

# SPECIAL ENTERTAINMENT PRECINCTS

Building on the success of the Enmore Road pilot, council is working with the NSW Government to bring the Special Entertainment Precinct model to our community, creating new opportunities for local nightlife and live music to thrive.



Photo: 24-Hour Economy NSW

## What is a SEP?

A Special Entertainment Precinct (SEP) is a designated night-time going out area, where the relevant council sets later trading hours and more flexible sound conditions for live entertainment, hospitality, community facilities, shops and businesses. Using the planning system to provide clear, tailored rules for activity in the area gives greater certainty to businesses and residents and helps to create vibrant, thriving and welcoming destinations.

Councils tailor SEPs to reflect the character and local needs of an area – whether it’s a buzzing restaurant district on a main street, a theatre and arts hub, a regional town centre or tourist destination. SEPs help councils plan for their future and support local culture, creativity and business.

## Who creates a SEP?

Councils lead the process of making a SEP. They must do this in consultation with local businesses, community, state government agencies and other stakeholders.

Councils are enabled to make SEPs under Section 202 of the *Local Government Act 1993* and the [NSW SEP Guidelines](#), though in very exceptional circumstances the Minister for Planning and Public Spaces may also make a SEP.

## How is a SEP created?

The council prepares planning documents in consultation with local businesses and the community. In the same way as other planning matters are managed, the SEP must be approved by the elected council before the council maps it in the local planning map, known as a Local Environmental Plan.

The council sets the trading hours and sound conditions for the SEP in a precinct management plan, tailored for the local area, which is published on the council's website. This also means that everyone knows when businesses can operate and how much sound from entertainment activity can be made, providing certainty for businesses, venues and the community.

The SEP must be run as a trial for the first 12 to 18 months, so that the council can assess the SEP's impacts in consultation with local businesses and the community. The council will then decide whether to make the SEP permanent.

## How will my business benefit from a SEP?

SEPs can make it easier for hospitality, retail and entertainment businesses to trade later, host live performance, diversify their offering and operate with confidence.

If you are in a SEP, you won't need to modify your development consent to trade later – potentially saving you money – and there will be a higher tolerance for entertainment sound.

Being in a SEP means:

- **opportunity to promote your precinct** as a great going-out area
- **later trading hours for most business types**, including bonus hours on a liquor licence if you register with Liquor & Gaming NSW as a dedicated live music or performance venue

- **no need to modify your DA** to extend your trading hours if you align with the settings in the precinct management plan
- **tailored sound limits for entertainment activity** in a precinct management plan for more certainty
- **higher threshold for noise complaints**, thanks to clearly defined sound limits and clear resident notification about the SEP
- **a fairer approach to sound compliance**, as Liquor & Gaming NSW regulates entertainment sound from licensed venues, and council regulates everything else
- **soundproofing is encouraged for new residential buildings**, protecting existing venues from noise complaints.

## How can I be involved in consultation about a SEP in my local area?

Stay in touch with your local council to participate in discussions and consultation about a SEP for your local area. Throughout the process of making a SEP, there are mandatory steps where a council must consult with its community and publicly exhibit plans for comment.

The SEP Guidelines also encourage councils to engage with local business groups including business chambers, Uptown Districts or Purple Flag, and to set up precinct working groups to support the process of making and operating a SEP.

## Where can I find more information?

- Contact your local council to see what's planned for your area.
- Find out how to register with Liquor & Gaming NSW and host regular live entertainment to access trading hour incentives through the [online form](#).
- Visit [nsw.gov.au/seps](http://nsw.gov.au/seps) for information about how SEPs are made and operated.

