

# Special Entertainment Precincts Management Plan

V2



<b>Title</b>	<b>Special Entertainment Precincts Management Plan</b>
<b>Summary</b>	The purpose of this plan is to balance the approach to the management of entertainment sound within Special Entertainment Precincts. It identifies the roles of all stakeholders including residents, businesses, Council, Liquor and Gaming NSW and the Police in managing entertainment sound, as well as outline the approach to the resolution of entertainment sound related complaints.
<b>Document Type</b>	Management plan
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<b>Legislative Reference</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Environmental Planning and Assessment Act 1979</i></li> <li>• <i>Protection of the Environment Operations Act 1997</i></li> <li>• <i>Liquor Act 2007</i></li> </ul>
<b>Related Council Documents</b>	<ul style="list-style-type: none"> <li>• Model Code of Conduct</li> <li>• Good Neighbour Policy</li> <li>• Inner West Local Environmental Plan 2022</li> <li>• Marrickville Development Control Plan 2011</li> </ul>

This Plan will be formally reviewed every three years from the date of adoption or as required.

Governance use only:

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## 1 Introduction

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

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

Special Entertainment Precincts (SEPs) seek to address this by recalibrating sound compliance to a more balanced approach. From 1 July 2024, they will also streamline compliance by removing NSW Police and the offensive noise test from the equation, making Liquor and Gaming the sole compliance authority.

The purpose of this plan is to balance the approach to the management of entertainment sound within Special Entertainment Precincts. It identifies the roles of all stakeholders including residents, businesses, Council, Liquor and Gaming NSW and the Police in managing entertainment sound, as well as outline the approach to the resolution of entertainment sound related complaints in SEPs.

## 2 Locations

Council’s Special Entertainment Precincts are identified in the Special Entertainment Precinct mapping series of the Inner West Local Environmental Plan 2022 (IWLEP 2022). A link to the maps is provided [here](#).

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

Precinct name	Description
Balmain	Balmain commercial area on Darling Street between Arthur Street and Ann Street, Balmain. Notable landmarks include Balmain Town Hall, Unity Hall Hotel, Loyalty Square, Cricketers Balmain, and the London Hotel.
Dulwich Hill	Covers Dulwich Hill Village and commercial properties along New Canterbury Road. This includes Marrickville Road properties between New Canterbury Road and Macarthur Parade, properties on the northern side of Seaview Street and employment zoned properties on New Canterbury Road between Herbert Street and Dulwich Grove light rail station. Notable landmarks include the Gladstone Hotel, and Butchers Brew Bar.
Enmore Road	Commercial area of Enmore Road between Edgeware Road and Number 2 Enmore Road, Newtown. Also includes 216 Enmore Road and the Warren View Hotel at 2 Stanmore Road, Enmore. This precinct includes the Enmore Theatre and numerous live music venues.
Leichhardt	Covers Norton Street between Macauley Street and Parramatta Road, as well as Parramatta Road between Railway Street and Charles Street. Also includes the southern side of Parramatta Road between Charles Street and Phillips Street. Notable landmarks include Leichhardt Town Hall, the Royal Hotel, Palace Cinemas, Norton Plaza, the Italian Forum, Norton’s Pub, and Crowbar.
Marrickville North	Covers a large area along Victoria Road between Sydenham Road at the south and Addison Road at the north. Also covers the western side of Farr Street, Mitchell Street, Faversham Street the northern side of Fitzroy Street, Chapel Street, Rich Street, Cook Road, Brompton Street, Denby Street Jabez Street, the northern side of Chalder Street, and the western side of Shepherd Street. The Golden Barley Hotel at the corner of Llewellyn and Enmore Road is also included in this precinct.

	Notable landmarks include the Vic on the Park Hotel, Factory Theatre, Marrickville Bowling Club, Wicks Park development, Red Rattler, Messina HQ as well as many creative business, breweries, and distilleries.
Marrickville Town Centre	Covers the commercial and industrial stretch between Sydenham Station and Marrickville Station. This includes Railway Parade, Marrickville Road between Railway Parade and Livingston Road and Illawarra Road between Marrickville Road and Marrickville station. Notable landmarks include Camelot Lounge, Alex Trevallion Plaza, Lazybones, Marrickville Hotel, Marrickville Library and Pavilion.
Rozelle	Covers the commercial properties on Darling Street, Rozelle on either side of Victoria Road from Rozelle village between Beattie Street and Denison Street. It also covers a few Victoria Road facing properties around the Darling Street intersection. Notable landmarks include the former Balmain Leagues club site, Rozelle Public School, The Bridge Hotel, the Sackville Hotel, and The Red Lion Hotel.

