



IRF24/1962

Gateway determination report – PP-2024-1588

Special Entertainment Precincts

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1. Reports and plans supporting the proposal

Relevant reports and plans
Attachment A – Planning Proposal – PP-2024-1588
Attachment B – Gateway determination – PP-2024-1588
Attachment C – Letter to Council – PP-2024-1588
Attachment C1 – Guidance on Timeframes – PP-2024-1588
Attachment D – Council meeting agenda (report) – 25 June 2024
Attachment D1 – Council meeting minutes (resolution) – 25 June 2024
Attachment E – Local Planning Panel minutes (resolution) – 30 May 2024
Attachment F – Draft LEP Maps (Special Entertainment Precincts)
Attachment G – Amended Marrickville DCP 2011
Attachment G1 – Amended Leichhardt DCP 2013
Attachment H – Draft Special Entertainment Precincts Management Plan
Attachment I – Special Entertainment Precincts Engagement Outcomes Report

1 Planning proposal

1.1 Overview

Table 2. Planning proposal details

LGA	Inner West
PPA	Inner West Council
NAME	Inner West Special Entertainment Precincts
NUMBER	PP-2024-1588
LEP TO BE AMENDED	Inner West Local Environmental Plan 2022
ADDRESS	Various sites within: <ul style="list-style-type: none">BalmainDulwich HillLeichhardtMarrickvilleRozelle
RECEIVED	18/07/2024
FILE NO.	IRF24/1962
POLITICAL DONATIONS	There are no donations or gifts to disclose, and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal (**Attachment A**) contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objective of the planning proposal is to amend the Inner West LEP 2022 to introduce six new Special Entertainment Precincts (SEP) and amend the existing Enmore Special Entertainment Precinct

The planning proposal seeks to achieve the following outcomes:

- Provide clarity to relevant stakeholders on sound level expectations from entertainment sound in the SEPs
- Support the continued operation of new and existing venues in the SEPs, whilst maintaining adequate amenity for surrounding residents
- Ensure new developments are protected from the impacts of entertainment sound
- Enable businesses to capitalise on the Vibrancy Reforms

1.3 Explanation of provisions

The planning proposal maps six new precincts, and extends the existing Enmore Road precinct in the SEP mapping series of the Inner West Local Environmental Plan 2022 (IWLEP 2022). This gives effect to clause 6.32 of the IWLEP 2022 to each mapped lot.

No changes to clause 6.32 of the IWLEP 2022 are proposed. However, additional tiles will need to be added to the map series (see Section 1.5 Mapping).

Clause 6.32 Special entertainment precinct currently states:

- (1) *This clause applies to land identified as ‘Inner West Special Entertainment Precinct’ on the Special Entertainment Precinct Map*
- (2) *For the Local Government Act 1993, section 202, a special entertainment precinct is established on the land to which this clause applies*

The planning proposal contains an explanation of provisions that adequately explain how the objectives of the proposal will be achieved.

Supporting documents

To operate a SEP in accordance with section 202 of the *Local Government Act 1993*, two supporting documents are required: a Development Control Plan (**Attachment G-G1**), and a SEP Management Plan (**Attachment H**).

Development Control Plans (DCP)

A DCP provides detailed design and planning guidance to support the planning controls in the IWLEP. In this case, the DCPs have been drafted to meet clause 202(2)(b) of the *Local Government Act 1993*:

202 Special entertainment precinct

- (2) *A special entertainment precinct is an area which –*
 - b. Requirements about noise attenuation apply to certain types of development in the area*

Inner West Council has three DCPs that currently apply in its LGA. Resultingly, the proposed DCP changes include:

- Marrickville DCP 2011
 - Administrative amendments to Section 2.26 Special Entertainment Precincts
 - Add SEP maps for Dulwich Hill, Leichhardt (southern side of Parramatta Road), and Marrickville
 - Map update for Enmore Road to include the Warren View Hotel.
- Leichhardt DCP 2013
 - Add Section ‘Part C – Section 5 Special Entertainment Precincts’
 - Add SEP maps for Balmain, Leichhardt, and Rozelle

The DCPs designates objectives and controls that:

- Identify sensitive land uses that will require attenuation from entertainment sound
- Quantify noise levels that sensitive land uses and new venues need to comply with
- Detail when an acoustic report from an accredited acoustic specialist is required and what the report needs to demonstrate

The proposal states the DCPs will be utilised by residents, developers, businesses, and Council staff to ensure future development is suited to the permitted noise levels in the SEP.

Special Entertainment Precinct Management Plan (SEPMP)

Clause 202(5)(a) of the *Local Government Act 1993* requires Council to:

“Prepare a plan for regulating noise from amplified music from premises in the special entertainment precinct and publish it on the council’s website...”

The planning proposal states the SEPMP is designed to be:

- Used by businesses, residents, Council, Liquor and Gaming NSW, and NSW Police in understanding their roles and responsibilities in the managing entertainment sound in SEPs.
- Gives residents an understanding of noise levels that should be expected at certain times of the day depending on their location.

