

Public Exhibition - Planning Proposal - Special Entertainment Precincts - Sydney Local Environment Plan 2012, Sydney Development Control Plan 2012 Amendment and Precincts Management Plan

File No: X119331

Summary

Sydney's nightlife is a major driver of the city's economic, social and cultural vitality, generating \$6.1 billion annually and supporting more than 36,000 jobs. It strengthens community connection, fosters creativity and helps position Sydney as a global cultural destination, with each precinct offering its own unique character. In the face of recent pressures on the sector, the City continues to lead reforms that remove barriers and support a sustainable, thriving night-time economy.

Special entertainment precincts are areas established under *Local Government Act 1993* that:

- make it easier for many licensed and unlicensed businesses to trade later without a development application
- allow the City to put in place bespoke sound criteria that suit the context of the area and encourage live music and entertainment and
- unlock incentives from the NSW Government for liquor licence fee discounts and additional licensing hours.

In summer 2024/25 we asked our community what they thought about our proposal to designate all our late night trading areas as special entertainment precincts. More than 350 submissions were made in response to the discussion paper. There was strong support for the proposal. Our communities told us that they would like to see more nightlife, greater diversity of offer and cultural programming, and flexibility for businesses. We also heard that people were concerned about potential impacts of elevated noise levels.

In March 2025, Council noted the findings from exhibition and endorsed the establishment of special entertainment precincts in late night trading areas.

Planning Proposal - Special Entertainment Precincts (the planning proposal) at Attachment A proposes to amend 3 planning instruments to designate the areas mapped as special entertainment precincts.

The Special Entertainment Precincts Management Plan (the plan) at Attachment C ensures the precincts are well run, setting a sound plan, trading hours and governance framework. The plan sets out how we will measure the success of the special entertainment precincts, while also tracking potential unintended impacts. The plan also includes processes for compliance and responding to issues if they arise.

The sound plan is informed by the Special Entertainment Precincts Acoustic Technical Report (the acoustic study) at Attachment D. It sets clear, fixed sound levels tailored to different neighbourhoods, recognising that sound is felt differently in louder areas compared with quieter ones. The acoustic study establishes 4 sound category areas from SCA1 for the loudest areas to SCA4 for the quietest areas, each with different noise criteria. Day and evening (7am-10pm) criteria are more lenient, to encourage entertainment, early night (10pm - midnight) criteria act as a transition, while late night criteria (midnight -7am) are more stringent to protect amenity inside residences.

In March 2025, Council also resolved for the CEO to investigate upgrading the late night trading tier of 6 areas. In November 2025, Council also resolved to investigate The Chippo and The Rose Hotel in Chippendale for inclusion in the proposal. The review was informed by targeted engagement with the Nightlife and Creative Industries Advisory Panel, business chambers and precinct collectives.

The Draft Sydney Development Control Plan 2012 - Special Entertainment Precincts (the draft DCP) at Attachment B proposes that 5 precincts are upgraded in tier, allowing them to trade later: Hollywood Quarter, Redfern / Waterloo, Walsh Bay, The Rocks, Oxford Street (east of Taylor Square).

The planning proposal and draft DCP also include a new precinct on Harris Street, Ultimo and expanded precincts on Knox and Grafton Streets near Broadway and Meagher Street, Chippendale. The Chippo is included in the Meagher Street expanded precinct, however the Rose Hotel is not included as it is within a residential zone and not part of a cluster of other late night venues.

In December 2025, Council resolved that the City work collaboratively with Inner West Council to align approaches for King Street, Newtown. City staff are continuing to work closely with their Inner West counterparts, and a proposal for King Street will be presented to Council at a future meeting.

The draft DCP includes changes to the late night trading and entertainment sound management sections to align with special entertainment precincts, improve clarity and respond to the acoustic study.

The draft DCP includes changes to where residential development must demonstrate entertainment sound attenuation. The proposal reduces the residential acoustic assessment radius around venues in special entertainment precincts from 150 metres to 50 metres, reflecting the stronger protections provided by the precinct sound plan. It also extends acoustic design requirements to residential development in and within 50 metres of second-tier city living areas to support sustainable nightlife growth in mixed-use neighbourhoods.

This report recommends Council approve the public exhibition of the planning proposal to designate special entertainment precincts, alongside the draft DCP and precincts management plan.

If Council approves the public exhibition of special entertainment precincts proposal, a Gateway Determination will be sought from the Department of Planning, Housing and Infrastructure. After receiving a Gateway Determination, the documents will be publicly exhibited giving the community and stakeholders an opportunity to provide feedback.

Recommendation

It is resolved that:

- (A) Council approve Planning Proposal – Special Entertainment Precincts, shown at Attachment A to the subject report, for submission to the Department of Planning, Housing and Infrastructure with a request for Gateway Determination;
- (B) Council approve Planning Proposal – Special Entertainment Precincts, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council approve Draft Sydney Development Control Plan 2012 – Special Entertainment Precincts – shown at Attachment B to the subject report, for public authority consultation and public exhibition with the Planning Proposal;
- (D) Council approve Draft Special Entertainment Precincts Management Plan – Special Entertainment Precincts – shown at Attachment C to the subject report, for public authority consultation and public exhibition with the Planning Proposal;
- (E) Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal – Special Entertainment Precincts; and
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to the draft Special Entertainment Precincts Planning Proposal, Sydney Development Control Plan 2012 or Precincts Management Plan, to correct any drafting errors, inconsistencies, or omissions, or to ensure consistency with any condition of the Gateway Determination.

