

TAMWORTH REGIONAL COUNCIL

**SPECIAL
ENTERTAINMENT
PRECINCT
MANAGEMENT PLAN**

Draft

Tamworth Central Business
District & Tamworth Sport &
Entertainment Precinct

Tamworth Regional Council would like to acknowledge the Gamilaroi/Kamilaroi/ Gomeroi people, who are the traditional custodians of this land. We would like to pay respect to Elders past and present and extend that respect to other Aboriginal and Torres Strait Islander people living in and visiting our region.



The artwork on this page was created by Gomeroi artist Tess Reading. Her artwork was selected through an expression of interest where Aboriginal artists with a connection to the Kamilaroi/Gomeroi Nation were asked to create an artistic element for inclusion in Council's corporate brand. Ms Reading describes her work as depicting the land and communities that spread across the Tamworth Regional Council footprint.

Glossary of Terms	
Dedicated live music and performance venue	Defined in section 3A of the <i>Liquor Act 2007</i> as a premises that is on a list of live music and performance venues published on the Liquor & Gaming NSW website. These premises can access reduced liquor licensing fees and extra trading hours if they meet certain eligibility requirements and may be excluded from this list and its incentives if they have a poor compliance history, are a karaoke bar, or are used to provide adult entertainment of a sexual nature.
Entertainment activity	Defined in section 202A of the <i>Local Government Act 1993</i> and means an activity carried out for the purposes of entertaining members of the public, including live or recorded music. It includes other performances and activities carried out for the purposes of entertaining members of the public, for example karaoke, trivia, bingo and comedy and private functions in licenced premises which provide hospitality services, for example a wedding, party or ticketed event, or the provision of food and drink services whether accompanied by entertainment or not. It also includes the set up and pack down, rehearsals and sound checks, entry and exit of patrons from premises and other activities on the premises by patrons and staff.
Licenced premises	A licensed premises is a venues or business that has received legal authorisation by NSW Liquor and Gaming under the <i>Liquor Act 2007</i> to sell alcohol. These can include a wide variety of venues and businesses such as bars, restaurants, hotels, nightclubs, and stadiums, which are licensed to sell alcohol for consumption on their premises in addition to other services. The license ensures that the business operates in accordance with regulations regarding the sale and service of its products.
Live performance	An event at which one or more persons are engaged to play or perform live or pre-recorded music, or another type of entertainment, creative or cultural performance (for example, but not limited to, theatre, comedy, poetry or spoken word, dance, panel discussion) at which one or more performers are present in person. This does not include performance in a karaoke bar, adult entertainment or restricted premises.
24 hour / Night-time economy (NTE)	Refers to economic activities that take place between 6pm and 6am outside the traditional 'business day' and comprises a broad range of industries. These include 'core businesses' such as restaurants, cafes, pubs, bars, theatres, festivals, markets, live music and 'non-core' or supporting businesses, including transport, retail, education, community, recreational and service industries
Precinct Management Plan	A requirement under the <i>Local Government Act 1993</i> that establishes the trading hours and regulation of sound from entertainment activities and the process for managing complaints about licenced premises in a Special Entertainment Precinct.

Small Bar	In liquor licencing terms, a small bar allows for a maximum of 120 patrons. Small bar licences do not permit the use of gaming machines, keno, or other gambling activities.
Special Entertainment Precinct	A designated area where a local council, with state government approval, establishes specific sound and trading hour regulations to support live music and entertainment venues while also providing operational certainty for residents and businesses.
Unlicensed premises	Any retail or business premises or community facility which is not regulated under the <i>Liquor Act</i> . This may include premises selling groceries, clothing, homewares and the like, businesses such as drycleaners, gyms, hairdressers and the like, or community facilities such as libraries or recreational centres and the like. Unlicensed premises do not include adult entertainment venues restricted or sex services premises

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1. Introduction

Located almost midway between Sydney and Brisbane, Tamworth is a vibrant regional city with a 2024 population of almost 51,000 people, making it the third largest inland city in New South Wales.

Tamworth is a significant administrative and cultural centre for north-western New South Wales. The city has a diverse economy in areas like health and education, manufacturing and agriculture, historic architecture, contemporary eateries, natural landscapes and modern sporting facilities.

The city is recognised as the National Equine Capital of Australia because of the high number of equine events held in the city and the construction of the world-class Australian Equine and Livestock Events Centre (AELEC), the biggest of its kind in the Southern Hemisphere

Tamworth is mostly known for its annual Country Music Festival, and is revered as Australia's country music capital. The Tamworth Festival is the second-biggest country music festival in the world after Nashville in the USA.

The Festival is Australia's longest-running country music festival, held annually for 10 days every January. The festival is a non-gated event featuring both free and ticketed shows, live music, buskers, the Golden Guitar Awards, a family zone, and various food and market stalls. It's a major cultural event that transforms the city into a lively hub for country music fans and artists, celebrating the genre and Australian talent.

To further progress its credentials as a music capital and create more opportunities for live music performances, cultural events and stimulating the night-time economy, Council secured funding from the NSW Government's Special Entertainment Precinct Kickstart Grant to advance planning for proposed Special Entertainment Precincts in the Tamworth Central Business District (Tamworth CBD) and Tamworth Sports and Entertainment Precinct (TSEP).

Special Entertainment Precincts (SEPs) are designated areas where tailored trading hours and sound management conditions encourage live performance, investment, support later-trading businesses, and foster safe, diverse and vibrant going-out districts.

Before a Special Entertainment Precinct can be established, *Section 202D of the Local Government Act 1993* requires Council to prepare a Precinct Management Plan (PMP) that determines:

- a) the trading hours for premises in the special entertainment precinct,
- b) the regulation of sound from entertainment activity from premises in the special entertainment precinct,
- c) the process for managing complaints in relation to licenced premises in the proposed special entertainment precinct is the process set out in the *Liquor Act 2007*, Part 5, Division 3.

PMPs are prepared according to the *NSW Special Entertainment Precinct Guidelines*, which detail the mandatory steps for councils to establish, operate, suspend, or revoke a Special Entertainment Precinct (SEP).

In addressing these requirements, this PMP aims to provide greater trading and operational certainty to venues and businesses while also balancing the needs of residents.

PART A

2. Proposed Special Entertainment Precincts

The locations of the Special Entertainment Precincts are identified in the draft Planning Proposal to amend *Tamworth Regional Local Environmental Plan 2010*.

A description and maps of the Precincts are presented below and shown in **Figures 1** and **2**.

Tamworth Central Business District (Tamworth CBD)

Tamworth CBD is bounded by Darling Street, Marius Street, Muray Street, Kable Avenue, the Peel River and Part Lot 5 DP 122365.

Tamworth CBD is the region's shopping and commercial hub, with a blend of retail, recreation, health and employment services, and car dealerships. Included in the recreation offering are several licenced premises including hotels, small bars, cafes and restaurants. The Tamworth CBD includes Tamworth Regional Council Administration Centre and Council Chambers.

Most of the Tamworth CBD comprises a linear arrangement of convenience-scale retail developments, providing a collection of independent shops and services, with Peel Street the designated 'main street'. There are also larger scale lots mostly occupied by bigger retail outlets and car yards. Second storey premises are generally used as office spaces.

Bicentennial Park is part of the Tamworth CBD and the central location for the main stage in the annual Tamworth Country Music Festival.

The *TRLEP 2010* includes existing planning provisions which support the Tamworth CBD to host temporary events, which includes concerts, fairs, gatherings, markets, performances, sporting events or other events, on public reserves and roads without the requirement for development consent.

Why do we need Special Entertainment Precincts?

Special Entertainment Precincts or SEPs are part of a broader set of reforms recently introduced by the NSW Government to support and grow the night-time economy.

SEPs recognise the important contribution live music and cultural activity make to local economic growth but also their role in supporting a sense of community by bringing people together and strengthening community bonds through shared experiences.

A Joint Select Committee on Sydney's Night-Time Economy in 2019 revealed one of the significant factors inhibiting after dark activity was regulatory complexity, including convoluted planning and liquor licencing rules.

SEPs aim to provide a clearer and fairer approach to businesses operating in the night-time economy while balancing the needs of local communities.



Figure 1 Tamworth CBD - proposed Special Entertainment Precinct

Tamworth Sport and Entertainment Precinct (TSEP)

The TSEP is bounded by Goonoo Goonoo Road, The Ringers Road, Greg Norman Drive, Cartwheel Way, Longyard Drive, Stockmans Way and Lot 12 DP 240631.

Situated approximately 6km south of Tamworth CBD in the suburb of Hillview, the TSEP includes the Longyard Commercial Precinct and several established international, national and regional standard sporting facilities and a regionally significant entertainment centre. Existing facilities include:

- Australia Equine and Livestock Events Centre (AELEC);
- Tamworth Sports Dome;
- Tamworth Regional Entertainment and Conference Centre (TRECC);
- Tamworth Regional Athletics Centre;
- Tamworth Regional Hockey Complex;
- Tamworth Regional Cycling Centre; and
- Longyard Commercial Precinct, which includes the Longyard Hotel.

The proposed Tamworth Regional Aquatics Centre will also be constructed in the area.

AELEC and TRECC are major anchors in the Precinct.

AELEC is the pre-eminent equine and livestock events complex in Australia, and a major destination for a wide variety of events and activities. In addition to equine breeding and sporting association shows and clinics, AELEC hosts several other national and international events including the Tamworth Show, cattle sales, major trade shows, indoor motorcycle racing, motorcycle rallies, rodeos, corporate events and the Moscow Circus.

TRECC is a multi-purpose centre that hosts to significant events including the Golden Guitar Awards, Australia's premier country music awards, but also rock concerts, agricultural shows, car launches, home exhibitions, markets, major functions and school spectacles.

Artists that have performed at TRECC include Bob Dylan, Dolly Parton, Cold Chisel, The Seekers, Leo Sayer, Silverchair, Powderfinger and Missy Higgins.