A SEPMP is already in place to manage the Enmore Road SEP. This plan will be updated to include the six proposed precincts as well as the extended Enmore Road SEP. The SEPMP contains the following:

- Maps of each precinct
- A position statement and set of objectives for each precinct
- How the SEPs sit within the NSW planning framework
- Where and when the SEPMP applies
- Compliance procedures for entertainment sound related complains in SEPs
- Sound criteria, including permitted sound levels for varying times of the day

Until recently, Council and the Police were responsible for managing sound related complaints. Recent changes to legislation (Vibrancy Reforms) meant that from July 2024:

- Liquor and Gaming NSW will assume responsibility for regulating entertainment sound in SEPs.
- Council will no longer play a role in entertainment sound regulation
- NSW Police will only be responsible during emergencies.

The submitted draft SEPMP has been revised to align with the anticipated procedures if the Vibrancy Reforms were to be implemented as currently planned.

1.4 Site description and surrounding area

The planning proposal applies to seven precincts across the Inner West LGA as identified and described in **Attachment H**:

- Balmain
- Dulwich Hill
- Enmore Road
- Leichhardt
- Marrickville North
- Marrickville Town Centre
- Rozelle

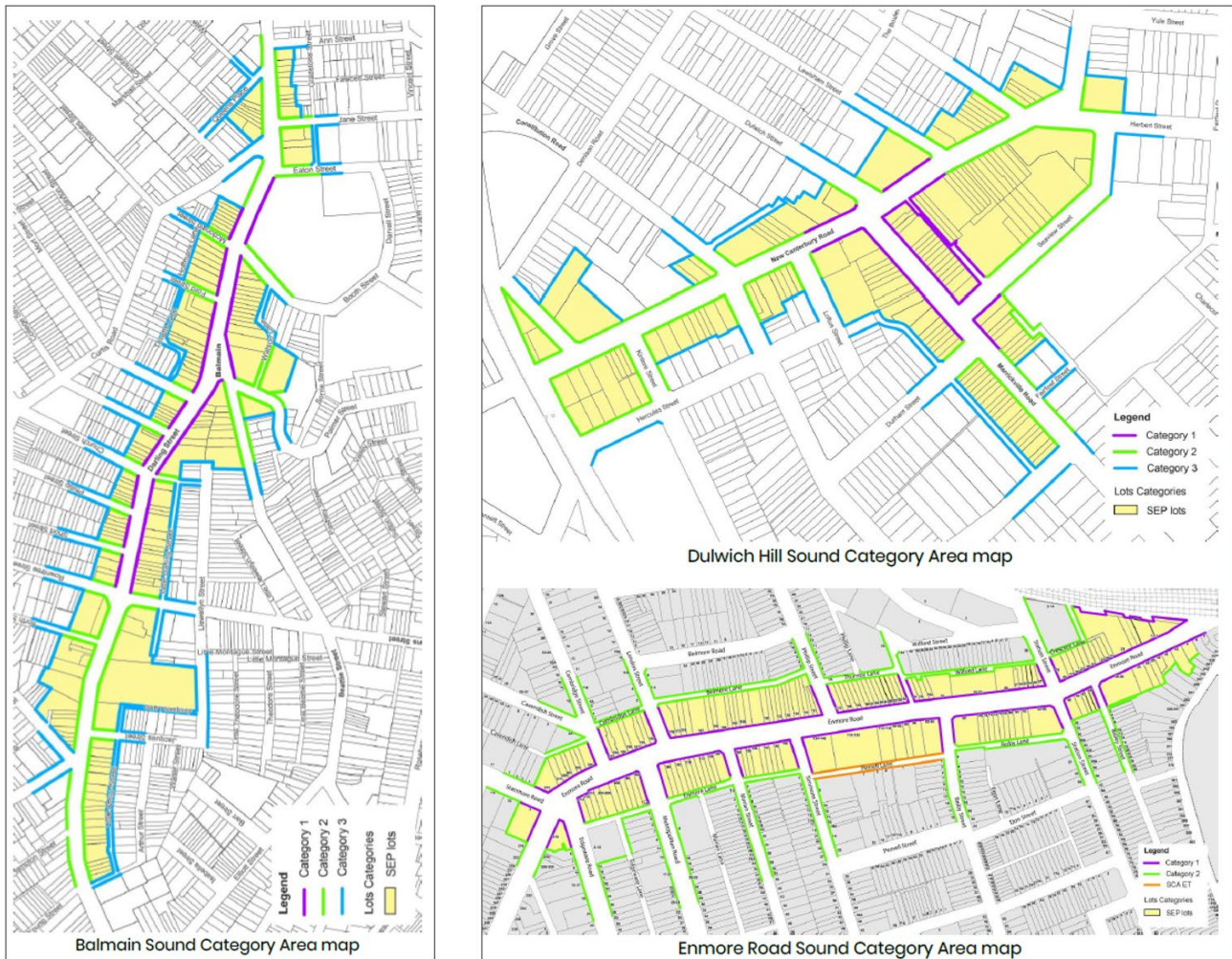


Figure 1. Area maps of Balmain, Dulwich Hill, and Enmore Road (Source: Inner West SEPMP)

