

Draft Development Controls for Special Entertainment Precincts

1. Amendment to the Canley Corridor Local Town Centres Canley Vale & Canley Heights Development Control Plan No. 37

Add new **5.3.7(l)** control after section 5.3.7(k) Visual and acoustic privacy under Acoustic Amenity as below:

5.3.7(l) Special Entertainment Precincts – Refer to the sound management provisions in section 7.5.2.2(f), 8.3.2(b)(iv) and 10.15 of the Fairfield City Wide Development Control Plan 2024.

2. Amendment to the Fairfield City Wide Development 2024

Add new control duplicated within section **7.5.2.2(f)** Acoustic Amenity and section **8.3.2(b)(iv)** Acoustic Amenity as below:

New residential development within a Special Entertainment Precinct shall have regard to indicative measures shown in the table below. These materials are currently available for residential development to mitigate the intrusion of external sound. The table below has regard to performance-based measures currently available in the market that would comply with the National Construction Code.

Sound Category ID	Indicative facade glazing requirement to achieve internal sound levels per Table 4-3		
SC2.5	Openable single glazing: 12.5mm VLam Hush laminated glass, full perimeter acoustic seals	Openable double glazing: 8mm monolithic glass, 16mm gap, 10.5mm VLam Hush laminated glass, full perimeter acoustic seals	Openable double glazing with wide air gap: 6mm monolithic glass, 100mm gap, 4mm monolithic glass, full perimeter acoustic seals
SC3 / SC3.5	Openable 10.38mm laminated glass with full perimeter acoustic seals		
SC4 / SC4.5	Openable 8.38mm monolithic glass with full perimeter acoustic seals		
SC5	Openable 6.38mm monolithic glass with full perimeter acoustic seals		
SC6	Openable 4mm monolithic glass with standard weather seals		

Table 5-1 - Indicative Glazing Facades for residential development

Note: The indicative façade treatments in table 5-1 are not prescribed by this DCP and have been provided as example materials currently available in the Australian market.

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3. 10.15 Special Entertainment Precincts

Add new section 10.15 Special Entertainment Precincts within Chapter 10 as follows:

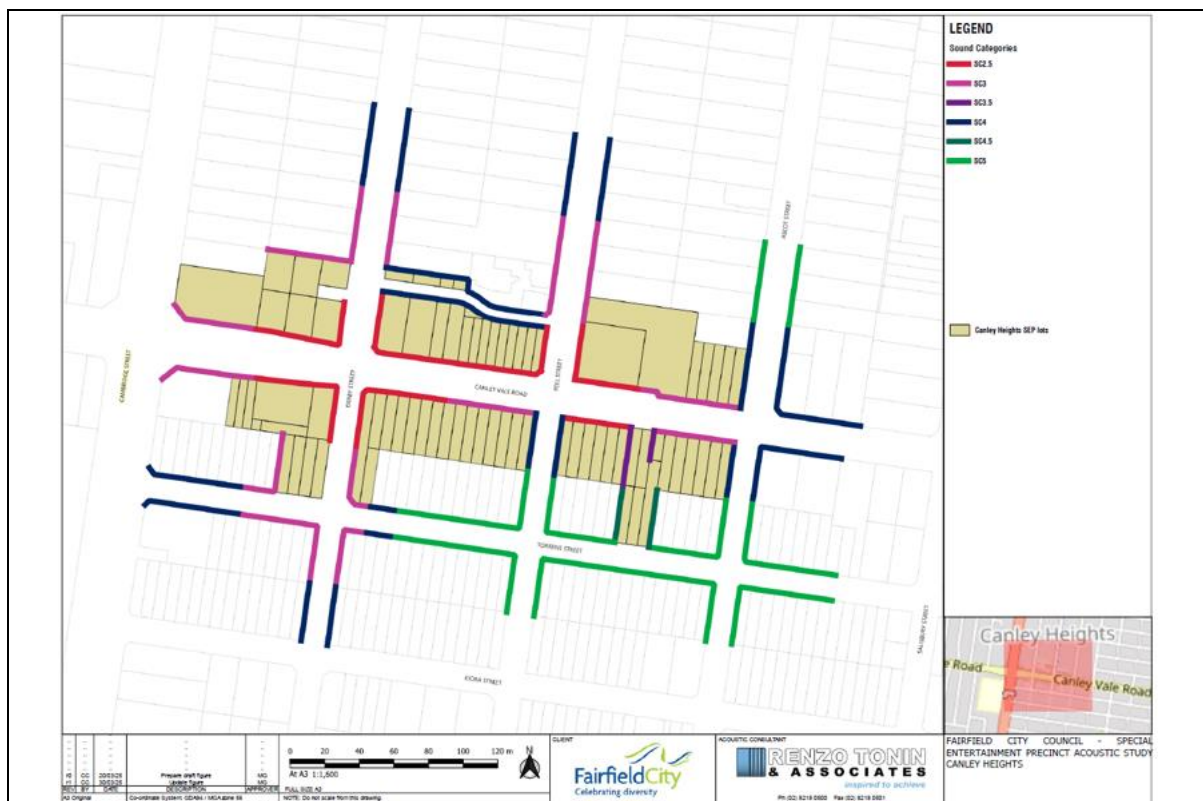


Figure 1. Sound Category Areas for Canley Heights

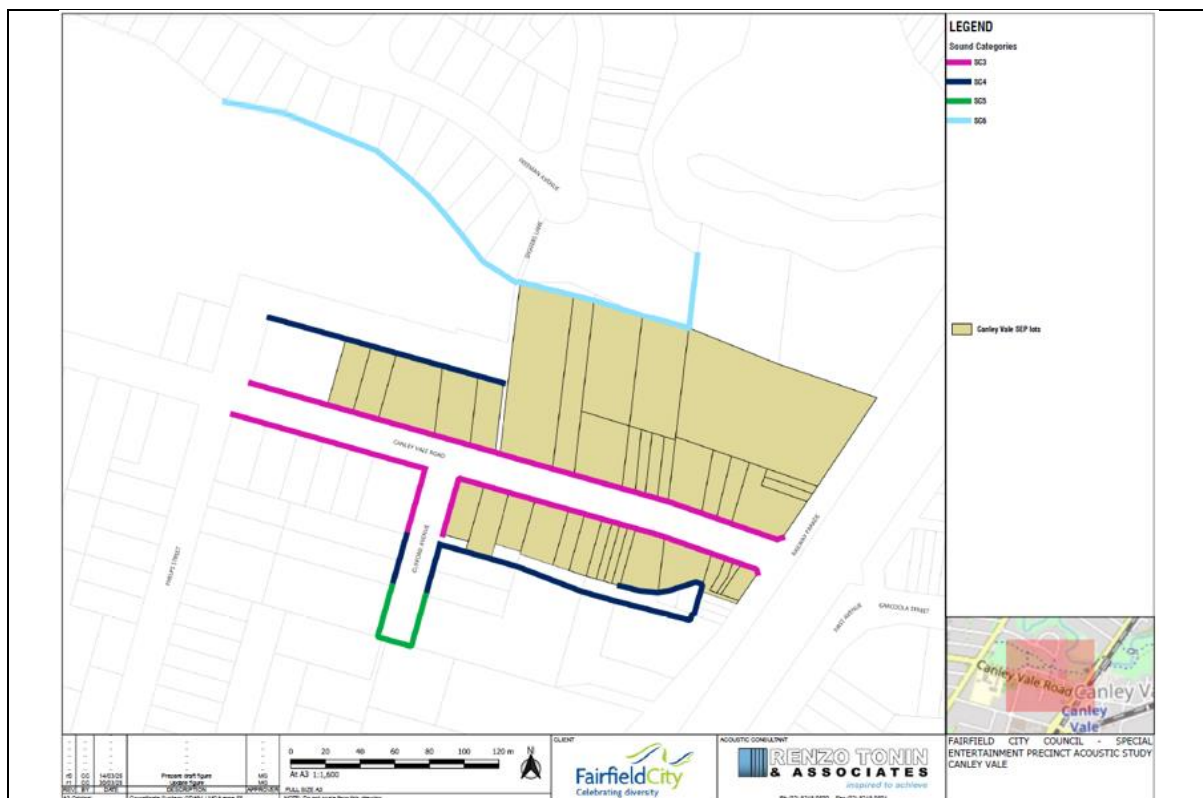


Figure 2. Sound Category Areas for Canley Vale

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Objectives of Special Entertainment Precincts

1. Support the City's nightlife and night-time economy.
2. Encourage businesses to provide more live entertainment opportunities in the city.
3. Attract investment and redevelopment in the town centres by providing greater certainty for local businesses and residents regarding the operation of SEPs.
4. Enhance tourism and economic opportunity of SEPs that promote the scope for unique cultural experiences and activities.
5. Create opportunities for diverse entertainment and dining experiences in SEPs.