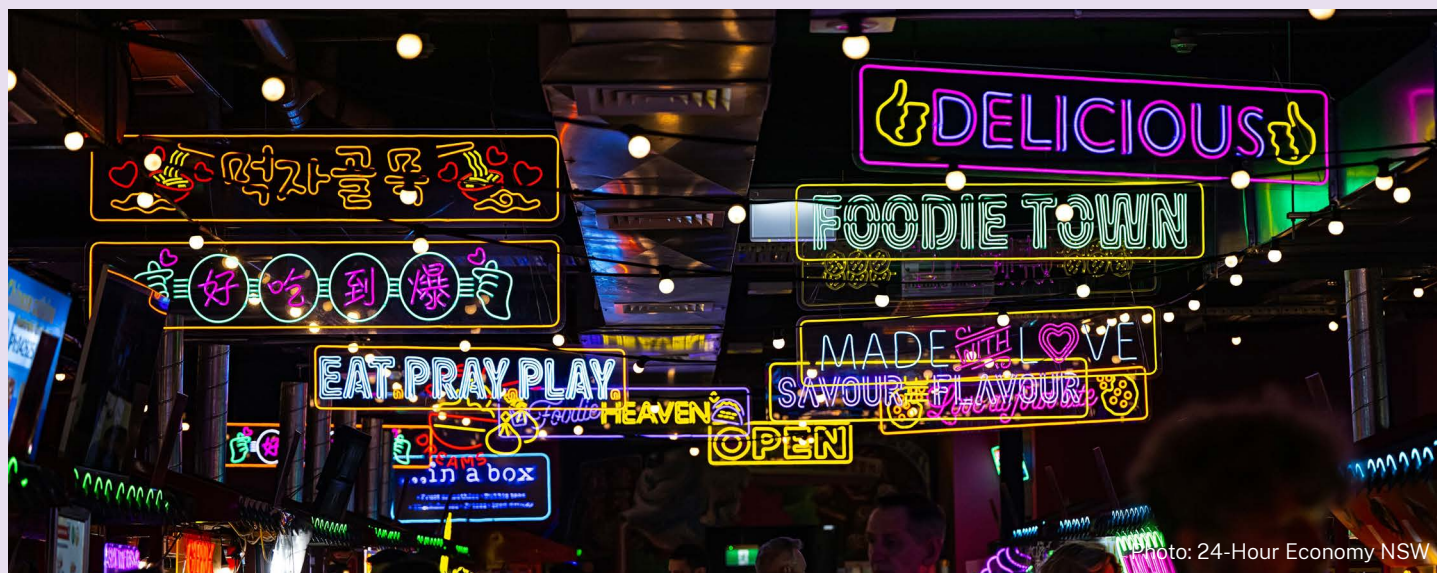


Photo: 24-Hour Economy NSW

## Inside or outside a SEP – what’s the impact on my business?

Benefit	In a SEP	Outside a SEP
Trading hours	<ul style="list-style-type: none"> <li>• Clear and consistent trading hours for licensed and unlicensed premises, outlined in a precinct management plan.</li> <li>• On a liquor licence, venues that register as live music or live performance venues with Liquor &amp; Gaming NSW and host performances at least twice a week can access 2 extra hours of trading on the night that they provide 45 minutes of performance after 8pm. Registered live music venues can also access one extra hour of trading on the other nights of the week.</li> </ul>	<ul style="list-style-type: none"> <li>• Trading hours determined through development applications, on a case-by-case basis, which can lead to different rules for businesses in the same area.</li> <li>• Venues that register with Liquor &amp; Gaming NSW can obtain extra hours on a liquor licence but only when they host performance, and this may not be reflected on the development consent conditions.</li> </ul>
Approvals	<ul style="list-style-type: none"> <li>• Businesses’ approved trading hours automatically match the SEP trading hours permitted in the precinct management plan. No need to modify development consent to extend trading hours to match the precinct management plan.</li> <li>• Venues can still apply for longer hours beyond the precinct management plan, via a development application. Venues with existing late trade will have this maintained.</li> </ul>	<ul style="list-style-type: none"> <li>• Need to apply to modify development consent to extend trading hours.</li> </ul>
Sound framework	<ul style="list-style-type: none"> <li>• Consistent, clear and objective sound rules based on expert advice, providing certainty to businesses and a consistent approach in the SEP area.</li> <li>• Any restrictive noise conditions, including <math>L_{A10}</math>, on a liquor licence no longer apply.</li> </ul>	<ul style="list-style-type: none"> <li>• Depends on licence and location – less certainty for businesses.</li> <li>• Any restrictive noise conditions, such as <math>L_{A10}</math>, on a liquor licence must be adhered to.</li> </ul>
Sound complaints	<ul style="list-style-type: none"> <li>• Complaints only upheld if disturbance exceeds the sound limits in a precinct management plan and is ‘unreasonable’.</li> <li>• Offensive noise provisions and complaints are ‘turned off’ if a venue/business is acting in accordance with the sound limits in a precinct management plan.</li> <li>• Good neighbour guidance provides a framework to prevent and resolve complaints.</li> </ul>	<ul style="list-style-type: none"> <li>• More subjective assessment depending on the number of complainants and order of occupancy where the quiet and good order of the neighbourhood has been ‘unduly disturbed’, or ‘unreasonably and seriously disturbed’.</li> <li>• Offensive noise provisions and complaints are ‘turned off’ for licensed premises but apply to unlicensed premises, which can be subject to noise complaints without the certainty of sound conditions set in a precinct management plan.</li> </ul>
Venue protection	<ul style="list-style-type: none"> <li>• Soundproofing encouraged for new developments to protect venues and businesses.</li> </ul>	<ul style="list-style-type: none"> <li>• Less futureproofing of nightlife precincts.</li> </ul>
Resident awareness	<ul style="list-style-type: none"> <li>• Property buyers in a SEP are notified about the SEP on Planning Certificates. Existing property owners and occupiers are notified on a council’s website.</li> </ul>	<ul style="list-style-type: none"> <li>• Property buyers are notified of land use zones on Planning Certificates and are not explicitly notified that they are moving into an area with entertainment activity.</li> </ul>

## Inside or outside a SEP – how do sound regulation and conditions work?

Sound regulation	In a SEP licensed venue	In a SEP unlicensed venue	Outside a SEP licensed venue	Outside a SEP unlicensed venue
Precinct Management Plan (PMP) with sound criteria to create certainty about sound from entertainment activity	✓	✓	✗	✗
<i>Protection of the Environment Operations Act 1997</i> offensive noise provisions switched off	✓ if venue following PMP settings	✗	✓	✗
Liquor & Gaming NSW regulates sound from entertainment activity	✓	✗	✓	✗
Council regulates sound	✓ for non-entertainment sound	✓	✓ for non-entertainment sound	✓
Sound and trading hour conditions	In a SEP licensed venue	In a SEP unlicensed venue	Outside a SEP licensed venue	Outside a SEP unlicensed venue
Sound criteria on liquor licences (including $L_{A10}$ ) turned off	✓	N/A	✗	N/A
Sound criteria on development consents turned off	✓	✗	✓ if not subject to a State Significant Development Application (SSDA)	✗
Conditions on development consents prohibiting live entertainment in its entirety or after a specific time turned off	✓	✓	✓ for hotels, bars and clubs (if not subject to a SSDA)	✗
Sound criteria on Complying Development Certificate turned off	✓	✓	✗	✗
Trading hours on development consents turned off if they are less than the hours in the PMP. Businesses already trading longer than the PMP hours can continue to do so	✓	✓	✗	✗

## FIND OUT MORE

Contact your local council to see what's planned for your area.

Find out how to register with Liquor & Gaming NSW and host regular live entertainment to access trading hour incentives through the [online form](#).

Visit [nsw.gov.au/seps](https://nsw.gov.au/seps) for information about how SEPs are made and operated.



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