



Burwood Inc.1874

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ORDINARY MEETING

Late Items

Notice is hereby given that a meeting of the Council of Burwood will be held in the Council Chamber, 2 Conder Street, Burwood on Tuesday 9 December 2025 at 6:00 PM

Tommaso Briscese
General Manager

Agenda

For an Ordinary Meeting of Burwood Council to be held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 9 December 2025 immediately after the Public Forum commencing at 6.00pm.

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Mayoral Minutes

(Item MM15/25) Environmental Leadership in Action: Introducing the Burwood Green Key Initiative

File No: 25/66224

Mayoral Minute by Cr John Faker (Mayor)

Summary

It has long been a priority of mine to ensure Burwood grows greener, delivering benefits for our community today and for the generations who will follow. The Mayoral Street Tree Planting Program is in its sixth year and has delivered over 1,500 trees to date, each one a long-lived investment in shade, amenity and city comfort.

Through the Sustainable Burwood Plan, we have committed to achieving 25% tree canopy coverage across the LGA, and the Mayoral Street Tree Planting Program is an essential foundation helping us reach that target.

Tonight, I am pleased to introduce the Green Key Initiative, a program that takes our greening efforts to the next level, supports our tree-canopy targets, and invites broader community and business participation in creating a cooler, greener Burwood.

Participating partners will make a small contribution tied to everyday transactions, creating a simple and sustainable mechanism for long-term investment in our urban greening. Every contribution will go directly toward planting trees, expanding canopy and creating more shaded, comfortable public spaces in Burwood.

Importantly, this initiative reinforces the shared responsibility we all have in greening our city. Council will continue to invest significantly in urban greening, but through Green Key we are inviting others to stand with us, and we will publicly acknowledge and recognise those businesses and organisations that make this investment in the future of our community and our city.

I invite businesses and organisations across our local economy, from hospitality and retail to commercial operators, property owners and community groups, to join the Green Key network and help build a cooler, greener Burwood.

This initiative is not just about planting trees, it's about building a civic culture where environmental stewardship is visible, collaborative, and celebrated.

I ask that Council note the introduction of the Green Key Initiative and support the establishment and growth of this partnership model in the months ahead.

I therefore move that:

- Council note the introduction of the Green Key Initiative as a mechanism to support urban greening and progress toward Burwood's tree-canopy targets.
- The General Manager investigate opportunities to expand the Green Key network, including engagement with local businesses, commercial operators, institutions, property owners and other stakeholders.
- The General Manager develop a recognition model for participating Green Key partners that acknowledges their contribution to the long-term environmental future of our city.

Attachments

There are no attachments for this report.

2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805

phone: 9911 9911

email: council@burwood.nsw.gov.au

website: www.burwood.nsw.gov.au

Reports to Council

(Item 97/25) Burwood Special Entertainment Precinct - Draft Planning Proposal, Precinct Management Plan and DCP Amendments - For Exhibition

File No: 25/65892

Report by Director People & Performance

Summary

This report seeks Council's endorsement to prepare a Planning Proposal to amend the *Burwood Local Environmental Plan 2012* (BLEP) by designating land bound by Ford Lane, Railway Parade, Belmore Street, Conder Street and Burwood Road as a Special Entertainment Precinct under Section 202 of the *Local Government Act 1993*, and to endorse the draft Precinct Management Plan and draft amendment to the Burwood Development Control Plan (BDCP) to support its implementation.

Independent planning and urban design consultants have been engaged by Council to support the preparation of a Planning Proposal (**Attachment 1**), to amend the Burwood Local Environmental Plan (BLEP) 2012 to establish a Special Entertainment Precinct (SEP) in the Burwood Town Centre, under the provisions of Section 202 of the *Local Government Act 1993*. The land subject to the Planning Proposal is bounded by Ford Lane, Railway Parade, Belmore Street, Conder Street and Burwood Road, Burwood.

SEPs are a legislative mechanism available under the Local Government Act that enable Councils to establish a sound management framework for entertainment sound, including trading hours criteria, for a designated area. A SEP is designed to support a vibrant nighttime precinct, whilst providing appropriate controls to maintain resident amenity within and adjacent to the precinct.

A draft Special Entertainment Precinct Management Plan (**Attachment 2**) and proposed amendments to the BDCP (**Attachment 3**) have been prepared to support the strategic intention of the Planning Proposal by providing clear guidance on trading hours for indoor and outdoor activity, as well as sound omission and attenuation requirements for properties within the proposed SEP.

This report seeks Council's endorsement of the Draft Precinct Management Plan, DCP amendment and Planning Proposal for the Burwood Special Entertainment Precinct to progress to Gateway Determination and public exhibition for a period of at least 28 days.

Operational Plan Objective

- A.71 Undertake initiatives that support new economic growth in the Burwood North Precinct and Burwood Town Centre
- A.72 Implement activities or initiatives that enhance Burwood's night time economy
- C.9 Safe, clean and activated streets, centres and public places are enjoyed by people day and night
- C.3 An urban environment that maintains and enhances our sense of identity and place.
- C.3.1 Facilitate well designed, high quality and sustainable land use and development that is appropriately scaled to complement its surroundings.
- C.1.1 Support and deliver initiatives that encourage high-quality design, sustainable development and enhanced urban amenity.
- C.11.1 Conduct Council business with transparency, accountability, compliance and probity that ensures community confidence in decision making.

Background

Burwood is identified as a Strategic Centre by the NSW Government within the *Eastern City District Plan*. The Burwood Town Centre is a key commercial and experience district, attracting a range of workers and visitors day and night.

SEPs provide a mechanism for Councils to establish a sound management framework for entertainment sound, including trading hours criteria, for a designated area. The SEP framework is designed to support a vibrant night time precinct, whilst providing appropriate controls to maintain resident amenity within and adjacent the precinct.

A SEP is established under Section 202 of the *Local Government Act 1993*. A SEP can be created for a precinct, streetscape or single venue where a sound management framework for entertainment sound and trading hours is set in a Special Entertainment Precinct Management Plan (PMP).

In May 2024, Council was invited to submit an Expression of Interest to the Office of the 24-Hour Economy Commissioner for the establishment of a Special Entertainment Precinct (SEP) in Burwood. In June 2024, Council formally resolved, as part of the *Licence to Play* place activation policy report, to establish a SEP in the Burwood Town Centre. The original endorsed boundary included Burwood Road, Railway Parade, Belmore Street, and Conder Street. In April 2025, Council subsequently approved a boundary amendment to extend the Burwood SEP to include Ford Lane, making the entire precinct bounded by Burwood Road, Ford Lane, Railway Parade, Belmore Street and Conder Street, subject to a trial period of 12-16 months, to test the operability and suitability of the SEP framework in this location.

In March 2025, Burwood Council was awarded \$195,000 through the SEP Kickstart Grant Program to support planning, sound management, community engagement, and activation delivery. The precinct includes key destinations such as Burwood Chinatown and Emerald Square and reflects Burwood's growing reputation as a hub for diverse food, culture, and entertainment.

Proposal

Council, through a Planning Proposal, is seeking to establish a Special Entertainment Precinct (SEP) within the Burwood Town Centre by amending the BLEP and introducing provisions under Part 6, Clause 6.9. The land subject to the proposed SEP is bounded by Ford Lane, Railway Parade, Belmore Street, Conder Street and Burwood Road (refer to **Figure 1** below).



Figure 1: Proposed Special Entertainment Precinct boundary, Burwood Town Centre



Figure 2: Burwood SEP Sound Category Areas (SCA) Map

The land area of the Burwood SEP is zoned MU1 Mixed Use under the *Burwood Local Environmental Plan 2012* and is located within the Burwood Town Centre. This zoning supports a broad land use activity mix of employment generating uses and housing, focused on public transport. **Figure 3** illustrates the land use zoning of the site and its surrounds.

A key aspect of the SEP is to preserve the land use activity mix by mitigating the potential for sound conflict between commercial premises and sensitive receivers. This is achieved through a sound management framework for entertainment sound and trading hours, which are provided through an associated Special Entertainment Precinct Management Plan (SEPMP), and an amendment to the Burwood Development Control Plan (BDCP).

The SEPMP will provide a framework to make it clear to residents, premises, performers, Council and other stakeholders what the expectations are for entertainment sound, including sound management and attenuation, and trading hours within the Burwood SEP area. The draft SEPMP is provided at **Attachment 2**.

Additionally, a new subsection is proposed to be added to Part 5 – Other Development Provisions of the BDCP to provide for ‘sound category areas’ with applicable sound levels for properties within the SEP area. The proposed amendments also outline acoustic requirements for adjacent sensitive receivers, internal noise limits for future developments, and an indoor and outdoor activity trading hours framework. The draft amendments to the BDCP are provided at **Attachment 3**.



Figure 3: Land use zoning plan

The SEP is proposed to be subject to a trial period of 12-16 months. This is intended to provide an opportunity to:

- Assess the benefits and potential impacts of the SEP’s operation, across all seasonal trading periods;
- Allow premises within the SEP to establish, resource and operate at optimum capacity including by the extended trading hours provided by the Special Entertainment Precinct Management Plan;
- Allow residents, businesses, licensed and unlicensed premises and the community to experience the entertainment activity sound requirements and the trading hours permitted under the SEP and provide meaningful feedback to Council throughout the trial period; and,
- Provide an opportunity for Council to receive community feedback, evaluate the SEP and if necessary, make adjustments to the entertainment sound requirements, trading hour requirements and/or compliance framework.

Consultation

Alongside initial site investigations and place audits, early engagement has also been carried out with key local stakeholders, including businesses, property managers, developers, police, and the Chamber of Commerce.

Endorsement is being sought from Council to exhibit the draft Planning Proposal, Precinct Management Plan and DCP amendments for a period of at least 28 days. Following endorsement, Council will be actively consulting with local businesses and other key stakeholders through targeted workshops and an online survey to capture operational needs, opportunities, and considerations from those in proximity or are immediately affected. In addition, the broader community will be invited to participate through Council's engagement platform, *Participate Burwood*, ensuring that residents, visitors, and other stakeholders have the opportunity to review information, ask questions, and provide feedback throughout the exhibition process. This engagement will also be sustained throughout the 12-16 month precinct trial period to ensure ongoing monitoring, transparency, and continuous feedback from all stakeholders.

Any submissions received during the exhibition period will be reviewed and addressed in a post-exhibition report, which will be presented to Council for consideration at the conclusion of the exhibition process.

If endorsed to proceed, a Planning Proposal will then be submitted to the Department of Planning Housing and Infrastructure for Gateway determination. Following the issue of a Gateway determination, the SEP Planning Proposal, along with the SEPMP and draft DCP amendments, will be placed on public exhibition for 28 days and referred to relevant agencies for consultation in accordance with the *Environmental Planning and Assessment Act 1979*.

Planning or Policy Implications

The proposal introduces new provisions for a Special Entertainment Precinct under Part 6, Clause 6.9 of the BLEP. The proposed amendment is consistent with the objectives of the *Environmental Planning and Assessment Act 1979* and Section 202 of the *Local Government Act 1993*.

Guidance information regarding the trading hours and sound emission framework outlined in the Special Entertainment Precinct Management Plan would be prepared to assist in the implementation of the SEP.

As the SEPMP overrides existing development consent conditions, Council's recent amendments to Parts 3 and 4 of the Burwood Development Control Plan strengthen acoustic standards to support housing delivery in mixed-use and entertainment precincts, whilst ensuring a high level of protection for residents in the Burwood Town Centre, higher-density neighbourhoods and other active areas. These provisions will ensure that the SEP can function effectively within a high-density residential setting. Further, Liquor & Gaming NSW will continue to manage sound complaints from licensed premises as they do across the State, as sound requirements in a PMP are considered by the Secretary in Liquor & Gaming NSW to be disturbance complaints.

Council endorsed in September 2025 to amend Schedule 2 of the BLEP to facilitate further city activation initiatives that would align with the intent of the SEP and Council strategies, policies and programs such as the *Licence to Play* place activation framework, *Permit Plug and Play* program, the *Burwood After Dark Strategy*, and the *Creative Burwood Strategy*.

Financial Implications

Work undertaken to date and as part of the trial in 2026 will be funded via the NSW Government's Special Entertainment Kickstart Grant Program.

Conclusion

The proposed amendment to the BLEP subject to this report will introduce a new designation, a Special Entertainment Precinct, to certain land located within the Burwood Town Centre.

The designation of a Special Entertainment Precinct, alongside the associated Special Entertainment Precinct Management Plan and draft amendments to the BDCP, will assist Council in meeting its strategic objectives to enhance the City's night-time economy, as well as provide clear and consistent guidelines for trading hours and sound emission and attenuation within the precinct.

Recommendation(s)

That Council:

1. Endorse the preparation and public exhibition of a draft Planning Proposal to amend the *Burwood Local Environmental Plan 2012* (BLEP) by designating land bound by Ford Lane, Railway Parade, Belmore Street, Conder Street and Burwood Road as a Special Entertainment Precinct under Section 202 of the *Local Government Act 1993*, for a period of 28 days.
2. Endorse the public exhibition of the draft Precinct Management Plan and draft amendment to the Burwood Development Control Plan (BDCP) for a period of 28 days to support the implementation of the draft Planning Proposal.
3. Delegate authority to the General Manager to finalise the Planning Proposal for submission to the Department of Planning, Housing and Infrastructure for Gateway determination.
4. Receive a further report after the public exhibition of the draft amendment, summarising submissions received and providing recommendations for its finalisation.

Attachments

- 1 [↓](#) Draft Planning Proposal - Special Entertainment Precinct - December 2025
- 2 [↓](#) Draft Special Entertainment Precinct Management Plan - Burwood SEPMP - December 2025
- 3 [↓](#) Draft Burwood Development Control Plan Amendments - Special Entertainment Precinct - December 2025
- 4 [↓](#) Burwood Special Entertainment Precinct Acoustic Report - December 2025

JR & Co.
(URBAN)

Planning Proposal - Burwood Special Entertainment Precinct

December 2025

Prepared for: Burwood Council



DRAFT

JR & Co. (Urban) Pty Ltd
Urban Planners
77-81 Buckland Street
Chippendale NSW 2008
www.jrand.co

Consultant Urban Planners

2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805
phone: 9911 9911
email: council@burwood.nsw.gov.au
website: www.burwood.nsw.gov.au



Planning Proposal
Burwood SEP

Report Title:	Planning Proposal - Burwood Special Entertainment Precinct
Project:	Burwood Special Entertainment Precinct (SEP)
Prepared By:	JR & Co (Urban) Pty Ltd ABN: 90 169 086 935 77-81 Buckland Street, Chippendale NSW 2008 Mobile: 0412 580 305 Email: hello@jrand.co
Client:	Burwood Council
Report Date:	02 December 2025
Final/Draft:	Draft B

Document Control	
Prepared By:	John Riordan RPIA REAP Director Principal Planner
Signed:	
Date:	02 12 2025

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1.0 Introduction

Burwood is identified as a strategic centre by the NSW Government within the *Eastern City District Plan*. It is planned to grow significantly in the next 25 years taking advantage of the strong local economy of the area and leveraging from existing and new transport infrastructure.

Burwood Council is committed to not only maximise the growth of Burwood, but to ensure that it remains an exciting and vibrant place to live, work and visit.

The Burwood Town Centre is a key commercial precinct. It attracts a range of workers and visitors' day and night. Burwood Chinatown, Emerald Square, and the places immediately around these offer day and night offerings as part of the attraction. This includes public areas that provide opportunities for enhanced experiences such as busking.

A Special Entertainment Precinct (SEP) is a tool for Councils to help support their night-time economy. It provides for a mechanism for a Council to establish a sound management framework for entertainment sound, including trading hours criteria, for a designated area. This is to support a vibrant going-out precinct, whilst providing for noise amenity for the affected neighbourhood within and around.

A SEP is established under Section 202 of the *Local Government Act 1993*. It can be a precinct (or streetscape or a single venue) where a sound management framework for entertainment sound and trading hours is set in a Precinct Management Plan.

Burwood Council has received NSW Government funding to establish its first Special Entertainment Precinct (SEP). This government initiative supports a vibrant night-time precinct located in Burwood. It is to be established by this Planning Proposal to amend the Burwood Local Environmental Plan 2012. An associated SEP Precinct Management Plan (SEPMP) and an amendment to the Burwood Development Control Plan (DCP) will support the Burwood SEP.

This planning proposal therefore seeks to support the establishment of the Burwood Special Entertainment Precinct ('Burwood SEP') via designating the SEP area, with associated operating legislation and plans, within the Burwood Local Environmental Plan 2012.

The Burwood SEP area is bounded by Ford Lane, Railway Parade, Belmore Street and Conder Street (refer to **Figure 1** below). It includes:

- Burwood Chinatown: a vibrant hub of some 30 plus premises known for its diverse food and drink offerings, the Burwood Hotel, shops, markets and public art.
- The eastern area of Burwood Road, opposite Burwood Chinatown and adjacent to Railway Parade, and extending to include the area of Ford Lane. This includes premises and businesses with frontages to Burwood Road.
- Emerald Square: located east of Burwood Road, and extending to Belmore Street and Wynne Street, it provides some 22 premises, with eateries, a childcare centre, shops within and an amusement centre in a podium. It also includes residential accommodation (apartments) located above the retail areas in three tower forms.
- Belmore Street that provides for a mix of licensed and unlicensed premises, including a late-night amusement centre, and areas of residential accommodation.
- Unity Place, an east-west public accessway that also provides a place for enhanced experiences, such as busking. The adjoining Burwood Grand development includes food and drink premises and shops that address this place including some with outdoor dining areas. Residential accommodation (apartments) is located above in tower forms.

- The future Burwood Place. A mixed-use development with frontages to Railway Parade, Emerald Square and Unity Place. It is planned with podiums that would include retail areas. Residential accommodation (apartments) is to be located above the podiums in tower forms.
- The Burwood Council Library, Council Offices, Corrective Services (also part of the mixed-use Burwood Grand development) and the future Burwood Cultural House which will provide for a seated theatre and studios.
- Other laneways and places, including Ford Lane, Clarendon Place, and Railway Square that offer opportunities for entertainment activities, for example busking.

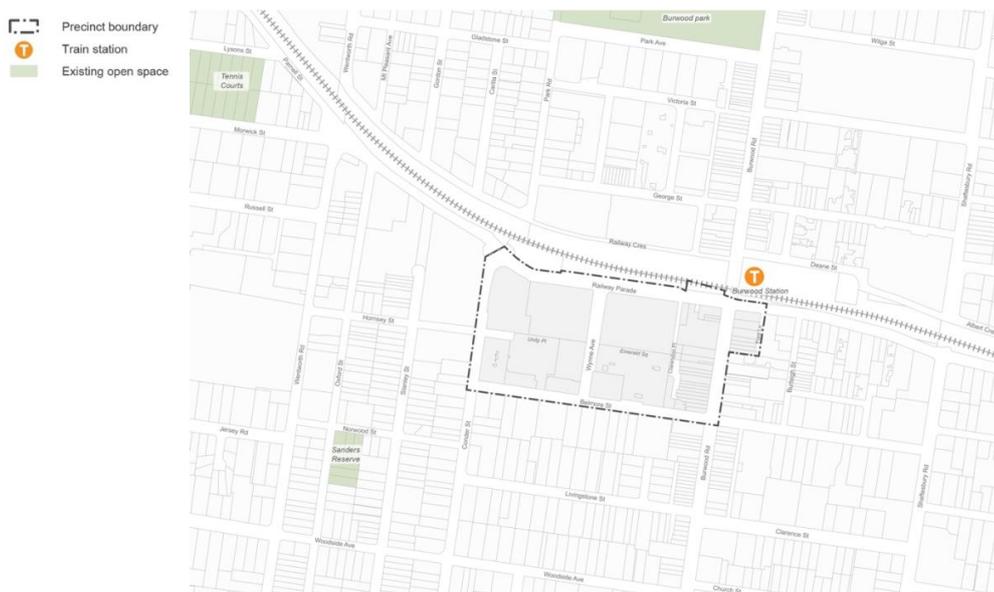


Figure 1: Boundary of the proposed Burwood Special Entertainment Precinct

The SEP area is part of the Burwood Town Centre, directly adjacent to the Burwood Railway Station, and immediately south of the railway line. On the edges of the SEP to the west and south, it forms a transition to the surrounding neighbourhoods of the Town Centre.

The rail station is a major transportation hub that provides for superior public transport access to and from Burwood and generates significant foot traffic. Buses directly service the area and include night ride buses. Active transport options including walking and cycling paths.

The land area of the Burwood SEP is zoned MU1 'Mixed Use' under the Burwood Local Environmental Plan 2012. This supports a broad land use activity mix of employment generating uses and housing, focused on public transport. Refer to **Figure 2** which provides an illustrative overview of the land use zoning of the site and surrounds.

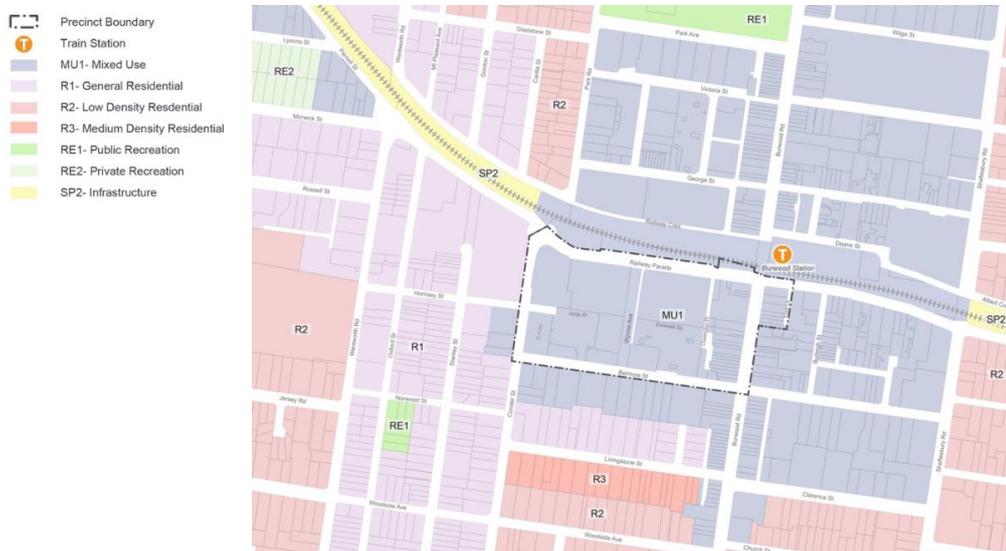


Figure 2: Land use zoning plan. The land area is zone MU 1 Mixed Use under the Burwood LEP 2012.

The Burwood SEP area includes an array of licensed premises and unlicensed premises. In addition, public areas that provide for connectivity and places for enhanced activities. Sensitive receivers are also within and around the SEP. These receivers comprise residential accommodation (such as residential apartments and shop-top housing), childcare, places of public worship, the Burwood Public School and health service facilities (medical specialist rooms and medical centres). Residential accommodation is particularly prevalent within and around the Burwood SEP. Some of these sensitive receivers are occupied particularly in the night-time, especially residential accommodation.

Refer to **Figure 3** below which provides an overview of the land use character mix.

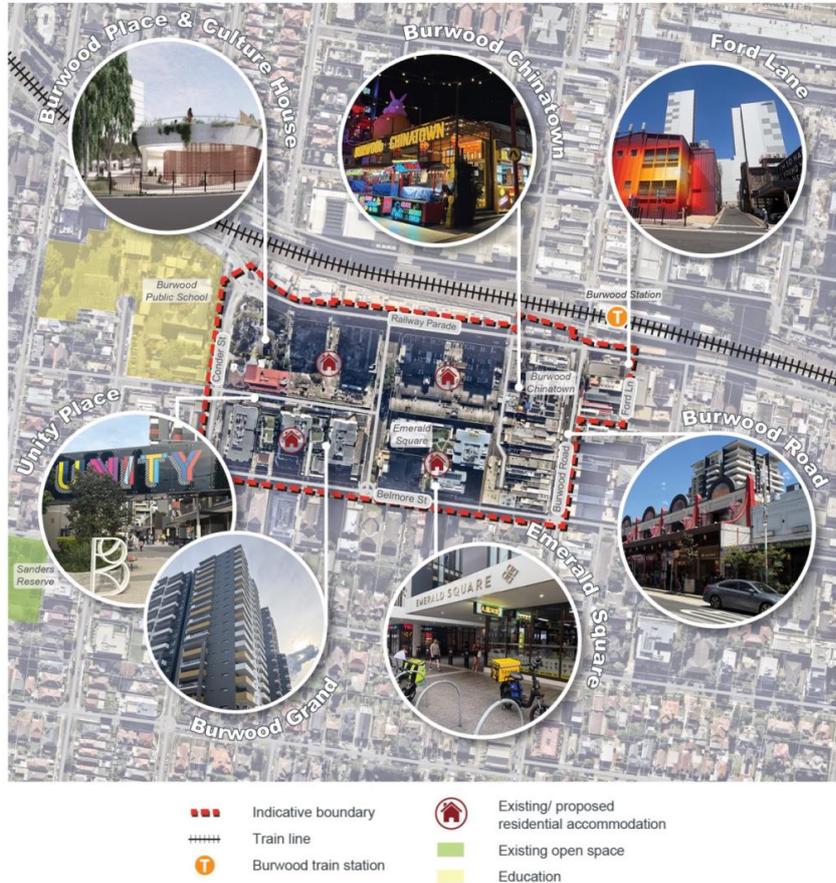


Figure 3: Land use character mix of the Burwood SEP. Of note is the mix of licensed and unlicensed premises together with sensitive receivers such as residential accommodation.

An important aspect of the Burwood SEP is to preserve the land use activity mix by mitigating the potential for sound conflict between commercial premises and sensitive receivers. This is through a sound management framework for entertainment sound and trading hours and provided by a SEPMP and an amendment to the Burwood DCP. Both these plans ultimately seek to achieve vibrancy, especially at night-time, whilst providing for neighbourhood amenity.

The SEP will provide a framework to make it clear to residents, premises, performers, Council, other authorities, developers, and other stakeholders what the expectations are for entertainment sound, including sound management and attenuation, and trading hours for the Burwood SEP area.

A trial period of 16 months for the Burwood SEP is to occur. This trial period provides the opportunity to:

- Assess the benefits and impacts of the Burwood SEP, across all seasonal trading periods;
- Allow premises within the Burwood Town SEP time to establish, resource and operate at optimum capacity including by the extended trading hours provided by a Special Entertainment Precinct Management Plan;
- Allow residents, businesses, licensed and unlicensed premises and the community to experience the entertainment activity sound requirements and trading hours of the Burwood SEP, evaluate it,

- and provide meaningful feedback to Burwood Council throughout the trial and at the conclusion;
and
- Provide for Burwood Council the opportunity to receive effective community feedback, evaluate the SEP and, if necessary, 'fine tune' the entertainment sound requirements, trading hour requirements and/or compliance framework.

This Planning Proposal has been made in accordance with [section 3.33 of the Environmental Planning and Assessment Act 1979](#) and the Department of Planning, Housing and Infrastructure's [Local Environmental Plan Making Guideline \(2023\)](#).

The Planning Proposal should be read together with:

- **Attachment A** – Draft Burwood Special Entertainment Precinct Management Plan (SEPMP) prepared in accordance with the [NSW Special Entertainment Precinct Guidelines](#) and [section 202](#) of the Local Government Act 1993. This SEPMP applies to the SEP. It provides a sound management framework for sound emitted by an entertainment activity carried out by licensed premises and unlicensed premises, or on public areas, of the Burwood SEP. This includes sound attenuation guidance for trading and performing in public areas. The SEPMP also provides for the trading hours for licensed and unlicensed premises, and the compliance framework for disturbances related to entertainment sound and trading hours breaches.
- **Attachment B** – A draft amendment to the Burwood Development Control Plan (Burwood DCP). This proposes the section *Special Entertainment Precinct* to be added in the Burwood DCP. This section will support the SEP to provide for entertainment sound attenuation planning controls for new or relevant modified sensitive receivers (for example, developments with residential accommodation such as shop top housing), and new or modified licensed and unlicensed premises that may require a DA, so that these can suitably mitigate for noise impacts.
- **Attachment C** – Draft Special Entertainment Precinct Map for inclusion within the Burwood Local Environmental Plan 2012. This map supports the establishment of the Burwood SEP.
- **Attachment D** – Acoustic Report prepared by Renzo Tonin & Associates Pty Ltd, which has informed the sound requirements of the proposed SEPMP and the *Special Entertainment Precinct* section of the Burwood DCP.

This planning proposal has links to legislation, plans and policies to assist reading.

Conclusion

The planning proposal identifies that the sought amendment to the Burwood Local Environmental Plan 2012, supported by an amendment to the Burwood Development Control Plan and the Burwood Special Entertainment Precinct Management Plan, has both strategic and site-specific merit.

It gives effect to strategic plans including *Greater Sydney Region Plan: A Metropolis of Three Cities*, *Eastern City District Plan* and the *Burwood Local Strategic Planning Statement*. It is consistent with other relevant strategic plans, relevant SEPPs and the Ministerial Directions. It would not result in detrimental environmental effects, and economic and social effects are expected to be overall positive, and it can be expected to be supported by the relevant infrastructure.

The planning proposal has been prepared with consultation. Burwood Council will continue this consultation through gateway assessment, and on gateway determination, formally exhibit the proposal in accordance with the gateway requirements. As such, the Burwood SEP will be informed by consultation and engagement.

It is therefore recommended that the planning proposal progresses through gateway assessment/determination by the NSW Department of Planning, Housing and Infrastructure.

2.0 Background

On the 30th of April 2021, [section 202](#) of the *Local Government Act 1993* was gazetted by the NSW Government enabling Councils to establish a Special Entertainment Precinct.

In May 2024, Burwood Council sought NSW Government support and funding to establish its first Special Entertainment Precinct (SEP) being the 'Burwood SEP' through a 16-month trial. (The SEP area outlined in **Figure 1** earlier).

Burwood Council received funding in March 2025 from the NSW Government to establish the Burwood SEP. The funding provided the Council the ability to prepare a Planning Proposal, SEP Management Plan and the amendments to the Burwood DCP to overall support the establishment of the Burwood SEP.

A Council resolution of the 29th of April 2025 resolved to expand the boundary area of the SEP to include Ford Lane.

Burwood Council through the SEP preparation process advised the inclusion of 'Railway Square' located on Railway Parade also as part of the Burwood SEP area.

In August 2025, Council tendered to seek urban planning, acoustic and communication experts to help develop the Burwood SEP. This included a strategic planning team to prepare the Planning Proposal, Special Entertainment Precinct Management Plan and amendments to the Burwood Development Control Plan, together with input from an acoustic engineer, and a marketing and communications team to assist with those aspects of the SEP.

Experts were engaged, being Studio GL and JR & Co (Urban) to undertake the strategic planning for the SEP, and Reactivate Consulting, with Polymer Studios and Goodness, to undertake communications, engagement and marketing. Renzo Tonin & Associates were engaged to provide acoustic advice, which has informed the sound requirements for the SEP.

Working with Burwood Council, Renzo Tonin and Associates, Reactive Consulting, with Polymer and Goodness, Studio GL and JR & Co (Urban) have therefore prepared:

- The Planning Proposal (this document);
- The Burwood SEP Precinct Management Plan (refer to Attachment **A**)
- Special Entertainment Precinct section in the Burwood DCP 2025 (refer to Attachment **B**)
- Copy of the Special Entertainment Precinct for the Burwood LEP 2012 (Attachment **C**)
- Acoustic Report supporting the SEP (Attachment **D**)

As part of preparing the planning proposal initial contact has been made with relevant agencies. However further community and stakeholder consultation will be undertaken, as outlined further in this planning proposal, including on a gateway determination.

3.0 Objectives and intended outcomes

The objectives and intended outcomes of the Planning Proposal are to:

- Endorse the Burwood SEP as a vibrant area featuring a diverse range of licensed premises and unlicensed premises including food and drink premises, amusement centres, shops, as well as places for live music and performances in venues, or on public areas with busking.
- Support the night-time economy of Burwood Town Centre through the Burwood SEP which would operate from morning, through the day, and into the night.
- Balance the vibrancy demands of licensed premises and unlicensed premises who carry out an entertainment activity, with the amenity requirements of sensitive receiver development, particularly residential accommodation, through a sound management framework for entertainment sound and trading hours for premises.
- Establish the requirements and controls for entertainment sound and trading hours to appropriately achieve vibrancy whilst providing amenity, through a proposed SEP management plan (SEPMP) and an amendment to the Burwood Development Control Plan.
- Provide for a clear compliance framework for entertainment sound disturbances and trading hours breaches if and where these arise in the Burwood SEP.

4.0 Explanation of provisions

The objectives and intended outcomes of the Planning Proposal will be achieved by amending the Burwood Local Environmental 2012. Specifically, to amend Clause 6 of the Burwood LEP 2012 to include the following new clause outlined as follows:

Clause 6.9 Special Entertainment Precinct

Special Entertainment Precinct

- i) *This clause applies to land identified as the "Burwood Special Entertainment Precinct" on the Special Entertainment Precinct Map.*
- ii) *For the Local Government Act 1993, section 202, a special entertainment precinct is established on the land to which this clause applies.*

A special entertainment precinct is defined in section 202B and 202D of the Local Government Act as where a single premises, precinct or other defined locality is identified in a local environmental plan by council or in a State Environmental Planning Policy by the Minister for Planning and Public Spaces either at the request, or with the endorsement of a council, and trading hours and sound from the entertainment activity is regulated by a precinct management plan.

Mapping

A Special Entertainment Precinct Map is to be added to the Burwood Local Environmental Plan 2012 *Additional Local Provisions* Maps, to enable Clause 6.9 of the Burwood LEP. A draft of this map is provided at **Attachment C**. An extract of this map is provided at **Section 6.0** of this planning proposal.

This map will designate the land area of the Burwood Special Entertainment Precinct and enable Clause 6.9.

The intended effect of the amendment to the Burwood Local Environmental Plan 2012, and an overview of the accompanying documents to give effect to the amendment, are discussed below under Section 4.1 and Section 4.2.

4.1 Intended effect

The intended effect of the proposed amendment to the Burwood Local Environmental Plan 2012 to establish the Burwood SEP is to provide clarity to premises, performers, residents, developers, NSW Police, and the regulatory officers of Liquor and Gaming NSW and Burwood Council of the expectations for entertainment sound and trading hours of the Burwood SEP. Specifically, the appropriate level of entertainment sound to be emitted from an entertainment activity carried out by licensed and unlicensed premises and on public areas, and the trading hours for premises, in the Burwood SEP area.

This would support licensed and unlicensed premises of carrying out an entertainment activity. It will also support enhanced experiences on public areas of the SEP, such as busking.

It would support and enhance the vibrancy of the Burwood SEP, especially at night-time, and support for sensitive receivers within the SEP (particularly residential accommodation) with appropriate sound amenity.

It would also support new or relevant modified sensitive receiver development in and around the SEP to incorporate adequate sound attenuation measures for entertainment sound. In addition, new or modified retail premises to provide for adequate sound attenuation to mitigate the impact of entertainment sound.

4.2 Accompanying documents

To operate a SEP in accordance with section 202 of the *Local Government Act 1993*, two (2) documents are required to give effect to the Burwood LEP 2012 clause. These are a Special Entertainment Precinct Management Plan (SEPMP) and an amendment to the Burwood Development Control Plan (DCP). The purpose and effect of these documents are detailed below.

Burwood Special Entertainment Precinct Management Plan

Section 202D(2) of the *Local Government Act 1993* requires Council to prepare a precinct management plan for the SEP:

(2) Before the special entertainment precinct is established, the council for the area in which the special entertainment precinct will be located must prepare a plan (a precinct management plan) that provides for the following—

- (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) that the process for managing complaints in relation to licensed premises in the proposed special entertainment precinct is the process set out in the [Liquor Act 2007](#), Part 5, Division 3.*

Section 202D(4) of the *Local Government Act 1993* requires Council to publish the precinct management plan on the Council's website for the area of the proposed special entertainment precinct.

A Special Entertainment Precinct Management Plan (SEPMP) has been prepared for the Burwood SEP ('Burwood Special Entertainment Precinct Management Plan') in accordance with the *NSW Special Entertainment Precinct Guidelines* with a copy provided at **Attachment A**. The SEPMP is a principal document for the Burwood SEP to provide entertainment sound requirements and trading hours for premises. The sound criteria within the SEPMP have been developed in response to the

acoustic engineering input of Renzo Tonin & Associates. Refer to **Attachment D** for a copy of their acoustic report for the SEP.

The Burwood SEPMP includes the following:

- The vision and objectives of the SEP;
- It's application – to licensed premises and unlicensed premises, and to public areas (busking);
- Operation of development consents and complying development certificates in the Burwood SEP with regards to consent conditions for entertainment sound, trading hours, and live entertainment;
- Operation of liquor licenses;
- Monitoring and evaluation processes for the SEP;
- Suspension or revoking thresholds for the SEP;
- Sound management framework – entertainment sound requirements for an entertainment activity carried out by licensed premises and unlicensed premises (venues), and on public areas (being busking);
- Sound attenuation guidance – examples to achieve the entertainment sound requirements for premises trading and busking;
- Sound requirements for new or relevant modified sensitive receiver development;
- Trading hours - for venues, and for unlicensed premises/businesses that do not carry out an entertainment activity (non-venues);
- Listing of premises/venues that may continue to trade with hours later than the SEPMP (in accordance with their development consent);
- Planning guidance with respect to the application of the SEPMP to new and modified premises, existing premises and busking; and
- Compliance framework for entertainment sound disturbances and trading hours breaches.

It is noted that the SEPMP does not apply to public events or similar in the SEP. These would be handled by a separately regulatory framework.

The SEPMP is intended for venues, businesses, residents, community, performers, Liquor and Gaming NSW (L&GNSW), Burwood Council, NSW Police, and industry to understand the requirements and responsibilities for entertainment sound and premises trading hours whilst living, working and operating premises in the Burwood SEP.

It supports venues to manage the entertainment sound emitted from their premises. It also supports for performers to appropriately undertake busking in the SEP.

It also allows residents, or other sensitive receiver development, to understand the sound levels they should expect at their property.

Sound management and trading hours

Sound management

The SEPMP provides sound management requirements for entertainment sound in the SEP.

'Entertainment sound' relates to an entertainment activity carried out by licensed and unlicensed premises, and on public areas, of the SEP. The definition of an entertainment activity is provided under [section 202A of the Local Government Act 1993](#). The *NSW Special Entertainment Precinct Guidelines* described it as:

...means an activity carried out for purposes of entertaining members of the public, including live or recorded music. It includes other performances and activities carried out for purposes entertaining the public, for example karaoke, trivia, bingo and comedy and private functions in licensed 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 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.

For the purposes of the sound management requirements in the SEPMP, licensed and unlicensed premises in the Burwood SEP that carry out an entertainment activity are termed as 'venues' as they may emit entertainment sound. For example, food and drink premises such as cafes, restaurants, pubs, an amusement centre, and similar, are entertainment activities as they may emit entertainment sound during their trading. This includes the use of outdoor areas adjacent to shopfronts or facades, such as for outdoor dining.

For the purposes of sound management requirements to public areas in the SEP this is for busking. Other entertainment activities on public areas of the SEP, where they may occur will be under separate regulatory frameworks. For example, a public outdoor event.

The SEPMP therefore provides for entertainment sound requirements for:

- Existing venues – established licensed and unlicensed premises that carry out an entertainment activity;
- New or modified venues – new licensed and unlicensed premises that plan to carry out an entertainment activity; and
- An entertainment activity on public areas - busking.

New or relevant modified sensitive receiver development requirements are also provided. However, these premises would be expected to largely refer to the *Special Entertainment Precinct* section of the Burwood DCP 2025 for the planning controls.

Regulation of entertainment sound

Entertainment sound is to be regulated through sound criteria provided by *Sound Category Areas* and *Internal Sound Criteria*.

Sound Category Areas (SCAs) set an allowable noise level for the noise generated by venues. Sound Category Area noise limits are external noise levels, measured at the frontage of receiver properties. The SCA noise limit is measured either at the ground floor of the site boundary/building façade line, and or at the facade/balcony line where these are located above a ground floor, and follow built or planned building envelopes in locations of the SEP.

Ultimately the noise limits are so that entertainment sound that is emitted from venues can achieve appropriate sound amenity for a sensitive receiver (such as residential accommodation) in and around the SCA, whilst providing for trading vibrancy.

For the purposes of the SEP, a 'sensitive receiver' is development comprising residential accommodation, tourist and visitor accommodation, a place of public worship, a hospital, a medical centre, respite day care centres and an educational establishment or centre-based childcare facility. Within the SEP, there are significant areas of residential accommodation being residential apartments including within shop top housing forms. Accordingly, these are the predominant sensitive receivers.

The Burwood SEP outlines different SCAs with their own sound/noise levels. These are SCA 3 (pink), SCA 4 (navy blue), SCA 5 (green) and SCA 6 (light blue). These set appropriate noise limits, providing for vibrancy whilst supporting amenity in and around the SEP for sensitive receivers. SCA 3 is the highest sound emitting category for the precinct, with SCA 6 the lowest sound emitting category. Generally, the retail core of the Burwood SEP and podiums are of SCA 3, transitioning above to SCA 4 (for residential towers), then SCA 5 and SCA 6 towards the boundaries and edges of the SEP. See **Figure 4** for the Burwood SEP SCAs.



Figure 4: Burwood Sound Category Areas (SCAs).

A venue would generally consider the lowest Sound Category Area that they may be in proximity to, as a baseline for noise limits and any necessary sound attenuation.

Figure 5 below provides an example on Belmore Street.



Figure 5. Sound Category Area – Belmore Street section example.

Here different SCAs are shown in the section. The purple (SCA 3), navy blue (SCA 4) and green (SCA 5) reflect the noise levels that may need to be appropriately considered by the venue trading in this scenario. At this location a licensed premises on Belmore Street with outdoor dining would need to consider SCA 5 (green) to respond to the residential apartments directly opposite being the lowest receiver, SCA 4 (navy blue) being the tower residential apartment located above, and finally SCA 3 (purple) being other retail and commercial premises located directly above in the podium. Ultimately the sound/noise levels of SCA 5 (green) would need to be satisfied for the premises to trade in this example with respect to achieving the sound/noise levels and applying any sound attenuation. For example, removing outdoor seating at a certain time at night (e.g. 10.00pm), and closing the shopfront windows to allow internal trading to continue up to 2.00am.

A Sound Category Area does not address the following:

- Noise through common walls/floors when a venue adjoins a sensitive receiver; and
- Regulation of noise levels in internal spaces of sensitive receivers within the SEP due to outside noise ingress (via the building façade).

For this Internal Sound Criteria addresses situations where sound emitted from a venue is located within the same or an adjacent building that is attached to a sensitive receiver therefore the sound is transferred through the building envelope, such as through a wall or ceiling or floor. Sound criteria are then applied to the appropriate level of entertainment sound to the adjoining sensitive receiver. This may necessitate an appropriate sound attenuation response by a new or relevant modified venue, for example with ceiling or wall treatment.

See **Figure 6** below.

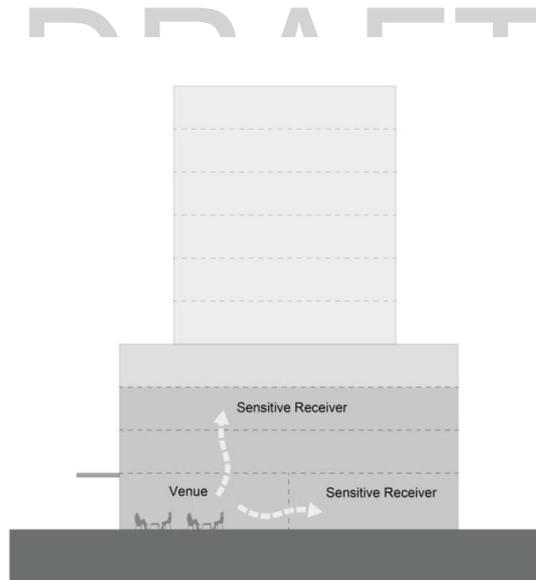


Figure 6. Internal Sound Criteria. The sound transferred to an attached sensitive receiver through the building envelope.

Sound attenuation guidance is also provided by the SEPMP, which provides examples for trading in precinct areas, to demonstrate how the sound criteria could be achieved by venues.

For busking in the SEP, dedicated locations for this entertainment activity are provided in the SEPMP to support these to easily operate through a busking permit from Burwood Council. These are Unity Place, Emerald Square/Clarendon Place and Railway Square. Sound attenuation guidance is also provided in the SEPMP to assist performers/artists with respect to the type of performance to be undertaken. This relates to when amplified music and musical instruments may need to cease to provide sound amenity to adjacent sensitive receivers.

The SEPMP does not regulate sound from unlicensed premises/businesses that do not provide for an entertainment activity (i.e. non-venue), for example a shop or a business. This is because they would not emit entertainment sound.

The SEPMP also does not provide sound requirements for:

- Vocal noise from people in the public domain;
- Plant or machinery or other industrial noise;
- Vehicular or traffic or aircraft noise;
- Sound from a public event in the SEP.

These would remain under separate regulatory framework.

Trading hours

The SEPMP provides for maximum trading hours of 7.00am to 2.00am for the Burwood SEP.

To achieve the maximum, a premises must be able to satisfy the sound criteria. Accordingly, the specific trading hours for a premises is ultimately shaped by the premises achieving the entertainment sound requirements. For example, if a venue seeks to operate later than in accordance with the trading hours of the SEPMP, they will need to demonstrate compliance with Sound Category Area/s so that sensitive receivers retain sound amenity. If the venue is attached to a sensitive receiver, by being in the same building (e.g. shop-top housing), the venue will need to demonstrate compliance with the Internal Sound Criteria.

The sound attenuation guidance provided within the SEPMP also demonstrates what is possible within the maximum trading hours across precincts of the SEP, when considering the entertainment sound requirements of the SEP. For example, indoor versus outdoor trading. However, premises would need to seek verification from an acoustic consultant to seek later trading to ultimately best determine compliance.

Listed venues are also identified by the SEPMP so that they may continue to trade at night-time in accordance with their development consent. This ensures that these venues are not provided with a reduction in their trading hours by being located within the Burwood SEP. Of note, this would presently relate to the Burwood Hotel.

Business and unlicensed premises who don't carry out an entertainment activity (non-venue), trade only indoor, and are therefore low impact are provided also with similar trading hours of 7.00am to 2.00am. This is so that they may trade appropriately later, supporting the vibrancy of the SEP, and may also take advantage of the additional foot traffic.

With respect to busking on public areas, the operating hours would be provided on a busking permit from Council. The sound attenuation guidance provided in the SEPMP may however guide when certain types of busking activity have to cease, therefore suitably controlling how they may operate.

Compliance

The SEPMP provides a compliance framework for:

- Entertainment sound disturbances from licensed premises and unlicensed premises (venues), and from an entertainment activity on public areas (busking); and
- Trading hours for licensed premises and unlicensed premises of the SEP.

This has been drafted on knowledge of common practice. However, it is noted that it may be further refined as a result of the feedback from consultation processes with authorities and stakeholders through the making of the SEP.

Entertainment sound disturbances from Venues

Entertainment sound disturbances for licensed premises are to be handled by L&GNSW. Entertainment sound disturbances for unlicensed premises are to be handled by Burwood Council. Compliance processes will vary depending on the nature of the complaint. Processes are summarised below.

Licensed Premises – L&GNSW

L&GNSW encourages a process prior to lodging a noise complaint whereby the licensed premises are contacted directly by the complainant, to seek to resolve the issue directly first, with the venue.

