

Special entertainment precincts



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Why we're doing this

What is a special entertainment precinct?

As part of the Vibrancy Reforms, the NSW Government announced a new framework for special entertainment precincts.

These precincts support live entertainment through extended trading hours and sound controls that provide operational certainty for venues, neighbouring residents and businesses. Councils can establish special entertainment precincts in their local areas.

Special entertainment precincts:

- are mapped by the council in the local environmental plan, they can be for an area, a street or a single venue
- have sound levels and trading hours set by council in a precinct management plan and override those on a development consent
- have noise complaints continue to be managed by Liquor & Gaming NSW but regarding the council's precinct management plan
- ensure residents and people moving into the area are notified by council about the precinct designation, for example on planning certificates or on its website.

Benefits and incentives available for businesses

The NSW Government offer the following benefits and incentives for businesses within a special entertainment precinct:

- all venues are eligible for a one-hour extension on liquor trading every night of the week, when at least 2 live performances have occurred in that week
- simplified process to become a dedicated live music or performance venue
- dedicated live music and performance venues are eligible for a 2-hour extension on liquor trading on the night of a performance
- all venues are eligible for an 80% discount on liquor licence fees.

The City of Sydney would like to make these incentives available for all eligible business in all our existing late night trading areas.



Proposed special entertainment precincts

Our proposed approach is to upgrade our existing late-night trading areas to special entertainment precincts (see figure 1).

Designating these areas as special entertainment precincts would:

- make it easier for licensed and unlicensed businesses to trade later without a development application
- give businesses in the precincts access to NSW Government liquor licence fee discounts and extended licensing hours for live music
- allow us to put in place bespoke sound criteria that suit the context of the area and encourage live music and entertainment.

What we're trying to achieve

Our proposed approach reflects direction 8 of Sustainable Sydney 2030–2050 Continuing the Vision: A thriving cultural and creative life, where:

- we are proud of our city.
- we are all able to participate in, contribute to and benefit from its cultural life.

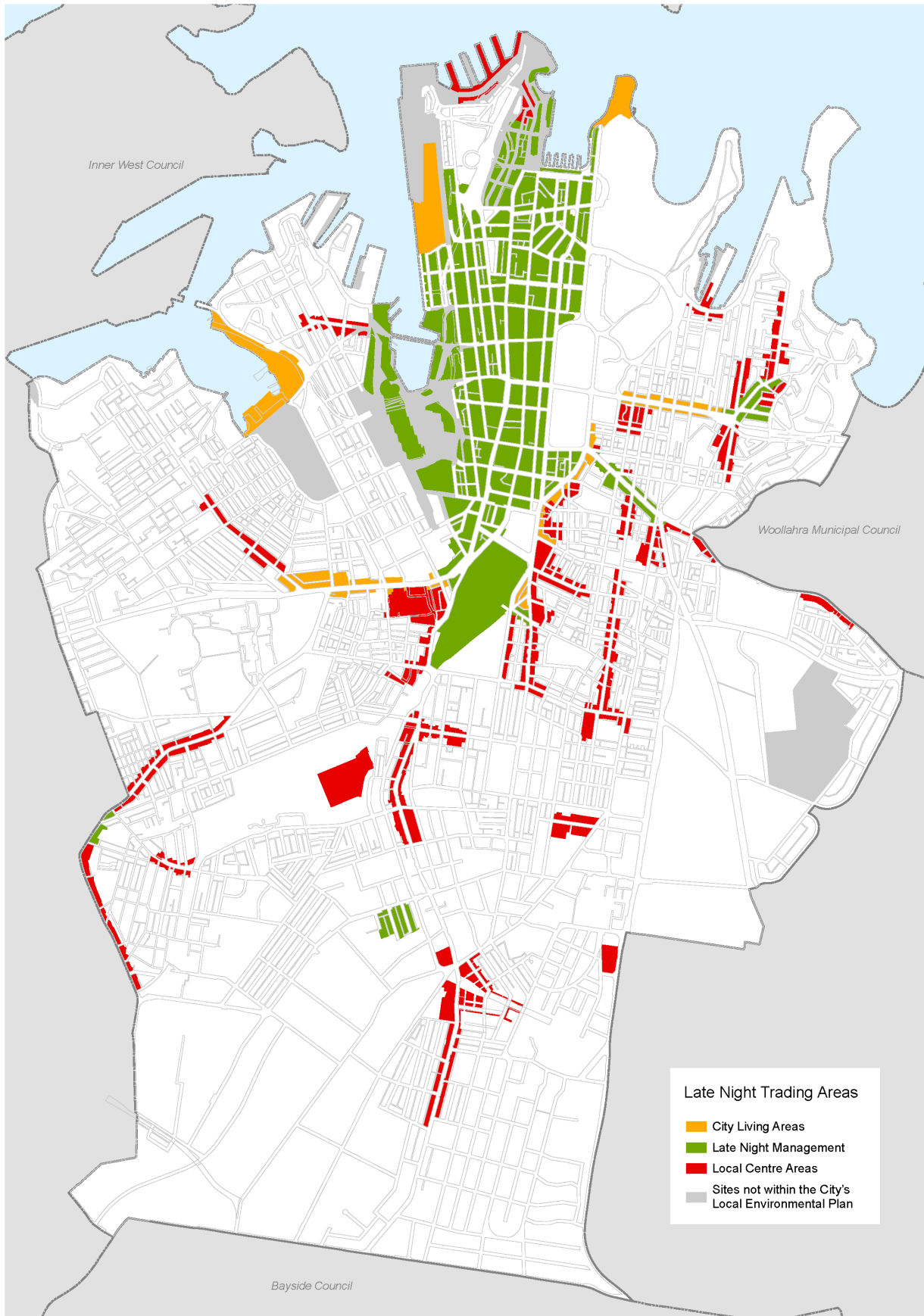
By continuing with our current policy for trading hours but adapting it to align with the NSW Government's Vibrancy Reforms, we're seeking to promote access to live music and performance across our area.

