



IRF25/2543

## Gateway determination report – PP-2025-910

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80 Canley Heights and Canley Vale 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-2025-910
Attachment D – Council meeting agenda (report) – 13 May 2025
Attachment E – Council meeting minutes (resolution) – 13 May 2025
Attachment F - Draft Special Entertainment Precinct Management Plan – PP-2025-910
Attachment G - Draft Special Entertainment Precinct Maps – PP-2025-910
Attachment H - Sound Management Criteria Report – PP-2025-910
Attachment I - Draft Good Neighbours Policy – PP-2025-910

# 1 Planning proposal

## 1.1 Overview

**Table 2 Planning proposal details**

<b>LGA</b>	Fairfield
<b>PPA</b>	Fairfield Council
<b>NAME</b>	Establishment of two Special Entertainment Precincts along Canley Vale Road, within the Canley Heights and Canley Vale Town Centres
<b>NUMBER</b>	PP-2025-910
<b>LEP TO BE AMENDED</b>	Fairfield Local Environmental Plan (LEP) 2013
<b>ADDRESS</b>	Various sites within Canley Heights and Canley Vale
<b>RECEIVED</b>	19/05/2025
<b>FILE NO.</b>	IRF25/2543
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required
<b>LOBBYIST CODE OF CONDUCT</b>	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 objectives of the planning proposal are to:

- Support the nighttime economy and diversity in the Canley Vale and Canley Heights Town Centres (Canley Corridor) by facilitating a thriving nighttime economy, including arts and cultural production such as live music.
- Strike a balance between amenity of adjoining residents, and night life.
- Clearly define the roles of stakeholders including businesses, residents, industry, Council, Police and Liquor & Gaming (L&G) NSW to balance amenity and reasonable sound levels coming from the precinct.
- Implement a consistent and adaptable regulatory response to noise complaints in the precinct.

The objectives of this planning proposal are clear and adequate.

## 1.3 Explanation of provisions

The planning proposal seeks to amend the Fairfield Local Environmental Plan (LEP) 2013 by inclusion of an enacting Clause (Clause 6.14 Special Entertainment Precinct) that would apply to Special Entertainment Precinct (SEP) LEP 2013 Maps.

Existing planning controls that apply to land affected by this proposal, such as land use zoning, floor space ratio, height of buildings, minimum lot size, and additional permitted uses, are not proposed to be amended.

The intent of the proposed amendment is to (within the proposed SEP areas):

- Extend the trading hours of businesses to 4am to support the nighttime economy.
- Establish fixed criteria for entertainment sound from live performance venues.
- Establish fixed internal sound criteria for new mixed use residential development.
- Establish fixed internal sound criteria for new residential and commercial tenancies in existing mixed-use development.
- Establish a complaint handling procedure that defines the roles of Council, Liquor & Gaming NSW, NSW Police, venues and residents.
- Include an enabling Clause in the LEP 2013 referencing the LEP SEP area maps.

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

### 1.3.1 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, and a Special Entertainment Precinct Management Plan (PMP) (**Attachment F**).

#### Development Control Plan (DCP)

The Fairfield City Wide Development Control Plan (DCP) 2024 provides detailed planning and design guidelines to support development in accordance with the provisions of Fairfield LEP 2013. In this instance, an amendment to the DCP 2024 is required to fulfill Clause 202B(1)(b) of the Local Government Act 1993:

#### **202B meaning of “special entertainment precinct”**

- (1) A **special entertainment precinct** is an area which –
- b. Requirements about sound attenuation included in a precinct management plan apply to certain types of development in the area,

The amended DCP will set out a series of objectives and controls that:

- identify sensitive land uses (or certain types of development) that will require attenuation from entertainment sound;
- set out compliance criteria for new or modified venues;
- quantify the noise levels that sensitive land uses and new venues will need to comply with, and
- detail when an acoustic report from an accredited acoustic specialist is required and what it needs to demonstrate.

It is proposed to amend the DCP 2024 to incorporate detailed acoustic requirements for future development in the SEPs based on the sound management framework of the Precinct Management Plan.