Following receipt of then any noise complaint, L&GNSW will handle the complaint through their procedures and in accordance with Part 5 of the *Liquor Act 2007*.

The noise complaint would be assessed on a risk-based approach to determine the best course of action.

L&GNSW would need to be satisfied that the premises have exceeded the entertainment sound requirements for venues of the SEPMP. This may necessitate further information to substantiate.

L&GNSW can then determine an appropriate response to the complaint. Where an exceedance is identified against the entertainment sound requirements of the SEPMP, this may involve first undertaking an educative approach to remind the licensed premises of requirements of the Burwood SEPMP and seek a commitment from premises to resolve the sound disturbances appropriately including within a time period.

If further complaints are received, then more focused guidance to resolve the disturbance would be considered by L&GNSW.

Enforcement action may be ultimately determined in accordance with Part 5 of the Liquor Act 2007 and would be dependent on the nature of the sound exceedance, the complaint and the compliance history.

Licensed premises may also be ultimately removed from the SEP, if and where there are on-going disturbances and limited commitment by the premises to resolve.

Further consultation through the SEP making may also refine the L&GNSW processes with the SEP.

Unlicensed Premises – Burwood Council

For unlicensed premises, Burwood Council encourages prior to lodging a complaint that the unlicensed premises are first contacted directly by the complainant. This is to seek to resolve the issue directly first with the premises.

Following receipt of any sound complaint after this process, and pending the information received, Council can then investigate.



Council will need to be satisfied that the premises have exceeded the entertainment sound requirements for venues within the SEPMP.

The unlicensed premises would be initially contacted for a response. This may also require further information to substantiate a noise complaint through other investigative processes.

If the premises are found to be operating in accordance with the entertainment sound requirements of the SEPMP, then the complainant and the premises would be provided with feedback.

If the premises are found to be exceeding the entertainment sound requirements of the SEPMP, Burwood Council may take an educative response to remind the unlicensed premises of their requirements under the Burwood SEPMP. Council would seek a commitment from premises to resolve the sound disturbance appropriately, including within an agreed period.

If further noise complaints are received, Burwood Council may decide mediation is required between the complainant and the premises to resolve the disturbances.

If ongoing disturbances do continue to occur, Burwood Council would consider further approaches for resolution.

It is understood Council retains enforcement powers, such as under the *Protection of the Environment Operations Act 1997*, where the entertainment sound emitted during operation is in exceedance of the entertainment sound requirements of the SEPMP.

Unlicensed premises may also be ultimately removed from the SEP, if and where there are on-going disturbances and limited commitment by the premises to resolve.

Public area sound disturbances

The SEPMP includes a framework for sound disturbances that relate to busking. Noting the temporary nature of these activities, the response by Burwood Council would mainly be an educative approach. However, ultimately the location for these activities in the Burwood SEP can be reviewed by Burwood Council if on-going complaints do evolve.

Role of NSW Police

The NSW Police would retain their powers to investigate anti-social behaviour or similar in accordance with policing powers.

Where they are contacted regarding an entertainment sound complaint, NSW Police would relay these to L&GNSW for licensed premises. For unlicensed premises, or an entertainment activity on a public area, of the SEP the NSW Police would attend entertainment sound complaints but for largely where these are outside standard Burwood Council operating hours.

Where the NSW Police attend a noise complaint, they will attempt to resolve issues directly with the premises and may contact the complainant to relay the premises response.

If the noise complaint does require immediate action and is for licensed premises, NSW Police may issue an improvement notice under the Liquor Act 2007. The NSW Police may subsequently make a statutory disturbance complaint to L&GNSW in response.

NSW Police are understood to be granted powers under the *Protection of the Environment Operations Act 1997* to conduct noise investigations, and this would be where the sound received is considered to not be in accordance with the SEPMP.

Further consultation through the SEP making process may additionally refine the NSW Police compliance processes that will apply within the SEP.

Trading hours breaches

Burwood Council will investigate complaints for licensed premises and unlicensed premises relating to trading hours. This includes whether they are a venue or non-venue.

Burwood Council will also investigate any operating breaches for busking in the SEP.

Council will need to substantiate that the premises are not in accordance with the trading hours of SEPMP (including those venues/premises listed in the SEPMP who are permitted to trade later). This may require an investigative process to determine.

Burwood Council will contact the premises/operator regarding a trading hours complaint and then seek to determine the best approach to achieve compliance with the SEPMP.

With respect to busking, noting the temporary nature of these activities, Council would undertake an educative approach with performers.

Special Entertainment Precinct section of Burwood Development Control Plan

The *Burwood Development Control Plan* (BDCP) supports the planning controls of the Burwood Local Environmental 2012.

The *Special Entertainment Precinct Guidelines* identifies the preparation of a DCP for a SEP. This is especially for new or modified sensitive receiver development, so that they may be suitably designed to mitigate against entertainment sound. The DCP is for new or modified premises (venues) that require a development application as they do not satisfy being lawfully established or modified through alternative planning pathways of exempt or complying development under *State Environmental Planning Policy (Exempt and Complying Codes) 2008 'Codes SEPP'*.

To respond to the Guidelines, an amendment to the BDCP has been drafted. The amendment titled *Special Entertainment Precinct* is provided at **Attachment B**. It is proposed that this will form a section within the Burwood Development Control Plan on the making of this Burwood LEP amendment.

The *Special Entertainment Precinct* section of the Burwood DCP provides for sound controls for new or relevant modified sensitive receiver development, or for new or modified premises (venues) that require a Development Application (DA). The planning controls require these development's to be designed to mitigate the impact of entertainment sound. It ultimately supports the future proofing of the Burwood SEP against the impact of entertainment sound through building design, especially façade design and internal fit outs.

The amendment to BDCP sets out a series of planning controls that:

- Identify sensitive receiver development, such as residential accommodation, that require sound attenuation from entertainment sound in the SEP;
- Identify new or modified licensed and unlicensed premises (venues) that require a DA and the sound criteria they would need to comply with;
- The noise levels that would need to be complied with by sensitive receiver development or new and modified premises; and
- Requirements for where trading hours are to be sought greater than the SEPMP hours.

To ensure consistency, the *Special Entertainment Precinct* section to the Burwood DCP complements the sound criteria within the SEPMP – therefore is based upon the same Sound Category Areas and Internal Sound Criteria. This ensures a consistent approach to the sound management framework for the Burwood SEP.

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Burwood SEP*

The sound criteria within this proposed section of the Burwood DCP have therefore also been developed in response to the acoustic input of Renzo Tonin & Associates. Refer to **Attachment D** for a copy of their acoustic report.

The *Special Entertainment Precinct* section of the Burwood DCP would be used by residents, developers, new or modified premises that require a DA, Burwood Council and the Local Planning Panel to ensure that future development in and around the SEP is suited to the sound levels of the Burwood SEP. This will provide for residents, and the occupants of other sensitive receiver development, suitable sound amenity. In addition, new or relevant modified premises can trade appropriately with respect to reducing the impact of entertainment sound that they may emit.

DCP Mapping

The proposed amendment to the Burwood DCP also includes mapping. The mapping designates Sound Category Areas to support the amendment to the Burwood Development Control Plan.

The mapping identifies properties on and around the SEP land area within a Sound Category Area. The SCAs determine the exposure of entertainment sound at property frontages and is then used to predict sound levels. This then affects the sound attenuation response of new or relevant modified sensitive receiver development (for example, the façade design of residential accommodation), to provide for appropriate sound amenity. Refer to **Section 6.0** which illustrates the SCA ma

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5.0 Justification

This section provides for an assessment of the strategic and site-specific merits of the planning proposal.

5.1 Section A - Need for the planning proposal

Question 1: Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report

The planning proposal is a response to NSW Government investment and a Council resolution to create the Burwood SEP, NSW legislation that supports the SEP, and to achieve planning priority and related actions under the endorsed Burwood Local Strategic Planning Statement (LSPS). It is also consistent with relevant strategies and is a result of an acoustic report for the SEP. These are detailed below.

NSW Government investment and Council resolution to create the SEP

The planning proposal is in response to government endorsement to create the Burwood SEP. NSW Government funding was received in late March 2025 as part of a 'kick start' investment program of Special Entertainment Precinct's.

In April 2025, Council endorsed the area of the Burwood SEP to include Ford Lane as outlined by **Table 1**.

Table 1: Council resolutions

Resolution	Date	Content
Endorsed the Burwood SEP to include Ford Lane	29 April 2025	Increased the area of the Burwood SEP to be Burwood Road, Ford Lane, Railway Parade, Belmore Street and Conder Street.

This planning proposal has been made to fulfill these Burwood Council resolution.

Special Entertainment Precincts under the NSW Local Government Act 1993

Section 202C of the *Local Government Act 1993* enables the establishment of Special Entertainment Precincts by a Council. This planning proposal has been informed by the NSW legislation.

Burwood Local Strategic Planning Statement (LSPS)

The [Burwood Local Strategic Planning Statement](#) (Burwood LSPS) provides for Council's 20-year vision for land use planning in Burwood and provides for a set of priorities and actions to achieve that vision. It was prepared by Burwood Council to meet the requirements of [section 3.9](#) of the *NSW Environmental Planning and Assessment Act 1979* (As Amended). The LSPS was publicly exhibited during August-September 2019, endorsed by Council on 11 February 2020, and supported by the Greater Sydney Commission on 12 March 2020.

The Burwood LSPS is organised into 17 Planning Priorities for the land use planning of Burwood.

Planning Priority 7 – 'Grow Burwood's night-time entertainment, dining and other recreational opportunities' directly supports this planning proposal. This planning priority is supported by two actions:

- 7.1 Improve and diversify Burwood's night-time economy as informed by the Employment and Investment Strategy and Urban Design Study and Masterplan; and
- 7.2 Develop appropriate mitigation and management measures to address noise management to ensure desired amenity and public domain outcomes can be achieved.

The Burwood SEP directly responds to these two actions. With respect to Action 7.1, the proposal supports Burwood's night-time economy. It enables the Burwood SEP as a night-time area, with a framework for entertainment sound and trading hours, that facilitate its appropriate operation.

With respect to Action 7.2, the SEP provides for mitigation and management measures for noise management whilst supporting vibrancy and providing amenity. The measures include the SEPMP and the amendment to the Burwood DCP.

The SEPMP provides entertainment sound requirements for an entertainment activity to be carried out by licensed premises and unlicensed premises (venues), or on a public area (busking), in the SEP. This includes sound management guidance to achieve the entertainment sound requirements. It also provides the trading hours for venues and premises, which also support the entertainment sound provisions, to support night-time vibrancy whilst providing for amenity to sensitive receivers and particularly the significant area of residential accommodation.

The *Special Entertainment Precinct* section of the Burwood DCP provides sound attenuation requirements for new or relevant modified sensitive development. For example, shop-top housing or mixed-use development with residential accommodation. In addition, sound attenuation requirements for new or modified premises (venues) that would carry out an entertainment activity and require a development application. Therefore, it mitigates the potential of entertainment sound disturbances through building design and fit out.

Therefore, the SEPMP and the amendment to the Burwood DCP would provide for appropriate mitigation measures to manage entertainment sound and trading, supporting night-time vibrancy, whilst providing for sound amenity to the neighbourhood within and surrounding the SEP.

Accordingly, the planning proposal to establish the Burwood SEP can be seen as a result of the priority and actions of the Burwood LSPS, noting the consistency against.

Relevant strategies

The planning proposal is also a result of endorsed relevant Burwood Council strategies that have identified the need for a Special Entertainment Precinct in Burwood.

Of note:

- [Burwood After Dark Strategy 2023](#) - provides for the 'Focus Area 1 – Place' with relevant plan Action 1.1 within, that identifies the creation of a Special Entertainment Precinct in Burwood; and
- [Creative Burwood Strategy 2025-2035](#) – provides for *Focus Area 1 – Cultural Opportunities* with corresponding 'Goal 1.1 increase the number of arts and cultural facilities and spaces' with relevant plan Action 1.1.4 within, that also identifies the creation of a Special Entertainment Precinct in Burwood.

Both these endorsed strategies, and the consistency of the Burwood SEP to them, are discussed in further detail under response to **Question 4** of the planning proposal.

Precinct acoustic report

The planning proposal is supported by a Burwood Special Entertainment Precinct Management (Attachment A) and a proposed amendment to the Burwood Development Control Plan (Attachment B).

Both these documents support the establishment of the Burwood Special Entertainment Precinct in the Burwood Local Environmental Plan 2012. Importantly they provide for the sound management and trading hours management framework, as outlined earlier under Section 4.2 of the Planning Proposal.

The preparation of both these documents is a result of an acoustic report/study prepared by Renzo Tonin and Associates for the Burwood SEP. This acoustic report has developed the sound requirements for the area of the Burwood SEP and the sound criteria of Sound Category Areas (SCAs) and an Internal Sound (Noise) Criteria. This report has also provided sound attenuation guidance as outlined in the SEPMP, to assist trading and undertaking busking in the SEP.

The acoustic report development has been supported with site and acoustic surveys, review of planning consents, and consideration of appropriate terms of reference including NSW Government *Special Entertainment Precinct Acoustic Toolkit*.

A copy of the Acoustic Report prepared by Renzo Tonin and Associates is provided with the planning proposal at **Attachment D**.

Question 2: Is the planning proposal the best means of achieving the objectives or intended outcomes is there a better way?

The Burwood Town Centre is a popular precinct and attracts a range of visitors both day and night.

The proposed Burwood SEP area is a key component of the town centre's attraction and offers a variety of licensed premises and unlicensed premises, and many provide for entertainment activities such as food and drink, amusement venues and other.

The objective and intended outcomes of the SEP is to establish the Burwood SEP in the Burwood LEP, with a sound management framework for entertainment sound and trading hours. This is to overall support vibrancy in the SEP whilst providing amenity to sensitive receivers, such as residential accommodation, within and around the area.

The planning proposal is therefore considered the best means to achieve the objectives and intended outcomes.

The SEP is to be provided with a sound management framework for an entertainment activity to be appropriately carried out.

The SEPMP will provide for venues, or an entertainment activity on public areas, within the SEP to appropriately operate through entertainment sound requirements. This is especially at night-time.

This provides for sensitive receiver development, such as residential accommodation, within the SEP to identify the appropriate amount of entertainment sound to be received at their properties, including through their building if they are attached to venues (i.e. shop-top housing development such as Emerald Square and Burwood Grand).

Therefore, it supports vibrancy and provides for amenity to sensitive receivers.

The SEP also sets appropriate trading hours (through the SEPMP) that venues and businesses/unlicensed premises can operate, including for night-time trading. This works together with the entertainment sound requirements to achieve amenity for sensitive receivers, whilst supporting vibrancy.

The proposed *Special Entertainment Precinct* section to the Burwood DCP provides for planning controls for sound attenuation, and to guide the appropriate development of new or relevant modified sensitive receiver development to achieve applicable sound levels. This supports the 'futureproofing' of the Burwood SEP to entertainment sound, by mitigating for the potential impact of sound through building design processes. In addition, it provides new or modified premises (venue) that require a DA, sound attenuation requirements, further mitigating entertainment sound impacts, including where they may be attached to a sensitive receiver.

The planning proposal is considered the best means to achieve the objective and intended outcomes. It establishes the SEP in the Burwood LEP and with a sound management framework for entertainment sound and trading hours that support vibrancy, especially for night-time activity, whilst providing amenity to sensitive receivers.

Alternatively, the current case-by-case development application approach could remain rather than the SEP approach sought by this planning proposal for the area. However, this would not employ the entertainment sound requirements as proposed, which is considered better acoustically to support the broader night-time vibrancy sought for the precinct, balanced with reasonable sound amenity. This would remain to employ a background noise level approach to sound, which is generally considered more acoustically restrictive. A case-by-case approach is also more onerous overall, including relying on numerous development applications to facilitate for later night trading, which therefore does not support planning efficiencies.

Accordingly, the planning proposal is considered the best means overall to achieve vibrancy whilst providing sound amenity in the applicable area.

5.2 Section B – Relationship to strategic framework

Question 3: Will the planning proposal give effect to the objectives and action of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The applicable regional and district plans to the planning proposal are:

- Greater Sydney Region Plan: A Metropolis of Three Cities; and
- Eastern City District Plan.

The planning proposal response to these are outlined below.

Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan: Metropolis of Three Cities provides for a 40-year vision to 2056 and a 20-year framework for managing growth across Greater Sydney. It aligns land use with transport, and infrastructure policies for Greater Sydney including the *Future Transport 2056* (Transport for NSW) and the *State Infrastructure Strategy* (Infrastructure NSW).

The region plan provides a set of objectives within the directions set out in *Ten Directions for a metropolis of three cities*.

Objective 9 of the region plan under Direction 'A city for people' is directly relevant to this planning proposal.

Objective 9 notes '*Greater Sydney celebrates the arts and supports creative industries and innovation*'. It states within this objective:

'A vibrant and safe night-time economy enhances Greater Sydney's standing as a global city, while meeting the social and recreational needs of shift workers, young people and tourists and visitors. Stimulating the night-time economy supports dynamic places and boosts local economics. This generally occurs in mixed-use centres with adequate noise control, locally appropriate operating hours and safe late-night travel options'.

The planning proposal gives effect to this objective of this Region Plan. Burwood is a mixed-use strategic centre, with a range of late-night travel options including rail, bus, car and active transport. The Burwood SEP will support a vibrant night-time economy, together with neighbourhood amenity, through a sound management framework for entertainment sound and trading hours requirements.

The planning proposal also gives effect to Objective 8 of the Region Plan. Objective 8 is '*Greater Sydney's communities are culturally rich with diverse neighbourhoods*'. The Burwood SEP supports the vibrancy of Burwood Chinatown and the Emerald Square localities within, enhancing the uniqueness of these places, and supporting the character and identity of Burwood which it is increasingly known for. As noted further, these places within the SEP, whilst being attractors to visitors and workers due to their character and offerings, are also part of the network of premises/venues that more broadly in Burwood provide places for residents and the community to interact.

The planning proposal also gives effect to Objective 12 of the Region Plan. Objective 12 responds to the Direction of the region plan '*A city of great places*'. Objective 12 is '*Great places that bring people*

together'. Within this, elements of a great place include those with a night-time economy as well as those that are safe. The Burwood SEP will support the night-time economy of Burwood, in addition, it supports it as a safe place by working alongside a 'Purple Flag accreditation' that is planned to also apply to the SEP.

Eastern City District Plan

The [Eastern City District Plan](#) is a 20-year strategy that manages growth in the eastern city of Greater Sydney which Burwood is part of, and addresses economic, social, and environmental goals to support the district's long-term vision.

It builds on the objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities*.

Under the Eastern City District Plan, Burwood is identified as a 'strategic centre', supported by its housing and job mix.

Several planning priorities under the Eastern City District Plan are relevant to this planning proposal, which the proposal gives effect to. These are outlined below:

- *Planning Priority E4 – Fostering healthy, creative, culturally rich and socially connected communities*

Supporting cultural and creative experiences are mentioned under this Planning Priority. The planning proposal gives effect to this by implementing the Burwood SEP which provides, through the sound requirements of the SEPMP, the ability for fostering cultural and creative experiences. This includes providing for busking on dedicated public areas of the SEP.

The future Burwood Culture House also forms part of the SEP area, further fostering creative and cultural experiences.

In addition, under this Planning Priority it states '*Investigation of options to reduce regulatory burden for arts, creative and temporary uses as well as the night-time economy is essential*'. The planning proposal will give effect to this by implementing the SEP. The SEPMP reduces the regulatory burden for venues to operate at night-time, as it sets entertainment sound requirements and the trading hours for licensed premises and unlicensed premises. This includes by 'switching off' conditions in development consents and Complying Development Certificates for entertainment sound where they are inconsistent with the SEPMP and trading hours (where they are less than the SEPMP trading hours), and conditions for ceasing live entertainment in venues.

The SEPMP also provides support for licensed venues to have additional liquor licence trading hours where they host live music or other performance events, further fostering the opportunity for cultural and creative experiences in the SEP.

- *Planning priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage.*

Great places are identified under this planning priority, noting their unique character, identity and function and therefore ability to attract workers, visitors, businesses, residents and investment.

Of note to Burwood, under this Planning Priority it is specifically identified:

"The district great places include local and strategic centres such as Bondi Junction, Green Square, Rhodes, Marrickville and Rockdale; beachside neighbourhoods like Bondi Beach and Tamarama Beach; and major shopping precincts and distinctive dining and night-time precincts such as Newtown and Burwood".

The Burwood SEP will give effect to this planning priority. It supports Burwood to remain and thrive as a strategic centre, with a distinctive dining and night-time economy.

By providing a framework for entertainment sound and trading hours that seek to balance vibrancy with neighbourhood amenity, the SEP will support and strengthen Burwood's distinctive dining and night-time character.

- *Planning priority E11 – Growing investment, business opportunities and jobs in strategic centres*

As noted earlier, Burwood is a strategic centre under the Eastern City District Plan. The planning proposal supports the night-time economy of Burwood by establishing the SEP in the Burwood LEP 2012. This will enable a framework for premises to trade and operate, through precinct-based entertainment sound requirements and trading hours.

The SEP therefore supports to reduce complexity, through a precinct-based management approach, with this anticipated as helping to maintain and encouraging investment in Burwood. Therefore, support to grow investment, businesses opportunities and jobs.

Question 4: Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary of GCC, or another endorsed local strategy or strategic plan?

Burwood Local Strategic Planning Statement

The planning proposal is consistent with the Burwood Local Strategic Planning Statement.

Of note is Planning Priority 7 – ‘Grow Burwood’s night-time entertainment, dining and other recreational opportunities’ of the Burwood LSPS.

This Planning Priority is supported by two Actions:

- *7.1 Improve and diversify Burwood’s night-time economy as informed by the Employment and Investment Strategy and Urban Design Study and Masterplan; and*
- *7.2 Develop appropriate mitigation and management measures to address noise management to ensure desired amenity and public domain outcomes can be achieved.*

As outlined under the earlier detailed response to **Question 1**, the planning proposal responds to the Planning Priority and the Actions of the Burwood LSPS.

It will support and encourage the Burwood night-time economy through the implementation of the Burwood SEP through the Burwood LEP 2012. It will include appropriate noise (sound) mitigation and management measures through the proposed Burwood SEPMP and the *Special Entertainment Precinct* section to the Burwood DCP, so that both precinct vibrancy and neighbourhood amenity are suitably achieved.

Accordingly, the planning proposal is considered by this planning proposal to be consistent with the Burwood LSPS.

Other relevant strategic plans

A range of other local strategic plans and strategies operate within Burwood, developed by Burwood Council. These are also considered applicable to the planning proposal, and include:

- [Burwood2036 – Community Strategic Plan](#)
- [Burwood After Dark Strategy 2023](#)
- [Creative Burwood Strategy 2025 – 2035](#)
- [License to Play Interim Policy 2025](#)
- [Burwood Community Engagement Strategy 2023-2026](#)

The planning proposal consistency against these is outlined below.

Burwood2036 – Community Strategic Plan

This strategic plan focuses on the vision for Burwood. This influences Council organisational plans, priorities, projects and services.

The plan outlines key challenges, including *growing a vibrant night-time economy*.

A focus to achieve this is to nurture Burwood into a destination that thrives after dark. A vibrant night-time economy presents opportunities to enrich the city's economic fabric. Furthermore, a robust night-time economy provides social benefits by cultivating a dynamic environment that strengthens community cohesion, supports the development of local talent, and supports to attract visitors from outside Burwood's local government area.

Of note, the Community Strategic Plan states:

"As we build a night-time economy that reflects Burwood's character, we are mindful of balancing activity with community wellbeing, ensuring the needs of residents, businesses, and visitors are met. By cultivating a sustainable, diverse, and inclusive evening culture, Burwood can become a beacon for nightlife and a model of how communities can embrace the night to benefit all".

Accordingly, growing a vibrant night-time economy must be appropriately balanced against the community's wellbeing including those of residents, whilst the needs of businesses and visitors are still achieved.

The plan is focused around five (5) strategic directions which are goals for Burwood. These are:

1. Inclusive community and culture;
2. Places for people;
3. Sustainable and protected environment;
4. Vibrant city and villages;
5. Open and collaborative leadership.

Under these, there are community outcomes and strategies. Of relevance to the planning proposal is strategic direction Number 4. *Vibrant city and villages*.

Under strategic direction Number 4, there are relevant community outcomes and strategies to achieve as outlined under **Table 2**.

Table 2: Strategic direction – No. 4 Vibrant City and Villages

Community outcome	Strategy
4.1 A thriving city and centrally located, strategic business and employment hub within Sydney.	4.1.1 Promote Burwood as a great place to live, work, visit and invest in 4.1.2 Facilitate the growth and prosperity of local businesses and target the growth of business sectors and growth industries
4.2 Safe, clean and activated streets, centres and public places are enjoyed by people day and night	4.2.1 Develop place planning to activate the CBD, high streets and villages to support local businesses and foster local identity, creativity and culture 4.2.2 Plan and deliver infrastructure, services and information which safeguard public health and support community safety

The planning proposal gives effect to the community strategic plan.

It supports a thriving city, by supporting the Burwood SEP as a place to both live and work.

The SEP will encourage the prosperity of local businesses, support activation and foster local identity.

It seeks to provide for the well-being of residents who live there (and the occupants of other sensitive receiver development) through the sound management requirements of the SEPMP and the *Special Entertainment Precinct* section of the Burwood DCP.

It encourages creativity, through measures in the SEPMP that support live music and other live performances in venues and busking on public areas of the SEP.

It supports a safe and active place that is to be enjoyed not only through the day but at night. The trading hours of the SEPMP support late night trading and therefore place activation.

A compliance framework (within the SEPMP) for entertainment sound and trading hours is provided, and the SEP will operate concurrently with a planned Purple Flag accreditation for the Town Centre.

Therefore, the SEP supports for community safety.

Burwood After Dark Strategy 2023

This strategic plan provides a plan for the night-time vibrancy of Burwood, including by supporting for expanded offerings whilst promoting safety. Within the strategy, the Burwood SEP is located within the mapped '*Burwood Eat Street*' precinct and the '*Cultural Precinct*' and the strategy ultimately seeks to strengthen these precincts.

The plan includes focus areas.

Focus Area 1 – Place, provides the following under Action 1.1 to:

- *Implementation of a 'agent of change' principle such as a SEP to recognise the growing role of the NTE (night time economy) for Burwood;*
- *Investigate strengthening noise attenuation requirements for new residential developments in the city, particularly within existing hubs of activity;*
- *Enable later closing times for low impact venues through a simplified approval process*
- *Identify the Burwood Town Centre as a late night precinct in Section 10.7 certificates*

The planning proposal gives effect to the Focus Area by supporting these Actions of this strategy.

It establishes the Burwood SEP within the Burwood LEP 2012. It provides for sound attenuation for residential developments through the proposed *Special Entertainment Precinct* section to the Burwood DCP, which would need to be considered in the design of new buildings or where these buildings are relevant modified.

It simplifies the process of late-night trading for unlicensed premises that carry out an entertainment activity (which generally can be low impact premises such as café style food and drink premises) through the entertainment sound requirements and later trading hours of the SEPMP. This reduces the need for many premises to seek a development application for extended trading hours, or a modification of a development consent for the renewal of trading hours, so long as the entertainment sound requirements of the SEPMP can be achieved.

It also supports for non-venue unlicensed premises/businesses, such as a shop, the ability to operate with later trading hours, provided by the SEPMP. The also removes the need of these premises to seek a development application for extended trading hours.

It will also lead to the Burwood SEP to be identified on a Section 10.7 Property Certificate as a late-night precinct within the land of the town centre, following the making of the Burwood LEP 2012 amendment. This will provide clarity to the owners and purchases of properties in the SEP on the entertainment sound and trading expectations of the precinct.



The planning proposal is therefore consistent with this strategy.

Safer Burwood 2023-2027

Prepared by Burwood Council and in consultation with the Burwood Area Police Command, residents, business and other stakeholders, this strategy outlines the actions that Council will undertake (together with the NSW Police, the community and others), to address priority crime issues and improve the safety, security and well-being of those who live, visit and work in Burwood.

The Plan includes measures for the night-time economy across focus area and actions as summarised below at **Table 3**.

Table 3: Focus Area and Actions Safer Burwood 2023-2027

Focus Area	Actions
Night-time economy activation	1.1.9 Advocate for the Burwood Town Centre to be accredited under the Purple Flag Program 1.10 Review Council’s planning framework to encourage activation of the public domain at night 1.11 Implement Burwood After Dark Strategy actions that relate to safer places and safer people

The planning proposal gives effect to this Focus Area and Actions of the strategy.

It supports the Focus Area of night-time economy activation, by establishing the Burwood SEP.

It supports the Action of encouraging appropriate activation of the public domain at night through the trading hours provided by the SEPMP, which may result in the increased use, and passive surveillance of, the public areas in and around the SEP.

It will also support (and work with) Purple Flag accreditation, as this is also planned to apply to the Burwood SEP, as part of the broader accreditation to the Burwood Town Centre. Purple Flag accreditation will recognise the safety of an area (particularly the low alcohol crime character), in addition to its vibrancy and welcoming nature.

The planning proposal is therefore consistent with this strategy.

Creative Burwood Strategy 2025 – 2035

This strategy commits to position Burwood as a leading destination for arts and culture.

It was informed by the background document *Creative Burwood Snapshot 2024*, also prepared by Burwood Council, and provides for an audit of distinct places and localities across Burwood of which localities of the SEP are identified. These include Burwood Chinatown, Burwood Road East Street, Emerald Square and the Art and Cultural Quarter of Library and Community Hub (which also includes Unity Place and the Burwood Culture House)

The creative strategy for Burwood is based on three focus areas:

- Focus Area 1: Cultural infrastructure: ensuring the city has the necessary spaces and facilities to support diverse artistic and cultural activities;
- Focus Area 2: Creative Economy and Practice: Supporting artists, cultural workers, and creative industries to thrive and contribute to our economic and social life; and

- Focus Area 3: Creative Experiences and Stories: Enriching the community by sharing our stories, celebrating our diverse cultural narratives and providing opportunities for participation in the arts.

The night-time economy is identified as a key issue and trend for the growth of arts and culture of Burwood, with the establishment of a Special Entertainment Precinct a component to this.

Focus Area 1: Cultural Infrastructure, is particularly relevant to this planning proposal. The outcome of this Focus Area is to *'increase access to the arts and cultural venues and spaces'*.

Key opportunities identified by this focus area include to create a Special Entertainment Precinct in the Burwood Town Centre. In addition, an increase in live music and performance venues.

These opportunities are aligned to a relevant goal:

'Goal 1.1: Increase the number of arts and cultural facilities and spaces'.

Relevant actions to achieve this goal under the strategy are as follows:

'Action 1.1.3 Identify opportunities and partner with local businesses, venue operators, and promoters to increase the number of performance and rehearsal venues' and,

'Action 1.1.4: Establish a Special Entertainment Precinct in the Burwood Town Centre and explore opportunities to develop cultural precincts in other areas'

Accordingly, the planning proposal gives effect to these actions of the Arts and Cultural Strategy, by establishing the Burwood SEP in the Burwood LEP 2012. The SEP will be located as part of the Burwood Town Centre and will support cultural activities such as live music and other live performances in venues and dedicated busking on public areas by the SEPMP.

The Burwood SEP also includes the future Burwood Culture House (currently in the early stages of construction).

The SEP would support to further develop this precinct of Burwood as a cultural place.

Accordingly, the planning proposal is consistent with this strategy.

Burwood License to Play Interim Policy 2025

Developed by Burwood Council, this interim policy supports the activation and place making of Council owned and private land areas and ultimately seeks to support the vibrancy of these.

The objectives of the policy are focuses to support premises and other to also invest into the public realm, to also create vibrancy and support place making.

The Burwood SEP area is affected by this policy, with potential for busking and outdoor dining areas located in accordance with the policy. Of note busking is identified for Emerald Square/Clarendon Place, Unity Place and Railway Square which are part of the Burwood SEP and the outdoor dining provisions of the policy would relate to many venues in the SEP.

The planning proposal therefore is consistent with this interim policy. It supports busking by outlining dedicated locations in the SEPMP, and provides for sound attenuation guidance, making it easier for performers. It also supports the use of outdoor areas by venues (and with lawful establishment) for outdoor dining through the entertainment sound requirements and trading hours of the SEPMP.



Burwood Community Engagement Strategy 2023 – 2026

This strategy outlines the actions and participation requirements for community engagement with planning matters within Burwood.

Burwood Council is committed to being a leader in best practice of community engagement, and the Plan provides a strategy to achieve this.

The Burwood Town Centre SEP is to be developed with community participation. Engagement is to occur through the Gateway process and include public exhibition prior to formalising the Burwood LEP 2012 amendment, to receive community feedback. Refer to **Section 7**.

In addition, the Burwood SEP will operate through a trial period once the Burwood LEP 2012 is made, allowing for monitoring and feedback.

The planning proposal therefore is consistent with this strategy. The amendment to the Burwood LEP being developed with community engagement.

Question 5: Is the planning proposal consistent with any other applicable State and regional studies or strategies?

NSW 24-Hour Economy Strategy

Prepared by the Office of the 24-Hour Economy Commissioner, this strategy provides a state-wide blueprint for the 24-hour economy.

It includes five (5) strategic pillars which set out key actions to grow NSW's 24-hour economy. These are:

1. An enabling regulatory framework;
2. Vibrant, Coordinated Precincts and Places;
3. Night-time Workers, Culture and Industry Collaboration;
4. Safety, Mobility, Access and Inclusion; and
5. Authentic Storytelling.

Special Entertainment Precincts, developed as part of NSW government vibrancy reforms, align with the strategy to improve the 24-hour economy. The planning proposal is particularly consistent with the strategic pillar (1) of *An enabling regulatory framework*, by creating the Burwood SEP in the Burwood Local Environment Plan 2012, and with associated plans of the SEPMP and the proposed *Special Entertainment Precinct* section of the Burwood DCP.

Accordingly, planning proposal is consistent with the NSW 24-Hour Economy Strategy.

Question 6: Is the proposal consistent with applicable SEPPs?

The planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs) that are in place.

Consistency is outlined at **Table 4** below.

Table 4: Consistency with applicable SEPPs

State Environmental Planning Policy (SEPP)	Consistent?
<u>SEPP (Housing) 2021</u>	<p>Consistent</p> <p>Residential accommodation (a sensitive receiver) is provided within the SEP and permitted with consent in the MU1 zone. The SEPP is therefore applicable.</p>

	<p>Section 3 of SEPP (Housing) 2021 provides the following principles:</p> <ul style="list-style-type: none"> (a) enabling the development of diverse housing types, including purpose-built rental housing, (b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability, (c) ensuring new housing development provides residents with a reasonable level of amenity, (d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services, (e) minimising adverse climate and environmental impacts of new housing development, (f) reinforcing the importance of designing housing in a way that reflects and enhances its locality, (g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use, (h) mitigating the loss of existing affordable rental housing. <p>The planning proposal is consistent with these Housing SEPP principles. Sound criteria within the SEPMP and the <i>Special Entertainment Precinct</i> section of the Burwood DCP would apply to residential accommodation within and around the SEP. This would:</p> <ul style="list-style-type: none"> • Support for residential accommodation that can be provided with a reasonable level of sound amenity responding to SEPP principle (c); • Support to allow the delivery of residential accommodation in Burwood, which makes good use of existing and planned infrastructure and services, responding to SEPP principle (d); and • Support the design of residential accommodation that reflects and enhances the locality, with appropriate sound attenuation, responding to SEPP principle (f).
<p><u>SEPP (Transport and Infrastructure) 2021</u></p>	<p>Consistent</p> <p>SEPP (Transport and Infrastructure) (T&I SEPP) provides requirements for noise and vibration associated with road and rail infrastructure. A rail line is located adjacent to the SEP and Burwood Road receives high volumes of traffic.</p> <p><u>Section 2.100</u> of the T&I SEPP includes acoustic requirements to mitigate the impact of rail noise and vibration to sensitive receivers. Similarly, <u>Section 2.120</u> of the T&I SEPP includes requirements to mitigate the impact of road noise and vibration to sensitive receivers.</p> <p>The T&I SEPP provisions for acoustic mitigation would remain by the planning proposal to new or relevant modified sensitive receiver development in the SEP, where they are triggered. These T&I SEPP provisions would be considered, in addition to the <i>Special Entertainment Precinct</i> section of the Burwood DCP, by relevant planning applications.</p> <p>The planning proposal would not conflict with the intent of these provisions, noting that the proposal is focused to entertainment sound and not infrastructure sound/vibration impacts.</p> <p>Whilst the planning proposal does have a focus to entertainment sound, it complements the T&I SEPP, seeking to also mitigate the impact of sound to sensitive receiver development and support for neighbourhood amenity.</p>

<p><u>SEPP (Industry and Employment) 2021</u></p>	<p>Consistent</p> <p>The advertising and signage provisions of SEPP (Industry and Employment) (I&E SEPP) are relevant to licensed and unlicensed premises in the SEP, as well to sensitive receiver development that may include signage.</p> <p>The SEPMP, or the <i>Special Entertainment Precinct</i> section of the Burwood DCP, does not conflict with the I&E SEPP provisions. These can remain to be applied to signage development in the SEP by the planning proposal.</p>
<p><u>SEPP (Planning Systems) 2021</u></p>	<p>Consistent</p> <p>The Planning System SEPP provides for state significant development, regionally significant development and state significant infrastructure planning pathways for projects.</p> <p>The planning proposal does not conflict with this SEPP. It provides for new or relevant modified development to remain to be undertaken by the pathways provided by the Planning Systems SEPP, where they are relevant.</p> <p>The planning proposal would support for these developments to be appropriately designed to entertainment sound. The proposed <i>Special Entertainment Precinct</i> section of the Burwood DCP would provide additional guidance to the design of new or relevant modified sensitive receiver development that may be affected by this SEPP. For example, larger residential accommodation of shop-top housing.</p>
<p><u>SEPP (Biodiversity and Conservation) 2021</u></p>	<p>Consistent</p> <p><u>Chapter 6</u> of Biodiversity and Conservation SEPP 2021 provides planning controls for water catchments. The planning proposal affects land that is located within the <u>Sydney Harbour Catchment</u>, a catchment of this SEPP.</p> <p>The planning proposal does not conflict with the water catchment provisions of the SEPP under Chapter 6. These provisions can remain to be applied to relevant development by the planning proposal.</p>
<p><u>SEPP (Sustainable Buildings) 2021</u></p>	<p>Consistent</p> <p>The Sustainable Buildings SEPP focuses to the sustainable design of certain residential and non-residential development.</p> <p>This includes energy use, water use and thermal performance.</p> <p>The planning proposal remains for this SEPP to be additionally applied for the design of relevant development. It is expected to not cause conflict with the proposal, noting that the Sustainable Building SEPP does not provide acoustic requirements for entertainment sound.</p>
<p><u>SEPP (Resilience and Hazards) 2021</u></p>	<p>Consistent</p> <p><u>Chapter 4</u> of the Resilience and Hazards SEPP (R&H SEPP) provides controls for the remediation of land. These provisions do not conflict with the proposal and can remain to be considered by relevant development in the SEP.</p> <p><u>Chapter 3</u> of the R&H SEPP provides controls for potentially hazardous and offensive industry development. If and where these could be provided in the SEP, for example larger health services facilities, these provisions do not conflict with the proposal and can remain to be considered by relevant development in the SEP.</p> <p>It is noted that the sound management measures of the SEPMP and <i>Burwood Special Entertainment Precinct</i> section complements the intent of the R&H SEPP to reduce or minimise environmental impacts on the locality. This particularly related to environment impacts of noise provided by Chapter 3 of the R&H SEPP, complementing the intent of (entertainment) sound controls provided by the SEP.</p>

<p><u>SEPP (Exempt and Complying Development Codes) 2008</u></p>	<p>Consistent</p> <p>The Exempt and Complying Development Codes SEPP (Codes SEPP) provide for codes-based development, either by an exempt planning pathway or via complying development pathway.</p> <p>The planning proposal would not conflict with the Codes SEPP; and in circumstances work together with the relevant provisions for exempt or complying development in the SEP.</p> <p>Premises in the SEP may remain to consider use the complying development provisions under <u>Part 5</u> or <u>5A</u> of the Codes SEPP to undertake fit out works and or establish their lawful use. Sound attenuation requirements may be suitably achieved through such fit out works, particularly for internal sound criteria (e.g. treatment of a common interface as required by the SEPMP).</p> <p>Premises may also consider the use of the exempt development provisions under <u>Part 2</u> of the Codes SEPP within the SEP. For example, to provide for outdoor dining for premises in accordance with exempt development provisions, which include incentives for a SEP.</p> <p>As noted by Section 202E of the Local Government Act 1993, where a complying development certificate would be issued for premises with conditions for regulating sound from an entertainment activity (entertainment noise), these conditions would not operate where inconsistent with the SEPMP. In addition, trading hours conditions on a certificate would not operate where the trading hours are less than the trading hours of the SEP. Accordingly, the planning proposal gives effects to this section of the Local Government Act 1993 to the SEP.</p>
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Question 7: Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government policy?

The planning proposal is consistent with the applicable Ministerial Directions as outlined under **Table 5** below.

Table 5: Consistency with Ministerial Directions

Consistency with Ministerial Directions that apply to the LGA	
Directions under s.91(2)	Consistency
1.1 Implementation of Regional Plans	<p>Consistent</p> <p>The planning proposal is consistent with the applicable regional plan being the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i>. Refer to earlier assessment commentary under response to Question 3.</p>
1.2 Development of Aboriginal Land Council Land	<p>N/A.</p> <p>The planning does not affect Aboriginal Land Council Land.</p>
1.3 Approval and Referral Requirements	<p>Consistent</p> <p>The planning proposal does not propose documents that contain referral requirements of the Minister.</p>
1.4 Site Specific Provisions	<p>Consistent</p> <p>The planning proposal allows the land use to be carried out and does not impose additional development standards or requirements to those already contained in the Burwood Local Environmental Plan 2012.</p>

Consistency with Ministerial Directions that apply to the LGA	
1.4A Exclusion of Development Standards	Consistent The planning proposal maintains flexibility of development standards in the Burwood Local Environmental Plan 2012.
1.5 - 1.22 Place Based Directions	N/A (The Planning Proposal is not within a place-based area).
3.1 Conservation Zones	N/A (The Planning Proposal does not relate to an environmentally sensitive area).
3.2 Heritage Conservation	Consistent The SEP area does include items of environmental heritage listed in heritage schedules of the Burwood LEP 2012. The Planning Proposal does not seek to alter heritage and conservation provisions provided by the Burwood Local Environmental Plan 2012. <u>Section 5.10</u> of the Burwood LEP 2012 includes requirements for heritage items, and where a development consent is required. These provisions remain applicable for the SEP. Where relevant, sound attenuation would be developed in reference to this section of the Burwood LEP 2012, including if development consent would be necessary, to implement requirements to satisfy sound criteria/controls related to a heritage item.
3.3 Sydney Drinking Water Catchments	N/A The planning proposal does not affect land that is under the application of this Direction.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A The Planning Proposal does not relate to these zones.
3.5 Recreational Vehicle Areas	N/A The planning proposal does not relate to Recreational Vehicle Areas.
3.6 Strategic Conversation Planning	N/A The planning proposal does not relate to land that is identified to be avoided under State Environmental Planning Policy (Biodiversity and Conservation) 2021 nor is a strategic conservation area.
3.7 Public Bushland	Consistent The proposal does not affect the protection, and ecological viability, of bushland that maybe located in the local government area.
3.8 Willandra Lakes Region	N/A
3.9 Sydney Harbour Foreshores and Waterways Area	N/A The planning proposal is not within a Sydney Harbour Foreshore and Waterway Area as defined in State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Consistency with Ministerial Directions that apply to the LGA	
3.10 Water Catchment Protection	<p>Consistent</p> <p>The planning proposal does affects land that is within the Sydney Harbour Catchment, a regulated catchment in State Environmental Planning Policy (Biodiversity and Conservation) 2021.</p> <p>The planning proposal would not detrimentally impact this catchment, due to its purpose/focus to sound management and trading hours.</p>
4.1 Flooding	<p>Consistent</p> <p>The planning proposal does affect an area of land that is flood prone, located to front Railway Parade and Unity Place.</p> <p>The planning proposal would not impact flood provisions due to its purpose. (New or modified development in response to the SEP would remain to also consider any separate flood requirements, if and where relevant).</p>
4.2 Coastal Management	<p>N/A</p> <p>The planning proposal does not affect land within a coastal zone, as defined under the Coastal Management Act 2016.</p>
4.3 Planning for Bushfire Protection	<p>N/A</p> <p>The planning proposal does not affect land that is, or in proximity to, mapped as bushfire prone land.</p>
4.4 Remediation of Contaminated Land	<p>Consistent</p> <p>The planning proposal does not propose to change the use of the land.</p>
4.5 Acid Sulfate Soils	<p>Consistent</p> <p>The planning proposal does not affect land that has direct probability of acid sulfate soils, as identified by on-line mapping. However, it is classified as Class 5 Acid Sulfate Soils then in proximity to other soil classes.</p> <p>The planning proposal would not result in significant adverse environmental impacts due to its purpose/focus to sound management and trading hours.</p>
4.6 Mine Subsidence and Unstable Land	<p>N/A</p> <p>The planning proposal is not on land declared as mine subsidence or has been identified as unstable.</p>
5.1 Integrated Land Use and Transport	<p>Consistent</p> <p>The planning proposal supports the integration of land use and transport.</p> <p>The SEP area is in a central locality of Burwood, with superior access to public transport. This includes high frequency rail, bus and night-ride bus services that offer district and metropolitan access. Walking and cycling options are also readily available. The SEPMP with the SEP outlines the access to and from the SEP with public transport options, supporting this public transport integration in the operation of the SEP.</p> <p>The <i>Special Entertainment Precinct</i> section of the Burwood DCP and the SEPMP both provide to maintain housing in proximity to public transport. Therefore, supports the MU1 Mixed Use zone as a locality in metropolitan Sydney with housing that is integrated well with access to public transport.</p>
5.2 Reserving Land for Public Purposes	<p>Consistent</p> <p>The planning proposal does not create, alter or reduce land reserved for a public purpose in the local government area.</p>

Consistency with Ministerial Directions that apply to the LGA	
5.3 Development Near Regulated Airports and Defence Airfields	<p>N/A</p> <p>The planning proposal does not affect land near a regulated airport and which includes a defence airfield.</p>
5.4 Shooting Ranges	<p>N/A</p> <p>The planning proposal does not affect land adjacent to/and or adjoining an existing shooting range.</p>
5.5 High pressure dangerous good pipelines	<p>N/A</p> <p>The planning proposal does not affect land with a high-pressure pipeline.</p>
6.1 Residential Zones	<p>Consistent</p> <p>The planning proposal does not affect a residential zone. However, the MU1 Mixed Use zone of the SEP does permit residential accommodation with consent.</p> <p>The planning proposal supports to maintain and encourage housing in the SEP through the SEPMP and the proposed <i>Special Entertainment Precinct</i> section of the Burwood DCP. This is by way of the sound criteria and controls of these documents that seek to provide sound amenity to residential accommodation within and surrounding the SEP.</p> <p>This includes housing that is serviced particularly well by infrastructure, including public transport, and the other infrastructure offered within and around the area such as health facilities, education and other services.</p>
6.2 Caravan Parks and Manufactured Home Estates	<p>N/A</p> <p>The planning proposal does not affect provisions for caravans and manufactured homes.</p>
7.1 Business and Industrial Zones	<p>Consistent</p> <p>The planning proposal remains to support the objectives MU1 Mixed Use Zone, does not seek to alter its area or reduce floor space.</p> <p>The planning proposal will support business confidence of operating in the MU1 zone, especially for late night trading, by providing for precinct-based entertainment sound requirements and trading hours. These encourage for trading vibrancy, whilst minimising impacts to sensitive receivers within and surrounding the SEP.</p> <p>The planning proposal therefore supports to maintain, and encourage, business investment in and around the SEP. This will support the viability of the night-time economy of the precinct, and the broader Burwood town centre, and provide to support jobs/employment including related to the night-time economy. Overall, it would support for a positive business image of Burwood.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	<p>N/A</p> <p>The planning proposal does not affect land that is under the application of this Direction.</p>
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	<p>N/A</p> <p>The planning proposal does not affect land that is under the application of this Direction.</p>

Consistency with Ministerial Directions that apply to the LGA	
8.1 Mining, petroleum and extractive industries	N/A The planning proposal does not affect mining, petroleum production and extractive industries.
9.1 Rural Zones	N/A The planning proposal does not affect a rural zone.
9.2 Rural Lands	N/A The proposal does not affect a rural or conservation zone.
9.3 Oyster Aquaculture	N/A The planning proposal does not affect a 'Priority Oyster Aquaculture Area'.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A The planning proposal does not affect land that is under the application of this Direction.

