enmore Road as a SEP will protect the existing cultural institutions from changing land use patterns, as well as support the growth of the creative industry.

- E11 – Growing investment, business opportunities and jobs in strategic centres, and
- E13 – Supporting growth of targeted industry sectors.

The planning proposal supports the night-time economy and encourages investment in a Local Centre with a flourishing cultural and creative industry.

Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Our Inner West 2036 – Council's Community Strategic Plan, 2022

The Inner West Community Strategic Plan identifies the community's vision for the future, long-term goals, strategies to get there and how to measure progress towards them. Strategic direction 3 of the plan regards creative communities and the local economy. This planning proposal makes progress towards achieving several outcomes identified under this direction, including the following:

- 3.1 Creativity and culture are valued and celebrated
 - Enmore Road is a centre of the creative and cultural industry. Venues are a place where people can enjoy creativity and culture.
 - Live music is part of Enmore Road's history that will be protected into the future due as a result of this planning proposal.
- 3.2 Inner remains the engine room of creative industries and services
 - Protecting live music venues on Enmore Road will ensure the Inner West retains places where artists can perform and interact with patrons.
 - The varied nature and size of venues will foster and ecosystem of creativity, supporting artists from a range of disciplines and stages in their growth.
- 3.5 Urban hubs and main streets are distinct and enjoyable places to shop, eat, socialise and be entertained
 - Enmore Road will be retained as an enjoyable place with a plethora of entertainment venues.

Our Place Inner West – Local Strategic Planning Statement

The planning proposal gives partial effect to Planning Priority 9 – A thriving local economy, namely the following objectives under it:

- The local economy is diverse, strong, and resilient
- Inner West has a thriving and diverse evening and night-time economy
- Inner West continues to grow as a leading creative and cultural hub
- Main streets and centres are designed to be unique, lively, safe and accessible

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There is a single action under this planning priority, to implement the Employment and Retail Lands Strategy (ERLS), when approved. The ERLS includes actions relevant to this proposal. They have been discussed within the answer to question one above.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is generally consistent with all the State Environmental Planning Policies in place. Consistency is demonstrated in the table below.

State Environmental Planning Policy (SEPP)	Consistency
SEPP (Housing) 2021	<p>Consistent</p> <p>Higher noise attenuation standards will apply to all types of residential accommodation within and around the precinct. This will ensure housing is built to withstand current and future entertainment sound levels for the amenity of residents. The DCP controls proposed to give effect to this are not in conflict with the SEPP.</p>
SEPP (Transport and Infrastructure) 2021	<p>Consistent</p> <p>Enmore Road is a high traffic carriageway with peak hour clearways, buses, private vehicles and trucks. Residential accommodation and other sensitive receivers would already require acoustic attenuation to ensure sensitive receivers can co-locate with loud road noise.</p> <p>Proposed DCP controls to require attenuation of sensitive receivers will not conflict with the requirements under the SEPP. Although required anyway, the DCP controls specifically state that consideration of aircraft, road and rail noise must be considered and addressed separately to entertainment venue noise.</p>
SEPP (Primary Production) 2021	<p>Consistent</p>

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SEPP (Biodiversity and Conservation) 2021	Consistent
SEPP (Resilience and Hazards) 2021	Consistent
SEPP (Industry and Employment) 2021	<p>Consistent</p> <p>Enmore Road and the surrounding neighbourhood are located within the 20-25 ANEF contour. This means development applications for sensitive receivers in this area must demonstrate compliance with AS 2021:215 <i>Acoustics – Aircraft noise intrusion – Building siting and construction</i>.</p> <p>Due to all sensitive receiver development applications already requiring submission of an acoustic report for aircraft noise in the area, addressing the criteria in the proposed DCP is not considered onerous. The proposal is not inconsistent with the application of this criteria.</p>
SEPP (Resources and Employment) 2021	Consistent
SEPP (Planning Systems) 2021	Consistent

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Section 9.1 directions are directions to councils from the Minister for Planning, Industry and Environment that need to be considered or given effect to in the preparation of draft LEPs.

The planning proposal has been assessed against each Ministerial direction. The consistency of the planning proposal with these directions is shown in the table below.

Planning Proposal – Open and Creative Inner West

Consistency with Ministerial Directions that apply to the LGA	
Directions under s.9.1 (2)	Consistency
1.1 Implementation of Regional Plans	Not applicable
1.2 Development of Aboriginal Land Council Land	Not applicable
1.3 Approval and Referral Requirements	<p>Yes</p> <p>No provisions that will require referrals, concurrence or consultation with the Minister or public authority are contained within this planning proposal.</p> <p>No further development will be considered designated development as a result of this planning proposal.</p>
1.4 Site Specific Provisions	<p>Yes</p> <p>No additional land uses or changes to zoning are proposed under this planning proposal.</p>
1.5 – 1.22 Place Based Directions	Not applicable
3.1 Conservation Zones	Not applicable
3.2 Heritage Conservation	<p>Yes</p> <p>Enmore Road and some of the surrounding residential streets are heritage conservation areas and contain multiple heritage items.</p> <p>No changes are proposed that would result in negative impacts to heritage conservation.</p> <p>Supporting the continued use of the Enmore Theatre will protect the</p>

Planning Proposal – Open and Creative Inner West

	integrity of this heritage item.
3.3 Sydney Drinking Water Catchments	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3.5 Recreational Vehicle Areas	Not applicable
3.6 Strategic Conversation Planning	Not applicable
3.7 Public Bushland	Not applicable
3.8 Willandra Lakes Region	Not applicable
3.9 Sydney Harbour Foreshores and Waterways Area	Not applicable
3.10 Water Catchment Protection	Not applicable
4.1 Flooding	Yes Enmore Road is not on flood prone land. Changes to compliance regimes and noise attenuation for new developments will not impact on flooding.
4.2 Coastal Management	Not applicable
4.3 Planning for Bushfire Protection	Not applicable
4.4 Remediation of Contaminated Land	Yes The proposal will not result in new land uses being permitted.
4.5 Acid Sulfate Soils	Yes The area is not identified as being affected by acid sulfate soils in accordance with the IWLEP 2022 mapping.