The DCP 2024 provisions will be used by residents, developers, businesses, and Council to ensure future development in the area is suited to the permitted sound levels in the precinct. This will ensure residents and inhabitants of other sensitive land uses are afforded reasonable amenity, and new venues can open in fit-for-purpose commercial tenancies.

### Special Entertainment Precinct Management Plan

A Precinct Management Plan (PMP) is proposed to manage the operation of the SEPs. The preparation of a precinct management plan is required as outlined in the Local Government Act 1993 Clause 202D Preparation of a precinct management plan.

The PMP will contain the following information:

- the identified areas along Canley Vale Road,
- a position statement and set of objectives for the precinct,
- existing policy considerations and how the SEP sits amongst the framework,
- where and when the plan applies, including trading hours for premises within the SEP,
- compliance and regulation procedures for entertainment sound related complaints,
- sound criteria including allowable sound levels for varying times of the day as they effect different properties, and
- resolution processes for complaints in relation to licensed premises within the SEP.

The planning proposal states that the PMP is for the use of businesses, residents, Council, the Police and other relevant stakeholders in understanding their role and responsibilities in the management of entertainment sound in the precinct. It also gives residents an understanding of noise levels they should expect at various times of the day depending on their property's location.

The PMP is the central tool that will be used in substantiating entertainment sound related complaints, as it not only contains the complaint handling procedures, but also the sound level criteria that complaints are measured against.

A copy of the PMP will be available for viewing on Council's website as stipulated in Clause 202D(4) of the Local Government Act 1993. Council will regularly monitor and update the PMP to ensure it is current and fit-for-purpose.

## 1.4 Site description and surrounding area

Both the Canley Heights and Canley Vale SEP areas are characterised by a range of low, medium and high-density residential housing established across a well-defined grid street pattern, with significant sections dominated by housing stock constructed in the 1970's/80's and more recent terrace style buildings on narrow lots.

Under the Fairfield LEP 2013, both centres have local centre status and also provide a broad cross section of retail and convenience goods and services to the surrounding population.

The Canley Heights SEP area extends for a specific section of Canley Vale Road, being 203 – 239 Canley Vale Road on the norther side, and 204 – 278 Canley Vale Road on the southern side. It is also bound by the Cumberland Highway to the West, and Ascot Street to the East as shown in Figure 1 (following).



**Figure 1 Canley Heights SEP area shown bound by an orange line (source: Planning Proposal, May 2025)**

The Canley Vale SEP area extends for a specific section of Canley Vale Road, being 112 – 53 Canley Vale Road on the northern side, and 2 – 48 Canley Vale Road on the southern side. It is bound by Railway Parade to the East as shown in Figure 2 (below).

