

## Relevant Information for Council

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**FILE:** X119331 **DATE:** 19 March 2026

**TO:** Lord Mayor and Councillors

**FROM:** Graham Jahn AM, Chief Planner / Executive Director City Planning, Development and Transport

**SUBJECT:** Information Relevant To Item 9.3 – Public Exhibition - Planning Proposal - Special Entertainment Precincts - Sydney Local Environment Plan 2012, Sydney Development Control Plan 2012 Amendment and Precincts Management Plan

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### For Noting

This memo is for the information of the Lord Mayor and Councillors.

### Purpose

To provide Council with additional information.

### Background

At the meeting of the Transport, Heritage and Planning Committee on 16 March 2026, further information was sought on the following matters.

#### **Why are our sound criteria lower than those in NSW Government Special Entertainment Precinct Acoustic Toolkit?**

The Special Entertainment Precinct (SEP) framework is designed for councils to set sound levels that are appropriate for their local context. The Acoustic Toolkit provides general information about how to understand entertainment sound criteria and includes example criteria for reference only. The Toolkit strongly recommends Councils seek specialised advice to ensure criteria suit the context of local precincts.

In line with the Toolkit guidance, our criteria are calibrated to real world background and ambient sound levels, and account for existing levels of sound from businesses to ensure businesses are not disadvantaged. In addition, the criteria has been developed with bespoke approaches not in the Toolkit including exemptions for patron noise in outdoor dining before 10pm and permit more sound in commercial areas with different criteria for non-residential receivers (for example +10dB commercial and +8dB hotel).

The sound plan balances support for live music and a vibrant night time economy, while ensuring the City remains a great place to live for a wide range of people. The acoustic consultants have tested types of nightlife activity would be enabled under our criteria.

By contrast, the Toolkit does not publish the acoustic report or assumptions underpinning its example criteria (for example, the assumed background noise levels or building acoustic performance). Notably, the Toolkit draws on Fortitude Valley, Brisbane, a former industrial area without existing sensitive uses and therefore not comparable to most of the City of Sydney LGA, where almost all residential uses exist and are well established.

For these reasons, our criteria reflect local evidence, protect amenity, and continue to enable night time activity in a way that is tailored to our mixed-use urban context.

### **Advice on potential changes to sound criteria**

Our proposed criteria balance support for live music and a vibrant night time economy with the need to maintain reasonable residential amenity.

This is best achieved by setting sound levels relative to the existing background and ambient sound levels. Higher background levels in certain areas, such as main streets, allow venues to operate more loudly without impacting residents.

The weekend criteria proposed for Sound Category Area 1 (SCA1) (covering the loudest precincts such as Central Sydney) reflects observed higher background levels compared to the week, rather than a general acceptance of higher sound impacts.

Because a venue may sit in one Sound Category Area (SCA) and the nearest affected receiver in another, we recommend maintaining a consistent method for deriving criteria across all SCAs where possible to ensure clarity and fairness for operators and residents.

In response to the request from Committee, below is advice from our acoustic consultants on the questions of:

- Considering more lenient weekend sound criteria
- Moving to a 'reasonable amenity' approach for SCA3 and SCA4
- Extending the outdoor dining sound criteria exemption from 10pm to midnight on the weekend

For context, sound perception varies greatly from person to person, so it is difficult to describe the specific impact an increase may have, however, generally:

- 1 dB increase is barely perceptible.
- 2-3 dB increase is perceptible.
- 10 dB increase is experienced as roughly a doubling of loudness

- 'Inaudible' is also subjective

### ***Considering more lenient weekend sound criteria in all SCAs - Day and evening (7am to 10pm)***

Generally, daytime background and ambient sound levels are lower on the weekend than during the week. Despite that, there may be higher tolerance for sound during the weekend, noting fewer people are working or studying in their workplace or at home.

The alternative criteria in Attachment A move from background + 8dB to background +10dB on the weekends. This represents a relatively small increase in terms of impact but presents more flexibility for venue operators, and the impacts during those times are likely to be acceptable for most residents.

If this option is preferred, our consultants would not recommend going beyond background +10dB as levels above this point begin to exceed typical ambient sound (background sound plus intermittent sounds) and become more difficult to manage, particularly in certain contexts.

### ***Considering more lenient weekend sound criteria in all SCAs - Early night (10pm to midnight)***

Background and ambient levels during early night are generally the same on weekends and weekdays (with the exception of SCA1).

