

SPECIAL ENTERTAINMENT PRECINCTS

DCP 2015 CHAPTER 45



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a. Special Entertainment Precincts

A Special Entertainment Precinct (SEP) is an initiative by the NSW Government as part of its Vibrancy Reforms to encourage safe and vibrant night-time economies. This is supported through clear controls around sound levels and trading hours to encourage live music while also maintaining residential amenity. Council is implementing a SEP in Cronulla to provide additional opportunities for vibrancy and activation of the town centre.

The DCP sets out a series of objectives and controls that:

- Identify sensitive land uses (or certain types of development) that will require attenuation from entertainment sound
- Quantify the noise levels that sensitive land uses and new venues will need to comply with
- Detail when an acoustic report from an accredited acoustic specialist is required and what it needs to demonstrate
- Promote Council's objective of increasing vibrancy in Cronulla while maintaining residential amenity

Application

Chapter 45 applies to land that has a boundary with a *Sound Category Area* in the following maps:

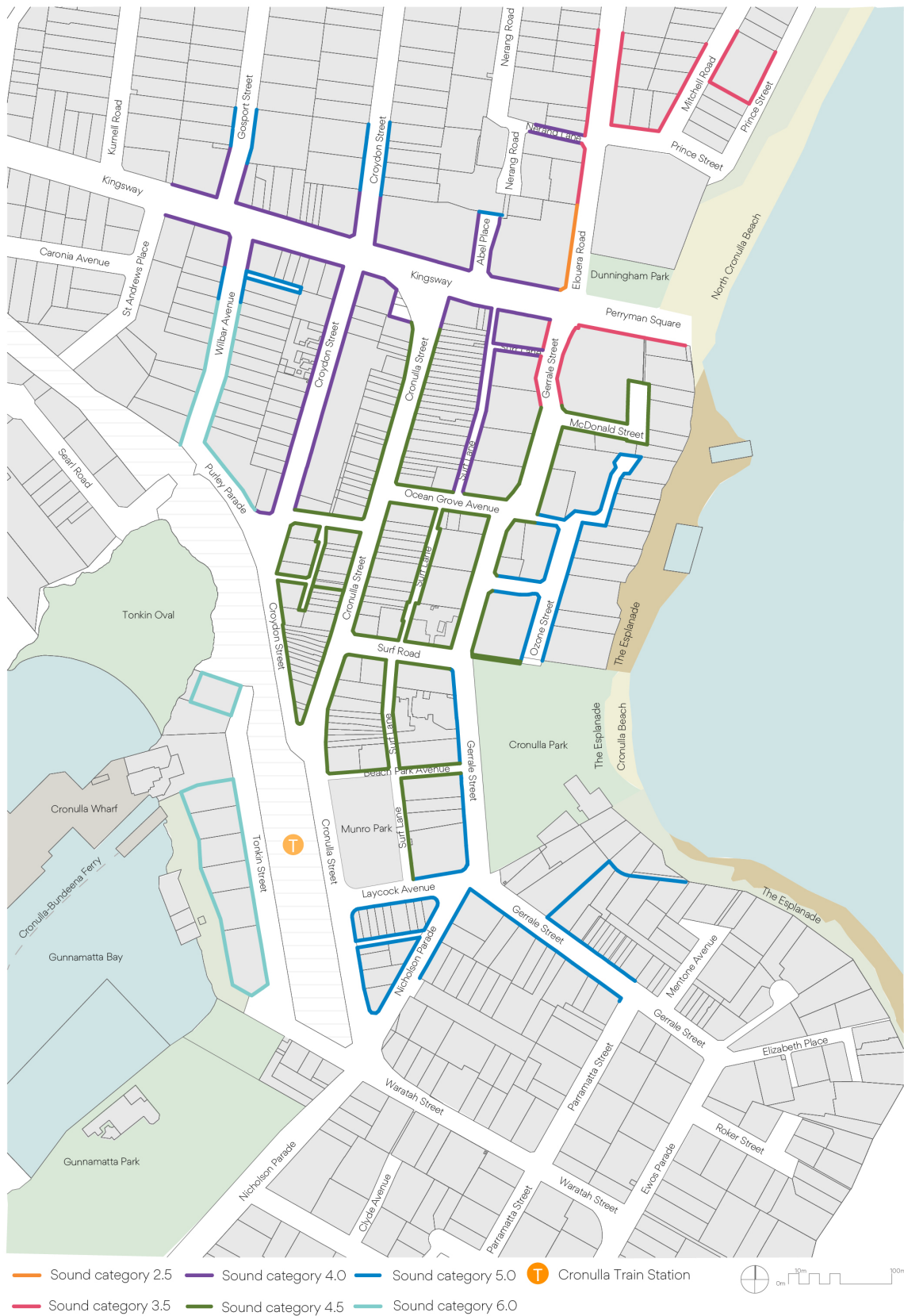


Figure 1 - Weekday Sound Categories (Sunday 10pm to Friday 6pm)

