

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 and health services facilities.*

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.

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

- O4. To define the maximum exposure to entertainment venue sound for each property located within a Sound Category Area.

O5. To future proof new sensitive receivers and entertainment venues within and around Special Entertainment Precincts with appropriate sound attenuation 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} (15minute)											
		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	60	64	63	61	55	59	58	56
	Thurs 7am to Sun 7am	65	69	68	66	65	69	68	66	60	64	63	61
SCA 2	Sun 7am to Thurs 7am	55	59	58	56	55	59	58	56	50	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	65	69	68	66	60	64	63	61	50	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

O6. To ensure *sensitive receivers* attenuate against noise from existing and future *entertainment venues*.

Controls

- C3. Submit a noise impact assessment prepared by a suitably qualified acoustic specialist 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 2.6.2 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

Figure 2.26.3. sensitive receiver internal noise criteria

- C4. Modified sensitive receiver applications include:
- External and internal alterations to *sensitive receivers* including alterations and additions to *residential accommodation*,
 - Operational changes to non-residential *sensitive receivers*
- C5. For alterations and additions to any sensitive receiver development type, only apply the internal noise criteria in Figure 2.23.3 above to new or modified floor space.
- C6. 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.
- C7. 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

- O7. To ensure new and modified entertainment venues do not unreasonably impact on the amenity of sensitive land uses.

Controls

- C8. For the purposes of this section of the DCP a modified venue includes Section 4.55 applications that:
- Increase patron capacity by 15% or more from the original approval, or
 - Increase trading hours beyond midnight if currently restricted to midnight or earlier, or
 - Include new or modified external openings (e.g. windows and doors), or
 - Include amendments to operational controls in an approved Plan of Management that manage 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 trial hours, unless otherwise requested by Council.
- C9. Submit a noise impact assessment prepared by a suitably qualified acoustic specialist 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. Where a venue shares a common partition (common wall, party wall or floor/ceiling) with a sensitive receiver, demonstrate that the venue can operate without breaching the sensitive receiver internal noise criteria specified in Figure 2.26.3.

2.26.4 Mixed-use developments

Objective

- O8. 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

- C10. 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 thus future proofing the non-residential floorspace as a potential *entertainment venue*. Sound attenuation measures required by the noise impact assessment must be incorporated into the design of the building at its initial construction.