

Section 5 – Special Entertainment Precincts

Application

Part C – Section 5 of this DCP applies to land identified as a Sound Category Area in the following maps:

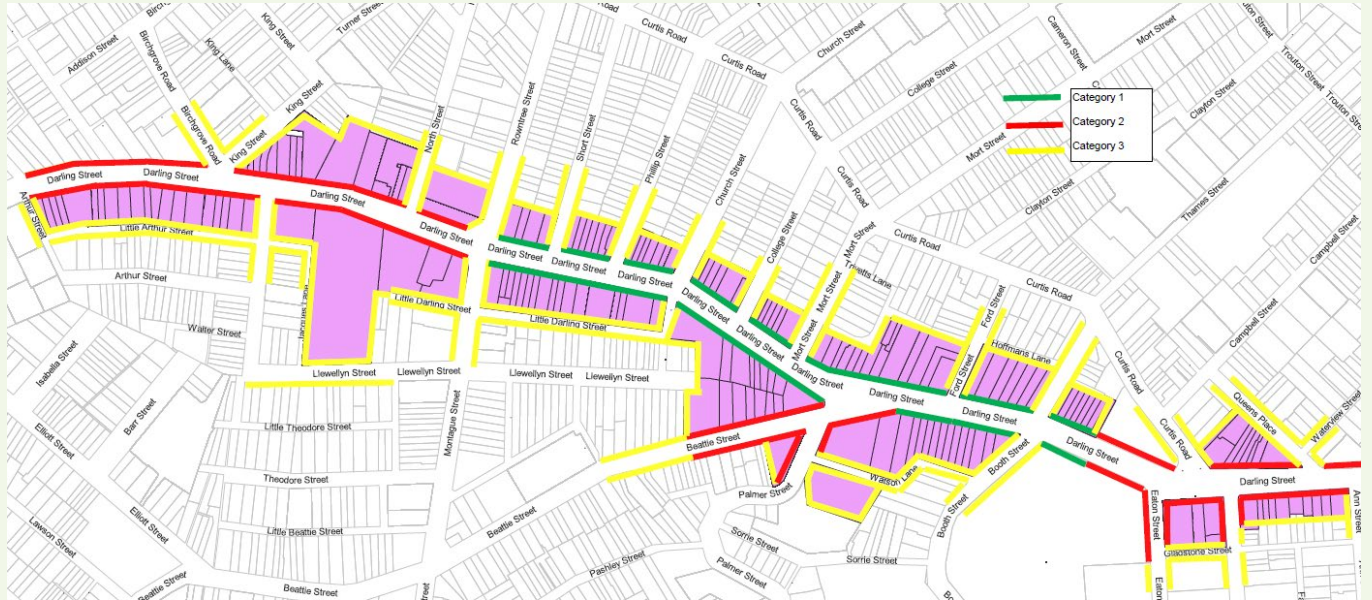