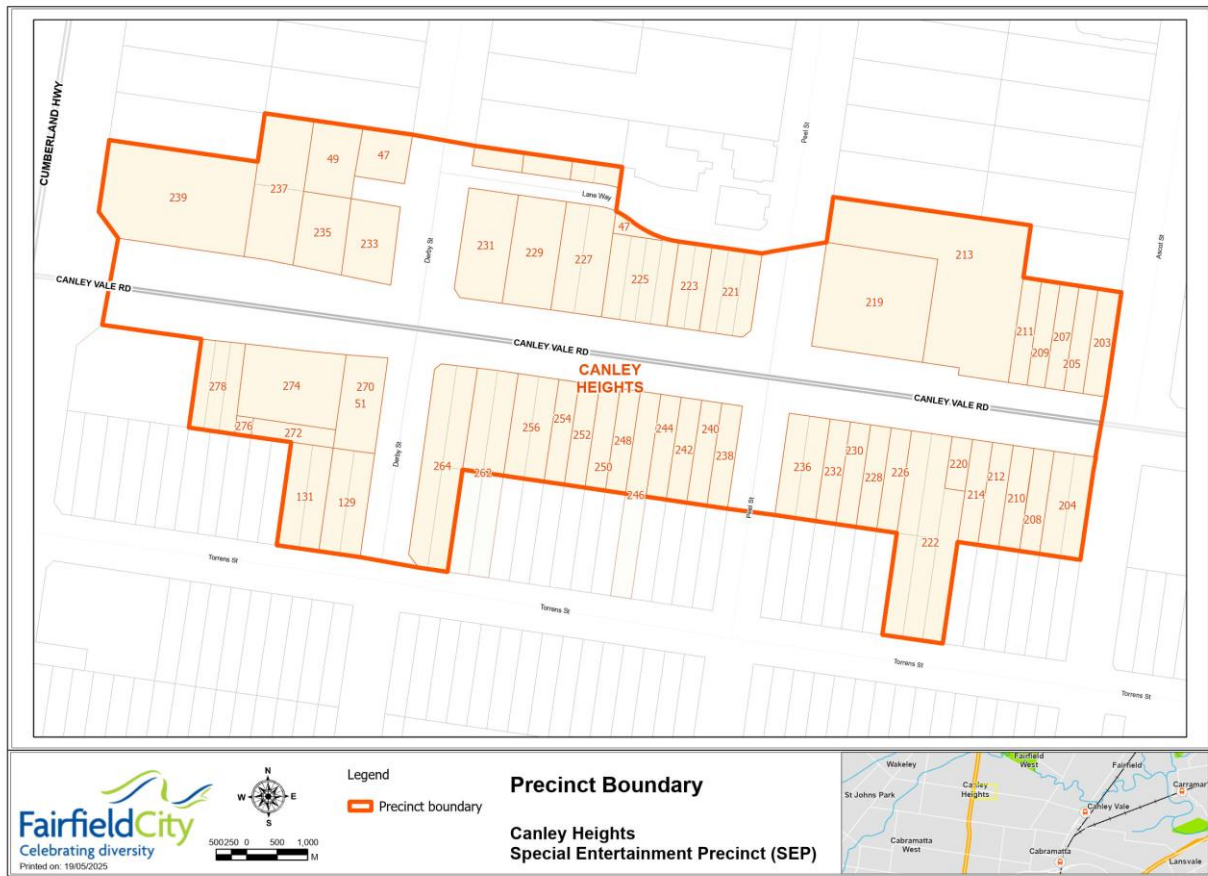


**Figure 2 Canley Vale SEP area shown bound by an orange line (source: Planning Proposal, May 2025)**

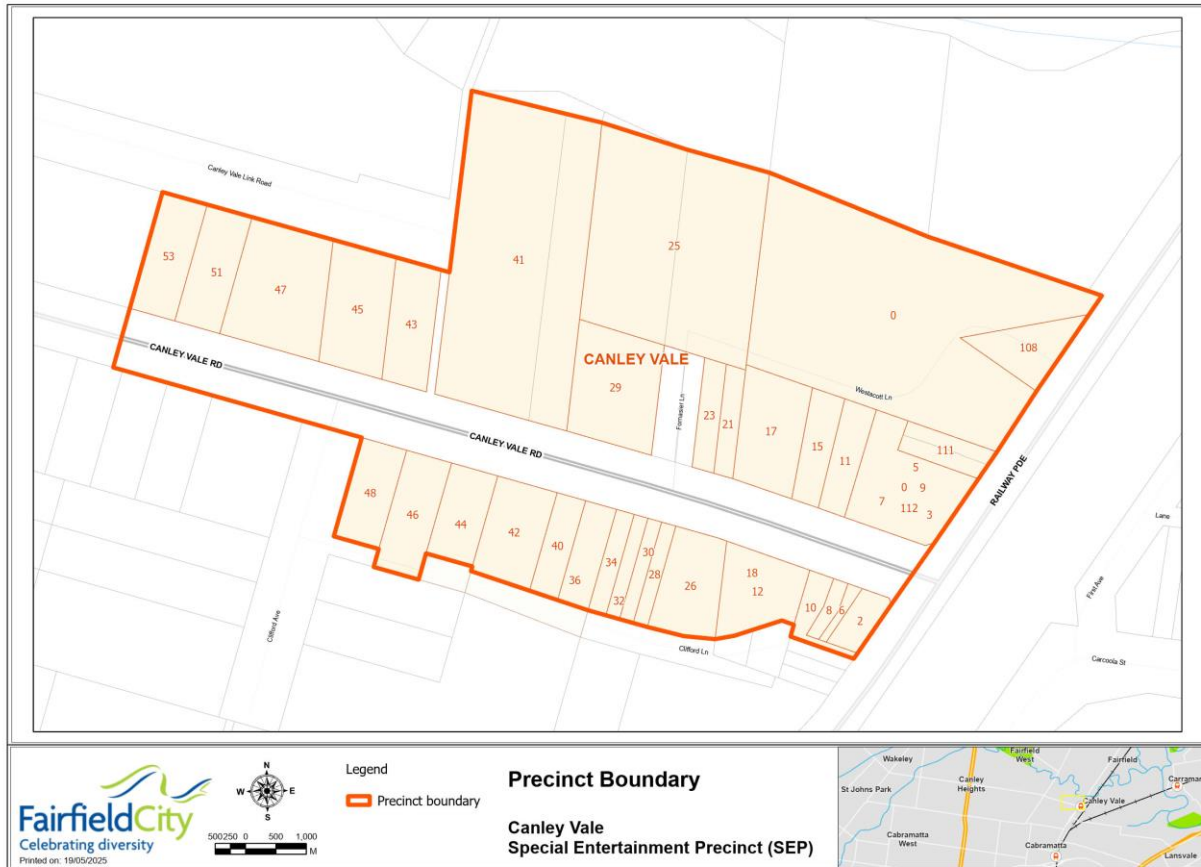


## 1.5 Mapping

The planning proposal includes draft Special Entertainment Precinct Maps (Figure 3 and Figure 4), which are suitable for community consultation (**Attachment G**).



**Figure 3 Proposed Canley Heights Special Entertainment Precinct (SEP) map (Source: Planning Proposal, May 2025)**



**Figure 4 Proposed Canley Heights Special Entertainment Precinct (SEP) map (Source: Planning Proposal, May 2025P)**

## 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 establish SEPs where:

- rules for amplified music would be governed by laws other than the *Liquor Act 2007*, and
- councils would manage these areas using a council created Noise Management Plan.

The planning proposal is also a result of interest in the *24-Hour Economy Legislation Amendment (Vibrancy Reforms) Act 2023* and the *24-Hour Economy Legislation Amendment (Vibrancy Reforms) Act 2024*, which strengthened the SEP framework by offering greater incentives for venues, streamlining regulations, and improving governance.

To assist in establishing and managing SEPs, the Office of the 24-Hour Economy Commissioner developed guidelines, which detail the mandatory steps for councils when establishing, operating, revoking or suspending SEPs. The planning proposal, and in particular the Special Entertainment Precincts Management Plan (PMP), draws on these guidelines.