Planning Proposal – Open and Creative Inner West

4.6 Mine Subsidence and Unstable Land	Not applicable
5.1 Integrated Land Use and Transport	Yes The proposal supports the continued growth of the B2/EI Local Centre Zone in an area with a high level of public and active transport infrastructure.
5.2 Reserving Land for Public Purposes	Yes The proposal will not result in the alteration or reduction in public land.
5.3 Development Near Regulated Airports and Defence Airfields	Not applicable
5.4 Shooting Ranges	Not applicable
6.1 Residential Zones	Yes The zone (B2 / EI Local Centre) permits resident accommodation in the form of shop-top housing. The proposal will not reduce the capacity of the land for residential development. It will ensure future residential accommodation developed in the area is designed to mitigate against entertainment sound in the area, preserving adequate amenity for the enjoyment of future residents.
6.2 Caravan Parks and Manufactured Home Estates	Not applicable
7.1 Business and Industrial Zones	Yes The proposal will add further protections to the operation of the B2 Local Centre (or EI under the employment zone reform) zoned land, by making the acceptable

Planning Proposal – Open and Creative Inner West

	<p>sound levels coming from premises clear to businesses and residents.</p> <p>Council expects the SEP to increase business confidence and lead to new businesses opening along Enmore Road.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
8.1 Mining, Petroleum and Extractive Industries	Not applicable
9.1 Rural Zones	Not applicable
9.2 Rural Lands	Not applicable
9.3 Oyster Aquaculture	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitats or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No.

Q9. Has the Planning Proposal adequately addressed any social and economic effects?

The economic and social impacts resulting from the planning proposal are expected to be positive. The potential positive and negative outcomes are discussed below.

Economic impacts

Current regulations and compliance of noise from commercial premises are a user pays model. This meaning that any noise coming from a commercial premises and considered 'offensive' by the regulatory officer on duty needs to be mitigated by the premises immediately or they risk fines or other orders to cease their use.

This is layered with development consent and liquor licencing conditions that regulate sound by permitting a certain decibel level (usually 3 or 5 decibels) above background noise levels before midnight, and no level above background noise levels after midnight. This measure is problematic for several reasons:

- Background noise levels fluctuate overtime
- Specialised equipment and expertise are required to establish background noise levels
- If the density of venues in an area increases, so too will the background noise level
- Inaudibility after midnight is not conducive to vibrant night life

Due to these reasons, continuing down the path of the offensive noise test layered with the background noise level +X decibels lowers confidence for businesses that would trade into the night, as they fear their investment will be lost as the offensive noise test is subjective and the background noise level is unreliable.

Similarly, residents cannot be confident that appropriate neighbourhood noise levels will be maintained due to fluctuating background noise levels. It also leaves them at risk of being exposed to high levels of noise if background noise levels were to increase over time due to increased traffic, patronage, venue density etc.

An objective of this proposal is to change Council's approach to sound compliance for commercial premises on Enmore Road. Designating a SEP will mean that:

- Liquor and Gaming no longer play a role in sound related compliance matters, and
- Amplified sound is regulated by a plan made by Council

Specific sound levels are detailed in the new Precinct Management Plan that set a limit for businesses operating the in the SEP. This will create certainty for businesses on how loud they can be. Enabling them to make a considered decision as to whether they should invest in the area, and what kind of entertainment they can provide.

This is likely to lead to increased investment in the area, leading to a greater economic activity and employment of various staff across several industries including hospitality, the arts and retail.

*Planning Proposal – Open and Creative Inner West*Social Impacts

Renewed business confidence in the area will mean new venues for residents, workers and visitors to the area to experience live music and other performing arts hosted by venues. These will be new opportunities for social interaction and development of sense of place in the Enmore and Newtown area.

Supporting a growth in live music venues, may lead to an increase in the number of licenced venues and could lead to an increase in anti-social behaviour.

Impacts however are considered to be manageable as there are other mechanisms and laws to deal with issues including liquor licencing assessments, Responsible Service of Alcohol, individual security and management operations for premises and Policing.

Inner West staff maintain a strong working relationship with the local Police Area Command, specifically the licensing sergeant whom staff meet with regularly. Compliance in the area is a joint effort between Council and the Police, with information sharing to deal with problem areas and venues key to reducing impacts.

Section D – State and Commonwealth interests**Q10. Is there adequate public infrastructure for the planning proposal?**

Enmore Road is serviced by frequent and late-night public transport. This includes buses, trains, and NightRide buses. Public transport available includes:

Trains

- Newtown Station is serviced by the T2 Inner West Line. Services to Central Station are available until half past midnight.

Buses

- Buses servicing Enmore Road include the: 355, 423, 426, 428 and 430. These are frequent bus services. The 423 runs every hour throughout the night.
- Further bus services are available at Newtown Station, including the: 352, 422 and 370. Services from these buses cease at half past midnight.

*Planning Proposal – Open and Creative Inner West*NightRide buses

- Late night bus's servicing the area include the: N10, N30 and N40. Services run throughout the night when other bus and train services are not in operation.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The relevant State Government agencies and stakeholder groups to be consulted will be determined through the Gateway process.

It is considered that benefit would however be derived from consultation with the following:

- City of Sydney Council
- NSW Police
- NSW Live Music Office
- Liquor and Gaming NSW
- Office of the 24-Hour Commissioner

Part 4 Mapping

LEP and DCP mapping are required to fulfil the intended outcomes of the planning proposal. These maps have been included in Figures 2 and 3 below.