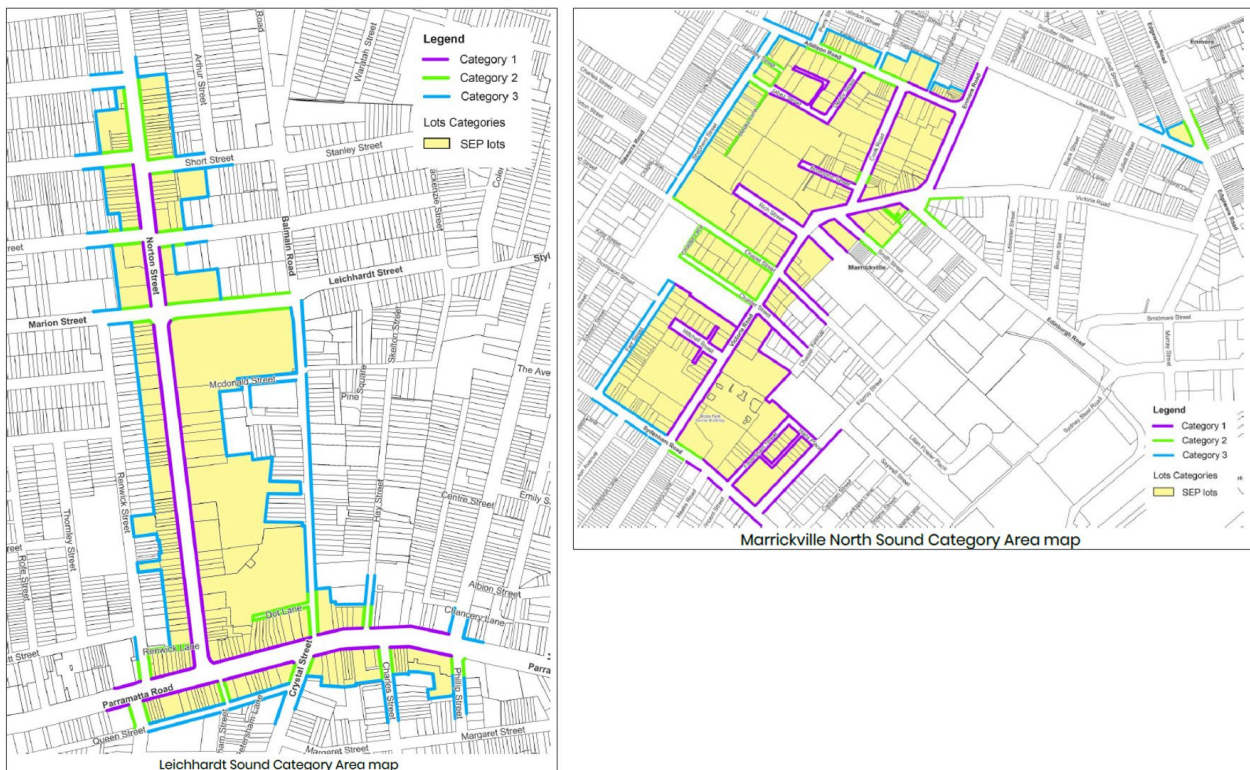


Figure 2. Area maps of Leichhardt and Marrickville North (Source: Inner West SEPMP)