Figure C145 – Balmain Sound Category Area map

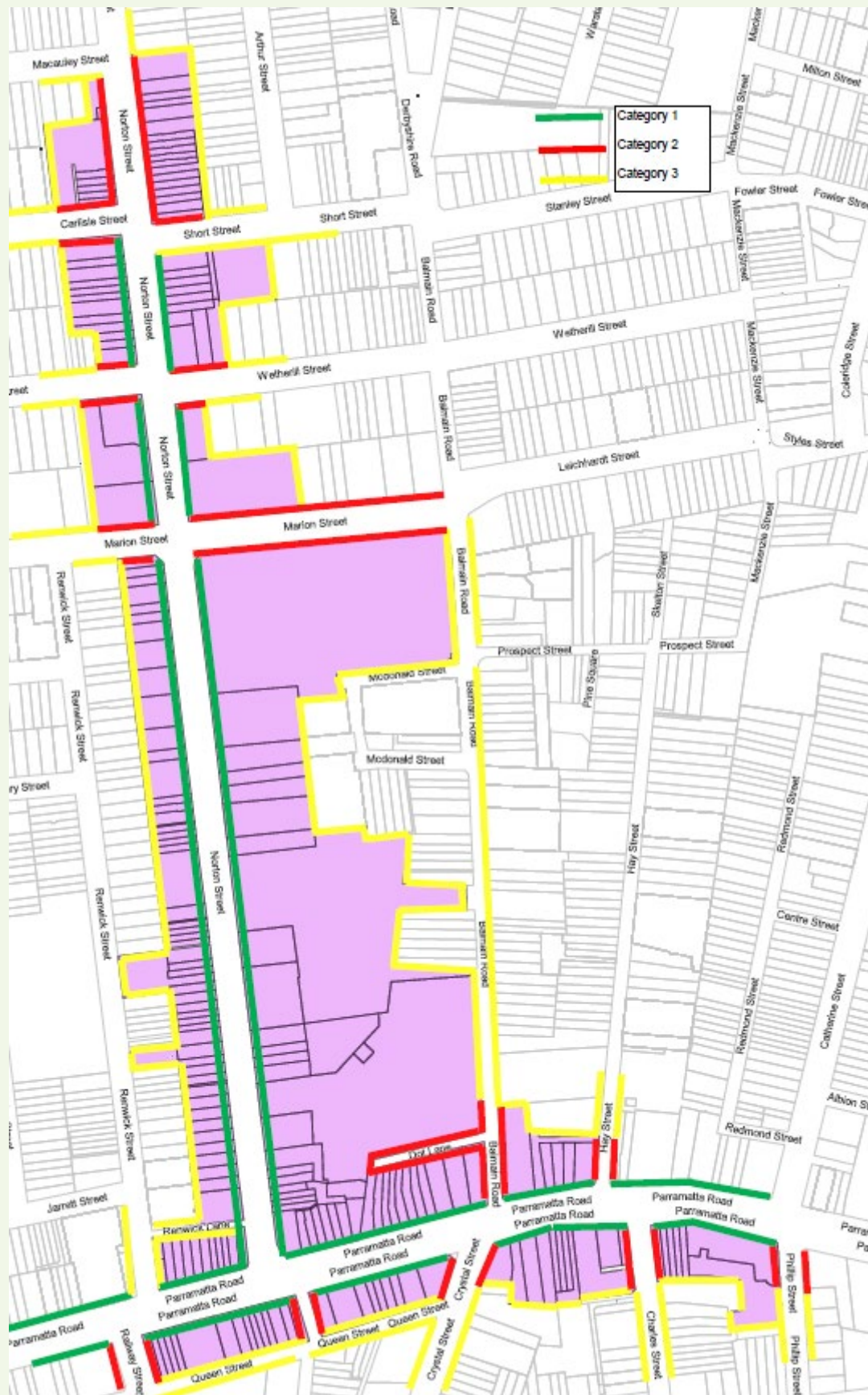


Figure C146 – Leichhardt Sound Category Area map (north of Parramatta Road only – see Section 2.26 of the Marrickville DCP 2011 for sites south of Parramatta Road)