Planning Proposal – Open and Creative Inner West

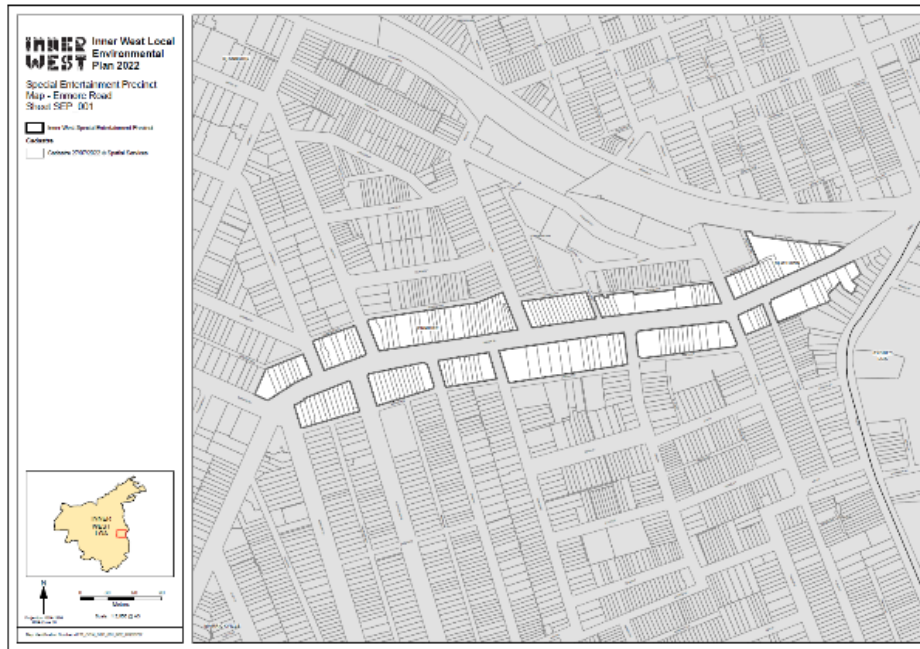


Figure 2: Special entertainment precinct map from the Inner West LEP 2022

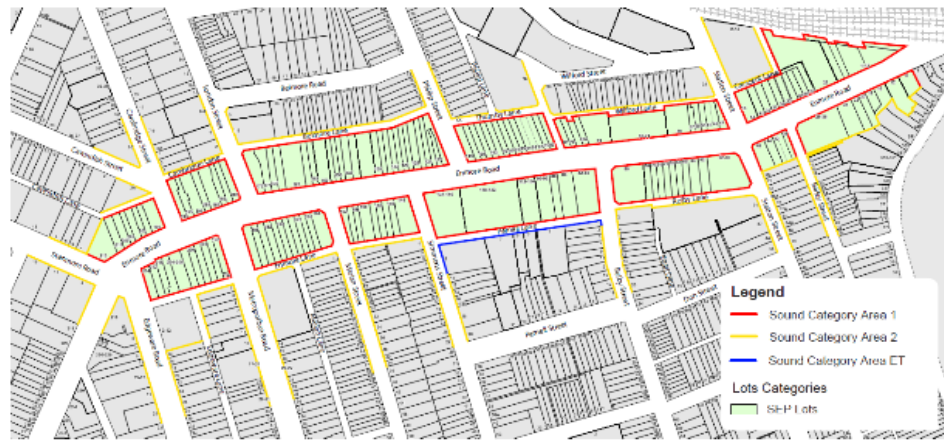


Figure 3: Sound Category Area Map from the draft Section 2.28 of the Marrickville DCP 2011

Part 5 Community Consultation

Council has undertaken substantial consultation with the local community and industry prior to submission of this planning proposal. A summary of the consultation completed so far is below.

Spring 2022 Special Entertainment Precinct Pilot

DPE exhibited an EIE between 10 June and 8 July 2022 of the proposed LEP amendment to insert a temporary clause to allow the trial to occur. During exhibition 95 submissions were received. 88 were in support (93%) of the SEP, 4 opposed it (4%) and 3 provided neutral comments (3%).

The Enmore Road SEP was initially run as a pilot between September and November 2022. Once operational, Inner West Council opened a survey for the public. The intention of this was to understand the level of support in the general community, whether they be visitors, locals or tourists. 310 responses were made to the survey, with 283 (91%) answer “yes, support” to “Do you support Enmore Road being designated as a Special Entertainment Precinct?”. 6% answered “do not support and 3% were neutral, unsure or required further information.

Post pilot consultation

Local residents and businesses on and around Enmore Road were invited to complete a survey on their experience during the trial precinct. Over 4000 letters were sent to residents and businesses. The survey was open for 21 days between 3 February and 24 February 2023.

64 residents completed the survey. 63% of residents were supportive of the precinct being made permanent. Support was higher for residents that lived a block away from Enmore Road where support was 71%, as opposed to those living immediately adjacent Enmore Road, where support was 25%. Availability of street parking was the number one issue raised by residents, followed by increased noise, anti-social behaviour, and litter.

Eight local businesses completed the survey. All eight were in support of the precinct being made permanent.

A copy of the engagement outcomes report has been provided with this planning proposal.

Further stakeholder and community consultation will be undertaken in accordance with the legislative requirements, any conditions of a Gateway determination and Council’s Community Engagement Framework.

Planning Proposal – Open and Creative Inner West

Part 6 Project timeline

With the temporary precinct set to end on 31 July 2023, Council is working to a compressed timeline with the assistance of DPE. The proposed timeline is therefore considered ambitious but achievable with commitment from both Council and DPE. The anticipated timeframe for the planning proposal is shown in the table below.

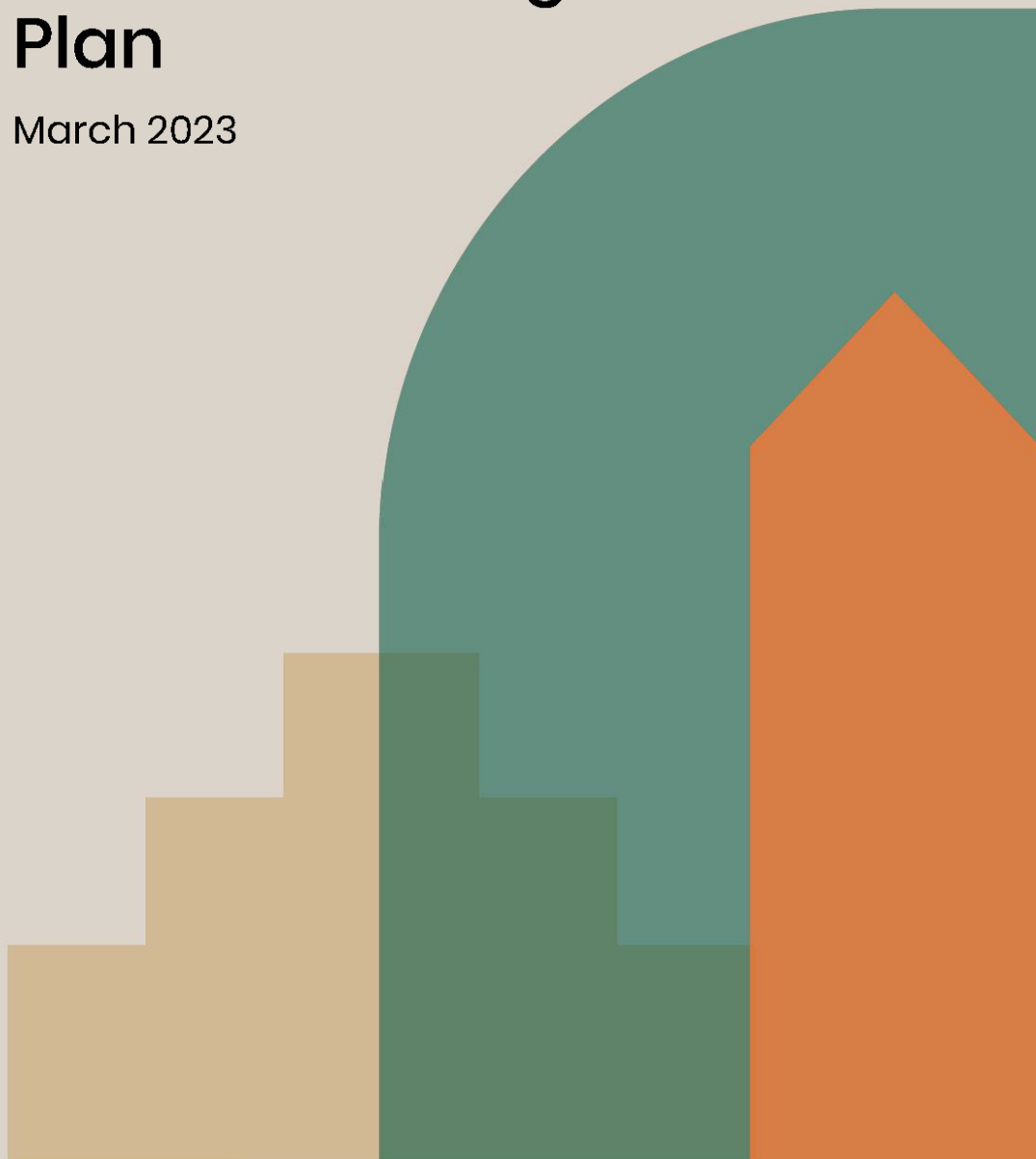
Action	Date
Submit Planning Proposal to DPE for Gateway consideration	March 2023
Receive Gateway determination	April 2023
Complete any changes required by Gateway Determination	April 2023
Public exhibition & government agency consultation	May 2023
Consideration of submissions	June 2023
Post-exhibition report to Council	June 2023
Submit to DPE for LEP drafting	July 2023
LEP made	July 2023
Plan notified by DPE	August 2023