Attachments

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| Attachment A. | Planning Proposal - Special Entertainment Precincts |
| Attachment B. | Draft Sydney Development Control Plan 2012 - Special Entertainment Precincts |
| Attachment C. | Draft Special Entertainment Precincts Management Plan |
| Attachment D. | Special Entertainment Precincts Acoustic Technical Report |

Background

Why we're doing this

1. Sydney's nightlife is a vital part of the city's economic, social and cultural life. Our night-time economy generates \$6.1 billion in annual turnover (2023/24) across sectors including food, drink, leisure and entertainment¹. It also supports a significant number of jobs, employing about 36,350². Sydney's night-time economy is the largest in Australia, but it still has room to grow.
2. A thriving nightlife also strengthens social connection by giving people safe, welcoming places to meet, celebrate and express themselves. Our nightlife fosters creativity, showcases local talent, and helps make Sydney a globally recognised cultural destination. Each of our nightlife precincts has its own character, reflecting the many communities who live, work and play in our diverse city.
3. In recent years, nightlife businesses and creative workers have faced substantial pressures, including the lasting impacts of the lockout laws, the pandemic and cost-of-living pressures.
4. The City of Sydney has a long track record of leading policy reform to remove barriers and support a sustainable culture-led nightlife. From pioneering live music and entertainment incentives, to enabling exempt 10pm trading for shops, we've consistently set the benchmark for progressive night-time policy.
5. This leadership is reinforced by major initiatives such as permanently fee-free outdoor dining, activation through our Sydney Streets events, significant public domain upgrades like Crown Street and George Street, and targeted investment that has helped businesses grow, employ more people, and activate the city after dark.

Vibrancy reforms

6. In December 2023, the NSW Government introduced the first tranche of the Vibrancy Reforms, which when implemented in July 2024 significantly changed the regulatory environment for entertainment sound. Sound complaints are subject to higher requirements, especially for new residents, Liquor & Gaming NSW (L&GNSW) have taken over responsibility for handling sound complaints, and council-imposed sound conditions of consent no longer have a role in sound compliance.
7. Further rounds of reforms have sought to revitalise the night-time economy by amending the *Liquor Act 2007* and licence conditions. For example, liquor licence conditions that were imposed before November 2022 restricting music or imposing sound limits (L10 conditions) will be automatically removed.

¹ Measuring the Australian Night-Time Economy 2025, A project for The Council of Capital City Lord Mayors by Ingenium Research, July 2025

² Measuring the Australian Night-Time Economy 2025, A project for The Council of Capital City Lord Mayors by Ingenium Research, July 2025

Special entertainment precincts

8. The special entertainment precinct framework is part of the *Local Government Act 1993* and enables councils to set specific noise standards and trading hours to foster live music and nightlife.
9. NSW Government's *Special Entertainment Precinct Guideline* was finalised in November 2024 which sets the process by which Councils can designate and manage special entertainment precincts.
10. In special entertainment precincts, businesses benefit from:
 - (a) less red tape and more flexibility, with no development application required for certain late trading hours
 - (b) more operational certainty with a set of clear maximum sound levels across the precincts
 - (c) access to certain incentives in the *Liquor Act 2007*, such as 80% off liquor licence fees for eligible businesses
 - (d) unlocking incentives in the *Liquor Act 2007* which provide extended trading and liquor licencing for live music and performance, including:
 - (i) 2 extra hours on the night of a performance
 - (ii) one extra hour every night, with at least 10 performances a month.
11. As a result of special entertainment precincts, communities benefit from:
 - (a) more nightlife
 - (b) a diversity of businesses – from bookshops to hairdressers – able to stay open later
 - (c) more live music, performance and cultural programming
 - (d) a clear management plan which balances nightlife with residential amenity
12. The Act requires that special entertainment precincts are established via a Planning Proposal and mapped in a local environmental plan.

City of Sydney process so far

13. More than 20 precincts covering over 5,000 businesses are proposed to be designated as special entertainment precincts, extending the benefits across the city and supporting a diverse mix of vibrant nightlife areas, each with its own distinct character. These precincts bring together late-trading businesses and cultural activities in locations with strong infrastructure and access to transport. This approach helps foster a safe and lively night-time economy while protecting residential amenity.

14. Most of these precincts have operated as late-night trading areas since 2007 under the Sydney DCP 2012, which included a major review in 2019 to support later trading and better manage nightlife. Establishing these as special entertainment precincts will continue our proven approach while offering greater flexibility and opportunities for more live music and entertainment.

Early engagement (summer 2024-25)

15. In summer 2024/25 we asked our community what they thought about our proposal to designate all our late-night trading areas as special entertainment precincts.
16. More than 350 submissions were received in response to the discussion paper, with strong overall support for the proposal. Community members told us that they would like to see more vibrant nightlife, a greater diversity of venues and cultural programming, and increased flexibility for businesses. We also heard that people were concerned about potential impacts of noise.

Council resolutions (2024-25)

17. Under a Lord Mayor's Minute on Supporting Sydney's Nightlife in October 2024, Council resolved to work with the NSW Government to implement special entertainment precincts and other measures to support Sydney's nightlife.
18. In March 2025, Council noted the findings from the public exhibition of the discussion paper and endorsed the establishment of special entertainment precincts in late night trading areas. Council also resolved to investigate upgrading the late-night trading tier of 6 areas.
19. In November 2025, Council resolved to investigate of the inclusion of The Chipppo and The Rose Hotel in Chippendale in the proposal.
20. In December 2025, Council resolved that the City work with Inner West Council to align approaches for King Street, Newtown. City staff are continuing this collaboration, and a detailed recommendation for King Street will be brought to Council at a future meeting.