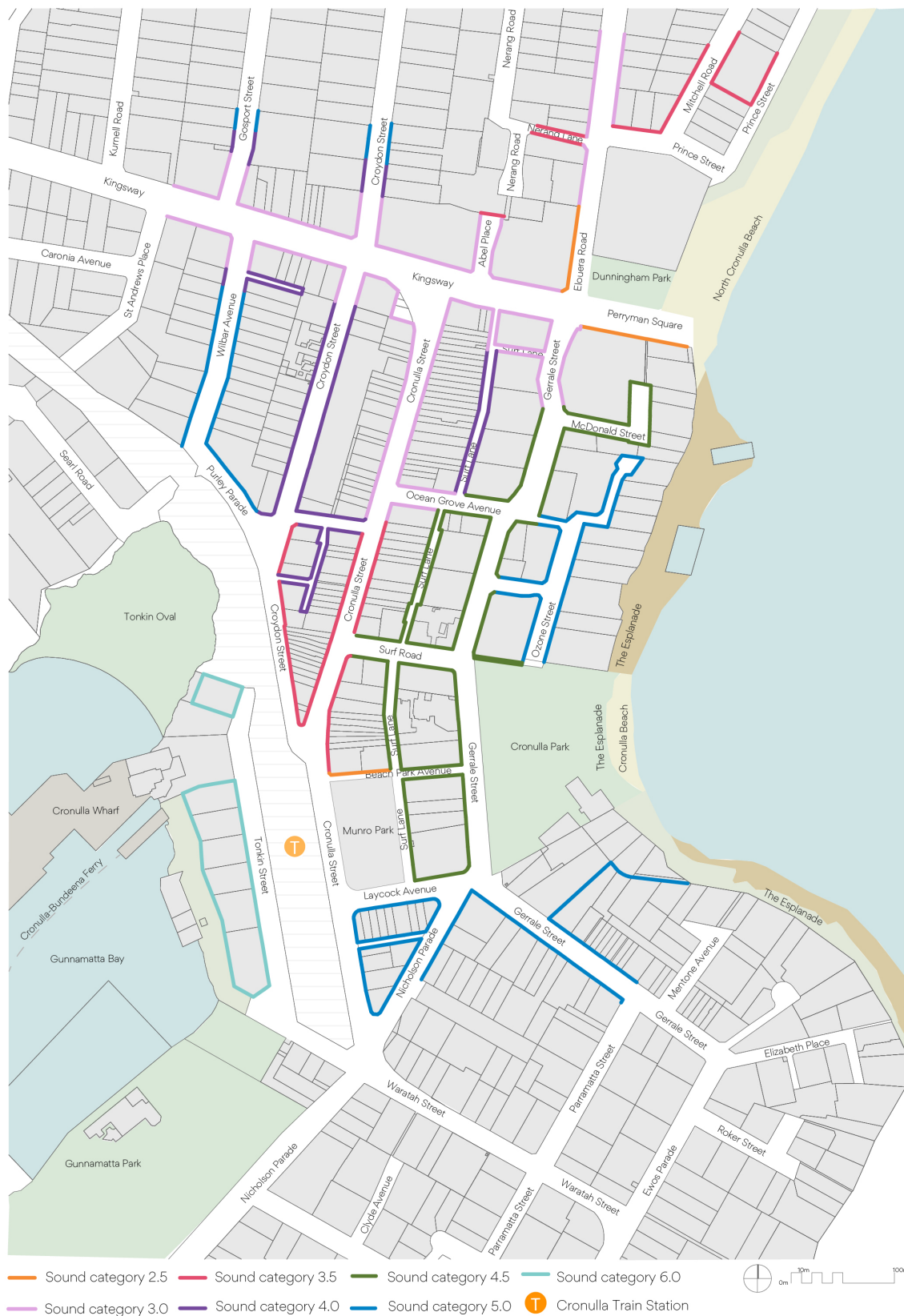


Figure 2 - Weekend Sound Categories (Friday 6pm to Sunday 10pm)

Definitions

Sensitive receivers – land uses that could be adversely impacted by entertainment venue sound, including *residential accommodation, tourist and visitor accommodation, places of public worship, education facilities, commercial premises and health services facilities*.

Entertainment venues – land uses that are likely to host live entertainment, including *entertainment facilities, restaurants, cafes, small bars, pubs, artisan food and drink premises, creative industries, function centres, community facilities and registered clubs*.

Sound Category Areas – classifications of land in and around the Special Entertainment Precinct.

Objectives

1. To strengthen local businesses, creative activity, and provide opportunities for nighttime economy
2. To enhance liveability through supporting Cronulla as a diverse mixed-use town centre that operates both day and night
3. To manage potential amenity impacts to existing residents and sensitive receivers through clear rules and monitoring

1. Sound Category Areas and applicable sound levels

1.1 Objectives

1. To define the maximum exposure of entertainment venue sound for each property located within a *Sound Category Area* (see Figures 1 & 2).
2. To future proof new sensitive receivers and entertainment venues within and around Special Entertainment Precincts with appropriate sound attenuation measures to enable them to co-exist.