ATTACHMENT 3 - Enmore Road Special Entertainment Precinct - Management Plan



Special Entertainment Precinct Management Plan

March 2023



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Inner West Council – Draft Precinct Management Plan

1. Introduction

Enmore Road is a diverse mixed-use neighbourhood. It provides a range of services to locals including cafes, restaurants, take away food and drink, retail and other commercial services. At night it comes alive as one of Sydney's premier entertainment and hospitality districts with pubs, small bars, restaurants and the historic Enmore Theatre.

Alongside this commercial mix are the homes of residents; living on, beside and behind Enmore Road. It is a dense residential neighbourhood made up of flats, shop top housing, Victorian terraces, and detached houses.

The vibrancy and offerings that attract residents and businesses to the area are unfortunately also sources of amenity conflict. Residents tend to prefer a quiet environment, whilst higher sound levels are a by-product of Enmore Road's vibrant mix of hospitality and entertainment offerings.

The purpose of this plan is to balance the approach to the management of entertainment sound within the Enmore Road Special Entertainment Precinct. It will identify the role of all stakeholders including residents, businesses, Council, and the Police in managing entertainment sound, as well as outline Council's approach to the resolution of entertainment sound related complaints from residents and businesses.

While the way Council approaches sound management will differ in this precinct, it is not intended to create a free-for-all situation where businesses are entitled to raise sound levels without limitation.

2. The Identified Area

2.1 Location and Map

Figure 1 below is a map identifying the extent of the Enmore Road Special Entertainment Precinct (ERSEP).



Figure 1: Map identifying the Enmore Road Special Entertainment Precinct

The Enmore Road Special Entertainment Precinct is centred along the commercial area of Enmore Road between the intersection of Enmore Road and Edgeware Road to the west and 2 Enmore Road, Newtown in the east. It includes all properties facing Enmore Road between these two points on both the northern and southern sides of the street.

A more detailed [map](#) is contained within the [Inner West Local Environmental Plan 2022](#).

3. Precinct Objectives

3.1 Position Statement

"Enmore Road is a vibrant mixed-use precinct with a flourishing arts and live music scene. Activity takes place throughout the day into the night, with a range of offerings for local residents and visitors to the area.

Good neighbourhood amenity is maintained for residents, and any disputes are settled in a proactive and neighbourly fashion."

3.2 Objectives

The objectives of this plan and the Enmore Road Special Entertainment Precinct:

Objective 1 – Central objective

Enmore Road thrives as a diverse mixed-use neighbourhood with a flourishing arts and cultural production economy, including live music.

Objective 2 – Neighbourhood amenity

The neighbourhood surrounding Enmore Road is afforded with reasonable amenity and sound levels coming from precinct.

Objective 3 – Roles of stakeholders

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

Objective 4 – Compliance

Implement a consistent and adaptable regulatory response to complaints to balance amenity and reasonable sound levels coming from the precinct.

Objectives 5 – Ongoing evaluation

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

3.3 Approach to sound

Entertainment sound coming from commercial premises within the Enmore Road Special Entertainment Precinct is subject to different sound compliance criteria than other premises throughout the Inner West.

Council has worked with an expert sound consultant to develop sound criteria that applies to the Enmore Road Special Entertainment Precinct. See Chapter 8 for further information, including detailed sound management criteria.

4. Place-based Planning

In 2021 the NSW Department of Planning and Environment developed the NSW Public Spaces Charter to promote the need for high-quality public spaces across the state:

The NSW Department of Planning, Industry and Environment has developed the NSW Public Spaces Charter to support everyone in NSW to have access to high-quality public space that allows them to enjoy and participate in public life. The charter identifies 10 principles for quality public space that distil and reflect evidence-based research, best practice and consultation with Aboriginal peoples, community members and representatives from state and local government, industry, the business and cultural sectors and a diverse range of public space experts.

The Enmore Road Special Entertainment Precinct seeks to implement the values and principles of the NSW Public Spaces Charter in order to contribute to the production of high-quality public space within the Inner West LGA.

While all 10 principles are relevant to the precinct, the principles of Culture and Creativity, Local Character and Identity, and Local Business and Economies are particularly applicable to the Enmore Road Special Entertainment Precinct:

1. **Culture and Creativity:** The Enmore Road Special Entertainment Precinct is Council's way of playing our part in re-invigorating the live music industry after a difficult couple of years due to the pandemic. This in turn will foster the development of local artists across a variety of mediums.
2. **Local Character and Identity:** commitment to arts and culture has defined Enmore Road's local character and identity for decades. The Enmore Road Special Entertainment Precinct seeks to respond to this historical identity by encouraging a diversity of cultural events. Through this, Council hopes to build upon the rich cultural identity that defines Enmore.
3. **Local Businesses and Economies:** The precinct will incentivise businesses to provide services to the community in a dynamic and vibrant manner. This in turn will improve people's experience of the public space within the precinct.