## Council position

The establishment of these Special Entertainment Precincts (SEPs) is based on the successful model used by Inner West Council for the creation of a SEP (notified December 2023) along Enmore Road across Enmore and Newtown. External stakeholders included the Department of Planning, Housing and Infrastructure (DPHI), and the Office of the 24-Hour Economy Commissioner.

Council recently received a grant through the Special Entertainment Precinct Kickstart Grant Program to support strategic planning, develop acoustic frameworks, and conduct community consultation.

## 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. The Vibrancy Reforms are a cross-government initiative developed in consultation with key government agencies, industry, councils and stakeholders to improve the night-time economy through both legislative and policy reforms.

The legislative reforms were made through the *24-Hour Economy Commissioner Act 2023* and the *24-Hour Economy Legislation Amendment (Vibrancy Reforms) Act 2023*.

The proposal aligns with strategies such as the Fairfield's Local Strategic Planning Statement (LSPS), and Employment and Retail Lands Strategy (ERLS) and the Fairfield Economic Development Strategy. These strategies will be further assessed in this report.

It is also a result of the NSW State Government's plan to revitalise the NSW night-time economy, including the establishment of new SEPs and fulfillment of the Sydney 24-hour Economy Strategy 2020.

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

The proposal is the best means of achieving Council's intent as follows.

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.*

Consequently, a planning proposal is required to identify the new SEPs in the Fairfield LEP 2013 and apply clause 6.14 Special Entertainment Precinct.