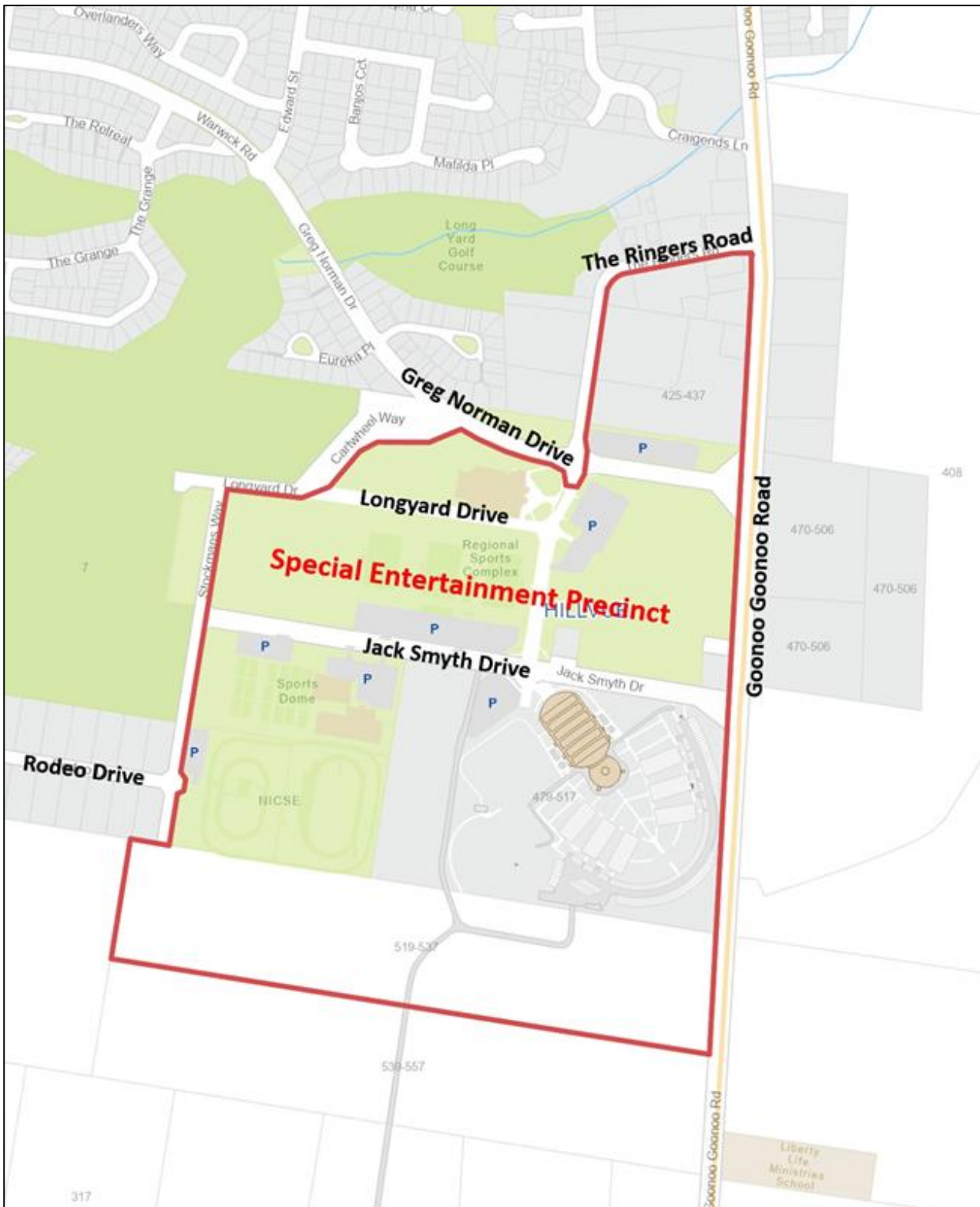


Figure 2 Tamworth Sports and Entertainment Precinct – proposed Special Entertainment Precinct

3. Purpose of the Precinct Management Plan

The purpose of the Precinct Management Plan (PMP) is to provide a management framework for entertainment venues and licenced premises within the proposed SEPs. These regulatory and management approaches relate to:

- compliance procedures for sound generated by entertainment venues or public spaces; and
- trading hours.

The PMP provides a comprehensive guide to ensure consistent execution, promote accountability, and help residents, businesses and venue operators navigate the operational and compliance framework necessary for a successful entertainment precinct.

The key features of the Precinct Management Plan are to identify the following in the SEPs:

- identifying the boundaries and locations;
- providing certainty about trading hours;
- providing certainty about sound management;
- outlining compliance measures; and
- creating an understanding of the complaints process and responsible agencies.

What are the benefits of a Special Entertainment Precinct?

- Encourages late night trading premises that contribute to vibrancy and vitality
- Encourages a broad and diverse mix of night-time uses with broad community appeal that reflect the diverse entertainment and recreational needs of locals and visitors
- Supports late trading of unlicensed premises, such as shops, cafes and hairdressers
- Encourages more performance, creative and cultural uses in licenced premises and dedicated performance venues.

4. Special Entertainment Precincts Objectives

The following objectives have been established to achieve the desired outcomes for the proposed SEPs. The objectives are based on input from consultation to inform the PMP, and the goals and objectives identified in the relevant strategic planning documents prepared by Council.

Objectives of the PMP are to:

- Create conditions that encourage and sustain live entertainment, culture and creativity;
- Stimulate economic activity by providing more diverse night-time activities for visitors and residents;
- Provide greater operational certainty for venues and businesses by establishing consistent sound controls and trading hours; and
- Balance the creation of a thriving night-time economy with the quality of life for residents.

5. Place Based Planning

Tamworth CBD and TSEP contain a significant number of venues like hotels and function centres, entertainment options like live music, as well as restaurants and cafes. Many of these are licenced premises that provide late night trading, creating vibrant centres that contribute to the night-time economy and add to the cultural life of Tamworth.

These attributes make the Centres well suited as 'Special Entertainment Precincts'. A range of place attributes and planning arrangements also provide further support for establishment of the SEPs as follows.

Accessibility

As a low-density residential area, Tamworth covers a large spatial area which results in difficult and unique transport challenges, with private vehicles the predominant form of transportation.

To meet this challenge, Council has been successful in obtaining various external grants for undertaking active transport and pedestrian safety improvements. To improve access, Council has secured around \$6.23 million worth of grant funding for the construction of shared paths, and \$1.75 million for the construction of footpaths across the region.

Tamworth CBD services a population of more than 60,000 people, and despite limited transport options across the Region, according to a visitation survey conducted by Council, 91% of respondents said they visited the CBD at least a few times per week.

In terms of accessibility, the reasons for nominating the Tamworth CBD included:

- it is currently the preeminent location for entertainment and night-time activities in Tamworth
- it provides diverse entertainment options;
- provisions in the SEP offer opportunities to cluster more venues in this area, making it a more attractive option for those seeking various entertainment experiences while also reducing the need to travel to other locations; and
- it provides a distinct, safe, and walkable precinct.

Council has recently adapted the Tamworth Regional Parking Strategy, which improves opportunities to access convenient, safe and affordable parking in Tamworth CBD and the TSEP.

The Tamworth Sports and Entertainment Precinct Structure Plan aims to enhance connectivity and improve transport links to the area. A key component is enhancing connectivity within the precinct by improving pedestrian, vehicle, and active transport routes, as well as creating a transport interchange for buses and layovers to increase the convenience for visitors.

Business Precinct Collaboration

Attractive and vibrant night-time destinations commonly collocate a range of venues and diverse offerings that meet the needs of different age groups and interests. In turn they attract a critical mass of people that generates a sense of occasion by bringing people together through a set of shared experiences.

As the region's main retail, commercial and activity centre, Tamworth CBD co-locates several businesses including hotels, small bars, cafes and restaurants that support a vibrant night-time destination for locals and tourists.

There are 32 licenced premises in the Tamworth CBD that will be included in the SEP. The hotels are reasonably sized and do have capacity for medium scale entertainment, including live music events, that have potential to generate significant sound levels or attract large crowds.

Similarly, the TSEP provides a collection of large and adaptable sporting and entertainment related venues. While the TSEP currently has six (6) licenced venues, it has the potential to develop into a diverse night-time destination with a range of offerings that attract different groups including families.

Tamworth has an established Liquor Accord that supports the responsible service of alcohol, good management and collaboration between licensed venues, the community, councils, L&GNSW and NSW Police.

Licensed venues within the Tamworth CBD and TSEP are active participants in the Liquor Accord.

Land Use Conflict and Amenity

Tamworth Central Business District

Tamworth CBD is predominantly the region's main shopping, commercial and leisure precinct. There is a limited number of residential properties (sensitive receivers) in the Tamworth CBD, and measures to manage potential land use conflicts for existing residents and future development in the SEP or adjoining lands have been identified in this PMP.

The licensed premises in the Tamworth CBD have existing approvals that required a range of noise mitigation measures to reduce or prevent the potential for impacts on any residential development or other businesses. These measures range from noise management to noise attenuation through acoustic insulation.

Bicentennial Park is in the Tamworth CBD and the central location for the main stage in the annual Tamworth Country Music Festival. The Festival generates significant sound levels and attracts large crowds.

The *TRLEP 2010* allows temporary events, which includes concerts, fairs, gatherings, markets, performances, sporting events or other events, on public reserves and roads without the requirement for development consent.

Tamworth Sport and Entertainment Precinct

The northern part of the TSEP is zoned SP3 and MU1 Mixed Use and is predominantly comprised of sporting and entertainment complexes. The TSEP encompasses the Longyard Commercial Precinct that includes the Longyard Hotel which hosts live music. The southern and larger part of the TSEP is zoned SP3 Tourist and contains the Tamworth Entertainment Centre, AELEC and other sports facilities.

There are no residential properties within the TSEP. There are residential areas in proximity to the proposed SEP, with the sound category area maps (identified in the Sound Management Framework p.p. 26 – 37) reflecting the existing arrangement.

Measures to manage unlikely land use conflicts on existing or future sensitive receivers on adjoining land have been identified in this PMP.

Safety

Safe streets and spaces are clean, inviting, and carefully designed. Well maintained and regularly serviced public spaces can contribute to reducing crime, increasing feelings of safety as well as connecting people.

Tamworth CBD includes good signage and public art that supports wayfinding, natural surveillance from activated street frontages, good levels of lighting of streets and public spaces, wide footpaths, clean and accessible public amenities, and clear access to public transport facilities.

TSEP provides well lit streets and public spaces, and well designed open spaces and footpaths

Council contributes to the actual and perceived safety of the SEP areas by:

- applying situational crime prevention strategies when developing and managing public spaces;
- ensuring compliance with legislation is adhered to in areas such as planning, the responsible ownership of animals and traffic management;
- delivering an effective CCTV network, well maintained parks, roads and footpaths, with appropriate lighting, waste management and graffiti control;

- targeting health concerns by creating alcohol and smoke free zones;
- in association with local police, creating and disseminating important crime prevention and community safety awareness strategies throughout the region; and
- advocating for and assisting with the implementation of strategies that provide safe spaces beyond the public domain.

Council is committed to earning Purple Flag accreditation to demonstrate to locals and visitors that the SEPs are safe, welcoming and vibrant places to enjoy after dark. The SEPs will not override existing alcohol free zones.

Public Domain

Council is actively improving the Tamworth CBD's environment with recent efforts focused on revitalising Peel Street to improve sustainability and aesthetics through initiatives like urban greening and public art, as well as the encouragement of outdoor dining and small bars. Tamworth CBD has wide street pavements and traffic management measures in place that provide for a safe and highly accessible public domain, Bicentennial Park includes walking and cycling paths and is connected to the Tamworth CBD.