Overall, the Enmore Road Special Entertainment Precinct seeks to create high-quality public space by encouraging cultural activities across the place. Furthermore, the precinct seeks to reinvigorate public interest in Enmore Road and therefore reinforce its identity of vibrancy, creativity, and culture.

5. Existing Policy Considerations

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

5.1 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 instrument and maps. These should be viewed together to provide an understanding of zoning and development controls for an area or a particular property.

The Enmore Road Special Entertainment Precinct is legislated under the *Inner West Local Environmental Plan 2022* (IWLEP 2022). Mapping of the precinct is also contained under the IWLEP 2022, defining the commercial properties that are located within the precinct.

5.2 Development Control Plan

The primary purpose of a development control plan (DCP) is to guide development according to the aims of the corresponding local environmental plan (LEP). The DCP must be read in conjunction with the provisions of the relevant LEP.

Section 2.26 of the Marrickville DCP 2011 sets out controls for development within and around the Enmore Road Special Entertainment Precinct. This includes attenuation 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 noise amenity in the neighbourhood.

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

5.3 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 entertainment sound.

Development consents for premises on Enmore Road will typically have a condition restricting entertainment sound to a standard criterion. The background sound level +3db or +5db for sound coming from a specific premises are the conditions usually applied.

Maximum sound levels under this plan transitions from this background measurement +3/5db to fixed sound criteria. Further details of these criteria are contained in this plan at Section 8 – Sound Criteria.

With a Special Entertainment Precinct in place, noise conditions on development consents relating to maximum sound levels will not be enforced. Council will instead be utilising the fixed sound criteria contained within this plan at Section 8.

All other development consent conditions will continue to apply. This includes conditions related to the operation of outdoor areas, the closure of windows and doors, acoustic report recommendations, plan of managements, security requirements, staffing requirements, capacity of patrons, etc.

5.4 Liquor Licenses

Liquor licences are issued and regulated by Liquor & Gaming NSW. Any premises on Enmore Road that serves or sells alcohol is required to have a liquor licence in place. This does not include BYO premises.

Liquor licences contain a range of 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, noise restrictions and hours of operation.

Noise conditions on a liquor licence have no effect while a Special Entertainment Precinct is in operation. This removes Liquor and Gaming from noise compliance relating to entertainment sound.

5.5 Protection of the Environments Operations Act 1997

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.

This Act is relevant to the Enmore Road Special Entertainment Precinct, as it defines 'offensive noise' and outlines the mechanism that Council, Police and the EPA can respond to and resolve noise complaints.

NSW Police utilise the offensive noise criteria when responding to a complaint. This will continue to be enforced whilst the precinct is in operation.

5.6 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. The Good Neighbour policy is not relevant to the Enmore Road Special Entertainment Precinct where complaints will be resolved using the procedures outlined in Part 7 of this plan.

6. Application of this plan

This plan applies to the operation of all commercial premises within the Enmore Road Special Entertainment precinct. It manages the regulation and compliance procedures for entertainment sound coming from commercial premises.

This plan does not apply to other sources of disturbance, including:

1. Vocal noise from people in public
2. Plant or machinery noise
3. Vehicular or traffic noise
4. Aircraft noise
5. Anti-social behaviour
6. Littering

For other disturbances, please follow existing complaint channels.

7. Compliance Procedures

This section details the procedures that Council will undertake in relation to the compliance of sound coming from venues located within the Enmore Road Special Entertainment Precinct

Compliance procedures for other types of complaints and feedback within the Enmore Road Special Entertainment Precinct such as dumped rubbish, anti-social behaviour and other noise disturbances should follow existing complaint channels. Table 2 below shows where such complaints should be directed.

7.1 Steps to take before lodging a complaint

Steps should be taken before lodging a complaint with Council to deal with the noise disturbance in a more timely and civil manner. Council recommends taking the following steps prior to making a formal complaint.

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 is due to cease.

It's also expected in these discussions that certain concessions may need to be made by residents, including closing their windows or doors, and accepting occasional higher noise 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 and/or the Police.

7.2 Who to contact

Within a Special Entertainment Precinct, any complaints related to patron noise or entertainment sound from a commercial premises should first be made to Inner West Council. Please use the tables 1 & 2 below to determine where to make your complaint.

Table 1: Where to direct feedback and complaints related to sound from venues

		Council – online or by phone	Police – phoning station directly
General feedback related to entertainment sound in the precinct		X	
Reporting loud entertainment sound that does not require immediate attention		X	
Reporting loud entertainment sound from venues that requires immediate attention	Monday – Friday between 8:30am and 4pm	X	
	Monday – Friday after 4pm	X*	X
	Saturday, Sunday and public holidays	X*	X

Table 2: Where to direct other feedback and complaints

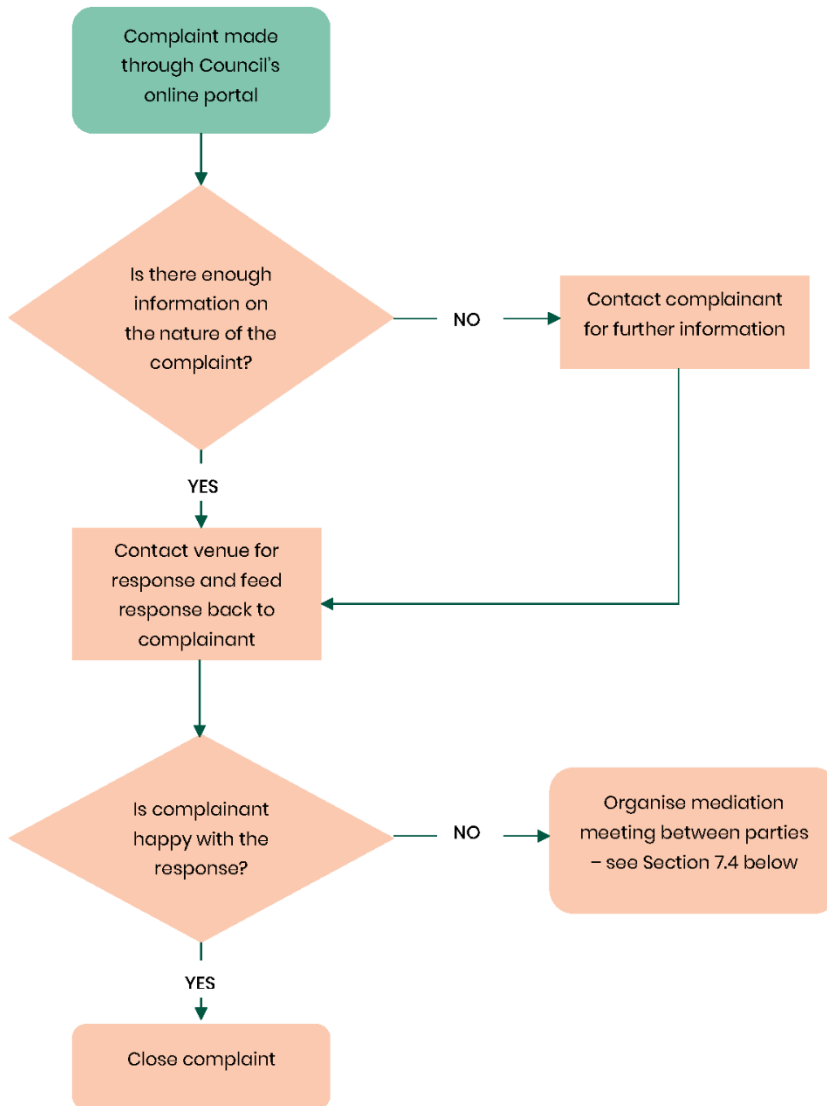
		Council – online or by phone	Police – phoning station directly
General feedback related to the precinct		X	
Anti-social behaviour that requires immediate attention			X
Reporting noise from public spaces that requires immediate attention, e.g. yelling, screaming.	Monday – Friday between 6am and 4pm	X	
	Monday – Friday after 4pm	X*	X
	Saturday, Sunday, and public holidays	X*	X
Complaints from other sources of noise e.g., air conditioners, refrigeration units, loading/unloading, deliveries		X	
Development consent condition breaches		X	