## 3 Special Entertainment Precinct Objectives

### Objective 1 - Central objective

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

### Objective 2 – Neighbourhood amenity

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

### Objective 3 – Roles of stakeholders

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

### Objective 4 – Ongoing evaluation

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

### 3.1 Trading allowances for businesses within a Special Entertainment Precinct

Section 202 (5A) and (5B) of the Local Government Act 1993 enables Council to extend trading hours within SEPs. To ensure precincts are vibrant and providing live entertainment is viable, the following trading allowances are given to businesses located within SEPs:

1. An extension of 60 minutes trade to all businesses on their development consent trading hours, up to a maximum 2am close time.
  - *Businesses permitted to trade beyond 2am can continue doing so.*
  - *This applies to indoor trading areas only. Outdoor areas on private land must operate in accordance with development consent conditions.*
  - *Liquor licence trading hours still apply. Businesses with a liquor licence must contact Liquor and Gaming NSW to amend their licence conditions.*
  - *The following premises are excluded from accessing the additional 60 minutes of trade:*
    - *Restricted premises (as defined in the IWLEP 2022),*
    - *Sex services premises (as defined in the IWLEP 2022),*
    - *Premises hosting adult entertainment (e.g. strip clubs), and*
    - *Premises hosting any kind of activity alike those described above.*
  - *Apart from those described in the point above, 60 minutes of additional trade is given to all businesses within SEPs, not just where live entertainment is being provided. This recognises the contribution that all night-time trading businesses make to vibrant night-life.*
2. Footpath dining on main streets is permitted until 11pm.
  - *Applies to main streets only, not side streets or rear lanes*
  - *Applies to footpath dining on Council land, not private land.*
  - *Outdoor dining furniture must be brought inside at close.*

## 4 Existing Policy Considerations

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

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



Special Entertainment Precincts are legislated under the Inner West Local Environmental Plan 2022 (IWLEP 2022). Mapping of the precincts is also contained under the IWLEP 2022, defining the properties located within the precinct.

#### **4.2 Development Control Plan**

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

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

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

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

With a SEP in place, noise conditions on development consents relating to maximum sound levels are superseded by the sound criteria contained in section 7 of this plan. This is in accordance with Section 202 of the *Local Government Act 1993*.

Trading hours for premises are also determined by development consent conditions. Section 202 of the *Local Government Act 1993* enables Council to amend these trading hours for premises with SEPs. Trading hour concessions are detailed under section 3.2 of this plan.

#### **4.4 Liquor Licenses**

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

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





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

#### **4.5 Protection of the Environments Operations Act 1997 (POEO)**

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

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

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

#### **4.6 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. Complaints received by Council will utilise the Good Neighbour Policy when the situation requires.

#### **4.7 Local Approvals Policy**

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

## **5 Application of this plan**

This plan applies to the operation of all premises within SEPs. 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 e.g., talking
2. Plant or machinery noise
3. Vehicular or traffic noise
4. Aircraft noise
5. Anti-social behaviour
6. Dumped rubbish
7. Littering



For these disturbances, please follow existing complaint channels.

## 6 Compliance Procedures

### 6.1 Entertainment sound from Licenced premises

From 1 July 2024, Liquor and Gaming NSW will take carriage of any complaints and the subsequent compliance process in accordance with the *Liquor Act 2007*, Part 5, Division 3.

### 6.2 Entertainment sound from un-licenced premises

This section details the procedures that Council will undertake in relation to the compliance of sound coming from unlicensed venues located in SEPs.

#### **Steps to take before lodging a complaint**

The flow chart on the next page identifies the process that should be taken before lodging a complaint with Council regarding entertainment sound from and un-licenced premises.

## 1. Identify the source

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

## 2. Approach the venue

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

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

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

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

## 3. Re-evaluate disturbance

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

### Who to contact

Within a SEP, any complaints related to entertainment sound from an un-licensed commercial premises should first be directed in a civil manner to the venue. If a resolution is not reached, then a complaint can be made to Inner West Council. The correct agency to direct a complaint can be determined in Table 1 below.