This period represents the peak trading time for hospitality and entertainment venues. There may be higher tolerance to sound during the weekend.

The alternative criteria in Attachment A include an increase in the weekend early-night criteria, which will be equivalent to increasing from background +5dB to background +8dB. While the acoustic data supports this increase only for SCA1, applying it across all SCAs could be justified on broader policy grounds, including residents' capacity to sleep in on weekends and the provision of lower "respite night" thresholds during the week.

Background +5dB aligns with the City's existing development consent conditions, and increasing to +8dB represents a modest and manageable adjustment that could support business activity without creating unreasonable amenity impacts. However, the 10pm–midnight period is also when many residents begin preparing for or attempting sleep, and for this reason any increase beyond +8dB is not recommended.

### ***Considering a 'reasonable amenity' approach for SCA3 and SCA4 (midnight to 7am)***

The alternative criteria in Attachment A includes a change for SCA3 and SCA4 from a 'generally inaudible' approach to a 'reasonable amenity' approach for both weekdays and weekends, across all time periods, consistent with the Technical Acoustic Report.

The 'reasonable amenity' criterion is designed to protect sleep for most people, whereas 'generally inaudible' aims for levels that most people will not hear most of the time.

This shift equates to an increase of approximately 3 dB, with larger differences in some octave bands (for example, up to 13 dB at 125 Hz) due to the differing shapes of the threshold-of-hearing curve and the Defra curve. Further detail on this approach is provided in the Technical Acoustic Report.

Overall, the change provides modest additional capacity for venues to make sound after midnight while still maintaining a reasonable level of protection for residential amenity.

### ***Considering more lenient weekend sound criteria in SCA1 - Late night (midnight to 7am)***

Going beyond the 'reasonable amenity' criteria on weekends would only be supported in SCA1, where existing ambient levels are substantially higher than the relevant background levels.

In SCA1, the current criteria are already more relaxed in the low-frequency bands than in other SCAs (background -3 rather than background -6 for 'reasonable amenity'). Because measured ambient levels in this area sit well above the background level, the consultants advise that a further increase of 2 dB in the late-night dB and 63–250 Hz criteria on weekends would be acceptable. However, no increase is recommended at 31.5 Hz and no increases beyond the 'reasonable amenity' approach are supported for any other SCA due to the lower ambient levels and health impacts of sleep disturbance.

The staff's recommendation is to exhibit the sound criteria unchanged.

### **Extending the outdoor patron sound exemption on weekends (10pm to midnight)**

It is not recommended that the existing exemption for outdoor patron noise (7am–10pm) be extended to midnight on weekends. However, as described above, the sound criteria could be increased on weekends which helps support outdoor dining.

The greatest amenity risk arises for residences located close to outdoor dining areas, particularly older buildings with single-glazed or timber sash windows that offer minimal acoustic attenuation.

Unlike an increase in criteria, an exemption represents an unknown level of impact. Noise from outdoor patrons - especially later in the evening when alcohol consumption increases - can be highly variable and may cause significant impacts. While research varies on when "standard" sleep periods begin, a number of public-policy benchmarks in Sydney, including the Sydney Airport curfew (11pm–6am), recognise the late-evening period as sensitive for residential amenity.

In SEPs, outdoor dining will benefit from automatic approval to 10pm in all three tiers, with businesses able to apply through a development application or footway approval to trade outdoors until midnight in City Living areas and 1am in Late Night Management Areas. These later hours can continue to operate where sound criteria are met (for example where reasonable separation exists rather than residential receivers directly overlooking or adjoining outdoor dining areas).

Recent community feedback from the Outdoor Dining Guidelines consultation also highlighted concerns about more noise from expanded outdoor dining across our city.

For these reasons, extending the exemption for outdoor patron noise to midnight on weekends is not recommended.

### **Entertainment Sound Management Maps**

The Entertainment Sound Management DCP maps identify areas close to performances venues in which a development must attenuate against the existing sound from the venue.

The maps shown at Attachment B2 to the Committee report are included to show consequent changes to the Late Night Trading DCP and the application of SEP sound criteria.

The update is not a review of the venues covered by this existing section of the DCP.

Individual venues were originally identified according to their historical and current live music and performance offering. Not all pubs in the local area were included.