**Note: In many instances Council request that complaints made to the Police are also made to Council. This is for Council's understanding of what is happening in the precinct.*

7.3 Council procedures for complaint handling

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

The below flow chart illustrates the typical complaint handling process.



7.4 Resolving complaints through mediation

Sound related complaints made to Council are expected to be resolved once Council has feedback from the venue for the complainant. 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 Environmental Health, Compliance, Economic Development and/or Planning. The licensee and/or venue manager should 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 or public health concerns where an online meeting is favoured.

7.5 Substantiating complaints

Ongoing complaints that cannot be resolved through the processes outlined above will need to be substantiated against the sound criteria contained within this plan. This will involve the deployment of staff or a consultant to conduct sound monitoring at the premises at an undisclosed time and date.

The monitoring should be conducted at a time close to when the disturbances are being made. Fair weather will also be required for testing.

The results of monitoring will substantiate if the venue is operating within allowable limits. If it is found they are, this feedback will be given to both the venue and complainant.

If there is found to be a breach, a formal notice will be given to the venue to lower their sound levels to comply with the fixed level sound criteria outlined in Section 8.

7.6 Police handling of complaints

Police play a crucial role in compliance as they are a 24/7 operation and are granted powers under the *Protection of the Environment Operations Act 1997* to conduct offensive noise assessments.

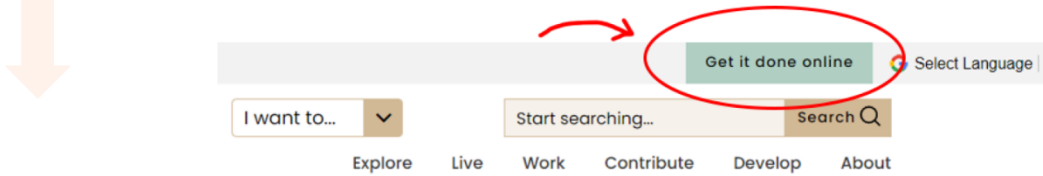
At times when Council is not available and immediate attention is required due to a noise disturbance, complaints will need to be made directly to the Police by phoning the Newtown Police station directly.

Police will attend a noise complaint as soon as possible. They will undertake an assessment of the disturbance against the offensive noise criteria on site to determine if the sound is offensive. If considered offensive, Police will attempt to resolve the issue directly with the venue. They will then contact the complainant to relay the venues response.

When making a complaint to Police, it is requested that a complaint is similarly lodged through Council's online portal. This will assist Council in understanding the location of disturbances.

7.7 How to use Council’s online self service portal to make a complaint or provide feedback

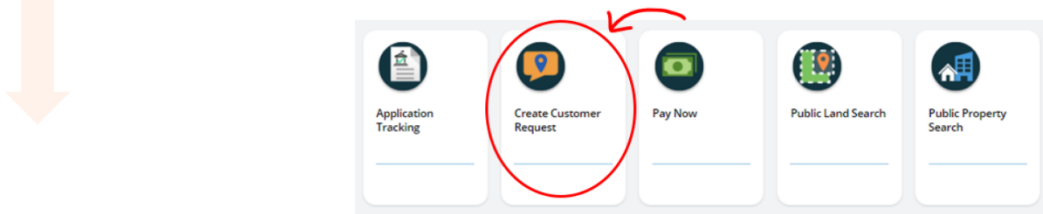
Complaints and feedback regarding the Special Entertainment Precinct should initially be made through Council’s online self-service portal. The link to this portal is located at the top of Council’s webpage titled ‘get it done online’.



Customers must then log in as a registered user. This may require you to register.



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.

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. Sound Criteria

8.1 Overview

This part outlines new sound criteria for entertainment sound coming from commercial premises within the Enmore Road Special Entertainment Precinct. This section works in tandem with Section 2.26 of the Marrickville DCP which guides the design of new sensitive receivers and venues within and around Special Entertainment Precincts.

The proposed approach to sound management within and surrounding the Precinct has been informed by the following key factors:

1. Acknowledgement of the existing activation, vibrancy and positive contribution entertainment venues provide to the area and community
2. The need to balance this activation with the reasonable amenity expectations of co-located and nearby sensitive receivers, such as residential premises
3. To provide greater consistency and certainty for businesses, community, and compliance officers regarding allowable sound emissions and amenity expectations
4. Provide opportunity for managed growth of entertainment venues within the Precinct, minimising potential cumulative impact
5. The current minimum noise mitigation standards for sensitive development related to road and aircraft noise exposure

This Plan serves to replace existing development consent noise criteria with one simplified overarching approach that can be applied holistically across the Precinct 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 Precinct, 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 Precinct. Derivation of this approach has been informed by extensive review of current conditions, licenses, national and international literature review, acoustic measurements across the precinct, and community expectations.

8.2 Key principles of the technical criteria

The primary components of the technical criteria that apply within the Enmore Road Special Entertainment Precinct are:

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

8.3 External sound categories

The Sound Category Areas have been informed by the desired character and levels of vibrancy within the Precinct and immediate surrounds. In determining appropriate sound levels both the desired vibrancy to the street and the amenity of residents have been considered.

