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An Open and Creative City:

planning for culture and night time economy

ANALYSIS OF SUBMISSIONS

April 2018

Report prepared by Global Research Ltd

For



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Executive Summary

An Open and Creative City: consultation purpose and response

It has been identified that as Sydney continues to grow, its culture and nightlife needs support in order to be sustainable. This report presents findings of The City of Sydney's public and stakeholder consultation on proposals to build a diverse and strong night time economy.

The consultation process collected feedback to inform refinement of An Open and Creative City. The initiative that will be implemented through three regulatory reform projects:

1. **A Diverse Evening Economy:** Making it easier for shops and businesses to trade in Central Sydney and the village centers from 7am to 10pm, 7 days a week.
2. **More Small-Scale Cultural Uses:** Making it easier for small-scale cultural uses to take place in existing buildings.
3. **Fair Management of Entertainment Noise:** Protecting live music and performance venues and encouraging fair management of noise.

An online survey was available for the community to complete between 20 October and 13 December 2017. The survey was divided into three sections representing the three projects listed above, each containing a series of quantitative (option selection) and qualitative (written answer) questions. The survey was broken into three parts and respondents could choose which sections they completed:

- Section one, A Diverse Evening Economy, contained 8 questions and was completed by 1131 respondents.
- Section two, More Small-Scale Cultural Uses, contained 6 questions and was completed by 1020 respondents.
- Section three, Entertainment noise, contained 7 questions and was completed by 1063 respondents.

(Note: 956 respondents completed all three sections of the survey.)

Key findings

Summary of findings

Overall, respondents supported City of Sydney's aim to create a more active and diverse evening economy. A high proportion of respondents selected survey options in support of enabling shops and businesses to trade longer and for small-scale cultural uses to take place in existing buildings. They also supported protecting live music and performance venues and encouraging fair management of noise. Many public respondents and stakeholders submitted ideas and suggestions aimed at improving the proposals.

SECTION 1: A DIVERSE EVENING ECONOMY

- 98% of survey respondents supported later trading hours without an approval in the city centre.
- At least 86% of respondents supported later trading hours without an approval in mixed residential and business areas (Kings Cross, Oxford Street, Crown And Cleveland Streets, Danks Street, Zetland, Redfern Street, Ashmore Precinct Erskineville, King Street Newtown, Glebe Point Road and Pyrmont).

- Over 60% of respondents supported later trading times to be 11:00pm or later (46% supported midnight).
- Respondent comments:
 - A large number and broad range of businesses were suggested as being appropriate for later trading, most commonly hospitality businesses such as restaurants, cafes, and bars.
 - A very large number of respondents agreed that businesses serving alcohol should be allowed later trading hours.
 - A very large amount of support was given to encouraging events, music, art, and entertainment to promote a more diverse and active evening economy.

SECTION 2: MORE SMALL-SCALE CULTURAL USES (ACTIONS 3, 4, & 5)

- 92% of respondents supported the proposal to allow minimal impact small-scale cultural use of buildings without an approval.
- 56% of respondents agreed that only approved shops, offices, or industrial buildings should be able to host small-scale cultural events without an approval, while 35% disagreed because this would be too restrictive.
- 53% of respondents disagreed with limiting small-scale cultural events held without an approval to no more than 26 days a year, 8 days a month, and 2 consecutive days a week, because it is too restrictive.
- 51% of respondents disagreed with limiting small-scale cultural events held without an approval to no more than 4 hours per day, because it is too restrictive.
- 46% (the largest response group) of respondents disagreed with limiting the number of people attending a small-scale cultural event held without an approval to 50 people, because it is too restrictive.
- Respondent comments:
 - Circumstances where neighbours or residents should be able to make a submission about a small-scale cultural event that requires an approval most commonly suggested: noise, hours of operation and harm or disruption as circumstances.

SECTION 3: FAIR MANAGEMENT OF ENTERTAINMENT NOISE (ACTIONS 6, 7, & 8)

- 93% of respondents thought the 'agent of change' principle was fair.
- 94% of respondents supported information tools about existing venue noise prior to residents moving into a new home.
- 82% of respondents supported a different night-time noise period for Friday and Saturday compared to week-nights.
- 69% of respondents selected either 'seven' or 'eight' hours for the length of time that should be the night-time period.
- 63% of respondents thought that closing windows of new residential buildings is a reasonable expectation to manage noise.

Overview

Project background

The Creative City Cultural Policy and Action Plan, Live Music and Performance Action Plan and the OPEN Sydney Strategy and Action Plan were developed through extensive community consultation with residents, workers, business and the industry sectors, visitors and government. They help guide the City of Sydney's work to build a diverse and strong night time economy that at its core, has a rich cultural and diverse offering.

As Sydney becomes more densely populated, it needs support to sustain culture and nightlife and minimise red tape for both existing and new night time businesses and cultural spaces. It needs to provide certainty and flexibility for business as well as resident amenity and not compromise on public safety.

The Open and Creative City discussion paper included three separate regulatory reform projects that will strengthen Sydney's cultural life and night time economy. They proposed to enable businesses to trade later into the night, make it easier for artists to open creative spaces, and balance the impacts of live music and performance venues.

The Sydney community were invited to read the discussion paper and provide feedback on the proposal to improve planning and regulation to ensure that the City's cultural life and night time economy provides something for everyone. This report presents the findings from the Sydney community.

Three separate regulatory reform projects were proposed, to be implemented by eight action plans. These were:

1. A diverse evening economy

Making it easier for shops and businesses to trade in Central Sydney and the village centers from 7am to 10pm, 7 days a week.

Action 1: Allow shops and local businesses in areas with an established retail character to extend their opening hours without a new development consent from 7am to 10pm, seven days per week.

Action 2: Provide grants for businesses to program retail experiences in the evening.

2. More small-scale cultural uses

Making it easier for small-scale cultural uses to take place in existing buildings.

Action 3: Allow minimal impact small-scale cultural uses without development consent.

Action 4: Establish new planning controls specifically for cultural uses that may have some impacts and need development consent, to provide better planning guidance and greater certainty.

Action 5: Identify opportunities to reduce or remove notification periods for development applications for small-scale cultural uses.

3. Fair management of entertainment noise

Protecting live music and performance venues and encouraging fair management of noise.

Action 6: Fair management of noise impacts by applying the 'agent of change' principle.

Action 7: Planning controls for new venues and for new noise-sensitive development.

Action 8: New noise compliance guidelines to provide greater certainty and consistency.

Methodology and data collection

An online survey was available to respondents on the Sydney Your Say website between 20 October and 13 December 2017.

The survey was broken into three parts and respondents could choose which sections they completed:

- Section one, A Diverse Evening Economy, contained 8 questions and was completed by 1131 respondents.
- Section two, More Small-Scale Cultural Uses, contained 6 questions and was completed by 1020 respondents.
- Section three, Entertainment noise, contained 7 questions and was completed by 1063 respondents.

(Note that 956 respondents completed all three sections of the survey)

The survey consisted of survey questions, for which respondents selected their preferred response from a list of options and free-text response questions for respondents to provide written comment.

The City of Sydney also received written submissions from members of the community and stakeholders, written in their own formats:

- Nineteen written submissions were received from members of the community.
- Eighteen written submissions were received from stakeholders (see the Appendix for the list).

Analysis

The analysis was broken into two parts; statistical analysis of the closed option-selection questions and qualitative analysis of the free-text written responses.

The statistical analysis identified the number and percentage of respondents who selected each option, for each question.

Qualitative analysis of written comments was completed by analysts reading and organising all comments, which expressed similar opinions, into consistent themes and topics. Note that many comments included multiple points and so were included in multiple places. This analysis was assisted by NVivo qualitative analysis software. A synthesis and summary of the points made on each theme and topic comprises the discussions throughout the report.

Report structure

The report commences with an Executive Summary which presents a summary of opinions expressed on the key questions asked within the survey.

Following the current section, a Summary of Findings presents results for all questions asked within the survey and a synthesis of key comments made by stakeholders.

The report is then divided into the three project sections: Diverse Evening Economy; More Small-Scale Cultural Uses; and Entertainment Noise. The results of each question are presented individually and follow the order of questions asked of respondents in the survey.

For the closed option-selection questions, charts summarise the answers of all respondents. These are supported by a written interpretation of results.

For the qualitative analysis of the free-text written responses a written discussion of results is provided. Discussions are divided into key themes and topics for each question. The most commonly discussed themes and topics are presented first, through to the least commonly held views. In all questions, all responses have been considered within the analysis.

Synthesised summaries of stakeholder and public submissions, provided in formats that didn't use the online survey, are included in seven places in the report, covering these topics: later trading without an approval; ideas to encourage a diverse and active evening economy; support for allowing small-scale cultural events to be held without an approval; criteria for small-scale cultural events; circumstances when community consultation is appropriate; 'agent of change' principle; and noise standards acoustic design and noise monitoring . These sections are clearly identified throughout the report and in the table of contents.

Note that throughout the discussions of written comments, the number of points made on particular topics have been consistently estimated by the amounts described below:

Key for amounts

- Very large amount/number of comments = 150+
- Large amount = 100 – 149
- Sizeable = 75 – 99
- Substantial amount = 50 – 74
- Considerable amount = 25 – 49
- Moderate amount = 15 – 24
- Several comments = 8 – 14
- Small number = 4 – 7
- Few = 3
- Couple = 2

The following descriptions were also used to describe the number of comments on particular topics within particular sections: *one quarter; one third; half; two thirds; three quarters; all of the comments*. An estimate of the total number of points made are labelled as 'comments' in headings.

Direct quotes from respondents are presented throughout the report to illustrate particular points made. They are italicised and indented from the margin.

Summary of findings

City of Sydney seeks an Open and Creative City, with a strong cultural and evening economy. With this in mind, they have consulted with the Sydney community on a range of options to achieve this. City of Sydney asked the public for their position on three main topics: later trading without an approval to grow the night-time economy; small-scale cultural events, held without an approval, to enrich the culture of the city; and noise management to ensure effective mitigation of noise disruption.

Below we present an overview of results on the three topics.

SECTION 1 – A DIVERSE EVENING ECONOMY

- **Support for extending trading hours without an approval to 7am to 10pm, 7 days per week in established retail areas** – [City centre; Kings Cross; Oxford Street; Crown And Cleveland Streets; Danks Street; Zetland; Redfern Street; Ashmore Precinct Erskineville; King Street Newtown; Glebe Point Road; and Pyrmont]:
 - 98% of respondents supported later trading, without an approval in the city centre – the highest proportion of any area.
 - 86% of respondents supported later trading, without an approval in Zetland - the lowest level of support. Zetland also had the highest responding, 'I don't know' (11%).
 - Less than 4% of respondents opposed later trading hours without an approval across all areas.

STAKEHOLDER COMMENTS:

- Support for the proposal to allow shops and businesses to trade from 7am until 10pm, seven days per week without an approval was expressed by several stakeholders, with further extension of trading hours without an approval favoured by some – later into the evening and to more Sydney areas. A couple of stakeholders opposed this proposal.

- **Support for allowing later trading without an approval in mixed residential and business areas:**
 - 86% of respondents supported allowing later trading hours without an approval in the identified mixed residential and business areas.
- **RESPONDENTS COMMENTED ON: Later trading hours without an approval in other areas of Sydney:**
 - A very high proportion of respondents were in favour of later trading hours without an approval in the proposed areas and over half of the total respondents (in this section) expressed their approval for later trading throughout Sydney.
 - A large number of people stated later trading hours without an approval would make Sydney a more vibrant, cultural, and free community with a better economy and an international city.
 - Central Sydney, Inner West, and waterfront areas (i.e. beach and harbour suburbs) were identified as places for this to occur by a very large number of respondents.
 - A large number of people expressed some concern about later trading hours without an approval. Only a couple were strongly opposed to the proposal.
- **Support for later trading times allowed without an approval for shops and businesses:**
 - 46% of respondents supported 'Midnight'.

- 30% of respondents supported '10pm'.
- 15% of respondents supported '11pm'.
- **Support for earlier trading hours to be set for mixed residential and business areas:**
 - 56% of respondents did not support earlier trading hours without an approval in mixed residential and business areas.
- **Support for later trading hours in the city centre compared to village areas:**
 - 67% of respondents supported the city center having later trading hours, compared to village areas.
- **Support for later trading hours for land uses other than shops and businesses without an approval:**
 - 86% of respondents supported having later trading hours without an approval for land uses other than shops and businesses.
- **RESPONDENTS MADE 1249 COMMENTS ON: Other types of businesses that should be allowed to trade later without an approval:**
 - A large number and broad range of businesses were suggested. The most commonly identified businesses were:
 - hospitality businesses such as restaurants, cafes, and bars.
 - merchandising businesses and entertainment venues, especially theaters, cinemas, and live music venues.
 - Service businesses and social services.
 - A very large number of respondents stated that all businesses should be allowed later trading hours.

STAKEHOLDER COMMENTS:

- Shops and businesses, especially hospitality, service, retail, and public facilities were suggested as activities that should be able to trade later without an approval by stakeholders.
- **RESPONDENTS MADE 877 COMMENTS ON: later trading for businesses that serve alcohol:**
 - The opinions were split on this topic:
 - A very large number of respondents agreed that businesses serving alcohol should be allowed later trading hours.
 - A substantial number of respondents that agreed expressed concerns or sought restrictions.
 - A considerable number of respondents opposed businesses that serve alcohol being allowed later trading hours.
- **Support for later trading hours to encourage people to visit these areas in the evening:**
 - 95% of respondents thought that later trading hours would encourage people to visit these areas.
- **RESPONDENTS MADE 2216 COMMENTS ON: Ideas to encourage a more diverse and active evening economy:**
 - A very large amount of support was given to:
 - Events, and the music, art, and entertainment industries, to encourage a more diverse and active evening economy.

- Prioritising a healthy community lifestyle and utilising public spaces.
 - Allowing businesses or events that serve food and alcohol to trade later without an approval to encourage evening activity and diversity.
 - A variety of later trading businesses would encourage evening activity and diversity.
 - Running public transport later to support later trading events and businesses.
 - Better management of current or potential future restrictions, licensing processes, and noise issues.
- Removal of the current lock out laws was favoured by a sizable number of respondents.

STAKEHOLDER COMMENTS:

- Ideas to encourage an active, diverse and reliable evening economy for people of different age groups and lifestyles were provided by a small number of stakeholders. Suggestions included promoting entertainment hubs with areas of unique culture and activities and encouraging collaborative marketing and city-wide events. Grants provided to businesses that 'program evening retail experiences', were supported by a small number of stakeholders, as these would financially aid upcoming musicians and artists.

SECTION 2 – MORE SMALL-SCALE CULTURAL USES

Section 2 sought public opinion on the allowance of small-scale cultural events without seeking special approval. A small-scale cultural event was defined in the Open and Creative City Discussion Paper as:

- *occur only in a building with current development consent for a shop, office, industrial building or warehouse and an annual fire safety statement for that use*
- *accommodate a maximum of 1 person per square metre including patrons, staff and performers*
- *have a limit of no more than 50 people*
- *occur up to 26 days a year and on no more than 8 days a month and two days in a row*
- *last for a maximum of four hours on any day (not including event set up and pack down)*
- *finish no later than 9pm Sunday to Thursday and 10pm Friday and Saturdays*
- *not be in a residential area*
- *when alcohol is served, it must either be:*
 - *consistent with an existing licence, or*
 - *served by a caterer using an off-premises authorisation*
- *have amplified music only in Central Sydney and zones that don't allow residential uses*
- *not use pyrotechnics, theatrical smoke or other dangerous materials or implements*
 - *maintain existing conditions of development consent relating to parking, waste and the like.*

- **Support for the proposal to allow minimal impact small-scale cultural uses of buildings without an approval:**
 - 92% of respondents selected 'Yes I support this proposal'.
 - 6% of respondents supported this proposal in principle but with some conditions. The key conditions that would you need to be addressed to support this proposal, were:
 - A considerable number of respondents expressed their concerns surrounding noise and residential disturbance.
 - A considerable number of respondents wanted aspects of the approval process and management to be addressed, before they would support the proposal.

- 1% of respondents did not support this proposal. The key comments made stating why these respondents didn't support this proposal were:
 - Several respondents did not support the proposal due to the impacts this may have on residents nearby the venue.
 - A small number of respondents did not support the proposal as the definitions of a 'small-scale cultural event' and 'minimal impact' were unclear or not sufficiently defined.
- 1% of respondents selected 'I don't know'.

STAKEHOLDER COMMENTS:

- Support for allowing small-scale cultural events to be held without an approval was expressed by several stakeholders, as it would: reduce current regulatory burdens, provide an easy and financially viable platform for businesses to hold small events and allow musicians and artists to present their work. A couple of stakeholders expressed concern about increased residential disturbance caused by such events.

- **Support for the definition of a small-scale cultural use:**
 - 79% of respondents selected, yes, the definition is good.
 - 9% of respondents selected, no, the definition does not capture all uses.
 - 11% of respondents selected, I didn't know.
- **RESPONDENTS MADE 130 COMMENTS ON: other possible small-scale cultural uses not captured by the definition provided:**
 - A sizeable number of respondents identified a variety of events or activities that they thought should be included in the definition of a small-scale cultural event such as music events; workshops; presentations; clubs, such as book clubs; and public film screenings.

STAKEHOLDER COMMENTS:

- Clarification of building compliance and fire safety conditions for venues holding small-scale cultural events without an approval was a requirement that a couple of stakeholders sought, while one also wanted clarification on how the 'small-scale cultural event' differed from what was currently permitted as a business 'ancillary activity'.