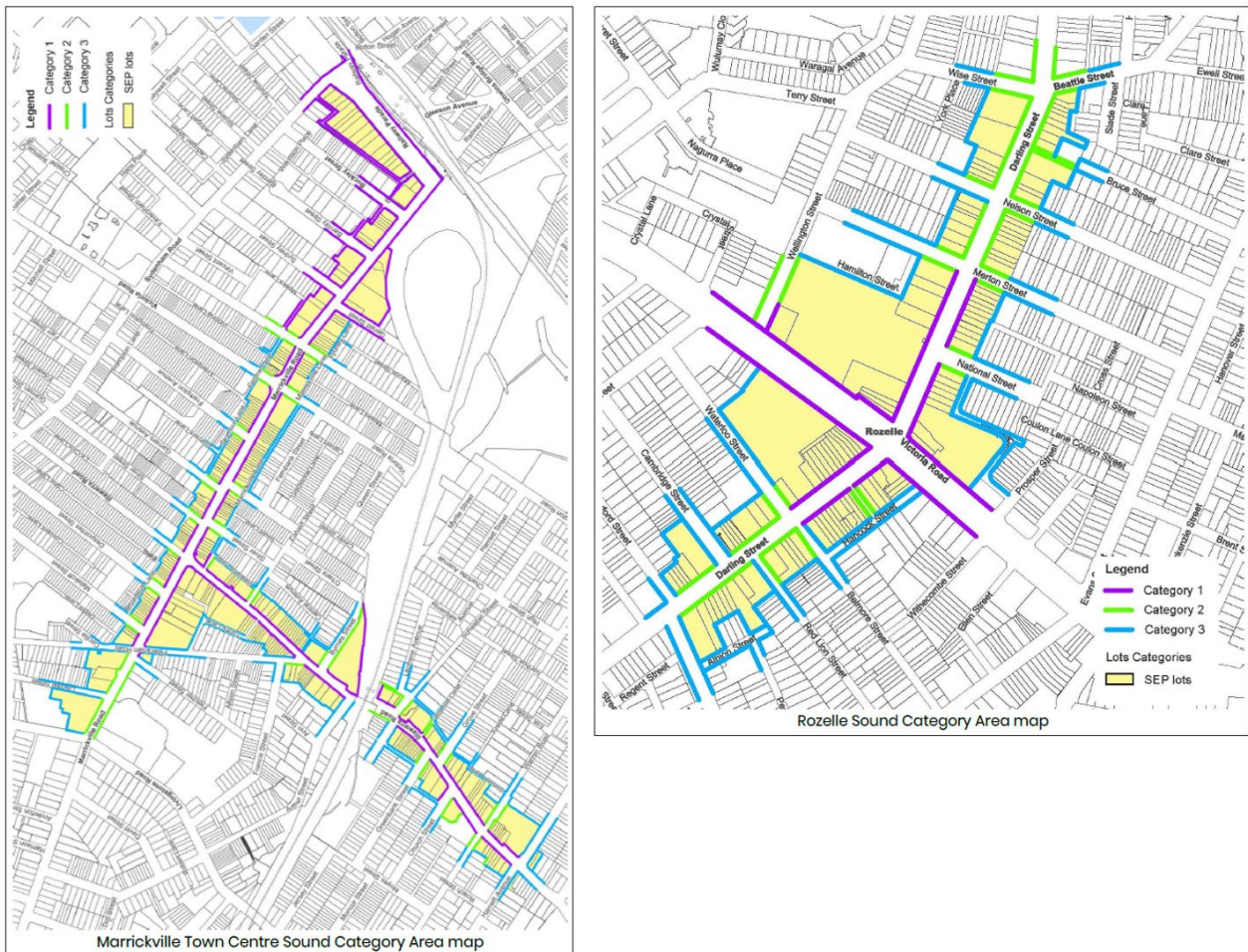


Figure 3. Area maps of Marrickville Town Centre and Rozelle (Source: Inner West SEPMP)

1.5 Mapping

The planning proposal includes updates to the existing Special Entertainment Precinct map under IWLEP 2022 which are suitable for public exhibition. These maps are included in **Attachment F**.

1.6 Background

Policy direction

Recent parliamentary inquiries identified the need for policy to support existing night-time venues where newer residents have moved into an area.

The Joint Select Committee on Sydney's Night-Time Economy 2019 and the Sydney 24-Hour Economy Strategy 2020 recommended the designation of entertainment precincts to balance residential amenity with the protection of existing venues from noise complaints.

In April 2021, the *Liquor Amendment Act 2020* inserted section 202 to the *Local Government Act 1993* allowing Councils to set up SEPs where:

- Rules for amplified music would be governed by laws other than the *Liquor Act 2007*
- Councils would manage these areas using a Noise Management Plan they create

Council position

In May 2021, Inner West Council resolved to designate the Enmore Road Precinct as the first SEP in NSW in response to this legislation.

From 10 June – 8 July 2022, the Department of Planning, Housing and Infrastructure (the department) exhibited an Explanation of Intended Effect (EIE) for a State Environmental Planning Policy (SEPP) to amend the IWLEP 2022 to establish the temporary Inner West SEP trial.

The SEPP introduced the trial SEP (clause 6.32) and related mapping, whilst also detailing a set trial period of three months from 1 September 2022 to 30 November 2022 for Council to test its proposed sound criteria and complaints management process.

In response to business and community support, the trial was extended. On 25 November 2022, the department amended clause 6.32(2) of the Inner West LEP to extend the deadline for reviewing the Enmore Road SEP to give Council more time to consult with the community and finalise the Precinct's plans if they decide to move forward with a planning proposal.

In February 2023, Council reached out to residents and businesses near Enmore Road to gauge their experience with the trial. The survey had responses from 64 residents, with 63% expressing support. Additionally, eight businesses completed the survey, and all of them were supportive.

The trial SEP was made permanent and notified in December 2023.

Current status

In response to the success of Enmore Road, Council resolved to commence engagement on six new precincts. Overall, the community was supportive of the proposal.