5.3 Section C – Environmental, social and economic impacts

Q8. Is there any likelihood that critical habitats or threshold species, populations or ecological communities, or their habitats will be adversely affected because of the proposal?

No. The planning proposal affects an area of an established town centre in a metropolitan area of Sydney, and there are no known critical habitats, threshold species, populations or ecological communities that would be adversely affected because of the planning proposal.

Q9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The planning proposal may have the potential for environmental effects. However, these are expected to be appropriately managed, therefore the planning proposal is expected to not result in significant negative environmental impact overall.

The SEP trial also provides for Burwood Council to monitor and adjust aspects of the SEP appropriately, to ensure that the potential for environmental effects remain appropriately mitigated.

Entertainment noise

A potential environmental impact to consider by this planning proposal is for increased entertainment sound, including by increased trading offered by the proposed trading hours of the SEPMP. However, the SEPMP provides for entertainment sound requirements, and these have been developed with acoustic engineering input.

Increased trading hours sought by a venue would have to be able to satisfy the entertainment sound requirements.

Sound attenuation guidance on how a venue can achieve these requirements, including requirement for an acoustic impact statement, are outlined in the SEPMP.

Other plant and machinery conditions on development consents for non-entertainment sound would also remain to assist with the management of non-entertainment noise.

The SEPMP provides for a compliance framework for entertainment sound disturbances, outlining clearly the regulatory approach for venues, residents, the community and authorities, if and where disturbances may occur. This includes an educative approach of reminding premises (or the complainant) of the entertainment sound requirements of the SEPMP. More focused approaches also remain available, if premises provide ongoing sound disturbances (including the ultimate removal from the SEP in extreme circumstances).

The *Special Entertainment Precinct* section to the Burwood DCP supports the SEP by providing for sound attenuation planning controls, to provide for protection of new or relevant modified sensitive receiver development to entertainment sound. For example, shop-top housing. This amendment to the Burwood DCP also provides planning controls for new or modified premises (venues) that may require a DA, so that sound emitted is appropriate from these premises and further mitigating the impact of entertainment sound.

Therefore, any potential for increased entertainment sound as a result of the planning proposal can be suitably managed by the SEPMP and the *Special Entertainment Precinct* section of the Burwood DCP.

Ultimately a focus of the SEP is to mitigate entertainment sound through the framework of SEPMP and the amendment to the Burwood DCP, as outlined by the *NSW Special Entertainment Precinct Guidelines*. These plans aim to encourage vibrancy of the precinct especially at night-time, whilst providing amenity for sensitive receivers. Therefore, the SEP seeks best to reduce the potential for land use conflict, consistent with an objective of the MU1 Mixed Use zone under the Burwood LEP 2012:

'Zone MU1 Mixed Use

1 Objectives of zone

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings'.*

Consequently, the planning proposal may create positive environmental impacts over time through suitably managing entertainment sound through the SEPMP and the *Special Entertainment Precinct* section of the Burwood DCP.

The SEP will be monitored during the trial period by Burwood Council, and this provides the opportunity to fine-tune the sound management framework and trading hours, if deemed required by Burwood Council.

Accordingly, the potential for increased entertainment sound as a result of the SEP, and associated detrimental environmental impact that could potentially occur, would be low as it will be appropriately mitigated and managed by the SEPMP and the amendment to the Burwood DCP.

Pedestrian traffic noise

A potential environmental impact to consider is noise disturbances associated with increased pedestrian traffic passing through public areas, especially at night-time periods, and as a result of the later trading hours provided by the SEPMP.

It would be expected for premises to remind patrons to leave quietly, as part of their orderly operations. In addition, the compliance framework of the SEPMP notes that L&GNSW may investigate noise from patrons including noise from those leaving licensed premises and would provide for Burwood Council to do the same for unlicensed premises.

Accordingly, the potential impact of pedestrian traffic noise can be appropriately managed if and where this may arise.

More broadly, people that come to the Burwood SEP would remain accountable for their own personal conduct, especially in public areas. The NSW Police are expected to remain available to action anti-social behaviour, as also noted by the SEPMP.

Nevertheless, the SEP will be monitored by Burwood Council through the trial period, and this may determine whether any further mitigation measures are deemed necessary to manage pedestrian issues. For example, Burwood Council could work with retail/venue managers to remind premises to advise their patrons to leave quietly or investigate the potential to install precinct signage at key public points that reminds visitors to exit the SEP area quietly, if deemed ultimately required as a result of the trial.

Vehicle traffic

A potential environmental impact is for car traffic as a result of increased visitors at night provided by extended trading hours. This is especially those who may wish to travel to and from the SEP by car due to mobility or other issues.

There are direct public transport access options with regular services (train and bus) as well as active transport (walking and cycle), and the SEPMP outlines these options to support their use to reduce vehicle usage. Of note, train services run to around 1.00am and there are night ride bus stops directly on Railway Parade. These include the N60 (Fairfield to Town Hall), N50 (City to Liverpool), N61 (Carlingford to City), and 461N (Burwood to City).

In addition, public parking remains available for those that may require to travel by car to and from the SEP, for example due to mobility issues. This includes a Council owned car park in Emerald Square. Other public parking currently available is the private domain of the Burwood Plaza and is understood to also be part of the future Burwood Place. On street parking may need to be used if people intend to stay late until 2.00am, as the public carpark areas are understood to not operate until 2.00am. However, some remain available for the majority of night-time hours. For example, Emerald Square Council car park closes the latest, at 12.00am.

Taxi and ride share services are also available to and from the Burwood SEP.

Burwood Council is investigating the provision of a dedicated area for taxi or ride share drop off and pick up along Belmore Street and potentially could provide an area on Burwood Road. This would support the proper management of ride share and taxi services around the SEP to reduce double parking/congestion.

A marketing and communication strategy (prepared by Reactivate Consulting) will also support Burwood Council with launch of the SEP, and it is expected this will communicate public transport availability of the Burwood SEP to promote.

The SEP is to be part of proposed Burwood Town Centre Purple Flag accreditation. This supports that the movement framework is adequate for the town centre and the SEP located within as outlined earlier.

Accordingly, it is considered by this planning proposal that any resulting car traffic because of the SEP can be suitably mitigated and managed. There is a variety of transport and access options to and from the SEP, including at night-time trading periods. This includes night-ride buses, and the availability of taxi and ride share options.

Burwood Council would review any feedback received regarding traffic issues on conclusion of the SEP trial and can then determine whether further measures are ultimately necessary to encourage movement to and from the SEP.

Precinct tidiness

A potential environmental impact to consider is for increased waste by increased number of visitors through the trading hours provided by the SEPMP.

The SEP does not seek to amend the waste management requirements of premises, and they would continue to be required to undertake their own waste management procedures and cleaning.

It is understood that waste collection is regularly undertaken.

There are also ample public bins in the precinct (and the town centre) which Council manage, and their collection occurs daily.

Street cleaning is also regularly undertaken by Council and would continue.

Burwood Council will monitor the tidiness of the SEP through the trial, and if required, can contact venue managers to remind premises of their waste management and precinct cleaning requirements if an issue arises.

Council operational staff will also continue to monitor street bins and street cleaning, and any amendments can be identified by Council as required.

Accordingly, any precinct tidiness/waste management issues as a result of this planning proposal can be suitably managed.

Q10. Has the Planning Proposal adequately addressed any social and economic effects?

The economic and social effects of the planning proposal are expected to be overall positive. These are outlined below.

Economic effects

Current entertainment sound controls are determined through a case-by-case basis by licensed and unlicensed premises across the precinct. The sound criteria applied can also be considered restrictive and based on a background noise level approach. Trading hours are also by a case-by-case basis and therefore can vary.

The SEP alternatively provides for a 'precinct wide' based planning approach for entertainment sound and trading hours, and the compliance framework to regulate these.

The overall improved certainty provided by the SEP would support retail businesses, including to assist business owners to make new or ongoing investments into their premises. It allows them to clearly understand ahead the entertainment sound requirements and trading hours that are to be satisfied, including the associated compliance framework, through the proposed SEPMP and the *Special Entertainment Precinct* section of the Burwood DCP.

It also provides residents and occupants of other sensitive receiver development, that are within or adjacent to the SEP, clarity to the expected sound environment to be achieved at the properties, providing certainty to their amenity. This supports to maintain and provide for new residential accommodation or other sensitive receiver development in and around the SEP. This supports to maintain for a land use activity mix consistent with the zone MU1 Mixed Use, especially with housing located near public transport, and the economic benefits this brings to the town centre more broadly.

The provision for live music or other live performance is encouraged by the SEP. This includes through additional trading on liquor licence hours for licensed venues. In addition, support for busking in dedicated areas and with sound attenuation guidance to assist to operate. These activities will both support the cultural economy, and the potential benefits of jobs and revenue these may bring to the SEP.

Overall, it is considered that the planning proposal is expected to support ongoing or new investment into the Burwood SEP area. It would support economic activity, including by stimulating the night-time economy and promoting employment/jobs.

Whilst the SEP is focused to an area, this is a central locality of the Town Centre. Accordingly, any economic activity within the SEP because of the planning proposal would be expected to have broader flow-on (and positive) economic effects to other areas of the Town Centre. Therefore, it is not expected that the planning proposal would result in detrimental impacts to the Burwood Town Centre more broadly.

Accordingly, it is considered that the planning proposal would provide for overall positive economic impacts.

Social effects

The Burwood SEP will increase the opportunity for residents, workers and visitors to experience more premises and places especially at night-time. This encourages opportunities for greater social interaction and supports a sense of place, being positive social impacts.

The [Burwood Multicultural Strategy 2024-2028](#) identifies that many places in Burwood, such as food and drink premises/restaurants, are also a meeting place for communities to interact and socialise and therefore support for community cohesion. Whilst these premises in the SEP are also 'drawcards' to visitors including by their unique offerings, the SEP would support the trading of these premises, and therefore the broader social benefits they also provide to the community.

The SEP would also create positive social impacts for safety, through encouraging night-time activation. The SEP would enhance surveillance and activity not only within the SEP area but also its surrounding, including the broader Burwood Road and Railway Parade environments at night-time, through potential foot traffic movements to, from and around the precinct. The SEP works with other planning initiatives, such as outdoor dining as exempt development through *State Environmental Planning Policy (Exempt and Complying Codes) 2008* (Codes SEPP), to encourage outdoor activation.

The SEP also provides the opportunity to introduce more live music and other live entertainment into the Burwood Town Centre. This is through the entertainment sound requirements, the ability for extended liquor trading hours for venues and dedicated locations for busking. This leads to positive social impact of cultural development and increased creative awareness, and for all ages who may visit the SEP.

The SEP also supports the continuation of sensitive receiver development, especially residential accommodation, within or adjacent to the SEP area. This is through the entertainment sound requirements of the SEPMP that provide for sound amenity, and the *Special Entertainment Precinct* section to the Burwood DCP that provides planning controls for sound attenuation of new sensitive residential development. This allows for other uses and activities to remain to occur within and around the SEP and this is expected to result in positive social impacts of maintaining and providing for well-located housing and services, especially focused on public transport of rail and bus.

Supporting licenced and unlicensed premises to trade and operate into the night-time through the trading hours of the SEP may lead to lead to an increase in anti-social behaviour. This is a potential detrimental social impact of the SEP to consider.

The Burwood Town Centre is however planned to have Purple Flag accreditation, and this will also apply to the Burwood SEP. The general good safety of the Town Centre (including the SEP) is a key component of providing accreditation.

The SEP is also mapped as a low level of anti-social behaviour that are alcohol related by review of NSW Bureau of Crime Statistics and Research data.

The SEPMP does propose a compliance framework that outlines the role of the NSW Police if and where anti-social behaviour does however arise, for example in public areas. L&GNSW would also investigate sound complaints related to patrons leaving licensed premises. Burwood Council would also investigate sound complaints related to patrons leaving unlicensed premises. Accordingly, there is a clear framework propose to manage this issue if and where it arises.

The SEP, therefore, is expected to be generally safe and appropriate in operation with the SEPMP. If and where anti-social behaviour may arise it would be suitably managed by authorities in accordance with procedures.

Initial contact with the NSW Police has occurred as part of preparing the Burwood SEP, who have provided preliminary feedback (refer to response to **Question 12** and **Section 7.0** of this Planning Proposal). Further consultation would be undertaken with Council through the SEP making process. Consultation with L&GNSW is also expected to occur through the SEP making process. The consultation process therefore allows for procedures outlined in the SEPMP to be further tailored, if and where required.

5.4 Section D – State and Commonwealth Interests

Q11. Is there adequate public infrastructure for the planning proposal?

The SEP is well serviced by public infrastructure. An overview of public transport and other infrastructure is provided below.

Public transport

The Burwood SEP is serviced by a wide range of transport and access options.

Trains

Burwood rail station is near the Burwood SEP. The rail station is part of the main suburban network and is serviced by the T9 Northern - Gordon Line, T2 City Inner West - Leppington line, and the T3 City - Liverpool rail lines. Rail services provide direct rail access across the metropolitan network including with Central, Strathfield, Epping, Hornsby, Parramatta, Homebush, Regents Park, Leppington, City Circle, North Sydney, Chatswood, Gordon and beyond through connections. These services run to around 1.00am and recommence around 4.30am.

Accordingly, there is good rail access to and from the SEP. When rail services do cease at night-time for a period, night-ride buses are available. See commentary below.

Buses

Buses service the SEP, with stops on Burwood Road and Railway Parade. These services run through the day and through the night with a wide travel catchment to and from Burwood. It is understood that bus services extend across areas of metropolitan Sydney and provide for district catchment in between.

Night ride services (for when rail ceases) run around every 30 minutes. The night-ride service bus-stops are on Railway Parade in the SEP and provide access to the City as well as the wider areas

across Sydney. The routes are N60 (Fairfield to Town Hall), N50 (City to Liverpool), N61 (Carlingford to City), and 461N (Burwood to City).

Accordingly, there is good bus access to and from the SEP during both day and night-time periods.

Taxi and ride share

Taxi and ride share services also service the site and surrounds. As noted earlier, Burwood Council is investigating a further drop off/pick up point on Belmore Street and Burwood Road for the Special Entertainment Precinct.

Parking

On-street and public parking is available in and around the Burwood SEP. Emerald Square includes a Council owned public car park. Other public parking is available in private domains of Burwood Plaza and Burwood Grand. It is understood that the Burwood Place development will also include area for public parking.

These parking areas are understood to not operate as late to 2.00am, however they do support later night trading (e.g. the Emerald Square car park closes at 12.00am). On street parking may need to be used if intended for later stay (or public transport, including taxi or ride share).

On-street parking is also available.

Pedestrian pathways and cycle access is also available to and from the SEP.



Figure 7: Transport and access map. The Burwood SEP is afforded superior transport access including public transport options of rail and bus. This includes night-ride bus services.

Police and emergency medical services

The NSW Police would remain available to support compliance and safety of the SEP, if and where required. They are also expected to remain engaged with Burwood Council through the trial period to monitor any associated safety and crime issues of the SEP.

Initial consultation with the NSW Police has occurred as part of preparing the Planning Proposal and feedback received by Burwood Council. This is outlined under the response to **Section 7.0**. The increased trading hours proposed by the SEPMP may present challenges for NSW Police capacity to respond to alcohol related incidents, and especially to where licensed premises do not understand their obligations under the Liquor Act 2007. This includes the legislative requirements, upholding community safety and maintaining standards of responsive alcohol service.

Making of the SEP will include consultation prior to implementation, which provides the opportunity for premises to be well briefed, to best mitigate this issue so that NSW Police services are not challenged.

Further consultation with the Burwood Police Area Command is to occur through the making of the SEP around NSW Police services, as outlined under **Question 12**.

Regarding emergency health services, the nearest major public hospitals are Concord Hospital and Canterbury Hospital which are part of the Sydney Local Area Health District (SLAHD). Both include 24-hour emergency services and Concord Hospital is large health services facility. Campsie Ambulance station would be the nearest ambulance base to the SEP. Consultation with the SLAHD/NSW Health is proposed to occur as part of the SEP making process to confirm the adequacy of the emergency departments and the district ambulance station. Refer to further response under **Question 12**.

Amenities

Patrons coming to the SEP would be expected to still use the toilet facilities of venues where required.

If necessary, public toilets are available at Burwood Park, which remain open at night, and service the broader town centre. The Purple Flag accreditation extends across the Town Centre, therefore it is considered safe to travel to and from these if necessary.

Q.12 What are the views of State Government public authorities consulted in order to inform the Gateway determination?

The relevant State Government agencies and stakeholder groups to be consulted will be determined through the Gateway process. However, these are expected to include:

- NSW Police including the Burwood Police Area Command
- NSW Health (Sydney Local Area Health District)
- Liquor and Gaming NSW
- Transport for NSW
- Sound NSW
- NSW EPA
- Office of the 24-Hour Commissioner
- Office of Local Government NSW

It is expected that the Department would undertake referrals with the agencies through assessment so that they may also review in detail the proposed SEPMP and the *Special Entertainment Precinct* section of the Burwood DCP.

Pre-lodgement contact has been undertaken with NSW Police, NSW Health Sydney Local Area Health District, Liquor and Gaming NSW, and Transport for NSW. This was through written contact (email).

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Burwood SEP*

Burwood Council has also regularly engaged with the Office of the 24-Hour Commissioner as part of the preparation of the planning proposal. A summary of the outcomes to date is provided under **Section 7** of the Planning Proposal.

Consultation with authorities through the SEP making process will continue, as outlined under Section 7.

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6.0 Mapping

Mapping for the Burwood LEP 2012 and Burwood DCP are both required to fulfill the planning proposal. These maps are included below at **Figure 8** and **Figure 9**.

Burwood LEP 2012

The planning proposal seeks to insert a Special Entertainment Precinct Map in the Burwood LEP 2012. The Map will be titled *Special Entertainment Precinct* and will outline the land area of Burwood Special Entertainment Precinct. The Map form part of the *Additional Local Provisions* Maps of the LEP and enable Clause 6.9 of the Burwood LEP 2012.

An extract of the draft map is provided below. A copy is provided at **Attachment C**. The map will be finalised by Burwood Council in accordance with GIS mapping requirements, following gateway.



Figure 8 Proposed Special Entertainment Precinct Map for the Burwood Local Environmental Plan 2012.
Refer to Attachment C for clarity.

Amendment to Burwood Development Control Plan

The map below designates the Sound Category Area Map to support the *Special Entertainment Precinct* section of the Burwood DCP.

The mapping identifies the location of properties on and around the SEP land area within a Sound Category Area. The SCAs determine the exposure of entertainment sound at property frontages and is then used to predict sound levels. This then affects the sound attenuation response of new or relevant

modified sensitive receiver development, or new or modified premises that require a DA, to provide adequate sound amenity.



Figure 9: Sound Category Areas Map for the *Special Entertainment Precinct* section of the Burwood DCP 2012.

7.0 Community consultation

Initial consultation has been undertaken with some agencies prior to the submission of the planning proposal to seek preliminary commentary. A summary of the consultation completed is below at **Table 6**.

Table 6: Summary of consultation

Stakeholder	Preliminary comments
NSW Police	<p>Preliminary comments received from NSW Police by Burwood Council summarised as follows:</p> <ul style="list-style-type: none"> Entertainment sound complaints from licensed premises/venues will be largely directed to L&GNSW. Entertainment sound complaints for unlicensed premises/venues may be handled by the NSW Police however generally where Council is not available to respond. For licensed premises/venues, where an immediate response is required, NSW Police may issue an improvement notice under Section 75 of the Liquor Act and may also make a statutory disturbance complaint to L&GNSW. Language barriers can present an issue for when NSW Police are communicating with Licensee's in the Burwood Area. Licensed Premises commonly do not understand their requirements under the Liquor Act. The additional trading hours presented by the SEPMP could exacerbate these present issues in the Burwood area, by the additional trading hours proposed.
Transport for NSW	Contact made. However, no response yet received. Further engagement to be undertaken through the making of the SEP.
Sydney Local Area Health District	Contact made. However, no response yet received. Further engagement to be undertaken through the making of the SEP.
24-Hour Commissioner	Council regularly meets with the 24-Hour Commission regarding the Burwood SEP. They are therefore very aware and supportive of the SEP.

Consultation with local businesses also occurred through a workshop held at Council prior to submission of the planning proposal, coordinated by Burwood Council and Reactivate Consulting. A range of business stakeholders attended, along with representatives from the NSW Police. Commentary focused on ways in which the SEP will benefit the precinct, and how businesses will use the SEP provisions to enhance and build on Burwood's already thriving high-time economy. Some concerns were raised around staffing availability and the impacts of traffic on visitors as well. (As noted under response to Question 10, the proposal is expected to stimulate employment opportunities, alleviating staffing availability concerns. As noted under response to Question 11, there is adequate public transport to support the SEP and Council is exploring ride share drop off/pick up improvements).

Further consultation with the above authorities, and other authorities as outlined under response to Question 12, is also to be undertaken through the LEP amendment process. In addition, consultation with the broader community and other relevant identified stakeholders.

This includes a 'pre-gateway' engagement process with the community through workshops and Council drop-in sessions, as the Department considers the planning proposal.

As noted earlier, in response to NSW Police comments above, consultation is to occur as part of making the SEP providing the opportunity for licensed premises to be best well briefed, mitigating for issues associated with their operation.

On Gateway determination, Burwood Council would also coordinate any further consultation as required by the Gateway determination. This is expected to include the formal public exhibition of the relevant SEP documentation on the Council website for 28 days.

8.0 Project timeline

The anticipated timeframe for the planning proposal is shown below at **Table 7**. The timeframe is an estimate only, noting the Christmas/New Year period in between and office closures, and the timing requirements by the NSW Department of Planning, Housing and Infrastructure.

The *Burwood Community Engagement Strategy 2023 – 2026* requires 28 days for a planning proposal of this nature. As such, it is proposed that the public exhibition and government agency consultation is within this timing, pending any final timing requirements on a Gateway Determination.

Table 7: Planning proposal timing

Action	Date
Submit to Local Planning Panel	Early December 2025
Consideration by Council	December 2025
Burwood Council decision	December 2025
Submit Planning Proposal to the Department for Gateway Consideration	Mid-December 2025
'Pre gateway' engagement by Council	Mid-December to mid-January 2026
Receive Gateway Determination	Mid-January/end of January 2026
Complete any changes required by Gateway Determination	Mid-January/End of January to end of January/mid-February 2026
Public exhibition and government agency consultation	28 days (by Burwood's Community Engagement Strategy) – to end of February/mid-March 2026
Consideration of submissions	End of February/mid-March 2026 to mid-March/end of March 2026
Post exhibition report to Council	Mid-March/end of March 2026
Submit to the Department for LEP drafting	Mid-March/end of March 2026
LEP is made	Mid-March/end of March 2026 to Mid-April/end of April 2026
Plan notified by Department	Mid-April/end of April 2026

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**Attachment A - Burwood Special Entertainment Precinct Management
Plan**

(Refer to Separate Attachment/under separate cover)

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**Attachment B – Special Entertainment Precinct section of Burwood
Development Control Plan**

(Refer to separate Attachment/under separate cover)

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**Attachment C - Special Entertainment Precinct Map Burwood Local
Environmental Plan 2012**

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Burwood SEP*

Attachment D – Acoustic report, prepared by Renzo Tonin & Associates

(Refer to separate Attachment/under separate cover)

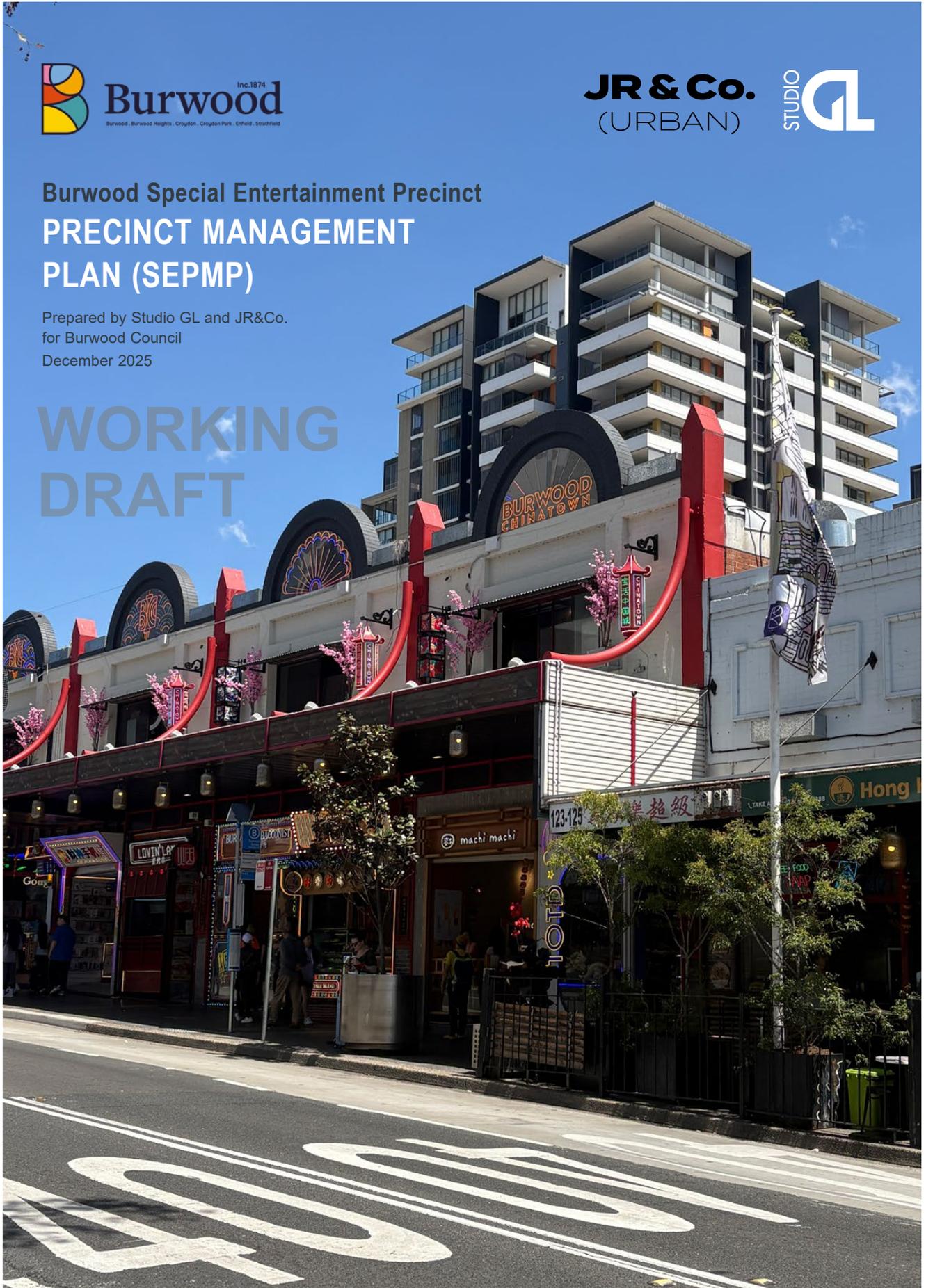
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Burwood Special Entertainment Precinct PRECINCT MANAGEMENT PLAN (SEPMP)

Prepared by Studio GL and JR&Co.
for Burwood Council
December 2025

WORKING DRAFT



2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805

phone: 9911 9911

email: council@burwood.nsw.gov.au

website: www.burwood.nsw.gov.au

Acknowledgment of Country

Burwood Council acknowledges the Wangal Peoples as the traditional custodians of the area.

We pay our respects to their elders past and present. We acknowledge and respect their cultural heritage, beliefs and ongoing relationship with the land.

Document Information

Job title	Burwood Special Entertainment Precinct
Client	Burwood Council
Job number	25033
Report title	Precinct Management Plan
File name	25033_Burwood_SEP_PMP

Revision	Date	Prepared by	Approved by
Draft 1	21/11/2025	JR, FL, AN, SK	FL
Draft 2	8/12/2025	AN	FL
Final			

Note: This document takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party. The report layout is designed to be printed at A4 portrait.



Studio GL Pty Ltd
77 Buckland Street
Chippendale NSW 2008

JR & Co.
(URBAN)

Cover image: view towards Emerald Square residential development looking across Burwood Rd and Burwood Chinatown (source: Studio GL, 2025)

2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805

phone: 9911 9911

email: council@burwood.nsw.gov.au

website: www.burwood.nsw.gov.au

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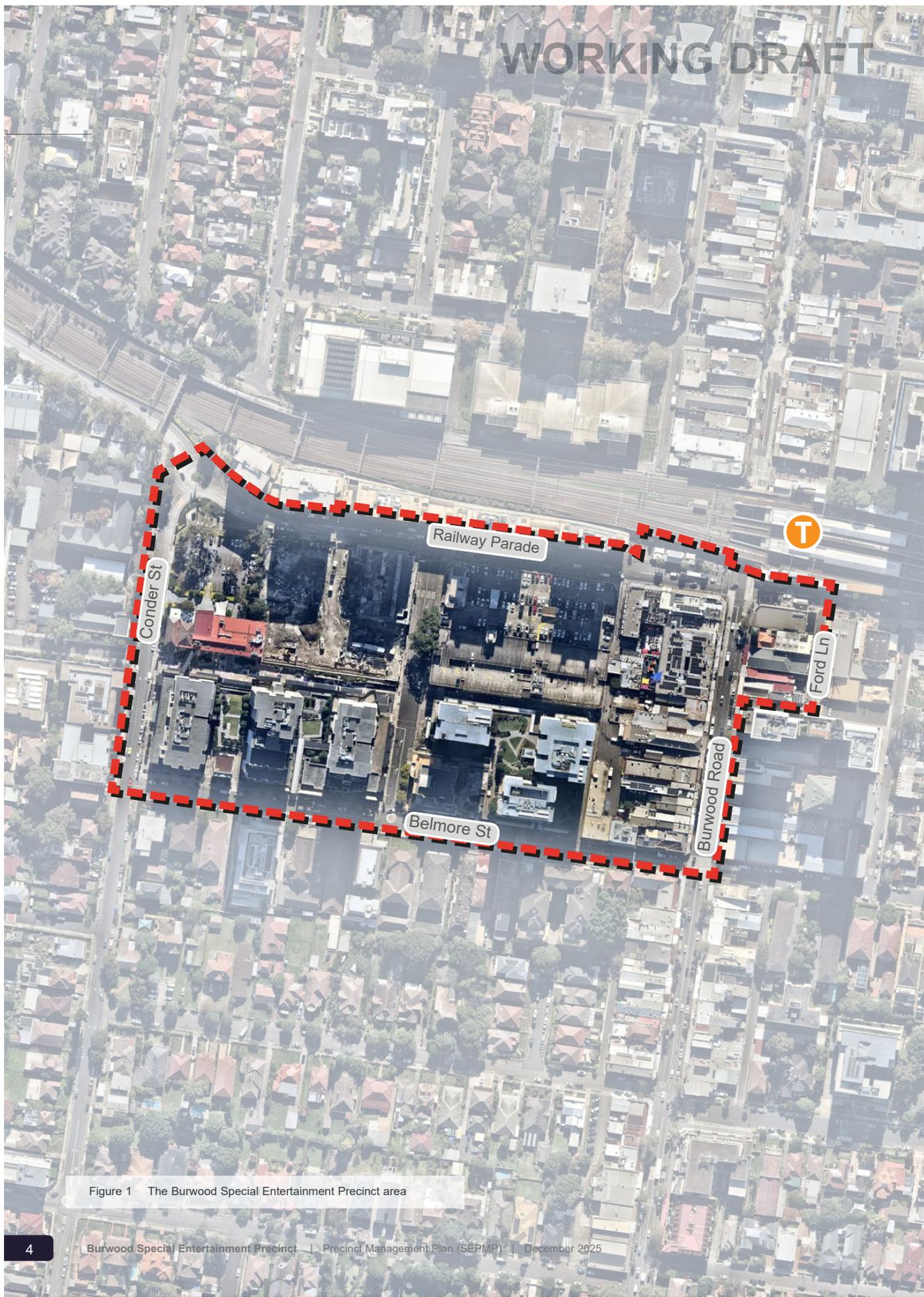


Figure 1 The Burwood Special Entertainment Precinct area

2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805
phone: 9911 9911
email: council@burwood.nsw.gov.au
website: www.burwood.nsw.gov.au

WORKING DRAFT



This Special Entertainment Precinct Management Plan (SEPMP) applies to the area of the Burwood Special Entertainment Precinct (Burwood SEP).

The SEPMP provides for:

- The sound management framework for an entertainment activity carried out by licensed premises and unlicensed premises, or on a public area, of the Burwood SEP;
- The trading hours for premises in the SEP;
- The compliance framework for disturbances related to entertainment sound and trading hours.

The SEPMP is structured as follows:

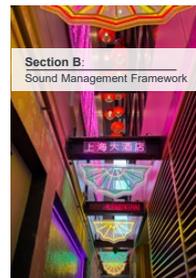
Section A: About This SEPMP

Provides an overview of the SEPMP. It includes background, key definitions, plan application, the vision and objectives, the movement and access framework, relationship to other plans and other legislation, outline of the application of development consent and complying development certificate conditions whilst the SEP is operating, trial period of the SEP, and suspension and revoking criteria of the SEP.



Section B: Sound Management & Trading Hours

Provides the sound management framework and trading hours for the SEPMP. This is for entertainment sound, trading hours, and the compliance framework for premises in the SEP. It also provides criteria for public areas.





Section A:

About This SEPMP



WORKING DRAFT

01 About This SEPMP

Chapter 01

About This SEPMP

1-1 Overview

A Special Entertainment Precinct (SEP) is an area that is focused on providing an exciting, vibrant, safe and attractive destination for night-time entertainment. To support this a SEP Management Plan (SEPMP) is created, which provides a management framework for trading hours and entertainment sound provisions. The overall intent is that a SEP supports a vibrant going-out place, whilst also providing a structure to manage noise amenity for residents that live in and around the area.

The SEP is established under Section 202 of the *Local Government Act 1993*, and operates in a manner similar to other planning controls.

Burwood Council received NSW Government funding to establish the first Burwood Special Entertainment Precinct (SEP) and test the provisions via an initial 16-months trial.

The Burwood SEP is part of the Burwood Town Centre and is bounded by Ford Lane, Railway Parade, Belmore Street and Conder Street. The precinct includes a variety of offerings, including:

- Burwood Chinatown
- Emerald Square
- Burwood Place (under construction)
- Burwood Council Library and the future Burwood Culture House
- as well as laneways such as Ford Lane and Clarendon Place and spaces such as Railway Square.

The Burwood SEP is well serviced by public transport, with a railway station and a number of bus routes traversing the area. This vibrancy and amenity attracts residential development, which is present within and adjacent to the precinct. These developments, along with others such as childcare, aged care, healthcare and religious facilities are all designated as sensitive receivers, as they have an acknowledged requirement for reduced noise levels in certain situations, and at certain times, such as when residents may be seeking to sleep.

The vibrancy and offerings that attract residents, visitors and workers to a SEP may also result in amenity conflicts. Premises and businesses seek to trade and operate, especially at night, whilst residents and other sensitive receiver development may seek a quieter noise environment.

The purpose of this SEPMP is to provide for a balanced management approach for the Burwood SEP. It seeks to support vibrancy of the area, whilst providing for amenity for sensitive receivers that are located within and around the SEP.

The SEPMP provides the framework for business, venues, industry, residents, Burwood Council, Burwood Area Police Command and L&GNSW to understand:

- The sound requirements for an 'entertainment activity' carried out within licensed and unlicensed premises, and on public areas, across the SEP;
- The expectations for entertainment sound impacts on sensitive receivers located within and around the SEP,
- The trading hours framework for the SEP; and
- The compliance framework to manage a complaint regarding entertainment sound or trading hours.

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01 About This SEPMP

1-2 Key Definitions

BDCP	Burwood Development Control Plan
Entertainment activity	<p>An entertainment activity is defined under section 202A of the Local Government Act 1993. Under the NSW Special Entertainment Activity Guidelines it is described as follows:</p> <p><i>...means an activity carried out for purposes of entertaining members of the public, including live or recorded music. It includes other performances and activities carried out for purposes of entertaining the public, for example karaoke, trivia, bingo and comedy and private functions in licensed 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 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.</i></p>
Entertainment sound	<p>The sound emitted when carrying out an entertainment activity, from licensed and unlicensed premises. This includes live or recorded music, entertainment and/or performances (both indoor and outdoor areas), sound associated with patron ingress and egress, the sale and supply of liquor, provisions of food and dining services, staff or patron conversing and singing, set up, pack down, rehearsals and sound checks. It does not include sound associated with other activities such as equipment, servicing, construction, waste disposal and collection or mechanical ventilation.</p> <p>It also includes sound emitted from carrying out an entertainment activity on public areas of the SEP. For the purposes of the Burwood SEP this would include the temporary entertainment activities of busking.</p>
Internal Sound Criteria	Internal sound level to be achieved through receiver building envelope noise attenuation of the external Sound Category cumulative level.
Licensed premises	<p>Any retail or business or community facility that is regulated under the Liquor Act 2005. This may include food and drink premises, pubs, small bars, liquor shops, theatres and the like.</p> <p>It may also include associated outdoor areas used as part of a licensed premises trading, for example outdoor dining.</p>
L&GNSW	Liquor and Gaming NSW, responsible for regulating licensed premises

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01 About This SEPMP

Non – venue	Unlicensed premises that do not carry out an entertainment activity and therefore do not emit entertainment sound. For example, shops and businesses.
Night time	The time period between 6pm to 6am.
Public areas	Publicly accessible spaces and places within the Burwood SEP. This includes both private and public domain areas that the public may access. These areas provide for movement and access, as well as locations for temporary entertainment activity such as busking, to be carried out.
Relevant premises	Premises excluded from the SEP, under <u>Section 202B(3) of the Local Government Act 1993</u> .
Sensitive receiver	Means development comprising residential accommodation, tourist and visitor accommodation, place of public worship, hospital, medical centre, respite day care centre and educational establishment or centre-based child-care facility.
SEP	Special Entertainment Precinct ('Burwood Special Entertainment Precinct')
SEPMP	Special Entertainment Precinct Management Plan ('Burwood Special Entertainment Precinct Management Plan').
Unlicensed premises	Any retail or business or community facility that is not regulated under the Liquor Act. This may include food and drink premises, amusement centres, retail premises selling groceries, clothing, homewares and the like, businesses such as dry-cleaners, gyms, hairdressers and the like, or community facilities such as libraries or recreational centres. It also includes the outdoor areas used as part of an unlicensed premises, for example outdoor areas for dining.
Venue	Licensed premises or unlicensed premises who carry out an entertainment activity and may emit Entertainment Sound.
Venue Sound Criteria	The external entertainment sound limit from a single Venue, equal to the Sound Category noise level.

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01 About This SEPMP**1-3 Status of the SEP**

The SEPMP commenced on **XX**. It will operate initially for a 16-month SEP trial period.

The SEPMP is to be published on the Burwood Council website. Users must make sure that have the latest copy of the SEPMP and be aware of the application and requirements within.

1-4 The SEP trial

The purpose of the SEP trial is to:

- Assess the benefits and impacts of the Burwood SEP across all seasonal periods;
- Allow premises within the SEP time to establish, resource and operate at optimum capacity;
- Allow residents, businesses, premises, performers, and the community to experience the Burwood SEP, evaluate the sound criteria and trading hours, and give meaningful feedback to Council through the trial period; and
- Provide Burwood Council the opportunity to receive community feedback, evaluate effectiveness and if necessary, refine the proposed measures.

This SEPMP, as well as other planning controls that support the Burwood SEP, being the Burwood LEP 2012 and the amendment to the Burwood DCP, may also be adjusted in response to the trial evaluation.

1-5 Sound management framework

The SEPMP provides the sound requirements for entertainment sound within the Burwood SEP.

Entertainment sound relates to an 'entertainment activity' that is carried out by licensed premises and unlicensed premises, and on public areas, within the Burwood SEP. For example, cafes, restaurants, amusement centre, pub, and similar.

Licensed and unlicensed premises that may emit entertainment sound may necessitate sound management requirements. For the purposes of the SEP (and this SEPMP) these premises are termed 'venues'.

The SEPMP does not provide sound requirements for unlicensed premises that are businesses, for example shops, supermarkets and so on, since these premises do not carry out an entertainment activity. For the purposes of this SEPMP, they are termed 'non-venues'.

The entertainment sound requirements aim to provide for trading vibrancy especially at night-time, whilst providing amenity to the neighbourhood, both within and surrounding.

The sound management framework of the SEPMP also provides entertainment sound requirements for a temporary entertainment activity to be carried out in public areas of busking. However, it excludes sound from larger public or private events in the SEP. These events are to be under a separate regulatory and compliance framework.

Overall, the entertainment sound requirements aim to provide for trading vibrancy, especially at night-time, whilst providing amenity to the affected neighbourhood within and surrounding the Burwood SEP.

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01 About This SEPMP

1-5 Sound management framework

The entertainment sound requirements are based on satisfying sound criteria provided by:

Sound Category Areas (SCAs) SCAs are informed by the desired character and vibrancy within the Precinct and its immediate surrounds. They are determined with consideration for both the desired vibrancy in the precinct, and the amenity of sensitive receivers, as measured at their frontage or facade. Sound criteria are then applied, so that the entertainment sound emitted from venues can achieve the desired sound levels at the sensitive receiver.

Internal Sound Criteria (ISC) Internal Sound Criteria address the situation where the noise source is located in the immediate proximity of the sensitive receiver, with a shared wall, ceiling or floor. Sound criteria are applied to the entertainment sound to be received by transfer through the building element. For example, a licensed venue is attached by the ceiling/floor to a residential apartment above, and the ISC will determine the allowable transfer of the entertainment sound.

Refer to **Section B** which provides the sound management framework for the SEPMP.

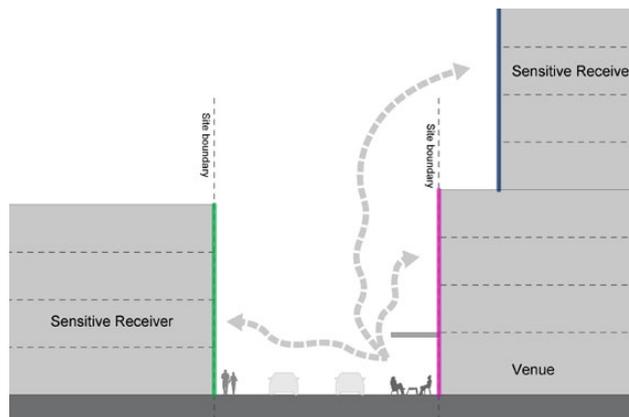


Figure 2 External Sound Categories section diagram

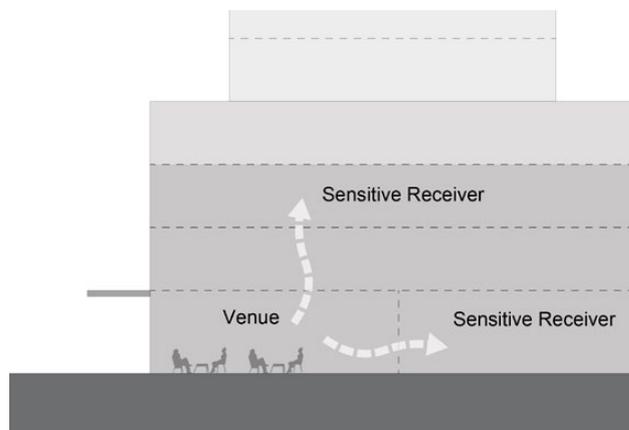


Figure 3 Internal sound emission diagram

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01 About This SEPMP

1-6 Trading hours

The SEPMP establishes the trading hours for licensed and unlicensed premises in the SEP.

These trading hours support trading vibrancy, whilst also protecting the amenity of residents and others living and working in and around the precinct.

The trading hours are for licensed and unlicensed premises in the SEP that carry out an entertainment activity (venues). However, trading hours for unlicensed premises who are businesses, such as shops, are also established, to support vibrancy (non-venues).

The trading hours of the SEPMP exclude any events held in the SEP. These remain under a separate regulatory and compliance framework. Hours for other entertainment activities in the public areas within the SEP are included, so that these can appropriately be regulated.

Refer to **Section B** which sets out the trading hours in the SEP.

Exceptions

A premises with lawfully approved trading hours greater than the SEPMP may trade in accordance with those trading hours as set out on their development consent. These premises are listed at **Section B** of the SEPMP.

1-7 Liquor licenses

Liquor licence trading hours remain applicable and are not altered by the trading hours in the SEPMP.

However licensed premises may seek additional liquor license hours where they provide live music or other performance.

1-8 Compliance framework

The SEPMP provides the compliance framework for entertainment sound disturbances from premises, and where a premises may be operating not in accordance with trading hours.

This framework is outlined under **Section B**.

In summary:

- L&GNSW will remain the authority responsible for management of entertainment sound complaints related to licensed premises, include their outdoor areas, and where patrons make noise disturbance on leaving these venues.
- Burwood Council will be the authority responsible for management of entertainment sound complaints related to unlicensed premises, including their outdoor areas and where patrons make noise disturbances on leaving these venues.
- Burwood Council will manage entertainment sound complaints related to an activity on public areas.
- Burwood Police Area Command will provide Burwood Council and L&GNSW with sound complaints for consideration as applicable and may only consider noise complaints in specific circumstances. Burwood Police Area Command will continue consider anti-social behaviour or crime issues in accordance with policing procedures.
- Burwood Council will manage trading hours complaints that are received for all licensed premises and unlicensed premises in the SEP.

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01 About This SEPMP

1-9 Consultation to prepare the SEPMP

This exhibition draft of the SEPMP is provided so the public and other stakeholders may provide comment and feedback. On completion of the exhibition, feedback that is received will be reviewed by Burwood Council and the consultant team, and the SEPMP will be amended prior to the commencement of the trial period.

During the trial period for the SEP, Burwood Council will continue to monitor the operation and effectiveness of this SEPMP and receive any feedback.



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02 The Burwood SEP Area

Chapter 02 The Burwood SEP Area



Figure 4 The Burwood Special Entertainment Precinct area

The extent of the Burwood SEP area is outlined above in Figure 4.

It is bounded by Burwood Road, Railway Parade, Railway Square, Conder Street, Belmore Street and Ford Lane.