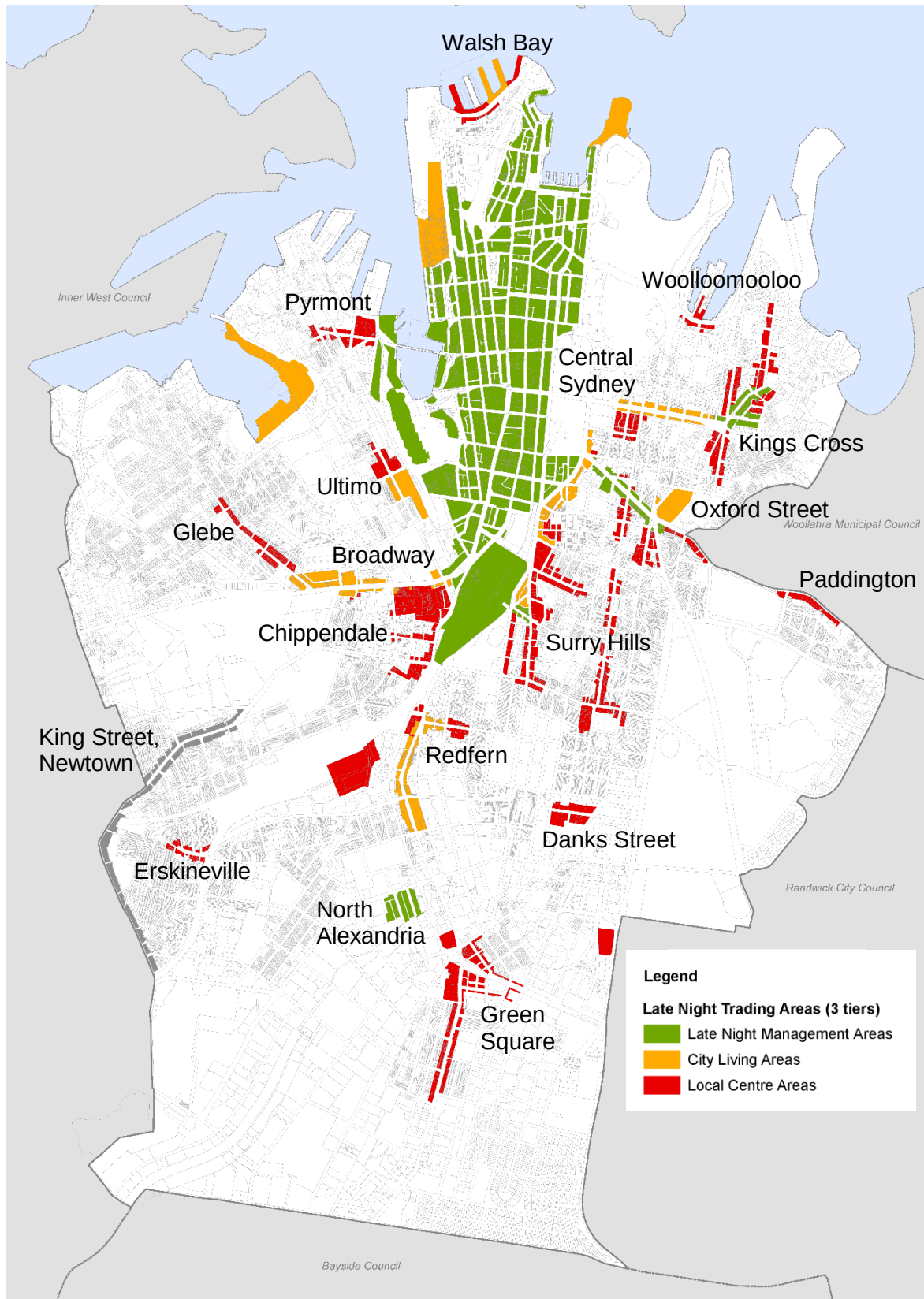
Planning proposal

We're proposing to amend planning controls to designate more than 20 special entertainment precincts.

21. Planning Proposal - Special Entertainment Precincts (the planning proposal) at Attachment A proposes Sydney Local Environmental Plan (LEP) 2012 and Green Square Town Centre LEPs 2013 be amended to designate the areas mapped as special entertainment precincts.

22. Some of the sites within the proposed precincts are not subject to Sydney LEP 2012. Instead, the Minister is the consent authority, and they are subject to State Environmental Planning Policy (SEPP) (Precincts—Eastern Harbour City) 2021.
23. NSW Government's *Special Entertainment Precinct Guideline* states that the Minister for Planning and Public Spaces may designate a special entertainment precinct, “where the relevant council has endorsed the establishment of a SEP on land where the Minister is the consent authority and the council's LEP does not apply.”
24. The planning proposal requests that the Minister amend the SEPP to establish special entertainment precincts in state government areas including Darling Harbour, the new Fish Markets, Barangaroo, Walsh Bay and The Rocks.
25. This report recommends the planning proposal to designate special entertainment precincts be approved to commence the process to amend the LEPs and SEPP by seeking a Gateway Determination and carrying out public authority consultation and public exhibition.

Figure 1: Proposed special entertainment precincts



Special entertainment precincts management plan

26. The Act requires the preparation of a Precinct Management Plan for special entertainment precincts. The Special Entertainment Precincts Management Plan (the plan) at Attachment C ensures the precincts are well run by setting sound limits, trading hours and a governance framework.

The acoustic study provides a robust evidence-base to tailor sounds levels to different neighbourhoods

27. The Special Entertainment Precincts Acoustic Technical Report (the acoustic study) at Attachment D was undertaken by acoustic specialists Acoustic Studio from September 2025 to February 2026.
28. A robust understanding of existing sound levels was established by mapping more than 650 data points, using a mix of publicly available acoustic reports, spot sample measurements, long term monitoring and short term attended tests.
29. While most of the sound testing was undertaken between September and November 2025, further testing was carried out in January 2026 to understand peak levels and account for seasonal variation.
30. This work has resulted in the sound plan in the Draft Special Entertainment Precincts Management Plan (the plan) shown at Attachment C.