- **Support for only approved shop, office, or industrial buildings to host small-scale cultural events held without an approval:**
 - 56% of respondents agreed.
 - 35% of respondents disagreed because it is too restrictive. The key comments made in support of this opinion were:
 - A very large number of respondents made additional suggestions for locations and venues, other than shops, offices, and industrial buildings, to be allowed to hold small-scale cultural events without an approval.
 - A very large number of commenters disapproved of limiting the locations where small-scale cultural events could be held because they thought it was an overly restrictive act by the council or that they did not agree with the processes this action would require.
 - 3% of respondents disagreed because it may have impacts. The key comments made by respondents in support of this opinion were:

- Several commenters disapproved of allowing shop, office, and industrial buildings to hold small-scale cultural events because they felt it may negatively impact nearby residents.
 - A moderate number of respondents commented on the approval process, definition of an “approved shop, office, or industrial building”, or thought that this proposal was too restrictive.
 - 7% of respondents answered “I don’t know”.
- **Support for limiting the number of people attending a small-scale cultural event held without an approval to 50:**
 - 46% of respondents disagreed because it was too restrictive. Key points made in support of this opinion were:
 - A very large number of respondents felt that the proposed capacity was too low.
 - A large number of respondents stated that instead of setting a blanket capacity for small-scale events, the capacity should be dependent on the type of event, venue, and crowd that the event would attract.
 - A substantial number of respondents felt the limit constrained the creativity and financial viability of potential events.
 - A considerable number of respondents disapproved of regulating small-scale cultural events based on the number of event attendees.
 - 42% of respondents agreed.
 - 8% of respondents answered “I don’t know”.
 - 4% of respondents disagreed because it may have impacts. The key arguments in support of this opinion were:
 - A moderate number of respondents felt the 50-person capacity limit could negatively impact events, either by restricting appropriate venues, types of attendees, or event creativity.
 - Several respondents felt that the 50-person capacity limit may negatively impact nearby residents.
 - Several comments were made regarding the complexity of an enforcement and approval process.

STAKEHOLDER COMMENTS:

- Limiting the capacity of small-scale cultural events held without an approval to no more than 50 people was viewed as too restrictive by several stakeholders because organising these events would not be financially viable, or worthwhile for musicians and artists, or enable the development of sustainable businesses models.
- **Support for limiting small-scale cultural events held without an approval to no more than 26 days a year, 8 days a month, and 2 consecutive days a week:**
 - 53% of respondents disagreed because it was too restrictive. The key arguments in support of this opinion were:
 - A very large number of respondents thought there should not be any restrictions.
 - A large number of respondents felt this is too restrictive for some types of events or may inadvertently reduce the creativity and diversity of the

evening economy in Sydney; several respondents thought these limitations needed to be more flexible.

- A sizable number of respondents felt that these restrictions should be more dependent on the venue.
- A considerable number of respondents felt this was an overly restrictive and unnecessary bureaucratic act that would be challenging to monitor and enforce.
- 35% of respondents agreed.
- 4% of respondents disagreed because it may have impacts. The key arguments in support of this opinion were:
 - A moderate number of commenters who disapproved voiced concerns about the impacts this number of events could have for nearby residents.
 - Several comments expressed concern that the restrictions may have negative impacts on the venues and events.
- 9% of respondents stated “I don’t know”.
- **Support for limiting small-scale cultural events held without an approval to no more than 4 hours per day:**
 - 51% of respondents disagreed as it was too restrictive. These were the key arguments expressed in support of this opinion:
 - A very large number of respondents disapproved of the four-hour limit as they felt this was too restrictive for the events, the venues that hold them, and the event attendees.
 - A substantial number of commenters disapproved of the four-hour limit because it was too restrictive to satisfy the need for a diverse, active, and creative evening economy in Sydney.
 - A very large number of commenters felt there should be no time restrictions.
 - A considerable number of respondents felt this was an unnecessary bureaucratic approach that would be challenging to monitor and enforce.
 - 35% of respondents agreed.
 - 11% of respondents answered “I don’t know”.
 - 3% of respondents disagreed because it may have impacts. These were the key arguments that supported this opinion:
 - Several respondents did not approve as they were concerned about residential disturbance caused by events; however, many stated this concern was dependent on when the 4 hours were utilised.
 - Several commenters did not approve as they felt any impacts produced would depend on the type of event or venue.
 - Several commenters did not approve as they felt this may negatively impact the event attendees.
- **Support for limiting small-scale cultural events held without an approval to no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday:**
 - 60% of respondents disagreed because it was too restrictive. The key arguments in support of this opinion were:

- A large number of respondents thought that these proposed times were too restrictive and should be later to ensure Sydney has an active and diverse evening economy that a wide range of people can enjoy.
- A considerable number of respondents thought this was too restrictive to support an active evening economy and was impractical for event attendees.
- A moderate number of respondents thought was an overly restrictive bureaucratic act.
- 31% of respondents agreed.
- 3% of respondents disagreed because it may have impacts. These were the key arguments in support of this opinion:
 - A moderate number of respondents thought that these proposed times would have impacts and should be either earlier or later.
 - A small number of respondents thought this would negatively impact nearby residents.
- 5% of responded answered “I don’t know”.

STAKEHOLDER COMMENTS:

- The proposed restrictions for the number of days per year, month, and week, or the times or period that small-scale cultural events can be held without an approval was not supported by a small number of stakeholders as they found these were too restrictive to sufficiently develop an active and diverse evening economy.

- **Support for prohibiting small-scale cultural events from residential areas without an approval:**
 - 48% of respondents disagreed because it was too restrictive. These are the key arguments that supported this opinion:
 - A large number of respondents felt that it was too restrictive, as some events may be appropriate in some or all suburban areas, as long as they were respectful of the neighbourhood.
 - A large number of commenters thought this was too restrictive as these types of activities benefit the community and encourage culture and life in suburban areas, while spreading cultural events also reduces concentration of activity in the city centre.
 - A sizeable number of contributors expressed that the term ‘residential area’ is redundant when referring to a central city area in Sydney.
 - A sizeable number of respondents felt there should be no limit on where these events could be held.
 - 35% of respondents agreed.
 - 12% of responded answered “I don’t know”.
 - 5% of respondents disagreed because it may have impacts. These were the key arguments which supported this opinion:
 - A considerable number of respondents felt that the term ‘residential area’ was redundant in Sydney and the proposal could have negative implications on community development and wellbeing.

- Several respondents did not support this restriction as they felt it might have negative impacts on the events or venues.
- Several commenters did not support this restriction as they felt there could still be negative impacts on nearby residents.

STAKEHOLDER COMMENTS:

- Enabling a larger variety of businesses and spaces to be utilised for small-scale cultural uses was supported by a small number of stakeholders; however, many felt that the proposed limitations could still prevent many appropriate sites from hosting such events.

○ **Support for limiting small-scale cultural events (that serve alcohol) held without an approval to locations that have an existing licence or a caterer's licence:**

- 49% of respondents agreed.
- 40% of respondents disagreed because it was too restrictive. These were the key arguments expressed in support of this:
 - A very large number of respondents felt this was too restrictive to enable such events to be feasible and financially viable.
 - A considerable number of commenters felt this was too restrictive for event attendees and diminished their personal freedom.
- 8% of respondents answered "I don't know".
- 3% of respondents disagreed because it may have impacts. The key arguments in support of this opinion were:
 - Several commenters expressed concerns for alcohol related problems and were in favour of tighter restrictions.
 - A small number of respondents suggested access to special and temporary licences, BYO, or RSA run alcohol service or alcohol being available without an existing licence.
 - A small number of respondents were in favour of alcohol service at small-scale cultural events without an existing licence.

○ **Support for allowing small-scale cultural events held without an approval to have amplified music:**

- 73% of respondents supported allowing amplified music to be played without an approval.

○ **Support for allowing small-scale cultural events held without an approval to have other amplified sounds:**

- 81% of respondents supported allowing amplification of other sound without an approval.

STAKEHOLDER COMMENTS:

- Support for allowing small-scale cultural events to have a level of amplified music or sound was expressed by a small number of stakeholders. These stakeholders stated that almost all musical or artistic presentations would require some form of amplification; however, a couple of stakeholders noted that amplification could have negative impacts.

- Support for expanding the area where amplified music is allowed without an approval:
 - 69% of respondents supported expanding the area where amplified music is allowed without an approval.
- Support for notifying neighbours if there is going to be amplified music at an event:
 - 70% of respondents supported notifying neighbours if there is going to be amplified music at an event.
- Support for having additional rules to manage impacts if the area where amplified music is allowed is expanded into mixed business and residential areas:
 - 76% of respondents supported having additional rules in place in the expanded area where amplified music is allowed.
- **RESPONDENTS MADE 671 COMMENTS ON: Circumstances where neighbours or residents should be able to make a submission about a small-scale cultural event that requires an approval:**
 - A very large number of respondents offered circumstances under which a resident may make a submission on a proposal. These included: noise; hours of operation; harm or disruption; vicinity; frequency; scale of event; generally outside the parameters set; new venues and new residents to areas discussion; and alcohol availability. Noise, hours of operation and harm or disruption were the most commonly suggested reasons.
 - A substantial number of commenters expressed that a resident should not be able to make a submission regarding a small-scale cultural event in any circumstance. The general opinion in support of this position was that a small number of people should not limit the behaviour of the majority of the community.
 - A substantial number of people stated that a resident should under any circumstances be able to make a submission relating to a small-scale cultural event. The common argument raised by respondents was that one should not be inconvenienced within their own home, and all residents have a right to be heard.

STAKEHOLDER COMMENTS:

- Reducing the notification requirements for cultural activities was supported by a few stakeholders, while a couple of stakeholders thought the current notification requirements should be strengthened.
- **RESPONDENTS MADE 130: Other suggestions and comments about small-scale cultural uses:**
 - The majority of other suggestions and comments about small-scale cultural uses were in support of reducing regulations to allow more activity to occur. There was a sense of urgency in comments for the changes to be made. Many expressed the opinion that an individual shouldn't be able to complain and stop cultural events that a majority are in favour of.
 - Many comments were in favour of taking actions to stimulate more cultural activity through lifting restrictions imposed through regulations and generally taking steps to foster more activity, such as more venues being opened.
 - The biggest concerns were expressed regarding the impact of noise on neighbouring areas, although this concern was contradicted by some who stated people should expect noise when living in a city.

SECTION 3 – ENTERTAINMENT NOISE

The final section of the survey focussed on noise management. To control noise pollution and disturbances to residents, the City of Sydney has proposed an 'agent of change' principle and a night-time period.

- *The Agent of Change principle states that a new venue or resident establishing themselves in an existing area must be responsible for their own noise mitigation, whether that be sufficient insulation of a new venue, or measures taken to isolate a new residence from outside noise.*

- **Support for the Agent of Change Principle determining responsibility of noise management:**

- 90% of respondents selected 'Yes, I think this is fair'.
- 5% of respondents selected 'No, I don't support this principle'. The key arguments in support of this opinion were:
 - A moderate number of commenters found the issue of noise pollution was too complex for a simple solution like Agent of Change; of these responses, over a third expressed that the Agent of Change proposal did not address existing noise issues.
 - Several commenters argued that a Polluter Pays approach is preferable versus an Agent of Change principle.
- 5% of respondents selected 'I don't know'.

STAKEHOLDER COMMENTS:

- Support for implementing the 'agent of change' principle was expressed by a small number of stakeholders, believing this would be beneficial for the music scene and cultural and creative endeavors. A couple of stakeholders disapproved of aspects of this principal.

- **Support for providing informative tools about existing venue noise prior to residents moving into a new home:**

- 94% of respondents supported information tools about existing venue noise prior to moving into a new home.

- **Support for different night-time period lengths:**

- 41% of respondents selected '8 hours'.
- 28% of respondents selected '7 hours'.
- 20% of respondents selected 'Other'.
- 11% of respondents selected 'I don't know'.
- **RESPONDENTS MADE 202 COMMENTS ON: further explanations of the 'night-time' period:**
 - The most frequently suggested alternative to the "7 hour" or "8 hour" period for a night-time length (from the previous question) was 6 hours, with almost a quarter of responses stating this.
 - Almost as many respondents stated (in this section) that they objected to any length of night-time noise restrictions (i.e., they stated "0 hours" was their preferred night-time period length).
 - Other responses, noted in order of preference, were: 10 hours; 8 hours (with certain provisos, or additional information); and, 5 hours.

- **Opinions on when the night time-period should start:**

- 37% of respondents selected 'Midnight'.

- 21% of respondents selected '10pm' or '11pm'.
- **RESPONDENTS MADE 188 COMMENTS ON: Further explanations on when the night time-period should start:**
 - Those who provided further explanation for when the night -time period should start, that were outside of the options listed (from the previous question), most often stated 9pm, 1am, 2am, or that there should be no night-time period which should incur noise restrictions.
 - Half the remaining comments stated that a night-time period with restrictions was inappropriate for Sydney, and that city dwellers should either expect noise or soundproof their homes as a measure to mitigate problematic noise.
- **Support for a different night time noise periods for Friday and Saturday nights compared to the rest of the week:**
 - 82% of respondents supported a different night-time noise period For Friday and Saturday compared to week-nights.
 - **RESPONDENTS MADE 20 COMMENTS ON: Further explanations for having a different night-time noise period for Friday and Saturday nights compared to the rest of the week:**
 - Respondents mostly felt that decisions should be made on a case-by-case basis.
- **Support for residential buildings to close windows as a reasonable way to manage noise produced by performances:**
 - 63% of respondents thought that closing windows of new residential buildings is a reasonable expectation to manage noise.
- **Support for set noise limits matched to planning approvals to support an offensive noise assessment for entertainment venues:**
 - 74% of respondents supported set noise limits to support offensive noise assessment for entertainment venues.

STAKEHOLDER COMMENTS:

- Support for introducing planning controls for new venues and new noise-sensitive development was expressed by a small number of stakeholders, believing this would allow development of the evening economy while protecting residential amenity and the health of event attendees.
- Support for new noise compliance guidelines to provide greater certainty and consistency was expressed by a small number of stakeholders. Some of these stakeholders wanted clearer objective, rather than subjective, regulations and policies for monitoring 'offensive noise'.

Section 1: Diverse Evening Economy

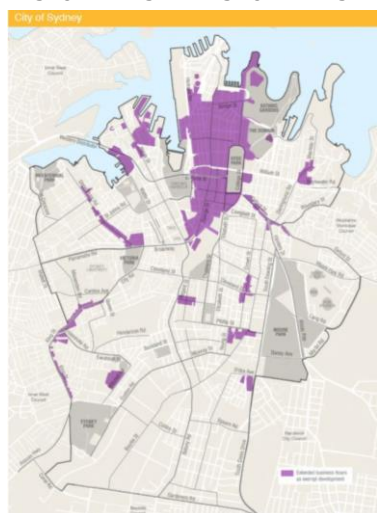
Support for extending trading hours without an approval in established retail areas in Sydney

RESPONDENTS WERE ASKED: Do you support later trading without an approval in established retail areas identified in the map?

Respondents were shown this map to define the areas (City Centre; Kings Cross; Oxford Street; Crown and Cleveland Streets; Danks Street; Zetland; Redfern Street; Ashmore Precinct, Erskineville; King Street Newtown; Glebe Point Road; and Pyrmont):

NOTE: In the survey, “later trading hours” exclusively refers to extending trading of shops and business services to between 7am and 10pm, 7 days per week.

RESPONDENTS WERE SHOWN THIS MAP:

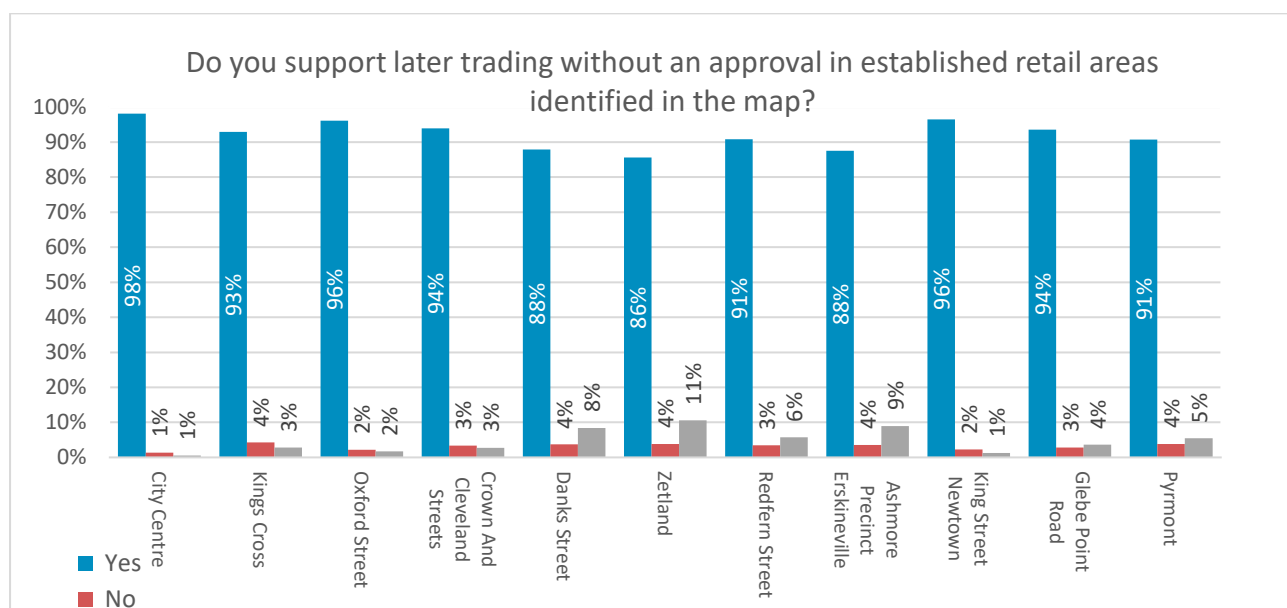


SUMMARY OF FINDINGS

- A very high proportion of respondents supported later trading hours without an approval for businesses in each of the established retail areas shown on the map
 - 86% or more of respondents selected ‘Yes’ for each of the areas presented the survey.