The SEP includes the following development:

- Burwood Chinatown: a vibrant hub of some 30 plus premises, known for its diverse food and drink offerings, including the Burwood Hotel, as well as shops, markets and public art;
- The eastern area of Burwood Road, opposite Burwood Chinatown and adjacent to Railway Parade, extending to include the area of Ford Lane. This includes premises and businesses with frontages to Burwood Road;
- Emerald Square: located east of Burwood Road, with frontages to Belmore Street and Wynne Street, it provides some 22 premises including eateries, childcare, shops and an amusement centre within the podium. It also includes residential accommodation (apartments) located above the retail areas, in three towers;

WORKING DRAFT

02 The Burwood SEP Area

- Belmore Street provides a mix of licensed and unlicensed premises, including an amusement centre, and areas of residential accommodation;
- Unity Place, an accessway that provides a place for enhanced experiences. The adjoining Burwood Grand development includes food and drink premises, shops, and outdoor dining areas. Residential accommodation (apartments) is located above, in three tower forms;
- The future Burwood Place is a mixed-use development with frontages to Railway Parade, Wynne Avenue, Emerald Square and Unity Place. It is planned that the podiums will include retail areas. Residential accommodation (apartments) are to be located above the podiums in a series of towers form;
- The Burwood Council Library, Council Offices, Corrective Services (also part of the mixed-use Burwood Grand development) and the future Burwood Cultural House and will include a theatre and studio; and
- Other laneways and places, including Ford Lane, Clarendon Place, and Railway Square that offer opportunities for entertainment activity, such as live music or live performances.

Adjacent to the Burwood SEP are residential developments comprising apartments of differing scales, health services facilities such as medical centres and rooms for medical specialists, places of public worship, and other licensed and unlicensed premises.

A map is also contained within the Burwood Local Environmental Plan 2012.

2-1 Exclusions

Relevant premises excluded from the SEP

Section 202B(2) of the Local Government Act 1993 excludes 'relevant premises' from a SEP.

These relevant premises include adult entertainment venues, restricted premises such as sex shops and adult bookstores, brothels or sex service premises.

This is outlined under the Local Government Act:

Section 202B (2):

(2) If the area for which a special entertainment precinct is established includes relevant premises—

- (a) the premises are taken not to be included in the special entertainment precinct, and*
- (b) the precinct management plan for the special entertainment precinct does not apply to the premises.*

relevant premises means the following—

- (a) premises used for the purposes of a brothel or other sex services,*
- (b) premises used for adult entertainment of a sexual nature,*
- (c) premises that, due to the nature of the business conducted on the premises, restrict access to patrons or customers who are 18 years of age or older.*

*Example for paragraph (c) —
sex shops, adult bookstores*

Accordingly, these premises are not covered by the Burwood SEP and remain under separate regulatory framework.

Exclusion of events from the SEP

The precinct at times may host public events, such as live music programs or seasonal programs, located on public areas. The SEP does not provide an operation framework for these activities.

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03 SEP Objectives

Chapter 03
SEP Objectives

3-1 Precinct Vision

The Burwood SEP is a vibrant place. It supports a mix of licensed and unlicensed premises, with active and safe public areas. It will trade through the day and into the night, with premises providing a range of entertainment offerings to visitors, workers and residents. It will encourage live music, entertainment and other cultural programs, whilst also providing good sound amenity for residents who live in the area and any other sensitive receiver development that may be located within and adjacent to the SEP. Entertainment sound disturbances will be settled using a proactive approach by authorities, businesses and the community.



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03 SEP Objectives

3-2 Objectives

The objectives of the Burwood SEP and this SEPMP are outlined as follows:

Objective 1 - Support a sense of place

The Burwood SEP is a vibrant place through the day and at night. It will include a mix of offerings, including a flourishing live music scene and other place activation programs. Neighbourhood amenity is maintained, supporting and encouraging it as a place to live adjacent to public transport.

Objective 2 - Provide for balanced amenity

Premises, residents, industry, Burwood Council, Burwood Area Police Command, and L&GNSW all support the balanced amenity approach of the SEP. This is achieved by adhering to the entertainment sound requirements and trading hours outlined in the SEPMP.

Objective 3 - Be compliant

Premises, residents, industry, Burwood Council, Burwood Area Police Command and L&GNSW are all aware of and respect the compliance framework set out in the SEPMP, with regard to complaint handling for entertainment sound and trading hours. This includes supporting a communicative approach to resolve noise complaints when received.

Objective 4 - Monitor and evaluate outcomes

The SEP is to be monitored by Burwood Council throughout the trial period and beyond. Comments and feedback from the monitoring are to be evaluated and where required the SEPMP 'fine-tuned', so that the intent of the SEP is sustained.

3-3 Approach to entertainment sound

Entertainment sound from an entertainment activity carried out by licensed premises and unlicensed premises, and on public areas of the Burwood SEP, will be subject to their own sound criteria, compared to other places throughout Burwood.

Burwood Council has worked collaboratively with an acoustic expert, as well as a team comprising urban planning, urban design and place making consultants, to develop a place-based sound management framework for the Burwood SEP. This framework seeks to support vibrancy of the SEP especially at night-time, whilst providing sound amenity for sensitive receiver development, such as residential accommodation and others, that are located within and surrounding the precinct.

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04 Place-based Planning

Chapter 04 Place-based Planning



Figure 5 Existing SEP LEP land zoning

4-1 Locality context of the SEP

Burwood is a strategic centre within metropolitan Sydney. The Burwood Town Centre is a key commercial precinct and attracts a range of workers and visitors throughout the day and night.

The land area within the Burwood SEP is zoned MU1 'Mixed Use' under the Burwood Local Environmental Plan 2012, supporting the jobs and housing mix character of the broader town centre.

The SEP area and surrounds provide for a variety of licensed premises and unlicensed premises, and public spaces, that offer connectivity and places to enjoy the area. Many of these premises already support the vibrant economy of Burwood through their night-time operation and with entertainment activity offerings.

The SEP area also includes sensitive receiver development within and surrounding the precinct. This includes residential accommodation (apartments), as well as other uses such as places of public worship along Belmore Street, that may operate into the evening.

Figure 5 provides an overview of the land use activities within and around the SEP.

The Burwood SEP area is becoming one of Sydney's most popular night-time precincts, known for authentic food and culture. The SEPMP will support its vibrancy, and protect sensitive receivers, such as apartments, that are located within and around this activated area.

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04 Place-based Planning



- - - Indicative boundary
- Train line
- T Burwood train station
- H Existing/ proposed residential accommodation (within the SEP)
- Existing open space
- Education

Figure 6 SEP character area map

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04 Place-based Planning

4-2 Accessibility

The Burwood SEP is well accessed by public transport and active transport options, including rail, bus, roadways, pedestrian and cycle routes.

Use of public transport is encouraged. Public parking is however limited.

Trains

Burwood rail station is located adjacent to the Burwood SEP. The rail station is part of the main suburban network and is serviced by the T9 Northern Line, T1 North Shore and Western Line, T2 Leppington and Inner West Line and the T3 Liverpool and Inner West Line services. The rail lines provide direct and regular access on the metropolitan rail network to destinations including Central, Strathfield, Epping, Hornsby, Parramatta, Homebush, Regents Park, Leppington, City Circle, North Sydney, Chatswood, Gordon and beyond through connections.

Train services run regularly to approximately 1.00am and then recommence around 4.30am. When not in operation, night ride bus services are available.

Buses

Buses service the SEP, with stops on Burwood Road, Railway Parade and Conder St. These services run through the day and at night, including night-ride services. Routes extend across metropolitan Sydney with district stops in between and connect the precinct to Strathfield, Chatswood, Liverpool, Concord, and Sydney City. During the night, the stops on Railway Parade act as the main interchange with major routes being N50, N60, N61 and 461N. The frequency of these night time buses is approximately 30 minutes.

Active transport

Multiple walking and cycling options service the SEP. Continuous footpaths link Burwood Station and the SEP. There are dedicated cycle routes that run parallel to the railway corridor along Railway Crescent and service the SEP through Conder Street.

4-3 Existing Infrastructure

The following public amenities are available within and immediately adjacent to the Burwood SEP area.

Burwood Transport Interchange

The Burwood Transport Interchange adjoins the Burwood Station and serves as a major hub integrating train, bus, taxi, and cycle connections, with dedicated drop-off and pick-up zones, Kiss and ride zones, taxi ranks and bike lockers.

Car Parks

On-street and public parking is available in and around the Burwood SEP. Emerald Square provides a Council owned public car park which is accessible until midnight. Other publicly accessible parking is available at Burwood Plaza.

The future Council owned Culture House site, located at the intersection of Conder Street and Railway Parade, will also include an underground public parking facility.

On street parking may need to be used if a later stay is intended, alternatively public transport, including taxi or ride share services are available.

Toilets

Publically accessible toilets in the SEP are located in Burwood Plaza. Beyond the SEP, nearby publically accessible toilet facilities are also located at the Burwood Transport Interchange and Westfield Shopping Centre. Note that these are within private venues, so may not be always available. The nearest public toilets are available at Burwood Park.

Cycle Racks

Cycle racks are located at the George St Car Park and near Skyline International College to the north-east of the Transport Interchange.

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04 Place-based Planning



Figure 7 Existing access and infrastructure map

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04 Place-based Planning**4-4 Safety and inclusion**

The SEP contains active frontages throughout, where shopfronts interact with publicly accessible areas. There are also numerous outdoor dining areas, and accordingly, there is a sense of surveillance across the public domain.

Surveillance is also provided from residential apartments, commercial premises, the library and Council Offices that adjoin the public areas.

There are good levels of lighting at night, and clear and direct access to public transport along public thoroughfares and accessways.

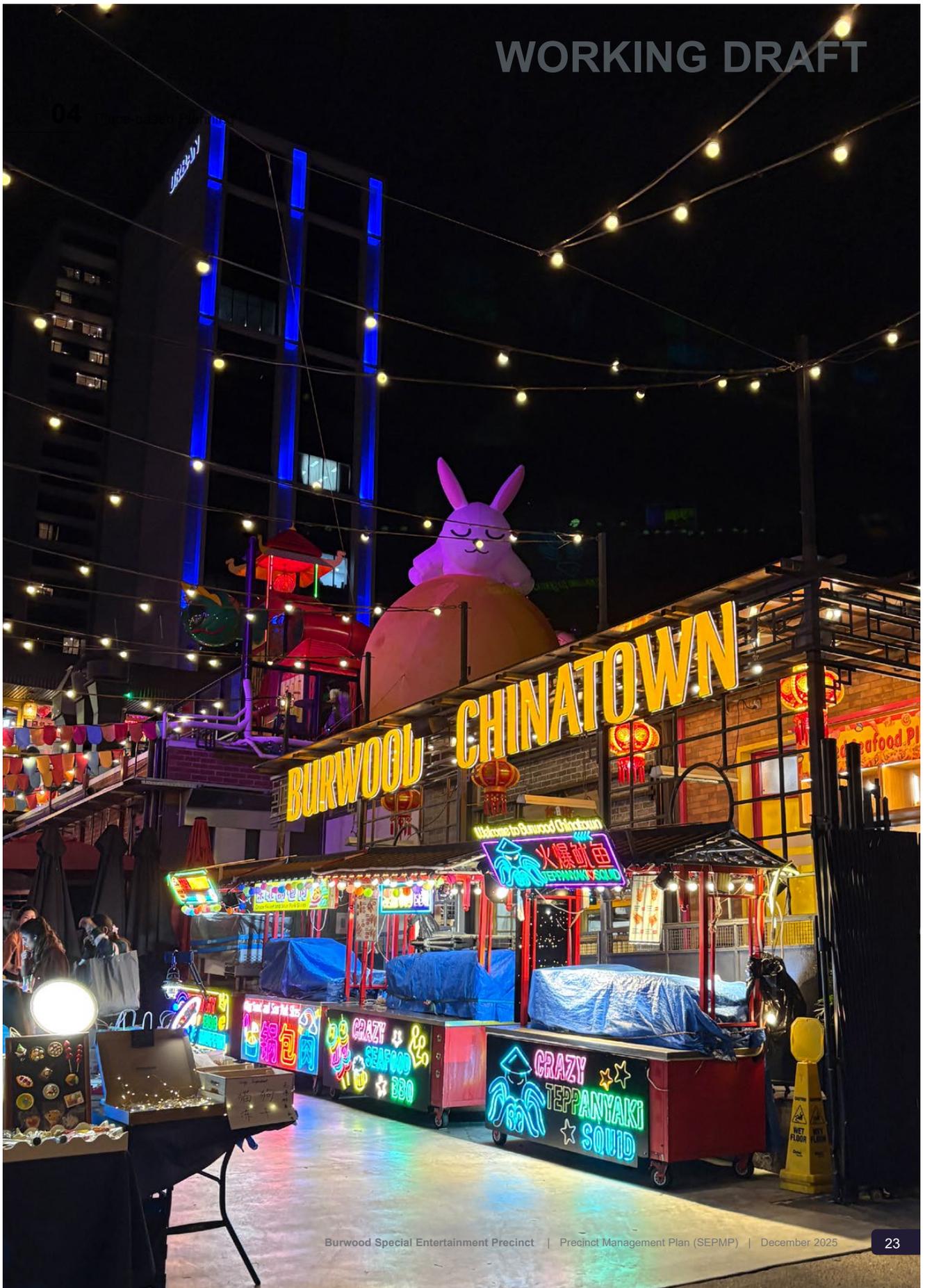
Night-ride bus services are offered directly to and from the SEP, with bus stops along Railway Parade.

The SEP area is an inclusive space through its range of offerings from morning to night, and this is to remain and be enhanced through the SEP, to suit the requirements of visitors, workers and residents. This includes different types of food and drink premises (cafes, restaurants and pubs), shops, gaming/amusement centres, a performance and theatre space in the new Burwood Culture House, and a focus-time space within the Burwood Council library.

4-5 Burwood Town Centre Purple Flag accreditation

The SEP is to be part of the broader Burwood Town Centre Purple Flag accreditation. This internationally recognised accreditation celebrates vibrant, diverse and well managed night-time precincts. The accreditation identifies that Burwood SEP meets the five (5) core principles of Purple Flag:

1. Wellbeing: welcoming, clean and safe;
2. Movement: a secure pattern of arrival, circulation and departure;
3. Appeal: a vibrant choice and rich mix of entertainment and activity;
4. Place: a stimulating destination and vibrant place; and
5. Strategic alignment: a clear aim and a common purpose.



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05 Existing Policy Considerations

Chapter 05

Existing Policy Considerations

This section describes the interaction of the Burwood LEP, BDCP, planning consents, liquor licenses, plans of management and the Protection of the Environment Operations Act 1997 with the SEP.

5-1 Burwood Local Environmental Plan 2012

The Burwood Local Environmental Plan 2012 (Burwood LEP 2012) is an environmental planning instrument that controls construction and development across the Burwood local government area. The plan provides land use controls that determine the activities that can be undertaken on land, planning controls for the form of development, and environmental controls such as heritage and conservation management.

The Burwood LEP 2012 is a written instrument and is supported with maps. These maps include land use zones as well as other development standards such as building height and floor space ratio. The Burwood LEP also maps specific areas to support site-specific planning controls.

The Burwood LEP 2012 can be viewed through the NSW Legislation website [here](#). Maps that support the Burwood LEP 2012 can be viewed [here](#).

The Burwood Special Entertainment Precinct (SEP) is legislated under the Burwood Local Environmental Plan 2012, including through associated LEP mapping which designates the SEP area. An extract of the proposed Burwood LEP 2012 map is provided below at Figure 8 for reference.

Section 10.7 Property Certificate's will reflect a properties inclusion within the Burwood SEP land area, providing awareness to owners and property purchasers of the SEP.



Figure 8 Proposed Burwood SEP in the Burwood Local Environmental Plan 2012

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05 Existing Policy Considerations

5-2 Burwood Development Control Plan 2025

The Burwood Development Control Plan 2025 (BDCP) details the various controls related to construction and development within the Burwood local government area (LGA). The BDCP must be read together with the provisions of the Burwood Local Environmental Plan 2012.

The *Special Entertainment Precinct* chapter of the BDCP provides the sound controls for new or relevant modified development in the Burwood SEP.

These controls will govern new or modified sensitive receiver development, such as residential accommodation or other, located within the SEP.

Sound controls are also provided by the BDCP to manage new or modified licensed or unlicensed premises that would carry out an entertainment activity and require a Development Application (DA) to be lawfully established. For example, small bars, pubs, or premises with more than 100 persons.

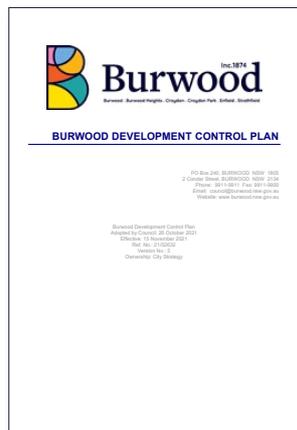
They also support a venue to seek later trading hours, where they would be in addition to the SEPMP trading hours.

The sound controls under the DCP provide mitigation of the potential transfer of entertainment sound to sensitive receivers. They 'future proof' the SEP for entertainment sound and support the on-going vibrancy of the precinct.

The BDCP will outline where acoustic advice is required in support of a DA. In addition, the controls will provide guidance on where a Plan of Management is necessary for a venue to operate in late night trading mode.

Anyone preparing a DA in the Burwood SEP land area must read and understand the requirements under the BDCP.

A copy of the amendment to the Burwood DCP is available at Council's [website](#).



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05 Existing Policy Considerations

5-3 Development consents and complying development certificates

The *Environmental Planning and Assessment Act 1979* (As Amended) provides for a consent authority, such as Burwood Council or a Planning Panel, to issue a development consent for the use of land. It also provides for a certifying authority, such as a Certifier, to issue a complying development certificate for the use of land.

These consents are subject to conditions that may deal with a range of issues, reflective of the development, and are both construction related and operational in their nature.

For licensed premises and unlicensed premises an approval commonly includes conditions which affect operations around entertainment sound and trading hours.

Development consents

Development consents for Burwood typically have a case-by-case approach to entertainment noise and trading hours which is dependent on the premises or activity.

Within a Special Entertainment Precinct, a development consent that includes conditions for regulating sound from an entertainment activity (entertainment sound condition) that are inconsistent with the SEPMP entertainment sound requirements will not have effect. In addition, trading hours that are less than those of the SEPMP, including live entertainment hours, will not have effect.

Instead, the entertainment sound requirements and the trading hours requirements, provided at **Section B** of the SEPMP, will apply.

Development consents do not need to be modified to enable the entertainment sound requirements and the trading hours of the SEPMP, nor can they seek to remove live entertainment hours.

All other development consent conditions will continue to apply. This includes any conditions related to commercial plant noise, operation of outdoor areas, a Plan of Management (excluding criteria for trading hours or entertainment sound), security requirements, the operating capacity of a venue with respect to maximum number of patrons, staffing levels and so on.

Complying Development Certificate

Within a Special Entertainment Precinct, any Complying Development Certificate (CDC) conditions for entertainment sound that are inconsistent with the entertainment sound requirements of the SEPMP will not have effect. In addition, trading hours less than the trading hours of the SEPMP will not have effect.

Instead the entertainment sound requirements and the trading hours requirements provided at **Section B** of the SEPMP will apply.

A Complying Development Certificate does not need to be amended to enable the entertainment sound requirements or trading hours of the SEPMP.

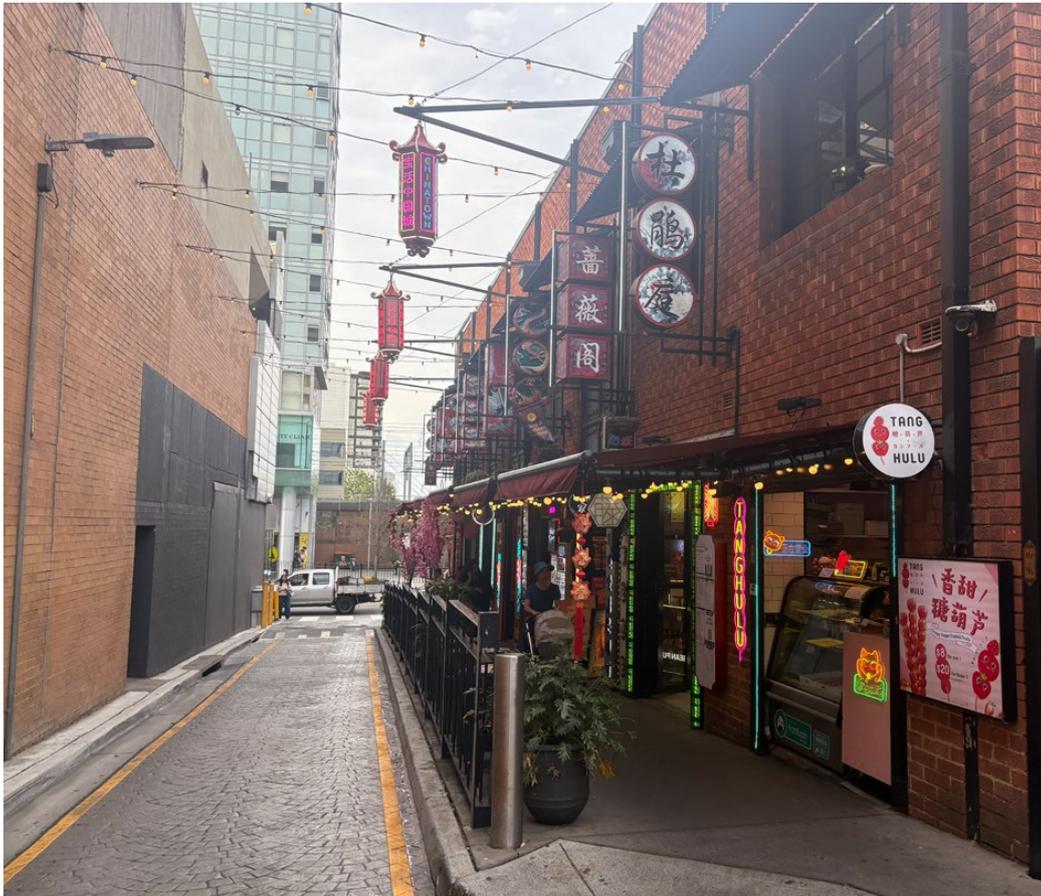
All other conditions of a complying development certificate will continue to apply.

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05 Existing Policy Considerations**5-3** Development consents and complying development certificates**5-3-1** Exception to SEPMP trading hours

Some premises, with lawfully approved trading hours greater than the trading hours of the SEPMP, may continue to trade under the hours of their development consent. This is outlined at **Section B** of the SEPMP, and by listed premises.

However, the premises would need to adhere to the entertainment sound requirements of the SEPMP. Entertainment sound conditions on an existing development consent or complying development certificate do not have an effect where they are inconsistent with this SEPMP, and the premises would be required to operate in accordance with the entertainment sound requirements at **Section B** of this SEPMP.



WORKING DRAFT

05 Existing Policy Considerations**5-4 Liquor licences**

Liquor licences are issued and regulated by Liquor and Gaming NSW (L&GNSW). Licensed premises within the Burwood SEP that serve or sell alcohol are required to have a liquor licence in place. This does not include BYO premises.

Liquor licences contain a range of conditions that must be upheld by the licensee whilst alcohol is being served and consumed at the premises. These conditions can cover a range of matters not limited to, security requirements, noise management, liquor licencing boundaries, operation in accordance with a premises Plan of Management, and the hours of operation for servicing liquor.

The SEP does not override any liquor trading hours on a liquor licence – these will remain. However extended liquor trading hours are available where live music or other live performance is provided at the premises.

5-4-1 Extended liquor licence trading hours – live music and performance venues

In the SEP, extended liquor licence trading hours are available on request by eligible licensed venues under the NSW Liquor Act as follows:

- An additional 60 minutes after the time that would otherwise apply on all nights of the week if a live music performance or other arts and cultural event of at least 45 minutes is held after 8pm on at least 2 nights in any 7-day period;
- If the licensed premises is a dedicated live music and performance venue on a list published on the L&GNSW website, an additional 2 hours after the time that would otherwise apply on the nights where a live music performance or other arts and cultural event of at least 45 minutes is held after 8pm.

Licensed premises must apply to Liquor and Gaming NSW to be on the live music and venue performance list and meet eligibility criteria for extended liquor licence trading hours. Refer to Liquor and Gaming website information [here](#).

WORKING DRAFT

05 Existing Policy Considerations

5-5 Plans of Management

Licensed premises are normally required to operate under a Plan of Management.

Where any criteria of a Plan of Management for premises within the Burwood SEP (such as trading hours or entertainment sound) may conflict with the SEPMP, the SEPMP will override those.

Where the Plan of Management provides for noise attenuation measures, these measures should be reviewed against the sound management framework at **Section B** so that these align with the entertainment sound venue requirements set out in this SEPMP.

Some new or modified premises may also require a Plan of Management to operate. For example a pub, small bar or other. This is discussed further under **Section B** of the SEPMP.

5-6 Protection of the Environment Operations Act 1997

The *Protection of the Environment Operation Act 1997* is administrated by the NSW Environmental Protection Agency (EPA). The objectives of the Act are to protect and enhance the environment of NSW, as well as reducing risks to human health from pollution and environmental degradation.

This Act provides for noise enforcement measures for response and resolution of noise complaints, including for the Burwood Council and the Burwood Area Police Area Command, and in accordance with offensive noise requirements of the Act.

Where a premises, or an entertainment activity on a public area, within the SEP operates in accordance with the entertainment sound requirements of the SEPMP at Section B, they may not be subject to the offensive noise provisions of this Act.

Refer to **Section B** of the SEPMP for compliance processes.



WORKING DRAFT

06 Application of this Plan

Chapter 06

Application of this Plan

6-1 Sound management

The SEPMP is focused on the regulation of entertainment sound, from an entertainment activity, carried out by licensed premises and unlicensed premises, or on public areas, within the Burwood SEP. For example cafes, restaurants, amusement centres, pubs and hotels, dessert places, busking and so on.

For licensed and unlicensed premises that carry out an entertainment activity, the SEPMP defines these as 'venues' for the purposes of establishing sound criteria (refer 1-2 Key Definitions).

Entertainment sound is regulated through Sound Category Areas, which provide sound criteria for sound emitting from venues and public areas across locations in the SEP, to sensitive receivers. In addition, the SEPMP provides for Internal Sound Criteria, which provides sound criteria for sound emitting from venues that are attached to a sensitive receiver.

The SEPMP does not regulate sound from unlicensed premises/businesses that do not provide for an entertainment activity, for example a shop (which are considered 'non-venues'). This is because these premises/businesses do not emit entertainment sound.

The SEPMP also does not regulate sound from other potential sound emitting activities, including:

- Vocal noise from people in the public domain;
- Plant or machinery or other industrial noise associated with the venue;
- Vehicular, traffic or aircraft noise;
- Sound from a public event.

Existing regulatory frameworks will continue to operate to manage these.

As noted under Section 10-6 new or modified sensitive receiver development should also refer to the Burwood Council Development Control Plan (BDCP) for entertainment sound attenuation. New or modified premises may also need to refer to the BDCP where they require a Development Application, to ensure that they provide for entertainment sound attenuation.

WORKING DRAFT

06 Application of this Plan

6-2 Trading hours

Section B of the SEPMP provides the trading hours for premises to operate within the Burwood SEP.

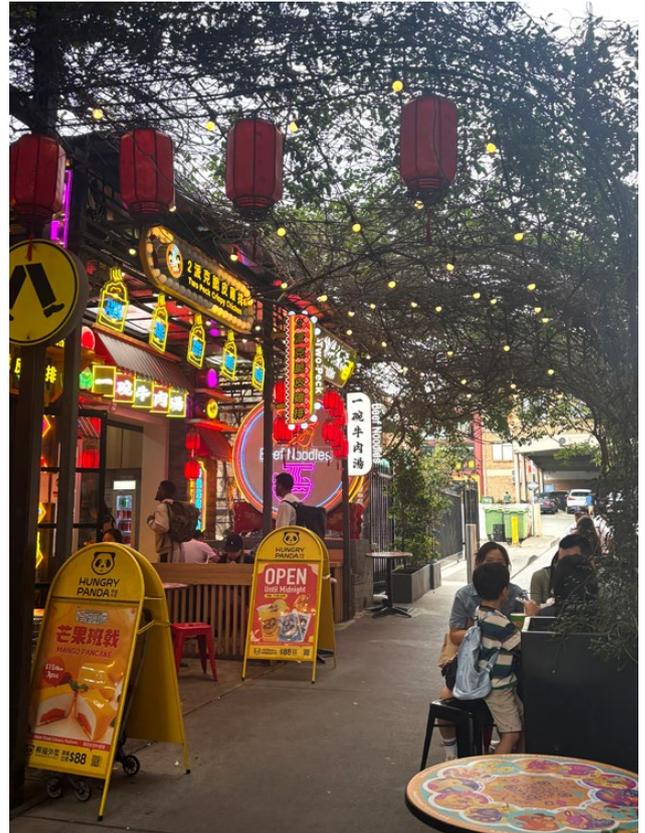
This is for:

- Licensed and unlicensed premises who carry out an entertainment activity and emit entertainment sound (venues);
- Listed premises who may continue to operate in accordance with the trading hours on their development consent within the SEP;
- Business and unlicensed premises who don't carry out an entertainment activity (non-venues); and

The maximum trading hours of 7.00am to 2.00am is provided. For a venue to achieve this, compliance with the entertainment sound requirements is required.

For businesses/unlicensed premises (non – venues), which are low impact with respect to sound emitted, such as a shop, the trading hours are also to 2.00am within the SEP. This is so that they may take advantage of foot traffic and support the night-time vibrancy of the precinct.

Listed venues are outlined in **Section B**, who may trade in accordance with their development consent, and are not affected by the 2.00am maximum hours.



WORKING DRAFT

07 Monitoring and evaluation of the SEP

Chapter 07 Monitoring and evaluation of the SEP

The Burwood SEP is intended to commence during the first quarter of 2026 and operate for a 16-month trial period.

This allows for Council and the community to assess the effectiveness and impacts across a wide time period.

On completion of the trial, the outcomes will be considered by Burwood Council. Amendments to the SEP may need to be undertaken, including any corresponding amendments to this SEPMP.



WORKING DRAFT

08 Suspension or revocation of the SEP

Chapter 08

Suspension or revocation of the SEP

8-1 Suspension of the Burwood SEP

In determining if the Burwood SEP should be suspended, Burwood Council will consider:

- If the quiet and good order of the neighbourhood of the Burwood SEP is being unreasonably disturbed because of the cumulative impact of trading operations or the behaviour of patrons after they leave premises or public areas within the SEP.
- Sustained patterns, over a significant period of time, of high levels of anti-social behaviour and violence which are leading to impacts to public safety and amenity.
- The Burwood SEP is not being exercised in the public interest.
- The continuation of the Burwood SEP is not in the public interest.
- Where suspension is the only option after unsuccessful attempts to resolve substantiated non-compliances of a significant number of premises with premise management, precinct trading hours and/or sound criteria which have impacted public amenity and safety, but which Burwood Council considers can be remedied within a certain timeframe.

8-2 Revoking the Burwood SEP

In determining if the Burwood SEP should be revoked, Burwood Council will consider:

- Whether venues did not take up the opportunity to host live music and performance, and venues and businesses did not take up the opportunity to have extended trading hours, offered through the SEP.
- Where Burwood Council changes the strategic direction of the precinct or of individual premises.
- 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.
- Where revocation is the only option to address impacts of a significant number of premises/businesses in breach of venue management conditions, precinct trading hours and/or entertainment sound requirements, and there are substantiated complaints following attempts to address them resulting in significant impacts on public amenity and safety which cannot be resolved.





Section B:

Sound Management & Trading Hours



WORKING DRAFT

09 Sound Management & Trading Hours Overview

Chapter 09

Sound Management & Trading Hours Overview

This section of the SEPMP provides the requirements for:

- Entertainment sound from an entertainment activity carried out by licensed premises and unlicensed premises (venues), of the Burwood SEP;
- Entertainment sound from an entertainment activity on public areas – being busking;
- Trading hours of the Burwood SEP; and
- The compliance framework for entertainment sound disturbances and trading hours breaches.

How to use

Existing premises

If you are an existing premises that carries out an entertainment activity – therefore are a venue, refer to:

- Section 10-3 *Entertainment Sound Requirements for Venues* which provides for the relevant sound criteria for a venue.
- Section 11 to identify trading hours requirements for a venue in the SEP.
Listed Venues are also contained in Section 11, who will continue to operate in accordance with the trading hours of their Development Consent.

Sound attenuation guidance is provided within Section 10-5. This assists venues to satisfy the sound criteria through sound management actions by precinct areas. An acoustic assessment however is expected to be required to support the premises who may seek to trade later than the extended hours offered by the Burwood SEP – see Section 12.

If you do not carry out an entertainment activity – therefore are a non-venue, refer to:

- Section 11 for the trading hours requirements for a ‘non-venue’ in the SEP.

An acoustic assessment is not expected for non-venues who may seek to trade later than the extended hours offered by the Burwood SEP – see Section 12.

New or modified premises

If you are a new or modified premises and will carry out an entertainment activity:

- A development application may be required for the premises, pending the proposed use – see Section 12. Where required, refer to the *Special Entertainment Precinct* section of the Burwood DCP.
- Where a development application is not required, refer to Section 10-3 *Entertainment Sound Requirements for Venues* which provides for the relevant sound criteria for a venue.
- Section 10-5 includes sound attenuation guidance for venues by precinct areas. An acoustic assessment is however expected to be required to support new or modified premises in any instance.
- Operation of the premises, once lawfully established, would then be in accordance with Section 10 and Section 11 of the SEPMP with respect to maintaining compliance with the entertainment sound requirements and trading hours for the SEP.

WORKING DRAFT

09 Sound Management & Trading Hours Overview**Entertainment Activity on public areas - busking**

If you plan to undertake busking in the Burwood SEP:

- Refer to Section 10-4 to identify the locations where busking may occur in the Burwood SEP and sound attenuation guidance for these locations at Section 10-5 (Table 5);
- Seek a busking permit from Burwood Council – see Section 12.
- Operate in accordance with the requirements of that busking permit, including the busking operating hours provided.

Sensitive receiver

If you are an existing sensitive receiver, such as residential apartments located in the Burwood SEP, refer to Section 10 to identify the Sound Category Area you are in, and the amount of entertainment sound expected to be received to your property.

Section 10 also includes the amount of entertainment sound that may be received through a building attached to a venue (internal sound criteria).

If you're planning a new sensitive receiver or plan to modify a sensitive receiver, refer to Section 10-6. This provides reference to a *Special Entertainment Precinct* section of the Burwood DCP, which outlines requirements for these.

WORKING DRAFT

10 Sound Management Framework

Chapter 10 Sound Management Framework



This section of the SEPMP provides entertainment sound requirements. These requirements are for:

- Venues – licensed and unlicensed premises that carry out an entertainment activity and may emit entertainment sound; and
- Public areas – busking

The section also includes sound attenuation guidance for precinct areas.

Sound requirements for new or relevant modified sensitive receiver development (such as residential apartments) are also outlined by this Section, however, these requirements are principally covered by the *Special Entertainment Precinct* section of the Burwood Development Control Plan.

This Chapter is structured to outline the background to the preparation of the framework, the key principles of the technical sound criteria, the sound categories applied, and the entertainment sound criteria that venues and activities on public areas are to operate within.

10-1 Background

The entertainment sound requirements for the Burwood SEP have been developed by Renzo Tonin and Associates Pty Ltd.

It has been prepared in consultation with Burwood Council, urban planning, urban design and place making experts.

The exhibition of this SEPMP provides the opportunity for the community to consider the sound criteria and requirements, and provide feedback, for the finalisation of the SEPMP.

The sound requirements provided in the SEPMP are not intended to disadvantage premises operating prior to the establishment of the Burwood SEP. Accordingly, its preparation has been developed based on existing entertainment sound conditions, trading hours and knowledge of planning approvals.

WORKING DRAFT

10 Sound Management Framework

10-2 Key principles for the technical sound criteria

The key principles of the technical sound criteria that apply to the Burwood Special Entertainment Precinct are:

- Sound Category Areas – defined across the Burwood SEP, and its boundaries and immediate surrounds.
- Internal Sound Criteria – based on fixed internal noise criteria for sensitive receivers that are attached to venues by a common wall or floor/ceiling.

This is outlined further below.

10-2-1 Sound Category Areas

Sound Category Areas (SCAs) are based on the entertainment sound that is to be emanated by a venue, or by an entertainment activity on public areas, within the Burwood SEP against appropriate sound levels for sensitive receivers (such as residential accommodation) within and around the SEP.

The Burwood SEP SCAs have been informed by existing acoustic conditions (ambient noise of road traffic, mechanical plant noise from commercial premises, entertainment noise from venues, pedestrian and carpark noise from patrons entering / leaving venues) measured across the precinct, available venue and receiver acoustic assessment reports, existing development consent conditions and standard receiver building design assumptions.

Areas with louder permitted noise emissions (SCA 3) are located along the main street of the Special Entertainment Precinct.

Side streets are typically assigned SCA 4 to SCA 6, depending on their distance from the main street.

Examination of background noise levels and a 'Background+' type noise emission limit was investigated and found to be inappropriate, even in areas where ambient noise levels are already relatively high.

To effectively use a 'Background+' type sound criteria this would require:

- Estimation of future ambient conditions, and
- Adoption of some limit other than "Background+5dB" to promote the activation sought for the Burwood SEP.

Given this, the primary means to assign noise level limits was therefore to generally adopt the guidance from the *NSW Special Entertainment Acoustic Toolkit* ('Acoustic Toolkit') to:

- Delineate boundaries of the different SCAs based on the type of land use within each SCA, and
- To assign a noise/sound limit to them.

Based on acoustic site measurements, and review of the SCA land type descriptions (and allowable noise/sound levels assigned to them in the Acoustic Toolkit), four (4) SCAs are proposed for the Burwood SEP, as described below in Table 1.

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10 Sound Management Framework

10-2 Key principles for the technical sound criteria

Table 1 Burwood Sound Category Areas (SCAs)

Sound Category Area	Note in Acoustic Toolkit	SCA locations within Burwood SEP
SCA 3	<i>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 area near higher SCAs.</i>	Sensitive Receivers fronting Burwood Road and Burwood Chinatown. New residential towers in the heart of the SEP (Future Burwood Plaza east façade overlooking Burwood Chinatown).
SCA 4	<i>Reduced intensity of entertainment sound levels, mostly well-enclosed venues. Lower sound levels after midnight for balance toward residential areas. For application to buffer around higher SCAs.</i>	Residences fronting the side street/ rear lane for the first 50m from the main street in each Sound Category Area. New residential towers in the heart of the SEP.
SCA 5	<i>Use expected to be as a buffer around other SCAs in an urban area. Expected to be less suitable within or immediately surrounding primary entertainment area.</i>	Residences fronting Railway Parade and Belmore Street.
SCA 6	<i>Use expected to be as a buffer around other SCAs in a suburban / regional area. Expected to be less suitable within or immediately surrounding primary entertainment area.</i>	Residential areas other than those identified above.

Note – Acoustic Toolkit SCA 2 (the next loudest SCA) is described as follows:

High entertainment sound levels from venues 24 hrs. Comparable to Fortitude Valley Core A taking account of different assessment location. Sensitive development possible but will require high building sound insulation. May be suitable in a primarily commercial core or CBD, with limited existing residential development.

This is not considered appropriate for the Burwood SEP.

WORKING DRAFT

10 Sound Management Framework**10-2 Key principles for the technical sound criteria****10-2-2 Internal Sound Criteria**

Sound Category Areas set allowable noise level for noise generate by venues. Sounds Category Area noise limits are however external noise levels, measured at property frontages. However, a sound category area does not address the entertainment sound through common walls/floors when a venue adjoins a sensitive receiver (such as residential accommodation). Accordingly, internal sound criteria must also be set.

Note: internal sound criteria also provide to the regulation of sound noise levels in internal spaces of sensitive receivers due to outside egress, therefore via the building façade. This is however separately within the Special Entertainment Precinct section of the Burwood DCP to deal with new or relevant modified sensitive receiver development.

10-2-3 Technical parameters to develop sound criteria

The sound criteria has been developed by an acoustic assement undertaken by acoustic engineering consultancy Renzo Tonin & Associates with supporting planning and urban design input. The acoustic assesment includes sound logging at various strategic locations across the precinct, site visits and reference to the NSW Special Entertainment Precinct Acoustic Toolkit developed by the State Government.



WORKING DRAFT

10 Sound Management Framework

10-3 Entertainment sound requirements for Venues

This section provides the entertainment sound criteria for a Venue in the SEP.

It includes sound criteria for:

- External sound emissions from venue; and
- Venue sound through common walls to the internal areas of adjacent development

Licensed or unlicensed premises that carry out an entertainment activity and emanate entertainment sound are affected by these sound requirements. For example, restaurants, cafes, pubs, amusement centres, clubs, live music, live performance, theatres and the like. This also affects the outdoor areas of the premises, for example an outdoor dining area.

10-3-1 Sound Criteria – External sound emissions from venues**Background to the sound criteria**

The noise level limits in the SCAs have been informed by the desired character, existing sound levels and levels of vibrancy targeted across the SEPs.

These levels are generally consistent with the *NSW Special Entertainment Precinct Acoustic Toolkit* (Acoustic Toolkit) however some adjustments have been made, in particular to the post 12.00am period.

Broadly, the intent of the sound targets is to facilitate:

- Outdoor dining and trading with shopfront windows open, as follows:
 - Burwood Road and Burwood Chinatown: 10.00pm weekdays, 12.00am Thursdays/Fridays and weekends.
 - Belmore Road, Unity Place, Railway Parade: 10.00pm weekdays, 1am Thursdays/Fridays and weekends.
- Use of internal areas (windows and doors closed) for after midnight. However, by adopting a 45dB(A) noise goal, this should enable small bars/cafes in the Burwood SEP to be able to operate without the incorporation of an airlock exit door system, which is typically needed in order to comply with the Inaudibility noise goal currently imposed by Office of Liquor and Gaming.
- Existing Venues (Burwood Hotel, Burwood Chinatown). The proposed SCA noise limits are intended to not curtail existing noise emission limits in current approvals.
- Future development:
 - Future development in the precinct is likely to consist of commercial/retail podium (approx. 3 storey) with residential towers above (Burwood Place). This provides an opportunity for a high level of street level activation, but reduced impact on the future residences above.
 - The proposed SCAs within the precinct have been proposed setting a noise goal 5dB(A) more stringent for the residential tower above compared to the podium level. Given the podium size and tower setback, this is not anticipated to excessively impinge on ground level entertainment uses, however, it will avoid high level impact on future towers.
 - Generally, the intent is to set external noise limits of 60dB(A) (SCA4) at these apartments. Above 60dB(A), there will be impact on usage of residential balconies (need for raised voice) and is an excessive impact on future residential development given the noise screening opportunity created by the podium.
 - A 65dB(A) target (SCA 3) is set for the most central locations – Burwood Hotel, Burwood Plaza East facade.

WORKING DRAFT

10 Sound Management Framework

10-3 Entertainment sound requirements for Venues

A - Sound criteria

- (1) Entertainment Sound from Venues within the Special Entertainment Precinct must not exceed the Venue Sound Criteria, equivalent to the Sound Category Areas Levels specified in Table 2 by reference to Figure 9.



The Sound Category Area Levels apply at:

- (a) At ground level – 1.5 metres above ground level at the site boundary or facade/balcony line, and
- (b) All other levels – at 1.5 metres above floor level at the façade/balcony line.

For example: at ground level, where Emerald Square faces Burwood Plaza, for Burwood Plaza the site boundary is the location for the measurement, whereas for Emerald Square the facade line would be the location for the measurement.

WORKING DRAFT

10 Sound Management Framework

10-3 Entertainment sound requirements for Venues

Table 2 External entertainment sound levels – cumulative, $L_{\text{eq}(15\text{min})}$

SCA	Day of the Week*	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
SCA3	Weekday	65	69	68	66	60	64	63	61	45	49	45	41
	Weekend	65	69	68	66	60	64	63	61	45	49	45	41
SCA4	Weekday	60	64	63	61	55	59	58	56	45	49	45	41
	Weekend	60	64	63	61	60	64	63	61	45	49	45	41
SCA5	Weekday	55	59	58	56	50	54	50	46	45	49	45	41
	Weekend	55	59	58	56	55	59	58	56	45	49	45	41
SCA6	Weekday	55	59	58	56	45	49	45	41	45	49	45	41
	Weekend	55	59	58	56	50	54	50	46	45	49	45	41

*Weekday - Sunday 10pm to Thursday (10pm)

**Weekend - Thursday (10pm) to Sunday 10pm

Note:

- The noise limits apply to patron and music noise. The limits do not apply to noise from mechanical plant and equipment or noise in the public realm associated with patrons leaving a site.
- The criteria above are cumulative noise limits (i.e. – the allowable noise limit as a result of the operation of all venues in the precinct).
- For a new noise source, if there are existing or the potential for future noise sources in the vicinity of the site that may also generate noise, we recommend that any individual development must generate noise 3dB less than the limits presented above. This will serve to:
 - Prevent exceedances of noise targets as a result of the operation of multiple sites.
 - Prevent one individual site taking the full allowance of a noise limit, and therefore constraining future development.
- In the event that a proponent of a development can demonstrate that it is highly unlikely that there will be no cumulative noise from nearby sites (existing or future), Council may choose to allow the full noise limit (no 3dB adjustment) to be applied to that site individually.

WORKING DRAFT

10 Sound Management Framework

10-3 Entertainment sound requirements for Venues

10-3-2 Sound Criteria – Venue sound through common interface to internal areas of adjacent development

Background to the sound criteria

This section provides for where a sensitive receiver shares a common wall or floor with a venue. The external sound emissions criteria regulate noise to external areas. However, it does not address sound transmission through common walls and floors.

The sound goals provided are 5dB more stringent than the Acoustic Toolkit. If the Acoustic Toolkit goals are adopted for the SEP, noise transmitted through common walls/floors could be clearly audible in the adjoining development, particularly at night-time and a high risk of complaint.

This section therefore applies to new or modified premises created within the Burwood SEP.

An ‘agent of change’ approach is adopted for this sound criteria. A new or modified venue adjacent to a sensitive receiver would have the onus to upgrade the common wall/floor to meet the internal noise goals as provided.

To meet the identified sound goals, the upgrade will most commonly consist of:

- An additional stud wall lining to the existing common wall; or
- For a ceiling, the installation of a suspended ceiling.

A - Sound Criteria

- (1) Entertainment sound from a Venue with an adjacent sensitive receiver, that may be affected by noise transfer via the common interface (wall, ceiling or floor) shall be evaluated against the Sensitive Receiver Internal Sound Criteria specified in Table 4, at the most potentially affected location (no less than 1 metre) from the common interface.

Table 4 Sensitive Receiver Internal Sound Criteria

Receiver	Period	All days			
		Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125
Residential – Sleeping Areas	Day / evening (7am-10pm)	30	54	47	41
	Night (10pm-7am)	25	49	42	36
Residential – Habitable Areas	Day / evening (7am-10pm)	30	54	47	41
	Night (10pm-7am)	30	54	47	41
Tourist Accommodation – Sleeping Area	Day / evening (7am-10pm)	33	57	50	44
	Night (10pm-7am)	28	52	45	39
Information and Education facilities	All times	30	54	47	41
Place of Public Worship	All times	33	57	50	44
Health Services facility	Day / evening (7am-10pm)	35	59	52	46
	Night (wards only) (10pm-7am)	30	54	47	41

Note:
Refer to the *Special Entertainment Precinct* section of the Burwood DCP regarding requirements for new or modified sensitive receivers or new or modified premises that may require a development application.