The plan sets maximum sound levels for venues in a special entertainment precinct

31. The sound plan will be used in the regulation of entertainment sound from licensed and unlicensed venues in special entertainment precincts. Entertainment sound includes live music, entertainment (for example trivia or karaoke) and patron noise from a venue, emanating from either indoor and outdoor activity (for example footpath dining, rooftops, or beer gardens).
32. The sound plan does not apply to other types of sound, such as mechanical ventilation, construction or waste management (for example glass crushing), nor events in public space or busking.
33. The sound plan sets criteria which are:
- (a) Fixed - so the venues and regulators do not need to conduct their own background noise monitoring to establish the applicable criteria;
 - (b) Measurable - without requiring subjective evaluation, so the assessment outcome will not be ambiguous or disputable; and
 - (c) Easily applicable - with nearly all criteria defined externally and only one set of criteria per receiver, so the assessment procedure is as straightforward as possible.
34. The criteria are determined based on existing background sound levels, recognising that sound is felt differently in louder areas compared with quieter ones. The sound plan establishes 4 sound category areas from SCA1 in the loudest areas to SCA4 in the quietest areas, each with different sound criteria.

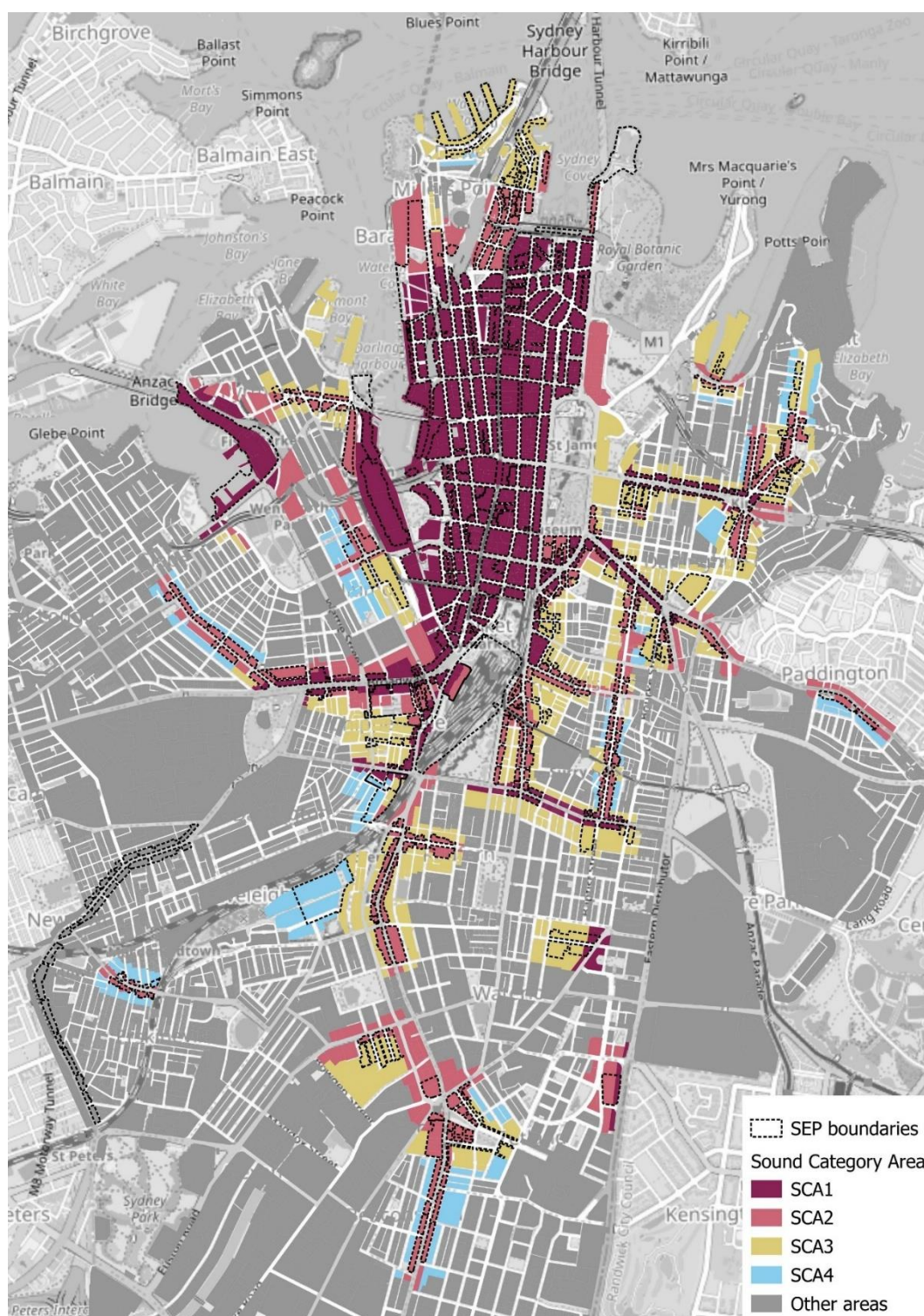


Figure 2: Proposed sound category areas (SCAs) in the precinct management plan

35. This gives venues more operational certainty.

36. Sound limits change across 3 daily time periods:
 - (a) day and evening (7am to 10pm) – more flexible to support entertainment
 - (b) early night (10pm to midnight) – a transition period
 - (c) late night (midnight to 7am) – stricter sound criteria to protect residential amenity.
37. The sound plan allows outdoor dining to flourish by not applying sound limits to normal patron sound outdoors before 10pm.
38. In quieter neighbourhoods (SCA3–4), the late-night sound limits are equivalent to our previous policy and are set to aim for inaudibility inside homes. This protects residents in these more sensitive areas.
39. In busier, higher-activity areas (SCA1–2), the late-night limits are set slightly higher, but still at a level that supports good nighttime amenity and sleep. This gives venues in these vibrant areas more room to operate compared with the previous policy.
40. Internal sound criteria only apply in situations where external criteria are not applicable, for example when sound is travelling through the structure of the building or where the source of sound is above ground (for example a rooftop). Internal criteria are designed to equate to external criteria and vary according to time and sound category area.
41. The criteria either maintain or increase sound allowances for venues. This is consistent with NSW Government's *Special Entertainment Precinct Guideline* which advises that the sound management framework should not disadvantage or restrict the sound conditions of existing venues.
42. As the regulator for entertainment sound from licensed premises, L&GNSW have been consulted on the draft sound plan and have not raised any concerns.

The plan makes it easier to trade later without the need for a development application.

43. The plan provides blanket approval for special entertainment precinct trading hours.
44. Consistent with Sydney DCP 2012, the trading hours are tailored to the precinct and the likely impact of different types of venues, through our 3 late-night trading tiers and 3 business categories.
45. Where licensed venues provide live music, they can operate later. We're unlocking access to L&GNSW incentives, which reward venues that bring cultural life to our city.