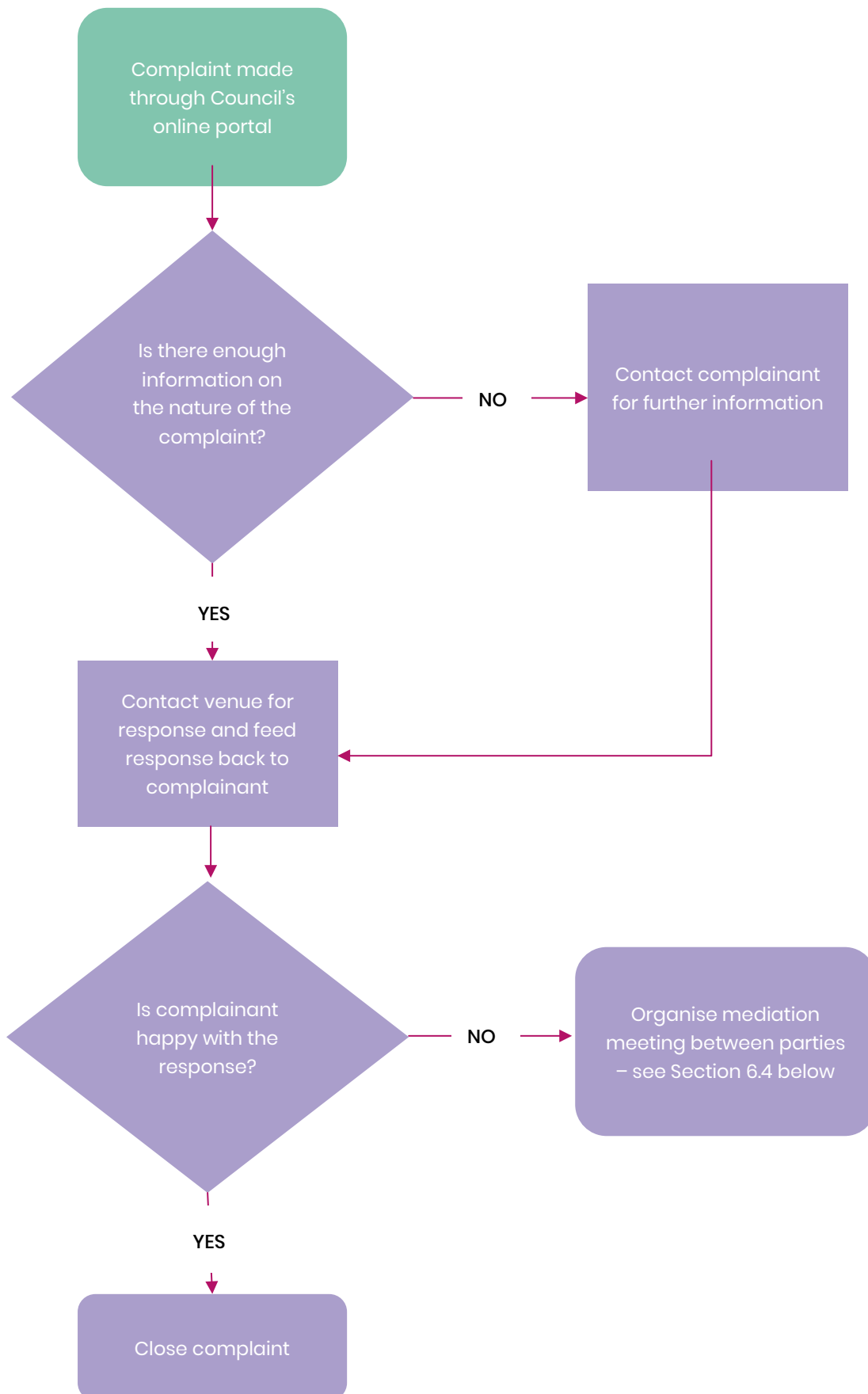
	Council – online or by phone	Liquor and Gaming NSW	Police
General feedback related to the Special Entertainment Precinct	X		
Reporting entertainment sound that from a licenced premises that exceeds the criteria in this plan		X	
Reporting entertainment sound that from an un-licenced premises that exceeds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

Table 1: Where to direct feedback and complaints

### 6.3 Council procedures for complaint handling

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

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





#### 6.4 Resolving complaints through mediation

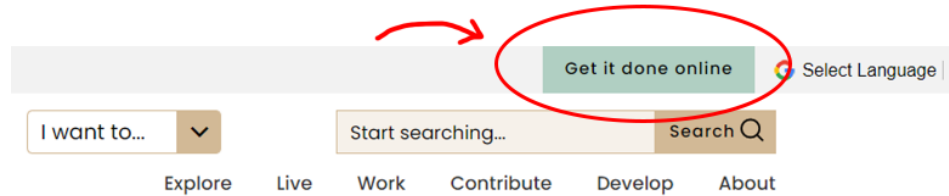
Complaints made to Council are expected to be resolved once Council has feedback from the venue. Responses from venues should include a verbal commitment to lessening the disturbance in the future.