10.15.1 Sound Category Area - Sound levels

Objectives

1. To define the maximum external entertainment sound permitted within a Sound Category Area.
2. To future proof new mixed-use development within Special Entertainment Precincts with appropriate noise amelioration measures to minimise noise pollution from entertainment sound.

Control

1. Sound Category Areas applies at the property boundary of a property identified in Figures 1 and 2 at a height of 1.5m above the finished floor level for each floor of a building.

Sound levels for each of the Sound Category Areas are detailed in Figure 3 below.

Sound Category ID	7am to 10pm				10pm to midnight				Midnight to 7am			
	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
SCA 3	65	69	68	66	65	69	68	66	60	64	63	61
SCA 3.5	65	69	68	66	60	64	63	61	55	59	58	56
SCA 4	60	64	63	61	60	64	63	61	50	59	58	56
SCA 4.5	60	64	63	61	55	59	58	56	50	59	58	56
SCA 5	55	59	58	56	55	59	55	51	50	54	50	46
SCA 6	50	54	50	46	45	54	50	46	40	54	50	46

Figure 3. External Entertainment sound criteria per Sound Category Area by time of day

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10.15.2 Acoustic requirements for Existing Mixed-Use Developments

Objectives

1. To ensure sensitive receivers are designed to attenuate against noise from existing and future entertainment venues.
2. To ensure new and modified entertainment venues do not unreasonably impact on the amenity of sensitive receivers.

Controls

1. If a new commercial tenancy or residential dwelling is proposed within an existing mixed use building the criteria set out in table 4 (Entertainment Noise through internal path) must be satisfied.
 - **A new entertainment venue** – A new entertainment venue moving into the commercial premises of an existing mixed-use building with existing residential occupancies is required to implement sound insulation performance upgrades to the building and operate in a manner such that the transmission of entertainment noise into the residential component of the mixed-use building satisfies the internal noise criteria specified in table 4 below.
 - **New residential premises** – 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 transmission of entertainment noise from the existing venue operations satisfies the internal noise criteria in the residential premises specified in table 4 below.
 - **Noise Impact Assessment** - A noise impact assessment must be prepared by a suitably qualified acoustic consultant demonstrating that the proposal is able to comply with the sound levels identified in Figure 4 (below), with any application for a new or modified sensitive receiver located within a Sound Category Area.

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

Figure 4. Entertainment Noise through contribution through internal path

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2. Where noise attenuation measures impact the provision of natural ventilation, alternative ventilation must be provided to ensure the proposal complies with the National Construction Code.
3. Noise impact from other sources, such as road and rail must be assessed separately in accordance with relevant Standards and policies.

10.15.3 Acoustic Requirements for New Mixed-Use Development

Objectives

1. To ensure that new mixed-use developments can achieve compliance with internal sound criteria cumulative entertainment noise.
2. To ensure a balance is achieved between commercial businesses and residential amenity in mixed use development.

Control

1. Submit a noise impact assessment with an application for mixed use development that demonstrates:
 - New mixed-use buildings will comply with the internal sound criteria specified in figure 5.
 - Demonstrate that proposed noise attenuation measures to be designed into the building can satisfy the internal sound criteria specified in figure 5.
 - The development must ensure compliance with internal criteria set out in the NSW State Environmental Planning Policy (Transport and Infrastructure) for road and rail traffic noise.

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

Figure 5. Internal Sound Criteria – Cumulative Entertainment Noise Level

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10.15.4 Sound and patron management requirements for entertainment venues

Objective

1. To ensure new and modified entertainment venues do not unreasonably impact on the amenity of sensitive land uses.

Controls

1. Submit a noise impact assessment prepared by a suitably qualified acoustic consultant with applications for a new or modified venue. It must:
 - Detail physical noise attenuation measures to demonstrate the venue can operate within the internal sound criteria for entertainment noise as specified in Figure 4 and 5.
 - Demonstrate that the venue can operate without breaching the external entertainment sound for live entertainment venues specified in Figure 3.
2. A Plan of Management must be submitted and include:
 - Details of the use of the site
 - Operational details of the premises
 - Hours of Operation
 - Noise mitigation and management - The Plan of Management should detail all noise management measures to ensure that the development can achieve the criteria in the sound category area.
 - Premises management measures
 - Security and safety
 - Performance, creative or cultural programming
 - Methods employed to implement harm minimisation and the responsible service of alcohol.
 - (RSA) requirements