Council is now looking to establish six new SEPs to give businesses the opportunity to capitalise on the Vibrancy Reforms and further improve Inner West's night-time economy.

2 Need for the planning proposal

Q1. Is the planning proposal a result of an assured local strategic planning statement, or Department approved local housing strategy, employment strategy or strategic study or report?

Yes. The planning proposal responds to recent resolutions by Council and the Vibrancy Reforms. It aligns with strategies such as the Inner West's Local Strategic Planning Statement (LSPS), and Employment and Retail Lands Strategy (ERLS). These strategies will be further assessed in this report.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Clause 202 (3) of the Local Government Act 1993 states the following:

(3) A special entertainment precinct may be established by—

(a) the council for the area in which the precinct will be located, by identifying the precinct in a local environmental plan that applies to the land on which the precinct will be located, or

(b) the Minister in a State Environmental Planning Policy, but only at the request of the council for the area in which the precinct will be located.

A planning proposal is required to identify the new SEPs and amend the boundary of the existing Enmore SEP in the Inner West LEP 2022 and apply clause 6.32 Special Entertainment Precincts.

3 Strategic assessment

3.1 Regional Plan

The proposal is consistent with the actions outlined in the *Greater Sydney Region Plan: A Metropolis of Three Cities*, as detailed in Table 4 below.

Table 3. Greater Sydney Region Plan assessment

Greater Sydney Region Plan	Justification
Objective 9 - Greater Sydney celebrates the arts and supports creative industries and innovation	<p>The proposal is consistent with this objective as it seeks to stimulate a 'night-time economy that supports dynamic places and boosts local economies.' The plan states that 'this can generally occur in mixed-used centres with adequate noise control, locally appropriate operating hours and safe late-night travel options'.</p> <p>The strategic action prescribed by this objective is to facilitate opportunities for creative expression and participation including appropriate development of the night-time economy. The planning proposal will support existing and development of new live-music venues so that established permitted noise levels are known to all stakeholders.</p> <p>The planning proposal will also assist in achieving this objective by providing quantifiable sound limits that aim to balance the demands of businesses and amenity requirements for residents. Each precinct is mixed-use to varying degrees, and will benefit from improved live entertainment options and increased economic activity.</p>

The proposal has demonstrated consistency with relevant objectives of the Regional Plan.

3.2 District Plan

The site is within the Eastern City District. The former Greater Sydney Commission released the Eastern City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the following priorities:

- Infrastructure and collaboration
- Liveability
- Productivity
- Sustainability

The department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. Table 4 provides an assessment of the planning proposal against relevant directions and actions.

Table 4. District Plan assessment

District Plan Priorities	Justification
E4 – Fostering healthy, creative, culturally rich and socially connected communities	<p>The planning proposal is consistent with this priority.</p> <p>Several of the proposed precincts are identified:</p> <ul style="list-style-type: none"> • Leichhardt – “... this diversity and richness is reflected in places such as Redfern, Leichhardt, and Burwood, which are associated with unique historic and cultural identities.” • Marrickville Town Centre and Dulwich Hill – “In the Eastern City District it is important that the capacity for creative industries, arts and cultural uses...near major cultural institutions be protected, for example in the areas of the Inner West, Ultimo-Pyrmont, and Sydenham to Bankstown. • Marrickville Town Centre and Marrickville North – “Social connections are a major element of the characteristics on which local identity, specialities and distinctive functions of centres are built. For example, street life is particularly evident in places like Surry Hills, Marrickville...” <p>The proposed SEPs seek to protect existing cultural infrastructure, as well as support the establishment of new venues. It is envisaged that the designation of the new precincts will support existing venues and encourage businesses to program live entertainment with quantified sound limits. Extended trading will assist in the cost of employing local artists, entertainers and musicians.</p>
E6 – Creating and renewing great places and local centres, and respecting the District’s heritage	<p>The planning proposal is consistent with this priority.</p> <p>Each precinct contains historic places including heritage pubs that have changed use over time. Their inclusion in SEPs will ensure they are able to adapt in the future as required.</p> <p>The proposal notes that the SEPs will protect the identified areas as vibrant centres through both their night and day economies. Cultural venues and live entertainment foster social interactions by providing</p>

District Plan Priorities	Justification
	<p>shared experiences and opportunities for people with similar interests to meet within their locality.</p> <p>The proposal will assist in ensuring the unique character and diversity of each precinct that contribute to the overall liveability of these areas.</p>
E11 – Growing investment, business opportunities and jobs in strategic centres	The planning proposal is consistent with this priority. The designation of SEPs in the planning proposal will grow investment in culture, arts and the creative industry. The noise limitations as part of the amended DCPs and SEPMP will give business and investors assurance about acceptable sound levels from venues at certain times.
E13 – Supporting growth of targeted industry sectors	The planning proposal is consistent with this priority. The planning proposal supports the targeted growth of the arts and culture industry within the various precincts.