RESULTS

Survey data was analysed, and the graph below shows the percentage of respondents who agreed, disagreed, or did not know if they supported extending trading hours without an approval to 7am to 10pm, 7 days per week in the established retail areas identified on the map:



- Overall, a very high proportion of respondents supported extending trading hours without an approval in all the identified established retail areas:
 - 92% was the average percentage, across all areas, for respondents in support of later trading without an approval.
 - 98% of respondents selected 'Yes' for 'the city centre' – the highest support across all areas.
 - 86% of respondents selected 'Yes' for Zetland – the lowest support across all areas. Zetland also had the highest percentage of commenters responding, 'I don't know' (11%).
 - Less than 4% of respondents selected 'No', across all established retail areas.

Support for allowing later trading without an approval in mixed residential and business areas such as those indicated in the map

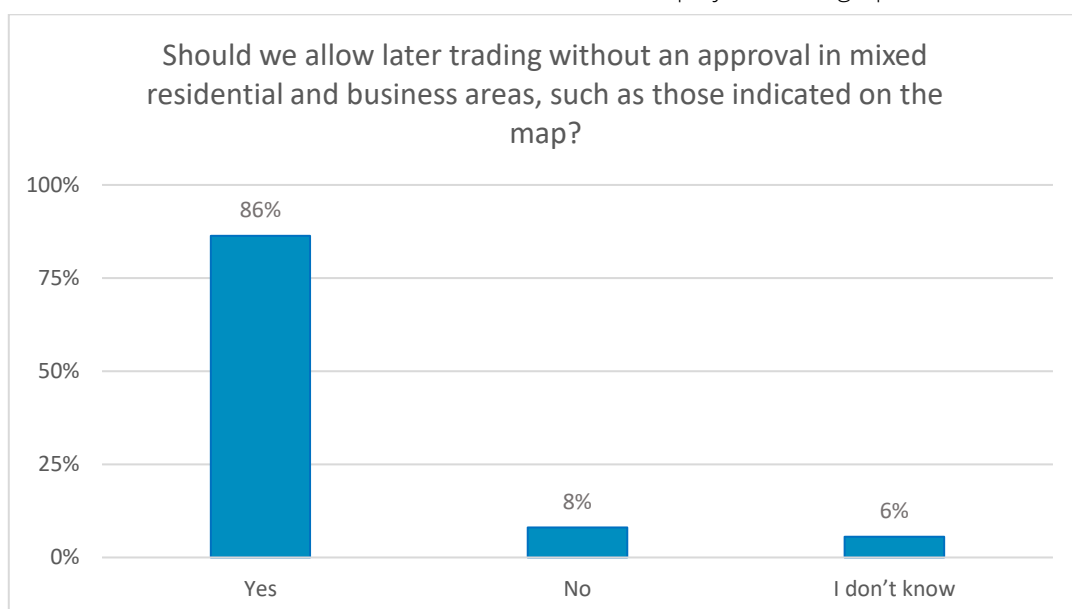
RESPONDENTS WERE ASKED: Should we allow later trading without an approval in mixed residential and business areas, such as those indicated on the map?

Summary of findings

- A high proportion of respondents supported allowing later trading hours without an approval in the identified mixed residential and business areas:
 - 86% of respondents selected 'Yes'.

RESULTS

The percentage of respondents who agreed, disagreed, or did not know if later trading without an approval should be allowed in mixed residential and business areas is displayed in the graph below.



- Allowing later trading hours without an approval in the indicated mixed residential and business areas:
 - 86% of respondents selected 'Yes'.
 - 8% of respondents selected 'No'.
 - 6% of respondents selected 'I don't know'.

Later trading hours without an approval in other areas of Sydney

RESPONDENTS WERE ASKED: Please tell us if there are other areas where you support or are concerned about later trading without an approval. Why?¹

Summary of opinions expressed

1334 comments

- A very high proportion of respondents were in favour of later trading hours without an approval in the proposed areas (458 comments) and over half of the total respondents expressed their approval for later trading throughout Sydney.
- A large number of people stated that later trading hours without an approval would make Sydney a more vibrant, cultural, and free community with a better economy and transform it into a true international city.
- A very large number of comments were made in support of later trading hours without an approval in specific areas, especially Central Sydney, Inner West, and waterfront areas (i.e. beach and harbour suburbs).
- A large number of people expressed concern about later trading hours without an approval. Only a couple were strongly opposed to the proposal.

SUPPORT FOR LATER TRADING HOURS WITHOUT AN APPROVAL 747 COMMENTS

General acceptance for extending trading hours throughout Sydney (389 comments)

A very large number of respondents were in favour of later trading hours without an approval throughout Sydney. These respondents often expressed that later trading hours would improve the city's cultural and community feel, put Sydney on par with other major international cities, and promote the evening economy. The necessity for Sydney to have an evening culture and community feel was expressed by a moderate number of respondents. A small number of people made the point that more businesses trading later would make communities safer due to increased foot traffic at night.

I think allowing businesses to trade later will only enhance community and invigorate the night life for these communities...

Respondents stated that Sydney needs more vibrancy and energy at night, with a moderate number of commenters in support of encouraging culture, music, and arts in the evenings.

There need to be spaces that cater to and encourage the development of a vibrant music and art scene in order to help preserve Australian artists as some of the best in the world.

A considerable number of commenters compared Sydney to international cities and other Australian cities that have later trading hours, with some noting Sydney's reputation as an international city, but for lock out laws which have prevented it from living up to its full potential.

If we are going to be a metropolitan city on par with New York, London, Paris, LA, Hong Kong or any other major international city, we need to be on par with their cities in more ways than just population.

A small number of respondents made the point that Melbourne does not have the same restrictive trade hours as Sydney, and consequently is better off. A few respondents also stated that allowing later trading hours in all parts of Sydney would promote tourism in areas other than Central Sydney.

Invites tourists to go to other parts of the city too not just congesting the existing congested areas...

¹ In the survey, "later trading hours" exclusively refers to extending trading of shops and business services to between 7am and 10pm, 7 days per week

A moderate number of respondents expressed frustration at the current lock out laws. They viewed these as harmful to the economy and local businesses, as well as preventing Sydney residents from living freely. These respondents therefore supported allowing businesses to trade later without an approval.

I think what matters is that the economy and the city looks and feels vibrant and that people can get fed and entertained at hours which suit their lifestyle and their desired lifestyle.

Several respondents supported later trading hours without an approval specifically to promote the night-time economy and give businesses the freedom to trade whenever it suits them.

...businesses should be able to operate whatever hours they want. They will only open if there is demand.

A couple of respondents claimed the current trading restrictions make shopping and socialising challenging for people who work long or unusual hours. These respondents expressed that allowing businesses to remain open from 7am to 10pm, 7 days per week, would give people more freedom to work, shop, and socialise at times that suit them. A couple of commenters noted extending the current trading hours would provide job opportunities for many students and people unable to work during standard hours.

Too many people have a 9-5 job that doesn't let them shop after work; this leaves areas PACKED on the weekend...

Respondents supported later trading without an approval in specific areas (358 comments)

A very large number of respondents supported later trading hours in suburbs or whole districts of Sydney that were not shown in the provided maps. These were analysed and are presented in the table below. The areas were divided into their respective districts and suburbs. The number of times each area was mentioned is displayed in the table.

Table of specific suburbs in Sydney districts where respondents supported allowing businesses trading from 7am to 10pm, 7 days per week without an approval

District	Central Sydney		Inner West		Beach Areas		Harbour Areas		Northern Districts		Eastern Suburbs		Parramatta	
Suburbs	City of Sydney	29	Newtown and Enmore*	25	Bondi	23	The Rocks	11	Chatswood	8	Other	13	Other	10
	Surry Hills	19	Marrickville	19	Coogee	4	Barangaroo	7	Mosman	5				
	Redfern	11	Annandale	10	Other	13	Circular Quay	6	Other	15				
	Chippendale	9	Dulwich Hill	6			Darling Harbour	6						
	Potts Point and Kings Cross	9	Leichardt	6			Other	3						
	Broadway	6	Sydenham	5										
	Alexandria	5	Balmain and Rozella*	4										
	Darlington	4	Ersleville	4										
	Haymarket	4	Glebe	4										
	Waterloo	4	Other	23										
	Other	16												
	Total*	116		106		40		33		28		13		10

Table Notes:

If fewer than 4 respondents mentioned a suburb, these were included into the "Other" category

If a respondent mentioned the entire district, this was included into the "Other" category

* - Suburbs that were often mentioned together by respondents were also combined in the table

- Total of all comments about that district

A large number of respondents supported later trading without an approval in Central Sydney, with one quarter specifically mentioning the City of Sydney. George Street, Clarence Street, Martin Place, and Pitt

Street Mall were all noted by commenters as key places where later socialising and shopping hours would be beneficial. Surry Hills was noted by a moderate number of respondents, and several people expressed their support for later trading hours on Oxford Street.

The whole of Oxford St should have late night trading & licenses so we can go out and enjoy the city after work...

The Inner West district received a large number of comments in support of later trading hours, especially in Newtown and Enmore, Marrickville and Parramatta Road in Annandale.

I live in Newtown and it would make a huge difference being able to access the shops after hours.

A considerable number of respondents agreed that beach areas and suburbs should be allowed to trade later. Bondi, Coogee, Cronulla, Double Bay, and Manly were all identified as places that could benefit from later trading. A few commenters made the point that the beaches are significant tourist areas and “cultural and creative hub[s]”, with one noting that the beach areas are especially popular in summer so later trading hours for businesses in these areas would be beneficial. There was support for later trading in Sydney’s harbour areas from a considerable number of contributors.

Harbour should all be included! (If they’re not yet). All massive tourist and local hubs. It would make this city so much more vibrant!

Special mention was made for some specific suburbs as they are viewed as tourist, entertainment, or nightlife areas.

Barangaroo area should 100% be allowed very late trading hours. It’s supposed to be a food and drink hotspot, yet most close at like 10pm...

A considerable number of people expressed support for suburbs and areas of the northern districts to have later trading; a few respondents stated that this may help to connect Central Sydney with suburbs north of the Sydney Harbour Bridge.

North Sydney Council area. Because it’s a central area but is a ghost town at night/on weekends.

A few commenters stated that the Lower North Shore has a “lack of community” and is missing a cultural feel. Chatswood and Mosman (especially Military Road) were also highlighted by commenters as key areas where late night trading without an approval was supported.

Several commenters stated they were in favour of later trading without an approval in the Eastern Suburbs, particularly Randwick and Paddington. One respondent stated “eastern suburbs need more life” and “should be allowed more flexibility to support music and [the] creative scene...”.

Later trading hours without an approval in the Parramatta district were supported by several respondents. A few people were enthusiastic about developing the area into a more energetic location for socialising and shopping.

Please include Parramatta which is growing and vibrant it will also help businesses and reducing crime.

Several commenters also identified areas around specific facilities where they supported later trading hours without an approval. A small number of people stated it would be beneficial for shops and businesses within and around the universities to extend their trading hours as many students stay up late studying and socialising. A few respondents supported later trading hours for pharmacies, medical centres, and the surrounding businesses to allow for “out of standard office hour appointments”, and shopping convenience. There was support from a moderate number of respondents for shopping centres and supermarkets to be allowed to trade later without an approval.

A large number of respondents were concerned about the impacts that allowing businesses to trade from 7am to 10pm, 7 days per week without an approval could have on Sydney residents; although only a couple of people commented that they were completely opposed to allowing later trading. Most of the concerns that respondents had were about noise and behavioural issues caused by businesses being open later, public transport and road congestion and vulnerable businesses and employees. A small number of people suggested a trial period for mixed residential and business areas, to measure the validity of concerns.

Concern about noise and disturbance in residential areas

A considerable number of commenters were concerned about increased noise levels, rubbish, and public disturbance events in residential areas if local businesses could trade later without an approval from 7am to 10pm, 7 days per week.

I don't mind them being open later but worry about the noise from trading and people coming & going late at night.

Concern was raised by a small number of commenters about increased noise levels from businesses in residential areas impacting on children and workers' ability to sleep. A couple of respondents referred to residential areas with terraced housing, stating these homes were challenging to soundproof and noise caused by nearby businesses trading from 7am to 10pm, 7 days per week would significantly impact these residents. A few people made the point that noise would not only be created directly from businesses trading later, but also secondary services such as rubbish disposal and collection, and other vehicles.

Respondents who shared concerns about noise and anti-social behavioural issues by customers were usually referring to businesses that served alcohol, arguing that quiet residential areas would be negatively impacted by the actions of intoxicated people.

... not necessarily more alcohol and music in all areas without an approval. It's nice to have quiet parks and zones that aren't full of tipsy people late at night.

This view led a few people to suggest later trading hours without an approval should not apply to the sale of alcohol. A couple of respondents, however, noted there are already laws, restrictions, and response practices in place for dealing with the anti-social behaviour that can occur as a result of alcohol consumption.

Concern about transport issues

Several respondents queried whether public transport services would match the proposed later trading hours of 7am to 10pm, 7 days per week.

If the state government does not provide public transport options late at night, what is the point of having these options if people can't get out of the areas when they are ready.

A couple of people were concerned about availability of carparks, traffic congestion, and increased noise caused by more people driving around Sydney during the later trading hours. There were some comments regarding the availability and restrictions on car parking in certain areas.

Parking in Surry Hills is already at a crisis point... If business hours are to be extended then standard hours for parking wardens must be extended accordingly.

Concern about vulnerable employees and small businesses

Several respondents were concerned about the wellbeing of small businesses and employees who could be forced to work longer hours. A small number of respondents stated that they were concerned for vulnerable employees, such as students, who may be required to work longer and later hours without any added payment benefits.

I am mostly concerned that retail and hospitality workers covering these later shifts are compensated fairly with penalty rates...

Some people claimed that small business owners would not be able to afford to stay open late (financially or socially), whereas large companies could; this could lead to a reduction in small businesses in Sydney.

Note that a few commenters appeared to have misunderstood the later trading hours concept, equating this with all businesses being compelled to stay open within these hours.

Concern about specific places

A small number of respondents specifically mentioned the impacts of allowing later trading hours without an approval for businesses in Potts Point and Kings Cross; these people were concerned about noise levels and previous safety concerns caused by drugs, alcohol, and violence in the area.

No more pubs and clubs in kings cross please... Times have changed and we don't need a red light district anymore.

A small number of people expressed concern about extending trading hours without an approval for casinos, due to the negative impacts associated with gambling.

Support for later trading times allowed without an approval

RESPONDENTS WERE ASKED: We are proposing shops and businesses can trade until 10pm without an additional approval. Even later trading can happen but council approval is needed.

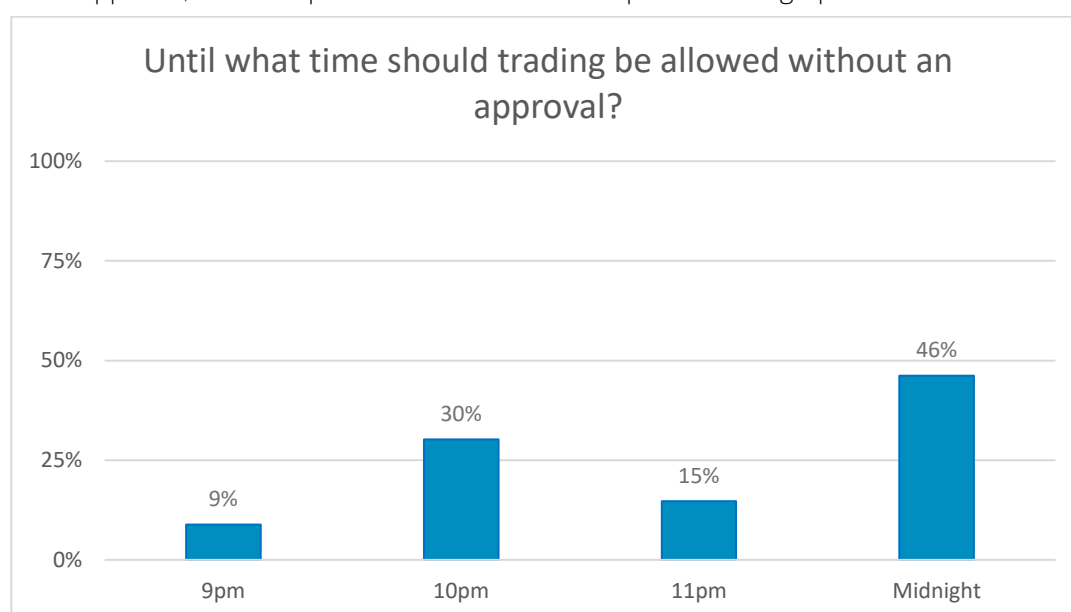
Until what time should trading be allowed without an approval?¹

Summary of Findings

- Survey respondents supported a range of times that trading should be allowed until, with midnight the most popular time:
 - 46% of respondents selected 'Midnight'.

RESULTS

In the survey, respondents were able to select multiple times they supported businesses to trade up to without an approval; these responses were combined to produce the graph below.



- Time businesses can trade until without an approval:
 - 46% of respondents selected 'Midnight'.
 - 30% of respondents selected '10pm'.
 - 15% of respondents selected '11pm'.
 - 9% of respondents selected '9pm'.

