

2.26 Special Entertainment Precincts

Application

Section 2.26 applies to land identified as a Sound Category Area in the following maps:



Figure 2.26.1 – Enmore Road Sound Category Area map



Figure 2.26.2 – Dulwich Hill Sound Category Area map

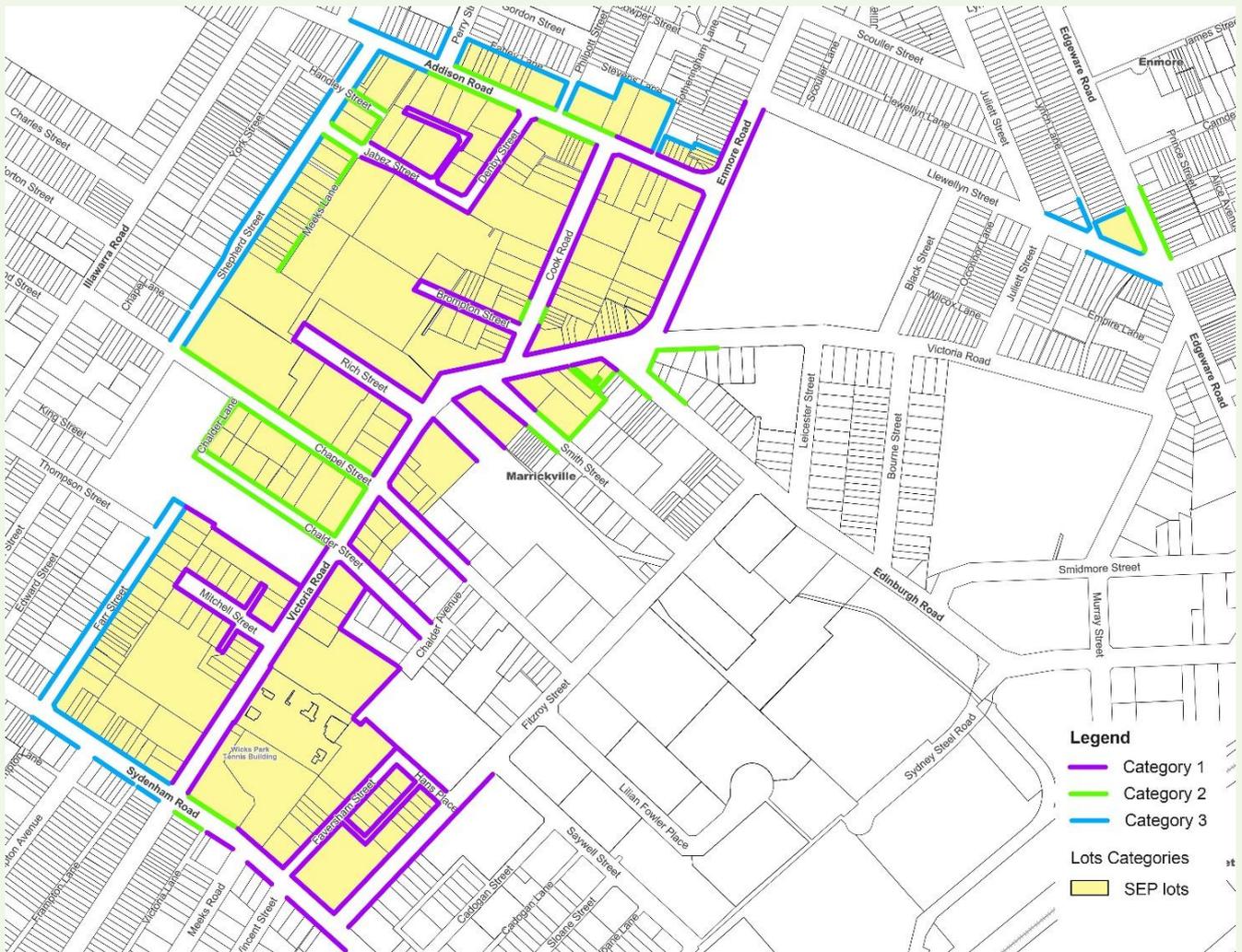


Figure 2.26.3 – Marrickville North Sound Category Area map

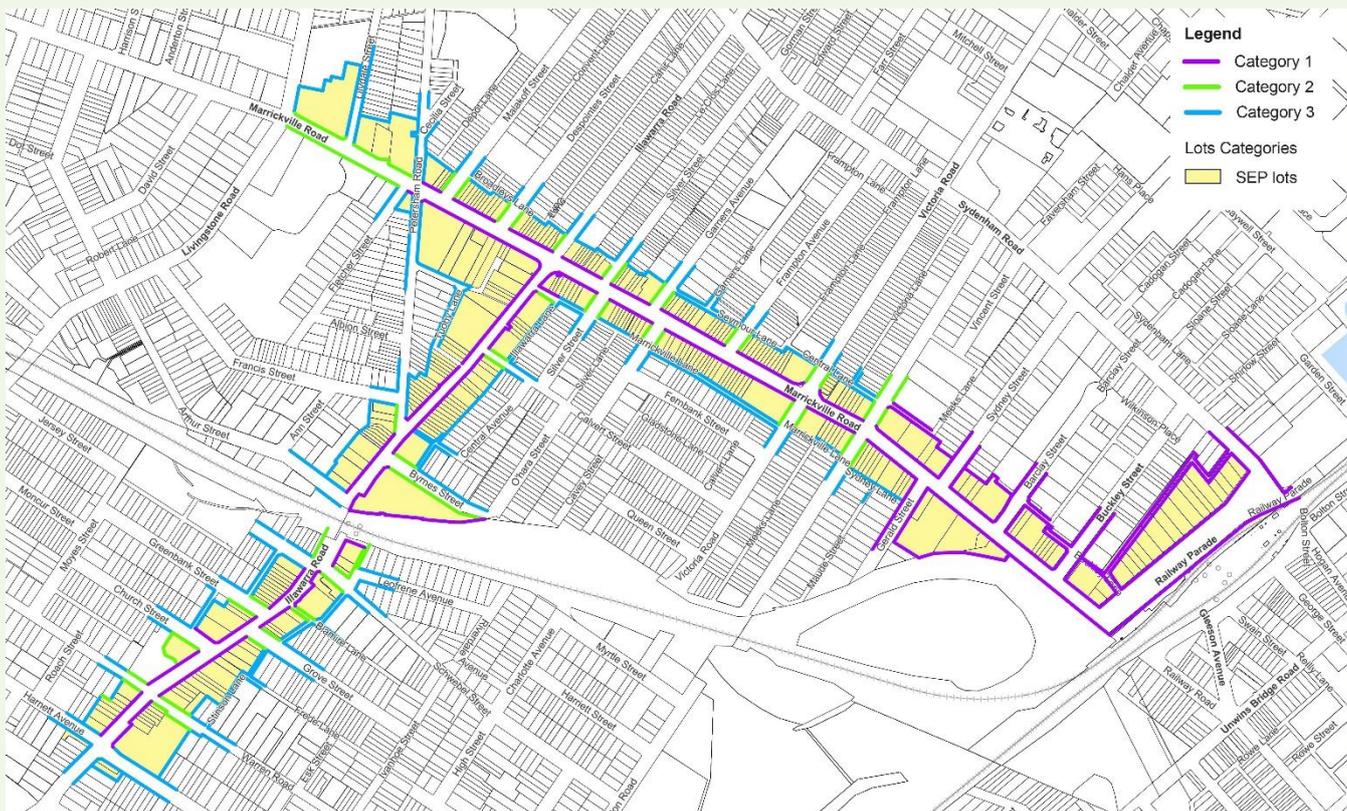


Figure 2.26.4 – Marrickville Town Centre Sound Category Area map

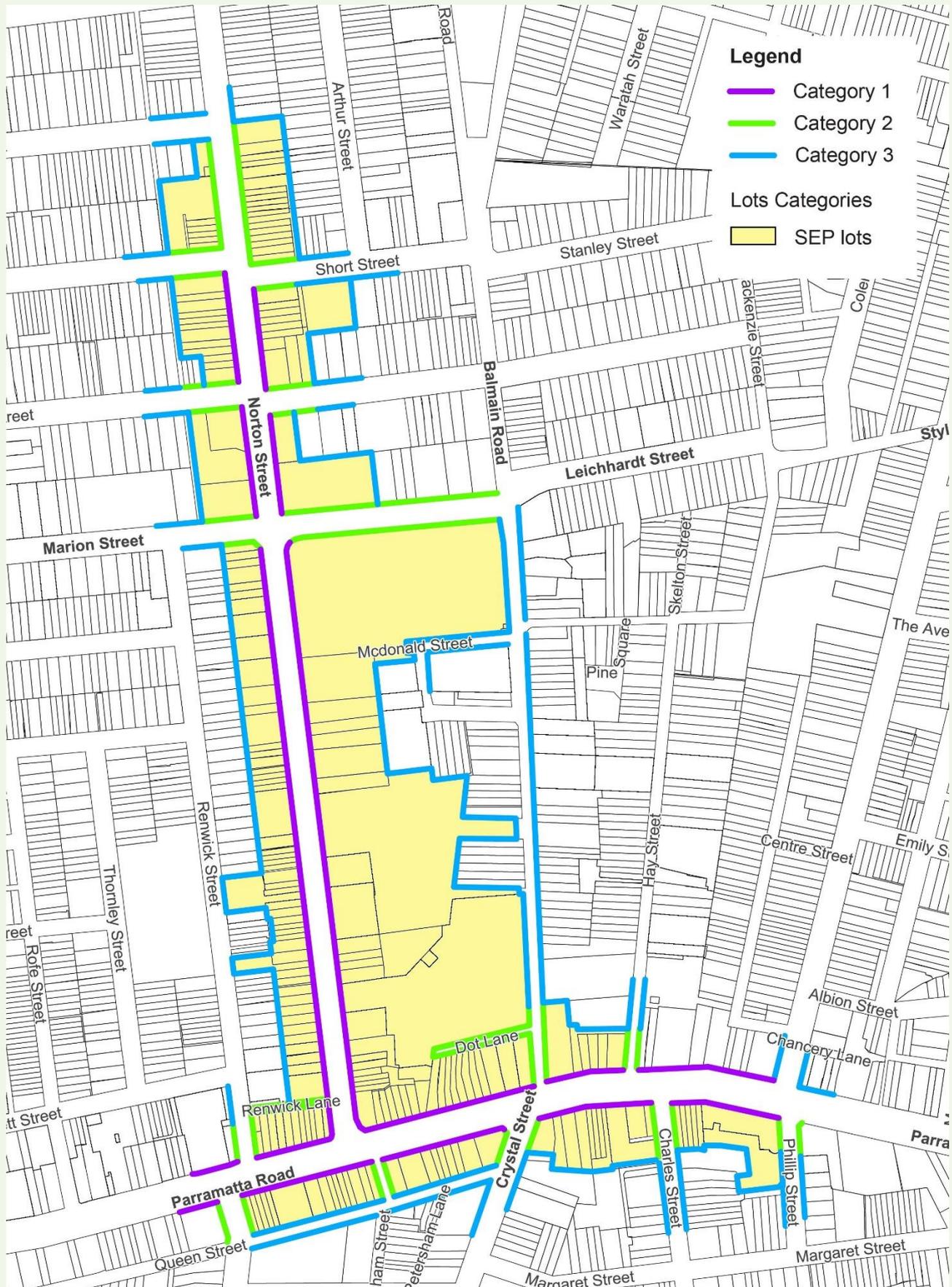


Figure 2.26.5 – Leichhardt Sound Category Area map (south of Parramatta Road only – see Part C, Section 5 of the Leichhardt DCP 2013 for Northern side of Parramatta Road)

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.

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*.

2.26.1 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 2.26.1, 2.26.2, 2.26.3, 2.26.4 and 2.26.5 at a height of 1.5m above the finished floor level for each floor of a building.