3.3 Local Strategies

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below.

Table 5. Local strategic planning assessment

Local Strategies	Justification
<p>Local Strategic Planning Statement</p> <p>Our Place Inner West 2020</p>	<p>The planning proposal is consistent with this plan.</p> <p>The Inner West LSPS was endorsed by the then GSC in 2020. The LSPS seeks to implement the priorities of the Region Plan and District Plan at the local level and guide development in the Inner West LGA to 2036.</p> <p>The proposal responds to Planning Priority 9 in the LSPS – “A thriving local economy” and the associated objectives:</p> <ul style="list-style-type: none"> • The local economy is diverse, strong, and resilient • Inner West has a thriving and diverse evening and night-time economy • Inner West continues to grow as a leading creative and cultural hub • Main streets and centres are designed to be unique, lively, safe and accessible <p>The planning proposal aims to give partial effect to this priority by renewing and creating a night-time economy based on arts and culture in the SEPs.</p> <p>There is an action under the planning priority which is to implement the ERLS. The ERLS includes actions which are relevant to this proposal, discussed below.</p>

Local Strategies	Justification
<p>Community Strategic Plan (CSP)</p> <p>Our Inner West 2036</p>	<p>The planning proposal is consistent with this plan.</p> <p>Council's CSP identifies the community's vision for the future and long-term goals, strategies to get there, and how to measure progress. It seeks to create a sustainable, progressive, vibrant, and creative future for the LGA.</p> <p>Strategic Direction 3 of the plan relates to creative communities and the local economy. This planning proposal contributes to this direction:</p> <ul style="list-style-type: none"> • 3.1 Creativity and culture and valued and celebrated – Each SEP represents opportunities for creative and cultural industries, with live music being particularly essential for Balmain, Rozelle, Marrickville and Dulwich Hill. • 3.2 Inner West remains the engine room of creative industries and services – By cultivating places for live music and entertainment, artists can continue to perform and interact with patrons, fostering an ecosystem of creativity. • 3.5 Urban hubs and main streets are distinct and enjoyable places to shop, eat, social, and be entertained – The proposed framework will support the main streets of the SEPs as distinct places providing entertainment representative of local audiences.
<p>Inner West Employment and Retail Lands Strategy 2020</p>	<p>The planning proposal is consistent with this plan.</p> <p>The Inner West ERLS was adopted by Council on 8 September 2020, and endorsed by the department on 27 September 2022.</p> <p>It strategically manages land to maximise productivity, job growth, and the long-term prosperity of the LGA. It sets principles to guide planning of the employment and retail lands, and provides actions related to night-time economies, including provisions about the policy position of the rights of venues and residents.</p> <p>Specific actions in the ERLS related to this planning proposal include:</p> <ul style="list-style-type: none"> • Action 1.8.1 Embed the agent of change principle into Inner West planning regulations to protect live music venues and late-night precincts as well as employment and industrial areas. • Action 1.8.2 Identify areas with existing and expected higher noise levels, including both industrial and entertainment noise. Implement a means of managing the expectations of noise amongst existing and future residents in and around these areas. <p>Establishing the SEPs will play a part in these actions by putting in place a plan to regulate sound by quantifying acceptable noise levels from venues will empower venues to program live entertainment with the confidence they can operate within defined sound limits.</p> <p>Through the updated DCPs, Council can prescribe sensitive land uses to attenuate against permitted sound levels and venues whilst</p>

Local Strategies	Justification
	concurrently, new venues must demonstrate they can comply with allowable sound levels.

3.4 Local Planning Panel (LPP) recommendation

On 30 May 2024, the Inner West LPP considered the planning proposal and determined it possesses adequate strategic and site-specific merit to proceed to the department for a Gateway determination.

The LPP notes and supports the key components of the planning proposal, namely:

- The areas/precincts to be designated
- LEP provisions and map designation, and supporting documents (Management Plan and DCP)
- Signifying areas for later trading and supporting the night-time economy in those areas
- Setting 2am as the cap for an additional hour of trade (subject to prior and post development approvals)
- Separating controls and hours for indoor and public outdoor areas
- For impact assessment, simplifying noise controls, and making them consistent
- Designating areas surround SEPs where acceptable sound criteria varies based on proximity to entertainment venues
- Requiring upgrades to sensitive uses close to SEPs for new development/alterations and additions
- Outlining procedures for complaint handling and complaint resolution
- Having no role for NSW Police for sound complaints from entertainment venues

See **Attachment E** for the LPP resolution.