**How many late-night venues have taken up additional hours in the 24-hour precinct in Alexandria?**

The following night trading venues operate in North Alexandria:

- 2 Halfs Brewing & Distilling - Trades until 10pm Friday and Saturday
- Bar No. 5/The Spice Plantation - Trades until 9pm
- Kiss My Axe - Trades until 10pm
- Blackwattle Brewery - Trades until midnight Friday and Saturday

Bracket Brewing was previously operating in the area but has relocated to Marrickville.

**Provide the rationale for the inclusion of Meagher Street, Chippendale and consideration of the day/night balance in this area**

In November 2025, Council unanimously endorsed a motion requesting staff to investigate establishing or extending a special entertainment precinct (SEP) to include The Chipppo Hotel and The Rose Hotel. This motion followed a community petition advocating for their inclusion.

City staff undertook a review of the area including considering land use data, venue density, planning controls, the City's Cultural and Economic Development Strategies, site visits, acoustic data, transport accessibility and compliance history. This assessment considered both the merits and potential negative impacts of a SEP, as well as which of the 3 SEP tiers, if any, would be appropriate.

This section of Meagher and Abercrombie Street is a mixed-use cluster comprising existing live music venues, commercial units and creative spaces. On this basis, the area has been considered for Local Centre designation, which is the lowest SEP tier and specifically designed to support evening and early-night activity for local communities while managing close relationships with neighbouring residential properties.

Speakers at Council's public forum were concerned the SEP would automatically permit trading to 2 am in this area. This is incorrect. Local centre hours are modest:

- Category A (more than 120 patrons): base 10 pm, extended to midnight for live music
- Category B (less than 120 patrons): base 11 pm, extended to 1 am for live music

Local Centre hours do not allow The Chipppo to trade any later than their existing approval

Sound criteria would manage impacts on nearby residents. A SEP does not remove obligations on venues and we still expect operators to take measures to manage their impacts on neighbours, for example closing windows and doors after 10 pm.

Extending the SEP along Meagher Street captures two venues that already contribute to the local centre's evening offer - The Chipppo and Sneaky Possum. The area also contains a co-working space and two galleries that periodically host events, as well as 2-3 vacant commercial units that may activate over time. The site of the Judith Neilson Institute for Journalism and Ideas is included.

SEP designation also provides flexibility for day trading businesses, like cafes, who may want to trade later occasionally or on a regular basis, without the cost of going through a development application.