The Tamworth Regional Sports and Entertainment Structure Plan Report features measures to support the character of the precinct by improving the public domain. Initiatives in the Structure Plan include increasing landscaping, optimising pedestrian friendly streetscapes featuring active frontages, diverse retail, and dynamic food and beverage options, providing public art, and continuing the open space network and providing a larger space for gathering and recreational activities.

Both areas are regularly maintained and serviced by Council.

Strategies and Proposals

The designation of Tamworth CBD and TSEP as Special Entertainment Precincts is supported by an amendment to the Tamworth Regional Environmental Plan 2010 (TRLEP 2010) to establish the Tamworth CBD and TSEP as special entertainment precincts.

The amendment inserts an additional local provision within Part 7 of *TRLEP 2010* to allow for the creation of special entertainment precincts as follows:

7.XX Special entertainment precinct

(1) The objectives of this clause are as follows—

- (a) to create conditions that encourage and sustain live entertainment, culture and creativity,
- (b) to stimulate economic activity by providing more diverse night-time activities for visitors and residents,
- (c) to provide greater operational certainty for venues and businesses by establishing consistent sound controls and trading hours,
- (d) to balance the creation of a thriving night-time economy with the quality of life for residents.

(2) This clause applies to land identified as “Tamworth Special Entertainment Precinct” on the *Special Entertainment Precinct Map*.

(3) For the *Local Government Act 1993*, section 202, a special entertainment precinct is established on the land to which this clause applies.

In addition, the sound criteria applying to the SEPs (p.p. 26 – 37) will be incorporated into the Tamworth Regional DCP 2010 and will apply new development in the each of the SEPs.

6. Policy and Planning Context

The establishment of Special Entertainment Precincts is consistent with several NSW Government policies and plans.

- **24-Hour Economy Commissioner Act 2023 and the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Act 2023** - The aim of the Reforms is to foster a safe and thriving night-time economy by supporting the live music sector, streamlining liquor licensing, and simplifying regulations for Licenced venues.
- **Liquor Act 2007** - The Liquor Act 2007 has been amended by recent Vibrancy Reforms to support the night-time economy, which includes new rules for establishing Special Entertainment Precincts (SEPs).
- **Protection of the Environment Operations Act 1997** - Noise pollution is regulated under the POEO Act, with specific policies and regulations setting standards for acceptable noise levels and times for residential, commercial, and industrial sources. In a SEP, a council sets the standards for sound emissions from entertainment activity for both licenced and unlicenced premises.
- **Cultural State Environmental Planning Policy (SEPP)** - aimed at supporting live entertainment, hospitality and cultural activities, and is a key step to creating a more vibrant night-time economy in NSW.
- **The New England North West Regional Plan 2041** - sets a 20-year strategic land use planning framework for the region, aiming to protect and enhance the region's assets and plan for a sustainable future. Objectives for the Region include enhancing the diversity and strength of Central Business Districts and town centres, and supporting a diverse visitor economy.

The establishment of Special Entertainment Precincts is also consistent with several NSW Tamworth Regional Council policies and plans.

- **Tamworth Community Strategic Plan 2025–2035** - sets out the community's priorities and aspirations, outlines strategies and actions to achieve those goals, and guides all other council plans and activities to ensure a shared direction for the community's future. Strategies in the Plan include 'Enhance and revitalise city and town centres', and 'Encourage night-time social connections'.
- **Tamworth Blueprint 100 Community Strategic Plan 2025-2035 (Part 1)** – in particular, focus areas relating to prosperity and innovation, celebrating cultures and heritage and a strong and vibrant identity.
- **Tamworth Regional Local Strategic Planning Statement 2020 (Blueprint 100 Part 2)** – in particular, planning priorities to create a prosperous region and celebrate our culture and heritage, and to encourage shop top and apartment living in Tamworth Central Business District.
- **Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010)** - includes planning provisions to facilitate temporary events on public reserves and public roads without the requirement for development consent pursuant to clause 7.9 of the TRLEP 2010.
- **Tamworth Regional Development Control Plan 2010 (TRDCP 2010)** - includes specific controls for the Tamworth Central Business District and Tamworth Sports and Entertainment Precinct, including trading hours and measures to manage acoustic privacy.

- **Tamworth Tomorrow (2022-2026) Economic Development and Investment Strategy** – in particular, leveraging local events and cultural activities to promote and drive regional innovation and industry development.
- **Visitor Economy Plan (2022-2027)** – noting the potential for SEPs to contribute to the region's economy and vibrancy by encouraging live music, performance venues and the night-time economy.
- **A Thriving Creative Ecosystem: Tamworth Region Creative Communities Plan 2024 – 2029** – the Plan prioritises further developing the Tamworth Country Music Festival, building on Tamworth's music culture with permanent outdoor stages and outdoor performance spaces, and developing cultural precincts.
- **Australian Equine and Livestock Events Centre; Strategic Masterplan (AELEC) 2022 to 2032** - guides the future direction and investment, which includes pursuing other (non-equine) event opportunities which can improve operating viability and/ or generate additional economic and socio-economic benefit.
- **Draft Night-time Economy Strategy 2025** - introduces initiatives to manage and develop economic activities that take place in the evening. These initiatives aim to create vibrant and safe environments by supporting a wide range of night-time businesses and activities.

7. Plan Application

This PMP provides management and regulation of all entertainment venues and licensed premises within the SEPs. The PMP establishes trading hours for all venues and business in the SEP, however it does not set liquor licence trading hours, which will continue to be regulated by L&GNSW. The PMP also identifies compliance procedures for sound originating from indoor and outdoor areas associated with entertainment venues or public space.

Trading hours and sound criteria and levels are provided in Part B. To be eligible for the extended trading hours, premises must satisfy the requirements for the identified sound category area and sound levels.

Other sources of noise including people utilising public space, plant, mechanical, servicing or machinery noise, traffic or aircraft- noise or not regulated under this PMP.

Once a SEP is established, venues will need to apply to L&GNSW to be on the live music and performance venue list and meet eligibility criteria. Information on how to apply is available at <https://eforms.liquorandgaming.nsw.gov.au/forms/nsw-live-music-and-performance-venue-application>.

8. Communication and Engagement

Council is committed to ongoing engagement and supports active participation with business, venues and residents to ensure the successful implementation and ongoing management on the SEPs. As the SEP process evolves residents and stakeholders will be kept informed and will have opportunities to provide feedback through the SEP process and beyond.

The communication and engagement process pre and post establishment of the SEPs is detailed below.

Public Forum

Early engagement for the SEPs included a community forum and stakeholder engagement workshops to provide opportunities for stakeholders including local businesses, venue owners, state government agencies, community members and relevant Council staff, to have input into the SEPs. The purpose of the early engagement was to:

- understand the level of support for the proposed SEPs;
- gather feedback to ensure the SEPs balance the needs of residents and businesses; and
- help Council make informed decisions about how best to manage and regulate SEP sound and trading hours.

Overall, there was a high level of support for the SEPs from participants, particularly for the benefits associated with 'future proofing' areas, ensuring that businesses now and into the future can continue to trade with confidence, whilst balancing the needs of residents.

Focus Groups

Four focus groups were held by Council over two days to provide opportunities for stakeholders including local businesses, venue owners, state government agencies and relevant Council staff, to have input into the PMP.

The purpose of the focus group sessions was to:

- to understand the level of support for the proposed Special Entertainment Precincts (SEPs);
- to gather feedback to ensure the SEPs balance the needs of residents and businesses; and
- to help Council make informed decisions about how best to manage and regulate SEP sound and trading hours.

Overall, there was a high level of support for the SEPs from participants, particularly for the benefits associated with 'future proofing' areas, ensuring that businesses now and into the future can continue to trade with confidence, and that any future residential development will need to respond to the nature of the Precincts.

There was some concern raised over additional opportunities to consume alcohol and identified the responsibility of venue operators in the Precincts to enforce responsible service of alcohol measures to minimise alcohol related harm.

Survey

A link to a survey was distributed to stakeholders on the 22 September which provided an opportunity to respond to several questions on their thoughts on the SEPs.

Figure 3. provides a breakdown of the most common survey responses.

Community survey responses

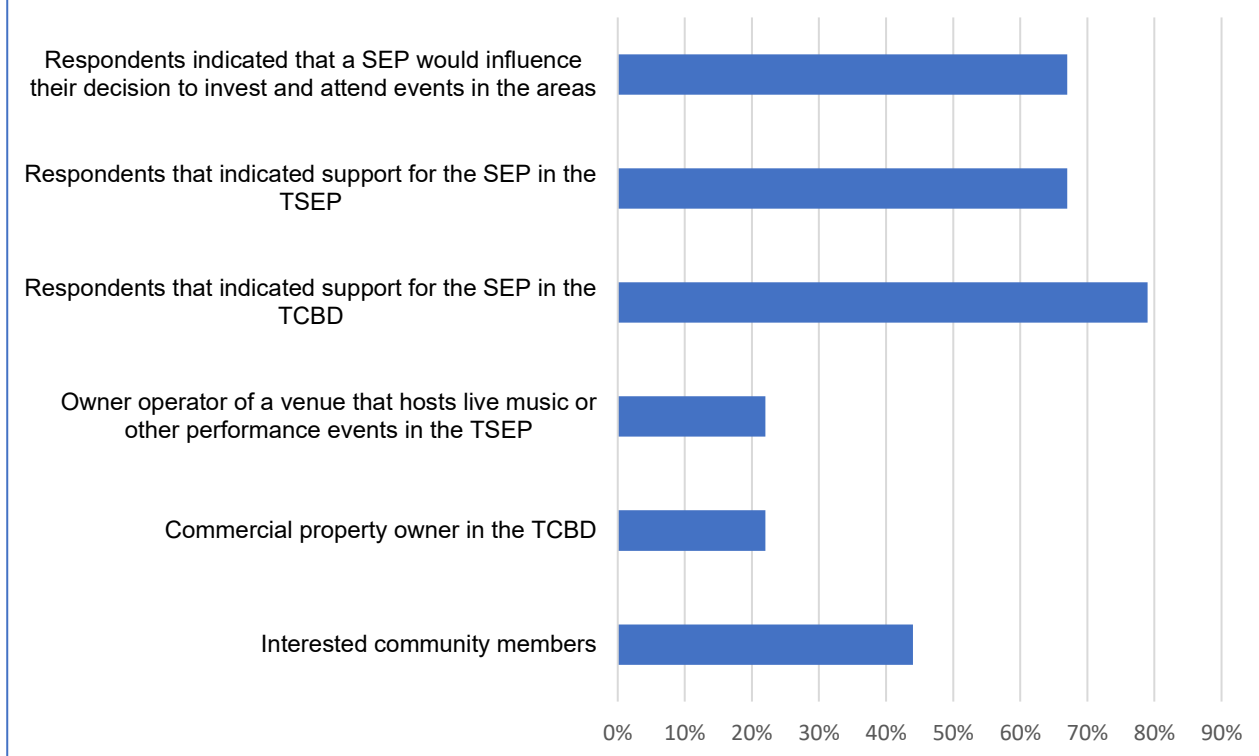


Figure 3 Most common survey responses

Respondents indicated support for the following activities to support the night-time economy:

- later trading hours;
- night markets;
- more live music; and
- concerts and theatre.