WORKING DRAFT

10 Sound Management Framework

10-4 Entertainment sound requirements for public areas - busking

This section provides the sound criteria for entertainment sound from busking within the SEP.

Burwood Council's *License to Play* identifies busking locations within the Burwood SEP. These include Unity Place, Clarendon Place and Railway Square. To achieve appropriate sound outcomes, busking is to be undertaken in the locations outlined below.

Refer also to Section 10-5 which provides for sound attenuation guidance in the SEP with respect to operation of amplified sound and or musical instruments while busking.

A - Sound Criteria

- (1) Busking on the public areas of the SEP may only be undertaken in accordance with the locations outlined in Figure 10 below.

Note: Sound attenuation guidance is provided in Section 10-5 to assist certain busking activities with respect to when amplified music or use of musical instruments can operate.



Figure 10 Burwood SEP Busking map

WORKING DRAFT

10 Sound Management Framework

10-5 Sound attenuation guidance

A venue, or an entertainment activity on public areas, within the Burwood SEP must ensure that that they can comply with the entertainment sound requirements.

A qualified acoustic consultant would be required to assist to satisfy the entertainment sound requirements. This is outlined further under Section 12 Planning Requirements

However, to provide guidance, by precinct area, sound management guidance is outlined below in Table 5.

Note: Busking in the SEP does not need to seek acoustic guidance where they operate in accordance with the locations of the SEPMP outlined under Section 10-4 and in accordance with Table 5.

Table 5 External sound emission guidance

Venue Location	Receiver Location	Sound Management Guidance
Belmore Street	<ul style="list-style-type: none"> Belmore Street (SCA 5) Emerald Square Towers (SCA 4) 	<ul style="list-style-type: none"> Outdoor dining under awning up to 10pm (Monday – Wednesday) Outdoor dining under awning up to 11pm (Thursday – Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm - 2am (windows closed, background music)
Burwood Place (ground level / podium)	<ul style="list-style-type: none"> Burwood Place (residential towers) – SCA 4 	<ul style="list-style-type: none"> Outdoor dining (uncovered) – up to 10pm Outdoor dining under awning up to 10pm (Monday – Wednesday) Outdoor dining under awning up to 11pm (Thursday – Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm - 2am (windows closed, background music)
Burwood Road	<ul style="list-style-type: none"> Burwood Road (existing shop top) – SCA 4 Burwood Road / future residential tower – SCA 3 	<ul style="list-style-type: none"> Outdoor dining under awning up to 10pm (Monday – Wednesday) Outdoor dining under awning up to 12am (Thursday – Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm - 2am (windows closed, moderate music)

WORKING DRAFT

10 Sound Management Framework

10-5 Sound attenuation guidance

Burwood Chinatown	<ul style="list-style-type: none"> Burwood Place East Façade (SCA 3) Burwood Place Remaining Facades (SCA 4) Emerald Square towers (SCA 4) 	<ul style="list-style-type: none"> Outdoor dining under awning up to 10pm (Monday – Wednesday) Outdoor dining under awning up to 12am (Thursday – Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm - 2am (windows closed, moderate music)
Clarendon Place	<ul style="list-style-type: none"> Railway Parade (SCA 4) 	<ul style="list-style-type: none"> Busking (amplified music, drums) – 6pm Busking (acoustic) – 8pm
Emerald Square	<ul style="list-style-type: none"> Belmore Street (SCA 5) Emerald Square towers (SCA 4) 	<ul style="list-style-type: none"> Outdoor dining under awning up to 10pm (Monday – Wednesday) Outdoor dining under awning up to 11pm (Thursday – Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm - 2am (windows closed, moderate music)
Railway Square	<ul style="list-style-type: none"> Railway Parade (SCA 4) 	<ul style="list-style-type: none"> Busking (amplified music, drums) – 6pm Busking (acoustic) – 8pm
Unity Place	<ul style="list-style-type: none"> Emerald Square towers (SCA 4) Burwood Place towers (SCA 4) 	<ul style="list-style-type: none"> Outdoor dining under awning up to 10pm (Monday – Wednesday) Outdoor dining under awning up to 11pm (Thursday – Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm - 2am (windows closed, background music)
Railway Parade	<ul style="list-style-type: none"> Railway Parade (SCA 4) Burwood Place towers (SCA 4) Future residential towers – (SCA 3) 	<ul style="list-style-type: none"> Outdoor dining under awning up to 10pm (Monday – Wednesday) Outdoor dining under awning up to 11pm (Thursday – Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm - 2am (windows closed, background music)

WORKING DRAFT

10 Sound Management Framework

10-6 Sound requirements for new or modified sensitive receiver development

Noting the mixed-use character of the SEP, including its land use zoning of MU1 Mixed Use in the Burwood LEP, sensitive receiver development, particularly significant areas of residential accommodation, is provided within and around the SEP.

New or modified sensitive receiver development located within and adjacent to the Burwood SEP would require demonstrating, in a Development Application, compliance with the *Special Entertainment Precinct* controls of the Burwood Development Control Plan. These controls provide for acoustic requirements for sensitive receivers and are based on the sensitive receiver being designed to attenuate against entertainment sound.

An acoustic impact assessment prepared by a qualified acoustic consultant will be required to be submitted with the Development Application for the new or modified sensitive receiver development, outlining compliance against the acoustic requirements.

Refer to the *Special Entertainment Precinct* Burwood Development Control Plan which also outlines requirements for new or modified sensitive receiver development.

Where a new or modified sensitive receiver shares a common interface with a venue, the onus to upgrade the common wall/floor to meet the internal noise goals as provided rests with the new development. Consideration is to be given to the sound goals identified in Section 10-3-2.

To meet the identified sound goals, the upgrade will most commonly consist of:

- An additional stud wall lining to the existing common wall; or
- For a ceiling, the installation of a suspended ceiling.



WORKING DRAFT

11 Trading Hours

Chapter 11

Trading Hours

This Section provides the trading hours for the Burwood SEP.

Maximum trading hours are provided for an entertainment activity to be carried out in the SEP, whether within a venue or in a public area. Whilst maximum trading hours are provided, the relevant entertainment sound requirements of the SEPMP under Section 10 are to be satisfied.

For businesses/unlicensed premises that are low impact (i.e. non-venue), trading hours for these premises are also provided. This is so that these may late-night trade as part of the vibrancy of the SEP. For example, a shop.

Exceptions to these trading hours is also outlined in this section and by listed venues.

11-1 Trading Hours

The following maximum trading hours are provided for:

- Licensed or unlicensed premises that carry out an entertainment activity - venues;
- Unlicensed premises/businesses that do not carry out an entertainment activity – non-venues; and
- Premises who may trade in accordance with the trading hours on their development consent in the SEP – listed venues.

The hours for busking in the SEP would be controlled directly by a busking permit. Refer also to Section 10-5 for sound attenuation guidance for the operation of certain busking activities.

Note:

- (a) If a premises can operate in accordance with the trading hour requirements of the SEPMP, a separate DA or modification to an existing development consent is not required to extend trading hours.
- (b) A premises does not need to seek a modification to a development consent to renew trading hours where they can operate in accordance with the SEPMP trading hours requirements. This is except for premises in the listed trading hours table where they may be required to seek a renewal of trading hours as per their development consent.
- (c) A venue must ensure that they can operate in accordance with the entertainment sound requirements of the SEPMP, especially where seeking to trade later.

WORKING DRAFT

11 Trading Hours

11-1 Trading Hours

A – Premises trading hours requirements

- (1) The trading hours may not exceed the Maximum Trading Hours by the Premises Category ('Venue', or 'Non-Venue'), as provided in Table 6.
- (2) Notwithstanding A(1), for a Premises Category 'Venue', the maximum trading hours are determined where being able to satisfy the relevant *Entertainment Sound Requirements* for Venues under Section 10-3 of this SEPMP.

Note: Trading guidance for venues is provided in Section 10-5 to assist the allocation of indoor and outdoor trading hours by precinct areas to support achieving sound levels in the SEP. Acoustic assessment however is recommended where a venue seeks later trading hours – see Section 12.

Table 6 Venue and Non-Venue Trading Hours for the Burwood SEP

Premises Category	Maximum Trading Hours	Precinct Trading Guidance
Venue	Indoor: 7.00am to 2.00am Outdoor: 7.00am to 2.00am	Refer to Table 5 in Section 10-5 for guidance to indoor and outdoor trading in precinct areas of the SEP.
Non-Venue	Indoor: 7.00am - 2.00am	-

- (3) An exception to the maximum trading hours under Table 6 is provided to only those premises in the Listed Venues as set out in Table 7 ('Listed Venue Trading Hours'). These premises may trade in accordance with the trading hours of their development consent.

Table 7 Listed Venue Trading hours

Listed Venues	Trading Hours
Burwood Hotel 121 Burwood Road, Burwood	In accordance with the relevant development consent applying to the land.

WORKING DRAFT

12 Planning Requirements

Chapter 12 Planning Requirements

The Burwood SEP provides for efficiencies to trade and operate within. This includes reducing requirements for a Development Application for late night trading and a precinct wide sound framework.

The entertainment sound requirements of the SEPMP must however be appropriately satisfied by a venue, or an entertainment activity carried out on a public area, of the Burwood SEP. This supports the Burwood SEP to function appropriately with respect to vibrancy, whilst providing for amenity to sensitive receivers, such as residential development.

It also reduces potential for compliance issues, and a cumulative risk of suspension or revocation of the SEP more broadly, due to precinct wide sound disturbances.

This section provides planning guidance for:

- New or modified premises in the Burwood SEP, including using an outdoor area for dining associated with the venue;
- Existing premises already operating in the SEP, including whether they are a venue or non-venue; and
- Temporary use of public areas in the SEP - for busking.

12-1 New or modified premises

New or modified licensed or unlicensed premises within the Burwood SEP, that carry out an entertainment activity (venue), would require a planning approval for their lawful use. Sound attenuation guidance is provided under Section 10-5, however acoustic verification will be required against the SEPMP or the *Special Entertainment Precinct* section of the Burwood DCP.

Complying Development Certificate pathway

Pending the premises use, lawful use may be established through a Complying Development Certificate (CDC) under the complying development pathway of *State Environmental Planning Policy (Exempt and Complying Codes) 2008* ('Codes SEPP'). The 'Building alterations (Internal)' provisions under Part 5 of the Codes SEPP and or 'Change of Use' provisions under Part 5A of the Codes SEPP may be relevant to establish the premises.

The general requirements for complying development, as well as the relevant development standards under the Codes SEPP, must be satisfied for a CDC.

An acoustic assessment would be provided with the application for the CDC to the appointed Certifier. This acoustic assessment must demonstrate, to the satisfaction of the certifier, compliance with the relevant *Entertainment Sound Requirements for Venues* at **Section B** of the SEPMP.

Premises would continue to receive conditions on their CDC for trading hours and noise. Trading hours conditions would not apply where they are less than the trading hours of the SEPMP, nor will the conditions related to entertainment sound, where the venue's conditions are inconsistent with the SEPMP.

Retaining these conditions on the Certificate provides protection to the premises if the SEP is suspended or revoked.

WORKING DRAFT

12 Planning Requirements

12-1 New or modified premises

Development Application pathway

Where the premises cannot be established through a Complying Development Certificate, a Development Application (DA) to Burwood Council would be necessary. For example, for licensed venues such as a small bar, pub or registered club, or where a food and drink premises seeks greater than 100 patrons, or outdoor dining for premises (licensed or unlicensed) that cannot be established through the exempt development processes.

Here the premises would need to demonstrate compliance with the *Special Entertainment Precinct* section of the Burwood DCP in their DA. These DCP requirements provide for sound attenuation and are similar to the sound goals provided under the entertainment sound requirements for venues outlined in this SEPMP – therefore Sound Category Areas and Internal Sound Criteria. An acoustic assessment will be required to demonstrate to the consent authority that the premises complies with the *Special Entertainment Precinct* section of the Burwood DCP.

When seeking a DA, new premises would still identify the trading hours of the premises in the Development Application. This allows Council to:

- Determine whether the trading hours are required to be listed as a venue who may trade in accordance with their development consent (and be listed on listed venue Table 7); and
- Place the trading hours on a development consent, to ensure the premises may trade if the SEP is suspended or revoked.

Plan of Management

Some new or modified premises, especially licensed venues, may require a Plan of Management to operate. This requirement may be placed on conditions of consent for premises. Noise management criteria provided in the Plan of Management would need to support achieving the relevant *Entertainment Sound Requirements for Venues* of the SEPMP. This may include:

- Where live entertainment and amplified sound may occur;
- Measures to manage patrons leaving premises;
- Processes to manage complaints related to noise (for example a complaints register);
- Details of noise attenuation measures, for example locating outdoor speakers;
- Any noise limiting devices, including their operation.

An acoustic consultant may be required to assist with review of a premises Plan of Management. An update to a Plan of Management, in response to the SEPMP, may also be required to be submitted to authorities, including Burwood Council, to ensure that they are provided with the latest version.

WORKING DRAFT

12 Planning Requirements

12-1 New or modified premises

12-1-1 Outdoor dining

The Burwood Council *License to Play* interim policy, which affects the Burwood SEP, encourages the activation of outdoor areas by way of outdoor dining.

Outdoor dining for food and drink premises may be undertaken as exempt development under *State Environmental Planning Policy (Exempt and Complying Development) 2008* (Codes SEPP) and does not require planning approval. However, a planning approval is required for the internal area of the premises associated with the outdoor dining area. Other requirements for exempt development are also required to be satisfied, including the general requirements for exempt development in the Codes SEPP.

An exempt development planning pathway provides for footway approval from Burwood Council for the use of a public footway (e.g. use of an area associated with premises for outdoor dining) under Section 2.40A of the Codes SEPP. Further Council information on footway use is [here](#).

Alternatively, the use of public land or private land for outdoor dining as exempt development is also provided under Section 2.40C of the Codes SEPP. For registered clubs, the use of land for outdoor dining is under 2.40F of the Codes SEPP. The exempt planning pathways provide for outdoor dining initiatives for a Special Entertainment Precinct, of up to 30% additional patrons/maximum 100, reducing the need for a Development Application for outdoor seating.

Use of outdoor areas by premises must comply with the relevant entertainment sound requirements for venues and trading hours under **Section B** of this SEPMP.

Where it can be undertaken as exempt development, related to the use of private or public land for outdoor dining associated with a venue, an acoustic assessment is required as part of seeking owners' consent from the landowner or the Council to use the subject land area. The acoustic assessment, provided with request for owner's consent, must confirm compliance with the *Sound Criteria - External Sound Emissions from Venues* under **Section B** of SEPMP (see Section 10-3-1).

Where the use of an outdoor area is not achievable through an exempt development planning pathway, then a Development Application to Burwood Council is required. A DA would need to provide an acoustic assessment that demonstrates to the consent authority that it would satisfy the *Special Entertainment Precinct* section of the Burwood DCP.



WORKING DRAFT

12 Planning Requirements**12-1 New or modified premises****12-1-2 Premises specific trading hours**

Premises that wish to seek or amend trading hours to greater than those under the Venue or Non-Venue Trading Hours in Table 6 would require a DA with Burwood Council. A DA for a Venue would be required to provide an acoustic assessment to demonstrate to the consent authority that it can satisfy the requirements of the *Special Entertainment Precinct* section of the Burwood DCP.

Burwood Council may request premises that propose to operate with specific trading hours to also have a Plan of Management, to support appropriate operation. This is particularly relevant for licenced premises.

On receipt of any development consent, Burwood Council will update Listed Venue Trading Hours Table 7 to identify the trading hours of those premises in the Burwood SEP.

12-2 Existing premises

Existing premises in the SEP who are afforded additional trading hours provided by the SEPMP need to ensure that they can satisfy the relevant *Entertainment Sound requirements for Venues* under the SEPMP, where they carry out an entertainment activity and may emit entertainment sound (i.e. a venue).

Sound attenuation guidance is provided in the SEPMP to support venues in the SEP at Section 10-5.

An acoustic assessment may be sought by premises to confirm compliance, where seeking to operate with increased trading hours. This supports achievement of compliance with the sound criteria of the SEPMP, whilst enjoying the benefit of expanded trading.

Unlicensed premises who do not carry out an entertainment activity (i.e. a non-venue) may choose to increase their trading hours in accordance with the SEPMP without the need of an acoustic assessment, as these premises do not emit entertainment sound.

WORKING DRAFT

12 Planning Requirements

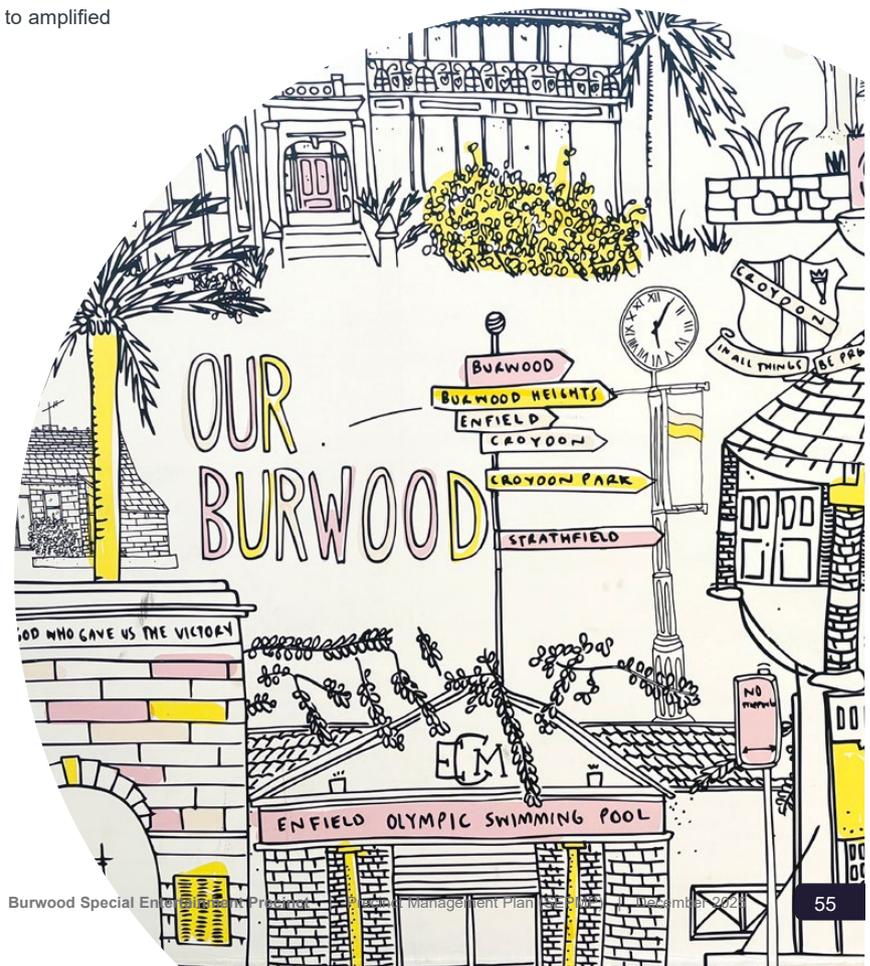
12-3 Temporary use of public areas - busking

Busking, or other similar performance in the public areas of the SEP, is encouraged to support vibrancy of the place.

Section 10-4 of the SEPMP outlines where busking may occur in the precinct.

Busking does not require a planning approval and can be permitted by Burwood Council through their busking policy and through a busking permit. Refer to the Council's footway activation policy [here](#) in seeking a permit for such activities.

Where busking is to be undertaken on the SEP locations, an acoustic assessment is not required as part of seeking a busking permit. However, this entertainment activity should refer to Section 10-5 which provides for sound attenuation guidance to how they may operate with respect to amplified music or musical instruments.



Burwood Special Entertainment Precinct Management Plan - Attachment 2 - December 2025

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WORKING DRAFT

13 Compliance Framework

Chapter 13 Compliance Framework

This section of the SEPMP details the compliance procedures for entertainment sound disturbances and trading hour breaches within the Burwood SEP.

The authorities' approach of resolving complaints will be to first undertake an educative response of reminding compliance with the entertainment sound requirements and trading hours of this SEPMP.

Premises may be removed from the SEP if they repeatedly demonstrate operation outside the SEPMP and do not show commitment to operate in accordance.



WORKING DRAFT

13 Compliance Framework

13-1 Summary of complaints handling

Table 8 below provides a summary of complaints handling for entertainment sound disturbances and breaches of trading hours within the Burwood SEP.

Table 8 Summary of complaints handling

Disturbance	Responsible agency to handle complaint	Contact
<p>Entertainment sound from venue - licensed premises, including:</p> <ul style="list-style-type: none"> • Amplified or live music • Other forms of entertainment, such as karaoke, trivia, bingo, comedy and raffles • Patron noise on or within the premises including noise from patrons entering and exiting, talking and singing to music • Patron behaviour when leaving a premises, including anti-social behaviour, yelling or swearing 	Liquor & Gaming NSW (L&GNSW)	Phone: 1300 024 720 Or online 'Contact Us Form' here
<p>Entertainment sound from venue - unlicensed premises, including:</p> <ul style="list-style-type: none"> • Amplified or live music • Other forms of entertainment, such as karaoke, trivia, bingo, comedy and raffles • Patron noise on or within the premises including noise from patrons entering and exiting, talking and singing to music • Patron behaviour when leaving a premises, including anti-social behaviour, yelling or swearing 	Burwood Council	02 9911 9911

WORKING DRAFT

13 Compliance Framework

13-1 Summary of complaints handling

Disturbance	Responsible agency to handle complaint	Contact
Entertainment sound from a public area - <ul style="list-style-type: none"> busking 	Burwood Council	02 9911 9911
Trading hours breaches in the SEP: <ul style="list-style-type: none"> Unlicensed premises Licensed premises Entertainment activity on public areas 	Burwood Council	02 9911 9911
Outside the SEP Compliance Framework – For Information Only		
Other noise disturbances from licensed and unlicensed premises: <ul style="list-style-type: none"> Waste disposal and collection Mechanical and industrial noise (ventilation, air condition, kitchen exhaust, refrigeration) Deliveries, including unloading and loading Patron capacity 	Burwood Council	02 9911 9911
Anti-social behaviour or similar, including - <ul style="list-style-type: none"> An act of violence, criminal activity, vandalism, use of a prohibited drug or property damage 	Burwood Police Area Command	131 444

WORKING DRAFT

13 Compliance Framework

13-2 Entertainment sound disturbances from Venues

The SEPMP covers entertainment sound disturbances related to licensed and unlicensed premises.

Sound disturbances from mechanical ventilation and plant, traffic noise, excessive amplified noise, or anti-social behaviour are to follow existing complaint channels.

13-2-1 Licensed premises

L&GNSW is the responsible agency for handling entertainment sound disturbances related to licensed premises. This includes entertainment sound disturbances emitting from within the licensed venue and the outdoor areas.

The [L&GNSW website](#) outlines procedures to lodge a sound complaint for consideration by L&GNSW. L&GNSW will handle complaints in accordance with Part 5 of the Liquor Act 2007.

Burwood Council **will not** handle sound disturbances for licensed venues, and any complaints received will be provided to L&GNSW. L&GNSW may however engage with Burwood Council as part of considering the venue complaint.

It is encouraged prior to lodging a sound complaint with L&GNSW that the premises is contacted directly by the complainant. This is to try and first resolve the issue directly. Commonly the premises may not be aware of the sound disturbance, and contacting the venue manager or licensee may resolve it efficiently, without the need for action by L&GNSW officers. Where this first-line approach does not resolve the sound complaint, and sound disturbances do continue from premises to the receiver, it is appropriate that a sound complaint can be made to L&GNSW to further investigate the disturbance.

On receipt of a sound complaint by L&GNSW, it will be assessed on a risk-based approach. This approach will be based on factors such as:

- Attempt/s to resolve the complaint directly with the venue manager or licensee;

- The context of the complaint, including type, frequency, seriousness, and the timing of the alleged disturbance;
- Degree of evidence provided by the complainant, or the premises has history of compliance issues;
- Whether the venue has any existing noise-related conditions on its liquor licence;
- Whether the sound disturbance complaint is reasonable in the context of the premises in question;
- Whether the complaint aligns to L&GNSW regulatory priorities.

L&GNSW can then determine an appropriate response to the sound disturbance. Actions L&GNSW may undertake include:

- Encouraging the complainant and the venue manager or licensee to resolve the issues further;
- Provide for mediation between the complainant and the licensee, guided by L&GNSW inspectors;
- Remedially engaging with the venue to provide education and support (educative response). This gives the premises an opportunity to put proactive measures in place and may result in a timely resolution;
- Recording the complaint and taking no further action. L&GNSW may use these recorded complaints for compliance activities;
- Referring the complaint to another agency such as Burwood Police Command or Burwood Council where not related to L&GNSW;
- Allocating the complaint to a L&GNSW inspector for further investigation.

L&GNSW will need to be satisfied that the premises has exceeded the *Entertainment Sound Requirements for Venues* at **Section B** of the SEPMP. This may require further information to substantiate the complaint, including conducting sound investigations to confirm the disturbance.

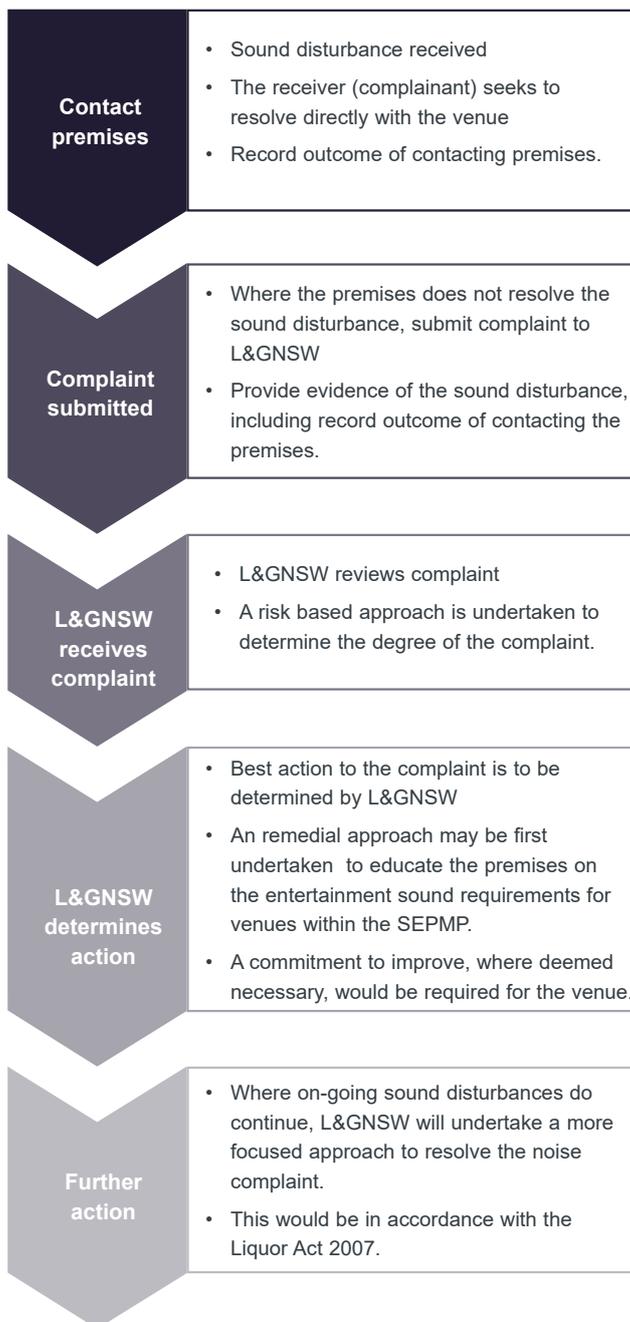
WORKING DRAFT

13 Compliance Framework

13-2 Entertainment sound disturbances from Venues

If premises are found to be exceeding the sound criteria of the SEPMP, and causing unreasonable disturbances, an educative approach may be first undertaken. L&GNSW may remind the venue of the entertainment sound requirements under the SEPMP and provide a time commitment for them to resolve the non-compliance.

If further or on-going sound complaints are received, and these are causing unreasonable disturbances, then more focused guidance to resolve the noise complaint would be considered by L&GNSW. This would be in accordance with the Part 5 of the Liquor Act 2007.



WORKING DRAFT

13 Compliance Framework

13-2 Entertainment sound disturbances from Venues

13-2-2 Unlicensed premises

Burwood Council is the responsible authority for handling entertainment sound disturbances for unlicensed premises. This includes entertainment sound disturbances emitting from within the unlicensed premises, as well the outdoor areas that may relate to the premises.

It is encouraged prior to lodging a sound complaint with Burwood Council that the venue is contacted directly by the complainant, to try and resolve the issue directly. The premises may not be aware of the sound disturbance, and contacting the premises manager may resolve it without the need for action by Burwood Council.

Burwood Council can be contacted directly regarding a sound complaint via phone on 9911 9911. Alternatively, a sound complaint can be reported online via the Burwood Council website [here](#). Note: the 'General Feedback' option needs to be selected in the drop-down menu.

Once the complaint is received, Burwood Council will decide if there is enough information on the nature of the complaint. If not, the complainant will be contacted for further information.

Council will also contact the venue for a response.

Burwood Council will need to be satisfied that the unlicensed premises have exceeded the relevant *Entertainment Sound Requirements for Venues* at **Section B** of the SEPMP. This may require further information to substantiate the complaint, including conducting investigations.

If the premises are found to be operating in accordance with the sound criteria of the SEPMP, then the complainant and the premises will be provided with feedback.

If the premises are however exceeding the sound criteria, Burwood Council may initially undertake an educative approach to remind the non-venue about complying with the entertainment sound requirements under the SEPMP. Council will also seek as part of this process a commitment from the premises to ensure sound disturbances are lessened in the future.

If further sound disturbances occur, Burwood Council may decide mediation is required between the complainant and the premises. The complainant, the premises manager and Council staff will be present at a mediation.

If ongoing sound disturbances continue to occur, Burwood Council will consider further approaches to resolution.

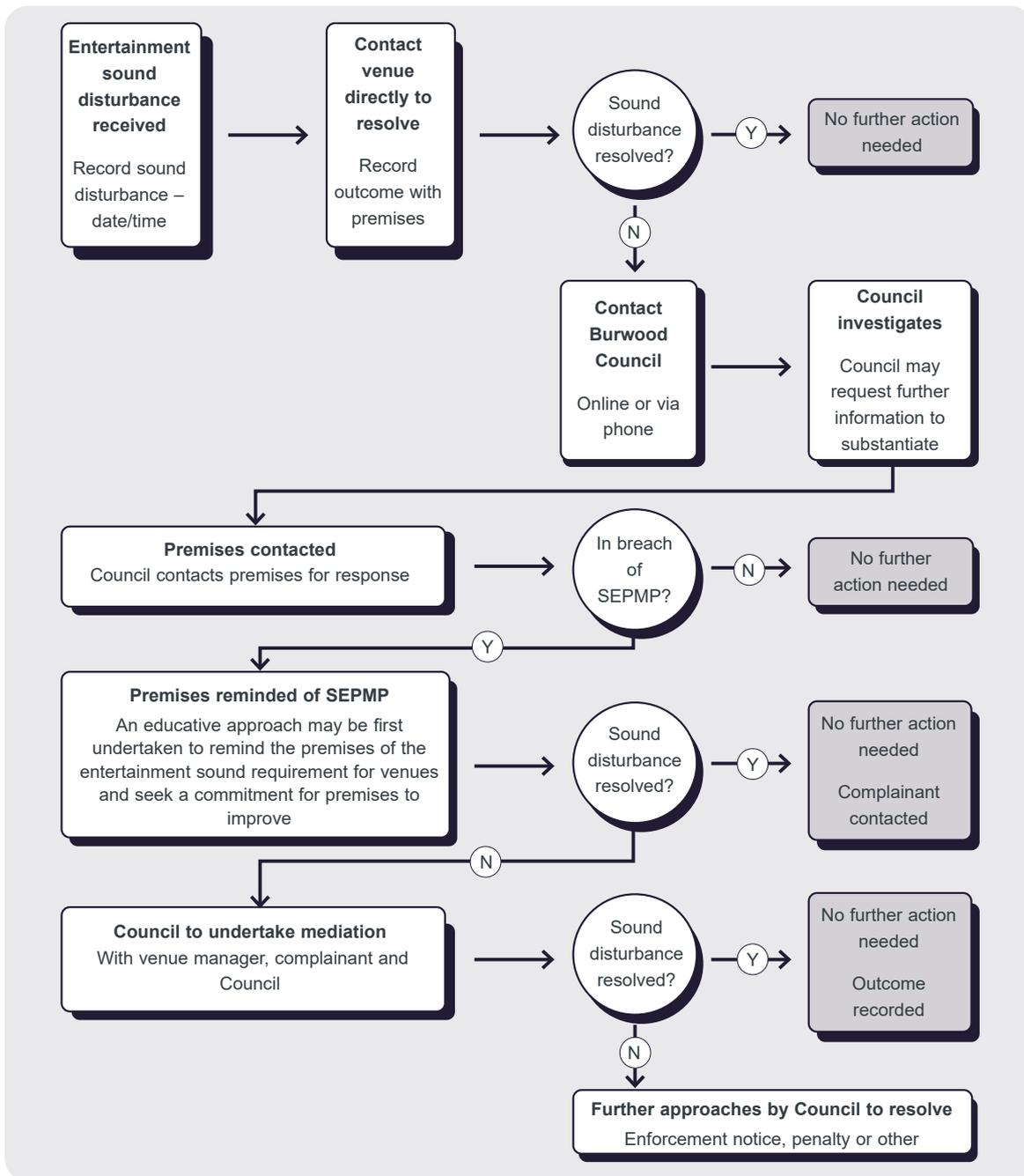
Council has enforcement powers under the *Protection of the Environment Operations 1997* where the noise is in exceedance of the entertainment sound requirements of the SEPMP.

WORKING DRAFT

13 Compliance Framework

13-2 Entertainment sound disturbances from Venues

Figure 11 Entertainment sound disturbances process overview



WORKING DRAFT

13 Compliance Framework

13-3 Entertainment sound disturbance from public areas

Entertainment sound disturbances from an entertainment activity on a public area of the SEP, such as busking, should be directed to Burwood Council. Council can be contacted directly regarding the complaint and via phone on 9911 9911.

Alternatively, it can be reported online through the online form via the Burwood Council website [here](#). Note: the 'General Feedback' option needs to be selected in the drop-down menu.

Burwood Council will investigate the sound disturbance on receipt.

Noting the temporary nature of these activities on public areas, Council would mostly seek to undertake an educative approach to address the issue.

If required, a more focused approach can be determined if on-going complaints continue, including reviewing approvals/permits to operate the entertainment activity in a public area.

13-4 Role of the Burwood Police Area Command

At times when Council and L&GNSW are not available and immediate attention is required to a sound disturbance it may need to be made directly to the Burwood Police Area Command by phoning them on 9745 8499.

Police will attend to a sound complaint as soon as possible.

The Police will attempt to resolve issues directly with the venue and will contact the complainant to relay the premises response.

The Burwood Police Command will also relay entertainment sound complaints for licensed premises to L&GNSW and for unlicensed premises to Burwood Council, within the SEP. Complaints regarding an entertainment activity on public areas of the Burwood SEP would also be relayed to Burwood Council.

For licensed premises, if the sound complaint does require immediate action based on investigation, the NSW Police may issue an Improvement Notice under the Liquor Act 2007.

Police are granted powers under the *Protection of the Environment Operations Act 1997* to conduct offensive noise assessments. This would be applied where the sound disturbance is considered not in accordance with the entertainment sound requirements of the SEPMP.

WORKING DRAFT

13 Compliance Framework

13-5 Trading hours disturbances

Burwood Council will remain the authority to investigate trading hours disturbances for all licensed premises and unlicensed premises within the Burwood SEP. This includes whether they are a venue or a non-venue.

Burwood Council would also investigate an entertainment activity on public areas of the SEP which are operating outside trading/operating hours.

Where not observed first-hand by Council Rangers, Burwood Council can be contacted directly regarding reporting of a trading hours breach, via phone on 9911 9911.

Alternatively, it can be reported online through the online form via the Burwood Council website [here](#). Note: the 'General Feedback' option needs to be selected in the drop-down menu.

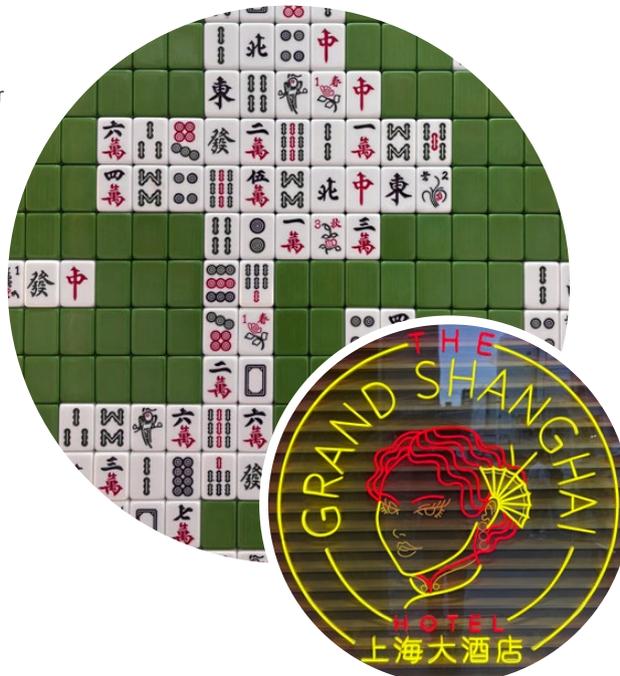
Burwood Council may need to substantiate that the premises/activity is not operating in accordance with the trading hours requirements provide at **Section B** of the SEPMP. This includes for premises who are listed venues in the SEPMP, who are allowed to operate in accordance with the trading hours of their development consent.

An investigative process may be required to determine a breach.

Burwood Council will also contact the premises/operator regarding a trading hours disturbance and determine the best approach for resolution, to achieve compliance with the SEPMP.

A first response approach by Burwood Council would be to educate premises/operator to operate in accordance with the trading hours requirements of the SEPMP.

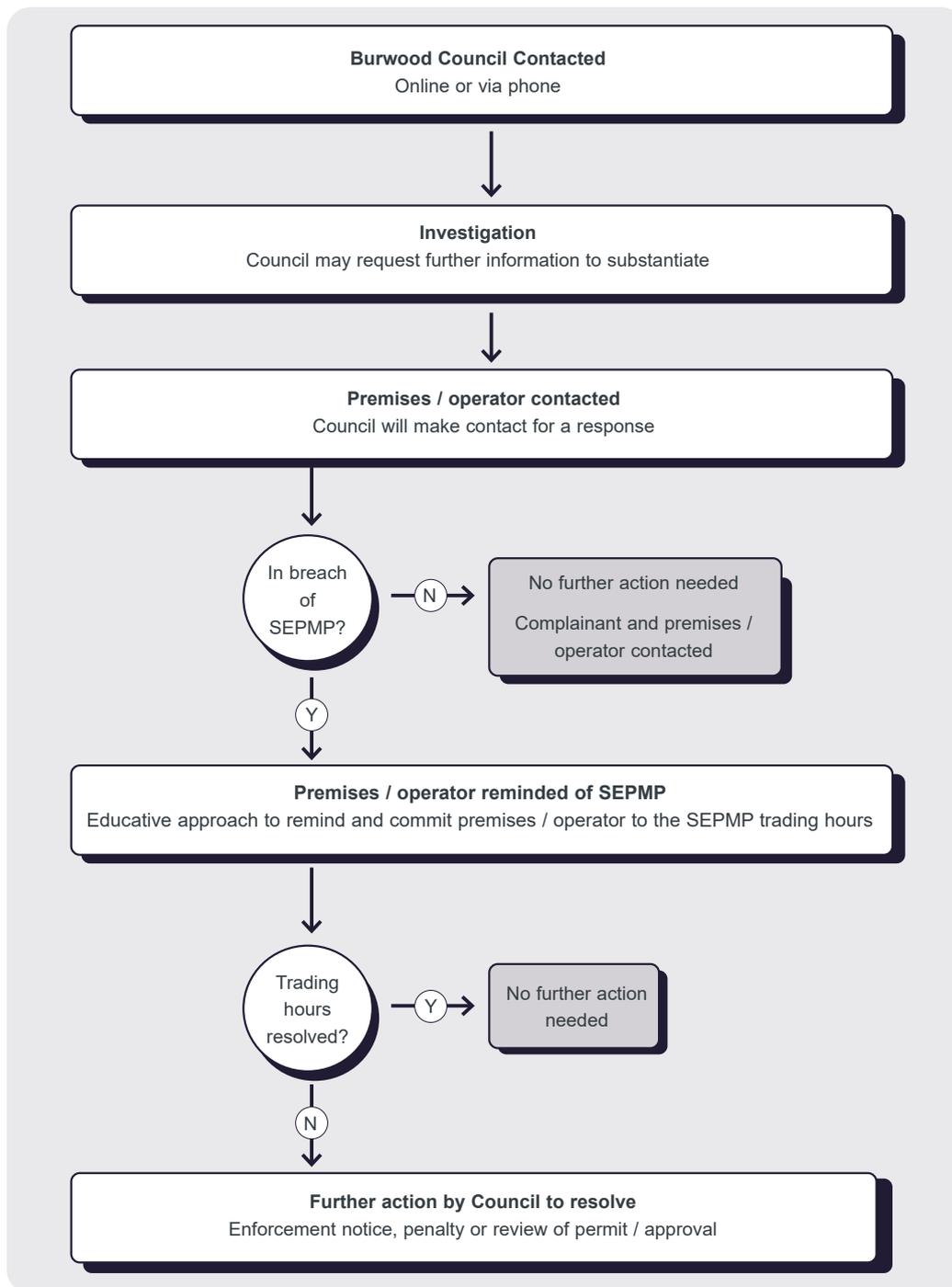
Where on-going breaches occur, Burwood Council may undertake a more focused approach, including working directly with the premises/operator to regularise the inconsistency.



WORKING DRAFT

13 Compliance Framework

Figure 12 Trading hours disturbances process overview



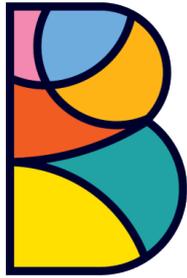


2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805

phone: 9911 9911

email: council@burwood.nsw.gov.au

website: www.burwood.nsw.gov.au



Burwood ^{Inc.1874}

Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

BURWOOD DEVELOPMENT CONTROL PLAN

PO Box 240, BURWOOD NSW 1805
2 Conder Street, BURWOOD NSW 2134
Phone: 9911-9911 Fax: 9911-9900
Email: council@burwood.nsw.gov.au
Website: www.burwood.nsw.gov.au

DRAFT AMENDMENTS

SPECIAL ENTERTAINMENT PRECINCT (SEP) DCP 02/12/25

5.12 Special Entertainment Precincts (SEP)

Aims

- O1** To support a vibrant and safe place through the day and at night.
- O2** To encourage and support live music, entertainment and other cultural activities in the Precinct.
- O3** To maintain neighbourhood and residential amenity and support it as a desirable place to live.

The provisions of this Part of the DCP apply to various types of development within the SEP.

Provisions

P1 Section 5.12 Special Entertainment Precincts applies to land identified in Figure 1 below:



Figure 1: Burwood SEP Boundary Map

P2 This part of the DCP should be read in conjunction with the following:

- Burwood SEP Precinct Management Plan (SEPMP)
- Clause 6.9 of Burwood LEP 2012 and
- The Special Entertainment Precinct Map in BLEP 2012

P3 The acoustic provisions in this Part of the DCP also apply to ‘sensitive receivers’ within the SEP and immediate surrounds that may be sensitive to sound from entertainment activity, such as residential accommodation, tourist and visitor accommodation, place of public worship, hospital, medical centre, respite day care centre and educational establishment or centre-based child-care facility.

Within the SEP, these controls take precedence over any other acoustic provisions within the DCP.

For sound emitting (venue) proposals within the SEP, operating hours apply as outlined in Section 5.12.6 Trading Hours.

5.12.1 Definitions

Entertainment sound – The sound emitted when carrying out an entertainment activity, from licensed and unlicensed premises. This includes live or recorded music, entertainment and/or performances (both indoor and outdoor areas), sound associated with patron ingress and egress, the sale and supply of liquor, provisions of food and dining services, staff or patron conversing and singing, set up, pack down, rehearsals and sound checks. It does not include sound associated with other activities such as equipment, servicing, construction, waste disposal and collection or mechanical ventilation.

Internal Sound Criteria – Internal sound level to be achieved through receiver building envelope noise attenuation of the external Sound Category cumulative level.

Non-venue – Unlicensed premises that do not carry out an entertainment activity and therefore do not emit entertainment sound. For example, shops and businesses.

Sensitive receiver – Means development comprising residential accommodation, tourist and visitor accommodation, place of public worship, hospital, medical centre, respite day care centre and educational establishment or centre-based child-care facility and the like.

Venue – Licensed premises or unlicensed premises who carry out an entertainment activity and may emit Entertainment Sound.

5.12.2 Sound Category Areas and Applicable Sound Levels

Objectives

- O1** To define the maximum permissible exposure to entertainment venue noise for properties located within a Sound Category Area.
- O2** To future proof new sensitive receivers and venues within and around Special Entertainment Precincts with appropriate noise mitigation measures to support their co-existence.
- O3** To prevent exceedances of noise targets as a result of the cumulative operation of multiple sites.

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Figure 2: Burwood Sound Category Areas Map

Continues on next page

Controls

C1 Entertainment Sound from Venues within the SEP must not exceed the Venue Sound Criteria, equivalent to the Sound Category Area Levels specified in Table 1 by reference to Figure 2.

The Sound Category Area Levels apply at:

- a) *Ground level* – 1.5 metres above ground level at the site boundary or façade /balcony line, and
- b) *All other levels* – at 1.5 metres above floor level at the façade/balcony line.

SCA	Day of the Week*	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
SCA3	Weekday	65	69	68	66	60	64	63	61	45	49	45	41
	Weekend	65	69	68	66	60	64	63	61	45	49	45	41
SCA4	Weekday	60	64	63	61	55	59	58	56	45	49	45	41
	Weekend	60	64	63	61	60	64	63	61	45	49	45	41
SCA5	Weekday	55	59	58	56	50	54	50	46	45	49	45	41
	Weekend	55	59	58	56	55	59	58	56	45	49	45	41
SCA6	Weekday	55	59	58	56	45	49	45	41	45	49	45	41
	Weekend	55	59	58	56	50	54	50	46	45	49	45	41

*Weekday - Sunday 10pm to Thursday (10pm)
 **Weekend - Thursday (10pm) to Sunday 10pm

Table 1 External entertainment sound levels – cumulative, $L_{eq}(15min)$

C2 For any new noise source, where existing or potential future venues in the vicinity may also generate entertainment noise, the proposed development must comply with a noise limit that is 3 dB below the levels specified in Table 1.

- a) Where a proponent can demonstrate that cumulative noise from nearby existing or future sites is highly unlikely, Council may permit the full noise limit in Table 1 to be applied to the site (without the 3 dB adjustment).

5.12.3 Acoustic requirements for adjacent sensitive receivers

Objectives

- O1** To ensure that any new or modified sensitive receivers are constructed appropriately to mitigate any potential venue noise incidents.
- O2** To address noise transmission through common walls and floors.

Controls

C1 Entertainment sound from a new or modified venue with an adjacent sensitive receiver is required to comply with the Sensitive Receiver Internal Sound Criteria specified in Table 2 to address noise transfer via the common interface (wall, ceiling or floor).