Benefits of our approach

Our proposed approach:

- identifies appropriate locations and trading hours for late night trading premises
- encourages late night trading premises that contribute to vibrancy and vitality as appropriate for a global city
- encourages a broad mix of night-time uses with broad community appeal that reflect the diverse entertainment and recreational needs of people who work and live in the city as well as people who visit the city
- encourages a diversity of night-time activity in defined areas
- supports late trading of unlicensed premises, such as shops and hairdressers
- encourages more performance, creative or cultural uses in licensed premises and dedicated performance venues
- avoids the potential to focus economic activity, investment and patronage to limited areas at the expense of other areas
- prevents the proliferation of poorly managed high impact late night premises.

Figure 1. Proposed special entertainment precincts



How we manage trading hours now

We already have a policy that supports late night trading, which is working well.

Trading hours vary for different categories of business based on amenity impacts. There are more generous hours for lower impact businesses like shops (Category C), compared to higher impact venues like small bars and clubs (Category B) and larger venues and nightclubs (Category A).

Trading hours differ in the 3 tiers (see figure 1): Late Night Management (green areas), City Living (yellow areas) and Local Centres (red areas). The hours respond to the existing character of the area with the green late night management areas having 24-hour trading available.

For each category and tier, a business has 'base hours' and 'extended hours' which can be approved by development application (DA). Extended hours are approved on a trial basis accompanied by a plan of management.

How we would manage trading hours in special entertainment precincts

We would seek to streamline this approach, with no DA required for trading hours within base hours (see figure 2). A DA and trial would still be required for businesses to take up extended hours.

The NSW Government offers additional liquor licence hours to incentivise live music and performance. But DA trading hours can limit venues being able to access these incentives.

We would unlock venues being able to access these incentives by introducing program incentive and dedicated venue hours without the need for a DA (see figure 2).

With any changes we make to trading hours, we would make sure that no businesses are disadvantaged. All businesses should be allowed to trade the same hours as they're currently permitted, or later.



Figure 2. Proposed special entertainment precinct trading hours

Base hours: In a special entertainment precinct, base hours would become ‘as of right’ with no need for a development application.

Program incentive hours: Would be ‘as of right’ with no need for a development application (DA). Only available where the venue has a program of live music performance or other arts and cultural event of at least 45 minutes after 8pm on at least 2 nights in any 7-day period.

Dedicated venue hours: Would be ‘as of right’ with no need for a development application. Only available on the night of a live performance that is at least 45 minutes long, after 8pm, and the venue is a dedicated live performance venue published on the Liquor & Gaming website.

Extended hours: Extended hours are approved by DA on a trial basis alongside a plan of management.

		Category A		Category B		Category C
		Larger venues and nightclubs		Small bars, clubs and restaurants		Unlicensed shops and hairdressers
		Indoor	Outdoor	Indoor	Outdoor	Indoor
Late Night Management areas Including Central Sydney, Oxford Street and Kings Cross	Base	6am to midnight	9am to 10pm	6am to 2am	7am to 10pm	6am to 2am
	Program incentive	6am to 1am	–	6am to 3am	–	–
	Dedicated venue	6am to 2am	–	6am to 4am	–	–
	Extended	24 hours	9am to 1am	24 hours	7am to 1am	24 hours
City Living areas Including Barangaroo, Broadway and William Street	Base	7am to 11pm	9am to 10pm	7am to 1am	7am to 10pm	7am to 1am
	Program incentive	7am to midnight	–	7am to 2am	–	–
	Dedicated venue	7am to 1am	–	7am to 3am	–	–
	Extended	7am to 5am	9am to midnight	7am to 5am	7am to midnight	24 hours

Special entertainment precincts

		Category A Larger venues and nightclubs		Category B Small bars, clubs and restaurants		Category C Unlicensed shops and hairdressers
Local Centre areas Including Crown Street, Glebe Point Road and Chippendale	Base	9am to 10pm	9am to 10pm	7am to 11pm	7am to 10pm	7am to 11pm
	Program incentive	9am to 11pm	–	7am to midnight	–	–
	Dedicated venue	9am to midnight	–	7am to 1am	–	–
	Extended	9am to midnight	9am to 10pm	7am to midnight/2am*	7am to 10pm	7am to 2am

*Proposals for extended indoor hours may be approved to 2am but only where entry and exit of all patrons will be onto a main street and not onto a laneway, or mainly residential area.