67% of respondents indicated that a SEP would influence their decision to invest and attend events in the areas.

Public Exhibition

Under the relevant legislation and guidelines, amendments to LEPs usually require a minimum public exhibition period of 28 days, providing an opportunity for the public and Government agencies to submit a written response to Council. This PMP will be included in the documents required as part of the public exhibition period.

This process will include notification to all businesses within each of the SEPs and surrounding residential properties in proximity of each Precinct. Relevant public authorities including NSW Police and NSW Liquor and Gaming will also be notified.

Comments and issues raised by the community and public authorities as a result of the public exhibition period will be reported to Council for consideration.

Trial Period

Subject to Council's endorsement, a mandatory 12-month trial period of the SEP will be conducted. During this period, Council will test the proposed trading hours and sound conditions to assess any impacts of the SEPs on the community and businesses.

Recommendations on the future of the SEP will be reported to Council prior to a decision on whether the SEP will become permanent.

During the trial period, Council's Special Entertainment Precinct webpage will be updated to keep the community informed of the operations of the SEP. A Special Entertainment Project Advisory Group comprising Council, Transport for NSW, Tamworth Liquor Accord, NSW Police, Department of Health and business / community members has been established to monitor the SEPs operation.

Council will work with relevant internal departments, NSW Police, Department of Health, Transport for NSW and NSW Liquor and Gaming over the trial period to review the operation of the SEP in accordance with the SEP objectives.

9. Monitoring and Evaluation

The following outcomes framework provides a structured approach to define, track, and report on the desired changes (outcomes) that the SEPs aim to achieve. These outcomes will assist Council to measure progress toward the SEP objectives, ensure accountability, improve decision-making, and provide a shared understanding of what success of the Precinct's looks like for the Tamworth community.

Objective	Short Term Outcome (1 Year)	Measure	Medium Term Outcome (3 Years)	Measure	Long Term Outcome (5 + Years)
To create conditions that encourage and sustain live entertainment, culture and creativity.	Venue operators and businesses are aware of, understand and support sound controls and trading hours	Number of venues demonstrating an intention to provide/providing more live music / entertainment	Increased music, entertainment and cultural events.	Number of live performances and events year 3	Thriving, vibrant and sustainable Special Entertainment Precincts that contributes to economic growth, business development and the areas identity as the regional music capital.
To stimulate economic activity by providing more diverse nighttime activities for visitors and residents.			Higher revenue and sales for night-time businesses	Increase in revenue related to night-time economy activity year 3	
To provide greater operational certainty for venues and businesses by establishing consistent sound controls and trading hours		Number of venues and businesses utilising later trading hours	Venue operators and businesses are increasing trading hours	Number of venues and businesses increasing trading hours	
		Number of venues and businesses utilising extra trading hours incentives		Number of venues increasing trading hours to support live entertainment	
	Number of non-entertainment related businesses demonstrating intention to extend trading hours	Venue operators are utilising extended trading hours incentives	Number of venues and business utilising incentives		
To balance the creation of a thriving night-time economy with quality of life for residents	The SEPs are generally supported through the public exhibition period	Number of resident complaints	Ongoing resident support	Number of resident complaints	

10. Suspending or Revoking a SEP

Council or the 24-Hour Economy Commissioner, under the direction of the Minister for the Arts, Music and Night-time Economy, can begin the process of suspending or revoking a SEP.

Step 3 of the NSW Special Entertainment Precinct Guidelines (the Guidelines) outlines the escalation process which may lead to the suspension or revocation of a SEP. This process provides a mechanism for addressing ongoing issues or failures within a SEP, which may include individual venues within the SEP, that may impact its intended benefits, ensuring the framework remains effective and responsive.

The PMP may be reviewed and amended as part of the process to resolve issues before seeking a suspension or revocation

Reasons for suspension or revocation include breaches of thresholds for:

- antisocial behaviour and ongoing alcohol related violence or issues;
- non-compliance with sound and trading hour conditions;
- businesses failing to mediate and resolve complaints received regarding sound or operational dispute in the locality; and
- unreasonable disturbance or impact on the natural and built environment suspected to be caused by business operations.

The Guidelines provide mandatory steps for councils to suspend and revoke SEPs or SEP benefits provided to individual businesses to ensure they are achieving their intended objectives.

Escalation Process

Venues will be required to act in accordance with the PMP, their individual plans of management, liquor licences and development consents (except for conditions relating to trading hours and the regulation of sound entertainment activity from premises) issued by Council and L&GNSW to manage the safety and wellbeing of patrons in their establishments and minimise impacts on the public domain and amenity.

When L&GNSW receives a statutory disturbance complaint an initial assessment is conducted to determine if the complaint should be dealt with under the disturbance complaint provisions in the *Liquor Act*. L&GNSW may determine to not deal with the complaint under these provisions, but instead address the allegations raised in the complaint through other methods.

This may include focused remedial engagement with the venue to provide education and support. This process provides an opportunity for the venue to implement measures that may mitigate noise and disturbance and result in a timely resolution.

Suspension

The following matters will be taken into consideration to suspend a SEP:

- the quiet and good order of the neighbourhood of the SEP is being unreasonably disturbed because of the cumulative impact of businesses operations or the behaviour of patrons after they leave the venues or sites within the SEP;
- sustained patterns over a significant period of high levels of anti-social behaviour and violence which are leading to impacts to public safety and amenity;
- the SEP is not being exercised in the public interest;
- the continuation of the SEP is not in the public interest; and
- where suspension is the only option after unsuccessful attempts to resolve substantiated non-compliances of a significant number of premises with venue management, precinct trading

hours and/or sound controls which have impacted public amenity and safety, but which Council considers can be remedied within a certain timeframe.

Should Council wish to amend the sound controls and trading hours in the SEPs, as an alternative to suspension it can amend the Development Control Plan (DCP) and PMP in consultation with L&GNSW, Office of the 24-Hour Economy Commissioner, other relevant NSW Government stakeholders and local businesses.

Revocation

The following matters will be taken into consideration to revoke a SEP on the application of SEP to an individual premises:

- where the venue or venues and businesses did not take up the opportunity to host live music and performance and have extended trading hours;
- where Council changes the strategic direction of the Precinct;
- where high levels of anti-social behaviour and/or violence are occurring in the SEP on an ongoing basis that are impacting public safety and amenity; and
- where revocation is the only option to address impacts of a significant number of businesses in breach of venue management conditions, precinct trading hours and/or sound controls, and there are substantiated complaints following attempts to address them and significant impacts on public amenity and safety which cannot be resolved.

Reinstatement

There is no appeal process to lift a suspension or the revocation of a business premises or precinct.

An assessment of the operation will be considered based on the business premises and Precinct compliance with the PMP and go through Council's decision process and the legislative planning requirements to reinstate a business's premises or Precinct.

PART B

11. Trading Hours

Base Trading Hours

Base trading hours refer to the maximum hours of operation for licenced and unlicensed venues and businesses in a SEP.

The base trading hours in the PMP for the Tamworth CBD and TSEP have been prepared with reference to approved trading hours identified in conditions of development consents, alongside the approved liquor licence trading hours for existing licensed venues in the SEP.

These base trading hours override any existing development consent or complying development certificate conditions relating to trading hours which are less than those hours set out in the plan.

Businesses and venues in the SEPs which have more restrictive hours than the base trading hours do not need to submit applications to modify the proposed hours of operation on their development consents (including extending existing approved hours or renewing a trial period) to operate in accordance with the trading hours listed below.

The base trading hours established for the SEPs do not disadvantage venues or businesses with an existing development consent to trade later than the maximum permitted hours before the establishment of a SEP. Existing venues or businesses which operate later than the maximum hours set out in this PMP can continue to operate in accordance with their approved later trading hours.

New venues or businesses wanting to trade later than the base hours established in the PMP will need to submit a development application to Council for assessment.

Table 1. presents the SEP base trading hours for Tamworth CBD and TSEP.

Table 1 Base trading hours

	Licenced Premises (e.g Hotels / Nightclubs / Small bars / Clubs / Restaurants / Cafes)		Unlicensed Premises	
	Indoor	Outdoor	Indoor	Outdoor
Base hours	10am – Midnight	10am – Midnight	6am – Midnight	10am – Midnight

Extended Trading Hours on Liquor Licenses

Venues and businesses in designated SEPs can receive extended trading on their liquor licenses of up to two hours to support live music and cultural activity.

1 hour trading extension

Participating venues in the SEPs may be eligible for an extra 1 hour of trade every day. To be eligible, participating venues or businesses must:

- notify Liquor & Gaming NSW and register the intent to hold live music performances or other arts and cultural event;

- host live music or other arts and cultural events for at least 45 minutes after 8pm, on at least 2 nights in any 7-day period; and
- it is within the hours specified in the PMP, or the venue or business's development consent permits the extended trading hours

2 hour trading extension

Registering as a participating venue in the SEPs only provides access to the 1-hour liquor trading extension.

To access an additional 1-hour (2 hours in total) liquor trading extension, the venue or business must also:

- is a dedicated live music and performance venue on a list published on the L&GNSW website;
- host a live music or arts and cultural event for at least 45 minutes after 8pm on the night of the extension; and
- have development consent that permits the extended trading hours.

Requests for additional hours beyond the maximum extended hours permitted in this PMP can be considered and approved through a development application submitted to Council. The PMP may also need to be periodically updated to include later trading venues, approved through the development application process.

Extended Trading Hours Incentives

Licensed venues that support live music or performance in a Special Entertainment Precinct may be eligible for reduced licence fees, including:

- an 80% reduction on annual liquor licence fees, including base fees and trading hours risk loading; and
- an 80% reduction on permanent extended trading application fee.

Extended trading hours are applicable to the following liquor licence types:

- Hotels;
- General bars;
- Clubs;
- Small bars;
- On-premises related to a restaurant;
- Producer/Wholesaler licence with a drink on premises; and
- Authorisation or a special drink on premises authorisation.

12. Sound Management Framework

Sound criteria is a mandatory component in a SEP and is a required inclusion in the PMP.

For the establishment of the Tamworth CBD and TSEP, a balanced (place-based) sound management framework has been adopted to regulate entertainment noise in the precinct by setting fixed noise criteria for licensed venues, outdoor events and receiver premises to ensure that new developments are design to mitigate noise from the SEP.

