



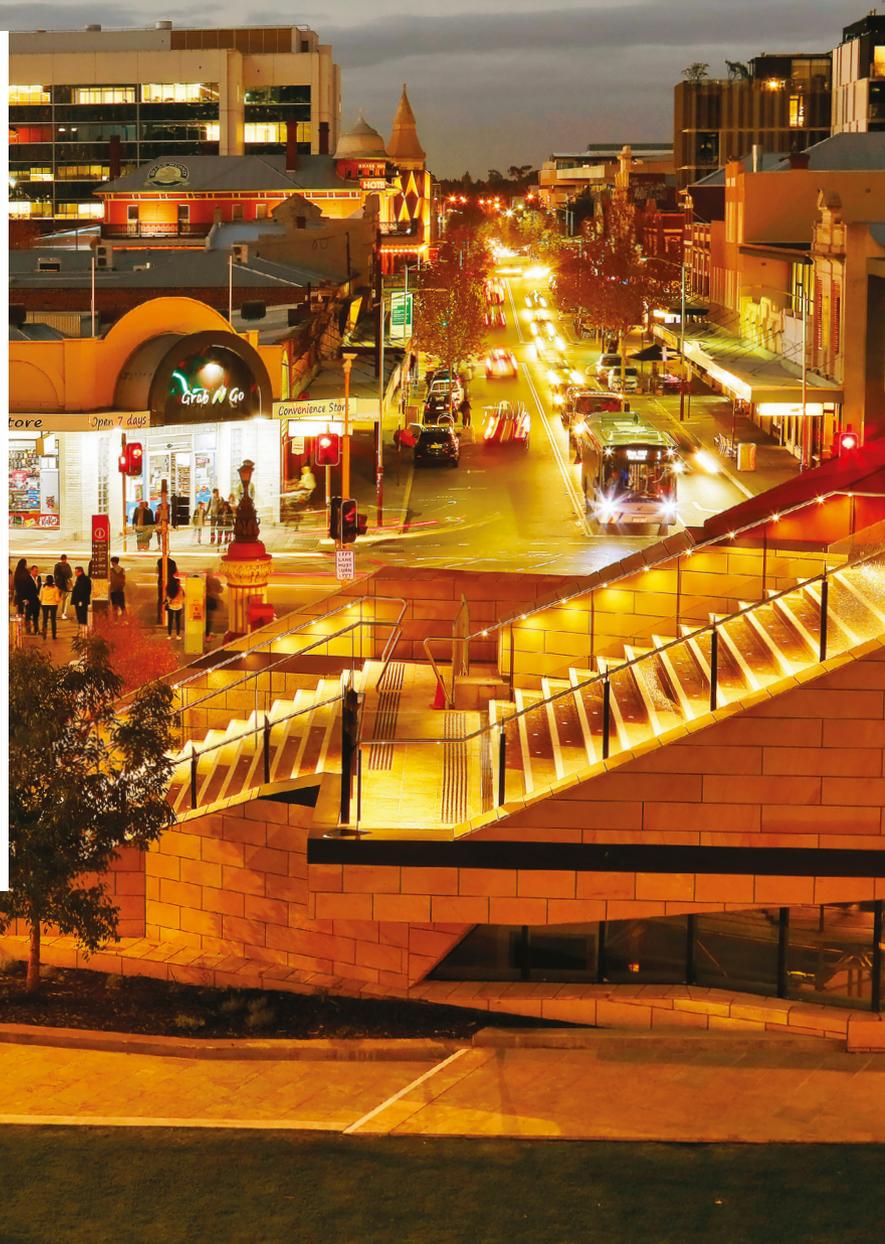
Department of **Planning, Lands and Heritage**
Department of **Water and Environmental Regulation**



Planning for entertainment noise in the Northbridge area

September 2018

Photo courtesy Marlie Richardson



Northbridge is a vibrant entertainment district that supports an assortment of live music, restaurant and nightlife venues and contributes significantly to Perth's cultural diversity and economic prosperity.

Located on Perth CBD's northern doorstep, Northbridge is undergoing significant urban renewal in the wake of the underground relocation of the once dividing railway line and completion of Yagan Square and other development that has reconnected it to the city. Planned major development for the area is trending towards mixed-use high-density city living.

The impact of merging of land uses, combined with cumulative noise emissions generated by densely clustered entertainment venues, may give rise to noise complaints, particularly from residents attracted to the revitalised precinct. Careful consideration is therefore required to balance both residents' rights to health and amenity and the ongoing viability of entertainment venues.

The City of Perth is advocating for reforms to help maintain the unique character of Northbridge as Western Australia's premier entertainment precinct.

The State Government has committed to exploring reforms to protect existing live music venues, support creative industries and create employment opportunities, particularly for young Western Australians.

This discussion paper seeks comment on a suite of proposed reforms to State and local government land use planning frameworks and environmental regulations for the area. The reforms aim to balance the potential conflicting needs of Northbridge's residents and entertainment venues.