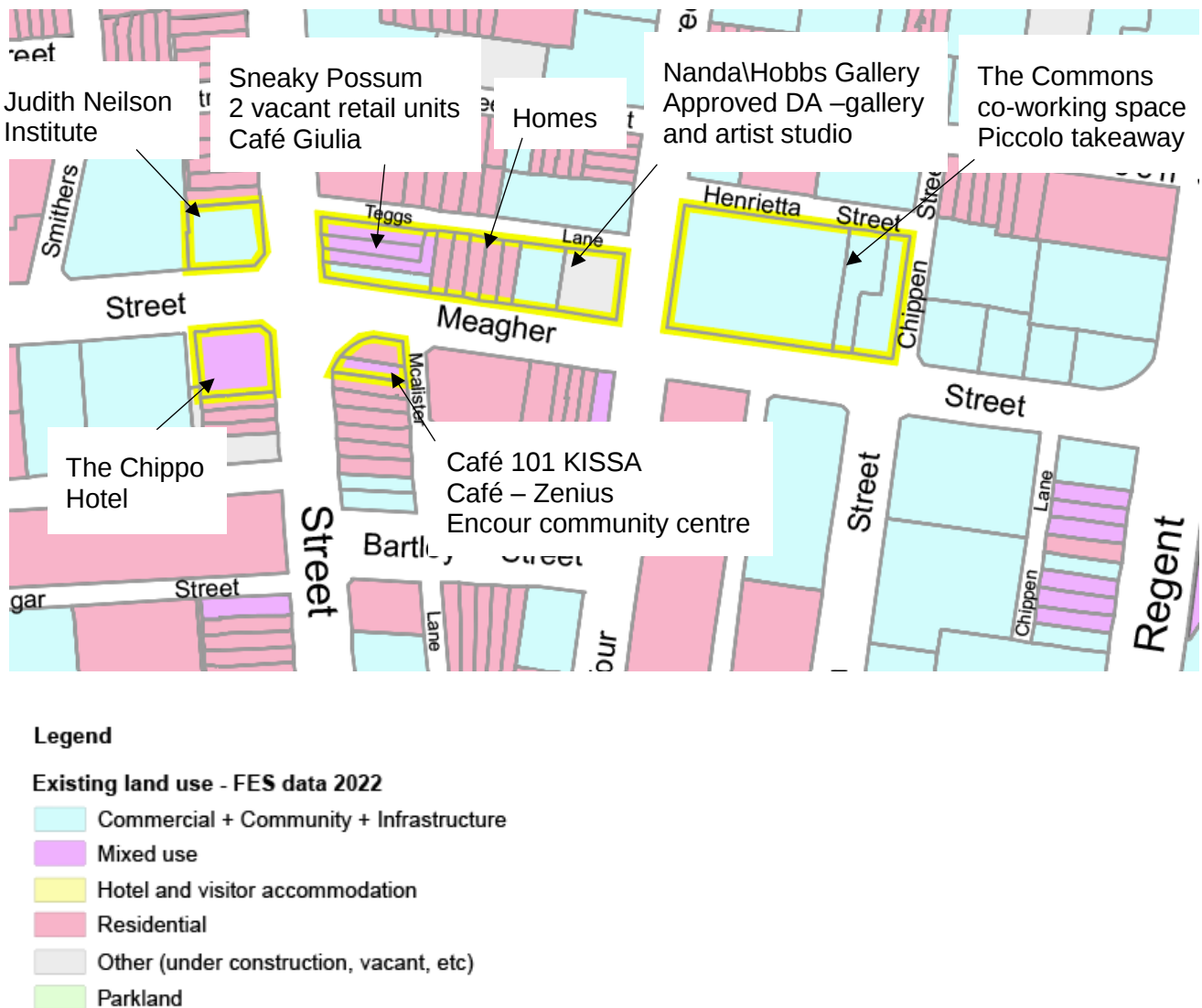


Figure 1: Land uses along Meagher Street, Chippendale

If Council supports the proposed approach, the next step would be public consultation. This would provide an opportunity for us to notify affected residents, businesses and stakeholders of the proposed changes, and to hear from the full spectrum of the community. We would report back to Council with the feedback before a decision is made.

### Explain why The Rose is not proposed for inclusion

By contrast to Meagher Street / Abercrombie Street, The Rose Hotel sits within an R1 zoned residential neighbourhood rather than a mixed-use or employment cluster. While it is a valued neighbourhood venue, it is not part of an existing or emerging cluster and given the surrounding zoning is not in a potential cluster. It is therefore not recommended for inclusion.

Our approach to special entertainment precincts is precinct-focused, considering clusters and potential clusters of late trading businesses and cultural activity. Standalone neighbourhood pubs, like The Rose Hotel, are not part of our special entertainment precincts, but their role and value are not diminished:

- Most have long-standing consents for later trading hours. The Rose is already approved to trade until midnight Monday to Saturday.
- Requests for trading hour extensions in the centre of 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.
- They already have access to Liquor & Gaming NSW's incentives if they register as a dedicated venue, including 80% off their liquor licence fees.



Figure 2: Zoning around The Rose (outlined in red)

### Explain why Vine Street and The Eveleigh are proposed for inclusion

The Vine Street area is a longstanding late night trading area. It was included in the mapping for the special entertainment precinct discussion paper last year.

While it is zoned R1, unlike the Rose, The Eveleigh Hotel sits on the boundary of a long-standing Vine Street late night trading area, is part of a cluster of businesses and is directly adjacent to a mixed use zone.

Relevant to the future context of the Vine Street area, there is a recently proposed State Significant DA for 2-14 Vine Street, 16-30 Vine Street and 32-34 Eveleigh Street (SSD 70066710 - "Hudson Vine Mixed Use Development"). This will involve apartments, commercial units, and basement and ground floor hospitality uses with proposed trading until midnight Thursday to Sunday.