To provide greater consistency and certainty across the SEPs, predetermined fixed sound level criteria have been defined, rather than sound criteria relative to the background level. The fixed sound levels vary by time of day and geographical location to reflect the designed balance of activation and amenity across the SEP. Derivation of this approach has been informed by review of current development consent and liquor licence conditions, literature review of current noise emission / intrusion criteria applicable to noise generating and noise receiving developments in NSW, and noise measurement data across the precinct.

The sound management framework in this PMP will replace existing entertainment noise criteria in development consent and liquor licence conditions with one simplified overarching approach that can be applied holistically across the SEPs and surrounding sensitive receivers.

The sound management framework has been prepared the Acoustic Toolkit which is included in the *Special Entertainment Precinct Guidelines*.

Technical terms

Table 2. provides a description of some technical terms used in the sound management framework.

Table 2 key terms and definitions used in the sound management framework

Term	Definition
Agent of change	The agent-of-change model is a first-in, first-served approach. For new entertainment venues in an area, the model would be like the current 'polluter-pays' model, whereby the venue is responsible for achieving sound criteria at existing receiver locations. However, the model is beneficial for the protection of existing entertainment venues, as it requires the new entrant to an area which changes the conditions in an area, such as new sensitive receiver development, to mitigate for noise exposure.
Decibel (dB)	The logarithmic scale used to measure sound and vibration
dB(A)	dB(A) denotes a single-number sound pressure level that includes a frequency weighting ('A-weighting') to reflect the subjective loudness of the sound level. The frequency of a sound affects its perceived loudness. Human hearing is less sensitive at low and very high frequencies, and so the A-weighting is used to account for this effect. An A-weighted decibel level is written as dB(A). Examples of typical sound pressure levels are listed below. 130 dB(A) Human threshold of pain 120 dB(A) Jet aircraft take-off at 100 m 110 dB(A) Chain saw at 1 m 100 dB(A) Inside nightclub 90 dB(A) Heavy trucks at 5 m 80 dB(A) Kerbside of busy street 70 dB(A) Loud stereo in living room 60 dB(A) Office or restaurant with people present 50 dB(A) Domestic fan heater at 1 m 0 dB(A) Living room (without TV, stereo, etc.) 30 dB(A) Background noise in a theatre 20 dB(A) Remote rural area on still night 10 dB(A) Acoustic laboratory test chamber 0 dB(A) Threshold of hearing
Emitter (or sound-emitting venue)	Existing or future developments that generate entertainment sounds, such as music and patron activities.

Leq – Sound measurement descriptor	Current conditions of consent vary between use of the Leq and L10 noise parameters. L10, being the sound level that is exceeded for 10% of the time, is currently adopted by Liquor & Gaming NSW. However, Leq, being the average exposure level, is considered a good representation of on-going noise exposure over the course of an activity and is most widely correlated with the subjective effect of noise. Leq has been broadly adopted in NSW policies for assessment of most environmental sound, including road and rail traffic, construction, industrial premises, and more recently, large scale entertainment event held at Western Sydney Stadium and the Sydney Opera House. The Leq sound measurement parameter has been adopted.
Receiver (or: sensitive receiver)	Existing or future developments that may be affected by entertainment sound, such as residential accommodation, educational and health services facilities, and places of public worship.
Sound category area (SCA)	In this context, sound categories are based on the sound generated by entertainment activities, ranging from high to lower levels. SCAs are defined assigned a criteria based on sound levels and surrounding land uses.

Recommended Noise Criteria

The fixed noise criteria have been determined across the SEP based on surrounding land uses and consideration of existing ambient / venue noise levels.

The following approach to sound management within and surrounding the precinct has been informed by the following key factors:

1. Acknowledgement of the current ambient noise levels and activation of the proposed SEP areas, and the positive contribution that entertainment venues provide to the vibrancy of the neighbourhood and community.
2. Acknowledgement of the existing and intended future uses of the precinct to set noise emission requirements that are consistent with the safeguarding of ongoing entertainment venue activities in the SEPs and enabling the future uses that are envisaged within the precinct.
3. The requirement to balance the activation of the proposed SEPs with reasonable amenity expectations of sensitive receivers (such as residential premises) within and surrounding the SEP areas.
4. To provide greater consistency and certainty for businesses, residents and compliance officers regarding allowable sound emission and amenity expectations.
5. Provide opportunity to manage the growth of the SEPs and minimise the potential for cumulative noise impacts from new live music venues.

Sound criteria – entertainment venues

External sound categories

The sound maps in **Figure 3.** and **Figure 4.** show the sonic representation emitted from specific locations in the Tamworth CBD and TSEP. **Table 3.** (p.31) shows external entertainment sound levels for the various Sound Category Areas (SCAs) referenced in the maps.

The SCAs will apply to all uses emitting entertainment sound, defined as music and patron noise emanating from activities at entertainment and hospitality venues within the SEPs. The limits do not apply to noise from mechanical plant and equipment or noise in the public realm associated with patrons leaving a site.

For new entertainment venues being developed in the SEPs, it is recommended that the noise generated from any individual venue must not exceed 3dB below the cumulative noise limits presented in **Table 3.** unless it can be demonstrated that there are no existing venues or the potential for future venues in the vicinity that may also generate noise.

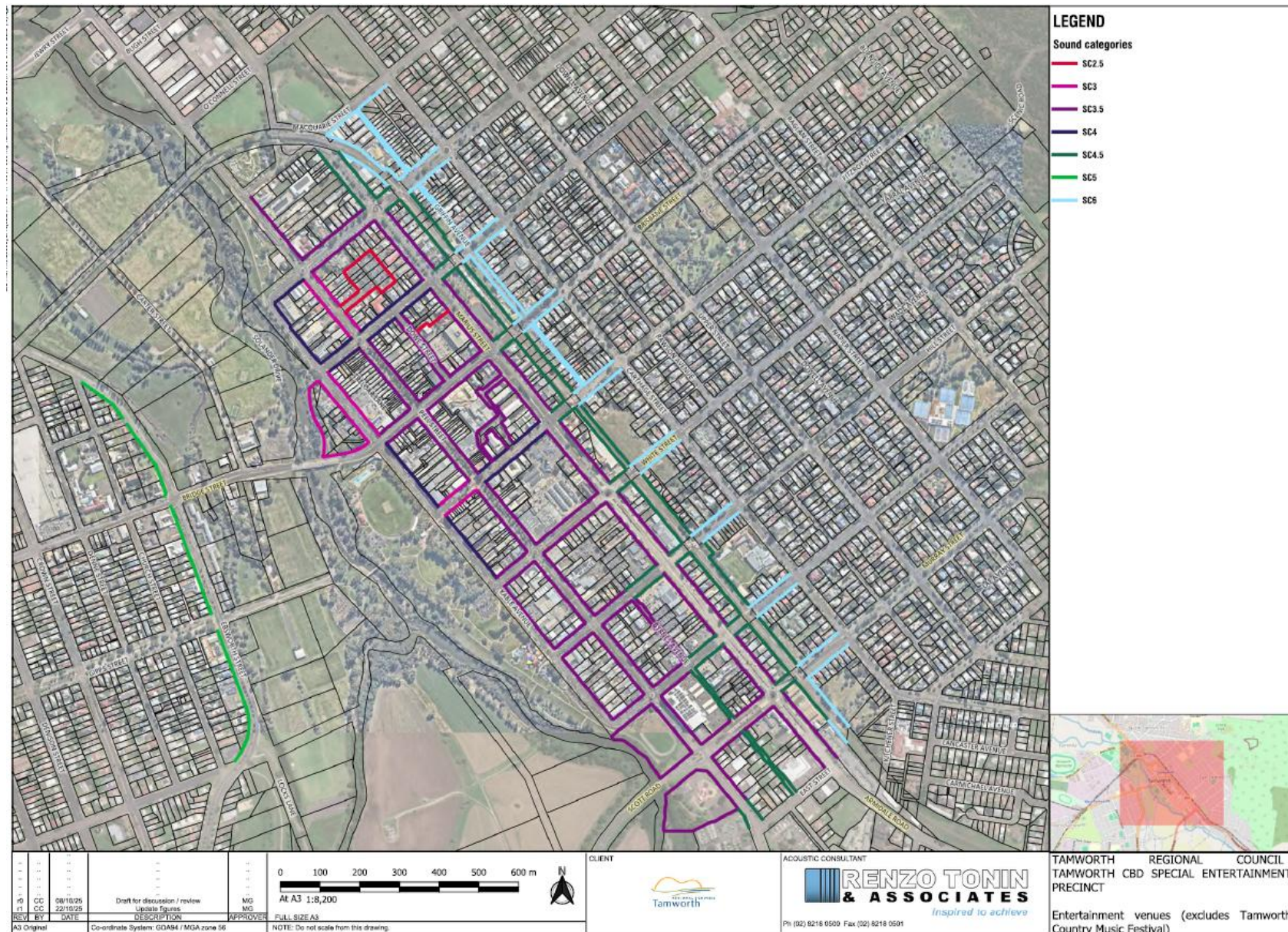


Figure 4 Tamworth CBD sound category map – entertainment venues (excluding Tamworth Country Music Festival). Source: Renzo Tonin & Associates