¹ In the survey, "later trading hours" exclusively refers to extending trading of shops and business services to between 7am and 10pm, 7 days per week

Support for earlier trading hours to be set for mixed residential and business areas

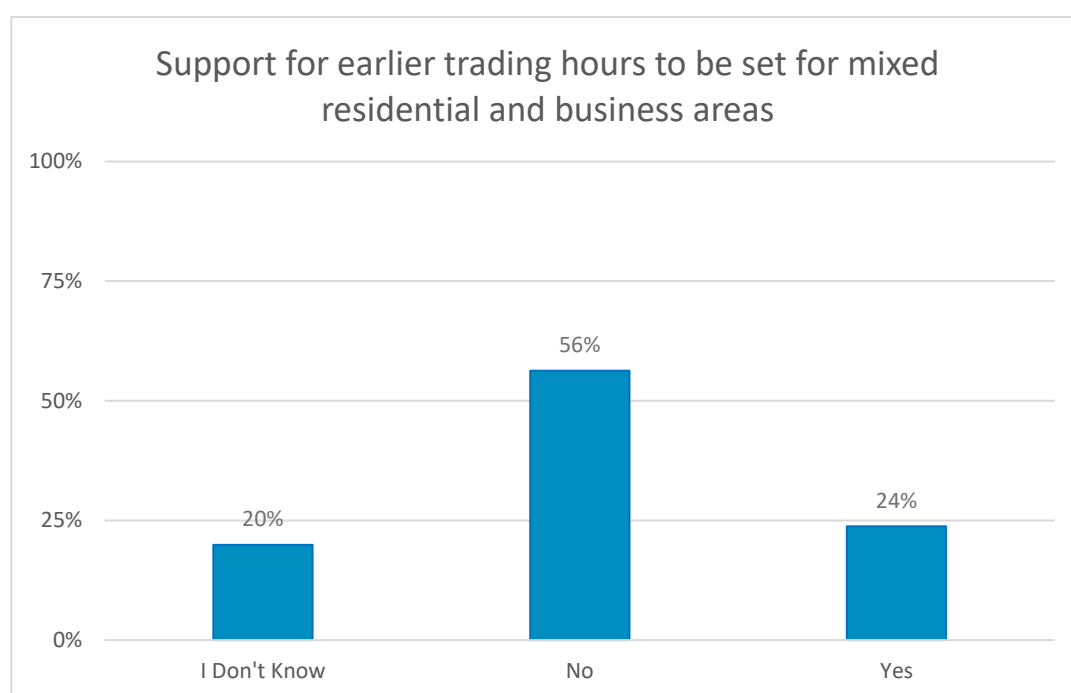
RESPONDENTS WERE ASKED: If we were to extend later trading without an approval to areas with mixed residential and business use, should earlier hours be set?¹

Summary of Findings

- A majority of respondents did not support earlier trading hours without an approval in mixed residential and business areas:
 - 56% of respondents selected 'No'.

RESULTS

The percentage of respondents who agreed, disagreed, or did not know if businesses in mixed residential and business areas should be allowed later trading hours, without an approval, are shown in the graph below.



- Earlier trading hours to be set for mixed residential and business areas:
 - 56% of respondents selected 'No'.
 - 24% of respondents selected 'Yes'.
 - 20% of respondents selected 'I don't know'.

¹ In the survey, "later trading hours" exclusively refers to extending trading of shops and business services to between 7am and 10pm, 7 days per week

Support for later trading hours in the city centre compared to village areas

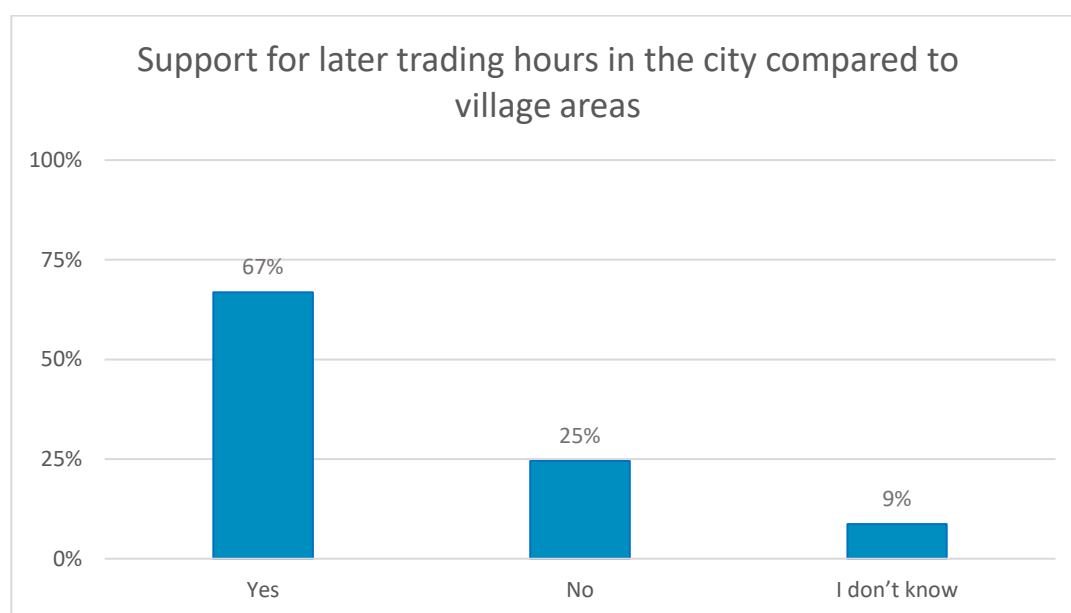
RESPONDENTS WERE ASKED: Should the city centre have later trading compared to village areas?¹

Summary of findings

- A majority of respondents supported the city center having later trading hours:
 - 67% of respondents selected 'Yes'.

RESULTS

The percentage of respondents who agreed, disagreed, or did not know if businesses in the city centre should be allowed to trade later than village areas without an approval are shown in the graph below. Respondents were able to select multiple answers in the survey – for example, in the case where a respondent selected "I don't know" and "no", the answers were counted in both "I don't know" and "no" response totals.



- Support for later trading hours in the city compared to village areas:
 - 67% selected 'Yes'.
 - 25% selected 'No'.
 - 9% selected 'I don't know'.

¹ In the survey, "later trading hours" exclusively refers to extending trading of shops and business services to between 7am and 10pm, 7 days per week

Support for later trading hours for land uses other than shops and businesses without an approval

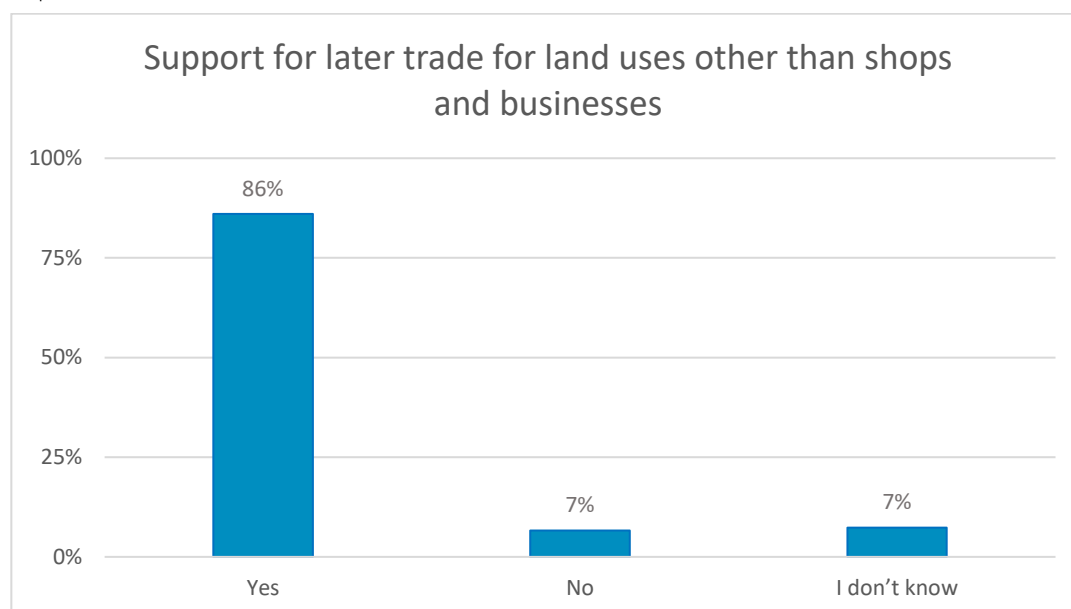
RESPONDENTS WERE ASKED: Should land uses other than shops and businesses, for example restaurants and cafes, be allowed to trade later without an approval?¹

Summary of findings

- A high proportion (86%) of respondents supported having later trading hours for land uses other than shops and businesses.
 - 86% of respondents selected 'Yes'.

RESULTS

The percentage of respondents who agreed, disagreed, or did not know if land uses other than shops and businesses, such as restaurant and cafes, should be allowed to trade later without an approval are shown in the graph below. The survey allowed respondents to select multiple answers; for example, in the case where a respondent selected "I don't know" and "no", the answers were counted in both "I don't know" and "no" response totals.



- Support for later trade for land uses other than shops and businesses, for example restaurants and cafes:
 - 86% of respondents selected 'Yes'.
 - 7% of respondents selected 'No'.
 - 7% of respondents selected 'I don't know'.

¹ Note that "trade later" exclusively refers to extending trading to 7am, to 10pm, 7 days per week

Comments on other types of businesses that should be allowed to trade later without an approval

RESPONDENTS WERE ASKED: What types of businesses should be allowed to trade later?¹

Summary of findings

1249 comments

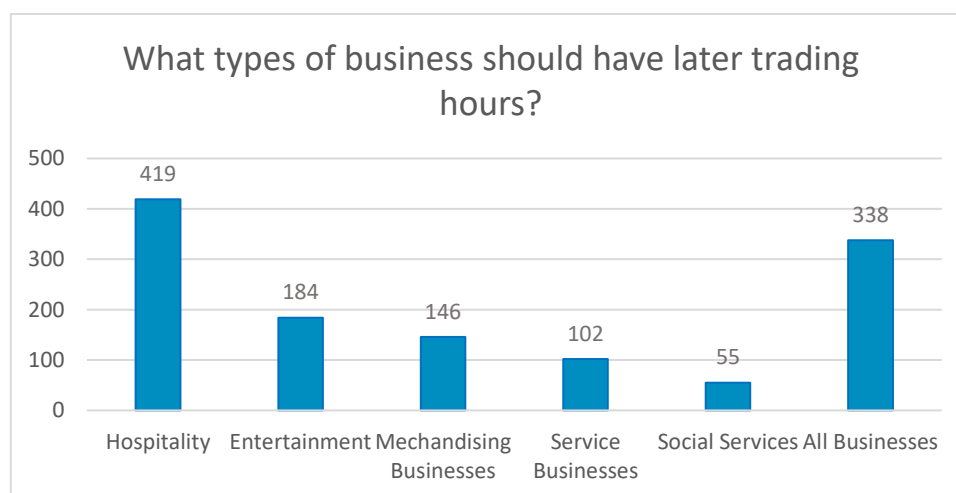
- Respondents named a large number and broad range businesses that they argued could have later trading hours.
- A very large proportion of respondents felt that hospitality businesses such as restaurants, cafes, and bars should be allowed to trade later.
- A large number of people also supported later trading for merchandising businesses and entertainment venues, especially theaters, cinemas, and live music venues.
- Service businesses and social services were also supported by a large number of respondents to have later trading hours.
- A very large number of respondents stated that all businesses should be allowed later trading hours.

RESULTS

1249 COMMENTS

A very large number of respondents suggested different types of businesses that should have later trading hours. To analyse the responses received, business were categorised by type. The number of times comments were made for each business type was calculated and reported in the chart below. The categories were:

- **Hospitality:** restaurants, cafes, bars, and pubs, but excluding nightclubs.
- **Entertainment:** theatres, cinemas, live music venues, nightclubs, and art galleries.
- **Merchandising businesses:** retail stores, supermarkets, and liquor stores.
- **Service businesses:** hairdressers, banks, post offices, gyms, and dry cleaners.
- **Social services:** doctor's offices, pharmacies, libraries, and drop-in centres.
- **All businesses:** when 'all businesses' or similar was stated.



¹ In the survey, "trade later" exclusively refers to extending trading to 7am, to 10pm, 7 days per week

A very large number of respondents expressed that they would like hospitality businesses to be allowed to trade later, with most people specifically stating “restaurants, cafes, and bars”. A small number of respondents also mentioned that food stalls should be allowed to trade later too.

...restaurants, cafes – businesses that stimulate social economy and create a vibrant area.

However, several respondents voiced their concern that hospitality venues could cause noise pollution in mixed business and residential areas. A small number suggested that hospitality businesses that sold alcohol should either have extra restrictions, or not be allowed to trade later.

Later trading hours for entertainment businesses were supported by a very large number of respondents. Approximately half of these respondents stated that they wanted more businesses focused on playing music, such as live music venues or nightclubs. One third of respondents specifically mentioned that businesses or venues catering to the arts should be allowed to trade later; these suggestions often included art galleries, theatres, cinemas, and museums.

Any sort of cultural venue, for example music venues, theatres and art exhibitions

A large number of respondents said they supported later trading for merchandising businesses. These people mostly suggested retail stores, supermarkets and liquor stores, due to the current inconvenience of these types of businesses closing early.

Not being able to duck out and grab desert or a bottle of wine for a dinner party is dire

A moderate number of commenters within the above group noted they would like record stores and book shops to be allowed later trading hours, as these types of stores improve community culture.

...art galleries, book stores – any purveyors of culture

A large number of respondents supported later trading hours for service businesses, especially hairdressers, banks, post offices, and dry cleaners. A small number of respondents noted the challenge for people who work standard hours to find time to visit service businesses during their current trading hours.

Allow for more flexibility and availability of goods and services at all hours of the day

A substantial number of respondents also mentioned they would like social service businesses, such as pharmacies, doctors, and libraries, to be allowed later trading hours.

A very large number of respondents supported later trading hours for all business types, with several commenters arguing there should not be any discrimination between different business types. Other respondents stated that allowing later trading for all businesses would improve Sydney's cultural vibrancy and economy.

...later trading hours would boost consumerism, provide more jobs and actually help the economy!

Overall, respondents wanted businesses that improved the cultural and community feel of Sydney, especially those businesses that enhance the city's nightlife.

Restaurants, cafes, bars, ...book shops, live music venues, theatres and other live performance spaces, anything to do with music or cultural pursuits

Other respondents desired retail and service businesses to have later trading hours to provide convenience and lifestyle flexibility.

Comments on later trading for businesses that serve alcohol

RESPONDENTS WERE ASKED: Should this include places that are licensed to serve alcohol?

Summary of findings

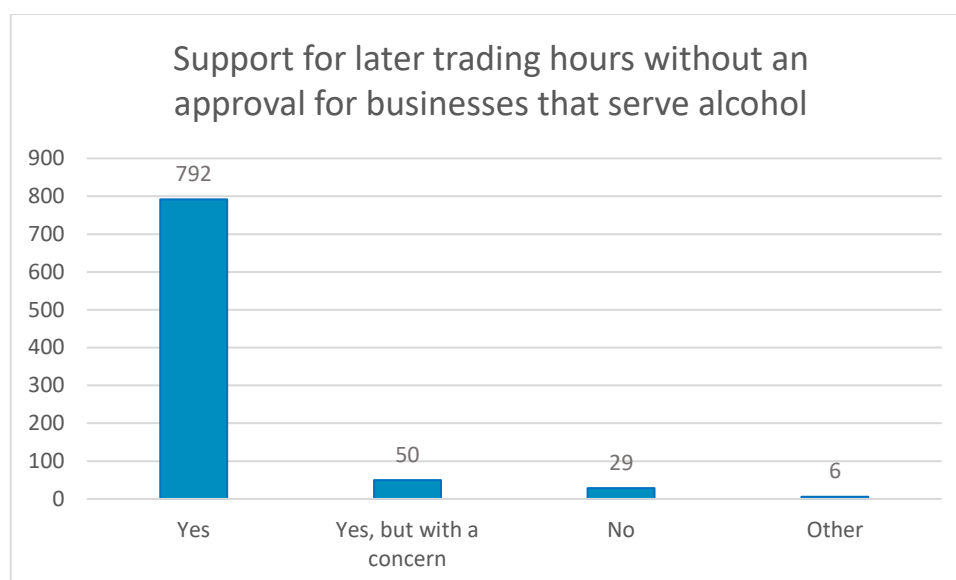
877 comments

- A very high number of respondents agreed that businesses serving alcohol should be allowed later trading hours.
- A substantial number of respondents that agreed, expressed concerns or sought restrictions.
- A considerable number of participants opposed businesses that serve alcohol to be allowed later trading hours.

RESULTS

877 COMMENTS

The respondents' comments were collated into four different groups: "Yes", for those who supported later trading for businesses that sold alcohol; "Yes, but with a concern" for those who supported the idea, but had some concerns or restrictions that they felt needed attention before businesses could serve alcohol later; "No" for those who were opposed to later alcohol service; and "Other" for those who neither agreed or disagreed. These results are shown in the chart below.



A very high number of respondents supported later trading for businesses that served alcohol. A small number of commenters also added that allowing later service of alcohol would enhance Sydney's nightlife and improve the cultural feel of the city.

Yes absolutely! They contribute to a vibrant nightlife. It is not just the ability to shop, or eat, or drink independently that makes a city vibrant – but the option to choose to do any and all at the same time.

Several respondents made the point that the current alcohol service regulations and security measures would be sufficient to control any anti-social behaviour that may arise from serving alcohol for longer. However, a small number of respondents expressed concern that public disturbances after events may increase due to later trading hours of businesses that serve alcohol.

Yes, provided patrons can leave without disturbing residents.

Later trading for businesses that serve alcohol was supported by a moderate number of respondents, with the proviso that security was increased or revised, or other restrictions were put in place. For example, preventing the sale of alcohol after a certain time, but allowing the business to remain open, or restricting

the number of patrons allowed within the business. A small number of people noted that businesses should only be allowed to serve alcohol for longer if food was also available.

Yes, if they also serve food on premises until close to closing time. Substantial food, not just nuts and chips.

A considerable number of respondents did not support later trading for businesses that serve alcohol. A moderate amount of people were strongly opposed, a small number of commenters disagreed in less emphatic terms with allowing later trading of businesses that serve alcohol.

Probably not, just so you can be sure that they will be responsible...