## 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 below.

#### **Objective 9 - Greater Sydney celebrates the arts and supports creative industries and innovation**

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.'

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 with established permitted noise levels known to stakeholders.

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. Both precincts are mixed-use to varying degrees and will benefit from improved live entertainment options and increased economic activity.

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

### 3.2 District Plan

The site is within the Western District and the former Greater Sydney Commission released the Western 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 priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

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*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 5 District Plan assessment

District Plan Priorities	Justification
<p><b>W4 – Fostering healthy, creative, culturally rich and socially connected communities</b></p>	<p>The planning proposal is consistent with this priority.</p> <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 within quantified sound limits. Extended trading will assist in the cost of employing local artists, entertainers and musicians and help to diversify the night-time economy in mixed use centres.</p>
<p><b>W6 – Creating and renewing great places and local centres, and respecting the District’s heritage</b></p>	<p>The planning proposal is consistent with this priority.</p> <p>Canley Vale SEP contains two local heritage items, a corner shop, and a historic cottage that have changed use over time. Their inclusion in SEPs will ensure these are able to adapt in the future as required.</p> <p>Great places within Fairfield are mentioned under this planning priority, specifically the “Canley Vale Road eat street” and Cabramatta as a distinctive dining and night-time precinct adjacent to the subject areas.</p> <p>The proposal notes that the SEPs will protect the existing cultural institutions from changing land use patterns, as well as support the growth of the creative industry.</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>
<p><b>W8 – Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis</b></p>	<p>The planning proposal is consistent with this priority.</p> <p>The proposed SEPs provide an opportunity to build on the District’s visitor economy including the visitation opportunities presented by the Western Sydney Airport.</p>
<p><b>W11 – Growing investment, business opportunities and jobs in strategic centres</b></p>	<p>The planning proposal is consistent with this priority.</p> <p>Fairfield is specifically identified as a strategic centre in this planning priority, with opportunities identified to develop its “authentic cultural food and night-time economy.” The establishment of SEPs along the Canley Corridor— which is located within proximity to the Fairfield City Centre, will help to provide for a diverse and vibrant night-time economy in a way that responds to potential negative impacts and increase the liveability of the centre by activating the public realm, including developing the vision for an ‘eat street’ and growing the night-time economy.</p>

### 3.3 Local

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 6 Local strategic planning assessment**

Local Strategies	Justification
<p><b>Local Strategic Planning Statement</b></p> <p><b>Fairfield City 2040: A Land Use Vision</b></p>	<p>The planning proposal is consistent with this plan.</p> <p>The Fairfield 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 Fairfield LGA to 2040.</p> <p>The proposal responds to Planning Priority 11 in the LSPS –</p> <p>“Promote a robust economy which generates diverse services and job opportunities” which identifies that:</p> <ul style="list-style-type: none"> <li>• there are significant opportunities throughout the City to further promote the already robust local food experience and encourage the emerging nighttime economy, particularly in relation to food tourism;</li> <li>• allied to enhanced economic activity in the town centres are design, public domain, arts, and cultural and placemaking improvements and opportunities for the night-time economy; and</li> <li>• this Planning Priority directly responds to the planning priority “W11— Growing investment, business opportunities and jobs in strategic centres” of the Western City District Plan.</li> </ul> <p>The planning proposal aims to give partial effect to this priority by renewing and enhancing a night-time economy based on arts and culture in the SEPs.</p> <p>There is an action under the planning priority for Council to investigate new policies and DCP controls to encourage active streets (outdoor dining) and the night-time economy in town centres. The planning proposal directly responds to this action.</p>
<p><b>Community Strategic Plan (CSP)</b></p> <p><b>2022-2032</b></p> <p><b>Fairfield City Plan</b></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.</p> <p>Goal 1b of the plan (under the Theme – Community Wellbeing) is to have a proud diverse community of many cultures that is valued and celebrated. The planning proposal contributes to this goal by helping to facilitate the community strategy of “increasing the number of events for the community at night, such as Instagram able activities, live music, food festivals, etc”.</p> <p>Goals 4a and 4b (under the Theme – Local Economy and Employment) are to have a range of resilient businesses and an attractive and lively City respectively. The planning proposal contributes to these goals by responding to identified community strategies under these goals including: extend opening hours to later in the evening in particular town centres, increase cafes, coffee culture, restaurants with a focus on outdoor dining, more nightlife across the City and more live music and concerts in public areas.</p>

**Fairfield City  
Economic  
Development  
Strategy 2024**

The planning proposal is consistent with this plan.