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

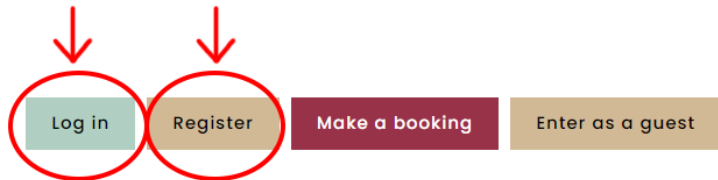
Such meetings will ideally be held face to face on site, either in the venue or on the street outside the venue. There may be circumstances with scheduling conflicts or public health concerns where an online meeting is favoured.

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

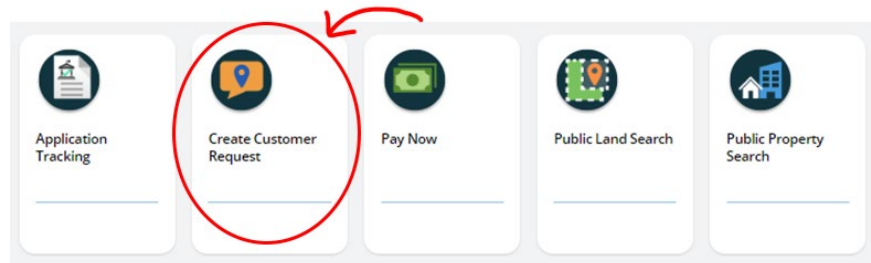
Complaints and feedback regarding the special entertainment precinct should initially be made through Council's online self-service portal. The link to this portal is located at the top of Council's webpage titled 'get it done online'.



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



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



From the drop-down menu on the next page, select "Special Entertainment Precinct - ...". This will create another drop down menu below where you can select from a range of sub-categories. Please select the one relevant to your request.

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.

## 7 Sound Criteria

### 7.1 Overview

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

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

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

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

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



## 7.2 Key principles of the technical criteria

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

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

## 7.3 External sound categories

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

Four criteria SCAs have been defined, generally assigned to:

1. Main Road Frontages in High Traffic/Activation Areas (SCA 1)
2. Main Road Frontages in Moderate Traffic/Activation Areas (SCA 2)
3. Side streets and rear lanes close to the SEP interface (SCA 3)
4. Residences on side street, away from the SEP interface (SCA 4)
5. Lane adjacent the Enmore Theatre (SCA ET)

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

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

The SCAs vary by time of day, day of the week and geographic location. Varying assessment periods have been developed to be in keeping with existing time profiles and in recognition of varying levels of activation and sensitivity based on time of day and day of the week. Relative targets per time of day and day of the week are presented for each assessment area below in Table 3.

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

## 7.4 Internal sound criteria

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

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

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

## 7.5 Technical parameters

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

Parameter	Discussion of principle followed
Fixed vs relative to background criteria	Relative criteria, such as 'background + 5 dB', are a fundamental component of NSW policy. However relative criteria can be inappropriate when it is desired to change the character of an area, as is the case here. Fixed criteria have therefore been adopted.
Measurement descriptor	Current conditions of consent vary between use of the $L_{eq}$ and $L_{10}$ noise parameters. $L_{10}$ , being the sound level that is exceeded for 10% of the time, is currently adopted by Liquor and Gaming NSW. However, $L_{eq}$ , being the average exposure level, is considered a good representation of on-going noise exposure over the course of an activity and is most widely correlated with the subjective effect of noise. $L_{eq}$ has been broadly adopted in NSW policy for assessment of most environmental sound, including road and rail traffic, construction, industrial premises, and more recently, large scale entertainment events held at Western Sydney Stadium and the Sydney Opera House.  The $L_{eq}$ sound measurement parameter has been adopted..
Measurement time period	The logarithmic averaging nature of the $L_{eq}$ parameter means that isolated loud events (e.g. entry doors opening, patrons leaving and gathering temporarily, etc) are taken in into account, however the degree of influence will depend the duration of the event. A 15 minute period has been used as it is sufficiently long to avoid temporary loud events excessively influencing the noise level.  A 15-minute period has been adopted for consistency with other NSW noise policy.
Broadband / Octave band criteria	Broadband dB(A) and dB(C) criteria are proposed in place of the octave band assessment commonly adopted in the assessment of entertainment venue noise.  Adoption of broadband dB(A) criteria will simplify acoustic reporting and compliance measurement.  The introduction of a dB(C) noise limit will provide a more simple means to apply a low frequency noise control compared to use of octave band analysis. This will be particularly important in the assessment of noise emitted from venues when trading with windows/doors closed.
Time of day / days of the week	Criteria, particularly fixed criteria, often vary by time of day. There is limited consistency across existing policy, for example: <ul style="list-style-type: none"> <li>• Liquor and Gaming NSW use 7am to midnight, and midnight to 7am</li> <li>• 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</li> </ul>

Parameter	Discussion of principle followed											
	<ul style="list-style-type: none"> <li>The Environmental Protection Agency’s road and rail criteria adopt 7am to 10pm and 10pm to 7am.</li> </ul> <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 (before and after midnight). 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												

## 7.6 Sound requirements for Venues

The criteria in this Section are proposed to apply to all entertainment sound coming from commercial premises within the SEPs.