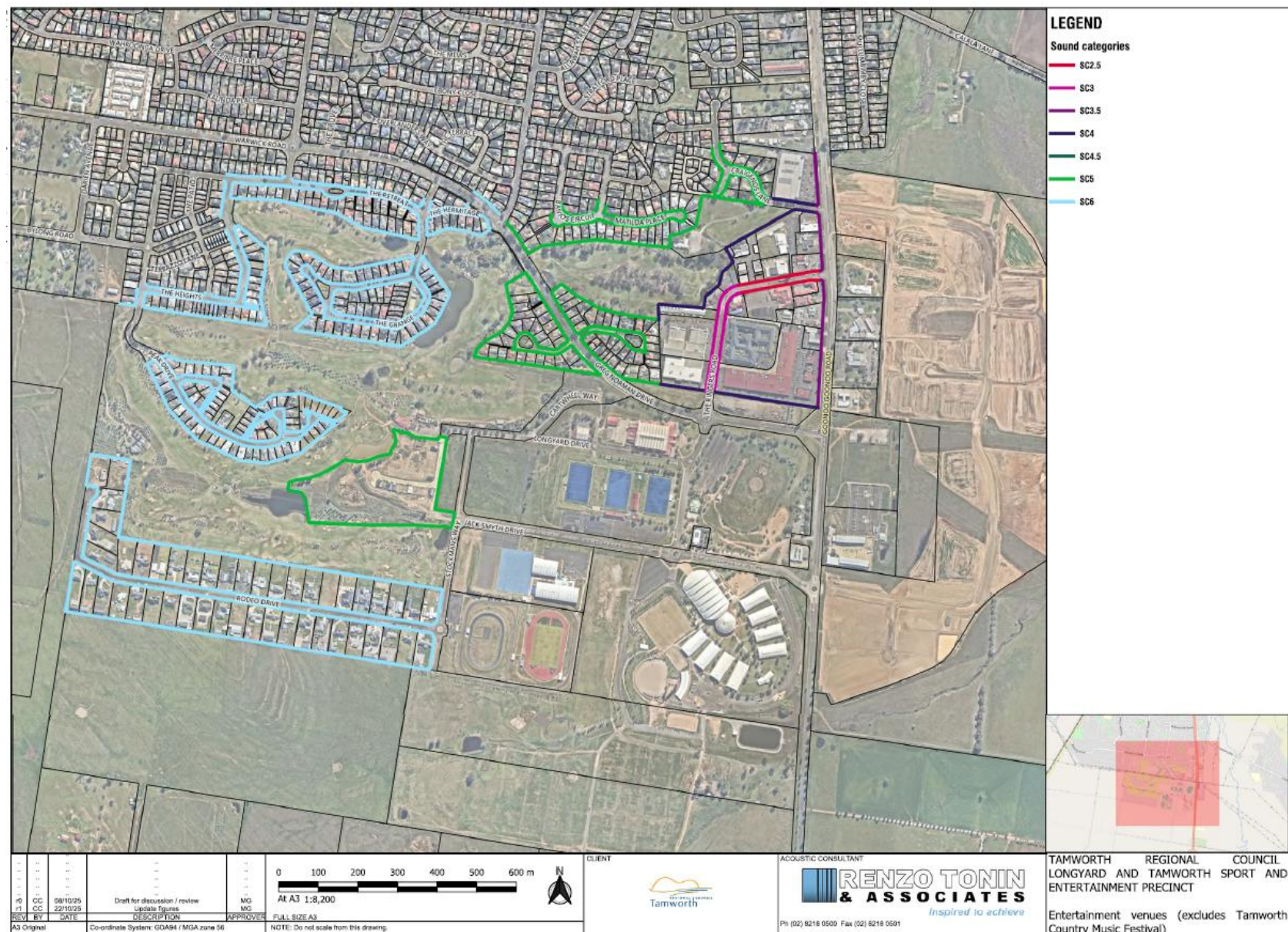


Figure 5 TSEP sound category map – entertainment venues (excluding Tamworth Country Music Festival). Source: Renzo Tonin & Associates

Table 3 External entertainment sound levels – cumulative, L_{eq} (15min). Source: Renzo Tonin & Associates

Sound Category ID	7am to 10pm				10pm to midnight				Midnight to 7am				Sound Category application notes
	Overall dB(A)	Octave band Hz (dBZ)			Overall dB(A)	Octave band Hz (dBZ)			Overall dB(A)	Octave band Hz (dBZ)			
		31.5	63	125		31.5	63	125		31.5	63	125	
SCA 2.5	70	74	73	71	70	74	73	71	65	69	68	66	Similar to SCA 2 but with lower external noise levels during the night period. Will reduce building sound insulation for bedrooms or enable lower internal sound levels to be achieved. May be suitable for a commercial core or CBD with greater potential for residential development or with residential development bordering the precinct.
SCA 3	65	69	68	66	65	69	68	66	60	64	63	61	Entertainment sound levels suitable for smaller venues and bars, and more readily allowing for external patron areas, particularly up to midnight. May be suitable for a residential mixed-use area or as a buffer near higher SCAs
SCA 3.5	65	69	68	66	60	64	63	61	55	59	58	56	As SCA 3 up to 10pm, but with progressively lower sound levels after 10pm and midnight. May be suitable for a residential mixed-use area in a less urban environment, where later trading is not expected.
SCA 4	60	64	63	61	60	64	63	61	50	59	58	56	Reduced intensity of entertainment sound levels, most well-enclosed venues. Lower sound levels after midnight for balance towards residential areas. For application to buffer around higher SCAs.
SCA 4.5	60	64	63	61	55	59	58	56	50	59	58	56	As SCA 4 up to 10pm, but with progressive reduction in sound levels after 10pm and at midnight.
SCA 5	55	59	58	56	55	59	55	51	50	54	50	46	Use expected to be buffer around other SCAs in an urban area. Expected to be less suitable within or immediately surrounding primary entertainment area.
SCA 6	50	54	50	46	45	54	50	46	40	54	50	46	Use expected to buffer around other SCAs in a suburban / regional area. Expected to be less suitable within or immediately surrounding primary entertainment area.

Internal sound criteria

The internal sound criteria applicable to future residential premises in / surrounding the Tamworth CBD and Sports and Entertainment Precinct SEPs are set out in **Table 4**. below.

Table 4 Internal sound criteria – cumulative entertainment noise level, L_{eq} (15min). Source: Renzo Tonin & Associates

Receiver	Period	Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125
Residential accommodation (excluding hotels and hostels) – habitable rooms excluding bedrooms	Day / evening	35	59	52	46
	Early night	35	59	52	46
	Late night	35	59	52	46
Residential accommodation (excluding hotels and hostels) - bedrooms	Day / evening	35	59	52	46
	Early night	30	54	47	41
	Late night	30	54	47	41
Places of public worship	When in use	38	62	55	49
Education facilities including early childhood and childcare facilities	When in use	35	59	52	46
Health service facilities	Day / evening	40	64	57	51
	Early night (wards only)	35	59	52	46
	Late night (wards only)	35	59	52	46
Notes Day / evening is 7:00am – 10:00pm Early night is 10:00pm – midnight Late night is midnight – 7:00am Internal criteria apply to entertainment sound only (ie. patrons and music) Habitable room is defined as a room used for normal domestic activities which: - Includes living rooms, lounge rooms, television rooms, kitchens, dining rooms, studies, family rooms, sunrooms, etc. - Excludes bathrooms, laundries, pantries, walk-in wardrobes, hallways, foyers, garages, storage sheds, and other spaces that are neither occupied frequently nor for extended periods of time.					

New mixed use developments

A new mixed-use building with ground floor commercial with residential above will be required to comply with the below internal sound criteria – cumulative entertainment sound criteria – cumulative entertainment noise level L_{eq} (15 min). The derivation of the below criteria has been based on the internal sound criteria set out in the Acoustic Toolkit which in turn, reference various global standard criteria and literature (inclusive of Australian Standard 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors).

The internal criteria for the contribution of entertainment noise from a venue being transmitted through the building is set out in **Table 5**.

Table 5 Internal sound criteria – entertainment noise contribution through internal path. Source: Renzo Tonin & Associates

Receiver	Period	Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125
Residential accommodation (excluding hotels and hostels) – habitable rooms excluding bedrooms	Day / evening	30	54	47	41
	Early night	30	54	47	41
	Late night	30	54	47	41
Residential accommodation (excluding hotels and hostels) - bedrooms	Day / evening	30	54	47	41
	Early night	25	49	42	36
	Late night	25	49	42	36
Places of public worship	When in use	33	57	50	44
Education facilities including early childhood and childcare facilities	When in use	30	54	47	41
Health service facilities	Day / evening	35	59	52	46
	Early night (wards only)	30	54	47	41
	Late night (wards only)	30	54	47	41
Notes Day / evening is 7:00am – 10:00pm Early night is 10:00pm – midnight Late night is midnight – 7:00am Internal criteria apply to entertainment sound only (ie. patrons and music) Habitable room is defined as a room used for normal domestic activities which: Includes living rooms, lounge rooms, television rooms, kitchens, dining rooms, studies, family rooms, sunrooms, etc. Excludes bathrooms, laundries, pantries, walk-in wardrobes, hallways, foyers, garages, storage sheds, and other spaces that are neither occupied frequently nor for extended periods of time.					

For mixed-use buildings with entertainment venues and sensitive receiver premises, the ‘agent-of-change’ approach is an appropriate framework for determining the responsible party with respect to the provision of sound insulation performance upgrades and meeting internal noise contribution level criteria. That is:

- a new entertainment venue moving into the commercial premises of a mixed-use building or an existing entertainment venue in a mixed-use building applying for significant operational changes is required to implement sound insulation performance upgrades to the building such that the transmission of entertainment noise into the residential component of the mixed-use building satisfies the internal noise criteria; and
- a new residential premises being developed in a mixed-use building with an existing entertainment venue is required to implement sound insulation performance upgrades to the building such that the transmission of entertainment noise from the existing venue operations satisfies the internal noise criteria in the residential premises.

Sound criteria – outdoor events

Measurements and predictive noise modelling of outdoor events associated with the TCMF has been undertaken to determine allowable entertainment source levels that satisfy the acceptable sound limits recommended in the NSW *Special Entertainment Precinct Acoustic Toolkit* of 60dB(A) / 80dB(C) to 75dB(A) / 95dB(C) in the surrounding residential areas.

Monitored during the Festival's first week, the measured outdoor event source levels have been used in the predictive noise modelling. The venues and operations monitored are provided below.

Table 6 TCMF Venues and operations

Venue name	Location	Time periods of operation	Venue description
Tamworth CBD			
Toyota Park	Bicentennial Park, Tamworth	Day / evening	One of two main outdoor venues of the TCMF. The orientation of this venue has the stage located towards the south-eastern side of Bicentennial Park, with the stage facing a north-westerly direction (ie. towards Brisbane Street / Oxley Highway).
Toyota Fan Zone	Intersection of Peel Street and Fitzroy Street, Tamworth	Day / evening	The other main outdoor venue of TCMF. The orientation of this venue has the stage facing a south-westerly direction (ie. towards Kable Avenue).
Macca's Golden Gig Stage	Intersection of Kable Avenue and Fitzroy Street, Tamworth	Day / evening	Small outdoor stage which showcases up and-coming artists. The venue has lower music source levels than the main Toyota Park and Toyota Fanzone stages, and influenced by noise from the adjacent Family Zone.
Family Zone	Kable Avenue, Tamworth (between Brisbane Street / Oxley Highway and Fitzroy Street)	Day / evening	Noise emission from the Family Zone is a mixture of noise from amusement rides and the provision of background music for ambience.
Riverside Campgrounds	Intersection of Carter Street and Edwards Drive, West Tamworth	Day / evening	Small outdoor venue with lower noise source levels than the main Toyota Park and Toyota Fan Zone stages.
Busking	Peel Street, Tamworth (currently between Brisbane Street / Oxley Highway and White Street).	Day / evening	Buskers are spaced 6m apart on both sides of Peel Street which gives rise to an approximate total of 70 busking locations.
The Courthouse Hotel	232 Peel Street, Tamworth	Day, evening, night	Hotel which hosts live music performances in the rear beer garden which are associated with the TCMF.
West's Diggers	4 Kable Avenue, Tamworth	Day, evening, night	Club which hosts live music performances in the rear courtyard which are associated with the TCMF.
Hissy Fits Cafe	457 Peel Street, Tamworth	Day, evening, night	Small outdoor stage set up on the northern side of Peel Street, directly opposite the Hissy Fits Café.
The Tamworth Hotel	147 Marius Street, Tamworth	Evening, night	Hotel which hosts live music performances in the rear beer garden which are associated with the TCMF.
Tamworth Sports and Entertainment Precinct			
The Big Golden Guitar	2 The Ringers Road, Hillvue	Day	Small outdoor stage set up in front of the Tamworth Visitor Information Centre.
Longyard Hotel – Front deck	10-12 The Ringers Road, Hillvue	Day / evening, early night	The front deck is a mobile stage truck which is set up on The Ringers Road, Hillvue, adjacent to the Longyard Hotel outdoor area.
Australian Equine and Livestock Events Centre (AELEC)	503 Goonoo Goonoo Road, Hillvue	Evening, night	Venue which hosts rodeo events during the TCMF.