- C2. Maximum sound levels for each of the *Sound Category Areas* are detailed in Figure 2.26.6 below.

| Sound category Area (SCA) | Days of the week | Venue external assessment criteria, $dB_{Aeq}(15\text{minute})$ | | | | | |
|---------------------------|----------------------|---|-------|--------------------------------|-------|--|-------|
| | | 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 |
| SCA ET | Sun 7am to Thurs 7am | 65 | 75 | 60 | 70 | 50 | 60 |
| | Thurs 7am to Sun 7am | 65 | 75 | 65 | 75 | 50 | 60 |

Figure 2.26.6 venue external assessment criteria

2.26.2 Acoustic requirements for sensitive receivers

Objective

O6. To ensure *sensitive receivers* attenuate against noise from existing and future *entertainment venues*.

Controls

C3. A report prepared by a suitably qualified acoustic specialist must be submitted with any application for a new or modified sensitive receiver located within a Sound Category Area demonstrating that inside sound levels will not exceed the sensitive receiver internal noise criteria specific in Figure 2.26.7 below when subject to the maximum level of exposure permitted in Figure 2.26.6 for the subject property.

Note: Exposure is to be measured at the property boundary of the sensitive receiver.

| 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 2.26.7. 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* (note: this does not include changes that do not impact upon the sound levels)
 - 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 Figure 2.23.7 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.

2.26.3 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 entertainment 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 2.26.6 above.
 - b. Demonstrate compliance with the 'venue external assessment criteria' (Figure 2.26.6) 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 within those adjoining receivers specified in Figure 2.26.7.

2.26.4 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 2.26.7).
 - 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.