7. Entertainment sound from venues within a SEP must not exceed the Venue Sound Criteria, equivalent to the Sound Category Area Levels specified in Table 3 by reference to the relevant map in Attachment 1.
  - 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 an existing building.
  - 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 precincts. The limits do not apply to gaming room noise, noise from plant and equipment or noise associated with patrons in the public realm after leaving a site.
  - c. The criteria below are cumulative noise levels. Where a venue is adjoined by another venue, the noise targets below are to be reduced by 3dB(A) unless

reporting demonstrates that cumulative noise emissions will not cause an exceedance of the criteria below.

Table 3: Sound categories - venue external levels

Sound Category Area (SCA)	Days of the week	Venue external assessment criteria, $dB_{Leq(15\text{minute})}$					
		Day / Evening (7am to 10pm)		Early Night (10pm to midnight)		Late Night (midnight to 7am)	
		dB(A)	dB(C)	dB(A)	dB(C)	dB(A)	dB(C)
SCA 1	Sun 7am to Thurs 7am	60	70	55	65	50	60
	Thurs 7am to Sun 7am	65	75	65	75	55	65
SCA 2	Sun 7am to Thurs 7am	60	70	55	65	50	60
	Thurs 7am to Sun 7am	60	70	60	70	50	60
SCA 3	Sun 7am to Thurs 7am	50	60	45	55	40	50
	Thurs 7am to Sun 7am	55	65	55	65	45	55
SCA 4	Sun 7am to Thurs 7am	45	55	40	50	35	45
	Thurs 7am to Sun 7am	50	60	50	60	40	50
SCA ET	Sun 7am to Thurs 7am	65	75	60	70	50	60
	Thurs 7am to Sun 7am	65	75	65	75	50	60

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

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

Receiver <sup>1</sup>	Period <sup>2</sup>	dB(A)	dB(C)
Residential accommodation - bedrooms	7am – 10pm	30	40
	10pm – 7am	25	35
Residential accommodation – other habitable rooms	7am – 10pm	35	45
	10pm – 7am	30	40
Tourist and visitor accommodation (bedrooms & sleeping areas)	7am - midnight	35	45
Information and education facilities	All times	30	40
Place of public worship	All times	30	40
Health services facility	All times	25	35

Notes:

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

## 8 Breaches of this Policy

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

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

## 9 Glossary

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

**Entertainment 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.

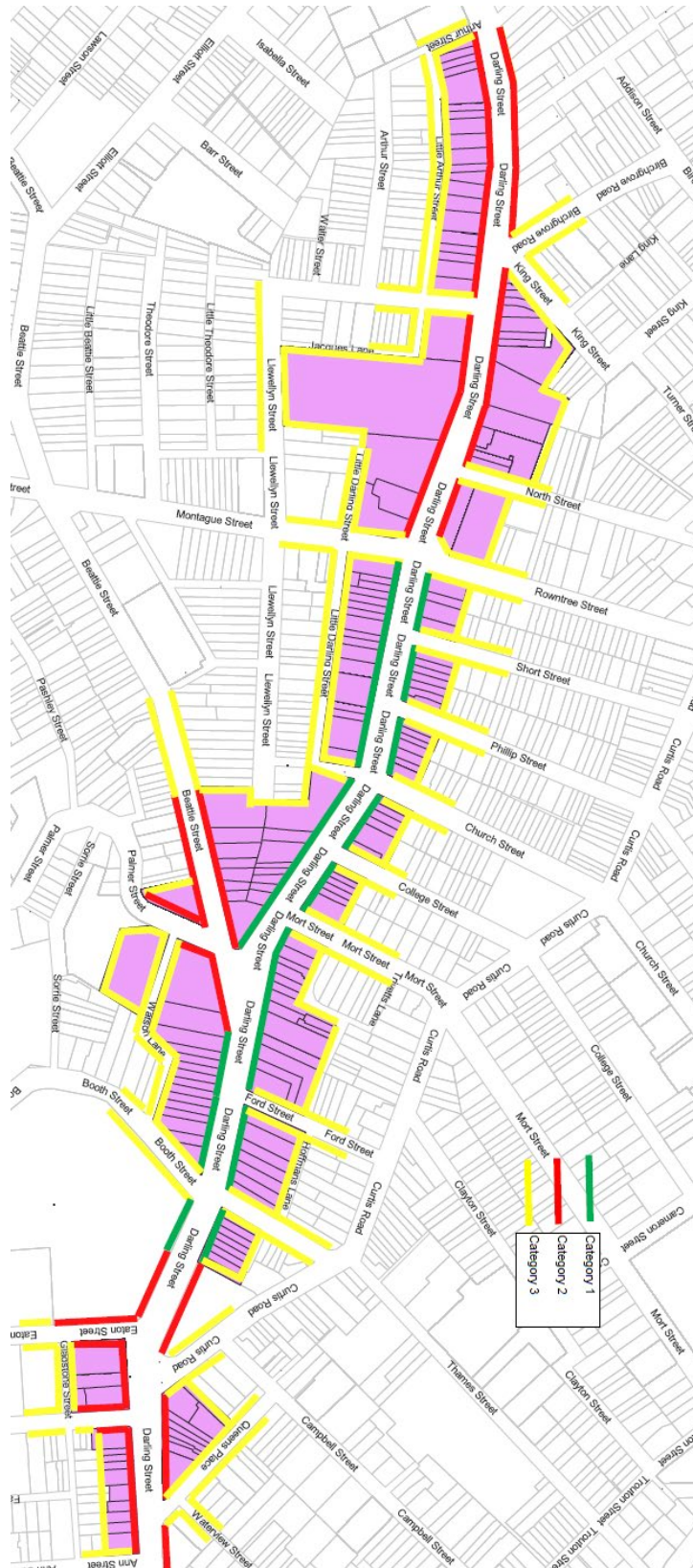
**Suitably qualified acoustic consultant** is a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia, or the Association of Australian Acoustic Consultants at the grade of member.