A small number of commenters were neither in support nor in opposition to later trading hours of businesses that serve alcohol. These commenters suggested approval of trading hours should be "on a case by case basis."

Support for later trading hours to encourage people to visit these areas in the evening

RESPONDENTS WERE ASKED: Do you think that allowing shops and businesses to trade later will encourage people to visit these areas in the evening?

NOTE: In the survey, “later trading hours” exclusively refers to extending trading of shops and business services to 7am, to 10pm, 7 days per week.

Summary of findings

- A very high proportion of respondents thought that later trading hours would encourage people to visit these areas:
 - 95% of respondents selected ‘Yes’.

RESULTS

The percentage of respondents who agreed, disagreed, or did not know if allowing shops and businesses to trade later without an approval would encourage people to visit the areas where businesses are open later in the evenings are shown in the graph below. The survey allowed respondents to select multiple answers – for example, in a case where a respondent selected “I don’t know” and “no”, the answers were counted in both “I don’t know” and “no” groups.



- Support for later trade hours encouraging people to visit areas in the evening:
 - 95% of respondents selected ‘Yes’.
 - 2% of respondents selected ‘No’.
 - 3% of respondents selected ‘I don’t know’.

STAKEHOLDER AND PUBLIC SUBMISSIONS ~ Later trading without an approval

The discussions that follow are informed by the comments received from stakeholders and members of the community who provided comments in their own format (didn't complete the online survey). A full list of stakeholders is provided in the appendix of the report.

STAKEHOLDER SUBMISSIONS

Summary of findings

- Support for the proposal to allow shops and businesses to trade from 7am until 10pm, seven days per week without an approval was expressed by several stakeholders. These stakeholders favoured reduction of regulatory burden, believing this would diversify and grow the evening economy, provide more employment opportunities and develop a healthier socialising culture.
- Further extension of trading hours without an approval was favoured by some – later into the evening and to more Sydney areas.
- Opposition to the proposal was expressed by a couple of stakeholders due to concerns over increased antisocial behaviour causing disturbance to nearby residents.
- Shops and businesses, especially hospitality, service, retail, and public facilities were suggested as activities that should be able to trade later without an approval.

Support for later trading without an approval

The proposal to allow shops and businesses to trade from 7am until 10pm, seven days per week without an approval was generally supported by F&B Radio, World Square, Live Music Office, MusicNSW, NRA, NSW Small Business Commissioner, Surry Hills Liquor Accord, Sydney Fringe Festival, Redfern Small Bar Liquor Accord and UGNSWDC.

Being open for business morning, noon, and night is another way for us [World Square] to help Sydney put its best foot forward to our visitors from near and far...

Live Music Office liked the proposal to allow businesses to trade later without an approval as it was in line with existing planning controls that have been developed with community input (Late Night Trading Premises Development Control Plan, 2007). They also suggested extending the proposed areas where businesses could trade later without an approval to Redfern, South Sydney, Alexandria, industrial areas, Broadway between UTS and Glebe Point Road, and between Glebe Point Road and King Street. UGNSWDC stated businesses in Waterloo Metro Quarter, Wharves B1, B2, B3 and Blackwater Bay, and Bank Street, Pyrmont should also be allowed to trade later without an approval. NRA reported some of their members supported the notion that businesses in the city centre should be allowed to trade later than those in village areas. The NSW Small Business Commissioner stated if later trading hours became mandatory in some areas, a consultation process with affected businesses would need to be conducted.

MusicNSW suggested extending trading hours further than what was proposed (10pm) in certain areas of the city to encourage the evening economy to benefit shops and musicians, as well as creating an active and attractive evening environment for Sydney residents.

We believe these extended trading hours will encourage more people to be out at night, and the flow-on effect will mean more opportunities for musicians...

Sydney Fringe Festival supported the proposal to allow later trading without an approval as they found that regulation of business closing times was one of the most prohibitive issues that they encountered during their Temporary Theatre Pop-up Pilot Project (2015). They wanted trading hours to be extended without an approval 'across the board' to encourage people to undertake a variety of activities during the evening.

...With most theatre performances ceasing by 10pm, there would be a captive market for late night shoppers and visitors who are heading home and/or not yet ready to end their evening...

Despite supporting the proposal to allow later trading without an approval, NRA expressed concern that some businesses may be disincentivised to trade later as they may be required to pay overtime rates to their employees; however, they noted this would only be the case for businesses staying open past 11pm. NRA suggested extending the area where businesses could trade later without an approval to other locations that were contingent on the outcomes of the current proposals. NRA stated that over half of their members thought allowing businesses to trade later without an approval would encourage more people to visit such areas in the evening.

Redfern Small Bar Liquor Accord stated they supported the proposal to allow later trading without an approval as it would diversify evening activities and change the perception of what 'going out' means into a healthier social environment, with people safely congregating.

Overall, the stakeholders that supported allowing later trading hours without an approval favoured less regulatory burden, improved operational flexibility, and encouragement to develop the evening economy. Increased employment rates prompted by businesses trading later was viewed in a favourable light by some stakeholders, with NRA claiming this would lead to economic growth due to more people having more disposable income.

Disapproval for allowing later trading without an approval

The proposal to allow later trading hours without an approval was opposed by Potts Point and Kings Cross Heritage & Residents Society due to the increased chance of residential disturbance, loss of amenity and because locals would be unable to voice concerns surrounding non-compliance issues. This stakeholder also opposed financially supporting evening-trading retail businesses, as they disapproved of using residents' rates for a 'hand-out system' and 'form of business welfare' that has no budget limits and is open to abuse. Potts Point and Kings Cross Heritage & Residents Society requested the Chief Executive Officer review the 'late night trading areas and related hours in Sydney Development Control Plan 2012 and City of Sydney Late Night Trading Premises Control Plan 2007 to ensure controls achieve objectives'.

ESNA only approved of later trading hours for the Oxford Street strip but not for Liverpool Street or Riley Street due to previous residential disturbance issues.

Committee for Sydney made the point that the density of licenced venues and alcohol retailers can affect the night-time economy and impact on nearby residents or businesses. These businesses can lead to antisocial behaviours and amenity problems at night.

Types of businesses that should be allowed to trade later without an approval

FBI Radio, NSW Small Business Commission, and Committee for Sydney stated they supported later trading hours without an approval for shops and businesses, as described in the proposal. Committee for Sydney also suggested that service businesses such as pharmacies, medical centres, gyms, child care centres, as well as grocery stores should be allowed to trade later without an approval to enable day, night, and shift workers to complete routine activities outside of standard office hours, especially as flexible working times and locations become more common. Committee for Sydney also suggested hospitality businesses could stay open later for people to enjoy a meal, drinks, or coffee and cakes after an event as currently most of the available businesses are take-away stores. Allowing hospitality businesses to have outdoor seating to utilise Sydney's warm climate was also suggested and supported by NSW Small Business Commission. Allowing retail stores to trade later without an approval was considered beneficial by Committee of Sydney to develop a better transition from 'day-time to twilight economies', which would 'capitalise on high-spend, but time-poor tourists and business guests' and attract more people to come into and stay in the city longer. Committee for Sydney proposed public services and recreation facilities, such as libraries, halls and centres, gyms, skate parks, pools and basketball courts, should be open later if more dining and cultural options are

encouraged to trade later under this proposal. They also stated museums and art galleries should stay open later.

Late night opening hours in museums, art galleries and other institutions offer the experience of art and culture in new circumstances to more people, and ensures the city's workers, residents and visitors can engage in a creative cultural nightlife...

NAVA stated they supported businesses that served alcohol trading later without an approval so long as they have an existing licence or alcoholic beverages were served by a caterer who holds an off-premise authorisation. Redfern Small Bar Liquor Accord stated that a diverse evening economy provides an environment to change the way people congregate and consume alcohol, thus making the city safer.

NRA supported later trading of child care facilities to encourage shoppers to spend time in retail stores and other businesses that are open later and allow employees of these businesses to work later.

PUBLIC SUBMISSIONS

Summary of findings

- A small number of public commenters agreed with allowing later trading without an approval. A few made specific suggestions for some service and retail businesses they thought should be allowed to trade later without an approval.
- A couple of commenters expressed concern that large businesses or department stores would benefit from this proposal, while small, local businesses may not. Concern was also expressed by a few respondents regarding alcohol sales.

Support for later trading without an approval

A small-number of public commenters supported allowing later trading without an approval, with a few mentioning some service and retail businesses, such as 'supermarkets, chemists, and regular shops' or hospitality businesses.

Making it easier for small (and larger) businesses to operate at more times is very positive.

A couple of public commenters stated that allowing hospitality businesses to trade later without an approval to accommodate those wishing to extend their evening following a 'late-finishing event'. Another person noted that allowing businesses to trade later would enable lower-paid workers to work more hours and possibly be paid more, especially if a penalty-rate adjustment was applied.

A few public commenters, however, did not support later trading hours without an approval for all business types. One commenter argued this proposal would be hard for all retail areas to participate in as some small businesses would not be able to afford to open late, while larger chain-style businesses or 'mega-department stores' would have no trouble employing people to work later; therefore, while larger businesses would benefit immensely, smaller businesses may be disadvantaged. Some comments stated that so long as there was minimal residential disturbance and the local amenity was not significantly impacted, they did not mind retail and service businesses trading later without an approval.

One public commenter disapproved of providing large businesses and department stores that program retail experiences in the evening with grants funded by the public. This commenter also felt the definition of a 'retail experience' needed defining.

...with the proposal for grants to be provided- will these be available to major department stores?

What is the justification for using public money to encourage Myers/ David Jones/Westfield...?

A few public respondents made comments surrounding later trading of businesses that serve alcohol. One commenter wanted hospitality businesses open later so they could have a drink with a late-night meal, however they were aware that enabling this may require consultation with the State Government. A couple of other public commenters expressed concern that the binge-drinking culture and associated negative behaviour needs to be changed. These people wanted less emphasis on alcohol, either by reducing alcohol

advertising, improving public education on the effects of alcohol and the benefits of having a civilised drinking culture, or not encouraging people to drink by allowing businesses that serve alcohol to trade later without an approval.

Concerns for public safety

A few public commenters expressed concerns regarding public safety if trading hours without an approval were extended and the development of the evening economy was encouraged. One public commenter claimed that older people, whom the proposal aims to encourage to become more involved in evening activities, may feel 'disconcerted' by the large numbers of young people and 'menacing' security employees of licensed venues. This person's solution was to have a greater presence of uniformed Council security officers to ensure older people have a sense of safety whilst in the city at night. Another commenter, a resident of Kings Cross, expressed their concern that allowing businesses to trade later without an approval could allow 'hooliganism' and antisocial behaviour back into their neighbourhood.

One public commenter was frustrated that the proposal's aims lacked plans to ensure areas where it is 'pleasant to live' will be protected by antisocial and criminal behaviours, such as street fights, drug dealing, and prostitution.

Ideas to encourage a more diverse and active evening economy

RESPONDENTS WERE ASKED: Do you have any other ideas to encourage a more diverse and active evening economy?

Summary of findings

2216 Comments

- A very large number of respondents supported:
 - Events and the music, art, and entertainment industries to encourage a more diverse and active evening economy.
 - Prioritising a healthy community lifestyle and utilising public spaces.
 - Allowing businesses or events that serve food and alcohol to trade later without an approval to encourage evening activity and diversity.
 - A variety of later-trading businesses to encourage evening activity and diversity.
 - Running public transport later to support later trading events and businesses.
 - Managing current or potential future restrictions, licensing processes, and noise pollution issues in respect to facilitating more activity and diversity.
- Removal of the current lock out laws was favoured by a sizable number of respondents, who wanted a more active and diverse evening economy in Sydney

MUSIC, ARTS, AND EVENTS

450 COMMENTS

A very large number of respondents emphasised the need to support events and the music, art, and entertainment industries to encourage a more diverse and active evening economy.

Music and Art

Many respondents felt that music and art brought life, vibrancy, and a cultural atmosphere into a city. A very large number of commenters wanted later trading hours without an approval for businesses that held music or art events, or removal of restrictions on free agent street artists and musicians. A sizable number of respondents specifically wanted live music, often suggesting bars and venues should be encouraged to hold live music events. A substantial number of respondents noted street performers, such as buskers, musicians, and artists add diversity, entertainment and life into cities and suggested these performers should be encouraged or even partially council-funded in Sydney.

Remove busking laws so that there is an atmosphere on the streets that encourages artistic expression

A very large number of people thought creative and artistic events and venues should be supported in Sydney to promote a diverse and active evening economy. Later trading hours without an approval for art galleries and exhibition venues was supported by a considerable number of commenters. Several commenters suggested installing illuminated art sculptures or “decorative street lamps” around Sydney to introduce a creative and fun environment for pedestrians in the evening. Later trading hours without an approval for theatres and cinemas was supported by a moderate number of respondents who were looking for more artistic evening entertainment in Sydney.

A moderate number of respondents made general comments about wanting more creative evening entertainment options in Sydney, with some making specific suggestions such as: comedy shows, language lessons, amateur sporting facilities, board and card games, amusement and arcade gaming facilities, ethnic cultural events, skill workshops and public yoga and dance events.

Venues

A substantial number of respondents stated that entertainment venues and venues that sporadically hold entertainment events should be encouraged and supported in Sydney to develop a diverse evening economy. One quarter of those who wanted more entertainment venues specifically suggested music venues. Allowing pop-up venues and a wider variety of businesses to hold evening entertainment events was supported by a moderate number of respondents. Some of these commenters made suggestions for the type of entertainment that could be held at these events, which included: comedy nights, pop-up art events, 'open-mic' nights, book readings, and poetry nights.

Ensuring that businesses that support local cultural activities, such as music, art, plays and stage shows are supported by the government...

Several respondents stated libraries and museums should be encouraged to stay open later to help develop an active and diverse evening economy in Sydney. These people sought cultural entertainment in the evenings and some also suggested events could be held within these venues

More night time cultural events, public art trails light up at night to create walks...

Events

A considerable number of comments suggested more events should be held in Sydney to promote an active and diverse evening economy. These events ranged from small and local, to large city-wide events such as the Mardi-Gras. A considerable number of respondents thought more public and open spaces could be utilised in Sydney for cultural and social events. For example, closing off streets for family-friendly block parties, installation of artworks in the street and on walls, and holding small events in squares and parks for residents.

Overall, respondents wanted more evening entertainment that promotes positive cultural and social gatherings for people of all ages and background; many felt this was the key to encouraging a diverse and active evening economy in Sydney.

...let's make Sydney a destination once more

PUBLIC SPACES AND THE COMMUNITY

425 COMMENTS

A very large number of respondents made a variety of suggestions to encourage a more active and diverse evening economy in Sydney that prioritised a healthy community lifestyle and utilised public spaces.

Public spaces

A substantial number of people made suggestions on how to utilise current public spaces for evening entertainment and activity. These included: walking tours, installing art works, street festivals and markets, small-scale street entertainment, later opening hours for libraries and pools, light shows like Vivid, amusement rides, outdoor cinemas and open areas for locals to play music. Events held in public parks were supported by a considerable number of people, with some stating that use of parks in the evenings for family and community events should be promoted. A moderate number of respondents made the point that every member of the community should be considered, such as families, elderly, and people from different cultural backgrounds, not just young people wanting to visit bars and nightclubs.

...Sydney shouldn't be just for the young, but for families and old people looking to connect with their community

Several people noted improvements to public utilities, such as public toilets, footpaths, and rubbish collection services, would need to be considered if more people are going to be out on the streets later.

Alcohol

A substantial number of respondents made comments about alcohol service and community impacts if businesses were allowed to trade later without an approval. Of these respondents, a

considerable number did not want alcohol service to be a focus when encouraging an active and diverse evening economy; the community and positive social activities should be prioritised.

As much as I love as I love alcohol related places, even having late night non-alcoholic, creative and perhaps family friendly entertainment will be good too...

Revision and relaxation of the current alcohol licence process was suggested by a moderate number of respondents; some stated the current system made it difficult and expensive for small bars and pop-up venues to serve alcohol. Several commenters went further, suggesting drinking alcohol in public should be legal in all areas. A small number of respondents argued there should be stronger repercussions for intoxicated people with anti-social behaviours and more public education to change the current 'binge-drinking' culture, rather than making the alcohol licensing process difficult and expensive. A few commenters also noted that a more diverse and active evening economy may reduce the negative drinking culture by providing other entertainment options.

Several respondents specifically stated they disapproved of endorsing gambling facilities and machines, expressing that more emphasis should be placed on positive social activities.

Safety

A large number of respondents made comments about safety on Sydney streets in the evenings and throughout the night.

...Especially family friendly markets with street performers that children would enjoy. This will create a friendly and safe environment...

A sizable number of these respondents stated that more people being on the streets, improved street lighting, reliable public transport throughout the night, and a sufficient police or security presence would encourage an active and diverse evening economy as more people would feel safe to explore Sydney at night. A moderate number of respondents, however, claimed that the current attitude of police and security staff towards people on the street or in entertainment venues could be improved to create a more inclusive and positive atmosphere. A moderate number of respondents suggested appointing a Night Mayor, such as those in Europe, to regulate and organise evening activities, and to promote a safe evening environment.

Specific Suburbs

A considerable number of people emphasised certain areas they thought needed a more active and diverse evening economy. Areas included: 'the CBD', especially Kings Cross and Potts Point, and Oxford Street and Darlinghurst Road; Bangaroo; Newtown; and Parramatta.

HOSPITALITY

367 COMMENTS

A very large number of respondents thought allowing businesses or events that served food and alcohol to trade later without an approval would encourage activity and diversity during Sydney evenings.

Bars, restaurants, and cafes

A large number of comments were made supporting later trading hours without an approval for bars, restaurants, and cafes. In general, respondents wanted a diverse range of hospitality businesses open later into the evening so they could enjoy a meal, have a coffee with friends in the evening, or go out for a quiet drink in a bar. Some commenters expressed that they did not currently have the freedom to enjoy their evenings out due to early closing times of many hospitality businesses.