46. Businesses can still apply to trade beyond special entertainment precinct hours on a trial basis.

To ensure the special entertainment precincts foster vibrant, safe, and diverse nightlife, we've established clear governance supported by regular monitoring and evaluation.

47. The City's Nightlife and Creative Industries Advisory Panel also serves as the special entertainment precincts working group (the working group). The working group draws on ongoing engagement with business chambers, precinct groups and the City's Business, Creative and Nightlife Concierge to ensure the framework remains responsive to local conditions and community expectations.
48. A formal process enables the working group to make recommendations to Council where changes to a precinct are required. In exceptional circumstances, this includes recommending the suspension or revocation of a precinct if significant and ongoing issues cannot be resolved through existing compliance mechanisms.
49. A monitoring and evaluation framework underpins the plan. It articulates the objectives and outcomes to track progress and identify any unintended impacts. This will enable City staff and the working group to assess whether the precincts are delivering their intended economic, cultural and community benefits.
50. In line with the *NSW Government Special Entertainment Precinct Guideline*, NSW Police and councils adjacent to our Precincts (Woollahra, Randwick and Inner west Council) have been consulted on our draft Precincts Management Plan.

Proposed changes since the discussion paper

We're proposing to upgrade the tier of 5 precincts so they can trade later

51. The DCP currently has 3 tiers of late night trading area, each with their own trading hours:
 - (a) Late night management (green on map) - midnight base (no approval) or 24 hour extended (with approval)
 - (b) City Living (yellow on map) - 11pm base, 5am extended
 - (c) Local centre (red on map) - 10pm base, midnight extended
52. In March 2025 Council resolved that we investigate and, where suitable, prepare draft planning controls for consideration by Council that upgrade the late-night trading tier of 6 areas. Two further areas were added to the review through consultation at the Lord Mayor's Business Chamber Roundtable.
53. A comprehensive review was undertaken to assess whether these areas should be reclassified to better support their existing and emerging nighttime role. The review considered land use data, venue density, planning controls, the City's Cultural and Economic Development Strategies, site visits, acoustic data, transport accessibility, compliance history and feedback from the Nightlife and Creative Industries Advisory Panel and key business chambers and precinct collectives.

54. The Draft Development Control Plan (the draft DCP) at Attachment B proposes that 5 precincts are upgraded in tier:
- (a) **Oxford Street and Flinders Street, Darlinghurst** - Proposed upgrade of blocks framing Taylor Square to late night management tier responding to the precinct's established LGBTIQA+ nightlife role, strong venue cluster and stakeholder feedback. National Arts School, Qtopia and Darlinghurst Courthouse are added as second-tier City Living, framing Taylor Square to the north while also providing a transition to adjacent residential neighbourhoods.
 - (b) Oxford Street and Taylor Square remain a focal point for night-time activity with intensity tapering to the east.
For Flinders Street, it is proposed to upgrade the commercial frontages on Taylor Square to late night management and retain local centre south of Patterson Lane where uses are more residential. This balances proximity to Oxford Street with the residential character further south.



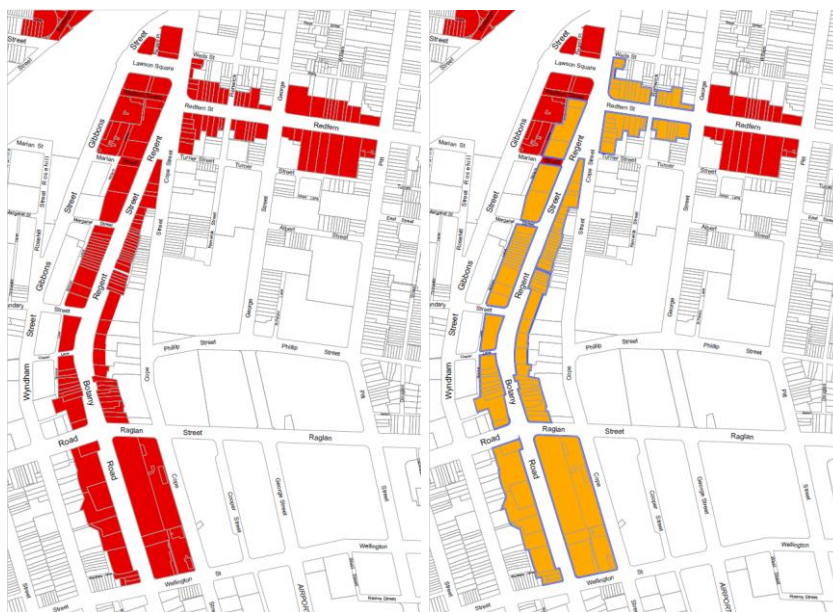
Figure 3: Current (left) compared to proposed (right) showing upgrade and additions to Oxford Street, Darlinghurst