This is measured at the most potentially affected location (no less than 1 metre) from the common interface.

C2 A noise impact assessment prepared by a suitably qualified acoustic consultant should be submitted with any development application within a Sound Category area, demonstrating that the proposal is able to comply with the internal sound levels identified in Table 2.

Receiver	Period	All days			
		Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125
Residential – Sleeping Areas	Day / evening (7am-10pm)	30	54	47	41
	Night (10pm-7am)	25	49	42	36
Residential – Habitable Areas	Day / evening (7am-10pm)	30	54	47	41
	Night (10pm-7am)	30	54	47	41
Tourist Accommodation – Sleeping Area	Day / evening (7am-10pm)	33	57	50	44
	Night (10pm-7am)	28	52	45	39
Information and Education facilities	All times	30	54	47	41
Place of Public Worship	All times	33	57	50	44
Health Services facility	Day / evening (7am-10pm)	35	59	52	46
	Night (wards only) (10pm-7am)	30	54	47	41

Table 2 Sensitive Receiver Internal Sound Criteria

C3 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.

C4 Noise impact from other sources, such as road, rail and mechanical plant/ equipment must be assessed separately in accordance with relevant Standards and policies.

5.12.4 Mixed-use developments

Objectives

O1 To future-proof commercial tenancies in new mixed-use developments so they can be readily adapted for entertainment uses and maintain appropriate acoustic protection for sensitive receivers.

Controls

- C1** For any mixed-use development application containing a sensitive receiver within the SEP, a noise impact assessment must be submitted that demonstrates that the non-residential floor space could be adapted as an entertainment venue and still meet the sensitive receiver internal noise criteria identified in Table 2.
 - a. Attenuation measures required to future-proof the tenancy as a potential entertainment venue must be incorporated into the building’s design at the initial construction stage.

5.12.5 Internal Noise Limits for Future Residences in the SEP

Objectives

- O1** To establish requirements for façade construction for new residential development located within the SEP which may be impacted by existing and future SEP noise.
- O2** To ensure residential amenity, particularly in habitable and sleeping areas, is protected from adverse entertainment sound noise impacts.

Controls

- C1** Any new or modified residential premises located in the SEP are required to comply with the Internal Sound Criteria specified in Table 3. This will require the building shell to achieve appropriate sound-insulation performance so that entertainment noise does not result in excessive internal noise levels within residences.

To achieve the appropriate internal sound levels, new residential development would indicatively need to install:

- 10.38mm-12.38mm laminated glass in living areas and
- 12.5mm laminated hush glass in sleeping areas.

Receiver	Period	Weekdays (Sun 10pm – Thursday 10pm)				Weekends (Thursday 10pm – Sun 10pm)			
		Overall dB(A)	Octave band Hz (dBZ)			Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125		31.5	63	125
Residential Habitable Areas	Day / evening	35	59	52	46	35	59	52	46
	Early night	35	59	52	46	35	59	52	46
	Late night	35	59	52	46	35	59	52	46
Residential Sleeping Areas	Day / evening	35	59	52	46	35	59	52	46
	Early Night (weekends)	35	59	52	46	35	59	52	46
	Early night (week days)	30	54	47	41	35	59	52	46
	Late night	30	54	47	41	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
 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, foyer, garages, storages sheds and other spaces that are neither occupied frequently nor for extended periods of time.

Table 3 Internal sound criteria for residential development – cumulative entertainment noise level, Leq(15min)

- C2** A noise impact assessment prepared by a suitably qualified acoustic consultant should be submitted with any development application within a Sound Category area, demonstrating that the proposal is able to comply with the internal sound levels identified in Table 3.

5.12.6 Trading Hours

Objectives

- O1** To support the acoustic amenity of the precinct by managing non-acoustic factors, including antisocial behavior and crime risks, that can contribute to noise and disturbance.

Controls

- C1** The trading hours of a 'Venue' or 'Non-Venue' within the SEP may not exceed the Maximum Trading Hours as provided in Table 4.

Premises Category	Maximum Trading Hours
Venue	Indoor: 7.00am to 2.00am Outdoor: 7.00am to 2.00am
Non-Venue	Indoor: 7.00am - 2.00am

Also refer to the SEPMP for additional Sound attenuation guidance for indoor and outdoor trading in precinct areas within the SEP.

Table 4 Venue and Non-Venue Trading Hours for the Burwood SEP

- C2** An exception to the maximum trading hours identified in Table 4 is provided to only those premises in the Listed Venues as set out in Table 5. These premises may trade in accordance with the trading hours of their development consent.

Listed Venue	Trading Hours
Burwood Hotel: 121 Burwood Road, Burwood	In accordance with the relevant development consent applying to the land.

Table 5 Listed Venue Trading hours

5.12.7 Plan of Management

Objectives

- O1** Ensure that potential impacts arising from the operation of the premises are identified, considered, and appropriately addressed during the assessment of an application.
- O2** Provide certainty for the consent authority, operators, and the local community regarding the ongoing management practices that will be implemented to manage the proposed noise impacts on the neighbourhood.

DRAFT

Controls

- C1** A Plan of Management must be submitted with development applications within the SEP to ensure that the proposed premises operates in a manner that maintains a high level of amenity. The Plan of Management may be incorporated as a condition of development consent.
- C2** The Plan of Management shall address the following at a minimum:
- (a) Where live entertainment and amplified sound may occur;
 - (b) Measures to manage patrons leaving premises;
 - (c) Processes to manage complaints related to noise (for example a complaints register);
 - (d) Details of noise attenuation measures,
 - (e) Any noise limiting devices, including their operation.



Acoustics
Vibration
Structural Dynamics

BURWOOD SPECIAL ENTERTAINMENT PRECINCT

Acoustic Advice for Precinct Management Plan

8 December 2025

Burwood Council

TP519-01F01 Burwood SEP Acoustic Advice (r2)



Sydney Melbourne Brisbane Gold Coast Canberra Kuwait Singapore
Renzo Tonin & Associates ABN 29 117 462 861
Level 1/418A Elizabeth St SURRY HILLS NSW 2010 | PO Box 877 STRAWBERRY HILLS NSW 2012
P (02) 8218 0500 F (02) 8218 0501 sydney@renzotonin.com.au www.renzotonin.com.au



2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805
phone: 9911 9911
email: council@burwood.nsw.gov.au
website: www.burwood.nsw.gov.au

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1 Introduction

Renzo Tonin & Associates was engaged to undertake an acoustic study of the proposed Burwood Special Entertainment Precincts.

The proposed Entertainment Precinct already has a significant level of retail/food and beverage activation, particularly in Chinatown, Burwood Hotel and the podium of the Emerald Square development.

The intention of this report is to provide acoustic advice with respect to setting noise emission limits suitable for the use of the precinct as a Special Entertainment Precinct, taking into account:

- Anticipated future development (Burwood Plaza, Burwood Plaza).
- Continued establishment of food and beverage premises on the western ends of Unity Place, Railway Parade and Belmore Street.
- Maintaining the currently high activated areas of the precinct on Burwood Road, Chinatown and Emerald Square

while maintaining a reasonable balance of noise controls to both facilitate development of venues that will contribute to the vibrancy of the precinct while providing reasonable protection to existing and future residential/noise sensitive development.

This acoustic study involves:

- Quantifying the existing and likely future acoustic environment in the precinct for the purpose of determining noise planning controls that will support entertainment uses in precinct while balancing the amenity of existing and future sensitive receivers (primarily residents).
- Examine existing noise planning controls and their suitability for application to the proposed SEPs.
- Examine alternative acoustic planning controls that can be applied to the SEP.
- Examine the noise controls and their likely impact, specifically:
 - How do the proposed noise limits compare against commonly adopted acoustic requirements, and against the guidance in *NSW Special Entertainment Precinct Acoustic Toolkit* (by Office of the 24 hour Economy Commissioner).
 - Identify what activities the noise controls will permit/prohibit. The purpose of this is to demonstrate how the planning controls will help to facilitate creation of a vibrant precinct, and to examine the degree of impact on residents.

In addition, this report will address:

- Acoustic criteria for noise through common walls between entertainment venues and adjacent development.
- Noise controls to regulate development/acoustic performance goals for new residential development constructed within the Special Entertainment Precinct.

Special events in public realm – The noise limits identified in this report are not intended to be applied for special events in the public realm. Events in the public realm involve amplified music or similar are likely to result in exceedance of the noise goals identified in this report. Events such as these would typically be subject to specific approval by Council, and are not intended to be subject to the noise limits proposed in this report.

1.1 Background information

Typically adopted noise planning controls (eg NSW Office of Liquor and Gaming) set noise emission limits for entertainment/licenced venues based on the *existing* ambient noise level (a “background+5dB” type assessment). This approach will typically permit development that can be demonstrated to maintain the existing noise environment. It is a reasonable planning control if the intent is to maintain the existing character of the precinct.

However, this approach is less useful for sites where it is intended to *change* the existing acoustic environment. Planning controls focussed on maintaining existing conditions will hinder a greater level of activation of the precinct, rather than facilitate it.

Planning controls that take into account the anticipated *future* acoustic environment are more appropriate to regulate noise emission limits where the intent is to change the current level of activation/vibrancy. This can be done in a number of ways:

- Estimating future ambient conditions within the precinct, as opposed to using existing conditions when setting noise emission goals.
- A relaxation of a “Background+5dB(A)” noise target to some other goal.
- Setting fixed criteria (ie – fixed noise goals regardless of the ambient noise conditions). These noise goals are typically determined based on surrounding land use and desired future character of the site.

Each of these approaches have been considered in developing acoustic criteria for the SEPs.

The work documented in this report was carried out in accordance with the Renzo Tonin & Associates Quality Assurance System, which is based on Australian Standard / NZS ISO 9001.

See Appendix A for glossary of typical acoustic terms.

2 Site Description / Proposed Precinct

The proposed Burwood Special Entertainment Precinct is identified in Figure 1, below.

2.1 Existing Conditions

The proposed Special Entertainment Precinct lies centrally within the Burwood Central Business District, south of Burwood Station.

The site is bounded by:

- Railway Parade to the North.
- Condor Street to the west.
- Belmore Street to the South
- Burwood Road to the East.

There are two additional areas on the northern-eastern corner of the Precinct being:

- Railway Square, intended to be a potential site for busking, located between Burwood Hotel and the Rail line.
- Ford Place, and existing two storey building that will potentially be used as an event space.

The precinct already has a moderate/high level of retail/food and beverage activation, in particular:

- Burwood Chinatown, both the internal arcade area (between Burwood Road and Clarendon Place) as well as an external area (Clarendon Place, adjacent to Burwood Plaza) and a Level 1 terrace.
- Burwood Hotel, immediately adjacent to Chinatown to the north, both ground plane and level 1.
- Emerald Square, including the Belmore Street frontage, internal arcade off Belmore Street into Chinatown and the Level 3 Cityheroes entertainment facility.

Existing larger entertainment venues in the precinct include:

- Burwood Hotel
- Grand Shanghai Hotel
- Burwood China Town
- CityHeroes Pool Hall, located within the podium of Emerald Square.

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Development adjacent to the precinct consists of:

- Railway Parade to the north. Further to the north is high density residential apartment development, and the rail line further to the north.
- Condor Street to the west. Further to the west lies Burwood Public School and medium density residential apartment development.
- Belmore Street to the south. Further to the south consists primarily of medium density residential development, and also the Chinese Presbyterian Church and Burwood Presbyterian Church.
- Burwood Road to the east. Further to the east is primarily commercial/retail food and beverage with some shop top housing.

For the Railway Square and Ford Place sites:

- With respect to Railway Place, there is residential development to the west (51 Railway Parade) and the rail line to the north.
- With respect to Ford Place, this space is generally bounded by commercial development, however there is potentially shop top housing in the vicinity also.

The precinct already has a moderate to high level of retail/food and beverage and entertainment activation:

- The Burwood Road frontage has a high density of retail food and beverage, although limited in shop front dining.
- Burwood Chinatown has a high level of retail food and beverage, both internally and in the outdoor area on Clarendon Place (adjacent to Burwood Plaza).
- Burwood Hotel, Grand Shanghai Hotel pubs.
- Emerald Square/Burwood Grand - Ground plane usage includes retail food and beverage (internally, Belmore Street and Unity Place frontages) and the City Heroes Snooker/pool/entertainment venue.

See precinct plan below.

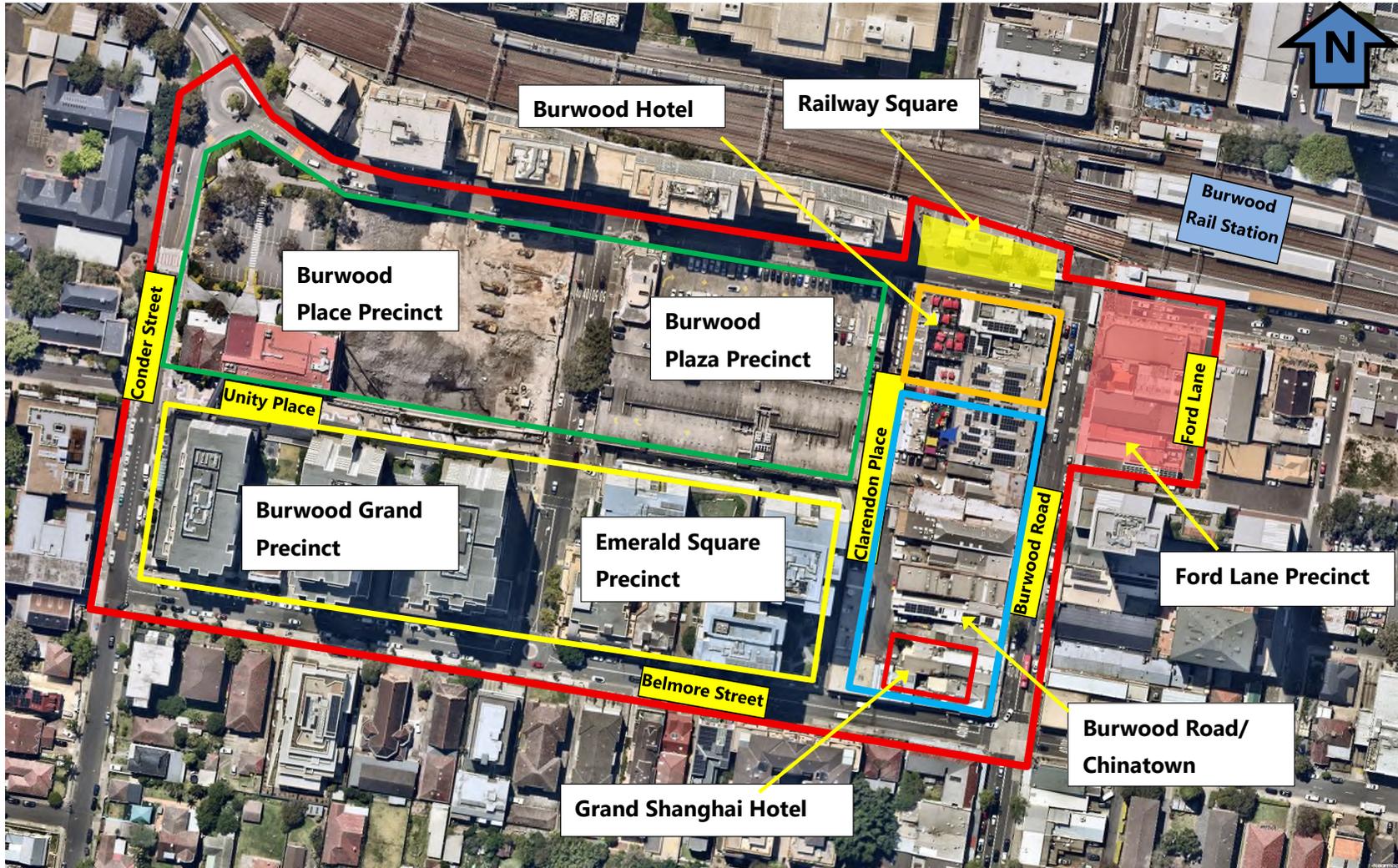


Figure 1: Special Entertainment Precinct Boundary

2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805
phone: 9911 9911
email: council@burwood.nsw.gov.au
website: www.burwood.nsw.gov.au

2.2 Future Conditions

We note that while there is a moderate/high level of retail food and beverage activation within the Precinct, there are a number of sites within the precinct where significant further development is anticipated:

- The Burwood Place site is under construction, and will consist of a new retail/commercial podium with residential towers above.
- The Burwood Plaza site is presently a shopping centre with roof top parking. It is proposed to be redeveloped with a new retail/commercial podium with residential towers above.
- The Burwood Hotel site is anticipated to incorporate a residential tower in the future.
- The Ford Place site will potentially be developed to permit a performance space.

3 Approach

3.1 External Noise Emissions

The approach adopted in the development and justification of the proposed SEP noise emission criteria is detailed below:

- Extensive noise surveys of existing conditions in the proposed Burwood SEP were conducted. This involved:
 - A combination of long term noise logging and attended noise measurements were conducted. In addition, we reviewed additional noise data provided to Council as part of a development application within the precinct (Burwood Place development).
 - Identification of whether ambient noise levels in a given precinct are representative of a highly activated or poorly activated precinct, and what type of development can be accommodated based on existing noise levels and current NSW Liquor and Gaming acoustic controls.
 - By examining the ambient noise levels and the fixed noise emission limits, this also enables us to determine how the site has departed from a "Background+5dB" type control, and helps to provide a frame of reference for comparison against other noise planning controls.
- Establish fixed noise criteria and noise catchment areas for each SEP that balance the needs of businesses and residents for different times of the day / days of the week. These criteria were developed taking into account guidance from the *NSW Special Entertainment Precinct Acoustic Toolkit* which provides guidance to Councils when setting noise emission targets.
- Evaluate the proposed new acoustic criteria/sound catchment areas.
 - An examination of what activities the proposed new acoustic controls will facilitate or prohibit will also be presented in order to evaluate if the proposed noise controls can achieve the intended purpose of facilitating entertainment venue development while providing reasonable amenity to existing and future residents.
 - The proposed noise limits will be examined with reference to anticipated future ambient noise levels to determine if the new noise goals are effectively a "Background+5, Background+10 or other requirement. This will help provide context for the proposed criteria and comparison against other noise controls (eg – NSW Liquor and Gaming, City of Sydney, Victoria, Queensland).

4 Existing Conditions / Ambient Noise Surveys

Detailed noise surveys were conducted in order to quantify the existing noise environment

A combination of long term noise loggers and short term noise measurements were used.

The equipment used for noise measurements (long term logging and attended measurements) was an NTi Audio Type XL2 precision sound level analyser which is a class 1 instrument having accuracy suitable for field and laboratory use. The instrument was calibrated prior and subsequent to measurements using a Bruel & Kjaer Type 4231 calibrator. No significant drift in calibration was observed. All instrumentation complies with IEC 61672 (parts 1-3) 'Electroacoustics - Sound Level Meters' and IEC 60942 'Electroacoustics - Sound calibrators' and with Australian Standard 1259.2-1990 "Acoustics - Sound Level Meters" and is designated as Type 1 instruments suitable for field use. The equipment carries current NATA certification (or if less than 2 years old, manufacturers certification).

The noise survey consisted of measurement made by this office. In addition, we have reviewed noise logging results from site surveys for other development within the precinct (specifically the Burwood Place/Burwood Plaza development) with that data being used to supplement/demonstrate consistency with the noise surveys conducted by this office - *Application for Burwood Place (46-60 Railway Parade, Burwood)* report number RWDI #2004544 dated June 17, 2022

Logger noise measurement procedure is detailed in Appendix B.

Measurement locations are detailed below.

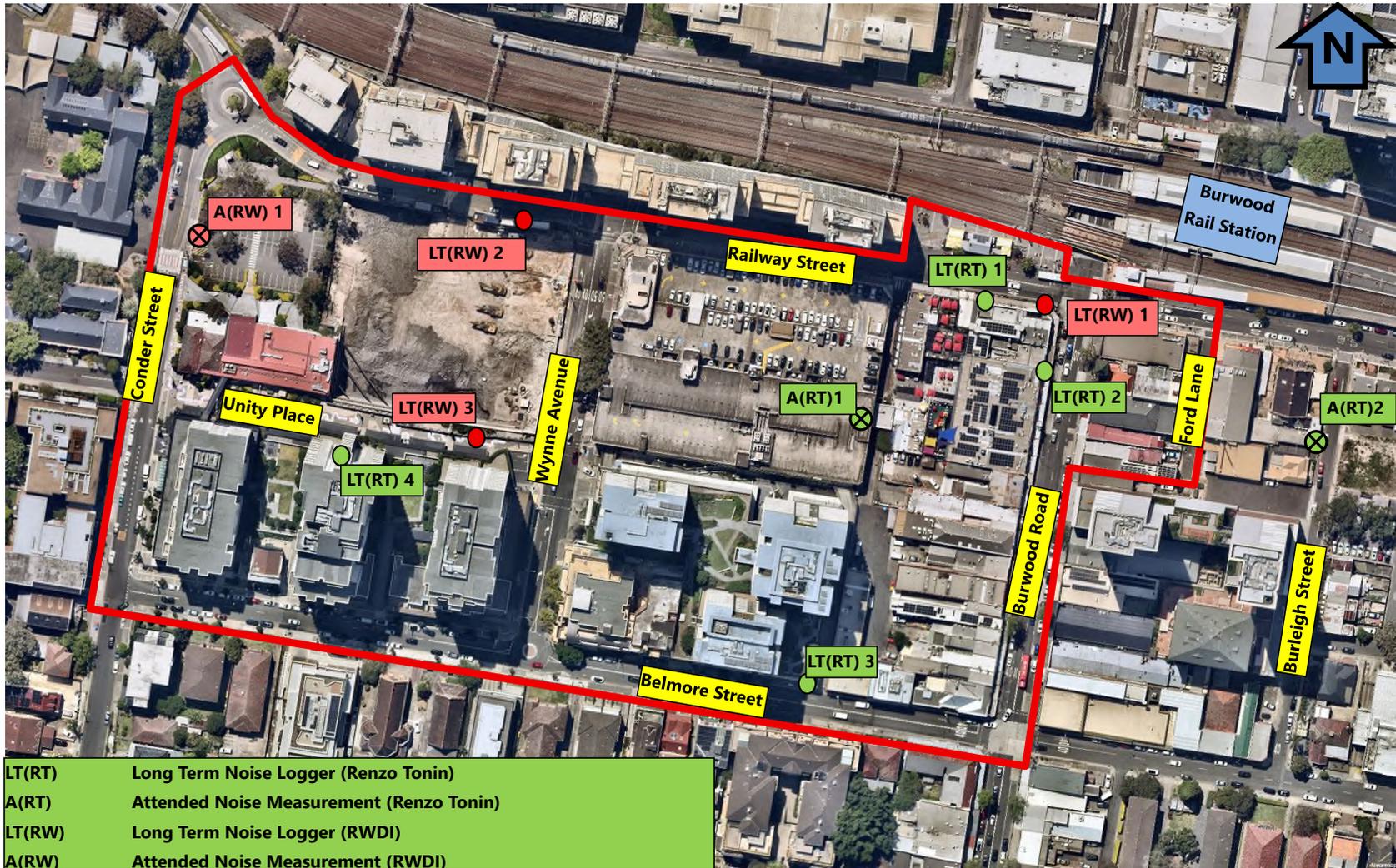


Figure 2: Noise Survey Locations

2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805
 phone: 9911 9911
 email: council@burwood.nsw.gov.au
 website: www.burwood.nsw.gov.au

4.1 Existing Conditions (Renzo Tonin Noisy Survey)

Long-term noise monitoring were conducted on site between 4/11/2025 and 14/11/2025. The noise monitoring locations are shown in Fure 2, and a summary of the ambient and background noise levels are presented below.

Table 1: Long-term noise monitoring locations

Noise Monitor	Monitor Location
LT(RT) 1	Awning on Level 1 of Burwood Hotel facing Railway Parade
LT(RT) 2	Awning on Level 1 of the Burwood Hotel facing Burwood Road
LT(RT) 3	Podium level at 29-31 Belmore Street facing Belmore Road
LT(RT) 4	Balcony on Level 2 Conder Street, Burwood facing Unity Place

Results are presented below:

Table 2: Ambient Background Noise Survey Summary (Burwood SEP)

Location	Time of Day	Background Noise Level – dB(A) _{L90}
Location LT(RT) 1 (Railway Parade)	Day (7am-6pm)	59dB(A)
	Evening (6pm-10pm)	60dB(A)
	Night (10pm-7am)	50dB(A)
	Early Night (10pm-12am)	54dB(A)
	Late Night (12am-2am)	50dB(A)
Location LT(RT) 2 (Burwood Road)	Day (7am-6pm)	62dB(A)
	Evening (6pm-10pm)	64dB(A)
	Night (10pm-7am)	50dB(A)
	Early Night (10pm-12am)	56dB(A)
	Late Night (12am-2am)	51dB(A)
Location LT(RT) 3 (Belmore Street)	Day (7am-6pm)	54dB(A)
	Evening (6pm-10pm)	55dB(A)
	Night (10pm-7am)	50dB(A)
	Early Night (10pm-12am)	52dB(A)
	Late Night (12am-2am)	50dB(A)
Location LT(RT) 4 (Unity Place)	Day (7am-6pm)	54dB(A)
	Evening (6pm-10pm)	51dB(A)
	Night (10pm-7am)	46dB(A)
	Early Night (10pm-12am)	47dB(A)
	Late Night (12am-2am)	46dB(A)

Refer to Appendices C, D, E, F for graphical results of noise level measurements.

In addition, short-term measurement made at a number of other locations where long-term monitoring was not possible:

- On the top of the Burwood Plaza parking lot overlooking China Town.
- Background noise levels on Burleigh Street, near Ford Place

The table below present the *average* of the measurement results in the precinct.

Table 3: Short-term attended noise measurement results

Location	Time of the Measurements	Background Noise Level – dB(A) _{L90} Ambient Noise Levels – dB(A) _{Leq}	Noise source
A(RT) 1 Burwood Plaza Roof Overlooking Chinatown	Friday 31/10/2025 at 19:27	66 dB(A) _{L90} 67 dB(A) _{Leq}	Mechanical Plant Noise from the restaurant rooftop plants
A(RT) 2 Burleigh Street (Background Noise level)	Friday 31/10/2025 at 20:27	48 dB(A) _{L90} 50 dB(A) _{Leq}	Distant Traffic from Railway Parade Distant Mechanical Plant Noise

4.2 RWDI Noise Survey Results

Noise logging results from *Development Application for Burwood Place (46–60 Railway Parade, Burwood)* report number RWDI #2004544 dated June 17, 2022, were utilized.

The measurement locations are shown in Figure 2, and the monitoring results are presented below and compared against Renzo Tonin results where locates of logging were similar.

Table 4: RWDI Long-Term noise monitoring results (RWDI report #2004544)

Location	Time of the day	Background Noise Level – dB(A) _{L90}
LT(RW) 1 Level 1 roof at the intersection of Clarendon Place and Railway Parade	Day (7am-6pm)	60 dB(A) (Renzo Tonin result – 62dB(A))
	Evening (6pm-10pm)	56 dB(A) (Renzo Tonin result – 64dB(A))
	Night (10pm-7am)	50 dB(A) (Renzo Tonin result – 50dB(A))
LT(RW) 2 Rooftop facing Railway Parade	Day (7am-6pm)	57 dB(A)
	Evening (6pm-10pm)	57 dB(A)
	Night (10pm-7am)	50 dB(A)
LT(RW) 3 Rooftop facing Unity Place	Day (7am-6pm)	54 dB(A) (Renzo Tonin result – 54dB(A))
	Evening (6pm-10pm)	52 dB(A) (Renzo Tonin result – 51dB(A))
	Night (10pm-7am)	50 dB(A) (Renzo Tonin result – 46dB(A))

Short-term noise levels are presented below:

Table 5: RWDI Short-Term noise monitoring results

Location	Time of the Measurement	Background Noise Level – dB(A) _{L90} Ambient Noise Levels – dB(A) _{Leq}	Noise source
A(RW)1 4 meters from Conder Street	6:15 pm	54dB(A) _{L90} 62dB(A) _{Leq}	Traffic from Conder Street and Train Noise

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4.3 Collation of Results

Using both sets of data, a collated set of results is presented below.

Table 6: Ambient Background Noise Survey Summary (Burwood SEP)

Location	Time of Day	Background Noise Level – dB(A) _{L₉₀}
Location LT(RT) 1 (Railway Parade – Eastern End)	Day (7am-6pm)	59dB(A)
	Evening (6pm-10pm)	60dB(A)
	Night (10pm-7am)	50dB(A)
	Early Night (10pm-12am)	54dB(A)
	Late Night (12am-2am)	50dB(A)
Location LT(RW) 2 (Railway Parade – Eastern End)	Day (7am-6pm)	57 dB(A)
	Evening (6pm-10pm)	57 dB(A)
	Night (10pm-7am)	50 dB(A)
	Early Night (10pm-12am)	52 dB(A)
	Late Night (12am-2am)	50 dB(A)
Location LT(RT) 2 (Burwood Road)	Day (7am-6pm)	62dB(A)
	Evening (6pm-10pm)	64dB(A)
	Night (10pm-7am)	50dB(A)
	Early Night (10pm-12am)	56dB(A)
	Late Night (12am-2am)	51dB(A)
Location LT(RT) 3 (Belmore Street)	Day (7am-6pm)	54dB(A)
	Evening (6pm-10pm)	55dB(A)
	Night (10pm-7am)	50dB(A)
	Early Night (10pm-12am)	52dB(A)
	Late Night (12am-2am)	50dB(A)
Location LT(RT) 4 (Unity Place)	Day (7am-6pm)	54dB(A)
	Evening (6pm-10pm)	51dB(A)
	Night (10pm-7am)	46dB(A)
	Early Night (10pm-12am)	47dB(A)
	Late Night (12am-2am)	46dB(A)
A(RT) 1 Burwood Plaza Roof Overlooking Chinatown	Day (7am-6pm), Evening (6pm-10pm)	66dB(A)
A(RW)1 4 meters from Conder Street	Day (7am-6pm), Evening (6pm-10pm)	54dB(A)

5 Acoustic Criteria and Noise Descriptors

An examination of noise planning controls in other government areas is presented below to assist in evaluation of the proposed criteria for the Special Entertainment Precincts.

5.1 Common Criteria for Entertainment Venues

5.1.1 Office of Liquor and Gaming NSW

Noise from entertainment venues and licenced premises is typically assessed using acoustic criteria adopted by the Office of Liquor and Gaming. These are as follows:

- *The LA10 noise criteria sets sound limits that apply to licensed venues to control noise emissions. The standard wording of the LA10 noise condition that may be imposed on liquor licences by L&GNSW, and the Independent Liquor & Gaming Authority is provided below. Although the standard wording of the LA10 noise condition is generally imposed on liquor licences, it may be modified in particular cases, as appropriate.*
- *The LA10* noise level emitted from the licensed premises shall not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) by more than 5dB between 07:00am and 12:00 midnight at the boundary of any affected residence.*
- *The LA10* noise level emitted from the licensed premises shall not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) between 12:00 midnight and 07:00am at the boundary of any affected residence.*
- **Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00am . (Note – this typically requires the emitted noise be at least 10dB below the ambient conditions).*

5.1.2 Other Guidelines

Other commonly adopted criteria areas as follows:

- City of Sydney:
 - 7am-12am - Background+0dB_{Leq} in octave bands
 - 12am-7am – Background-12dB_{Leq} in octave bands
- Victoria (Part 2 of EPA Publication 1826 'Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues):

- 7am-12am - Background+5dB(A) L_{eq} A-weighted/broadband
- 12am-7am - Background+8dB L_{10} in octave bands
- Queensland (Liquor and Gaming)
 - 6am-10pm - Background+10dB(A) L_{10} A-weighted/broadband
 - 10pm-6am - Background+8dB L_{10} in octave bands

5.2 Noise Emission Descriptors / Comparison of Other Acoustic Criteria

Noise emissions can be described in different manners (noise descriptors), for example:

- The L_{eq} noise level is the *average* noise level over a given period (typically 15 minutes).
- The L_{10} noise level is the noise level that occurs in the loudest 10% of the time in the measurement period (it is essentially the noise level occurring during *typical maximum* noise events).

Office of Liquor and Gaming uses the L_{10} descriptor, while the *NSW Special Entertainment Precinct Acoustic Toolkit* adopts an L_{eq} descriptor.

In addition, some acoustic controls adopt "Octave Band" noise levels (a limit is imposed on each octave band of a given noise emission) while others look at the overall ("broadband"/A-weighted) noise level. A "Background +5dB" noise limit applied across all octave bands makes for more stringent noise emission criteria compared to a "Background +5dB" broadband/A-weighted noise level.

This makes comparison of various noise controls difficult as the criteria do not use like for like noise descriptors.

With respect to this:

- A noise limit of "Background+5dB(A)" for an L_{10} noise is approximately equivalent to "Background+2dB(A)" noise limit for an *average* (L_{eq}) noise emission.
- A "Background+5dB" *octave band* noise limit is approximately equivalent to Background+2dB(A) noise limit for a broadband/A-weighted noise limit.

Noise emissions limits that will be adopted for the SEP will be based on the A-weighted L_{eq} noise emission, as this is consistent with the approach in the *NSW Special Entertainment Precinct Acoustic Toolkit*.

Equivalencies are as follows:

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Table 7: Comparison of Acoustic Criteria and Noise Descriptors

Source	Noise Planning Control		Equivalent criteria if using dB(A) _{Leq(15min)}
	Time of Day	Requirement	(proposed SEP descriptor)
NSW Liquor and Gaming	7am-12am	Background + 5dB _{L10} octave band	Background - 1dB(A) _{Leq}
	12am-7am	Background - 10dB _{L10} octave band	Background - 12dB(A) _{Leq}
City of Sydney	7am-12am	Background + 0dB _{Leq} octave band	Background - 3dB(A) _{Leq}
	12am-7am	Background - 12dB _{Leq} octave band	Background - 12dB(A) _{Leq}
Victoria	7am-12am	Background + 5dB(A) _{Leq} broadband	Background + 5dB(A) _{Leq}
	12am-7am	Background + 8dB _{L10} octave band	Background + 2dB(A) _{Leq}
Queensland	6am-10pm	Background + 10dB(A) _{L10} broadband	Background + 7dB(A) _{Leq}
	10pm-6am	Background + 8dB _{L10} octave band	Background + 2dB(A) _{Leq}

The correlations set out above will be used when comparing the proposed Precinct Management Plan noise limits to other commonly adopted noise controls.

6 Application of Office of Liquor and Gaming NSW Acoustic Criteria

This section will present the likely outcomes if applying typical NSW Office of Liquor and Gaming acoustic criteria for typical activities that will occur within the proposed Entertainment Precincts. The purpose of this section is to demonstrate the necessity to examine alternative noise emission controls if the intent is to facilitate the creation a vibrant precinct in the SEs.

Two typical noise emission scenarios will be considered when evaluating noise emission criteria:

- **Scenario 1** - The noise impact from use of outdoor dining areas. For purpose of assessment, we have assumed groups of 40 diners located on the footpath outside a given premises. We have assumed that there are 1 in 2 patrons speaking with raised voice (75dB(A)_{Leq}).
- **Scenario 2** - Noise from internal spaces of the main street within the premises, assuming that the internal spaces are crowded and have moderately loud music (85dB(A)_{Leq} sound pressure within the space). It is assumed that the shop front windows are open.

The above scenarios have been selected as they represent what we anticipate to be a reasonable level of activation of entertainment premises within the precinct.

An examination of noise emissions is presented in the tables below. The noise emissions are assessed with reference to current background noise levels and typically adopted noise emission criteria (Office of Liquor and Gaming). Three precincts have been examined:

- Unity Place (western end, similar to western end of Railway Parade, and Condor Street).
- Belmore Road
- Burwood Road

Noise emissions are predicted to the critical residences – assumed to be residences located directly opposite (other side of road/plaza from the dining area).

The tables below have been created to indicate whether current planning controls will enable or prohibit the two activities identified above, which are reflective of typical noise generating activities in a vibrant area.

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Table 8: Analysis (Scenario 1) –Noise Emission Assessment (Patron Outdoor Dining) – Comparison against NSW Liquor and Gaming Acoustic Controls

Location	Time	Ambient Noise		Patron Dining (40 in outdoor area, across road from residence)										
		Leq	L90	Predicted Level at residence - dB(A)Leq	Comparison to BG Level:	Analysis against OLGR (Leq(15min))								
						Weekend			Weekday					
						OLGR Goal*	Equivalent to:	Activity Suitable?	OLGR Goal*	Equivalent to:	Activity Suitable?			
Activity Location - Unity Place	7am-6pm		54	54	Background+	0	56	Background+	2	Yes	56	Background+	2	Yes
(Receiver - Emerald City/Burwood Place Apartments)	6pm-10pm		51	54	Background+	3	53	Background+	2	No	53	Background+	2	No
	10pm-12am		47	54	Background+	7	49	Background+	2	No	49	Background+	2	No
	12am-2am		46	54	Background+	8	36	Background+	-10	No	36	Background+	-10	No
Activity Location - Belmore Road (North Side)	7am-6pm		54	56	Background+	2	56	Background+	2	No	56	Background+	2	No
(Receiver - Belmore Road, South Side)	6pm-10pm		55	56	Background+	1	57	Background+	2	Yes	57	Background+	2	Yes
	10pm-12am		50	56	Background+	6	52	Background+	2	No	52	Background+	2	No
	12am-2am		50	56	Background+	6	40	Background+	-10	No	40	Background+	-10	No
Activity Location - Burwood Road (West Side)	7am-6pm		62	56	Background+	-6	64	Background+	2	Yes	64	Background+	2	Yes
(Receiver - Burwood Road, East Side, Shop Top Residence)	6pm-10pm		64	56	Background+	-8	66	Background+	2	Yes	66	Background+	2	Yes
	10pm-12am		56	56	Background+	0	58	Background+	2	Yes	58	Background+	2	Yes
	12am-2am		51	56	Background+	5	41	Background+	-10	No	41	Background+	-10	No

Activity that becomes prohibited on applying current OLGR acoustic criteria
*Approximately equivalent noise emission goal, after converting OLGR criteria from dB(L)10 to dB(A)Leq.

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Table 9: Analysis – (Scenario 2) - Noise Emission Assessment (Music Via Open Shop Front) - Comparison against NSW Liquor and Gaming Acoustic Controls

Location	Time	Ambient Noise		Music+Patron in Front of House - OPEN Windows (85dB(A) sound pressure in front bar)										
		Leq	L90	Predicted Level at residence - dB(A)	Comparison to BG Level:	Analysis against OLGR (Leq(15min))								
						Weekend			Weekday					
						OLGR Goal*	Equivalent to:	Activity Suitable?	OLGR Goal*	Equivalent to:	Activity Suitable?			
Activity Location - Unity Place	7am-6pm		54	58	Background+	4	56	Background+	2	No	56	Background+	2	No
(Receiver - Emerald City/Burwood Place Apartments)	6pm-10pm		51	58	Background+	7	53	Background+	2	No	53	Background+	2	No
	10pm-12am		47	58	Background+	11	49	Background+	2	No	49	Background+	2	No
	12am-2am		46	58	Background+	12	36	Background+	-10	No	36	Background+	-10	No
Activity Location - Belmore Road (North Side)	7am-6pm		54	58	Background+	4	56	Background+	2	No	56	Background+	2	No
(Receiver - Belmore Road, South Side)	6pm-10pm		55	58	Background+	3	57	Background+	2	No	57	Background+	2	No
	10pm-12am		50	58	Background+	8	52	Background+	2	No	52	Background+	2	No
	12am-2am		50	58	Background+	8	40	Background+	-10	No	40	Background+	-10	No
Activity Location - Burwood Road (West Side)	7am-6pm		62	58	Background+	-4	64	Background+	2	Yes	64	Background+	2	Yes
(Receiver - Burwood Road, East Side, Shop Top Residence)	6pm-10pm		64	58	Background+	-6	66	Background+	2	Yes	66	Background+	2	Yes
	10pm-12am		56	58	Background+	2	58	Background+	2	No	58	Background+	2	No
	12am-2am		51	58	Background+	7	41	Background+	-10	No	41	Background+	-10	No

Activity that becomes prohibited on applying current OLGR acoustic criteria
*Approximately equivalent noise emission goal, after converting OLGR criteria from dB(L)10 to dB(A)Leq.

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On examination of the above:

- In areas with high ambient noise levels (Burwood Road), current planning controls will generally enable high levels of activities such as street front dining.
- In areas of moderate activation (western ends of Belmore Road, Unity Place, Railway Parade), some outdoor dining would be permissible under current planning controls in daytime periods. These uses will potentially be curtailed in evening periods. Trading with shop front windows open (moderate music inside) would typically not be viable.

In addition, we note that in post-midnight periods:

- Shopfront dining would not be viable (which is reasonable in residential areas).
- If applying the "audibility" criteria for post midnight trading (current Liquor and Gaming requirement), most venues would not be able to comply as audible noise would be emitted when doors to the venues are temporarily opened/closed for ingress/egress. Typically, this inaudible/ingress egress issue is only addressed by incorporating a double door/air-lock system into design.

7 Proposed Acoustic Criteria – External Noise Emission Criteria (Sound Category Areas)

This section outlines proposed acoustic criteria for external noise emissions from venues.

This is done by setting fixed noise emission limits (Sound Category Areas) that a venue must comply with.

Noise through common walls, and internal noise levels targets for new residential development in the SEP are set out in Sections 8 and 9 respectively.

7.1 Development New Noise Emission Criteria - Overview

The proposed approach to sound management has been informed by the following:

1. Acknowledgement of the current ambient noise levels and typically adopted noise emission controls (NSW Office of Liquor and Gaming) will potentially create a vibrant precinct (western end of the proposed SEP) or hinder further development of the more activated parts of the precinct (Chinatown/Burwood Hotel).
2. The requirement to balance the activation of the proposed SEP with reasonable amenity expectations of sensitive receivers (residential premises), both existing and future.
3. To provide greater consistency and certainty for businesses, residents and compliance officers regarding allowable sound emission and amenity expectations.
4. Provide opportunities to manage the growth and minimise the potential for cumulative noise impacts from new venues.

It is proposed that the new noise emission criteria will replace any inconsistent conditions in an existing development consent and liquor licence condition.

With respect to the acoustic assessment process/Development Applications:

- For development applications for new/expanded venues:
 - We anticipate that an acoustic report would be required as part of the Development Application process.
 - However there would still be benefit to a proponent of a new/amended entertainment venue:
 - The need for noise surveys to support and acoustic assessment is removed, which will save on time and consulting cost.

- Compared to existing Liquor and Gaming noise controls, the proposed criteria will be less stringent, and will therefore enable a higher level of activation, or less building work/acoustic treatment in order to meet noise emission limits.
- For development that is not subject to a development application (for example Exempt and Complying Development):
 - We understand that SEPP (Exempt and Complying Development) will enable a small increase in outdoor dining without the need for lodging a development application.
 - Small increases in outdoor dining to existing venues are not anticipated to result in an inability to comply with the Sound Category Areas that are nominated in this report.
 - More significant increases, changed in time of use of similar would be expected to have to lodge a development application.

7.1.1 Key principles for Setting External Noise Emission Criteria

The primary considerations adopted setting noise planning within the precinct were as follows:

- Determination of External Sound Category Areas (SCAs). Depending on the location of a residential property within the precinct, a higher or lower level of noise exposure is appropriate (for residences located centrally within the precinct it is reasonable to expect higher degree of noise exposure. Residences further away to have lower exposure). It is therefore necessary to define the high/medium/low exposure areas within each precinct. These will be called Sound Category Areas.
- Determination of the noise level that will be assigned for each SCA. This involves consideration of:
 - Whether a fixed criteria or a criteria relative to ambient/background noise levels will be used.
 - If an average (L_{eq}) or maximum (L_{10}) criteria will be adopted.

The table below summarises the key technical parameters and principles that were taken into account in the process of deriving noise criteria.

Table 10: Summary of technical parameters considered

Parameter	Discussion of principle followed
Fixed vs relative criteria	<p>Although relative criteria, such as 'background +5dB', are a fundamental component of current NSW policies, fixed criteria have been established for the proposed are proposed.</p> <p>This has a number of benefits:</p> <ul style="list-style-type: none"> • It is consistent with the approach in the Acoustic Toolkit. • It simplifies the implementation of the SEPs as existing background noise levels do not need to be determined for the assessment of each venue. • It is more appropriate than using a "Background+" type criteria given the intention of the SEP is to alter the existing noise environment. • Provide greater certainty to noise receiving and noise emitting developments as the criteria will not alter due to changes in the acoustic environment.
Measurement descriptor	<p>L₁₀, is currently adopted by Liquor and Gaming NSW.</p> <p>However, L_{eq}, 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 policy for assessment of most environmental sound, including road and rail traffic, construction, industrial premises, and more recently, large scale entertainment events held at Western Sydney Stadium and the Sydney Opera House.</p> <p>The L_{eq} descriptor is also consistent with the Acoustic Toolkit.</p> <p>The L_{eq} sound measurement parameter has been adopted.</p>
Measurement time period	<p>A 15-minute assessment period has been adopted for consistency with other NSW noise policies.</p> <p>The L_{eq} descriptor is also consistent with the Acoustic Toolkit.</p> <p>The logarithmic averaging nature of the L_{eq} parameter over a 15-minute period is also a sufficiently long duration for the measurement to avoid being significantly influenced by short-term noise events such as entry doors being open for ingress / egress, gathering of patrons while entering / leaving the venue, etc.</p>

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Parameter	Discussion of principle followed
Broadband / octave band criteria	<p>As recommended in the Acoustic Toolkit, broadband dB(A) criteria supplemented by low frequency criteria in the 31.5Hz, 63Hz and 125Hz octave bands have been proposed. This differs to the octave band assessment for low and high frequencies (31.5Hz – 8kHz inclusive) which is currently adopted by Liquor & Gaming NSW in the assessment of entertainment venue noise.</p> <p>Adoption of broadband dB(A) criteria will simplify acoustic reporting and compliance measurements while being sufficient in capturing the noise emission level of patrons at the venue.</p> <p>In addition to broadband dB(A) criteria, low frequency octave band criteria have been proposed as:</p> <ul style="list-style-type: none"> • The broadband dB(A) criteria does not appropriately capture the potential impacts from the low frequency (bass) component of music • To enable the assessment and design of sound insulation for future residential buildings, as the low frequency content is most likely to determine the sound insulation requirements and building constructions. • The low frequency octave band criteria are consistent with the Acoustic Toolkit.. <p>Note – an alternative to octave band low frequency assessment, an alternative approach to protection against low frequency noise is to set A-weighted and C-weighted broadband noise levels (with a requirement that the C-weighted broadband noise level does not exceed the A-weighted broadband noise level by more than 10-15dB. This offers a much simpler means to regulate excessive low frequency noise content compared to octave band analysis.</p> <p>We understand that:</p> <ul style="list-style-type: none"> • Office of Liquor and Gaming for not currently adopt this approach, and given they are responsible for follow up of noise complaints across the state, adopting a consistent approach will be beneficial to them. • In the event that responsibility to address noise complaints reverts by to Councils in the future, a A and C weighted broadband noise limit is likely to be easier for Council officers to implement if investigating compliance,.
Time of day / days of the week	<p>Acoustic criteria often vary by time of day with a range of different assessment time periods adopted across existing NSW policies such as:</p> <ul style="list-style-type: none"> • Liquor & Gaming NSW – 7am-midnight and midnight-7am • NSW EPA Noise Policy for Industry – day, evening and night-time periods which are generally 7am-6pm, 6pm-10pm and 10pm-7am respectively • NSW State Environmental Planning Policy road and rail traffic noise criteria – day and night-time periods of 7am-10pm and 10pm-7am respectively. <p>Existing criteria which are relative to the ambient background noise level will also vary accordingly.</p> <p>With consideration to the operating hours of entertainment venues and the community's sensitive to entertainment noise, the PMP has adopted the same periods of day/evening, early-night (before midnight) and late-night (after midnight) as the template set out in the Acoustic Toolkit. These periods address the changing acoustic environment at night when residential receivers are most sensitive to noise and allow the entertainment venues to have different levels of activation over the course of the day.</p> <p>Furthermore, different targets have been set for different days of the week in recognition of the varying levels of activation and sensitivity to noise on a weekday night (Sunday to Thursday) compared to a weekend night (Fridays and Saturdays).</p>

7.1.2 Procedure for deriving SCAs

The SCAs have been informed by existing acoustic conditions (ambient noise of road traffic, mechanical plant noise from commercial premises, entertainment noise from venues, pedestrian and carpark noise from patrons entering / leaving venues) measured across the precincts, available venue and receiver acoustic assessment reports, existing development consent conditions and standard receiver building design assumptions.