People are now rushing to go out and they decide on quick meals rather than a nice long evening of going out to a meal followed by a drink at a local bar

Many respondents made comments that they wanted a diverse range of hospitality businesses open later that did not focus on alcohol, with many also noting that this would promote positive social environments and family-friendly evening communities.

I feel that allowing restaurants, cafés and music venues to be open later at night without overly prohibitive fees and is very important in balancing out our nightlife so that it is not only about alcohol consumption.

A few respondents did not want 'beer barns' and wanted pubs to promote healthier social activities by turning off televisions and removing betting rooms.

Food markets, festivals, and outdoor dining

A large number of respondents suggested allowing food and drink vendors, markets, and small festivals to function later into the evening to add more activity and diversity to the evening economy in Sydney. A substantial number of people specifically stated that food trucks, stalls and vendors should be encouraged to trade later into the evening.

Make it easier to launch pop-up food and art evenings (food trucks, craft markets, etc.). Night markets are a regular staple around the world and are vibrant social events that encourage the sharing of cultures and building more interactive and tolerant communities.

In accordance with this, a considerable number of people wanted more outdoor and footpath seating for cafes and restaurants as this adds vibrancy and creates a social atmosphere in a community. Creating environments for different people to come together and socialise, such as cafes, restaurants and bars, or night markets and events with food vendors, would promote integrated and social communities, while encouraging an active and diverse evening economy.

TRANSPORT

239 COMMENTS

A very large number of respondents stated that if businesses and events ran later, transportation would need to be considered to encourage a more active and diverse evening economy.

Public transport

Extending the time the current public transport services run, or introducing additional evening public transport services, was suggested by a large number of commenters. Although most people made simple comments, such as 'better public transport', several commenters specifically stated public transportation should be run for longer on weekends or '24/7'.

Better late night public transportation. I'm sick of going to a gig or other cultural event and having constantly check the time to make sure I don't miss the last train...

Several respondents also noted that ensuring a reliable transport system that exists throughout the evenings is essential for public safety.

...make sure the public transport runs all night on Friday and Saturday nights so people can come home safe and sound after when they have an enjoyable time.

A couple of commenters suggested later and longer public transportation services are important to provide access for elderly and families between evening events and their homes.

Transportation services, parking, and traffic

A moderate number of people made suggestions about transportation services other than public transport, which included: improving access for taxis and Uber vehicles; mini-busses or shuttle services running between entertainment areas or from bars to nearby suburbs; and developing safe evening cycling and pedestrian routes.

Providing cheaper or free parking near events or in shopping and social hubs was suggested by a considerable number of respondents. Improving accessibility and reducing the cost of visiting different areas of Sydney in the evening would encourage activity and diversity throughout the city.

Several commenters also suggested reducing traffic or creating more pedestrian streets, even if only in the evenings, would improve the community feel of the city and encourage more people to explore Sydney on foot.

Setting a pedestrians only area which could allow cultural/artistic events

Overall, respondents who commented on evening transportation in Sydney thought improvements would encourage an active and diverse evening economy and allow more people to enjoy the city at night.

BUSINESSES

143 COMMENTS

A large number of respondents stated that a variety of businesses with later trading hours would encourage activity and diversity in the evenings.

Variety of businesses open later

For those who work during standard business hours, it is challenging to visit retail or service shops, prompting a substantial number of respondents to state they wanted retail stores open later. A considerable number of commenters wanted more flexibility in the current legislation to allow pop-up stores and businesses to open easily. The businesses suggested most often were hospitality and retail businesses.

Quick approval for 'pop up' businesses in temporary premises

Generally, respondents who wanted permeant or pop-up businesses to be open later were looking for spontaneity and diversity in the evening economy.

Don't have separate areas for shops, business, restaurants, cafes and residential. Everything should be mixed to encourage life on the streets after dark...

There was also a theme of supporting 'small' or 'local' businesses over larger companies for all types of businesses. A couple of commenters made the point that all businesses should be encouraged and supported as they are the foundation of Sydney's economy.

Financial encouragement for businesses

A moderate number of respondents made comments surrounding licence costs, tax, or rent for businesses, with most expressing the need for the council to financially encourage businesses to stay open later. Some of these suggestions included: rebates [the type was not specified] or incentives for businesses or groups to extend their trading hours or hold events; limiting compliance and licence processes to encourage businesses to diversify their services and opening hours; and council subsidised rent for those businesses that opt to trade later into the evening.

Overall, respondents wanted a variety of businesses to be open later to encourage a more diverse and active evening economy.

RESTRICTIONS, LICENSING, AND NOISE CONTROL

131 COMMENTS

A large number of respondents made comments on the current or potential future restrictions, licencing processes, and noise pollution issues in respect to making Sydney evenings more active and diverse.

General restrictions

A substantial number of commenters stated that they wanted 'less red tape' for businesses wanting to trade later, with some going further to say the process of gaining various licenses for business purposes should be made easier, or restrictions currently placed on businesses, such as no patrons allowed outside after a certain time, to be reduced.

Noise and residential disturbance

A considerable number of commenters thought noise or disturbance complaints made by residents about nearby businesses held too much sway and more protection for these businesses was required to prevent them from being unnecessarily shut down. Several respondents also thought the currently tolerated noise levels emitted from businesses were impractically low. Alternatively, a moderate number of respondents were concerned that later trading hours for many businesses and more people out on the streets at night could generate unwanted noise for residents.

...the businesses must be good "neighbours" in that they do not exceed noise levels, and clean and clear their environments around them. That way they have business opportunities and contribute to the "wellness" of the neighbourhood...

A small number of respondents made suggestions for where the responsibility of soundproofing lay. Some suggested the noise-producing venue should take all measures to reduce noise, whereas others thought property developers should install soundproofing measures in new buildings near businesses that have late trading hours.

Affordable rent

A couple of respondents noted residential rent prices in Sydney are not affordable and people do not have sufficient disposable funds to go out in the evenings. These people suggested efforts to reduce rent prices would encourage a more diverse and active evening economy in Sydney.

LOCK OUT LAWS

100 COMMENTS

A sizeable number of respondents made simple statements opposing the current lock out law, often stating this law has prevented diversity, vibrancy, and activity occurring in Sydney in the evenings.

Get rid of the lockout laws!

Some made the point that due to the lock out laws, punters are pushed out onto the streets at the same time, causing public disturbance and noise pollution. Several respondents argued the current lock out laws are economically harmful, especially to the small business owner. Only one respondent commented that the lock out law has been successful in some areas. This person argued that since the lock out law was established, evening culture in Kings Cross and Potts Point has diversified.

COMPARISONS TO OTHER INTERNATIONAL COUNTRIES (46 COMMENTS)

A considerable number of respondents compared the current activity and diversity of the evening economy in Sydney to other cities in Australia, especially Melbourne, and other countries. These respondents felt Sydney night-life should be more like international cities in other countries to fulfil the global reputation that Sydney holds. Some noted Sydney needs to be a '24 hour' city. European countries were often mentioned favourably for their casual, community evening culture that does not revolve around alcohol. On the other hand, one commented they did not want Australian culture to be 'Americanised'.

OTHER COMMENTS

301 COMMENTS

A considerable number of respondents made general comments supporting a more active and diverse evening economy in Sydney. Several commenters, however, made disapproving comments about promoting the evening economy.

STAKEHOLDER AND PUBLIC SUBMISSIONS ~ Ideas to encourage a diverse and active evening economy

The discussions that follow are informed by the comments received from stakeholders and members of the community who provided comments in their own format (didn't complete the online survey).

STAKEHOLDER SUBMISSIONS

Summary of findings

- Ideas to encourage an active and diverse evening economy were submitted by a small number of stakeholders. These included: promoting areas of Sydney, or Sydney as a whole, as entertainment hubs with areas of unique culture and activities; encouraging collaborative marketing and city-wide events; implementing reliable transport links into the evening; and utilising public spaces and facilities for cultural uses.
- Grants provided to businesses that program evening retail experiences was supported by a small number of stakeholders as this would financially aid upcoming musicians and artists.
- Creating a diverse, but reliable evening economy and entertainment focus throughout Sydney was considered the key to engaging more people of different age groups and lifestyles.

IDEAS TO ENCOURAGE A DIVERSE AND ACTIVE EVENING ECONOMY

Stakeholders presented ideas to encourage an active and diverse evening economy in Sydney.

Grants for businesses to program evening experiences

FBI Radio, Live Music Office, MusicNSW, Sydney Fringe Festival, and ESNA supported the proposal to provide grants for businesses to program retail experiences in the evening. FBI Radio and MusicNSW stated they supported financially encouraging businesses to host cultural events, especially for musicians, artists, and other performers. This would provide opportunities for these cultural entrepreneurs to present to an audience, showcase their work and possibly get paid to do so. Overall, this would boost quality artistic, musical, and creative offerings in Sydney.

Promotions and collaborations

Promotion of areas that have later trading businesses or entertainment-hubs was considered an important step to encourage an active and diverse evening economy by NRA and Live Music Office. NRA highlighted the need for promotion of areas, especially mixed business and residential areas, as many locals and visitors may be unaware of the new evening activities. They also proposed encouraging joint initiatives with tourism bodies to promote late-night entertainment and shopping areas.

NRA suggested that live entertainment, such as busking, in areas targeted to become retail and entertainment hubs would aid in promoting an active and diverse evening economy and draw people to these areas.

Collaborative marketing and events throughout Sydney was supported by Live Music Office and World Square, both of whom considered city-wide initiatives and events good ways to build an exciting and reliable evening economy. Live Music Office noted that city-wide collaborations and events can assist industry venues and artists, build audiences, and change the narrative and perception of what kind of night-life a city has. This stakeholder used City Sounds Brisbane, Umbrella Adelaide, Melbourne Music Week Live Music Safari as key examples of how this idea could be run.

World Square stated that a partnership with City of Sydney would be beneficial to generate more dependable venues and additional retail spaces.

Committee for Sydney proposed that Sydney should be promoted and branded as a '24-hour destination' to attract more tourists, and international and local business visitors. They suggested that both public and private sectors should collaborate to 'establish a successful night-time economy in both activities on offer and attracting visitors to these activities', possibly through creating an app that could inform visitors what, when, and where cultural activities were on in Sydney.

Support for the arts

World Square emphasised their support for encouraging evening Sydney activity, as this would help them achieve their aim of changing from a basic convenience centre into a local destination. They stated that reliability of activity in the evenings, in certain locations, allows people to change their routines and form new habits and traditions, some of which may include World Square. They also expressed the need to provide an environment for quality craftsmanship, art, and music to flourish, especially in the CBD, in a way that does not generate significant disturbance to others. Overall, World Square emphasised the need to create infrastructure and environments where people can reliably experience quality evening entertainment.

Committee for Sydney stated there was a great financial and economic advantage in developing Sydney's evening economy and much more needs to be done than just encouraging entertainment and altering licensing procedures.

...It is about creating a genuinely 24-hour city, where normal day-to-day activities such as shopping, visiting a museum, going to the gym or public library become as normal at 10pm [as] they would be at 10am...

Committee for Sydney also made the point that public spaces and buildings could become multi-use venues to ensure that every space was being used throughout the day and night. They also questioned how people, workers and tourists especially, would be able to move around the city later in the evenings and if they could 'access food and drink facilities'. Committee of Sydney claimed that 'strong, efficient, safe and accessible transport links' were critical for developing a successful 24-hour economy as these links would enable growth in different areas with people traveling to these areas, regardless of the time of day or night. Ensuring the safety of those who use public transportation later in the evening was noted as a key factor for developing an active evening economy. Committee for Sydney emphasised the need for more security cameras and staff, reliable 'door-to-door' transport solutions so antisocial behaviour is not encouraged when people are travelling the 'first or last mile' of their journeys, and sufficient options for late-night or shift workers to get to and from work efficiently and affordably.

Committee for Sydney also reported that the antisocial and excessive drinking culture in Sydney often only appealed to young people and discouraged older people, families, and those that who do not drink, from participating in the evening economy, despite having large disposable incomes. Promoting a diverse range of activities and attracting a mixture of people to enjoy Sydney in the evening was proposed by Committee for Sydney, to enhance the city's evening economy.

Committee for Sydney also suggested improving neighbourhood planning and precinct-specific identities and villages through the aesthetic standards of the space such as lighting, theme of shop fronts, and public art, as well as activation of spaces at different times of the day and night such as shops and businesses, laneways, parks and carparks.

Stage Whisper presented ideas, based on significant personal experience over many years in the theatre industry, of how fringe theatre can be stimulated in Sydney. They felt there needs to be greater Council support in providing appropriate venues for fringe theatre. They believe the two nights per week maximum 50 patrons would work for solo performers that can set up, do a show, and pack up easily, but the two night limit is not appropriate for co-op theatre.

Stage Whisper provided a detailed explanation, including average budget figures, of what is required to run a theatre performance involving a small cast with lighting etc. The difficulty in financially breaking even under

current conditions was outlined. Their conclusion was there is no money in co-op theatre and the two night limit contributes to this because it is impractical when time is needed to set up and set down, in the context of actors and crew predominantly participating in their spare time. They outlined what they think is needed:

...a venue, not fancy, but somewhere that has a ceiling of at least 4 metres so we can hang a lighting grid. The space needs to be about 400 m2 to allow for seating and stage. It needs to hold 70 seats... the trick to success is going back to the fact that the vast majority of fringe shows only sell around 300 seats all up and thus a 1 or 2 week run is all you need. The space itself doesn't need to bend over backwards to promote shows as the creative artists do this. I say a 2 week run because whether a show runs 1 or 2 weeks it needs the same rehearsal time plus reviewers are reluctant to attend a show if they know its a 1 week run per se as they know it takes 2-5 days to publish the review and thus you need the second week to get the word out and promote your show using the reviews.

They also stated that:

...council are concerned about ingress/ egress and noise however, on most nights (except the last night which is normally full) the average house of a 50 seat venue would be only 20 people.

Stage Whisper applauded Sydney council's purchase of the Masonic Hall and creating the Eternity Playhouse but believes the fringe creative theatrical blood of Sydney needs a far more basic, rustic venue – ideally in Darlinghurst, Kings Cross or Newtown which seats around 70-90 patrons because that is where the current theatre vibe is.

Additional to more appropriate venues, was another suggestion to create multi-purpose venues that can provide an economic return from activity such as acting classes during the day and also be used for performances in the evening. This is to overcome the challenge of running a business that returns a profit from only a few performance hours each evening.

OTHER PUBLIC SUBMISSIONS

Summary of findings

- Ideas to encourage an active and diverse evening economy were provided by several public commenters; these included: a variety of musical, artistic, and cultural activities; council support for artistic industries and venues; and promotion for a safer and healthier evening economy

IDEAS TO ENCOURAGE A DIVERSE AND ACTIVE EVENING ECONOMY

Several public commenters made suggestions to encourage an active and diverse evening economy, while a few also noted they appreciated that City of Sydney had proposed this initiative and that the community had an opportunity to express their thoughts and opinions on the proposal. One public commenter expressed the importance of developing an interesting evening economy for local Sydney residents and not just focusing on high-spending tourists and visitors to Sydney. They thought long-term culture and personality of a city is established from its residents, not tourists. Another commenter discussed the importance of setting up a stable platform for a diverse and creative city in the future.

Suggestions to encourage musical, artistic, and cultural activities to flourish

A small number of public commenters made suggestions to encourage Sydney residents to enjoy musical, artistic, and other cultural activities. Combining night-life and cultural enterprises was a common theme throughout these comments.

A couple of commenters wanted more venues and opportunities for artists and musicians to present their work, possibly via simplifying and lowering the cost of venue hire. One commenter suggested bringing back the large TV screens that were present throughout Sydney during the Olympics in 2000. They proposed that cultural screenings and broadcasting of events at certain times of the year so that people can eat and drink together while watching these screens would be a significant draw-card for people to enter and enjoy Sydney in the evenings. A couple of other commenters noted that family friendly and outdoor dining spaces would liven the city, day and night.

Recommendation – Explore spaces such as squares or little used lanes which could support more outdoor dining opportunities and encourage their establishment

Allowing hospitality businesses to serve customers later following events or shows, especially if they have outdoor seating was viewed as a vast improvement towards an active and diverse evening economy. Another respondent noted that minimum impact ambient noise levels should be set for businesses, private cultural enterprises, and artists so that they cannot significantly disrupt the local area.

Council support for a diverse range of events

A couple of public commenters supported providing grants for businesses to program retail experiences in the evening, as they felt this would encourage a diverse range of businesses to be open later, thus generating a varied, and creative evening economy. One commenter made a special mention that the LGBTQI scene was declining and these types of establishments required more encouragement, such as the proposed grants, to keep their spaces unique, diverse, and successful, despite being out of the 'mainstream'.

One public commenter wanted the council to support and fund art institutes so new artists had an environment to develop and participate. This was considered a future-minded idea that would ensure Sydney would have more upcoming artists, musicians and other cultural entrepreneurs.

Promote a safer and healthier evening economy

A few public commenters discussed the requirement to promote a safer and socially healthier evening economy. Concern surrounding the attitude towards alcohol and the generational binge-drinking behaviour of Sydney citizens was voiced by one commenter. This person emphasised the need to influence young people to make more responsible choices when it came to drinking alcohol, prior to them developing poor drinking habits. This commenter stated that encouragement towards healthier drinking habits would promote a better evening environment that does not revolve around binge drinking.

Another commenter was concerned about the safety of Sydney residents out later at night, due to the increased presence of drugs and addicts in Sydney, who spread violence and danger to the community – this person suggested allowing legal use of marijuana to prevent people from being lured into harder drug use.

The presence of pub gambling machines was considered an antisocial and unhealthy presence in Sydney's evening economy by one public commenter, who went on to note that the implementation of these machines led to the decline in live music in pubs and bars.