Three criteria Sound Categories have been defined, generally assigned to:

6. Enmore Road frontage (SCA 1)
7. Side streets and rear lanes (SCA 2)
8. Properties behind the Enmore Theatre (SCA ET)

The Sound Category Areas have been defined and assigned having consideration of the existing sound environment and where entertainment sound and patron activity are expected to be focused. The Enmore Road properties are exposed to higher levels of ambient sound from road traffic and general activity on the street. Rear lanes and side streets are expected to be partially shielded from the noise levels on Enmore Road. Similarly, venue sound emissions tend to be directed towards the Enmore Road frontage with far less entertainment sound being experienced in the back lanes due to orientation of the venues. Properties to the rear of the Enmore Theatre are an exception, with higher sound levels experienced during the Theatres operation, and dropping off significantly when it closes. These considerations have been taken into account when defining the Sound Category Areas.



Figure 2: Enmore Road Special Entertainment Precinct sound category areas

The Sound Category Areas consider that entertainment sound is a desirable aspect of the Precinct, compared with industrial or mechanical sound. The Sound Category Areas 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 3.

The Sound Category Areas have been informed by existing approval conditions, license conditions, receiver building design standards, available venue and receiver acoustic assessments, and independent surveys undertaken throughout the Precinct.

To supplement the detailed review of historical data and conditions, attended surveys were undertaken across three representative nights throughout the week to capture a snapshot and profile the existing soundscape across the Precinct. This included a focus on sounds from currently operational entertainment venues.

8.4 Internal sound criteria

While the primary sound criteria are to apply when receivers are separated from venues by streets, lanes or other open spaces, 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 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.

Unlike external sound criteria, the internal sound criteria does not change by day of the week. This is due to how sound transfers through a building and the difficulty in ameliorating impacts as a receiver of internal sound transmission.

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

8.5 Technical parameters

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

Parameter	Discussion of principle followed
Fixed vs relative to background criteria	<p>Although relative criteria, such as 'background + 5 dB', are a fundamental component of current IWC/NSW policy, they are complex to implement, create uncertainty, do not future proof or factor a changing environment.</p> <p>Fixed criteria have therefore been adopted.</p>
Measurement descriptor	<p>Current conditions of consent vary between use of the L_{eq} and L_{10} noise parameter. 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) will influence the L_{eq} however it will depend on their cumulative duration. While a shorter measurement period, e.g. 5 mins vs. 15 mins, could more readily evaluate the influence of these short term events, setting an assessment period that is inconsistent with existing NSW policy was not considered to provide an overall benefit.</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> <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

Parameter	Discussion of principle followed											
	<ul style="list-style-type: none"> 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 entertainment noise, it is recommended to utilise a period representing the day and evening together, with two night periods. These periods address the need for varying entertainment noise 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 border="1"> <thead> <tr> <th>Days</th> <th>Period 1 ‘Day/Evening’</th> <th>Period 2 ‘Early night’</th> <th>Period 3 ‘Late night’</th> </tr> </thead> <tbody> <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> </tbody> </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												

8.6 Sound requirements for Venues

The criteria in this Section are proposed to apply to all entertainment sound coming from commercial premises within the Enmore Road Special Entertainment Precinct. Assessment of ‘offensive noise’ under the POEO Act shall remain in place, the assessment of which should be informed by the criteria in this plan.

1. Entertainment Sound from Venues within the Special Entertainment Precinct must not exceed the Venue Sound Criteria, equivalent to the Sound Category Area Levels specified in Table 3 by reference to Figure 2.
 - a. The 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 to the maximum LEP building height or existing if higher than LEP.
 - b. The Sound Category Areas will apply to all uses emitting Entertainment Sound, defined as music or patron noise emanating from activities associated with the entertainment and hospitality venues within the Special Entertainment Precinct.

Table 3: Sound category - venue external levels

Sound category Area (SCA)	Days of the week	Venue external assessment criteria, dBL _{Aeq} (15minute)											
		Day / Evening (7am to 10pm)				Early Night (10pm to midnight)				Late Night (midnight to 7am)			
		Overall	Octave bands - dB			Overall	Octave bands - dB			Overall	Octave bands - dB		
		dB(A)	31.5	63	125	dB(A)	31.5	63	125	dB(A)	31.5	63	125
SCA 1 Enmore Road	Sun 7am to Thurs 7am	60	64	63	61	55	59	58	56	50	54	53	51
	Thurs 7am to Sun 7am	65	69	68	66	65	69	68	66	55	59	58	56
SCA 2 Side streets and rear lanes	Sun 7am to Thurs 7am	55	59	58	56	50	54	53	51	45	54	53	51
	Thurs 7am to Sun 7am	60	64	63	61	60	64	63	61	50	54	53	51
SCA ET sites behind the Enmore Theatre	Sun 7am to Thurs 7am	60	64	63	61	55	59	58	56	45	54	53	51
	Thurs 7am to Sun 7am	65	69	68	66	65	69	68	66	45	54	53	51

Entertainment Sound from Venues with an adjoining Receiver, that may be affected by noise transfer via the common partition shall be evaluated against the Receiver Internal Sound Criteria specified in 4, at the most-potentially affected location (no less than 1 metre) from the common partition.

Table 4: Internal venue criteria for adjoining premises, LAeq(15 minute)

Receiver ¹	Period ²	Broadband, dBA	Octave band centre frequency, dB		
			31.5 Hz	63 Hz	125 Hz
Residential accommodation - bedrooms	7am – 10pm	30	54	47	41
	10pm – 7am	25	49	42	36
Residential accommodation – other habitable rooms	7am – 10pm	35	54	47	41
	10pm – 7am	30	54	47	41
Tourist and visitor accommodation (bedrooms & sleeping areas)	7am - midnight	35	54	47	41
Place of Public Worship	Midnight – 7am	30	54	47	41
Information and education facilities Place of public worship	All times	30	54	47	41
	All times	30	54	47	41
Health services facility	All times	25	49	42	36
Office premises	All times	40	59	52	46
Residential accommodation - bedrooms	7am – 10pm	30	54	47	41

Receiver ¹	Period ²	Broadband, dBA	Octave band centre frequency, dB		
			31.5 Hz	63 Hz	125 Hz

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.

Glossary

Entertainment sound refers to music or patron noise emanating from Venues in the Precinct.

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.

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

Receiver refers to the following uses: residential accommodation (excluding hostels), educational facilities including early childhood and child care facilities (CCF), places of public worship, health services facilities, tourist and visitor accommodation (including hostels), and commercial premises (excluding retail premises, but including offices as part of industrial premises).

Receiver Internal Noise Criteria is the internal noise level to be achieved through Receiver building envelope noise attenuation of the external Sound Category cumulative level.