Areas with louder permitted noise emissions (SCA 3) are located along Burwood Road and where adjacent to Chinatown. Side streets are typically assigned SCA 4-6, depending on their distance from the Burwood Road/Chinatown.

Examination of background noise levels and "Background+?" type noise emission limit was investigated and found to be inappropriate, even in areas where ambient noise levels are already relatively high (see Section 6). To effectively use a "Background+" type criteria would require:

- Estimation of *future* ambient conditions and
- Adoption of some limit other than "Background+5dB" in order to promote the activation sought for the precinct.

Given this, the primary means to assign noise level limits was therefore to generally adopt the guidance from the Acoustic Toolkit in order to:

- Delineate boundaries of the different SCAs based on the type of land use within each SCA and
- To assign a noise limit to them.

Based on our site measurements, and review of the SCA land type descriptions (and allowable noise levels assigned to them in the Acoustic Toolkit), four SCAs (SCA 3-6) are proposed within the Burwood Special Entertainment Precinct:

Table 11: Description of Sound Category Areas within the Special Entertainment Precinct

Sound Category Area	Notes in Acoustic Toolkit	Locations within Special Entertainment Precinct
SCA 1	<i>High entertainment sound levels. Expected to preclude residential accommodation and other sensitive uses occupied concurrently with entertainment uses. May be suitable for application within a commercial centre or industrial precinct.</i>	Not applicable to Burwood SEP.
SCA 2	<i>High entertainment sound levels from venues 24 hrs. Comparable to Fortitude Valley Core A taking account of different assessment location. Sensitive development possible but will require high building sound insulation. May be suitable in a primarily commercial core or CBD, with limited existing residential development.</i>	Not applicable to Burwood SEP.
SCA 3	<i>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 area near higher SCs.</i>	Residences fronting the Main Street in each Sound Category Area (Burwood Road, Chinatown)
SCA 4	<i>Reduced intensity of entertainment sound levels, most well-enclosed venues. Lower sound levels after midnight for balance toward residential areas. For application to buffer around higher SCs.</i>	Residences on side Streets, adjacent to Burwood Road. Future Residential towers overlooking Unity Place, Chinatown.
SCA 5	<i>Use expected to be buffer around other SCs in an urban area. Expected to be less suitable within or immediately surrounding primary entertainment area</i>	Existing residences fronting the SEP (Belmore Road, Railway Parade, Condor Place)
SCA 6	<i>Use expected to be buffer around other SCs in a suburban / regional area. Expected to be less suitable within or immediately surrounding primary entertainment area.</i>	Residential areas other than those identified above.

7.2 Proposed SEP Acoustic Criteria

This section sets out the proposed Sound Category Areas and external noise limits to be applied in the SEP.

Note - Noise emission limits for *internal* areas in new dwellings constructed within SEPs is not addressed in this section:

- Section 8 addresses acoustic criteria for noise through common walls/floors separating venues from sensitive spaces.
- Section 9 addresses requirements for new sensitive development that is introduced within the SEP.

7.2.1 Sound Category Areas

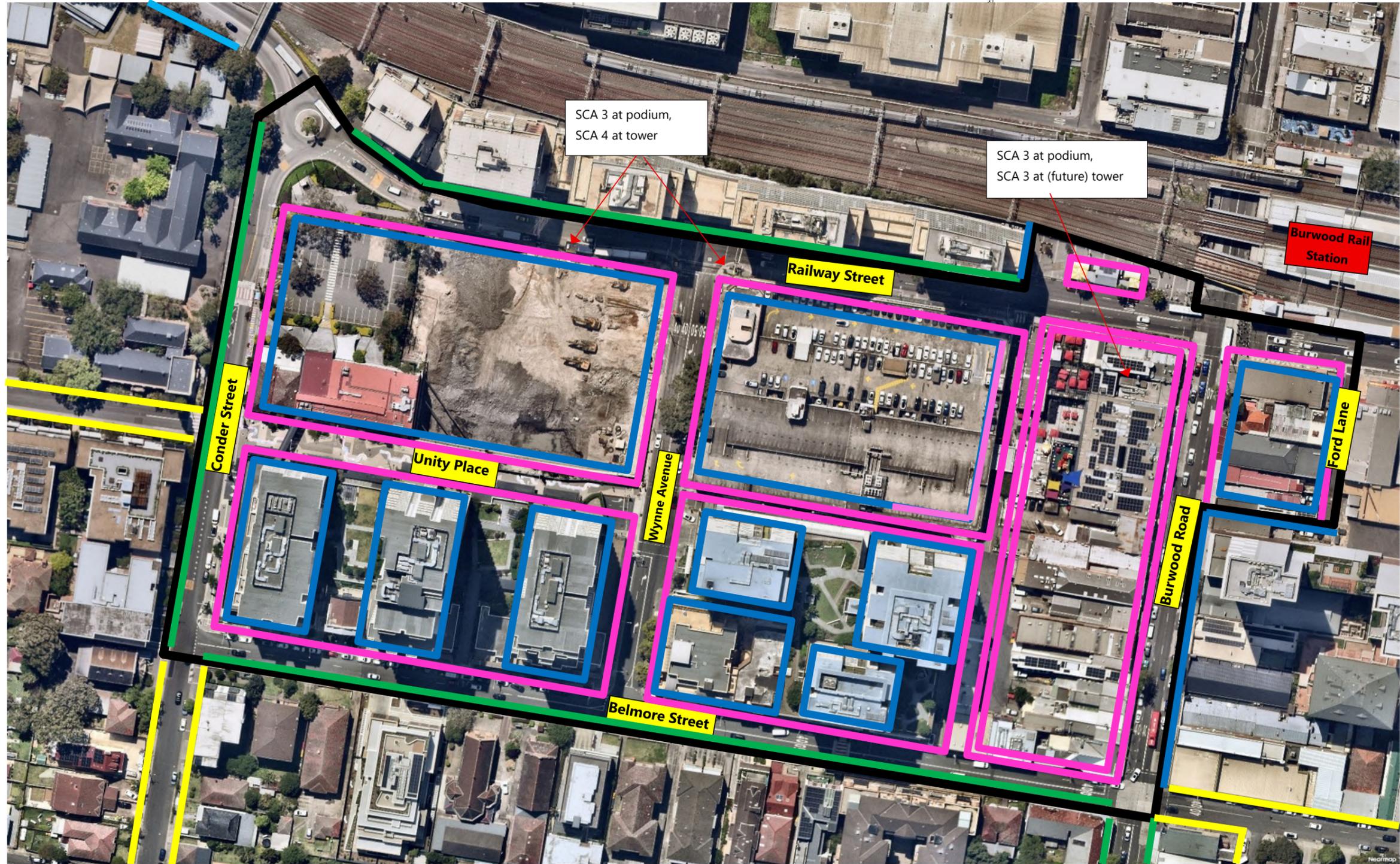
Proposed Sound Category Areas are detailed below.

Sound category areas have been developed to set appropriate noise limits for both:

- Existing conditions within the precinct.
- Noise limits to future building facades of residential development in the precinct.

A stepped approach to the assignment of Sound Category Areas has been used which permit lower noise emission levels at the rear of commercial premises and in the side streets leading from commercial centres (based on their orientation of venues, attenuation due to distance and shielding by intervening buildings).

Proposed Sound Category Areas are presented below.



Legend	
█	Category 3
█	Category 4
█	Category 5
█	Category 6

7.2.2 External Noise Emission Limits

The noise level limits in the SCAs have been informed by:

- The desired future character and levels of vibrancy targeted across the SEPs, particularly:
 - The western ends of Unity Place/Belmore Road/Railway Parade.
 - Burwood Road, Railway Square.
- Not curtailing existing operations of venues such as Burwood Hote, Chinatown, Emerald Square, Grand Shanghai Hotel

These levels are generally consistent with the NSW Special Entertainment Precinct Acoustic Toolkit, however some adjustments have been made, in particular to the post 12am period.

Broadly, the intent of the noise targets is to facilitate:

- Outdoor dining and trading with shop front windows open (10pm weekdays, 12am Thursdays/weekends).
- Post midnight use of internal areas (windows and doors closed) By adopting a 45dB(A) noise goal, this should enable small bars/cafes to be able to operate without the incorporation of an airlock exit door system, which is typically needed in order to comply with the Inaudible noise goal currently imposed by Office of Liquor and Gaming. However a 45dB(A) limit will also typically force those venues to not have outdoor dining or trade with their windows open post 12am.
- For existing venues (Burwood Hotel, Grand Shanghai Hotel), the proposed SCA noise limits are intended to not curtail existing noise emission limits in current approvals.
- Future development:
 - Future development (Burwood Place, Burwood Plaza) in the precinct will consist of commercial/retail podium (2-3 storey) with residential tower above. This provides an opportunity for high level of street level activation, yet reduced impact on the future residences above.
 - The proposed SCAs within the precinct has been proposed setting a noise goal 5dB(A) more stringent for the residential tower above compared to the podium level. Given the podium size and tower setback, this is not anticipated to excessively impinge of ground level entertainment uses, however will avoid high level impact on future towers.
 - The intent is to set external noise limits of 60dB(A) at these podium tower apartments. Above 60dB(A), there will be impact on usage of residential balconies (need for raised voice) and is

an excessive impact on future residential development given the noise screening opportunity created by the podium.

The recommended external noise emission criteria are presented below.

Note – the criteria below are overall noise limits, considering noise from multiple venues. For an individual venue, the target noise level is 3dB(A) less than the levels presented in the table below.

Table 12: External entertainment sound levels – cumulative, $L_{eq(15min)}$

Sound Category ID	Day of Week*	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 3	Weekday	65	69	68	66	60	64	63	61	45	49	45	41
	Weekend	65	69	68	66	60	64	63	61	45	49	45	41
SCA 4	Weekday	60	64	63	61	55	59	58	56	45	49	45	41
	Weekend	60	64	63	61	60	64	63	61	45	49	45	41
SCA 5	Weekday	55	59	58	56	50	54	50	46	45	49	45	41
	Weekend	55	59	58	56	55	59	58	56	45	49	45	41
SCA 6	Weekday	55	59	58	56	45	49	45	41	45	49	45	41
	Weekend	55	59	58	56	50	54	50	46	45	49	45	41

*Weekday – Sunday 10pm to Thursday (10pm)

**Weekend – Thursday (10pm) to Sunday 10pm

With respect to the above, we note:

- The Sound Category Area levels apply at the identified frontage of a residential boundary at 1.5m above the ground level (or 1.5m above the floor level for existing multi-storey residential buildings).
- The noise limits apply to patron and music noise. The limits do not apply to noise from mechanical plant and equipment or noise in the public realm associated with patrons leaving a site.

Cumulative noise from multiple sites:

- The criteria above are *cumulative* noise limits (ie – the allowable noise limit as a result of the operation of all venues in the precinct).
- For a new noise venue, if there are existing or the potential for future noise sources in the vicinity of the site that may also generate noise, we recommend that any individual development must generate noise 3dB less than the limits presented above. This will serve to:
 - Prevent exceedances of noise targets as a result of the operation of multiple sites.

- Prevent one individual site taking the full allowance of a noise limit and therefore constrain future development.
- In the event that a proponent of a development can demonstrate that it is highly unlikely that there will be no cumulative noise from nearby sites (existing or future), Council may choose to allow the full noise limit (no 3dB adjustment) to be applied to that site individually.

7.3 Applying SCA Criteria

An SCA sets an allowable noise level at a given residence from venue operational noise.

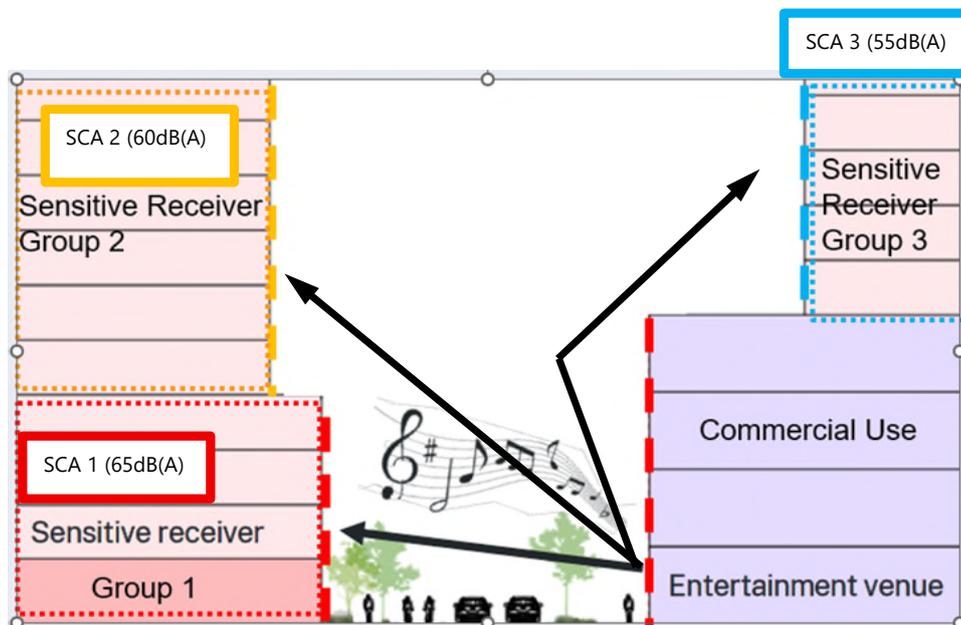
A venue must manage its noise so that the required SCA noise limit is achieved at all residences in the vicinity

Noise limit of an SCA applies at the residential site boundary (ground floor) or façade line (other levels).

Typically, there will be one residential location that ends up governing how a site needs to manage its noise. If compliance achieved here, other receivers will also be ok.

In the example below:

- The venue in question has three residences in the vicinity, each in a different Sound Category Area (SCA 1, 2, 3).
- Noise from the site must be managed such that the SCA noise limit is met at all receivers.
- Given the position of the receivers relative to the noise source, it will most likely be Residence 2 (SCA 2) that will be most difficult to comply with.
- Management controls to achieve compliance at Residence 2 will almost certainly also achieve compliance at residence 1 (similar position, however in SCA 1) and Residence 3 (more stringent noise limit of SCA 3, however a more screened location).



8 Noise Emission Criteria - Noise through common walls and floors separating venues from residential development

The SCA noise limits set out in **Section 7.2.2** regulate venue noise to *external* areas. The SCAs do not adequately address noise transmission through common walls and floors.

This section provides acoustic performance targets for situations where a residence shares a common wall or floor with an entertainment venue.

This section applies to new development (venue or residential) created within the Special Entertainment Precinct.

To address noise through common walls and floors (from venue to residence), the following noise controls are recommended. It is the obligation of the incoming developer to meet the noise goals identified below.

Table 13: Internal sound criteria for residential development adjoining entertainment venues (noise through common walls and floors)

Receiver	Period	All days			
		Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125
Residential – Sleeping Areas	Day / evening (7am-10pm)	30	54	47	41
	Night (10pm-17am)	25	49	42	36
Residential – Habitable Areas	Day / evening (7am-10pm)	30	54	47	41
	Night (10pm-17am)	30	54	47	41
Tourist Accommodation – Sleeping Area	Day / evening (7am-10pm)	33	57	50	44
	Night (10pm-17am)	28	52	45	39
Information and Education facilities	All times	30	54	47	41
Place of Public Worship	All times	33	57	50	44
Health Services facility	Day / evening (7am-10pm)	35	59	52	46
	Night (wards only) (10pm-17am)	30	54	47	41

With respect to the proposed noise limits above:

- The noise goals set out above are 5dB more stringent than the Acoustic Toolkit.
- If Acoustic Toolkit noise goals are adopted, noise transmitted through common walls/floors will be clearly audible in the adjoining residential development, particularly at night time and a high risk of complaint.

Application of the noise limits.

The “agent of change” principal should apply:

- The responsibility to achieve the above noise levels should fall on the new, not existing development, that shares the common wall/floor.
- A new resident located adjacent to existing venue – new residential development would have the onus to upgrade common wall/floor to meet the internal noise goals set out above.
- A new venue development adjacent to residence – new venue would have the onus to upgrade common wall/floor to meet the internal noise goals set out above.

In the event of a common wall/floor scenario, potential acoustic treatment options are as follows:

- **Common Walls:**
 - A common wall upgrade will typically consist of an additional stud wall and 1 or 2 layer plasterboard lining to the existing common wall.
 - The new stud wall lining would typically be installed by the incoming development.
- **Common Floors:**
 - If the venue will be the new noise source (and existing residential above), this will be addressed through installation of a suspended ceiling in the venue..
 - If the new development is located on top of an existing venue, either:
 - Negotiation with the venue regarding provision of a ceiling or
 - Spatial planning for the new development above (avoiding location of residential spaces at the interface between the existing venue and new development above).

9 Internal sound criteria - Internal Noise Limits in Future Residences as a result of external entertainment noise through residential façade

For any new residential development introduced into a SEP, the residence should be built appropriately such that any lawful venue noise incident on the building will be attenuated by the new building façade to an appropriate noise level within the apartment. This is a critical part of a balanced approach to precinct noise management.

This section is intended to set internal noise limits within future apartments located in the SEP. A future development will need to incorporate suitable façade construction for new residential development such that the noise incident of the building façade is attenuated such that suitable internal noise levels are met).

A new residential premises proposed within the SEP should be required to implement appropriate sound insulation performance to their building shell. The acoustic performance of the building shell should ensure that noise emitted from entertainment venues (provided it is in accordance with the Precinct Management Plan Noise Limits) does not result in an excessive internal noise level within the residence.

Recommended internal noise level criteria for new residential development within the SEP are set out below.

The recommended internal criteria have been based on the template internal sound criteria set out in Table 4 of the Acoustic Toolkit which in turn, reference various criteria and literature (inclusive of Australian Standard 2107:2016 *Acoustics - Recommended design sound levels and reverberation times for building interiors*).

Note – a proposed departure from the Tool kit is recommended for the early night (10pm-12am) period on weekends. If a departure from the Toolkit guideline is not adopted it is likely that very high performance/non-standard glazing systems will be required in order to meet acoustic requirements. This is identified in bold in the table below.

Table 14: Internal sound criteria for residential development – cumulative entertainment noise level, $L_{eq}(15min)$

Receiver	Period	Weekdays (Sun 10pm – Thursday 10pm)				Weekends (Thursday 10pm – Sun 10pm)			
		Overall dB(A)	Octave band Hz (dBZ)			Overall dB(A)	Octave band Hz (dBZ)		
			31.5	63	125		31.5	63	125
Residential Habitable Areas	Day / evening (7am-10pm)	35	59	52	46	35	59	52	46
	Early night (10pm-12am)	35	59	52	46	35	59	52	46
	Late night (12am-7am)	35	59	52	46	35	59	52	46
Residential Sleeping Areas	Day / evening (7am-10pm)	35	59	52	46	35	59	52	46
	Early Night (weekends) (10pm- 12am)	35	59	52	46	35	59	52	46
	Early night (week days) (10pm-12am)	30	54	47	41	35	59	52	46
	Late night (12am-7am)	30	54	47	41	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

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, foyer, garages, storages sheds and other spaces that are neither occupied frequently nor for extended periods of time.

Adopting the above criteria, new residential development located on a main street (SCA 3) in an entertainment precinct would need to install (indicatively):

- 10.38mm-12.38mm laminated glass in living areas and
- 12.5mm laminated hush glass in sleeping areas.

in order to comply with the noise limits set in Table 14.

10 Applying/Testing the External Noise Emission Criteria / SCAs

The section will present the likely outcomes if applying the acoustic criteria proposed in the Precinct Management Plan.

In this section the following will be presented:

- Comparison of the proposed noise limits against commonly adopted acoustic criteria in NSW and Australia.
- Examination of the typical activities that will become permissible/prohibited if applying the proposed Precinct Management Plan controls. Identification of potential issues/risks of complaint if adopting the currently proposed acoustic criteria.

10.1 Comparison Against Other Noise Emission Guidelines

Section 6 presented acoustic criteria commonly adopted by other regulators. As noted in Section 5, direct comparison between other acoustic planning regimes is difficult given:

- Some planning controls adopt a L_{eq} (average) noise descriptor in their criteria while others adopt a L_{10} (typical maximum) noise level when setting acoustic limits.
- In addition, some planning controls adopt an octave band assessment, while others use a broadband assessment method.

In order to enable direct comparison, the planning controls needs to be adjusted so all systems use the same descriptors. While exact correlation is not possible, an approximate equivalence test was presented in Section 5.2.

The table below presents a comparison of the proposed Precinct Management Plan noise limits against other noise planning controls, with all controls adjusted to adopt the $L_{eq(15min)}$ noise descriptor to enable direct comparison.

The tables below present measured and estimated background noise levels throughout the proposed SEPs. By determining background noise levels, it is then possible to determine the 'effective' noise control, expressed relative to background noise levels. This then enables comparison against may other acoustic controls (Liquor and Gaming etc).

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Table 15: Comparison of Burwood SCAs to other Planning Controls (WEEKENDS)

Location	Location Type	Time of Day	Background Noise Level dB(A)L90	Planning Control Comparison							
				Proposed Burwood SEP		NSW SEP Tool Kit		NSW Liquor and Gaming	City of Sydney	Queensland - Liquor and Gaming	Victoria - SEPP N-2
				Fixed Limit (dB(A)Leq)	Equal to:	Fixed Limit (dB(A)Leq)	Equal to:				
SCA 3	Burwood Hotel/China Town Precinct	7am-6pm	62	65	BG+ 3	65	BG+ 3	BG-1***	BG-3*	BG+7**	BG+5
		6pm-10pm	64	65	BG+ 1	65	BG+ 1	BG-1****	BG-3*	BG+7**	BG+5
		10pm-12am	56	60	BG+ 4	65	BG+ 9	BG-1****	BG-3*	BG+7**	BG+5
		12am-2am	51	45	BG+ -6	60	BG+ 9	BG-10 (inaud)	BG-12 (inaud)	BG+2***	BG+2***
SCA 4	Emerald City, Burwood Place	7am-6pm	54	60	BG+ 6	60	BG+ 6	BG-1****	BG-3*	BG+7**	BG+5
		6pm-10pm	51	60	BG+ 9	60	BG+ 9	BG-1****	BG-3*	BG+7**	BG+5
		10pm-12am	47	60	BG+ 13	60	BG+ 13	BG-1****	BG-3*	BG+7**	BG+5
		12am-2am	46	45	BG+ -1	50	BG+ 4	BG-10 (inaud)	BG-12 (inaud)	BG+2***	BG+2***
SCA 5 (Toolkit SC 5)	Belmore Street	7am-6pm	54	55	BG+ 1	55	BG+ 1	BG-1****	BG-3*	BG+7**	BG+5
		6pm-10pm	55	55	BG+ 0	55	BG+ 0	BG-1****	BG-3*	BG+7**	BG+5
		10pm-12am	50	50	BG+ 0	55	BG+ 5	BG-1****	BG-3*	BG+7**	BG+5
		12am-2am	50	45	BG+ -5	50	BG+ 0	BG-10 (inaud)	BG-12 (inaud)	BG+2***	BG+2***

*Equivalent to BG+0Leq in octave bands
 **Equivalent to BG+10 L10
 ***Equivalent to BG+8 L10 in octave bands
 ****Equivalent to BG+5 L10 in octave bands

Table 16: Comparison of Burwood SCAs to other Planning Controls (WEEKDAYS)

WEEKDAY											
Location	Location Type	Time of Day	Background Noise Level dB(A)L90	Planning Control Comparison							
				Proposed Burwood SEP		NSW SEP Tool Kit		NSW Liquor and Gaming	City of Sydney	Queensland - Liqor and Gaming	Victoria - SEPP N-2
				Fixed Limit (dB(A)Leq)	Equal to:	Fixed Limit (dB(A)Leq)	Equal to:				
SCA - 1 (Toolkit SC 3)	Central Heart	7am-6pm	62	65	BG+ 3	65	BG+ 3	BG-1****	BG-3*	BG+7**	BG+5
		6pm-10pm	64	65	BG+ 1	65	BG+ 1	BG-1****	BG-3*	BG+7**	BG+5
		10pm-12am	56	60	BG+ 4	65	BG+ 9	BG-1****	BG-3*	BG+7**	BG+5
		12am-2am	51	45	BG+ -6	60	BG+ 9	BG-10****	BG-12	BG+2***	BG+2***
SCA - 2 (Toolkit SC 4)	Petes Ferry Road	7am-6pm	54	60	BG+ 6	60	BG+ 6	BG-1****	BG-3*	BG+7**	BG+5
		6pm-10pm	51	60	BG+ 9	60	BG+ 9	BG-1****	BG-3*	BG+7**	BG+5
		10pm-12am	47	55	BG+ 8	60	BG+ 13	BG-1****	BG-3*	BG+7**	BG+5
		12am-2am	46	45	BG+ -1	50	BG+ 4	BG-10****	BG-12	BG+2***	BG+2***
SCA - 3 (Toolkit SC 5)	Hunter Street	7am-6pm	54	55	BG+ 1	55	BG+ 1	BG-1****	BG-3*	BG+7**	BG+5
		6pm-10pm	55	55	BG+ 0	55	BG+ 0	BG-1****	BG-3*	BG+7**	BG+5
		10pm-12am	50	45	BG+ -5	55	BG+ 5	BG-1****	BG-3*	BG+7**	BG+5
		12am-2am	50	45	BG+ -5	50	BG+ 0	BG-10****	BG-12	BG+2***	BG+2***

*Equivalent to BG+0Leq in octave bands
 **Equivalent to BG+10 L10
 ***Equivalent to BG+8 L10 in octave bands
 ****Equivalent to BG+5 L10 in octave bands

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2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805
 phone: 9911 9911
 email: council@burwood.nsw.gov.au
 website: www.burwood.nsw.gov.au

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Looking at the comparison tables:

- Both the proposed Precinct Management Plan noise limits, and Toolkit limits are significantly less stringent than Liquor and Gaming/City of Sydney.
- For day and early evening periods, the proposed SEP (and Toolkit) noise limits are similar to those adopted by Queensland Liquor and Gaming. For late night periods (post 10pm), the proposed noise limits are more stringent than the Acoustic Toolkit.
- As discussed in Section 7, Liquor and Gaming NSW planning controls will effectively prevent many of the activities that would typically be considered integral to the successful operation of an entertainment precinct. The proposed Precinct Management Plan noise limits are a relaxation of those limits, and will assist in creation of a vibrant precinct (see section 10.2 below).

10.2 Analysis of Precinct Management Plan Noise Controls – Permissible Uses of Sites.

If applying the proposed Precinct Management Plan noise limits, activities such as kerbside dining and entertainment venues trading with shop front windows open will become more viable, which we assume is consistent with the intended operations within the precincts.

The tables below illustrate the activities that will become acceptable under the proposed Precinct Management Plan noise limits.

In some instances, the Precinct Management Plan proposed noise limits will potentially enable activities that we are anticipated are NOT intended as part of typical precinct operations, such as footpath dining after 10pm on Weekdays, after 12am on Weekends, and shop front windows being left open after 10pm on weekdays. These instances are also highlighted in the tables below.

To evaluate the operation of the Precinct Management Plan noise limits, two typical noise emission scenarios will be considered. This will be done to test how the proposed noise limits will serve to regulate activity within the precincts:

- Noise impact from use of outdoor dining areas. We have typically assumed groups of 40 diners located on the footpath outside a given premises (20 for Hunter Street frontages). We have assumed that there are 1 in 2 patron speaking with raised voice (75dB(A)_{L_{eq}}).
- Noise from internal spaces of the main street within the premises, assuming that there spaces are crowded and have moderately loud music (84dB(A)_{L_{eq}} sound pressure within the space. It is assumed that the shop front windows are open.

See tables below:

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Table 17: Permitted Activity Analysis of Based Precinct Management Plan Noise Limits – PATRON KERBSIDE DINING

Location	Time	Ambient Noise		Patron Dining (40 in outdoor area, across road)										
		Leq	L90	Predicted Level at residence*	Comparison to BG Level:	Analysis against SEP (Leq(15min))								
						Weekend			Weekday					
		SEP Goal	Equivalent to:	Activity Suitable?	SEP Goal	Equivalent to:	Activity Suitable?							
Activity Location - Unity Place	7am-6pm	67	54	54	Background+	0	60	Background+	6	Yes	60	Background+	6	Yes
(Receiver - Emerald City/Burwood Place Apartments)	6pm-10pm	67	51	54	Background+	3	60	Background+	9	Yes	60	Background+	9	Yes
(SCA 4)	10pm-12am	68	47	54	Background+	7	60	Background+	13	Yes	55	Background+	8	Yes
	12am-2am	63	46	54	Background+	8	45	Background+	-1	No	45	Background+	-1	No
Activity Location - Belmore Road (North Side)	7am-6pm		54	54	Background+	0	55	Background+	1	Yes	55	Background+	1	Yes
(Receiver - Belmore Road, South Side)	6pm-10pm		55	54	Background+	-1	55	Background+	0	Yes	55	Background+	0	Yes
(SCA 5)	10pm-12am		50	54	Background+	4	50	Background+	0	No	45	Background+	-5	No
	12am-2am		50	54	Background+	4	45	Background+	-5	No	45	Background+	-5	No
Activity Location - Burwood Road (West Side)	7am-6pm		62	54	Background+	-8	65	Background+	3	Yes	65	Background+	3	Yes
(Receiver - Burwood Road, East Side, Shop Top Residence)	6pm-10pm		64	54	Background+	-10	65	Background+	1	Yes	65	Background+	1	Yes
	10pm-12am		56	54	Background+	-2	60	Background+	4	Yes	60	Background+	4	Yes
(SCA 6)	12am-2am		51	54	Background+	3	45	Background+	-6	No	45	Background+	-6	No

Activity that becomes prohibited on applying Criteria
Activity that is permitted under criteria however high risk of noise complaint.
*based on 40 patrons kerbside dining.

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Table 18: Permitted Activity Analysis of Based Precinct Management Plan Noise Limits – TRADING WITH SHOPFRONT WINDOWS OPEN

Location	Time	Ambient Noise		Music+Patron in Front of House - OPEN Windows (85dB(A) sound pressure in front bar)										
		Leq	L90	Predicted Level at residence	Comparison to BG Level:	Analysis against SEP (Leq(15min))								
						Weekend			Weekday					
		SEP Goal	Equivalent to:	Activity Suitable?	SEP Goal	Equivalent to:	Activity Suitable?							
Activity Location - Unity Place	7am-6pm	67	54	58	Background+	4	60	Background+	6	Yes	60	Background+	6	Yes
(Receiver - Emerald City/Burwood Place Apartments)	6pm-10pm	67	51	58	Background+	7	60	Background+	9	Yes	60	Background+	9	Yes
(SCA 4)	10pm-12am	68	47	58	Background+	11	60	Background+	13	Yes	55	Background+	8	No
	12am-2am	63	46	58	Background+	12	45	Background+	-1	No	45	Background+	-1	No
Activity Location - Belmore Road (North Side)	7am-6pm		54	58	Background+	4	55	Background+	1	No	55	Background+	1	No
(Receiver - Belmore Road, South Side)	6pm-10pm		55	58	Background+	3	55	Background+	0	No	55	Background+	0	No
(SCA 5)	10pm-12am		50	58	Background+	8	50	Background+	0	No	45	Background+	-5	No
	12am-2am		50	58	Background+	8	45	Background+	-5	No	45	Background+	-5	No
Activity Location - Burwood Road (West Side)	7am-6pm		62	58	Background+	-4	65	Background+	3	Yes	65	Background+	3	Yes
(Receiver - Burwood Road, East Side, Shop Top Residence)	6pm-10pm		64	58	Background+	-6	65	Background+	1	Yes	65	Background+	1	Yes
	10pm-12am		56	58	Background+	2	60	Background+	4	Yes	60	Background+	4	Yes
(SCA 6)	12am-2am		51	58	Background+	7	45	Background+	-6	No	45	Background+	-6	No

Activity that becomes prohibited on applying Criteria
Activity that is permitted under criteria however high risk of noise complaint.

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Based on the tables above:

- The proposed noise emission limits will typically facilitate uses consistent with an entertainment precinct (outdoor dining, music emitted from open shop front windows).
- Proposed noise limits are not likely to permit activities that are obviously not desirable— outdoor kerbside dining after 12am on weekends, trading with shop front windows open post 10pm on weekdays.

Activities that are anticipated to be facilitated by the proposed SCAs are as follows:

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Table 19: Permissible Activity / Noise Management Guidance

Venue Location	Receiver Location	Noise Management Guidance
Belmore Street	Belmore Street (SCA 5)	Outdoor dining under awning up to 10pm (Monday-Wednesday)
	Emerald Square Tower (SCA 4)	Outdoor dining under awning up to 11pm (Thursday-Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm-2am (windows closed, background music)
Burwood Place (street level/podium)	Burwood Place (residential tower) – SCA 4	Outdoor dining (uncovered) – up to 10pm
		Outdoor dining under awning up to 10pm (Monday-Wednesday) Outdoor dining under awning up to 11pm (Thursday-Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm-2am (windows closed, background music)
Burwood Road	Burwood Road (existing top shop) – SCA 4	Outdoor dining under awning up to 10pm (Monday-Wednesday)
	Burwood Road / Burwood Hotel (future residential tower) – SCA 3	Outdoor dining under awning up to 11pm (Thursday-Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm-2am (windows closed, background music)
Chinatown	Burwood Place East Façade (SCA 3)	Outdoor dining under awning up to 10pm (Monday-Wednesday)
	Burwood Place remaining Facades (SCA 4)	Outdoor dining under awning up to 11pm (Thursday-Sunday)
	Emerald Square (SCA 4)	Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm-2am (windows closed, background music)
Emerald Square	Belmore Street (SCA 5)	Outdoor dining under awning up to 10pm (Monday-Wednesday)
	Emerald Square Tower (SCA 4)	Outdoor dining under awning up to 11pm (Thursday-Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm-2am (windows closed, background music)
Unity Place	Emerald Square Tower (SCA 4)	Outdoor dining under awning up to 10pm (Monday-Wednesday)
	Burwood Place Tower (SCA 4)	Outdoor dining under awning up to 11pm (Thursday-Sunday) Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm-2am (windows closed, background music)
Railway Parade	51 Railway Parade (SCA 4)	Outdoor dining under awning up to 10pm (Monday-Wednesday)
	Burwood Place Tower (SCA 4)	Outdoor dining under awning up to 11pm (Thursday-Sunday)
	Burwood Hotel (future residential tower) – SCA 3	Indoor use – up to 10pm (windows open, background music) Indoor use – 10pm-2am (windows closed, background music)

11 Busking

We note that busking permits will potentially be granted at the following locations:

- Railway Square.
- Clarendon Place
- Unity Place

It is not feasible for a busker to know the noise level generated by them or how they would comply with the noise limit of a Sound Category Area.

Given this, we recommend that busking noise be controlled by limitation in time and by the type of activity permitted. With this control, the noise limits of SCAs are expected to be achieved.

Recommended busking controls:

Table 20: Busking Noise Management Guidance

Busking Venue Location	Receiver Location	Noise Management Guidance
Railway Square	51 Railway Parade (SCA 4)	Busking (amplified music, drums) – 6pm Busking (acoustic) – 8pm
Clarendon Place	Future Burwood Plaza apartments (SCA 3) Emeral Square Apartments (DSCA 4)	Busking (amplified music, drums) – 6pm Busking (acoustic) – 8pm
Unity Place	Future Burwood Place apartments (SCA 4) Burwood Grand Apartments (SCA 4)	Busking (acoustic) – 8pm

12 Conclusion

This report details proposes new noise emission limits for development within the Burwood Special Entertainment Precinct. The report addresses:

- Operational noise from venues to external areas of nearby development.
- Operational noise from venues through common walls to adjacent residential development.
- Acoustic performance requirements for new residential development in the precinct (to ensure that dwellings are constructed such that they protect themselves from lawfully created noise by entertainment venues in the precinct).

This assessment utilises unattended (long-term) noise measurements and attended measurements to obtain an understanding of existing noise conditions throughout the precinct across the day/evening/night periods (for both main streets and side streets). Based on measurements of existing ambient noise levels and application of commonly adopted acoustic guidelines (those typically used by Liquor and Gaming NSW) it was concluded that application of those guidelines would be detrimental to the creation of a vibrant precinct.

Alternative acoustic criteria have been developed. These have been developed based on:

- Council's intended future uses of these precincts.
- Guidance in the *NSW Special Entertainment Precinct Acoustic Toolkit* (by Office of the 24 hour Economy Commissioner).

With respect to the external noise emission limits (Sound Category Areas) recommended in this report:

- Much of the precinct already has a high level of activation of entertainment/food and beverage venues, with the eastern end of the precinct more activated than the west.
- SCAs at the eastern end of the site have been created with a view to facilitate the continued operation of existing venues (Burwood Hotel, Chinatown, Emerald Squire, Burwood Road).
- Ambient noise levels at the western end of the precinct are such that activation of the western end of Unity Place/Belmore Road/Railway Parade/Condor Street and the Burwood Place/Burwood Plaza redevelopment would be hindered by application of current Office of Liquor and Gaming acoustic criteria.
- The noise targets have been developed with a view to:
 - Enabling outdoor dining and trading with shop front windows open during evening hours, and
 - With the intention that most venues could trade post midnight provided that the activities are indoors, windows closed.

We have conducted an examination of the anticipated that are expected to be either facilitated or prohibited under the proposed noise controls. This is discussed in Section 10. The purpose of this is to demonstrate that the recommended SCA will permit activities that are considered desirable, prohibit those that are not.

If a significant number of complaints are received by Council or Liquor & Gaming NSW with respect to noise emission from entertainment venues, then a review of the delineation of Sound Category Areas and the corresponding external sound criteria would be warranted to determine whether the balance between the needs of entertainment venues and the amenity of residential receivers needs to be adjusted.

Noise to internal areas within residences in the Precinct has also been considered:

- Where an entertainment venue physically adjoins a residence (common wall/floor), internal criteria to address noise transfer through a shared wall/floor has been set out in Section 8.4. An “agent-of-change” approach is recommended – the newer development (be it residential or entertainment) should bear the responsibility to ensure that noise level requirements in the residence are met.
- Internal sound criteria for future residential receivers within the SEPs have been set in Section 9. Indicative façade constructions to meet the internal sound criteria have been presented. The proponent of new residential development should be required to undertake an acoustic assessment to confirm that facade constructions will provide appropriate sound insulation to mitigate any lawfully generated noise from entertainment venues.

APPENDIX A Glossary of terminology

The following is a brief description of the technical terms used to describe noise to assist in understanding the technical issues presented.

Absorption Coefficient α	The absorption coefficient of a material, usually measured for each octave or third-octave band and ranging between zero and one. For example, a value of 0.85 for an octave band means that 85% of the sound energy within that octave band is absorbed on coming into contact with the material. Conversely, a low value below about 0.1 means the material is acoustically reflective.
Adverse weather	Weather effects that enhance noise (particularly wind and temperature inversions) occurring at a site for a significant period of time. In the NSW INP this occurs when wind occurs for more than 30% of the time in any assessment period in any season and/or temperature inversions occurring more than 30% of nights in winter.
Air-borne noise	Noise which is fundamentally transmitted by way of the air and can be attenuated by the use of barriers and walls placed physically between the noise source and receiver.
Ambient noise	The all-encompassing noise associated within a given environment at a given time, usually composed of sound from all sources near and far.
Amenity	A desirable or useful feature or facility of a building or place.
AS	Australian Standard
Assessment period	The time period in which an assessment is made. e.g. Day 7am-10pm & Night 10pm-7am.
Assessment Point	A location at which a noise or vibration measurement is taken or estimated.
Attenuation	The reduction in the level of sound or vibration.
Audible Range	The limits of frequency which are audible or heard as sound. The normal hearing in young adults detects ranges from 20 Hz to 20 kHz, although some people can detect sound with frequencies outside these limits.
A-weighting	A filter applied to the sound recording made by a microphone to approximate the response of the human ear.
Background noise	Background noise is the term used to describe the underlying level of noise present in the ambient noise, measured in the absence of the noise under investigation. It is described as the average of the minimum noise levels measured on a sound level meter and is measured statistically as the A-weighted noise level exceeded for ninety percent of a sample period. This is represented as the LA90 noise level if measured as an overall level or an L90 noise level when measured in octave or third-octave bands.
Barrier (Noise)	A natural or constructed physical barrier which impedes the propagation of sound and includes fences, walls, earth mounds or berms and buildings.
Berm	Earth or overburden mound.
Buffer	An area of land between a source and a noise-sensitive receiver and may be an open space or a noise-tolerant land use.
Bund	A bund is an embankment or wall of brick, stone, concrete or other impervious material, which may form part or all of the perimeter of a compound.
BS	British Standard

Ci	<p>Spectrum Adaptation Term for impact sound pressure level.</p> <p>A value used to modify the measured impact sound pressure level, Ln,w or L'nT,w.</p> <p>Impact sound is generated by a laboratory grade tapping machine placed on the floor to be tested. This tapping machine accurately is intended to simulate noise impact transmitted to the space below caused by a person's footsteps on a floor above.</p> <p>The value is defined in ISO 717-2. The Ln,w or L'nT,w alone is sufficient to characterise the sound from concrete floors. However the measured level does not correlate well with the perceived level for timber joist floors and so the Ci value was developed to compensate.</p> <p>Timber joist floors can have a Ci value slightly positive. Concrete floors with an effective covering such as carpet have Ci values approximately equal to 0dB. Concrete floors with a hard, or less effective covering, can have Ci values varying in between -15dB and 0dB.</p> <p>The Ci value is added to the impact sound pressure level, Ln,w or L'nT,w with positive Ci values being less favourable.</p>																																						
CoRTN	<p>United Kingdom Department of Environment entitled "Calculation of Road Traffic Noise (1988)"</p>																																						
Ctr	<p>Spectrum Adaptation Term for the sound reduction index.</p> <p>A value used to modify the measured sound insulation performance of a wall or floor measured in terms of the Rw or the DnT,w so as to more accurately account for low frequency noise transmission from the sound of modern stereo systems.</p> <p>The value is defined in ISO 717-1 which also sets out the test methodology for measuring the sound insulation properties of building elements.</p> <p>The Ctr of a building element varies according to its physical properties. For example, a 90mm cavity brick masonry wall as a Ctr value of -6, as does a wall constructed of 150mm core-filled concrete blocks. By contrast, a brick veneer wall might have a Ctr of -12.</p> <p>The value is added to the Rw or DnT,w. with positive Ctr values being more favourable.</p>																																						
Decibel [dB]	<p>The units that sound is measured in. The following are examples of the decibel readings of common sounds in our environment:</p> <table border="1"> <tr> <td rowspan="2">threshold of hearing</td> <td>0 dB</td> <td>The faintest sound we can hear, defined as 20 micro Pascal</td> </tr> <tr> <td>10 dB</td> <td>Human breathing</td> </tr> <tr> <td rowspan="2">almost silent</td> <td>20 dB</td> <td></td> </tr> <tr> <td>30 dB</td> <td>Quiet bedroom or in a quiet national park location</td> </tr> <tr> <td rowspan="2">generally quiet</td> <td>40 dB</td> <td>Library</td> </tr> <tr> <td>50 dB</td> <td>Typical office space or ambience in the city at night</td> </tr> <tr> <td rowspan="2">moderately loud</td> <td>60 dB</td> <td>CBD mall at lunch time</td> </tr> <tr> <td>70 dB</td> <td>The sound of a car passing on the street</td> </tr> <tr> <td rowspan="2">loud</td> <td>80 dB</td> <td>Loud music played at home</td> </tr> <tr> <td>90 dB</td> <td>The sound of a truck passing on the street</td> </tr> <tr> <td rowspan="2">very loud</td> <td>100 dB</td> <td>Indoor rock band concert</td> </tr> <tr> <td>110 dB</td> <td>Operating a chainsaw or jackhammer</td> </tr> <tr> <td rowspan="2">extremely loud</td> <td>120 dB</td> <td>Jet plane take-off at 100m away</td> </tr> <tr> <td>130 dB</td> <td></td> </tr> <tr> <td rowspan="2">threshold of pain</td> <td>140 dB</td> <td>Military jet take-off at 25m away</td> </tr> </table>	threshold of hearing	0 dB	The faintest sound we can hear, defined as 20 micro Pascal	10 dB	Human breathing	almost silent	20 dB		30 dB	Quiet bedroom or in a quiet national park location	generally quiet	40 dB	Library	50 dB	Typical office space or ambience in the city at night	moderately loud	60 dB	CBD mall at lunch time	70 dB	The sound of a car passing on the street	loud	80 dB	Loud music played at home	90 dB	The sound of a truck passing on the street	very loud	100 dB	Indoor rock band concert	110 dB	Operating a chainsaw or jackhammer	extremely loud	120 dB	Jet plane take-off at 100m away	130 dB		threshold of pain	140 dB	Military jet take-off at 25m away
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	dB(A)	<p>A-weighted decibel. The A- weighting noise filter simulates the response of the human ear at relatively low levels, where the ear is not as effective in hearing low frequency sounds as it is in hearing high frequency sounds. That is, low frequency sounds of the same dB level are not heard as loud as high frequency sounds. The sound level meter replicates the human response of the ear by using an electronic filter which is called the "A" filter. A sound level measured with this filter is denoted as dB(A). Practically all noise is measured using the A filter.</p>																																					

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dB(C)	C-weighted decibels. The C-weighting noise filter simulates the response of the human ear at relatively high levels, where the human ear is nearly equally effective at hearing from mid-low frequency (63Hz) to mid-high frequency (4kHz), but is less effective outside these frequencies. The dB(C) level is not widely used but has some applications.
Deemed-to-Satisfy Provisions	The Deemed-to-Satisfy Provisions are an optional means of achieving compliance with the mandatory Performance Requirements of the National Construction Code. (also see Alternate Solution)
Diffraction	The distortion of sound waves caused when passing tangentially around solid objects.
DIN	German Standard
Discontinuous Construction	A wall system having a minimum 20mm cavity between two separate leaves, where, for other than masonry there is no mechanical linkage between leaves except at the periphery.
DnT,w	Weighted Standardised Field Level Difference A measure of sound insulation performance of a building element. It is characterised by the difference in noise level on each side of a wall or floor. It is measured in-situ. It is a field measurement that relates to the Rw laboratory measured value but is not equal to it because an in-situ space is not of the same quality as a laboratory space. The value is indicative of the level of speech privacy between spaces. The higher its value the better the insulation performance.
ECRTN	Environmental Criteria for Road Traffic Noise, NSW, 1999
ENMM	Environmental Noise Management Manual, Roads and Maritime Services (Transport for NSW)
EPA	Environment Protection Authority
Field Test	A test of the sound insulation performance in-situ. See also 'Laboratory Test' The sound insulation performance between building spaces can be measured by conducting a field test, for example, early during the construction stage or on completion. A field test is conducted in a non-ideal acoustic environment. It is generally not possible to measure the performance of an individual building element accurately as the results can be affected by numerous field conditions.
FIIC	Field Impact Isolation Class. A measure of the noise impact performance of a floor. The value indicates the resistance of the floor to the transmission of impact sound and is measured using a standard tapping machine. It is measured in-situ and is therefore subject to the inherent accuracies involved in such a measurement. The term is defined in ASTM E492 and E1007. It is a field measure of the level of impact sound transmitted to a space via a floor. The equivalent measurement in a laboratory is termed the IIC. The higher the value the better the performance.
Flanking	Flanking is the transfer of sound through paths around a building element rather than through the building element material directly. For example, sound travelling through a gap underneath a door or a gap at the top of a wall.
Fluctuating Noise	Noise that varies continuously to an appreciable extent over the period of observation.
Free-field	An environment in which there are no acoustic reflective surfaces. Free field noise measurements are carried out outdoors at least 3.5m from any acoustic reflecting structures other than the ground.
Frequency	Frequency is synonymous to pitch. Sounds have a pitch which is peculiar to the nature of the sound generator. For example, the sound of a tiny bell has a high pitch and the sound of a bass drum has a low pitch. Frequency or pitch can be measured on a scale in units of Hertz or Hz.
FSTC	Field Sound Transmission Class A measure of the sound insulation performance of a building element. It is characterised by the difference in noise level on each side of a wall or floor. It is measured in the field and is therefore subject to the inherent inaccuracies involved in such a measurement. The term was referred to in older superseded versions of the Building Code of Australia and has now been replaced with the term DnT,w.