Venue name	Location	Time periods of operation	Venue description
Tamworth Regional Entertainment and Conference Centre (TRECC)	Greg Norman Drive, Hillvue	Evening, night	Venue which hosts live music performances and industry events such as the Toyota Golden Guitar Awards.

The predicted and measured results reveal music noise levels from the TCMF from the venues listed in **Table 6**. comply with the acceptable sound limits recommended in the Acoustic Toolkit at the surrounding residential areas.

Based on the assessment of music emissions from the TCMF, sound criteria at / near the source of entertainment have been established in **Table 7**.

To ensure that the music levels do not exceed the acceptable sound limits recommended in the Acoustic Toolkit at the surrounding residential areas, the sound system operators of each outdoor entertainment venue is to measure / manage their entertainment source levels so that they are below the sound pressure level set out in **Table 7**.

Table 7 TCMF venue entertainment source level criteria. Source: Renzo Tonin & Associates

Venue name	Location	Entertainment source level
Tamworth CBD		
Toyota Park	Bicentennial Park, Tamworth	86dB(A) / 102dB(C) @ 20m in front of stage speaker
Toyota Fan Zone	Intersection of Peel Street and Fitzroy Street, Tamworth	86dB(A) / 101dB(C) @ 20m in front of stage
Macca's Golden Gig Stage	Intersection of Kable Avenue and Fitzroy Street, Tamworth	89dB(A) / 101dB(C) @ 10m in front of stage
Family Zone	Kable Avenue, Tamworth (between Brisbane Street / Oxley Highway and Fitzroy Street)	Amusement ride music, sound effects and PA system should not exceed 83dB(A) / 94 dB(C) @10m in front of any speaker.
Riverside Campgrounds	Intersection of Carter Street and Edwards Drive, West Tamworth	89dB(A) / 101dB(C) @ 10m in front of stage
Busking	Peel Street, Tamworth (currently between Brisbane Street / Oxley Highway and White Street).	80dB(A) / 87dB(A) @ 5m in front of any busker
The Courthouse Hotel	232 Peel Street, Tamworth	90dB(A) / 107dB(C) @ 5m in front of performer
West's Diggers	4 Kable Avenue, Tamworth	90dB(A) / 107dB(C) @ 5m in front of performer
Hissy Fits Café	457 Peel Street, Tamworth	89dB(A) / 101dB(C) @ 10m in front of stage
The Tamworth Hotel (rear beer garden)	147 Marius Street, Tamworth	84dB(A) / 95dB(C) @ 5m in front of performer
Tamworth Sports and Entertainment Precinct		
The Big Golden Guitar Stage	2 The Ringers Road, Hillvue	80dB(A) / 86dB(C) @ 10m in front of stage
Longyard Hotel – Front deck	10-12 The Ringers Road, Hillvue	93dB(A) / 109dB(C) @ 5m in front of stage
Australian Equine and Livestock Events Centre (AELEC)	503 Goonoo Goonoo Road, Hillvue	65dB(A) / 71dB(C) opposite the AELEC building, on the footpath on the northern side of Jack Smyth Drive
Tamworth Regional Entertainment and Conference Centre (TRECC)	Greg Norman Drive, Hillvue	65dB(A) / 71dB(C) opposite the TRECC building, on the northern side of Greg Norman Drive

The predictive modelling results of noise emission from the TCMF outdoor are presented noise contour maps in **Figure 6**. and **7**.

Development Assessment Guidelines

Pursuant to **Clause XX** of the Tamworth Regional Local Environmental Plan 2010 (TRLEP 2010) and *Section 202E Local Government Act 1993*, conditions relating to trading hours and sound from entertainment activities are overridden by the provisions set out in **Part B - Trading Hours** of this PMP for premises in the Tamworth CBD and TSEP.

In accordance with *Section 202E of the Local Government Act*, development application (DA) conditions applying to venues in the SEPs and regulate noise control levels, are superseded by the sound criteria contained in **Part B – Sound Management Framework** of this PMP for premises in the Tamworth CBD and TSEP.

Under the PMP, Council will be regularly monitor and review the above concessions and consider the need for amendments.

Operating past the extended operating hours allowed under the PMP

Premises located in the SEPs and seeking to operated past extended trading hours will need to lodge a development application with the proposed operating hours. The application will need to be accompanied with an individual plan of management and acoustic assessment report addressing the requirements of this PMP to assessing the impacts relating to noise and the operations to ensure that the business will not impact on the amenity of the neighbourhood.

Premises currently operating beyond the allowed extended operating hours

Premises currently operating beyond the allowed extended operating hours can continue operate as per the consent.

Extended operating hours and outdoor dining licenses

The operating hours identified in **Part B – Trading Hours** include outdoor dining areas.

Venues and businesses interested in providing outdoor dining will first be required to submit an application to Council to obtain a license / permit for trading.

Hosting live entertainment performances or events

Existing and new venues and businesses, and new developments located in the applicable sound category areas must comply with the sound levels identified in **Part B - Sound Management Framework**. It is recommended that a suitably qualified acoustic consultant be engaged to ensure compliance with the relevant acoustic criteria.

Structural changes to buildings or entertainment area to meet the sound criteria documented in **Part B** may also require approval through a development application if the works cannot be don't under the SEPP (Exempt and Complying Development Codes). For more information contact the Council's duty officer.

Approval requirements for the construction of new mixed use developments in the SEPs

Proposals to construct new residential or commercial development will be required to lodge a development application with Council and comply with **Chapter XX** of the Tamworth Regional Development Control Plan 2010 (TRDCP 2010) which sets out acoustic criteria based on the provisions of **Part B – Sound Management Framework** of this PMP.

13. Compliance Procedures

Responsible Authorities

A description of the various roles and responsibilities of the agencies involved in regulating the SEPs is provided below.

Table 8. provides a summary of various complaint types and the agencies responsible to manage complaints from both licenced and unlicenced premises.

Table 8 Complaint types and responsible agencies

Type of complaint	Council	NSW Liquor and Gaming	NSW Police
Non-compliance and breach of development consent from an unlicenced premises	✓		
Entertainment sound from a licenced premises that exceeds the sound criteria		✓	
Entertainment sound from an unlicenced premises that exceeds the sound criteria	✓		
Anti-social behaviour from a licenced or unlicenced premises that requires immediate attention			✓

Liquor and Gaming NSW (L&GNSW)

Licencees have an obligation to minimise any negative impact on residents and businesses. They also have a duty to maintain the quiet and good order of the neighbourhood. This means that the licensee must not operate in a way that unduly or unreasonably disturbs the area.

It is reasonable to expect some level of noise or activity from the general operation of a licenced venue. This includes sound from amplified or live music, other entertainment, such as karaoke or patrons.

A disturbance is likely to be one or both of the following:

- excessive noise from inside the venue or people leaving the venue
- anti-social behaviour from people leaving the venue, including alcohol-related violence.

For licenced premises in a SEP all noise and disturbance complaints will be received and managed by L&GNSW under the *Liquor Act*.

The steps members of the public can take as a local resident or business when they experience a disturbance from the operation of a licenced venue is shown in **Table 9**.

Table 9 Complaint process

Step	Description
Step 1 – Members of the community talk to the venue owner or licensee	Noise complaints are reports made by members of the community raising concerns about the level of noise made by a licenced venue. This may include: • noise from amplified music • other types of entertainment such as karaoke and trivia • patron noise • anti-social behaviour from patrons when leaving a venue.
Step 2 – Lodging a noise complaint	If it is not possible or practical to speak to the licensee or venue operator, or if the issue isn't resolved, members of the public can lodge a noise complaint. Once a complaint has been submitted, L&GNSW will assess the best way to handle it. Action may include: • encouraging resolution of the issues with the relevant venue; • mediation with the licensee, guided by L&GNSW inspectors; • remedially engaging with the venue providing education and support. This gives the venue an opportunity to put proactive measures in place and may result in a timely resolution; • recording the complaint and taking no further action; • referring the complaint to another agency such as NSW Police or Council; and • allocating the complaint to a L&GNSW inspector for investigation.
Step 3 – Statutory complaints	For more serious or ongoing disturbances a statutory complaint can be made (rather than a general noise complaint) if all the following apply: • there is ongoing noise and disturbance issues with a licenced venue; • concerns cannot be resolved directly with the relevant venue; and • matters have previously been reported to L&GNSW. Within a SEP, a statutory disturbance complaint under the <i>Liquor Act 2007</i> can only be dealt with if complainants can demonstrate there has been an attempt to resolve the matter with the relevant venue. A statutory disturbance complaint can only be made by: • a group of 5 or more people who live or work in the neighbourhood. You must be from different households or businesses, and you must have tried to resolve the issue with the licensee; and a person or organisation who can demonstrate (supported by evidence) that they should be allowed to make the complaint because it is severe or in the public interest.

Compliance procedures are outlined in Part 5, Division 3 of the *Liquor Act 2007*, with further guidance available in Liquor & Gaming's Disturbance Complaint Guidelines.

www.nsw.gov.au/business-and-economy/liquor-and-gaming/liquor-licensing/sound-regulation-for-licenced-venues/statutory-disturbance-complaints

NSW Police

NSW Police do not have a role in the regulation of sound within a SEP except for matters of emergency that require immediate attention, such as anti-social or violent behaviours.

Sound complaints regarding related to entertainment within a SEP and made to NSW Police will be referred to L&GNSW.

Council

The management of entertainment sound from unlicensed premises in the SEP, as well as non-entertainment noise like mechanical plant, air conditioners, traffic and barking dogs will be the responsibility of Council.

Sound complaints related to entertainment within a SEP and made to Council will be referred to L&GNSW.

Appendix A

Resources

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Resources

There are a range of resources to assist businesses, venues, residents as well as musicians and others involved in the night time economy.