The Fairfield Economic Development Strategy (EDS) 2024 is aligned with the CSP, outlining a framework and strategic directions to build a stronger, more resilient local economy.

This planning proposal directly supports Priority 3 (Visitor economy) and Priority 4 (Creating vibrant precincts – Cabramatta, Canley Heights and Canley Vale) by supporting the growth of these centres as food and cultural hubs with vibrant, safe and culturally inclusive nighttime economies. Moreover, the creation of a Special Entertainment Precinct and collaboration with the 24-Hour Economy Commissioner are identified as short-term deliverable actions.

## 3.4 Section 9.1 Ministerial Directions

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

**Table 7 9.1 Ministerial Direction assessment**

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
<p><b>1.1 Implementation of Regional Plans</b></p> <p>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans</p>	Yes	<p>The planning proposal is consistent with this Direction.</p> <p>The proposal has adequately addressed the Western City District Plan. Refer to Section 3.1.</p>
<p><b>1.2 Approval and Referral Requirements</b></p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development</p>	Yes	<p>The planning proposal is consistent with this Direction.</p> <p>No provisions that will require referrals, concurrence or consultation with the Minister or public authority are contained within this planning proposal.</p> <p>No further development will be considered designated development as a result of this planning proposal.</p>
<p><b>1.4 Site Specific Provisions</b></p> <p>The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls</p>	Yes	<p>The planning proposal is consistent with this Direction.</p> <p>No additional land uses or changes to zoning are proposed under this planning proposal.</p> <p>The proposed site specific provisions actually allow implementation of less restrictive site-specific planning controls and provide more certainty to business owners.</p>

<p><b>3.2 Heritage Conservation</b></p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance</p>	Yes	<p>The planning proposal is consistent with this Direction.</p> <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>Two local heritage items listed under the Fairfield LEP 2013 are located within the proposed SEP at Canley Vale.</p> <p>There are no heritage items within the proposed Canley Heights SEP area.</p> <p>For future development involving heritage items, the existing heritage provisions within the Fairfield LEP 2013 would be considered as part of future development applications where relevant.</p>
<p><b>4.1 Flooding</b></p> <p>The objectives of this direction are to ensure appropriate consideration of flood prone land in line with government policies and plans when a planning proposal seeks to create, remove or alter a zone or a provision that affects flood prone land impacts both on and off the subject land</p>	Yes	<p>The planning proposal is consistent with this Direction.</p> <p>The direction applies as the Canley Vale SEP applies to flood prone land, being identified within the planning proposal as low to medium risk of mainstream and overland flooding. Parts of the precinct are subject to Council's Flood Planning Area.</p> <p>The proposal indicates, however, changes to the compliance regime and noise attenuation for new developments will maintain the current permissible situation and remain subject to existing development flood controls.</p> <p>Consequently, given the nature of the proposal, it is considered that the proposal is not inconsistent with the direction.</p>
<p><b>5.1 Integrating Land Use and Transport</b></p> <p>The objective of this direction is to ensure improve access to housing, jobs and services, increase transport choice and reduce dependence on cars, and support the efficient movement of freight</p>	Yes	<p>The planning proposal is consistent with this Direction.</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> <p>A <b>Gateway condition</b> is recommended to require consultation with Transport for NSW (TfNSW) during the formal consultation period.</p>



<p><b>6.1 Residential Zones</b></p> <p>The objectives of this direction are to encourage housing variety and choice (for existing and future housing needs), ensure access to infrastructure and services and minimise the impact of residential development on the environment and resource lands</p>	Yes	<p>The planning proposal is consistent with this Direction.</p> <p>The Direction applies because the proposal includes some 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>
<p><b>7.1 Employment Zones</b></p> <p>The objectives of this direction are to:</p> <p>(a) encourage employment growth in suitable locations,</p> <p>(b) protect employment land in employment zones, and</p> <p>(c) support the viability of identified centres</p>	Yes	<p>The planning proposal is consistent with this Direction.</p> <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 all relevant SEPPs as discussed in the table below.