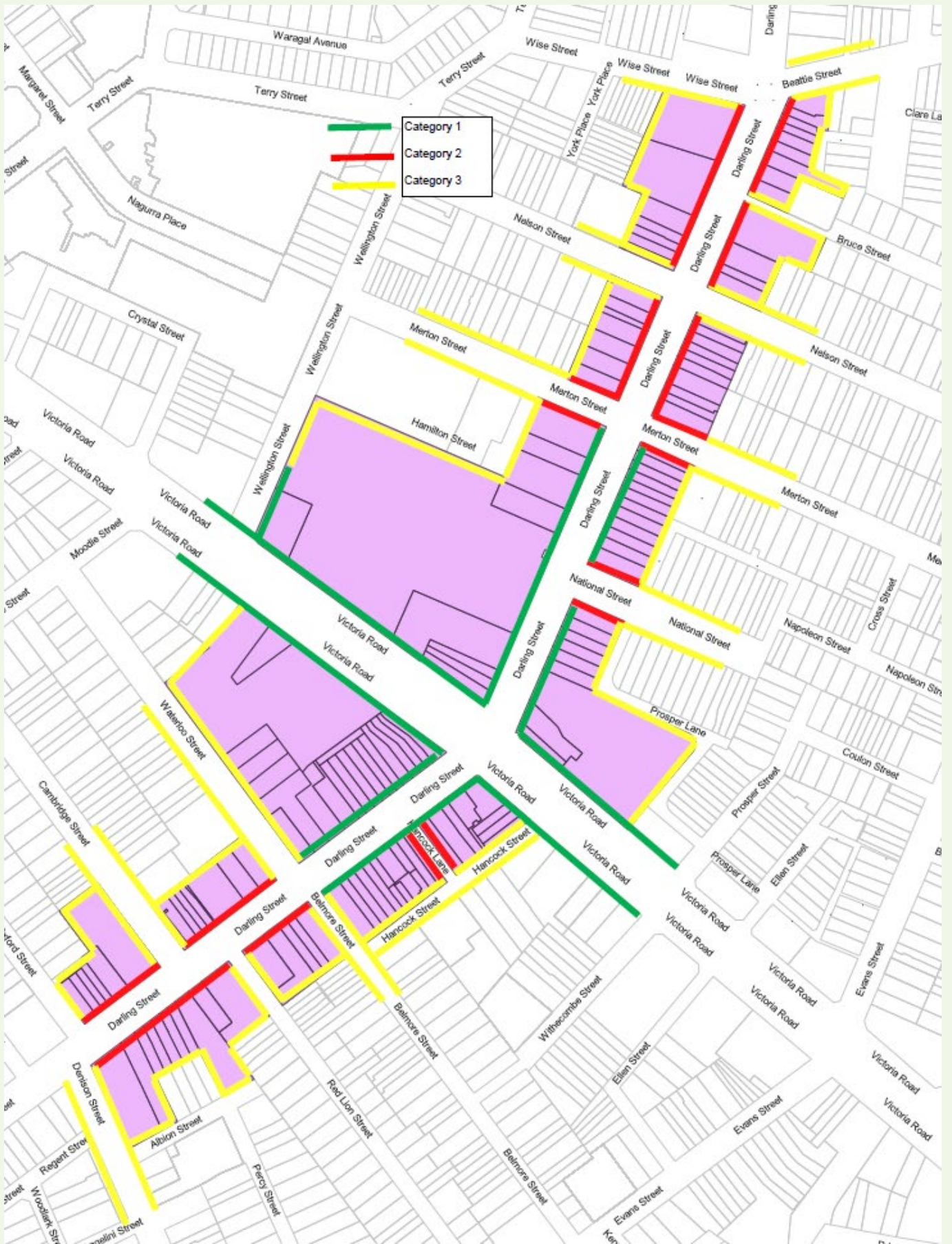


Figure C147 – Rozelle Sound Category Area map

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.

C5.1 Objectives

- O1. To support a vibrant, 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*.

C5.2 Sound Category Areas and applicable sound levels

Objectives

- O4. To define the maximum exposure of 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 Figures C145, C146 and C147 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 C148 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)	
		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

Figure C148 venue external assessment criteria

C5.3 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 will comply with the sound levels identified in C149 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 that can impact a site specified in Figure C148 above when determining any attenuation required, including vibration.

Sensitive receiver	Period	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

Figure C149. sensitive receiver internal noise criteria

- C4. Modified sensitive receiver applications include:
- a. External and internal alterations to *sensitive receivers*. This includes alterations and additions to *residential accommodation*,
 - b. 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 C149 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.

C5.4 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:
- 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. 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 trading 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 C148 above.
 - b. Demonstrate compliance with the 'venue external assessment criteria' (Figure C148) 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 C149.

C5.5 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 C149).
 - 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.