- (c) **The Rocks** - Proposed upgrade of the local centre area to late night management to provide consistent hours across a major visitor destination with a strong pub/restaurant offer, regular events and good late-night access.
- (d) **Walsh Bay** - Proposed upgrade of the two wharves to city living tier to support an “after-show” offer in a nationally significant performing arts hub with reasonable late-night transport options. City living hours are in line with those approved in this area for annual events, such as Sydney Festival. This supports the vision for the area as an arts precinct and destination, while recognising adjacent residential and heritage constraints.



Figure 4: Current (left) compared to proposed (right) showing upgrade of part of Walsh Bay and The Rocks

- (e) **Redfern and Waterloo** - Proposed upgrade of Regent Street/Botany Road and part of Redfern Street (between Regent Street and George Street) to city living tier to unlock a growing cluster currently constrained by midnight trading. Strong late-night public transport access and higher background sound levels support the uplift.



Legend

Late Night Trading Areas (3 tiers)

■ Late Night Management Areas

■ City Living Areas

■ Local Centre Areas

□ Proposed amendments

Figure 5: Current (left) compared to proposed (right) showing upgrade of part of Redfern and Waterloo

- (f) **Hollywood Quarter, Surry Hills** - Proposed upgrade of Campbell and Foster Streets to city living area in recognition of a well-established night-time cluster adjacent to Central Station, where midnight trading is potentially limiting growth. Reservoir Street remains local centre given its more mixed character.

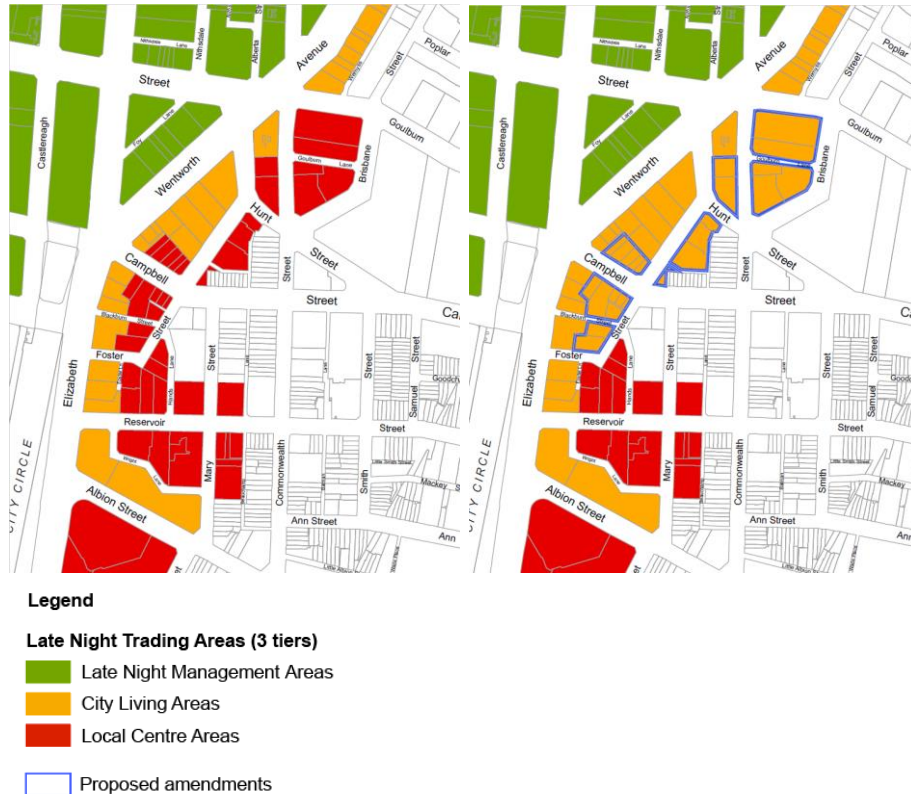


Figure 6: Current (left) compared to proposed (right) showing upgrade of part of Hollywood Quarter, Surry Hills

55. No change is proposed for **William Street, Darlinghurst**. It is recommended to retain its city living designation. The corridor has a lower density of venues which are already supported by 5am extended hours, with limited uptake to date.
56. There is no recommendation for **King Street, Newtown** and a recommendation will be made in a later report following the City's work with Inner West Council on an aligned approach.

We're proposing new and expanded precincts in Ultimo and Chippendale

57. In November 2025, Council resolved that we would investigate the inclusion of The Chippo and The Rose Hotel as part of our special entertainment precincts in Chippendale.
58. We're proposing to expand the late night trading areas and special entertainment precincts in Knox and Grafton Streets near Broadway and Meagher Street, Chippendale. These 2 extensions reflect how people already use these local centres.

59. The first extension recognises that Knox Bar, Zigi's Wine bar and The Hub Studio already contribute to a local centre with venues on Broadway, providing a transition point to adjacent residential neighbourhoods.
60. The extension along Meagher Street includes two existing venues (The Chipppo and Sneaky Possum) which already provide live music and trade late. This area also includes several vacant commercial units, 2 galleries and a co-working space, which could in future contribute to the evening offer.
61. Local centre designation supports evening and early night activity in these mixed use centres, while managing impacts given the close relationship to residential neighbourhoods.
62. The Rose Hotel is within an R1 zoned residential neighbourhood rather than a mixed use centre or employment centre. While The Rose Hotel is a valued neighbourhood pub, on balance it is not positioned within a cluster or emerging cluster and therefore is not proposed for inclusion as a special entertainment precinct.