One public commenter argued the need for safe and reliable public transportation options, suggesting that a 'cultural venue bus' could be implemented in the city, which stopped at all major entertainment hubs, public transport stations, and parking buildings in the city, while also noting that this would reduce parking issues and congestion.

Section 2: More Small-scale Cultural Uses

Section 2 sought public opinion on the allowance of small-scale cultural events without seeking special approval. A small-scale cultural event was defined in the Open and Creative City Discussion Paper as:

- occur only in a building with current development consent for a shop, office, industrial building or warehouse and an annual fire safety statement for that use
- accommodate a maximum of 1 person per square metre including patrons, staff and performers
- have a limit of no more than 50 people
- occur up to 26 days a year and on no more than 8 days a month and two days in a row
- last for a maximum of four hours on any day (not including event set up and pack down)
- finish no later than 9pm Sunday to Thursday and 10pm Friday and Saturdays
- not be in a residential area
- when alcohol is served, it must either be:
 - consistent with an existing licence, or
 - served by a caterer using an off-premises authorisation
- have amplified music only in Central Sydney and zones that don't allow residential uses
- not use pyrotechnics, theatrical smoke or other dangerous materials or implements
 - maintain existing conditions of development consent relating to parking, waste and the like.

Support for the proposal to allow minimal impact small-scale cultural uses of buildings without an approval

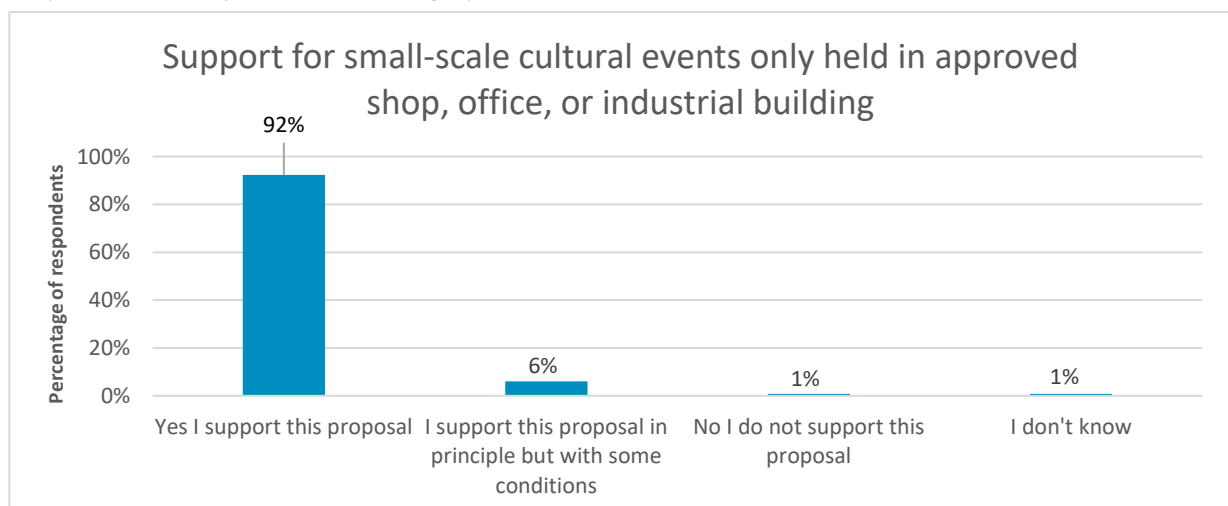
RESPONDENTS WERE ASKED: Do you support our proposal to allow minimal impact small-scale cultural uses of buildings without an approval?

Summary of findings

- A very high proportion of respondents supported the proposal to allow minimal impact small-scale cultural uses of buildings without an approval:
 - 92% of respondents selected 'Yes I support this proposal'.

RESULTS

The percentage of respondents who fully supported, supported with some conditions, did not support, or did not know if buildings could be used without an approval for small-scale cultural uses with minimal impact has been presented in the graph below.



- Support for the proposal to allow minimal impact small-scale cultural uses of buildings without an approval:
 - 92% of respondents selected 'Yes I support this proposal'.
 - 6% of respondents selected 'I support this proposal in principle but with some conditions'.
 - 1% of respondents selected 'No I do not support this proposal'.
 - 1% of respondents selected 'I don't know'.

THE **6% OF RESPONDENTS WHO ANSWERED: "I support this proposal in principle but with some conditions"** WERE THEN ASKED:

What conditions would you need addressed to support this proposal?

Summary of findings

70 Comments

- A considerable number of respondents expressed concern about noise and residential disturbance caused by small-scale cultural events held without an approval.
- A considerable number of respondents wanted aspects of the approval process and management addressed before they would support the proposal for small-scale cultural events to be held without an approval.

NOISE AND RESIDENTIAL DISTURBANCE

48 COMMENTS

A considerable number of respondents expressed their concerns surrounding noise and residential disturbance caused by small-scale cultural events held without an approval.

Concerns of noise pollution

Noise pollution emitted from small-scale cultural events held without an approval was a condition that needed to be addressed before a considerable number of respondents would support the proposal. Several respondents expressed concern that noise levels could disrupt nearby residents and impact on their sleep.

...In some venues not built for this purpose [amplified noise] this could be problematic, especially if such events happen frequently in the early and late evening when people, especially kids, are in bed.

A small number of respondents expressed opposition to unregulated amplified noise or live music in residential areas, stating this would need to be considered before they would support the proposal.

Concerns of residential disturbance

A considerable number of respondents stated they would not support later trading hours without an approval until the impact on residential disturbance created by these businesses was considered. Inconvenience caused by increased traffic volumes in residential areas and competition for parking spaces between residents and attendees of small-scale cultural events held without an approval was mentioned by a small number of people. A small number of respondents made general comments regarding the capacity of small-scale cultural events held without an approval, with a few expressing concerns about possible residential disturbance due to customers arriving at and leaving the premises. Similarly, a few respondents made the point that later alcohol service in residential areas can cause disruption to locals as can lead to anti-social conduct and increased noise levels. A small number of respondents would only support the proposal if the appropriateness of businesses or events functioning later without an approval in residential areas could be monitored. Respondents were specifically concerned about 'racist', 'hateful', or 'explicit' events being held in residential areas.

Approval to be sought depending f cultural use, purpose and target market

Overall, respondents would only support the proposal for small-scale cultural events to be held without an approval if there was minimal noise pollution and residential disturbance from business customers or event attendees.

...ensure no negative impact on nearby residents

COUNCIL APPROVAL AND PROCESSES (22 COMMENTS)

A considerable number of respondents wanted aspects of the approval process and management to be addressed before they would support the proposal for small-scale cultural events to be held without an approval. A small number of respondents stated that if the community was involved in allowing small-scale cultural events to be held in their area without an approval, they would support the proposal. A small number of respondents were concerned how the council would monitor the small-scale cultural events held without an approval. Suggested aspects of these events that required monitoring were: noise levels; disruption caused by anti-social behaviour; and fire and risk management assessments.

Care for the environment surrounding venues holding small-scale cultural events without an approval was an important aspect that needed consideration before a couple of people would support the proposal. One person suggested a “security payment to avoid damage” could be mandatory. One commenter stated they would only support the proposal to allow small-scale cultural events to be held without an approval if this approval could be easily revoked.

Some respondents felt the council should have effective mechanisms in place to manage these events and the impacts that they may have on nearby residents.

THE 1% OF RESPONDENTS WHO ANSWERED: “I do not support this proposal” WERE ASKED:

Can you explain why you do not support this proposal?

Summary of findings (16 Comments)

- Several respondents did not support the proposal to allow small-scale cultural events to be held without an approval due to the impacts this may have on residents nearby the venue.
- A small number of respondents did not support the proposal to allow small-scale cultural events to be held without an approval as the definitions of a ‘small-scale cultural event’ and ‘minimal impact’ were unclear or not sufficiently defined.

IMPACT ON RESIDENTS (10 COMMENTS)

Several respondents did not support the proposal to allow small-scale cultural events to be held without an approval due to the impacts this may have on residents nearby the venue. A small number of respondents discussed the possibility of noise produced from small-scale cultural events disrupting residents. A few respondents noted that traffic congestion, competition for car parks and noise produced by event attendees arriving and leaving a small-scale cultural event could be very disturbing for nearby residents, and for this reason, they did not support the proposal. A couple of respondents noted the impacts of a small-scale cultural event may be subjective, and that opinions of appropriate levels of disruption may differ between residents and event organisers.

...such [small-scale cultural] events impose substantial impacts on village areas that include quiet residential sections within of their area – noise, congestion, parking, people making noise leaving the venue, change of character in the area.

Overall, respondents who did not support the proposal for small-scale cultural events to be held without an approval did not want residential areas to be disturbed by these events or their attendees.

DEFINITION OF A SMALL-SCALE CULTURAL EVENT (6 COMMENTS)

A small number of respondents did not support the proposal to allow small-scale cultural events to be held without an approval as the definitions of a 'small-scale cultural event' and 'minimal impact' were unclear or not sufficiently defined. These respondents felt the definition was too general and had a subjective and ambiguous nature, which could be open to abuse.

What is considered minimal impacts – agreeing would be to the unknown. What impact re parking, noise, etc which would be considered minimal. It sounds too subjective

Respondents made the point that this definition could allow exceptions to be made or event organisers pushing the definition boundary, leading to larger and more disruptive events occurring in residential areas over time.

...unfortunately history has told us over and over again that small things start small and then amendments or 'special cases' are made until residents have yet another entrenched venue

One respondent stated they did not support the proposal as there was no limit on the number of venues holding events in an area each night, which could collectively cause significant disruption. Another respondent stated the provided definition "seems too general" and suggested the council should focus on "streamlining the [current] process" to provide a faster and easier approval process for organisers to hold small-scale cultural events.

Overall, respondents who did not support the proposal for small-scale cultural events to be held without an approval did not want nearby residents to be disrupted by these events or felt that there needed to be clearer limits to what a 'small-scale cultural event with minimal impacts' entailed.

STAKEHOLDER AND PUBLIC SUBMISSIONS ~

Support for allowing small-scale cultural events to be held without an approval

The discussions that follow are informed by the comments received from stakeholders and members of the community who provided comments in their own format (didn't complete the online survey).

STAKEHOLDER SUBMISSIONS

Summary of findings

- Support for allowing small-scale cultural events to be held without an approval was expressed by several stakeholders as it reduced current regulatory burdens, providing an easy and financially viable platform for businesses to hold small events and musicians and artists to present their work.
- Clarification of building compliance and fire safety conditions for venues holding small-scale cultural events without an approval was required by a couple of stakeholders, while one also wanted clarification on how the 'small-scale cultural event' differed from what was currently permitted as a business 'ancillary activity'.
- Concern about increased residential disturbance caused by small-scale cultural events held without an approval was expressed by a couple of stakeholders.

SUPPORT FOR SMALL-SCALE CULTURAL EVENTS TO BE HELD WITHOUT AN APPROVAL

Support and comments on the proposal

The proposal to allow small-scale cultural events to be held without an approval was generally supported by FBi Radio, MusicNSW, Labor Loves Live Music, Sydney Fringe Festival, NSW Small Business Commissioner, Surry Hills Liquor Accord, Committee for Sydney, Redfern Small Bar Liquor Accord, Live Music Office, NAVA, ENSA, and UGNSWDC. Some of these stakeholders had some conditions that needed to be met before they were completely supportive.

FBi Radio, MusicNSW, and Labor Loves Live Music stated the current proposed criteria of a small-scale cultural event that can be held without an approval was too restrictive and was unlikely to fulfil the aims of the proposal. MusicNSW strongly advised more engagement with cultural practitioners in any further developments.

We [MusicNSW] support the City of Sydney's focus on re-energising Sydney's cultural heartbeat...Several of the exemption criteria are unrealistic and unlikely to have the motive impact the City is hoping for.

Labor Loves Live Music supported the proposal, as it would enable venues to stay open and keep musicians in jobs; they claimed it is currently challenging to obtain venues for low impact uses.

Sydney Fringe Festival was supportive of the proposal to allow small-scale cultural events to take place without an approval but argued the 'suggested parameters do not meet with industry requirements or expectations'. FBi Radio urged City of Sydney to allow cultural uses that had 'some impact' to be held without a development consent as the current approval process were challenging for small to medium businesses to navigate. They also encouraged City of Sydney to consider a 'temporary use clause' (Clause 68 Temporary Occupation) being added to the Development Act, to ease the process for venues to hold small events with some impact.

NSW Small Business Commissioner was supportive of the actions proposed to encourage small-scale cultural events held without an approval as these would reduce the 'red tape' and streamline approval

processes, provide greater certainty, and make it faster and easier for businesses to do business. They also suggested, however, that City of Sydney could benefit from following NSW Government initiatives: Easy to Do Business and Outdoor Dining Trial.

Surry Hills Liquor Accord stated if an amendment or application needed to be made for venues to host, or organisers to put on small-scale cultural events, then this process should be simple and inexpensive so that premises are not discouraged financially from participating.

Committee for Sydney wanted a variety of cultural activities to be available for Sydney residents to experience, despite not fitting the 'small-scale cultural event' criteria; for example, museums, large art galleries, and recreational facilities. They noted Sydney residents are concerned over the number of 'hotels, pubs and live music venues closing' and being redeveloped, and that residents can help to 'normalise' areas with activities that may not include drinking and partying.

Committee for Sydney emphasised the success of large-scale cultural events held in Sydney, such as the New Years fireworks display, Chinese New Year festivities, and Vivid, and how these types of events drew large numbers of locals, visitors, and tourists into Sydney. They also pointed out that people enjoy the individual character and nature of Sydney's precincts and that these areas could be treated like unique events on weekend nights to draw people to these areas and form 'night-time hotspots'.

Redfern Small Bar Accord supported the proposal to allow small-scale cultural events to be held without an approval as this would create a diverse evening economy and change people's attitude towards a night out in the city.

Live Music Office felt that more clarification on what was already permissible under 'ancillary activity' (from 'How to characterise development' in NSW Planning and Infrastructure) was needed, and how this differed from the proposed 'small-scale cultural use'. Sydney Fringe Festival also noted as some small-scale cultural events can already take place as 'ancillary' activities to the main core business, this proposal did not go far enough to encourage more diverse events in additional venues to take place.

...it [restrictions of proposal] would not support or enable the professional sector to access underutilised space or provide avenues for the under resourced emerging sector to develop career pathways or present work in Sydney.

Live Music Office needed clarification on details surrounding fire safety and building compliance requirements for venues hosting small-scale cultural events. NAVA also had concerns surrounding fire safety and building compliance and noted that amending these regulations could result in more costs for artists, art spaces, and small-businesses in existing buildings. They supported the prohibition of pyrotechnics, theatrical smoke, dangerous materials and 'implements' from such events. NAVA stated existing conditions of development consent must be met for small-scale cultural events, such as parking and waste removal. NAVA also commented on the 'current lack of consistent guidance and categorisation for small-scale temporary creative use of existing spaces under the BCA and local planning controls' that are confusing for artists, small business owners, neighbouring residents, and regulatory officials, and can be costly for these people to seek expertise to clarify these guidelines.

Despite supporting the proposal, as it would introduce diversity into the evening economy, ENSA expressed concern about residential disturbance caused by small-scale cultural events held without an approval.

UGNSWDC thought the proposed area where small-scale cultural events can be held without an approval should include Waterloo Metro Quarter and Estate, Wharves B1, B2, B3, and Blackwattle Bay, and 1-3 Bank Street, Pyrmont; they argued these types of events were an 'ideal way to reflect and reinforce the existing and future cultural life' in these areas.

Reasons why the proposal is not supported

Potts Point and Kings Cross Heritage & Residents Society did not support the proposal to allow minimal impact small-scale cultural events to be held without an approval as they felt that 'minimal' or 'small-scale' were not sufficiently defined or did not agree with the leniency provided by the proposed criteria of a small-

scale cultural event. They stated that a small-scale cultural event should be defined as 'at least 50 meters from any residential dwelling and employing three employees or less'. They also objected to Action 4, which plans to establish new, more certain planning controls for cultural uses that may have some impacts, as they expressed that 'all development that has the potential to create adverse impacts should require a DA'. They also objected to reducing or removing notification periods for development applications for small-scale cultural uses, while stating no site should be given 'preferential planning treatment'.

ESNA were concerned that approximately half of East Sydney was exempt from the need to seek development consent to host small-scale cultural events (based on 'figure 4') and they were concerned this would introduce unregulated residential disturbance and could reduce the ability of residents to voice concerns or problems with new developments.

Small scale cultural events can create high noise volumes. Council should not abrogate its responsibility to protect

Committee for Sydney expressed that some Sydney residents 'put up' with noise and disturbance caused by venues and their patrons without reporting or complaining. They stated, however, that residents were mostly 'wary' rather than against evening events.

PUBLIC SUBMISSIONS

Summary of findings

- Support for small-scale cultural events held without an approval was expressed by a couple of public commenters. There were concerns, however, over antisocial behaviour by event attendees and resulting residential disturbance and ensuring all types of people are encouraged to small-scale cultural events were raised
- Clarification over what a small-scale cultural event would entail was required by a couple of public commenters.

SUPPORT FOR SMALL-SCALE CULTURAL EVENTS TO BE HELD WITHOUT AN APPROVAL

Support for proposal, but with a condition

A couple of public commenters generally supported the proposal to allow small-scale cultural events to be held without an approval, so long as regulations were put in place to ensure these events supported 'artistic culture, not drinking culture'. Discouraging young people from an unhealthy drinking culture was the primary concern for one commenter who also favourably commented on the healthier attitudes surrounding alcohol in Europe. The other public commenter thought guidelines to ensure 'smooth dispersal' of event attendees was crucial to reduce residential disturbance possibly caused by small-scale cultural events held without an approval.

