

OUTCOMES COMMITTEE

Meeting Date 10 June 2025

Item Number. 56

SUBJECT: Public Exhibition - Sound Management Development Controls for Special Entertainment Precincts

FILE NUMBER: 21/33307

PREVIOUS ITEMS: 33 - Planning Proposal - Canley Heights and Canley Vale Special Entertainment Precincts - Outcomes Committee - 13 May 2025

REPORT BY: Kerren Ven, Senior Strategic Land Use Planner; Patrick Warren, Senior Strategic Land Use Planner

RECOMMENDATION:

That:

1. The Canley Corridor Local Town Centres (Canley Vale & Canley Heights) Development Control Plan No. 37 be amended to refer to the proposed new sound management controls to be incorporated into the Fairfield City Wide Development Control Plan 2024 as detailed under Part 2 of the Recommendations.
 2. The amendments associated with the Canley Heights and Canley Vale Special Entertainment Precincts (Attachment A of the report) be incorporated into the Fairfield City Wide Development Control Plan 2024 comprising:
 - 2.1. Sound management controls within the Acoustic Amenity sections of Chapter 7 – Residential Flat Buildings and Shop Top Housing and Chapter 8 – Local and Neighbourhood Centres for Commercial Uses Only.
 - 2.2. New provisions in Chapter 10.15, relating to the assessment of noise and operational impacts of entertainment venues in existing and new buildings within the Special Entertainment Precincts.
 3. The Draft Development Controls for Special Entertainment Precincts (Attachment A of the report) be placed on public exhibition with the Planning Proposal for the Canley Heights and Canley Vale Special Entertainment Precincts, to occur concurrently with the timeframe conditions outlined under the Planning Proposal Gateway Determination.
 4. The outcome of the public exhibition of the Planning Proposal and Draft Development Controls for Special Entertainment Precincts (Attachment A of the report) be reported back to Council following the exhibition period.
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SUPPORTING DOCUMENTS:

AT-A [↓](#) Draft Development Controls for Special Entertainment Precincts 6 Pages

CITY PLAN

This report is linked to *Theme 2 Places and Infrastructure* in the Fairfield City Plan.

SUMMARY

This report seeks Council's endorsement to the proposed changes to the current Fairfield City Wide Development Control Plan (DCP) 2024 (known as Amendment No. 2) and Canley Corridor Local Town Centres Canley Vale & Canley Heights DCP No. 37 (known as Amendment No. 10).

The purpose of the proposed changes is to introduce development controls for future residential mixed-use development in the Canley Vale and Canley Heights Special Entertainment Precinct (SEP) that support its implementation. The changes include new development controls to minimise the potential impacts from sound and operation of entertainment venues within SEPs.

REPORT

This report follows Council's endorsement of the Planning Proposal (PP) for Canley Heights and Canley Vale SEPs at the May 2025 Outcomes Meeting under Item 33.

The Draft Development Controls for SEPs (Attachment A) have been prepared to support the PP for Canley Heights and Canley Vale SEPs. It is recommended that the Draft Development Controls be publicly exhibited concurrently with the PP, subject to receiving a Gateway approval from the NSW Department of Planning, Housing and Infrastructure (DPHI).

The PP and the changes to Council's DCPs are aimed at supporting the City's growing night-time economy.

New Special Entertainment Precincts controls in Council's Development Control Plans

The intention of the new development controls is to achieve a balance between the protection of commercial and residential uses arising from entertainment sound emitted from buildings in SEPs.

The controls will also guide the assessment of development applications. An explanation of the proposed amendments as a result of the PP for the Canley Heights and Canley Vale SEPs are detailed in Tables 1 and 2 below.

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Table 1. Canley Corridor Local Town Centres Canley Vale & Canley Heights Development Control Plan No. 37 (Amendment No. 10)

Summary of new control	Explanation
5.3.7(l) Acoustic control for SEPs in Chapter 5 of the DCP.	Included in the Canley Heights and Canley Vale town centres as the DCP applies for the current PP. Refers for the viewer to apply the development controls in the Fairfield City Wide DCP 2024 as shown in table 2.

Table 2. Fairfield City Wide Development Control Plan 2024 (Amendment No. 2)

Summary of new controls	Explanation
7.5.2.2(f) and 8.3.2(b)(iv) Consideration for sound-proof glazing of residential development adjoining the SEPs.	Residential development within the SEPs have potential to be impacted by entertainment sound. Recommended guide for glazing introduced as a safeguard measure to protect sensitive receivers in the SEP. The glazing is guided by the SEP noise management report prepared for the PP.
10.15.1 Defined sound levels and category areas in SEPs.	The SEP is accompanied by a sound category area map identifying appropriate entertainment sound levels at adjoining areas including residential facades.
10.15.2 Noise impact assessment for existing buildings in SEPs.	Defines entertainment sound levels through an 'agent of change' approach to mitigate noise to residential development when a new or modified development occurs within an existing building within an SEP.
10.15.3 Noise impact assessment for new buildings in SEPs.	Defines entertainment sound levels to be complied with to ensure new buildings and future entertainment do not impact residential amenity.
10.15.4 Management of sound and operations for entertainment venues.	Details information required for the Council to assess the cumulative impacts from sound and operation of venues are appropriate and can be managed without impacting on the surrounding locality during late night trading.

Consultation & Timing

It is proposed that the Draft Development Controls in Attachment A be placed on public exhibition, concurrently with the PP for SEPs that is awaiting the issuing of a Gateway Determination from the NSW DPHI to allow public exhibition to take place.

The PP and its supporting documents (including the Draft Development Controls in Attachment A) will be placed on Council's website and will be available for viewing at Council's Administration Building during normal business hours, in accordance with Council's Community Engagement Strategy 2024.

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The public exhibition timeframes will be subject to receiving a Gateway Determination with conditions from the NSW DPHI and notification to the relevant stakeholders will be made during the exhibition period for comment.

Once the exhibition period has ended, a further report detailing the results of public exhibition and any proposed amendments will be referred to Council.

CONCLUSION

The Draft Development Controls for SEPs (Attachment A) represent an important component in supporting the establishment of the Canley Heights and Canley Vale SEPs and promoting the night-time economy of the City.

It is recommended the amendments be placed on public exhibition with the PP for the SEPs.

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