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

ATTACHMENT 4 - Draft Development Control Plan Section 2.26 - Special Entertainment Precincts

2.26 Special Entertainment Precincts

Application

Section 2.26 applies to land identified as a Sound Category Area in the following map:



Figure 2.26.1 – Applicable Land

Definitions

Sensitive receivers – land uses that could be adversely impacted by entertainment venue sound, including; *residential accommodation, tourist and visitor accommodation, places of public worship, information and education facilities, health services facilities and office premises.*

Entertainment venues – land uses that are likely to host live entertainment, including; *entertainment facilities, restaurants, cafes, small bars, pubs, artisan food and drink premises, creative industries, function centres, community facilities and registered clubs*

Sound Category Areas – classifications of land in and around a Special Entertainment Precinct.

Section Objectives

- O1. To support a thriving, diverse, inclusive, and safe night-time economy.
- O2. To support creative and cultural industries that rely on the night-time economy, including the entertainment and live music sector.
- O3. To manage amenity expectations in and around Special Entertainment Precincts and maintain reasonable amenity for sensitive receivers.

2.26.1 Sound Category Areas and applicable sound levels

Objectives

- O1. To define the maximum exposure to entertainment venue sound for each property located within a Sound Category Area.
- O2. To future proof new sensitive receivers and entertainment venues within and around Special Entertainment Precincts with appropriate noise amelioration measures to enable them to co-exist.

Controls

- C1. Sound Category Areas apply at the property boundary of a property identified in Figure 2.26.1 at a height of 1.5m above the finished floor level for each floor of a building.
- C2. Sound levels for each of the Sound Category Areas are detailed in Figure 2.26.2 below

Sound category Area (SCA)	Days of the week	Venue external assessment criteria, $dBL_{Aeq}(15\text{minute})$											
		Day / Evening (7am to 10pm)				Early Night (10pm to midnight)				Late Night/Early Morning (midnight to 7am)			
		Overall		Octave bands - dB		Overall		Octave bands - dB		Overall		Octave bands - dB	
		dB(A)	31.5	63	125	dB(A)	31.5	63	125	dB(A)	31.5	63	125
SCA 1	Sun 7am to Thurs 7am	60	64	63	61	55	59	58	56	50	54	53	51
	Thurs 7am to Sun 7am	65	69	68	66	65	69	68	66	55	59	58	56
SCA 2	Sun 7am to Thurs 7am	55	59	58	56	50	54	53	51	45	54	53	51
	Thurs 7am to Sun 7am	60	64	63	61	60	64	63	61	50	54	53	51
SCA ET	Sun 7am to Thurs 7am	60	64	63	61	55	59	58	56	45	54	53	51
	Thurs 7am to Sun 7am	65	69	68	66	65	69	68	66	50	54	53	51

Figure 2.26.2 venue external assessment criteria

2.26.2 Acoustic requirements for sensitive receivers

Objective

- O3. To ensure sensitive receivers are designed to attenuate against noise from existing and future *entertainment venues*.

Controls

- C3. Submit a noise impact assessment prepared by a suitably qualified acoustic consultant demonstrating that the proposal is able to comply with the sound levels identified in Figure 2.26.3 below with any application for a new or modified sensitive receiver located within a Sound Category Area. The noise impact assessment must consider the sound levels specified in Figure 2.6.1 above when determining any attenuation required, including vibration.

Sensitive receiver	Period	Broadband dBA	Octave band centre frequency criteria, dB		
			31.5Hz	63Hz	125Hz
Residential accommodation - bedrooms	7am – 10pm	30	54	47	41
	10pm – 7am	25	49	42	36
Residential accommodation – other habitable rooms	7am – 10pm	35	54	47	41
	10pm – 7am	30	54	47	41
Tourist and visitor accommodation (bedrooms & sleeping areas)	7am - midnight	35	54	47	41
	Midnight – 7am	30	54	47	41
Information and education facilities	All times	30	54	47	41
Place of public worship	All times	30	54	47	41
Health services facility	All times	25	49	42	36
Office premises	All times	40	59	52	46

Figure 2.26.3. sensitive receiver internal noise criteria

- C4. Modified sensitive receiver applications include:
 - a. External and internal alterations to *sensitive receivers* including alterations and additions to *residential accommodation*,
 - b. Operational changes to *sensitive receivers*
- C5. Where noise attenuation measures impact the provision of natural ventilation, alternative ventilation must be provided to ensure the proposal complies with the National Construction Code.
- C6. Noise impact from other sources, such as road and rail must be assessed separately in accordance with relevant Standards and policies.

2.26.3 Acoustic requirements for entertainment venues

Objective

- O4. To ensure new and modified entertainment venues do not unreasonably impact on the amenity of sensitive land uses

Controls

- C7. For the purposes of this section of the DCP a modified venue includes Section 4.55 applications that:

- a. Increase patron capacity by 15% or more from the original approval, or
- b. Increase trading hours beyond midnight if currently restricted to midnight or earlier, or
- c. include new or modified external openings (e.g., windows and doors), or
- d. Any amendments to operational controls in an approved Plan of Management that manages sound.

A modified venue does not include Section 4.55 applications for:

- e. Internal alterations, unless within a mixed-use building, or
- f. The renewal of trading hours, unless otherwise requested by Council.

- C8. Submit a noise impact assessment prepared by a suitably qualified acoustic with applications for a new or modified venue. It must:

- a. Detail physical noise attenuation measures to demonstrate the venue can operate within the 'venue external assessment criteria' as specified in Figure 2.26.2 above.
- b. Demonstrate compliance with the 'venue external assessment criteria' (Figure 2.26.2) at the boundary of all sites containing a sensitive receiver within 15m of the subject site.
- c. Demonstrate that the venue can operate without breaching the sensitive receiver internal noise criteria specified in Figure 2.6.3. This is of particular relevance for new or modified venues within the same building as a sensitive receiver.

2.26.4 Mixed-use developments

Objective

- O5. To future proof commercial tenancies in new mixed-use developments containing *sensitive receivers* so that the commercial tenancies can be easily adapted to entertainment venues.

Controls

- C9. Submit a noise impact assessment with any application for mixed use developments containing a *sensitive receiver*. It must:

- a. Demonstrate that non-residential floor space within the building could be used as an entertainment venue and still meet the sensitive receiver internal noise criteria for *sensitive receivers* (Figure 2.26.3).
- b. Specify attenuation measures to be designed into the building, future proofing the non-residential floorspace as a potential entertainment venue. Note: Noise attenuation measures required by the noise impact assessment must be incorporated into the design of the building at its initial construction.