1.2 Controls

1. *Sound Category Areas* apply at the identified frontage of a property specified in *Figures 1 & 2* above. The relevant sound categories must be measured at a height of 1.5m above the finished floor level for each floor of the building.
2. Maximum sound levels for each of the *Sound Category Areas* are detailed in Table 1 below

Table 1 - External Sound Category levels

Sound Category ID	Day/Evening (7am to 10pm)				Early Night (10pm to Midnight)				Late Night (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	
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

2. Acoustic requirements for *sensitive receivers*

2.1 Objective

1. To ensure any new or modified development including *sensitive receivers* attenuate against noise from *entertainment venues*.

2.2 Controls

1. A report prepared by a suitably qualified acoustic specialist must be submitted with any application for a new or modified sensitive receiver located within a Sound Category Area. The report shall demonstrate that sound levels inside the premises do not exceed the sensitive receiver internal sound criteria, as specific in Table 2 below:

Table 2 – Internal sound criteria (sensitive receivers)

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 7am to 10pm	35	59	62	46
	Early night 10pm to Midnight	35	59	62	46
	Late night Midnight to 7am	35	59	62	46
Residential accommodation (excluding hotels and hostels) – bedrooms	Day / evening 7am to 10pm	35	59	52	46
	Early night (weekends) 10pm to Midnight	35	59	52	46
	Early night (weekdays) 10pm to Midnight	30	54	47	41

	Late night Midnight to 7am	30	54	47	41
Education facilities including early childhood and childcare facilities	When in use	35	59	52	46
Place of public worship	When in use	38	62	55	49
Health services facility	Day / evening 7am to 10pm	40	64	57	51
	Night (wards only)	35	59	52	46
	10pm to 7am				
Tourist and visitor accommodation (including hostels)	Day / evening (bedrooms) 7am to 10pm	38	62	55	49
	Night (bedrooms)	33	57	50	44
	10pm to 7am				
Commercial premises (excluding retail premises, but including offices as part of industrial premises)	When in use	40	64	57	51

*Habitable rooms are identified as a room for normal domestic activities which:

- Includes bedrooms, 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.

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. For alterations and additions to any sensitive receiver development type, only apply the internal noise criteria in Table 2 above to new or modified floor space.

4. Noise impacts from other sources including rail and road must be assessed separately in accordance with relevant standards and policies.

Note:

For the purposes of this section of the DCP a modified sensitive receiver includes:

- External and internal alterations to sensitive receivers. This includes alterations and additions to residential accommodation (note: this does not include changes that do not impact upon the sound levels), or
- Operational changes to non-residential sensitive receivers

3. Acoustic requirements for *entertainment venues*

3.1 **Objective**

1. To ensure any new or modified entertainment venues do not unreasonably impact on the amenity of sensitive receivers
2. To ensure that noise attenuation techniques do not compromise the achievement of a high level of residential amenity.

3.2 **Controls**

1. Submit a noise impact assessment report prepared by a suitably qualified acoustic specialist with applications for a new or modified entertainment venue. It must:
 - Detail physical noise attenuation measures to demonstrate the venue can operate within the external sound criteria levels as specified in Table 1
 - Demonstrate compliance with the external sound criteria (Table 1) at the boundary of all sites containing a sensitive receiver within 15m of the subject site.
 - Where a venue shares a common partition (common wall, party wall or floor/ceiling) with a sensitive receiver, demonstrate that the venue can operate without breaching the internal sound criteria within those adjoining receivers specified in Table 2.

Note:

For the purposes of this section of the DCP a modified venue includes a DA or Section 4.55 applications that:

- Increase patron capacity by 15% or more from the original approval, or
- Increase trading hours beyond midnight if currently restricted to midnight or earlier, or
- Include new or modified external openings (e.g. windows and doors), or
- Include amendments to operational controls in an approved Plan of Management that manage sound.

A modified venue does not include a DA or Section 4.55 applications for:

- Internal alterations, unless within a mixed-use building, or
 - The renewal of trading hours, unless otherwise requested by Council.
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4. Acoustic requirements for mixed-use developments

4.1 Objective

1. To future proof commercial tenancies in new mixed-use developments containing *sensitive receivers* so that the commercial tenancies can be easily adapted to *entertainment venues*.

4.2 Controls

1. Submit a noise impact assessment report with any application for mixed use developments containing a *sensitive receiver*. It must:
 - Demonstrate that non-residential floor space within the building could be used as an *entertainment venue* and still meet the sensitive receiver internal noise criteria for *sensitive receivers* (Table 2)
 - Specify attenuation measures to be designed into the building thus future proofing the non-residential floorspace as a potential *entertainment venue*. Sound attenuation measures required by the noise impact assessment must be incorporated into the design of the building at its initial construction.