Name	Description	More details
Incentives for live music and performance venues	Live music and performance venues have access to the following incentives: - an 80% reduction on annual liquor licence fees, including base fees and trading hours risk loading; - an 80% reduction on permanent extended trading application fees; and - a 2-hour liquor trading extension on nights with 45 minutes or more of live music after 8pm, if allowed by your venue's development consent.	www.nsw.gov.au/business-and-economy/liquor-and-gaming/liquor-licensing/sound-regulation-for-Licensed-venues/incentives-for-live-music-and-performance-venues#toc-incentives-for-eligible-venues
Guide for Establishing and Managing Nighttime Economy Uses	Provides a quick and easy reference guide (Guide) for anyone considering establishing or expanding a business within the NTE sector in New South Wales (NSW). This Guide sets out the approvals process for new businesses and development within the NTE sector by helping you think about the process before getting started - from choosing a property to seeking the necessary approvals.	www.planning.nsw.gov.au/sites/default/files/2023-03/guide-for-establishing-and-managing-night-time-economy-uses.pdf
NSW Contemporary Music Strategy	A 10-year plan for strengthening the NSW music industry through upskilling, improving conditions and infrastructure and championing its output. Its focus is to enable growth through reaching new audiences, locally and globally, while contributing to community cohesion and the NSW economy	www.nsw.gov.au/departments-and-agencies/sound-nsw/contemporary-music-strategy
Contemporary Music Development Grants	Funding for artists and acts to create and promote new music and support for music organisations to deliver sector development projects.	www.nsw.gov.au/departments-and-agencies/sound-nsw/contemporary-music-development-grants

Venues Unlocked	The Venues Unlocked Program aims to increase the number of live performance venues with industry best-practice sound management, build the capacity for live performance, and generate greater vibrancy in communities.	www.nsw.gov.au/grants-and-funding/venues-unlocked
Live Performance Venue Program	The program seeks to: • connect existing hospitality venues with subject-matter experts; • facilitate connections between venues, artists, agents and other live performance industry affiliates; • increase industry capacity to diversify existing hospitality venues to offer live performance; • increase sector knowledge and expertise; and • provide funding for live performance equipment purchase and install, and start-up programming and marketing costs	www.nsw.gov.au/grants-and-funding/venues-unlocked/live-performance-venue-program
Making a statutory disturbance complaint	A statutory disturbance complaint can be made if a Licenced venue, like a pub or club, or its patrons are seriously disturbing a neighbourhood, Learn more about statutory disturbances and how to lodge a complaint.	www.nsw.gov.au/business-and-economy/liquor-and-gaming/liquor-licensing/sound-regulation-for-Licensed-venues/statutory-disturbance-complaint-fact-sheet
Office of the 24-Hour Commissioner	The Office of the 24-Hour Commissioner works with councils, businesses and the community to build vibrant, diverse, inclusive and safe 24-hour economies across NSW. The Office runs several programs to promote the night time economy, including grant funding to performance venues.	https://www.nsw.gov.au/business-and-economy/office-of-24-hour-economy-commissioner

Appendix B

Licenced Venues – Tamworth CBD and TSEP,
October 2025

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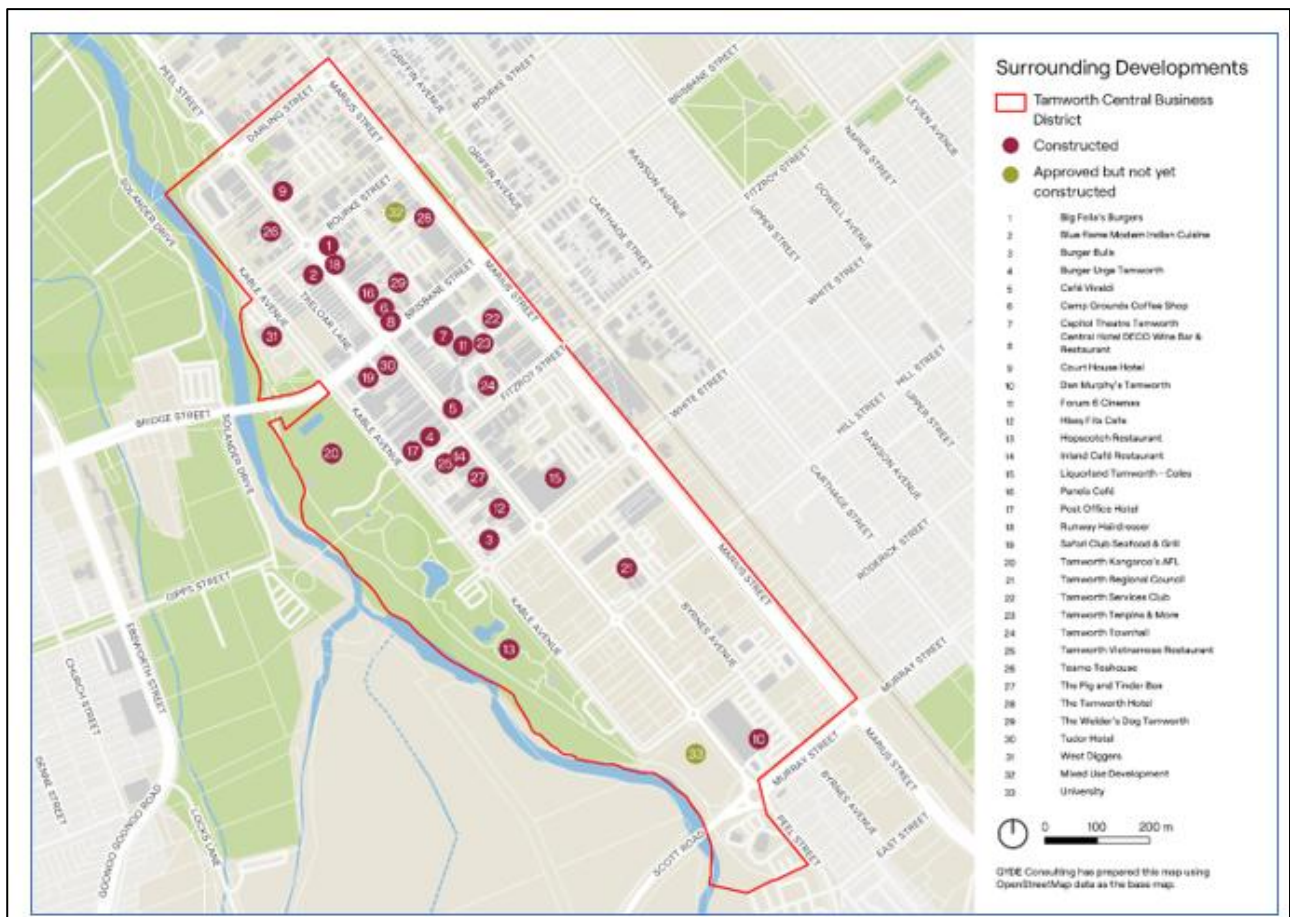


Figure 6 Licenced venues – Tamworth CBD

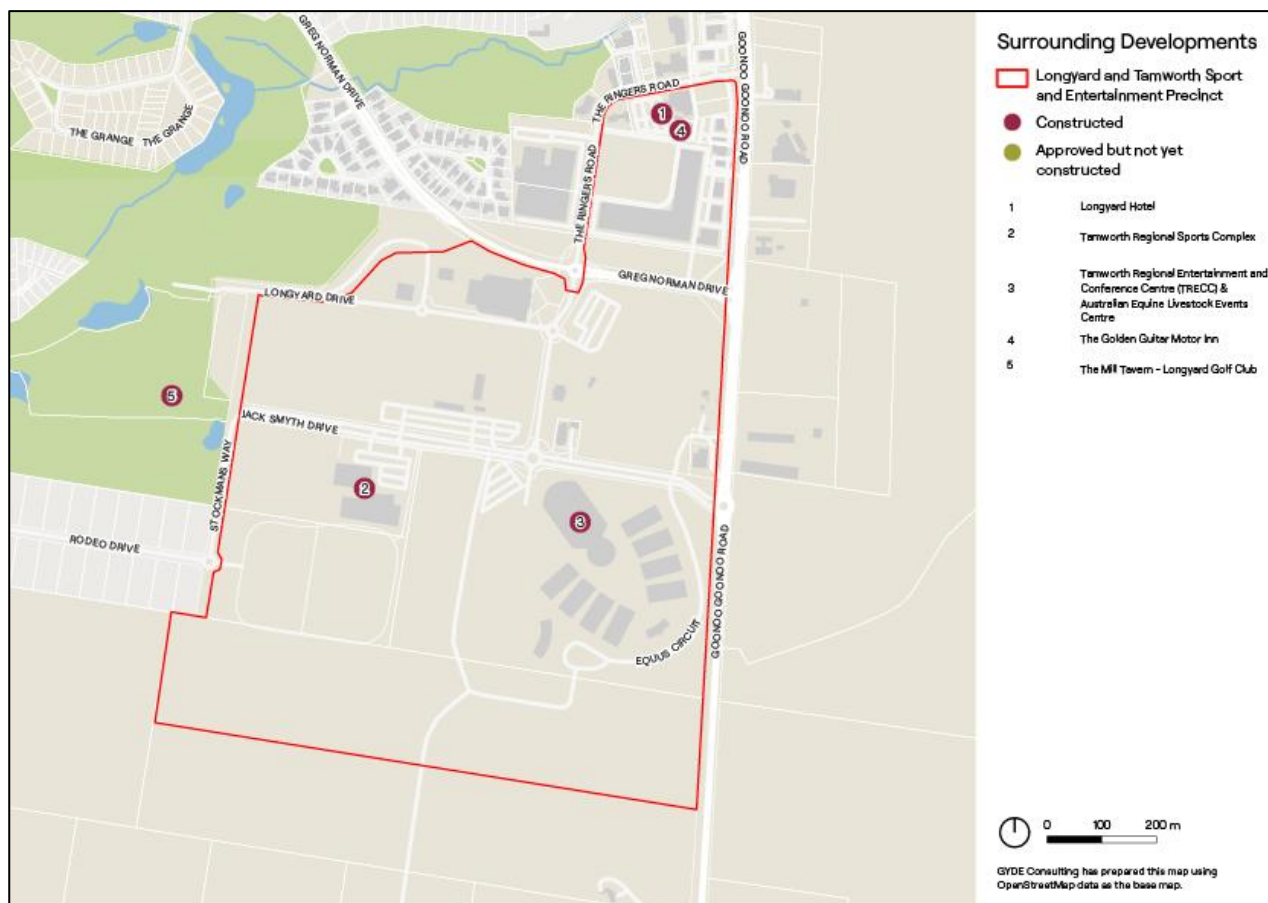


Figure 7 Licenced venues – TSEP