Figure 7: Current (left) compared to proposed (right) showing extension of Chippendale special entertainment precincts

63. A new special entertainment precinct is proposed for **Harris Street, Ultimo** where new planning controls support renewal and more active ground-floor uses. The precinct's proximity to the Powerhouse, the Goods Line and Darling Square positions it as an emerging cultural hub, with good late-night access via the light rail and future Metro. The special entertainment precinct designation would help support its evolution as a neighbourhood hub and cultural destination.



Figure 8: Current (left) compared to proposed (right) showing a new special entertainment precinct - Harris Street, Ultimo

The draft DCP also includes the proposed addition of venues and sites which sit on the boundary of our late night trading areas / special entertainment precincts. Some of these sites already contribute to late night precincts and others have the potential to do so in the future:

- (a) Late night management - Aura, 16 Flinders Street, Darlinghurst
- (b) City living - Qtopia, 301 Forbes Street, Darlinghurst
- (c) City living - National Arts School, 156 Forbes Street, Darlinghurst
- (d) City living - Darlinghurst Courthouse, 138 Oxford Street, Darlinghurst
- (e) Local centre - Paddington Town Hall, 249 Oxford Street, Paddington
- (f) Local centre - The Eveleigh Hotel, 158 Abercrombie Street, Redfern
- (g) Local centre - Soho House, 256 Crown Street, Darlinghurst (approved DA)
- (h) Local centre - 1-27 Murray Street, 2 Edward Street and 60 Union Street, Pyrmont (new planning controls anticipate ground floor activation)
- (i) Local centre - 102 Pyrmont Street and 69-71 Edward Street, Pyrmont (new planning controls anticipate ground floor activation)

Neighbourhood pubs still play an important role in Sydney's cultural life

64. Sydney has over 300 pubs/hotels in our local area. Many of these are standalone pubs in residential neighbourhoods. These pubs, aptly short for 'public house', serve their local communities and attract visitors alike. Many put on live music and performance. They are a key part of the social and cultural fabric of the area.
65. Our approach to special entertainment precincts is precinct-focused, considering clusters and potential clusters of late trading businesses and cultural activity. These precincts are strategically located in areas well supported by infrastructure and transport, ensuring a safe and vibrant nightlife.
66. Standalone neighbourhood pubs, for example The Rose Hotel, are not part of our special entertainment precincts, but their role and value are not diminished:
 - (a) Most have long-standing consents for trading hours beyond those available in special entertainment precincts.
 - (b) Requests for trading hour extensions in R1 residential areas are best managed through the development assessment process, in consultation with the community. This allows for proper consideration of their specific context. Our planners often work with applicants to reach bespoke conditions.
 - (c) They already have access to Liquor & Gaming NSW's incentives if they register as a dedicated venue, including:
 - (i) 80% off their liquor licence fees
 - (ii) an extra 2 hours' trading on the night of a performance

We're proposing to refine section 3.15 of Sydney DCP 2012 Late night trading to align with special entertainment precincts

67. Amendments are proposed to align the DCP with the special entertainment precincts proposal and to improve clarity.
 - (a) **Amendments to 3.15 and 3.15.4 Trading hours and trial periods:** These amendments clarify the relationship between special entertainment precincts under the LEP and the trading hours framework in the Late Night Trading DCP. Within special entertainment precincts, venues may trade within the hours set out in the precinct management plan without further approval, including incentive hours for live music and performance.

The DCP and precinct management plan share the same three tiers of trading areas and business categories, and base hours generally align - meaning venues in a special entertainment precinct often do not require approval for base hours.

Extended hours, however, continue to require DA approval, are issued on a trial basis, and may include an additional hour for performance, creative or cultural uses. Applicants must demonstrate responsible operations and outline how potential impacts will be managed.
 - (b) **Refinement of Category A, B and C definitions:** Updates are proposed to improve clarity and support consistent interpretation.

- (c) **Deletion of preamble and provisions that are not needed for assessment:** This includes removing redundant or duplicate material in:
 - (i) 3.15 Late night trading management - preamble
 - (ii) 3.15.1 Provision (1)
 - (iii) 3.15.3 Matters for consideration - preamble
 - (iv) 3.15.5 Plans of management requirements - preamble
 - (v) 3.15.5.1 Preparation - preamble (duplicate of Schedule 3 Late night trading)
 - (vi) 3.15.5.2 Monitoring and review - preamble
- (d) **Amending base opening hours in local centre areas:** Opening times are proposed to change from 9 am to 7 am to align with the Codes SEPP which already allows premises to trade from 7am in employment and mixed-use zones.
- (e) **Amending the extended opening hours:** Allowing extended indoor trading for Category B and C premises to begin at 6 am instead of 7 am, recognising demand from early-opening venues such as cafés. These hours will remain subject to DA assessment.
- (f) **Renaming trading incentives to avoid confusion with Liquor & Gaming NSW:** The existing DCP incentives - “additional hours for dedicated performance venues” and “additional operating hours for venues including performance” will be renamed to distinguish them from state live music and performance incentives contained in the precinct management plan. L&GNSW hours are added to base hours and are unlocked through the precincts management plan without further approval. The DCP additional hours on top of extended hours and must be applied for.
- (g) **Deletion of Schedule 3.1 Late Night Trading Area Character Statements:** For clarity and simplicity.
- (h) **Amending Schedule 3.1 Plan of management requirements:** To remove matters that fall outside the City’s regulatory role or would not influence assessment outcomes, thereby reducing unnecessary administrative burden on applicants

We're proposing to amend section 3.18 of Sydney DCP 2012 Entertainment sound to align with the new sound plan

68. The Entertainment Sound DCP was adopted in March 2025 and includes sound management requirements for new residential developments that may be exposed to entertainment sound, as well as for new or significantly altered entertainment venues.