3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions are discussed below:

Table 6. 9.1 Ministerial Direction assessment

Directions	Consistency	Justification
1.1 Implementation of Regional Plans	Consistent	The planning proposal is consistent with this Direction. The objective of this Direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans and applies as the proposal seeks to give effect to the Greater Sydney Region Plan and Eastern City District Plan.
3.2 Heritage Conservation	Consistent	The planning proposal is consistent with this Direction. The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

Directions	Consistency	Justification
		<p>The Direction requires that a proposal contain provisions to facilitate the conservation of heritage items identified in a study of the environmental heritage of the area.</p> <p>Several SEPs are located within heritage conservation areas and include heritage items. For future development involving heritage items or within heritage conservation areas, the existing heritage provisions within the Inner West LEP 2022 would be considered as part of future development applications where relevant.</p>
4.5 Acid Sulfate Soils	Consistent	<p>The planning proposal is consistent with this Direction.</p> <p>The objective of this Direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>This Direction applies as the proposal affects several sites that contain Class 5 acid sulfate soils.</p> <p>The proposal does not seek to intensify the development potential of the site. Relevant considerations related to acid sulfate soils can be adequately addressed by Council at the Development Application stage.</p>
5.1 Integrated Land Use and Transport	Consistent	<p>The planning proposal is consistent with this Direction.</p> <p>The objective of this Direction ensures urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve specified planning objectives related to transportation integration.</p> <p>This Direction applies as the proposal will alter a provision relating to urban land.</p> <p>The proposal supports additional SEPs in areas with high levels of public and active transport infrastructure, such as night-time bus services.</p>
6.1 Residential Zones	Consistent	<p>The planning proposal is consistent with this Direction.</p> <p>The objectives of this Direction are to:</p> <ul style="list-style-type: none"> encourage a variety and choice of housing types to provide for existing and future housing needs make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services minimise the impact of residential development on the environment and resource lands <p>The Direction applies because the proposal includes sites located in zones that permit residential uses.</p> <p>The proposal will not reduce the capacity for residential development of the land. The supporting DCP ensures sensitive receivers, including future residential development are mitigated against sound impacts from entertainment venues.</p>
7.1 Employment Zones	Consistent	<p>The planning proposal is consistent with this Direction.</p> <p>The objectives of this direction are to:</p>

Directions	Consistency	Justification
		<ul style="list-style-type: none"> encourage employment growth protect employment land in employment zones support the viability of identified centres <p>This Direction applies as the proposal includes sites located in existing employment zones.</p> <p>The proposal is consistent with this direction as it will protect the operation of local centres by clearly defining acceptable noise levels from venues for residents and businesses. The proposal retains the existing employment zones and supports its ongoing viability.</p>

3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with the following SEPPs:

Table 7. Assessment of planning proposal against relevant SEPPs

SEPP	Consistency	Justification
<p>SEPP (Housing) 2021</p> <p>This SEPP aims to promote the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services and designing housing in a way that reflects and enhances its locality.</p> <p>The principle of the Housing SEPP relevant to the proposal is:</p> <ul style="list-style-type: none"> (e) minimising adverse climate and environmental impacts of new housing development. 	Consistent	<p>The proposal is consistent with this SEPP as it does not prevent the sites being used for residential purposes. The proposal will not alter the existing zoning and development standards applicable to the sites.</p> <p>The proposal is consistent with the SEPP's aim of minimising impacts of new housing development where:</p> <ul style="list-style-type: none"> Proposed DCP controls will require higher noise attenuation to residential development within and around the SEP <p>This ensures housing is built to mitigate current and future entertainment sound for the amenity of residents.</p> <p>The proposed DCP and SEPMP does not conflict with this SEPP.</p>
<p>SEPP (Transport & Infrastructure) 2021</p> <p>The Transport and Infrastructure SEPP requires noise attenuation and acoustic studies for sensitive development adjacent to rail corridors, classified roads, and high traffic roads.</p>	Consistent	<p>The proposal is consistent with this SEPP.</p> <p>The Dulwich Hill, Rozelle and Leichhardt SEPs are all located on high-traffic carriageways.</p> <p>Residential accommodation and other sensitive receivers would have existing acoustic attenuation from road noise.</p> <p>The proposed DCP contains controls for noise attenuation of sensitive receivers</p>

SEPP	Consistency	Justification
		additional to the requirements of this SEPP.

4 Site-specific assessment

4.1 Environmental

Given the nature of the planning proposal, it is unlikely to adversely affect critical habitat areas, threatened species, populations, ecological communities, or their habitats. The following table assesses the potential environmental impacts associated with the proposal:

Table 8. Environmental impact assessment

Environmental impact	Assessment
Noise	<p>The planning proposal may increase patronage to existing venues. The potential for increased noise associated with live music and patrons within venues will be regulated and enforced under the SEPMP.</p> <p>One of the aims of the planning proposal is to maintain acceptable noise levels for businesses and residents, as specified in the SEPMP and DCP, ensuring that these conditions are upheld.</p> <p>The Council and Police will continue their regulatory roles in enforcing consent conditions and addressing antisocial behaviours.</p>
Car parking	<p>Car parking was raised as an issue in the Engagement Outcome Report with residents concerned about the impact of additional patrons.</p> <p>Street parking within Inner West centres is already highly competitive as these neighbourhoods were established before the widespread adoption of private vehicles.</p> <p>Council currently manages street parking through various kerbside parking strategies including timed parking, paid parking, and residential parking schemes.</p> <p>These parking schemes provide residents with permits that allow them to park on the street without being restricted by time limits. If an area does not have a scheme, residents can request Council investigate the possibility of implementing one. These schemes are in place throughout all the proposed SEPs, apart from Marrickville North, where Council has committed to working with residents to develop a parking scheme.</p> <p>The development assessment process will also remain in place to ensure development of venues not suitable for a locality is controlled.</p> <p>Additionally, the proposal suggests that Council does not anticipate a significant increase in the number of live venues or a rise in the current demand for street parking.</p>

In light of the above, the environmental impacts of the proposal is considered acceptable.

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal:

Table 9. Social and economic impact assessment

Social and Economic Impact	Assessment
Social	<p>Improved business confidence in the area could lead to the establishment of new venues where residents, workers, and visitors can enjoy live music and other performing arts. This would:</p> <ul style="list-style-type: none"> • Create additional opportunities for social interaction • Foster a stronger sense of community in the SEPs <p>While the growth of live music venues might increase the number of licensed establishments and potentially lead to a rise in anti-social behaviour, these impacts are expected to be manageable through existing mechanisms such as:</p> <ul style="list-style-type: none"> • Liquor licensing assessments • Responsible Service of Alcohol • Individual security and management operations for venues
Economic	<p>The potential economic impacts from the planning proposal are generally positive:</p> <ul style="list-style-type: none"> • Enhanced business and consumer confidence regarding acceptable noise levels throughout the day • Boosted investment in the area, driving greater economic activity and creating more employment in sectors such as hospitality, the arts, and retail.

In light of the above, the social and economic impacts of the proposal is considered acceptable.

4.3 Infrastructure

The planning proposal seeks to rely on existing transport infrastructure for the delivery of the SEPs.

The planning proposal conducts an analysis into the various public transport methods available to each of the precincts including bus routes, suburban train stations, light rail stations, and ferry stops. A detailed table is viewable within **Attachment A**.

The existing public transport links are considered adequate for the purposes of the proposal.

5 Consultation

5.1 Community

Early engagement by Council with residents, businesses, and the general public identified concerns about the potential impacts of additional SEPs in the LGA. Details of the early engagement is contained within **Attachment I**.

The concerns include, but are not limited to:

- Increased noise and anti-social behaviour
- Increased litter
- Limited car parking and inadequate public transport

Concerned parties will have another opportunity to formally make a submission during the exhibition stage of the plan making process.

Council did not specify the timeframe for conducting community consultation.

The planning proposal is categorised as 'standard' under the LEP Making Guidelines (August 2023). As such, a community consultation period of 20 working days will form a condition within the Gateway determination.

5.2 Agencies

Council has nominated to consult with the following agencies:

- NSW Police
- NSW Live Music Office
- Liquor and Gaming NSW
- Transport for NSW
- Office of the 24-hour Commissioner

These parties are considered appropriate. Additionally, it is recommended the other agencies are consulted:

- Office of Local Government
- Department of Customer Service.

It is recommended these agencies be given at least 30 days to comment.

6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. The planning proposal is categorised as 'standard'.

Council proposes a 7 month time frame to complete the LEP (notification by April 2025).

The department recommends an LEP completion date of **Friday, 4 July 2025** in line with its commitment to reducing processing times. A condition to the above affect is conditioned within the Gateway determination.

7 Local plan-making authority

Council has requested delegation to be the Local Plan-Making authority.

The department supports this request as:

- Council has previously been responsible for the trial and permanent implementation of the Enmore Road SEP as the LPMA
- Council is responsible for the implementation and ongoing management of the additional SEPs
- SEPs are considered a local matter

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The planning proposal is consistent with the relevant objectives, directions, and priorities of the Greater Sydney Region Plan, Eastern City District Plan, Local Strategic Planning Statement and other local strategic plans, applicable SEPPs, and Section 9.1 Ministerial Directions.
- The planning proposal delivers a precinct-based approach to noise standards, management procedures, and mitigation requirements, ensuring clarity for businesses whilst meeting amenity expectations for residents.
- The planning proposal will provide additional SEPs around the LGA, contributing to the active night-time economy and supports the local arts and cultural industry.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Consultation is required with the following agencies:
 - a) NSW Police
 - b) NSW Live Music Office
 - c) Liquor and Gaming NSW
 - d) Transport for NSW
 - e) Office of the 24-hour Commissioner
 - f) Office of Local Government
 - g) Department of Customer Service
2. The planning proposal should be made available for community consultation for a minimum of 20 working days
3. Given the nature of the proposal, Council is authorised to be the local plan-making authority
4. An LEP completion date of **4 July 2025** will be included within the Gateway conditions



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