**Table 8 Assessment of planning proposal against relevant SEPPs**

SEPP	Consistency	Justification
<p><b>SEPP (Housing) 2021</b></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"> <li>(e) minimising adverse climate and environmental impacts of new housing development.</li> </ul>	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"> <li>Proposed DCP controls will require higher noise attenuation to residential development within and around the SEP</li> </ul> <p>This ensures housing is built to mitigate current and future entertainment sound for the amenity of residents.</p> <p>The proposed DCP controls and PMP does not conflict with this SEPP.</p>

SEPP	Consistency	Justification
<b>SEPP (Precincts – Western Parkland City) 2021</b>	Consistent	The proposal is consistent with this SEPP.  The establishment of SEPs in Canley Vale and Canley Heights supports the growth of creative industries and diversifies the businesses operating within the precincts. Strengthening these cultural assets will contribute towards a robust tourism market that takes advantages of visitation opportunities by the Western Sydney Airport. This will help drive visitor numbers within the Fairfield LGA and develop significant employment opportunities.
<b>SEPP (Transport &amp; Infrastructure) 2021</b>  The Transport and Infrastructure SEPP requires noise attenuation and acoustic studies for sensitive development adjacent to rail corridors, classified roads, and high traffic roads.	Consistent	The proposal is consistent with this SEPP.  The Canley Vale and Canley Heights SEPs are all located on high-traffic carriageways.  Residential accommodation and other sensitive receivers would have existing acoustic attenuation from road noise.  The proposed DCP contains controls for noise attenuation of sensitive receivers will not conflict with the requirements under the SEPP.

## 4 Site-specific assessment

### 4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

**Table 9 Environmental impact assessment**

Environmental Impact	Assessment
Noise	<p>The planning proposal seeks to increase patronage to existing venues within the SEPs. Increased patronage to existing venues with live music offerings, and the potential establishment of live entertainment venues drawing their own audience, may lead to a direct environmental noise impact.</p> <p>The potential for increased noise associated with live music and patrons within venues will be regulated and enforced under the DCP and the PMP. The PMP is supported by a Sound Management Criteria Report, prepared by Renzo Tonin and Associates April 2025 (<b>Attachment H</b>).</p>

	<p>Council has undertaken preliminary consultation with relevant stakeholders including businesses within the SEPs and NSW Police. The sound management criteria contained in this PMP were prepared by specialist acoustic consultants and have been referred to L&amp;G NSW for review, with necessary refinements to be made as required.</p> <p>The planning proposal states that the PMP including sound management criteria will accompany public exhibition of the planning proposal that will establish the SEPs. Subsequently, a post exhibition report will be prepared which will consider feedback from the community and relevant State agencies including L&amp;G NSW, the Office of the 24-Hour Economy Commissioner, the community and the NSW Police Force.</p> <p>Council, and the Police, work with venues to ensure patrons are instructed to leave an area quietly and are respectful of neighbours. This includes warning from security staff and signs displayed at the exit to each venue. It is generally a requirement for licenced venues to maintain a venue management plan and complaints register that clearly communicate procedures and measures to limit noise disturbance at sensitive time periods including that late night trading period.</p> <p>It is also proposed to introduce development controls into the Fairfield City Wide Development Control Plan 2024 to address any adverse impacts to noise attributable to the SEP precinct(s). These controls will be exhibited concurrently with the Planning Proposal and PMP.</p> <p>Council has also prepared a draft Special Entertainment Precinct Good Neighbours Policy (Good Neighbours Policy) to support implementation of the proposal (<b>Attachment I</b>). The Policy creates a framework for Council to work with live music venues, licensed premises, and residents to manage sound and activity prior to taking formal regulatory action. It is a means of resolving music related issues in a constructive and positive manner.</p> <p>The Council and Police will continue their regulatory roles in enforcing consent conditions and addressing antisocial behaviours.</p> <p>It is recommended that <b>Gateway Conditions</b> be included to require consultation with the NSW Live Music Office, Office of the 24-Hour Economy Commissioner, NSW Police and other relevant public agencies during the formal consultation period. Further, the proposed amendments to the DCP 2024, draft PMP and draft Good Neighbours Policy are exhibited concurrently with the planning proposal during the formal consultation period.</p>
Car parking	<p>Street parking in the area is highly competitive due to the large number of households adjacent to a busy commercial strip and public transport corridor.</p> <p>While this is the case, Council currently manages street parking through timed parking and regular patrols by enforcement officers. Council also provides off-street, timed parking in public carparks accessible on streets adjacent to Canley Vale Road.</p> <p>The development assessment process will also remain in place to ensure the development of venues, that are not suitable for a locality, is controlled.</p>