69. The following amendments are proposed to align the Entertainment Sound DCP with the findings of the acoustic technical report at Attachment D.

- (a) **Aligning venue design requirements with fixed sound limits:** Under the current DCP, venues generating entertainment sound must demonstrate at DA stage that their physical noise attenuation can meet relative sound criteria. This requires acoustic consultants to measure existing background sound levels and apply the decibel limits in the controls (for example background + 5 dB).

The precincts management plan at Attachment C establishes fixed maximum sound levels (for example 60dBA). To ensure consistency, we propose amending the DCP so that new or substantially altered venues are designed to meet these fixed permissible sound levels. This will align design standards with operational requirements and, in many cases, remove the need for background sound testing at DA stage, reducing costs and administrative burden.

The relative criteria remain relevant for new or substantially changed venues outside of a special entertainment precinct.

- (b) **Aligning residential design requirements with new sound limits:** Under the current DCP, new residential development in certain locations must engage acoustic consultants to measure existing entertainment sound levels and demonstrate the required attenuation to meet internal criteria. Where existing sound levels are very low, a minimum design level applies to ensure reasonable future nightlife can be accommodated. For consistency, we propose allowing applicants to either undertake site-specific testing or rely on the maximum external sound levels set out in the precinct management plan. This approach aligns design standards with operational requirements and reduces the need for acoustic testing at DA stage.
- (c) **Updating where residential acoustic requirements apply:** Under the current DCP, new residential development must demonstrate that it can achieve the required sound attenuation levels. These controls apply within and adjacent to late night management areas (within 50 metres) and within 150 metres of existing entertainment venues, helping to ensure new homes do not constrain established nightlife activity.

With special entertainment precincts now introducing fixed operational sound limits, venues in these areas will have greater certainty and clearer parameters for managing sound. Accordingly, we propose reducing the residential assessment radius around venues in special entertainment precincts from 150 metres to 50 metres, given the precinct sound plan already provides strong protections for ongoing operations and residents.

Conversely, to support future nightlife growth, we propose extending acoustic design requirements to residential development in and within 50 metres of our second-tier city living areas. This will improve acoustic performance and ensure these areas can evolve sustainably as mixed-use neighbourhoods.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

70. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This special entertainment management proposal is aligned with the following strategic directions and objectives:
- (a) Direction 1 - Responsible governance and stewardship - The special entertainment precincts proposal demonstrates responsible governance through a clear management plan, regular oversight by the City's Nightlife and Creative Industries Advisory Panel (working group), and an established monitoring and evaluation framework with defined indicators to track success, identify unintended impacts, and enable the Panel to recommend changes to Council if required.
 - (b) Direction 7 - Resilient and diverse communities - The City's proposed special entertainment precincts support resilient and diverse communities by designating all late-night trading areas within the local area as entertainment precincts. This ensures a wide distribution of venues, promoting diversity in late night activities, entertainment offerings and locations all over the local area, rather than concentrating activity and benefits to a few areas to a select group of venues.
 - (c) Direction 8 - A thriving cultural life - The proposed special entertainment precincts encourage more live music, performance and culture by unlocking access to L&GNSW incentives which reward venues that bring cultural life to our city.
 - (d) Direction 9 - A transformed and innovative economy - The proposed special entertainment precincts support growth in the night time economy by reducing red tape for businesses to trade later and providing more operational certainty.

Risks

71. The special entertainment precincts proposal has been informed by a risk assessment and aligns with the City's risk appetite by supporting innovation while putting strong safeguards in place.
72. Key risks relating to sound, safety and amenity - areas where the City has a low tolerance for harm - are managed through the precinct management plan and our monitoring and evaluation framework. The sound plan is supported by a robust study by qualified acoustic consultants to ensure residential amenity is safeguarded and environmental impact is managed.

73. Reputational risks have been mitigated through early engagement on the discussion paper, which demonstrated strong community support for the proposal. Further engagement has been undertaken with the Nightlife and Creative Industries Panel and key precinct groups to test proposed changes. If endorsed, the next step would be public consultation, giving a further opportunity for community feedback and refinement.

Financial Implications

74. Additional resourcing required for public consultation will be planned for as part of next year's budget.

Relevant Legislation

75. Environmental Planning and Assessment Act 1979.
76. Environmental Planning and Assessment Regulation 2021.
77. Liquor Act 2007.
78. Liquor Regulation 2018.
79. Local Government Act 1993.

Time Frames

80. If approved by Council, the implementation of special entertainment precincts will follow the below approximate time frame:
- (a) Finalisation of LEP and DCP post-exhibition, start of 1-year trial (Q4 2026)
 - (b) SEPs rescinded, amended or made permanent following trial (Q4 2027)

Public Consultation

81. If approved, the planning proposal will be sent to Department of Planning, Housing and Infrastructure with a request for Gateway Determination to allow public exhibition.
82. The public consultation process for the planning proposal will be subject to the conditions of the Gateway Determination issued by the Department of Planning, Housing and Infrastructure.

83. We recognise the important role that businesses play in the success of special entertainment precincts. We plan to deliver targeted business engagement, including developing a digital tool to help businesses identify their trading and sound settings.
84. The planning proposal, draft DCP and draft precinct management plan will be exhibited together, in accordance with the City of Sydney Community Participation Plan. Feedback will be sought from businesses, landowners, residents and the wider community.

GRAHAM JAHN AM

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