Key reform objectives are to:

- balance the viability of the entertainment industry with the protection of the health and amenity of residents and other businesses
- provide clear and consistent planning guidance for new developments in the Northbridge entertainment precinct
- shift responsibility for noise attenuation in new developments to the 'agent of change'
- provide an increased level of assurance to music venue operators.

Proposed reform measures would be implemented in a sequential and integrated manner, with each subject to an individual process through the mechanisms outlined in Figure 2.

The reforms would ultimately be implemented through designation of a Special Control Area (SCA) as an entertainment precinct in the City of Perth's City Planning Scheme No 2.

Special development controls and indoor assigned noise levels would apply within the SCA, including:

- Application of the 'agent of change' principle, which ensures primary responsibility for noise attenuation in buildings rests with the party making changes to the environment – such as through new development and redevelopment. It would apply to both noise-sensitive and noise-emitting developments in the Northbridge entertainment area.
- Requirements for noise attenuation through design and construction measures, to ensure new development complies with the standards for the Northbridge Entertainment Area specified in the *Environmental Protection (Noise) Regulations 1997*.
- Requirements for development proposals to demonstrate, to the local government's satisfaction, how the design of the development will achieve acoustic attenuation

Figure 1: Indicative boundary



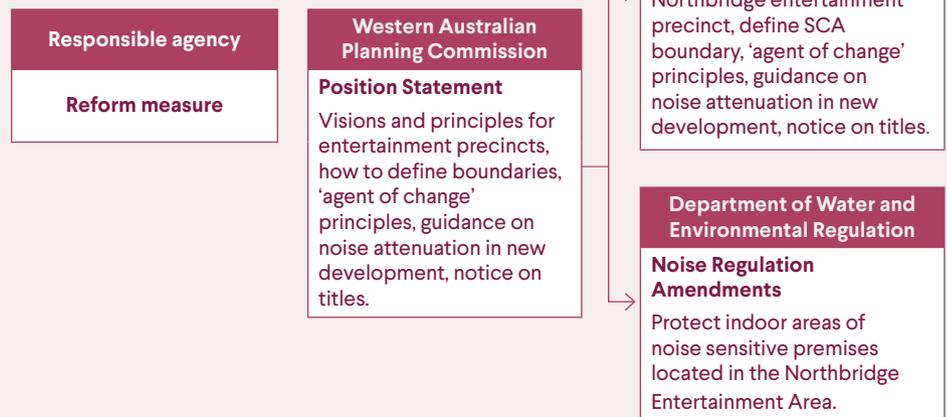


to meet the assigned levels for the Northbridge Entertainment Area in the *Environmental Protection (Noise) Regulations 1997*.

- Requirements for notices on titles to inform buyers and commercial operators of the existence of entertainment noise in the area.

- requirements for outdoor levels for noise-sensitive premises in the Northbridge Entertainment Area would be removed, with a focus on protecting health and amenity indoors (in habitable areas with doors and windows closed).

Figure 2: Implementation mechanisms



This discussion paper will help inform future planning and environmental reforms. Interested stakeholders are encouraged to provide comment.

**Comment period closes
26 November 2018**

HOW?

Visit www.planning.wa.gov.au/publications/entertainment-noise.aspx

While the proposed reforms apply to the Northbridge area only, future consideration may be given to adopting elements of the reforms elsewhere if they prove to be beneficial and need is demonstrated.

Photo courtesy Cam Campbell

Photo courtesy Jack Rabbit Slims

Reform measure	Current situation	Proposed changes within SCA
Agent of change	There is no current protection for existing entertainment venues. Noise emitters are held responsible for the cost of noise attenuation regardless of whether they are an established business that existed before noise sensitive land uses were developed.	New development (both noise sensitive and noise emitting) responsible for noise attenuation. <i>NOTE: This does not apply retrospectively and does not remove the requirements for noise emitters to comply with the Noise Regulations.</i>
Designation of Special Control Area (SCA)	There are no special planning controls for entertainment precincts within the City of Perth.	Designation of a SCA will apply special planning controls to protect the health and amenity of residents and the viability of entertainment venues; and maintain the special character of the entertainment precinct.
Noise impact assessments as part of development application process	Proposals for new noise sensitive development are not always required to take into consideration noise from existing nearby entertainment venues.	All planning proposals for new noise emitting and noise receiving developments are required to undertake a noise assessment to determine the level of noise to be attenuated through design and construction measures.
Construction standards	Proposals for new noise sensitive developments are not always required to attenuate for entertainment noise.	All planning proposals for new noise emitting and noise receiving developments are required to demonstrate how construction and design will achieve acoustic attenuation to comply with the standards set in Noise Regulations.
Notice on title	There is no formal requirement to notify owners of the potential issue of noise from entertainment venues.	Requirement for notice on title for all approved planning proposals affected by entertainment noise.
Amendments to Noise Regulations	Assigned levels are outdoor levels and protect amenity within 15 metres of a building as well as indoors.	Indoor areas protected only (with doors and windows closed).

Table 1: Regulatory changes

The Department of Planning, Lands and Heritage acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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