How sound levels will be enforced and complaints managed

Excessive noise from licensed premises

Noise complaints related to entertainment sound from licensed venues are managed by Liquor & Gaming NSW. Make a report online at liquorandgaming.nsw.gov.au/community-and-stakeholders/have-your-say/complaints/make-a-complaint

In special entertainment precincts, Liquor & Gaming NSW will regulate noise complaints using our precinct management plan, which will include bespoke sound levels that respond to the area's character.

Excessive noise from unlicensed premises

We can investigate noise complaints about unlicensed venues, retail and commercial operations. Contact us to make a report:

02 9265 9333

council@cityofsydney.nsw.gov.au

How we'll set sound levels

We're committed to enhancing the cultural and creative vibrancy of our city while ensuring a balance between lively activities and residential amenity. This approach will provide greater certainty for both businesses and residents.

A key advantage of our proposed strategy is the ability to establish tailored sound criteria for our late-night trading areas. This will respond to the local context and protect venues with more permissive sound criteria than in the DCP or that may be used by Liquor & Gaming NSW.

To develop sound criteria for special entertainment precincts, we'll engage acoustic experts to conduct a detailed sound study, assessing current noise levels. We'll also consult the NSW Government's Special Entertainment Precinct Guidelines and its acoustic toolkit for recommended sound levels.

These custom sound levels will be designed to support the vibrancy of nightlife, while balancing the need for residential amenity. We'll trial and test these sound levels for a minimum 18-month period.

Areas where the LEP doesn't apply

The map at figure 1 identifies our preferred boundaries for special entertainment precincts. These are existing boundaries that align with our late-night trading areas.

The boundaries include existing late-night trading areas where the Sydney Local Environmental Plan (LEP) does not apply and the NSW Minister for Planning and Public Spaces is the planning authority (see areas in grey in figure 1). An amendment to the state environment planning policies would be needed to designate these areas as special entertainment precincts.

It is our intent for any planning proposal to establish special entertainment areas to include these areas. We'll work with the NSW Government to ensure a consistent approach across the late-night trading areas.

The process for designating a special entertainment precinct

The NSW Government's Special Entertainment Precinct Guidelines provide more information on the process for designating a special entertainment precinct.

The guidelines are supported by optional sound guidance and templates.

The mandatory steps for a council to establish a special entertainment precinct are in figure 4.

The process from step 1 to 12 is estimated to take around 18 to 24 months.

The NSW Government's guidelines provide a more detailed description of each stage as well as steps dealing with operating a special entertainment precinct and suspending or revoking a special entertainment precinct.

The NSW Minister for Planning and Public Spaces may establish a special entertainment precinct directly and is not bound by the mandatory steps.

Figure 3.

Mandatory steps

1. Identify and map
 2. Establish strategic intent
 3. Obtain a council mandate to proceed
 4. Prepare a precinct management plan
 5. Prepare a sound management framework
 6. Prepare a compliance framework
 7. Prepare a planning proposal to amend the local environmental plan
 8. Prepare a development control plan amendment
 9. Undertake targeted community consultation
 10. Submit the planning proposal for NSW Government approval and publicly exhibit
 11. Finalise the local environmental plan amendment for the special entertainment precinct to come into effect
 12. Evaluate the special entertainment precinct after a trial period
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How else do we support night life and vibrancy

We already have policies and programs in place to support the night-time economy and encourage live music and performance, including:

- an established strategy for night life across 3 tiers of late-night trading areas
- a tried and tested trading hours policy supporting 24-hour trading where it's appropriate and based on successful trials
- a bonus DA trading hour to incentivise live music and performance
- a long history of balancing the amenity of residents and venues in the management of entertainment sound (noting Liquor & Gaming NSW is now the lead regulator)
- activating our streets through on-street alfresco dining and regular Sydney Streets events
- funding creative grants, innovation and ideas grants, business support grants and festival and events sponsorships
- support for business through our business innovation program, Reboot webinar series, and promotion through the What's On website
- an emerging policy to manage entertainment sound issues in planning for new venues and residential buildings which are likely to be affected.

Special entertainment precincts are an opportunity to evolve our existing strategy and unlock incentives and benefits for more businesses.

Next steps

This discussion paper represents steps 1 and 2 of the process to designate special entertainment precincts (see figure 3).

Before we proceed to step 3, we would like community and business feedback on our proposed approach.

After the public consultation period, we'll review the feedback and report the outcomes to Council with recommendations on how to proceed.

We'd like to hear your views about our proposed approach to designate the late-night trading areas as special entertainment precincts.

Visit city.sydney/entertainment-precincts to have your say.
Consultation closes at 5pm on Monday 20 January 2025.