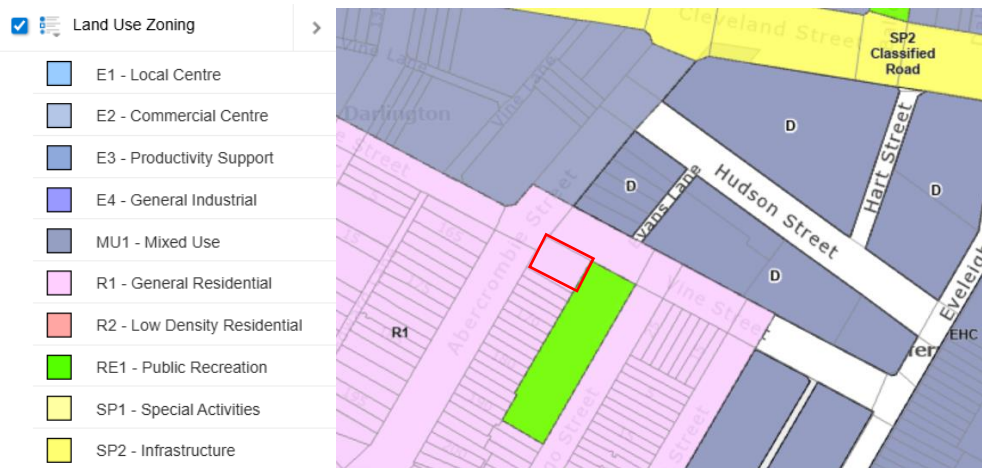


Figure 3 Zoning around The Eveleigh Hotel (outline in red).



Figure 4 Late night trading areas around The Eveleigh Hotel (outline in red)

## Reviewing SEP categories and tiers, and adding new areas

Our late night trading areas were designated in 2007 and comprehensively reviewed in 2019 informed by detailed analysis and extensive public consultation.

In summer 2024/25, we again sought community feedback this time on our proposal to designate all existing late-night trading areas as special entertainment precincts. The discussion paper was publicly exhibited for 8 weeks, and the survey specifically asked whether any areas should be added, removed, upgraded or downgraded. More than 350 submissions were received. All feedback was assessed, and recommended amendments were reported to Council in [March 2025](#).

Following that report, Council resolved to investigate upgrading the late-night trading tier of 6 locations. Additional feedback through the Lord Mayor's Business Chamber Roundtable (August 2025) and a subsequent Council resolution (November 2025) identified 3 more areas for review. City staff have since completed assessments of all 9 locations and the findings are included in the current Council report.

Councillors asked specifically about 2 locations:

- **Universities** – UTS provided a submission to the discussion paper, and an amendment is proposed to capture where they have a late trading venue on campus.

- **Roslyn Street, Ward Avenue and Victoria Street, Potts Point** – These streets are already included in the proposal. Kings Cross is designated as the highest-tier late-night area, stepping down to a local-centre tier as land uses transition away from the commercial core.

Feedback on these streets during the discussion paper consultation was mixed: 7 respondents suggested removing parts of the area, while 4 recommended upgrading sections. No submissions were received from local businesses. On balance, the City considered that the existing settings remain appropriate.

## Role of Community Improvement Districts in SEP Governance

Community Improvement Districts (CIDs) are an emerging governance model in NSW. Within the City's local area, we're aware of a few precinct groups working towards becoming a CID. If these CIDs are established, they will offer an additional platform for coordinated precinct management and business collaboration. However, they will not necessarily overlap or be colocated with a special entertainment precinct.

CIDs are initiated by businesses in an area and cannot be imposed by councils. Where a CID is established following a formal ballot process it will cover all businesses operating in that area and will not be limited to businesses involved in or providing entertainment-based uses.

The creation of a CID requires consultation with local councils and a resolution for the support of a CID following a successful ballot process. Further updates will be provided as any CID proposals in the local government area progress.

The City's special entertainment precincts will continue to closely involve established business and precinct groups, including Purple Flag precincts, Uptown Precincts, local business chambers and associations, and liquor accords. As CIDs formalise, they can be incorporated into this network to strengthen shared communication, coordinated activation, and proactive precinct stewardship.

Our staff maintain strong relationships with these groups by attending meetings and forums to share information, discuss emerging issues and opportunities, and support collaboration between businesses, residents and precinct leaders. We also provide a dedicated Concierge service, giving businesses a single point of contact to raise issues, seek guidance or request support.

Key issues or emerging trends identified through this engagement will be reported to the Nightlife and Creative Industries Advisory Panel, which acts as our precincts working group and provides strategic oversight. Any changes to SEP policy settings ultimately remain a matter for Council.

**Memo from Graham Jahn AM, Chief Planner / Executive Director City Planning,  
Development and Transport**

Prepared by: Laura Dodds-Hebron, Senior Specialist Planner  
Jarrod Booth, Specialist Planner

## **Attachment**

**Attachment A.**      Alternative Sound Criteria - Precincts Management Plan - Special  
Entertainment Precincts

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Approved

A handwritten signature in black ink, appearing to read 'GJAHN', is positioned to the right of the 'Approved' text.

**GRAHAM JAHN AM**

Chief Planner / Executive Director City  
Planning, Development and Transport