## 4.2 Social and economic

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

Table 10 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 hosted by venues. This would:</p> <ul style="list-style-type: none"> <li>• create additional opportunities for social interaction; and</li> <li>• foster a stronger sense of community and sense of place in the Canley heights and Canley Vale Town Centres.</li> </ul> <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"> <li>• liquor licensing assessments;</li> <li>• responsible service of alcohol; and</li> <li>• individual security and management operations for premises and policing.</li> </ul> <p>Compliance in the area is a joint effort between Council and the Police, with information sharing to deal with problem areas and venues key to reducing impacts. It is recommended that a <b>Gateway Condition</b> be included to require consultation with NSW Police during the formal consultation period.</p> <p>Council has also prepared a 'Good Neighbour Policy' which enables Council to work with live music venues, licensed premises, and residents to manage sound and activity prior to taking formal regulatory action. It is a means of resolving music related issues in a constructive and positive manner. Policy recognises Council's commitment in ensuring that good neighbourhood amenity is maintained for residents by applying a consistent regulatory response to managing sound and activity.</p>
Economic	<p>The potential economic impacts from the planning proposal are generally positive:</p> <ul style="list-style-type: none"> <li>• enhanced business and consumer confidence regarding acceptable noise levels throughout the day; and</li> <li>• boosted investment in the area, driving greater economic activity and creating more employment in sectors such as hospitality, the arts, and retail.</li> </ul>

## 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 regular bus routes and nightrider buses and suburban train stations.

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

## 5 Consultation

### 5.1 Community

Council proposes a community consultation period of minimum 28 days.

The exhibition period proposed is considered appropriate, and forms to the conditions of the Gateway determination.

### 5.2 Agencies

Council has nominated to consult with the following agencies:

- Transport for NSW.
- Office of the 24-Hour Economy Commissioner.
- NSW Liquor and Gaming.
- NSW Police (Fairfield Local Area Command).

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

- Office of Local Government.
- Fire and Rescue NSW.

It is recommended these agencies be consulted on the planning proposal and given 30 working days to comment:

## 6 Timeframe

Council proposes a seven month time frame to complete the LEP.

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

The Department recommends an LEP completion date of 15 May 2026 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

## 7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

The department supports this request as:

- Council is responsible for the implementation and ongoing management of the SEPs; and
- 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, Western 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 two SEPs contributing to the active night-time economy and supporting 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 conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Prior to exhibition, the planning proposal is to be amended to remove 'Draft' from the cover and amend the appendices, as required.
2. The draft Special Entertainment Precinct Management Plan, draft Special Entertainment Good Neighbours Policy and draft amendments to the Fairfield City Wide Development Control Plan 2024 are to be included with the exhibition and consultation material for the formal exhibition period.
3. Consultation is required with the following public authorities:
  - Transport for NSW.
  - Office of the 24-Hour Economy Commissioner.
  - NSW Liquor and Gaming.
  - NSW Police (Fairfield Local Area Command).
  - Office of Local Government.
  - Fire and Rescue NSW.
4. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that council to be the local plan-making authority.

The timeframe for the LEP to be completed is on or before 15 May 2026. An LEP completion date of 15 May 2026 is recommended as a Gateway condition.



13/6/25

Terry Doran

Manager, Local Planning and Council Support



(Signature)

16 June 2025 (Date)

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