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

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

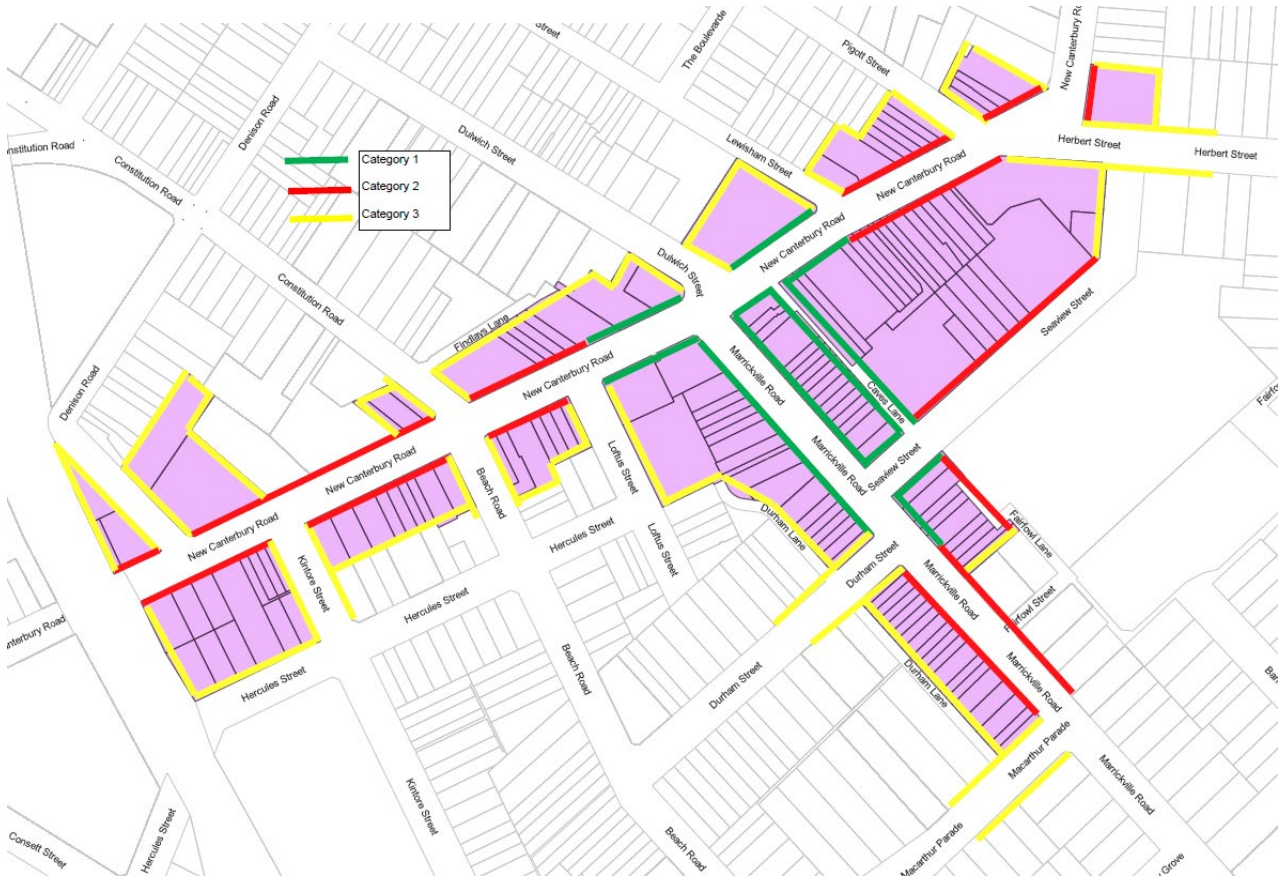


## Attachment 1 – Sound Category Area maps



Balmain Sound Category Area map

# INNER WEST



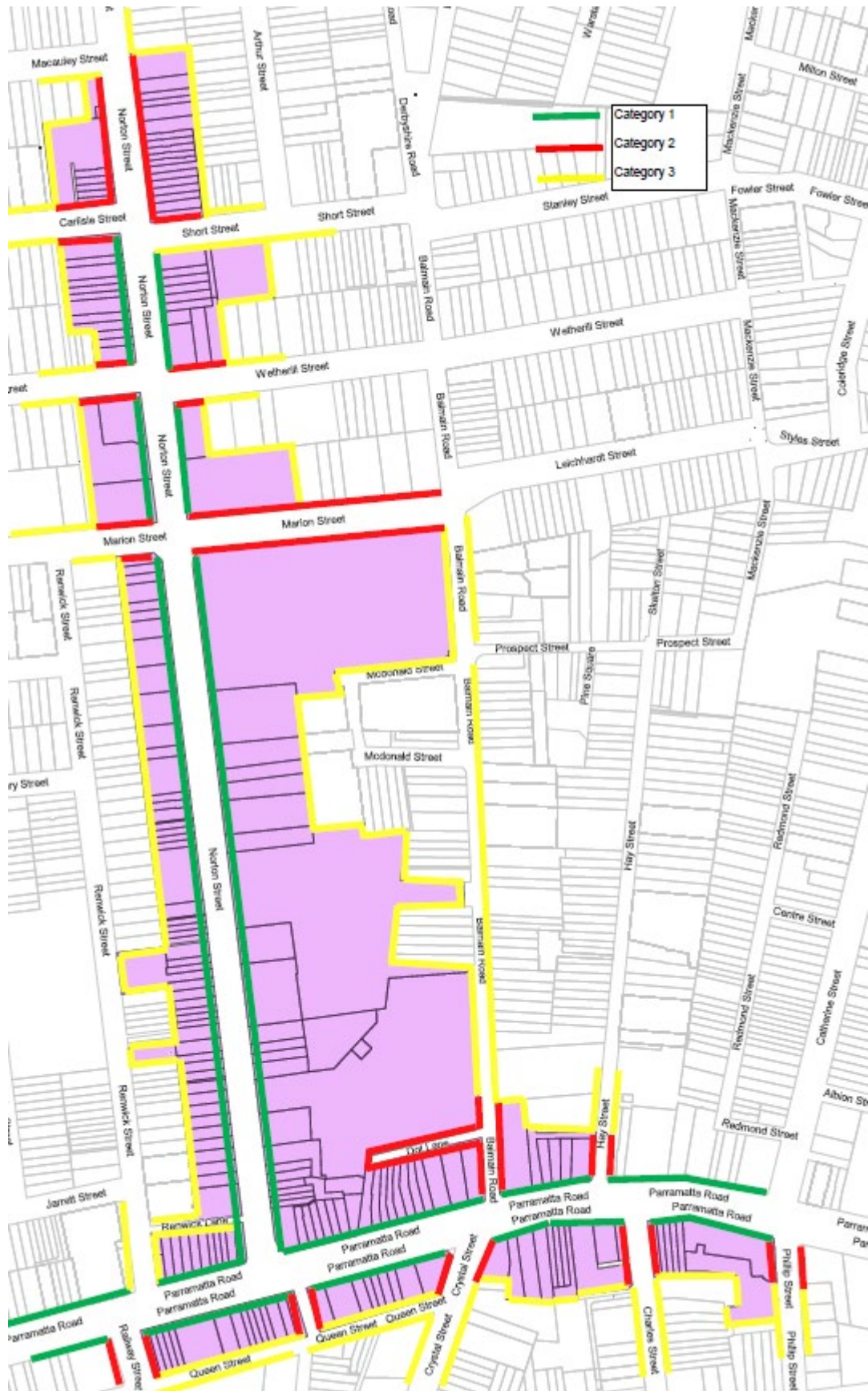
Dulwich Hill Sound Category Area map