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Ground-borne noise	Vibration propagated through the ground and then radiated as noise by vibrating building elements such as wall and floor surfaces. This noise is more noticeable in rooms that are well insulated from other airborne noise. An example would be vibration transmitted from an underground rail line radiating as sound in a bedroom of a building located above.
Habitable Area	Includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom. Excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.
Heavy Vehicle	A truck, transporter or other vehicle with a gross weight above a specified level (for example: over 8 tonnes).
IGANRIP	Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects, NSW DEC 2007
IIC	Impact Isolation Class A measure of the noise impact performance of a floor. It is measured in very controlled conditions in a laboratory and is characterised by how much sound reaches the receiving room from the operation a standard tapping machine placed on the floor. The term is defined in ASTM E492 and E1007. The higher the number the better the performance.
Impact Noise	The noise in a room, caused by impact or collision of an object onto the walls or the floor. Typical sources of impact noise are footsteps on the floor above a tenancy and the slamming of doors on cupboards mounted on the common wall between tenancies.
Impulsive noise	Having a high peak of short duration or a sequence of such peaks. A sequence of impulses in rapid succession is termed repetitive impulsive noise.
INP	NSW Industrial Noise Policy, EPA 1999
Intermittent noise	The level suddenly drops to that of the background noise several times during the period of observation. The time during which the noise remains at levels different from that of the ambient is one second or more.
Intertenancy wall	Walls that separate buildings or units within a building. They may provide sound resistance or serve as a fire wall. Synonymous with 'party wall'.
Intrusive noise	Refers to noise that intrudes above the background level by more than 5 dB(A).
ISEPP	State Environmental Planning Policy (Infrastructure), NSW, 2007
ISEPP Guideline	Development Near Rail Corridors and Busy Roads - Interim Guideline, NSW Department of Planning, December 2008
L1	The sound pressure level that is exceeded for 1% of the time for which the given sound is measured.
L10	The sound pressure level that is exceeded for 10% of the time for which the given sound is measured.
L10(1hr)	The L10 level measured over a 1 hour period.
L10(18hr)	The arithmetic average of the L10(1hr) levels for the 18 hour period between 6am and 12 midnight on a normal working day.
L90	The level of noise exceeded for 90% of the time. The bottom 10% of the sample is the L90 noise level expressed in units of dB(A).
LAeq or Leq	The "equivalent noise level" is the summation of noise events and integrated over a selected period of time, which would produce the same energy as a fluctuating sound level. When A-weighted, this is written as the LAeq.
LAeq(1hr)	The LAeq noise level for a one-hour period. In the context of the NSW EPA's Road Noise Policy it represents the highest tenth percentile hourly A-weighted Leq during the period 7am to 10pm, or 10pm to 7am (whichever is relevant).
LAeq(8hr)	The LAeq noise level for the period 10pm to 6am.
LAeq(9hr)	The LAeq noise level for the period 10pm to 7am.
LAeq(15hr)	The LAeq noise level for the period 7am to 10pm.

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LAeq (24hr)	The LAeq noise level during a 24 hour period, usually from midnight to midnight.
Lmax	The maximum sound pressure level measured over a given period. When A-weighted, this is usually written as the LAmax.
Lmin	The minimum sound pressure level measured over a given period. When A-weighted, this is usually written as the LAmin.
Ln,w	Weighted Normalised Impact Sound Pressure Level A measure of the sound level transmitted from impacts on a floor to a tenancy below. It is measured in very controlled conditions in a laboratory and is characterised by how much sound reaches the receiving room from a standard tapping machine. A lower value indicates a better performing floor.
LnT,w	Weighted Standardised Field Impact Sound Pressure Level As for Ln,w but measured in-situ and therefore subject to the inherent accuracies involved in such a measurement. The equivalent measurement in a laboratory is the Ln,w. A lower value indicates a better performing floor.
Laboratory Test	The performance of a building element when measured in a laboratory. The sound insulation performance of a building element installed in a building however can differ from its laboratory performance for many reasons including the quality of workmanship, the size and shape of the space in which the measurement is conducted, flanking paths and the specific characteristics of the material used which may vary from batch to batch.
Loudness	A rise of 10 dB in sound level corresponds approximately to a doubling of subjective loudness. That is, a sound of 85 dB is twice as loud as a sound of 75 dB which is twice as loud as a sound of 65 dB and so on. That is, the sound of 85 dB is four times or 400% the loudness of a sound of 65 dB.
Microphone	An electro-acoustic transducer which receives an acoustic signal and delivers a corresponding electric signal.
NCA	Noise Catchment Area. An area of study within which the noise environment is substantially similar.
NCG	Noise Criteria Guideline, Roads and Maritime Services (Transport for NSW)
NMG	Noise Mitigation Guideline, Roads and Maritime Services (Transport for NSW)
Noise	Unwanted sound
Normalised	A method of adjusting the measured noise indices in a laboratory so that they are independent of the measuring space. The noise level in a room is affected by reverberation in the room. For example, the Ln,w impact sound pressure level measured in a laboratory is dependent upon the amount of absorptive material in the receiving room. The value is adjusted to what would be measured if the sound absorption in the receiving room is set at 10m ² . This enables all laboratories to report the same value when measured under slightly different conditions. See also 'Standardised'.
NPfl	Noise Policy for Industry, NSW EPA 2017
NR	Noise Reduction. The reduction of noise measured between two points.
NRC	Noise Reduction Coefficient. A measure of the ability of a material to absorb sound. The NRC is generally a number between 0 and 1 but in some circumstances can be slightly greater than 1 because of absorption at the edges of the material. A material with an NRC rating of 1 absorbs 100% of incoming sound, that is, no sound is reflected back from the material. The NRS is the average of the absorption coefficient measured in the octave bands 250Hz, 500Hz, 1kHz & 2kHz which correspond to the predominant frequencies associated with the human voice.
Partition wall	A wall dividing two rooms.
Party wall	A wall dividing two tenancies. Synonymous with 'Intertenancy Wall'.

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Pre-construction	Work in respect of the proposed project that includes design, survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, minor clearing (except where threatened species, populations or ecological communities would be affected), establishing ancillary facilities such as site compounds, or other relevant activities determined to have minimal environmental impact (e.g. minor access roads).
RBL	Rating Background Level is the representative LA90 background noise level for a period, as defined in the NSW EPA's noise policies.
Reflection	Sound wave reflected from a solid object obscuring its path.
RING	Rail Infrastructure Noise Guideline, NSW, May 2013
RMS	Root Mean Square value representing the average value of a signal.
RNCG	Road Noise Criteria Guideline, Roads and Maritime Services (Transport for NSW)
RNMG	Road Noise Mitigation Guideline, Roads and Maritime Services (Transport for NSW)
RNP	Road Noise Policy, NSW, March 2011
Rw	Weighted Sound Reduction Index A measure of the sound insulation performance of a building element. It is measured in very controlled conditions in a laboratory. The term supersedes the value STC which was used in older versions of the Building Code of Australia. Rw is measured and calculated using the procedure in ISO 717-1. The related field measurement is the DnT,w. The higher the value the better the acoustic performance of the building element.
R'w	Weighted Apparent Sound Reduction Index. As for Rw but measured in-situ and therefore subject to the inherent accuracies involved in such a measurement. The higher the value the better the acoustic performance of the building element.
Sabine	A measure of the total acoustic absorption provided by a material. It is the product of the Absorption Coefficient (alpha) and the surface area of the material (m2). For example, a material with alpha = 0.65 and a surface area of 8.2m2 would have 0.65 x 8.2 = 5.33 Sabine. Sabine is usually calculated for each individual octave band (or third-octave).
SEL	Sound Exposure Level (SEL) is the constant sound level which, if maintained for a period of 1 second would have the same acoustic energy as the measured noise event. SEL noise measurements are useful as they can be converted to obtain Leq sound levels over any period of time and can be used for predicting noise at various locations.
Sole-occupancy Unit	An area within a building for the exclusive use of the owner or occupier.
Sound	A fluctuation of air pressure which is propagated as a wave through air.
Sound absorption	The ability of a material to absorb sound energy by conversion to thermal energy.
Sound Insulation	Sound insulation refers to the ability of a construction or building element to limit noise transmission through the building element. The sound insulation of a material can be described by the Rw and the sound insulation between two rooms can be described by the DnT,w.
Sound level meter	An instrument consisting of a microphone, amplifier and indicating device, having a declared performance and designed to measure sound pressure levels.
Sound power level	Ten times the logarithm to the base 10 of the ratio of the sound power of the source to the reference sound power of 1 pico watt.
Sound pressure level	The level of noise, usually expressed in decibels, as measured by a standard sound level meter with a microphone referenced to 20 micro Pascal.
Spoil	Soil or materials arising from excavation activities.

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Standardised	<p>A method of adjusting the measured noise indices in-situ so that they are independent of the measuring space.</p> <p>The noise level in a room is affected by reverberation in the room. For example, the L_{n,w} impact sound pressure level measured in a room is dependent upon the amount of absorptive material in the receiving room. The value is adjusted to what would be measured if the reverberation time in the receiving room is set at 0.5 seconds. This enables the same value to be reported independent of whether the room contains carpet and furnishings and the like. See also 'Normalised'.</p>
STC	<p>Sound Transmission Class</p> <p>A measure of the sound insulation performance of a building element. It is measured in controlled conditions in a laboratory.</p> <p>The term has been superseded by Rw.</p>
Structure-borne Noise	<p>Audible noise generated by vibration induced in the ground and/or a structure. Vibration can be generated by impact or by solid contact with a vibrating machine.</p> <p>Structure-borne noise cannot be attenuated by barriers or walls but requires the isolation of the vibration source itself. This can be achieved using a resilient element placed between the vibration source and its support such as rubber, neoprene or springs or by physical separation (using an air gap for example).</p> <p>Examples of structure-borne noise include the noise of trains in underground tunnels heard to a listener above the ground, the sound of footsteps on the floor above a listener and the sound of a lift car passing in a shaft. See also 'Impact Noise'.</p>
Tonal Noise	<p>Sound containing a prominent frequency and characterised by a definite pitch.</p>
Transmission Loss	<p>The sound level difference between one room or area and another, usually of sound transmitted through an intervening partition or wall. Also the vibration level difference between one point and another.</p> <p>For example, if the sound level on one side of a wall is 100dB and 65dB on the other side, it is said that the transmission loss of the wall is 35dB. If the transmission loss is normalised or standardised, it then becomes the Rw or R_w or DnT_w.</p>
Vibration	<p>A mechanical phenomenon whereby oscillations occur about an equilibrium point; a periodic back-and-forth motion of an elastic body or medium, commonly resulting when almost any physical system is displaced from its equilibrium condition.</p>
Wet Area	<p>An area within a building that is supplied with water from a water supply including bathrooms, laundries and sanitary compartments. Excludes kitchens.</p>

APPENDIX B Long Term Noise Monitoring Method

B.1 Noise monitoring equipment

A long-term unattended noise monitor consists of a sound level meter housed inside a weather resistant enclosure. Noise levels are monitored continuously with statistical data stored in memory for every 15-minute period.

Long term noise monitoring was conducted using the following instrumentation:

Description	Type	Octave band data	Logger location(s)
RTA05-006 (NTi Audio XL2)	Type 1	1/1	Burwood Hotel facing Railway Parade
RTA07-032 (NTi Audio XL2)	Type 1	1/1	Burwood Hotel facing Burwood Road
RTA06-002 (NTi Audio XL2)	Type 1	1/1	8 Conder Street facing Unity Place
RTA07-007 (NTi Audio XL2)	Type 1	1/1	Emerald Square facing Belmore Street

Notes: All meters comply with AS IEC 61672.1 2004 "Electroacoustics - Sound Level Meters" and designated either Type 1 or Type 2 as per table, and are suitable for field use.

The equipment was calibrated prior and subsequent to the measurement period using a Bruel & Kjaer Type 4230 or 4231 calibrator. No significant drift in calibration was observed.

B.2 Meteorology during monitoring

Measurements affected by extraneous noise, wind (greater than 5m/s) or rain were excluded from the recorded data in accordance with the NSW NPfl. Determination of extraneous meteorological conditions was based on data provided by the Bureau of Meteorology (BOM), for a location considered representative of the noise monitoring location(s). However, the data was adjusted to account for the height difference between the BOM weather station, where wind speed and direction is recorded at a height of 10m above ground level, and the microphone location, which is typically 1.5m above ground level (and less than 3m). The correction factor applied to the data is based on Table C.1 of ISO 4354:2009 'Wind actions on structures'.

B.3 Noise vs time graphs

Noise almost always varies with time. Noise environments can be described using various descriptors to show how a noise ranges about a level. In this report, noise values measured or referred to include the L_{10} , L_{90} , and L_{eq} levels. The statistical descriptors L_{10} and L_{90} measure the noise level exceeded for 10% and 90% of the sample measurement time. The L_{eq} level is the equivalent continuous noise level or the level averaged on an equal energy basis. Measurement sample periods are usually ten to fifteen minutes. The Noise -vs- Time graphs representing measured noise levels, as presented in this report, illustrate these concepts for the broadband dB(A) results.

APPENDIX C **Noise Survey Results – Noise Monitoring Location 1
(Railway Parade)**

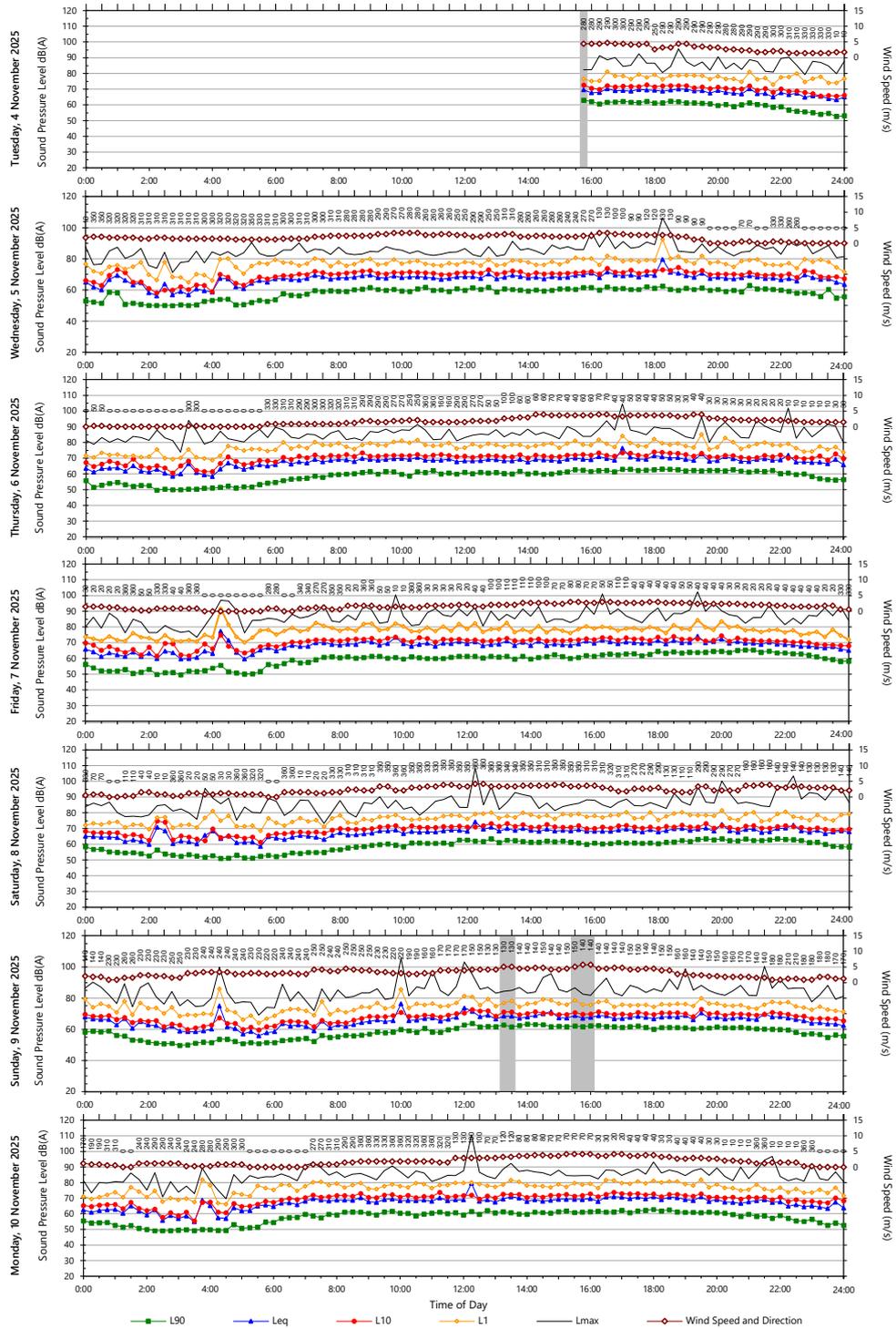
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Unattended Monitoring Results

Location: Burwood Special Entertainment Precinct SEP -



Data File: 2025-11-04_SLM_000_123_Rpt_Report.txt

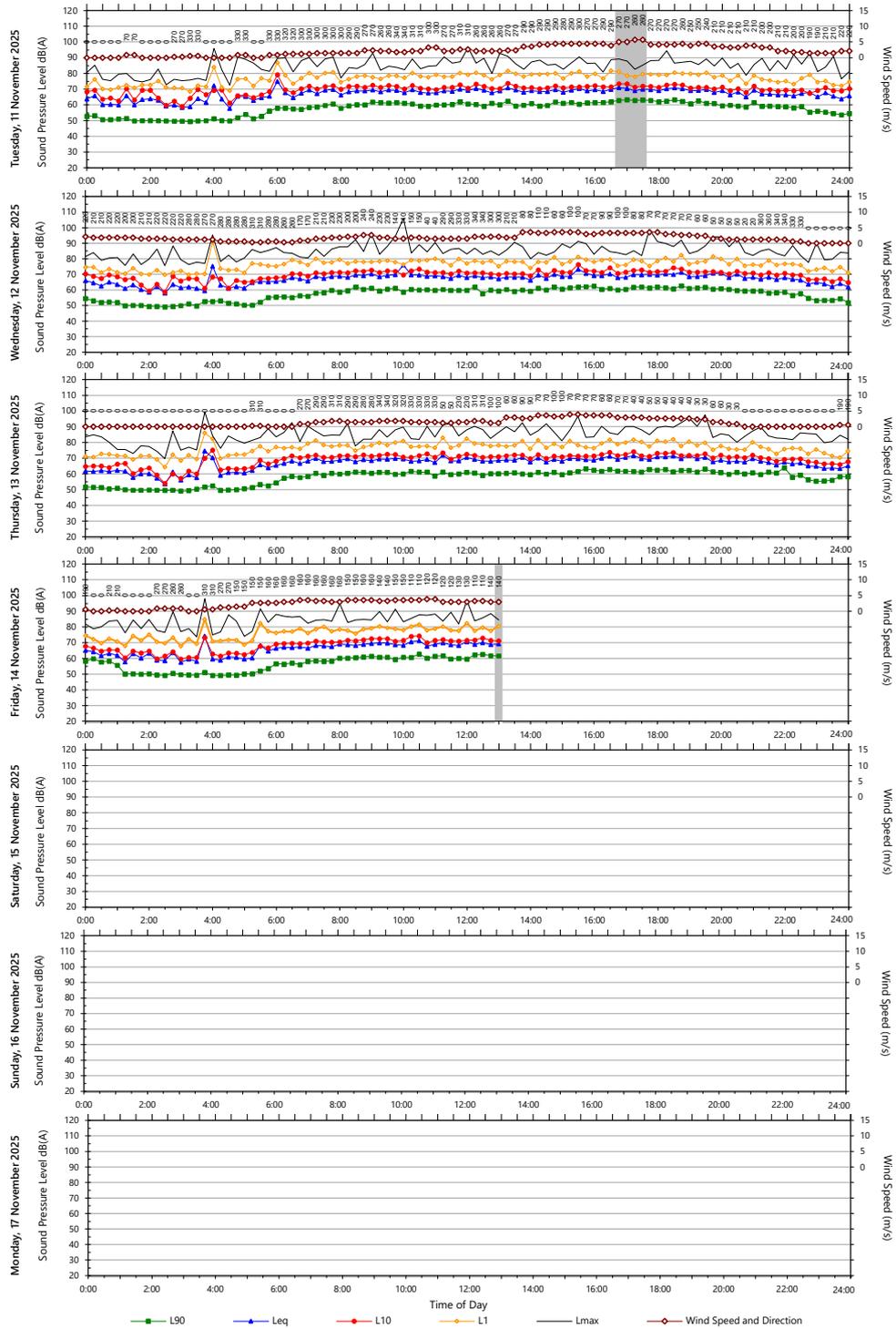
Template: QTE-26 Logger Graphs Program (r47)

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Unattended Monitoring Results

Location: Burwood Special Entertainment Precinct SEP -



Data File: 2025-11-04_SLM_000_123_Rpt_Report.txt
 Template: QTE-26 Logger Graphs Program (r47)

APPENDIX D **Noise Survey Results – Noise Monitoring Location 2
(Burwood Road)**

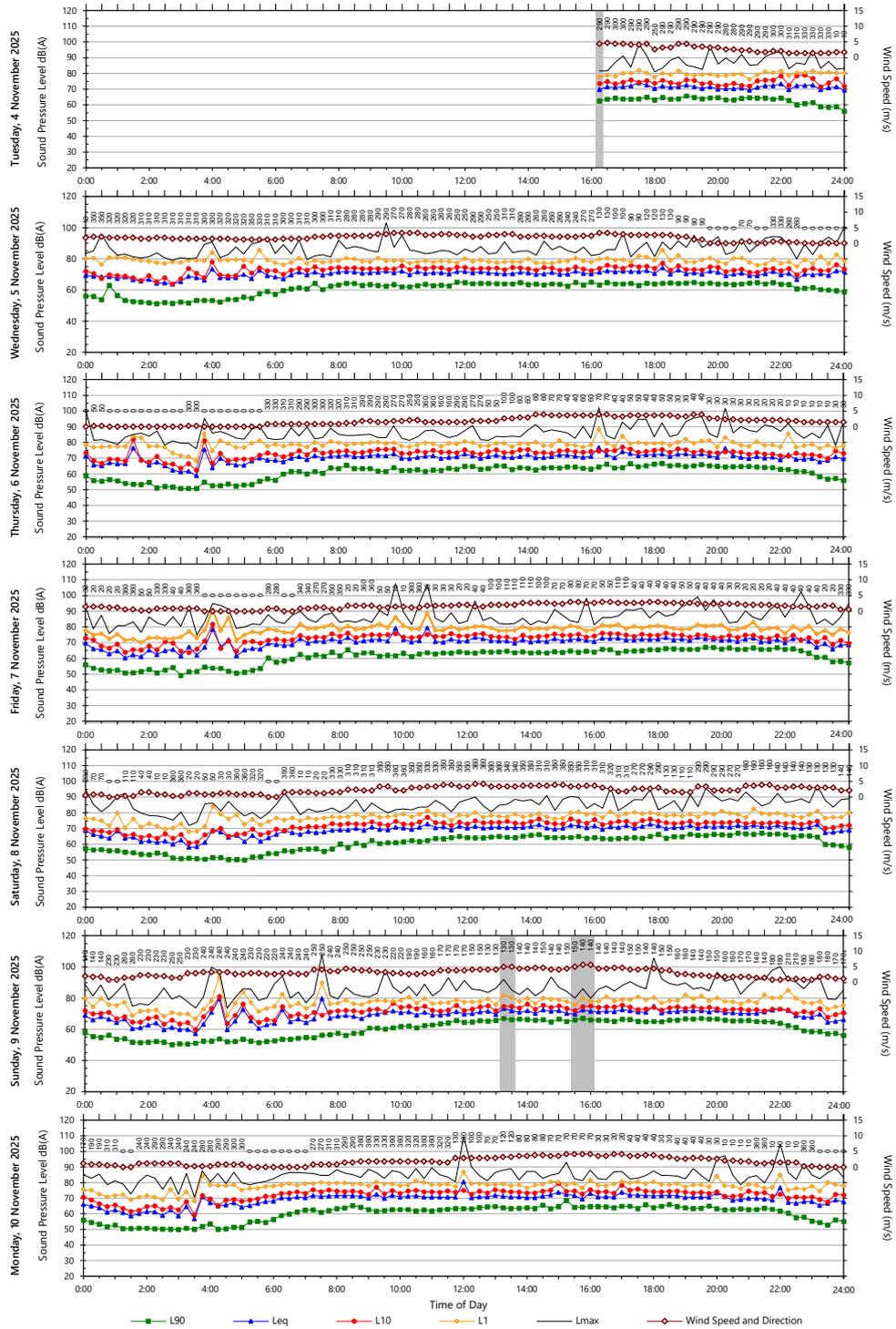
DRAFT

Item Number 97/25 - Attachment 4

Burwood Special Entertainment Precinct Acoustic Report - December 2025

Unattended Monitoring Results

Location: Burwood Special Entertainment Precinct SEP -



Data File: 2025-11-04_SLM_000_123_Rpt_Report.txt

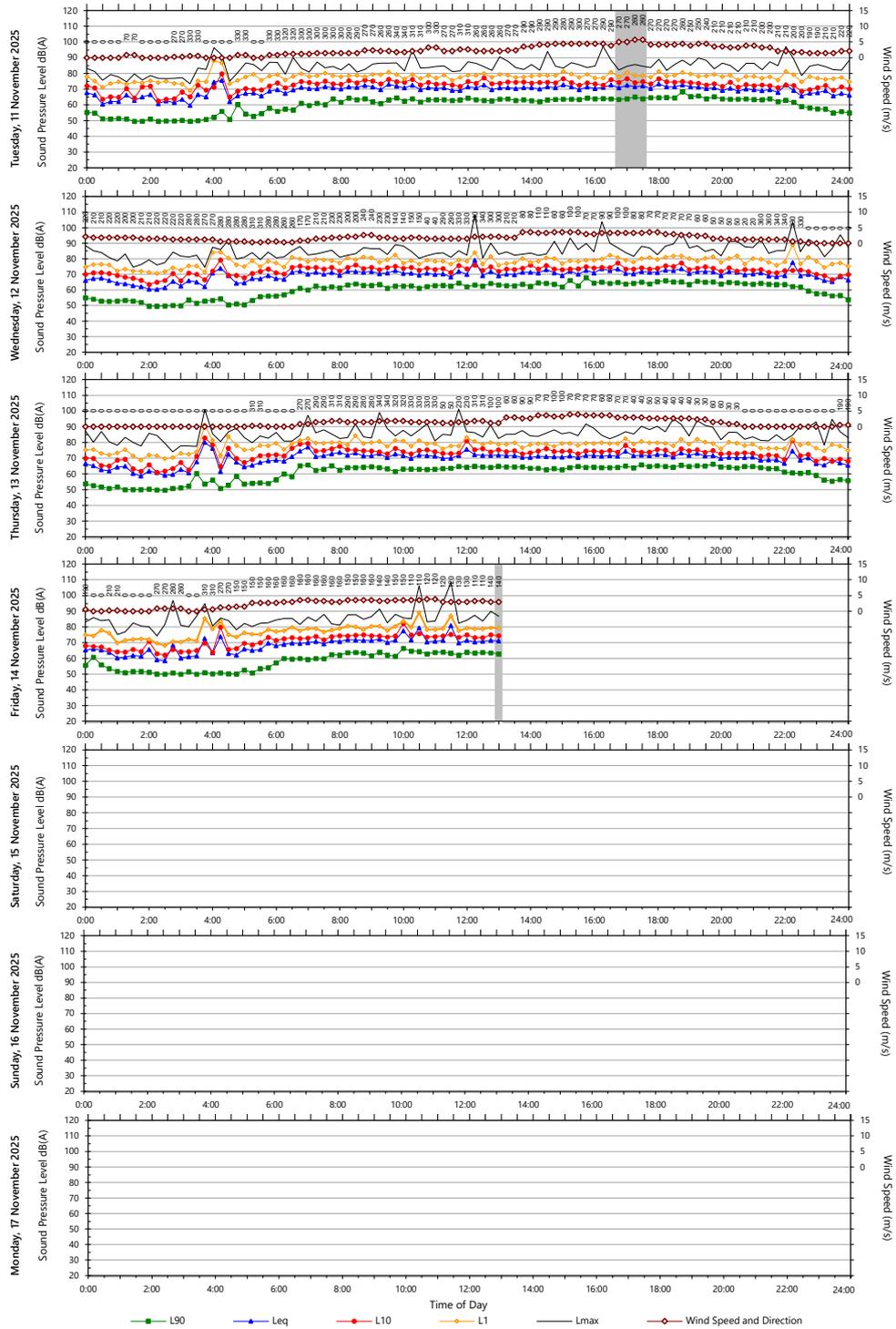
Template: QTE-26 Logger Graphs Program (r47)

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Burwood Special Entertainment Precinct Acoustic Report - December 2025

Unattended Monitoring Results

Location: Burwood Special Entertainment Precinct SEP -



Data File: 2025-11-04_SLM_000_123_Rpt_Report.txt

Template: QTE-26 Logger Graphs Program (r47)

2 Conder Street Burwood NSW 2134, PO Box 240 Burwood NSW 1805

phone: 9911 9911

email: council@burwood.nsw.gov.au

website: www.burwood.nsw.gov.au

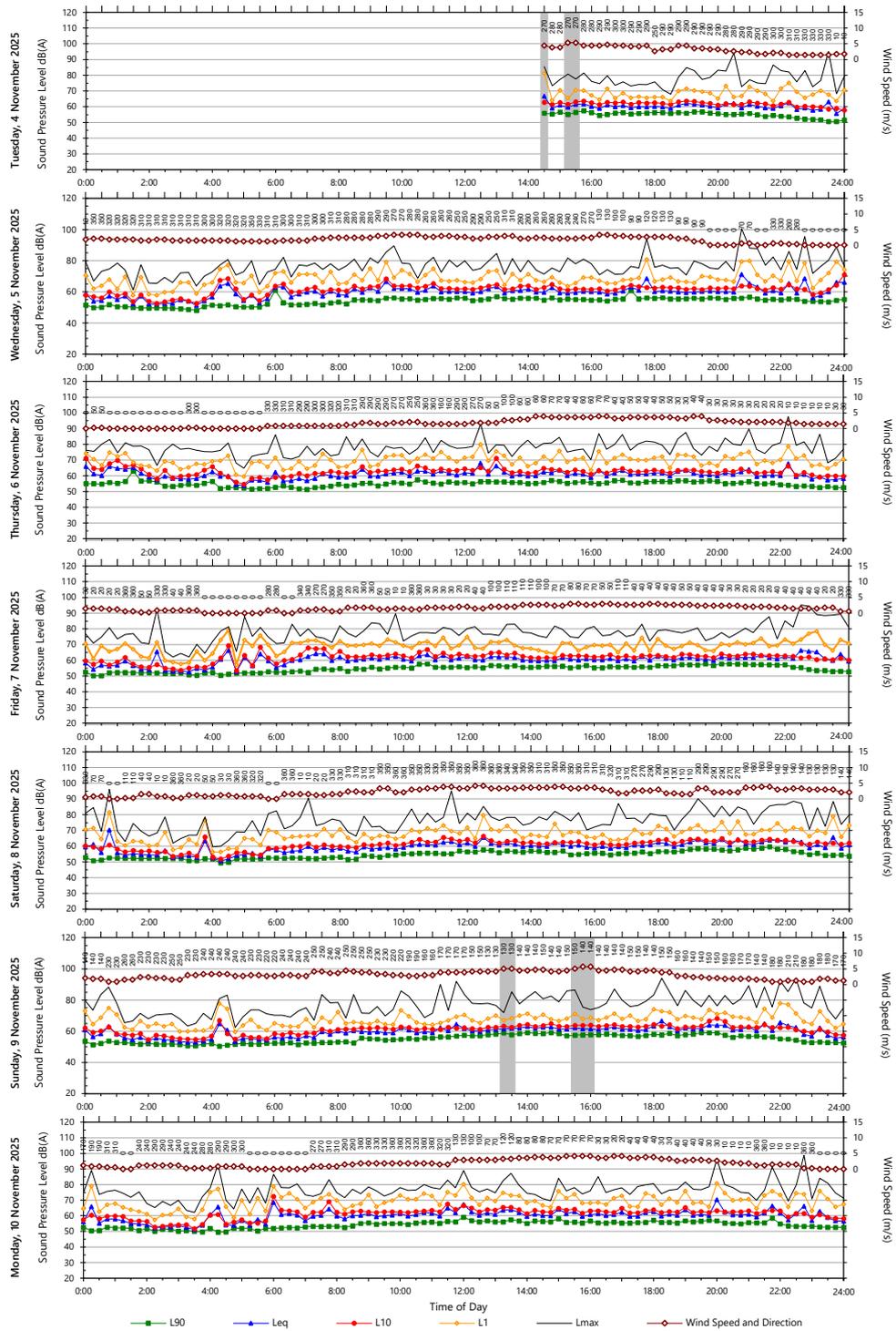
APPENDIX E **Noise Survey Results – Noise Monitoring Location 3
(Belmore Street)**

DRAFT

Item Number 97/25 - Attachment 4

Burwood Special Entertainment Precinct Acoustic Report - December 2025

Unattended Monitoring Results: Burwood Special Entertainment Precinct SEP - Emerlad square facing Belmore road



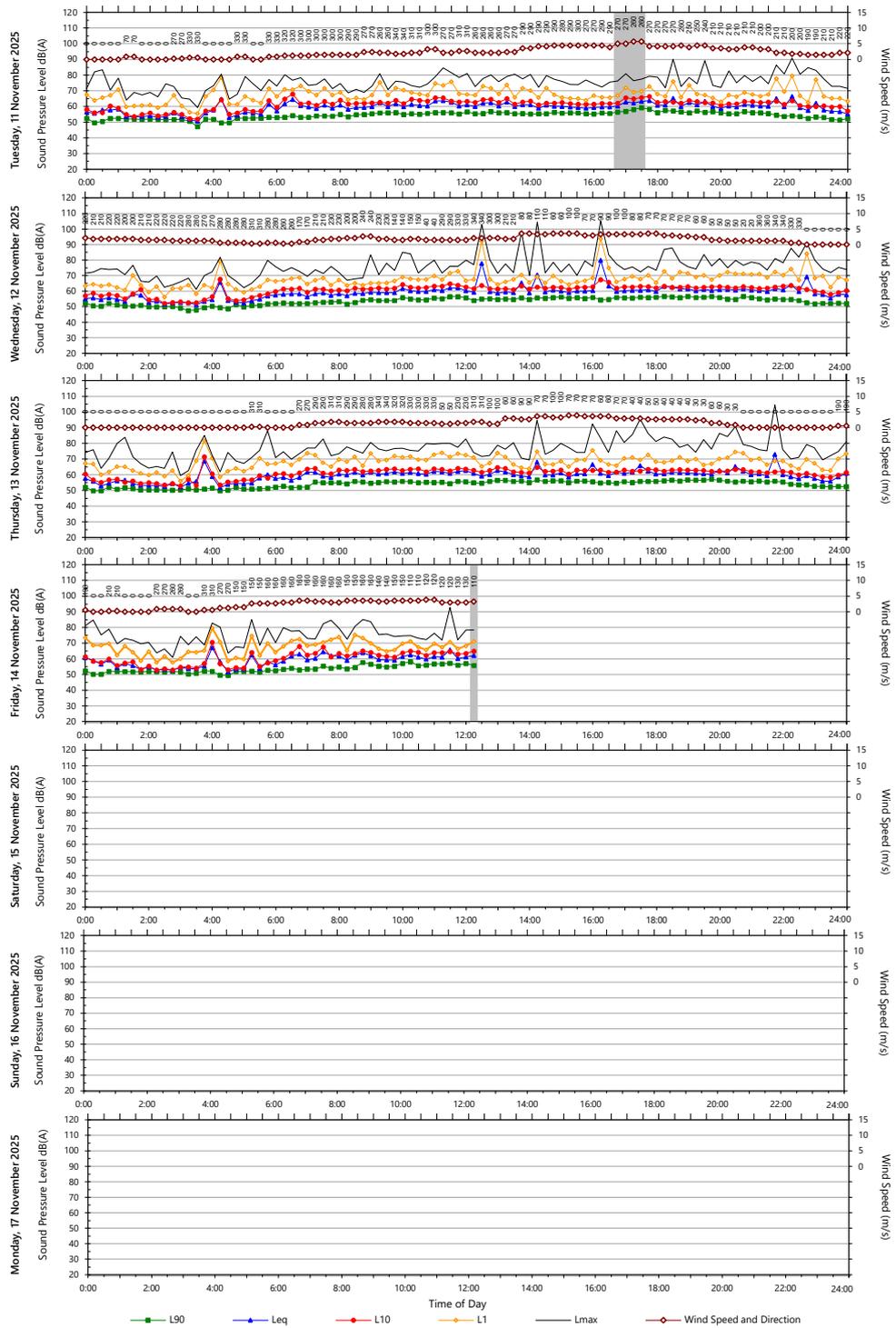
Data File: 2025-11-04_SLM_000_123_Rpt_Report.txt

Template: QTE-26 Logger Graphs Program (r47)

Item Number 97/25 - Attachment 4

Burwood Special Entertainment Precinct Acoustic Report - December 2025

Unattended Monitoring Results: Burwood Special Entertainment Precinct SEP - Emerlad square facing Belmore road



Data File: 2025-11-04_SLM_000_123_Rpt_Report.txt
 Template: QTE-26 Logger Graphs Program (r47)

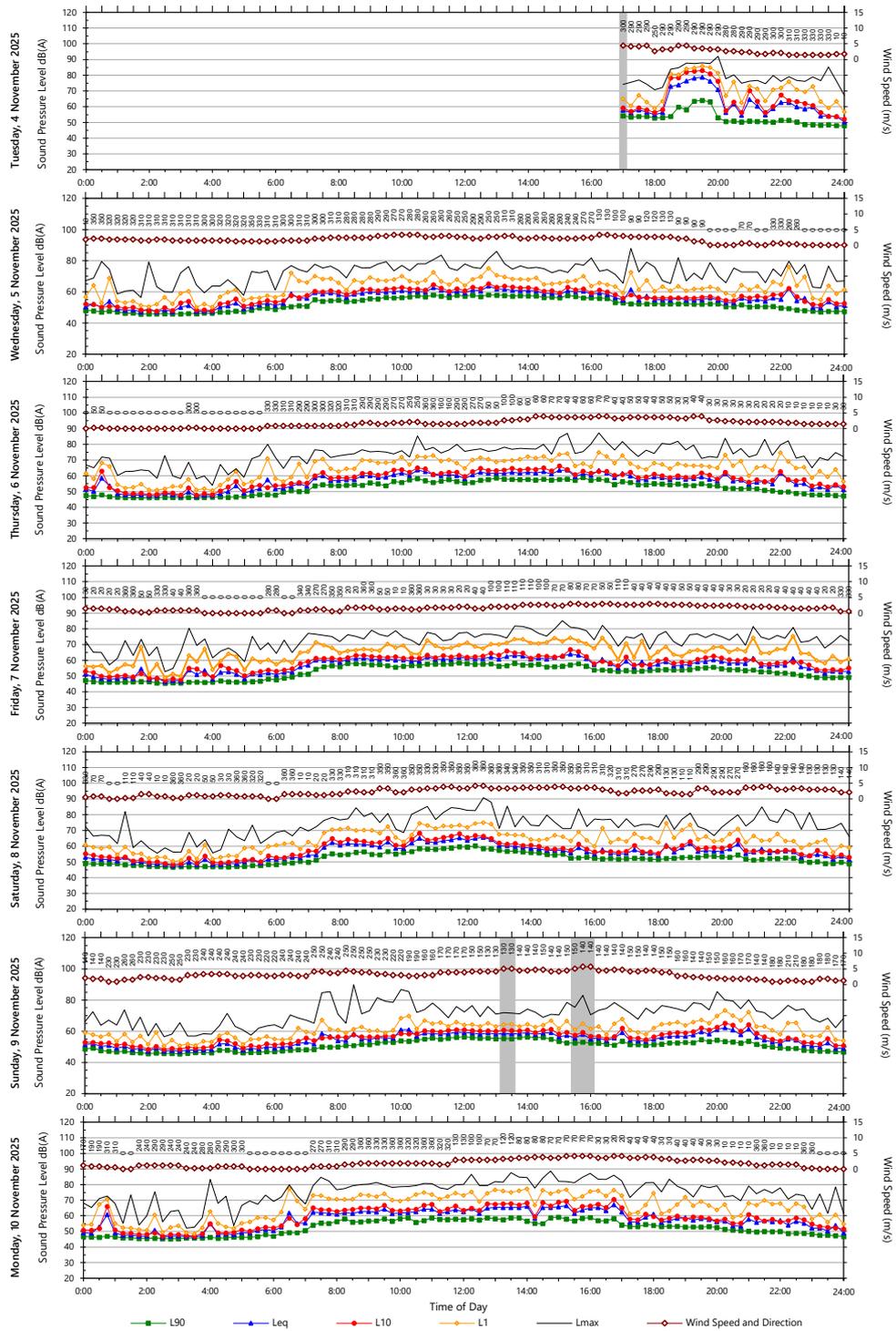
APPENDIX F Noise Survey Results – Noise Monitoring Location 4
(Unity Place)

DRAFT

Item Number 97/25 - Attachment 4

Burwood Special Entertainment Precinct Acoustic Report - December 2025

Unattended Monitoring Results: Burwood Special Entertainment Precinct SEP - Burwood council facing Unity Place



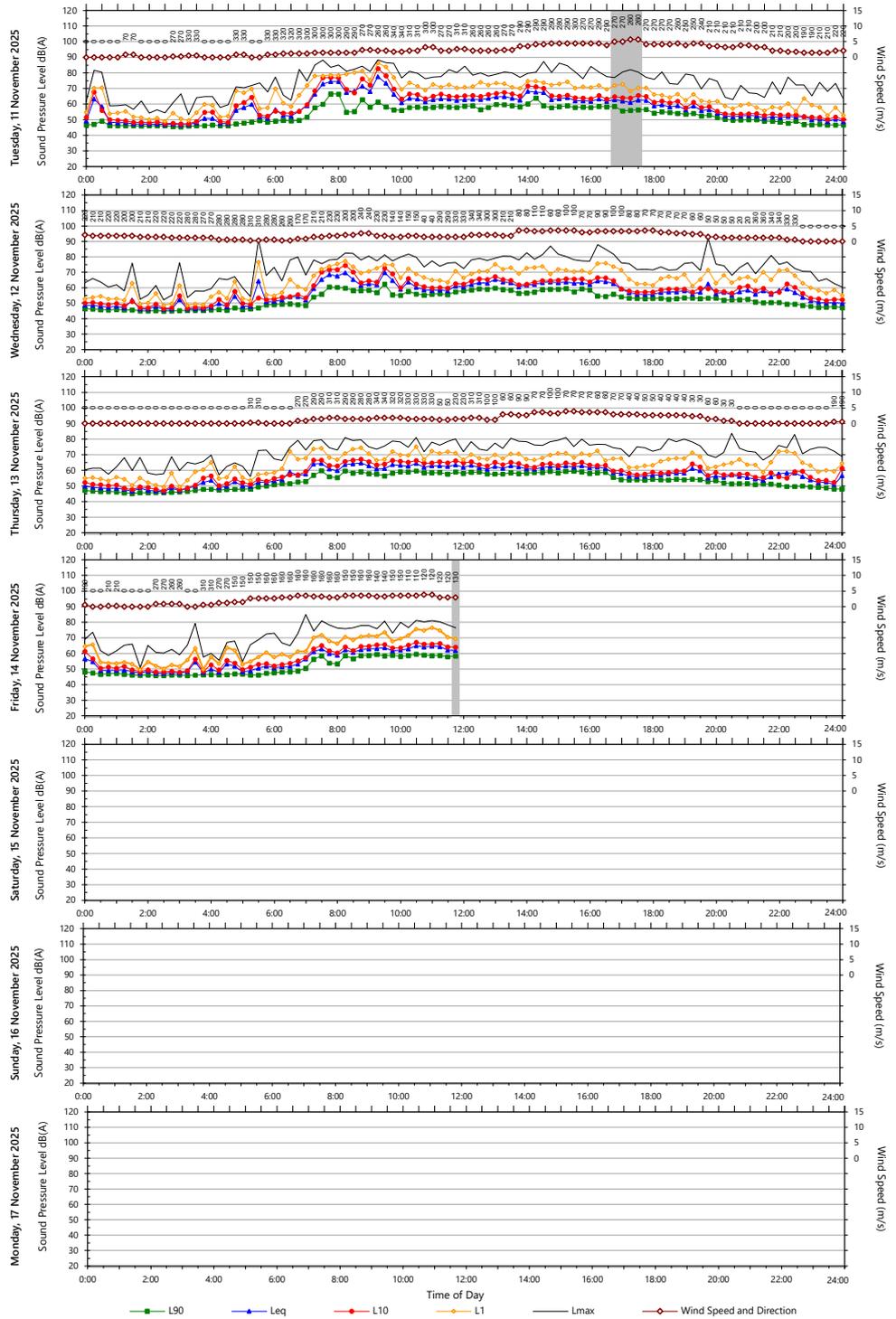
Data File: 2025-11-04_SLM_000_123_Rpt_Report.txt

Template: QTE-26 Logger Graphs Program (r47)

Item Number 97/25 - Attachment 4

Burwood Special Entertainment Precinct Acoustic Report - December 2025

Unattended Monitoring Results: Burwood Special Entertainment Precinct SEP - Burwood council facing Unity Place



Data File: 2025-11-04_SLM_000_123_Rpt_Report.txt
 Template: QTE-26 Logger Graphs Program (r47)