Enmore Road Sound Category Area map



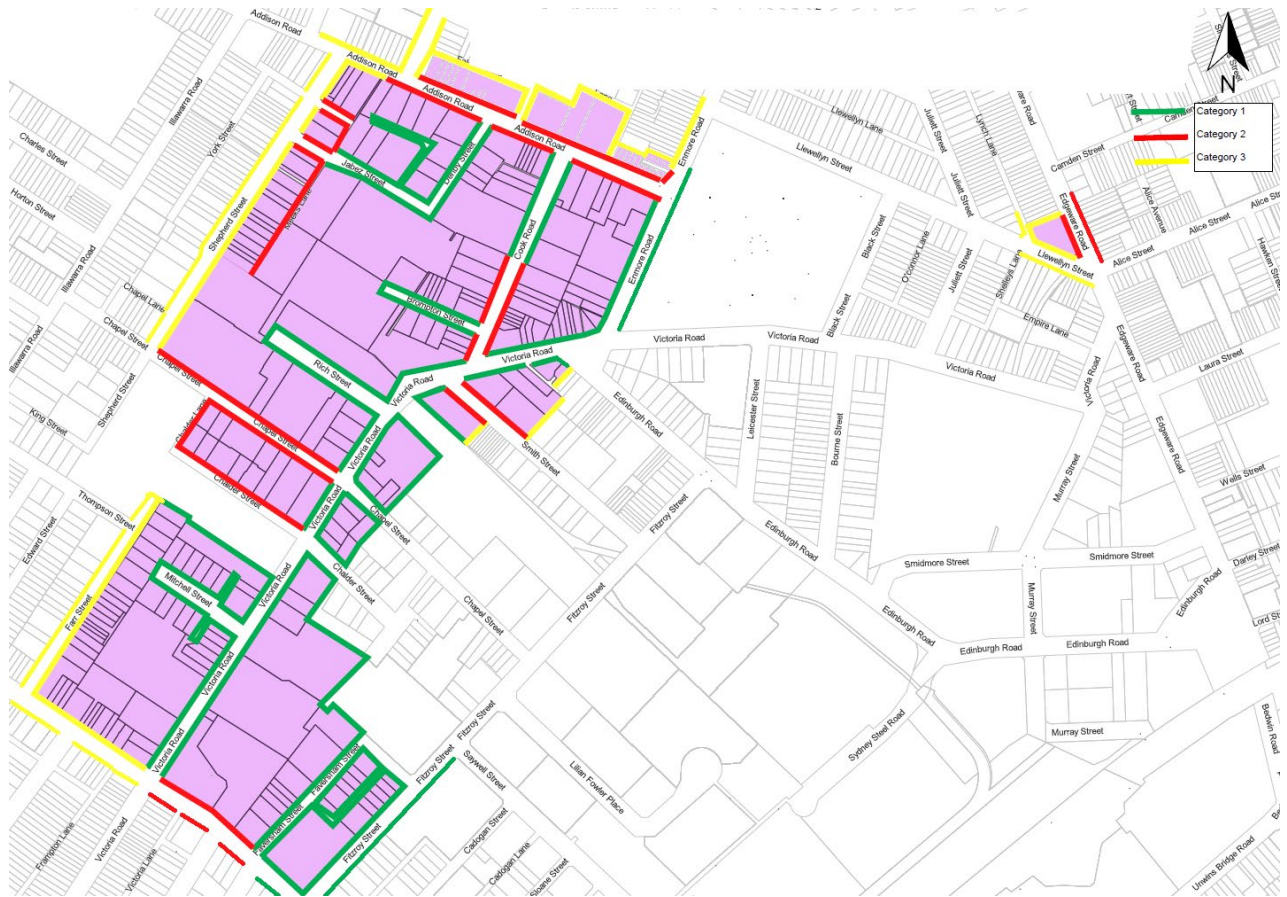
# INNER WEST



Leichhardt Sound Category Area map



# INNER WEST



Marrickville North Sound Category Area map



Marrickville Town Centre Sound Category Area map



# INNER WEST



Rozelle Sound Category Area map