One public commenter made the point that some groups of people, especially 'over the age of 40' would use private transport to attend small-scale cultural events or enjoy Sydney areas in the evening. Because of this, parking arrangements, restrictions, and costs may need to be adjusted to ensure this group of people are not discouraged from attending events. One suggestion was lowering the cost of parking after 6pm.

One public commenter made a general statement supporting the proposal to allow small-scale cultural events to be held without an approval as this would build Sydney's nightlife back into a thriving and cultural scene.

One commenter expressed concern surrounding the lack of notification prior to small-scale events being held. They thought that prior notification of such events would reduce the chance of offending neighbours. Concern over the impacts of noise pollution from these events and from patrons leaving an event was also expressed by this commenter, especially if a 'natural path for participants to congregate in nearby residential parks' exists. Restrictions of when alcohol could be served before, during, and after the event

was sought to ensure that 'abuse the goodwill of local communities' did not occur. Finally, this submitter sought strict penalties for violations of regulations surrounding small-scale cultural events held without an approval.

...transient and short-term events have no need to respect such implicit social contracts nor face any penalty from violation...

Clarification of what a 'small-scale cultural event' entails

A couple of public commenters required clarification of certain aspects of what a small-scale cultural event would entail. One commenter wanted this to include 'major cultural venues' such as libraries, museums, and galleries, while the other commenter wanted venues to be allowed to show films, especially indie films, under the definition of a small-scale cultural event.

One commenter thought limiting the capacity of a small-scale cultural event held without an approval to 50 people may only be appropriate for some venues. For example, an art exhibition that does not have any other entertainment or hospitality services and has little impact would be unnecessarily restricted to 50 patrons, which this commenter thought was 'impractical'.

Support for the definition of a small-scale cultural use

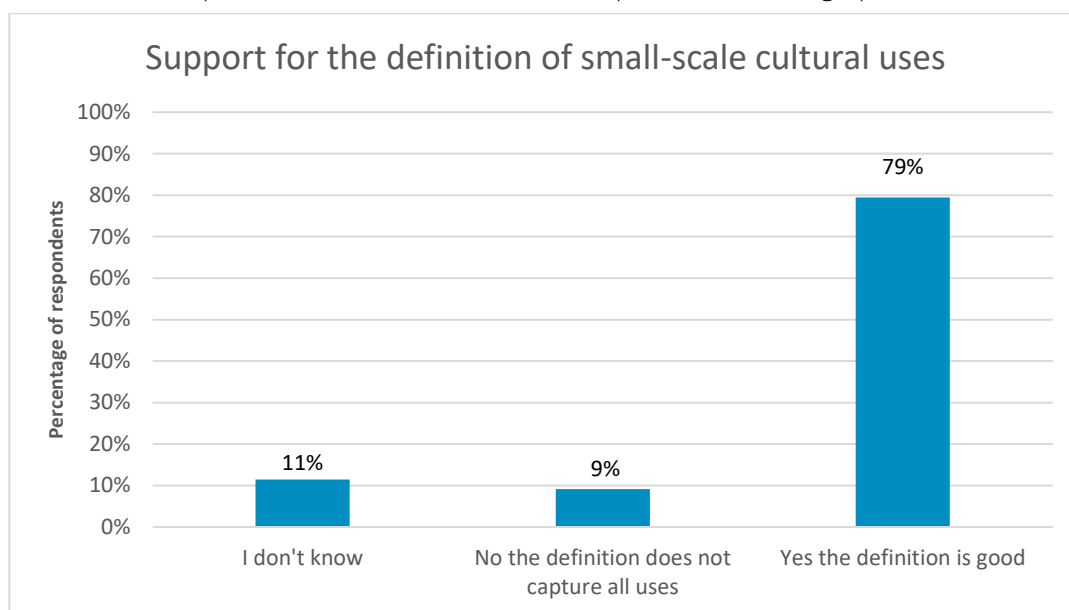
RESPONDENTS WERE ASKED: Does our definition capture all potential small-scale cultural uses?

Summary of findings

- A high proportion (79%) of respondents thought that the definition of small-scale cultural uses captures all potential usages.
 - 79% of respondents selected 'Yes the definition is good'.

RESULTS

The percentage of respondents who thought the definition of a small-scale cultural event was good, did not think the definition captures all uses, or did not know, is presented in the graph below.



- Support for the definition of a small-scale cultural use:
 - 79% of respondents selected 'yes, the definition is good'.
 - 9% of respondents selected 'no, the definition does not capture all uses'.
 - 11% of respondents selected 'I don't know'.

Other possible small-scale cultural uses not captured by the definition provided

RESPONDENTS WERE ASKED: Can you identify other possible small-scale cultural uses that the definition does not capture?

Summary of Findings (130 Comments)

- A sizeable number of respondents identified a variety of events or activities that they thought should be included in the definition of a small-scale cultural event.
- A few people suggested events or activities held in a variety of existing or pop-up venues that should be included in the definition of a small-scale cultural event.

TYPES OF EVENTS OR ACTIVITIES (105 COMMENTS)

A sizeable number of respondents identified a variety of events or activities they thought should be included in the definition of a small-scale cultural event. A variety of music focused events were suggested by a considerable number of respondents, these included: DJ performances; amplified and unamplified music; live music; and electronic music. A moderate number of commenters considered workshops, club meeting, public presentations, and support groups as small-scale cultural events. Examples of these types of events included: book club meetings; political and philosophical talks and panel discussions; public film screenings; culinary workshops; Aboriginal cultural evenings; sporting and recreational gaming events; poetry events; and markets, fairs, and street parties.

Community meetings or lecture that are not specifically about art. The definitions could be broader to cover things like:- A book club, a presentation on worm -farms, a discussion on workplace bullying etc.

In general, respondents wanted a diverse range of small-scale cultural events and activities that could be held without an approval for people of all age groups, backgrounds, and with any recreational interest.

TYPES OF VENUES (7 COMMENTS)

A few commenters suggested events or activities held in a variety of existing venues that should be included in the definition of a small-scale cultural event. These included: eateries, schools, warehouses and community and commercial buildings. Pop-up events, stores, and eateries were suggested by a few respondents to be added into the definition of a small-scale cultural event. One commenter stated that events held in public laneways, parks, and neighbourhood areas should be included in the definition as they promote 'positive aspects' and create 'a communal environment'.

OTHER COMMENTS (11 COMMENTS)

A small number of respondents suggested that small-scale cultural events that produce noise which could disrupt residents or other businesses should not be included in the definition. One commenter specifically noted that 'live performances' should be excluded from the definition of a small-scale cultural event.

The sensitivity to noise should evolve too. The litmus test for an activity should be: "Are there people out, in the public realm, socialising, sensibly, or pursuing creative ends that have positive impacts on the precinct?"

A few respondents noted that the definition of a small-scale cultural event is either too limiting or needs to be flexible to include activities that may become popular in the future. On the other hand, a few people made general comments stating that the provided definition of a small-scale cultural event was not limiting enough.

Overall, respondents wanted the definition of a small-scale cultural event to encompass a wide variety events and activities that could be held in a range of venues to suit people of all walks of life.

Support for only approved shop, office, or industrial buildings to host small-scale cultural events held without an approval

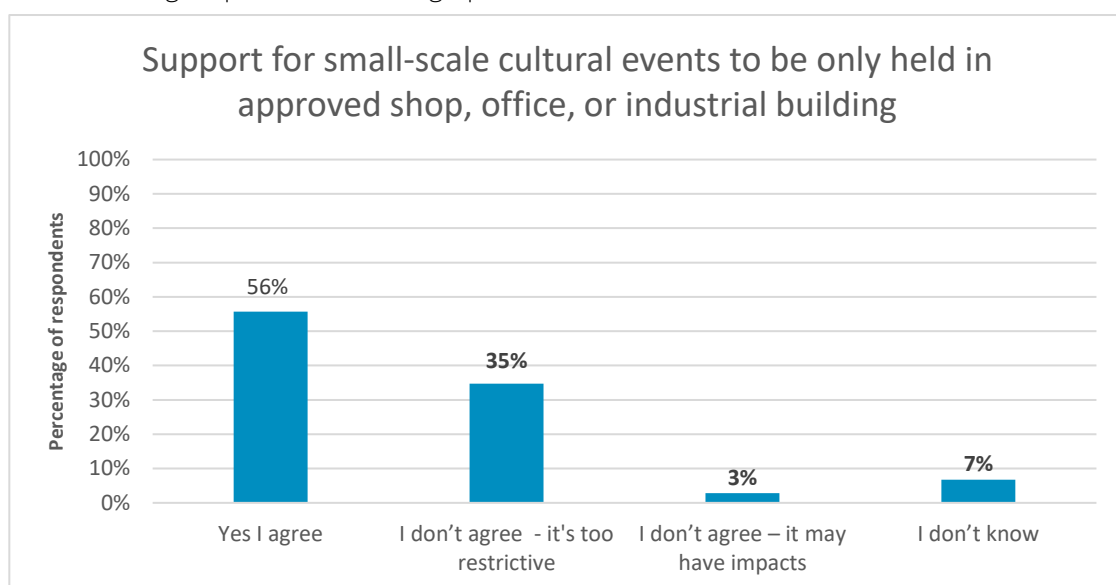
RESPONDENTS WERE ASKED: Must be in an approved shop, office or industrial building.

Summary of findings

- The respondents had mixed views about only allowing certain buildings to have later trading hours, although a small majority agreed:
 - 56% of respondents agreed that only approved shop, office, or industrial buildings to host small-scale cultural events held without an approval.

RESULTS

The percentage of respondents who agreed, disagreed because it is too restrictive or may have impacts, or did not know if small-scale cultural events should only be allowed to be held in approved shop, office, or industrial buildings is presented in the graph below.



- Support for small-scale cultural events to be only held in approved shop, office, or industrial buildings:
 - 56% of respondents selected 'Yes I agree'
 - 35% of respondents selected 'I don't agree – it is too restrictive'
 - 3% of respondents selected 'I don't agree – it may have impacts'
 - 7% of respondents selected 'I don't know'

THE 35% OF RESPONDENTS WHO ANSWERED: "I don't agree – it's too restrictive" WERE THEN ASKED:

Why do you think it's too restrictive?

Summary of findings

351 Comments

- A very large number of respondents made additional suggestions for locations and venues, other than shop, office, and industrial buildings, to be allowed to hold small-scale cultural events without an approval.
- A very large number of commenters disapproved of limiting the locations where small-scale cultural events could be held without an approval to shop, office, or industrial buildings because they thought it was an overly restrictive act, or they did not agree with the processes this action would require.

OTHER SUGGESTED LOCATIONS FOR SMALL-SCALE CULTURAL EVENTS TO BE HELD (189 COMMENTS)

A very large number of respondents felt that only allowing shop, office, and industrial buildings to host small-scale cultural events held without an approval was too restrictive, and suggested other locations that would also be appropriate.

Outdoor areas

A substantial number of respondents that considered only allowing approved shops, offices, and industrial buildings to hold small-scale cultural events was too restrictive suggested that outdoor areas, including public spaces and outside venues, should also be allowed to hold small-scale cultural events without an approval. A moderate number of commenters suggested that small-scale cultural events could be held on the footpaths or in the street, with a few people suggesting that small-scale cultural events should be allowed to be held outside venues.

What about outdoor spaces operated by the same shop/venue?

A moderate number of people stated that small-scale cultural events should be allowed to be held in public parks, while a couple of commenters also suggested that these events should be allowed to be held on the beaches. A small number of respondents stated that car parks could be used to hold small-scale cultural events. The need to utilise the warm Sydney weather for outdoor small-scale cultural events was emphasised in a few comments.

The goal is to make the streets more alive, I don't understand why everything in Sydney has to be inside. We are not in Ireland, the weather is always nice here and we should encourage people to get out.

Any available space

A substantial number of people thought that only allowing shops, offices, or industrial buildings to hold small-scale cultural events without an approval was too restrictive because these events should be allowed to be held in any available location. Some of these respondents noted that holding small-scale cultural events in creative locations add diversity and interest to these events, thus encouraging activity and diversity into the evening economy.

I think any space should be allowed for creative use if the owners are willing. This does not need to be a specified space, in fact some of the most interesting cultural programming happens in unusual space

A considerable number of respondents who thought that only allowing small-scale cultural events to be held in shop, office, or industrial buildings without an approval was too restrictive, stated that transitional or vacant spaces should also be allowed for multiple uses, or pop-up or one-off events, respectively. Utilising empty shops, buildings, and houses for small-scale cultural events was suggested by a moderate number of participants.

There is always plenty of public space and unused commercial and industrial space that can be taken advantage of for cultural, creative and artistic reasons. This space can be unlocked by cultural activities and can enrich those that either attend or 'stumble upon' it.

A few respondents noted diversification of small-scale cultural event venues would entice tourists to Sydney and to spread out and discover alternative locations within the city. A small number of respondents stated as long as the venue is safe and has appropriate facilities, such as toilets, then small-scale cultural events should be allowed to be held without an approval in that location.

Several commenters noted that people who live in the city, or a mixed residential and business area, should expect noise from businesses and events, therefore small-scale cultural events should be allowed to be held anywhere without an approval.

Existing venues

A considerable number of respondents felt that limiting venues for small-scale cultural events to shops, offices, and industrial buildings was too restrictive as there were many other existing venues that would also be utilised. Utilising residential properties for small-scale cultural events was suggested by a considerable number of commenters.

Some residential premises like backyards also make great places to have events like launches, etc. and give more life to the city

Several commenters stated that bars, restaurants, and cafes should also be allowed to hold a small-scale cultural event without an approval, while a couple of people also noted that libraries should be utilised to hold these types of events. One respondent suggested that churches should be allowed to hold small-scale cultural events without an approval.

BUREAUCRACY AND PROCESS (159 COMMENTS)

A very large number of commenters disapproved of limiting the locations where small-scale cultural events could be held without an approval to shop, office, or industrial buildings because they thought it was an overly restrictive act by the council or that they did not agree with the processes this action would require. A sizeable number of respondents made general unfavourable comments about restricting small-scale cultural venues as they felt this introduced unnecessary bureaucratic regulations.

I think people are smart enough to know where to create their small-scale cultural gathering, I don't think this is something that needs policing to this extent.

A considerable number of respondents stated limiting the types of venues allowed to hold small-scale cultural events without an approval could restrict or quash creative and cultural activities; some of these noted that a city's culture environment is enhanced when people can wander around and be captivated by a variety of artistic events.

A considerable number of respondents thought that only allowing small-scale cultural events to be held in approved shop, office, or industrial buildings was too restrictive as they felt that the proposal, or aspects of it, were unclear. Most of these respondents wanted clarification of what an "approved shop, office, or industrial building" was, with many stating that it was currently too vague or confusing. Several commenters noted that approval or regulatory processes may be too onerous or prohibitive, especially for small businesses. A few respondents made the point that gaining approval, either for a shop, office, or industrial building, or for an unapproved venue to hold a small-scale-cultural event, would be a troublesome exercise for any event organisers.

People should be able to come with proposals of buildings and sites[,] this should be an easy process[,] once these buildings are approved they should stay on the approved list

Several commenters also noted that the approval process could be an expensive procedure, thus deterring some small businesses from applying for approval; this could reduce the variety of venues holding small-scale cultural events without an approval in Sydney.

Restricts grassroots or low-income/bootstrapped organisations to find spaces

OTHER COMMENTS (3 COMMENTS)

A couple of commenters made general comments expressing their concern for residential disturbance caused by noise from small-scale cultural events in shop, office or industrial buildings. Another commenter was concerned that if there were not sufficient areas approved for small-scale cultural events, these events could be held in "unapproved spots" where buildings may be decrepit, and the safety of event attendees could be at risk.

THE 3% OF RESPONDENTS WHO ANSWERED: "I don't agree – it may have impacts" WERE THEN ASKED:

What impact do you think it will have?

Summary of findings (25 Comments)

- Several commenters disapproved of allowing shop, office, and industrial buildings to hold small-scale cultural events because they felt that it may negatively impact nearby residents.
- A moderate number of respondents commented on the approval process, definition of an “approved shop, office, or industrial building”, or thought that this proposal was too restrictive.

APPROVAL PROCESS (13 COMMENTS)

A small number of respondents made negative comments about the definition of an “approved shop, office, or industrial building”, stating that the provided definition is unclear and may allow for unknown or unintended impacts on event organisers or nearby residents to be introduced. The lack of clarity caused concern for a few people who stated that if “shop” included restaurants and cafes, then live music could be played without an approval, significantly impacting nearby residents. Several respondents did not support the proposal to allow small-scale cultural events to be held in approved shop, office, or industrial buildings as it may restrict businesses, organisers, or artists wanting to hold such events; a few people stated that this could limit creativity and variety of events.

Can limit access – many small arts organisations have very limited resources and can't pay businesses for venue hire

A small number of people expressed the need to allow all businesses to hold small-scale cultural events without an approval.

DISTURBANCE FOR RESIDENTS (9 COMMENTS)

Several commenters disapproved of allowing shop, office, and industrial buildings to hold small-scale cultural events because they felt that it may negatively impact nearby residents. A small number of these respondents expressed concerns about noise pollution emitted from these venues whilst holding small-scale cultural events, while a couple of people noted that residents and event attendees may have to compete for car parks. Overall, these respondents were concerned that these venues holding small-scale cultural events without an approval may alter the character of the area.

Noise, congestion, parking impacts, [...] sleep disturbance. Village centres often contain quiet residential areas which are very vulnerable to such impacts.

OTHER COMMENTS (3 COMMENTS)

A few people made other general comments about allowing small-scale cultural events to be held in shop, office, or industrial buildings without an approval; these included: requiring live artists to have an APRA licence; disapproval of using public spaces for small-scale cultural events; and, concern that the proposal could limit the potential for “unsolicited events” and aid planning for the future of Sydney.

Support for limiting the number of people attending a small-scale cultural event held without an approval to 50

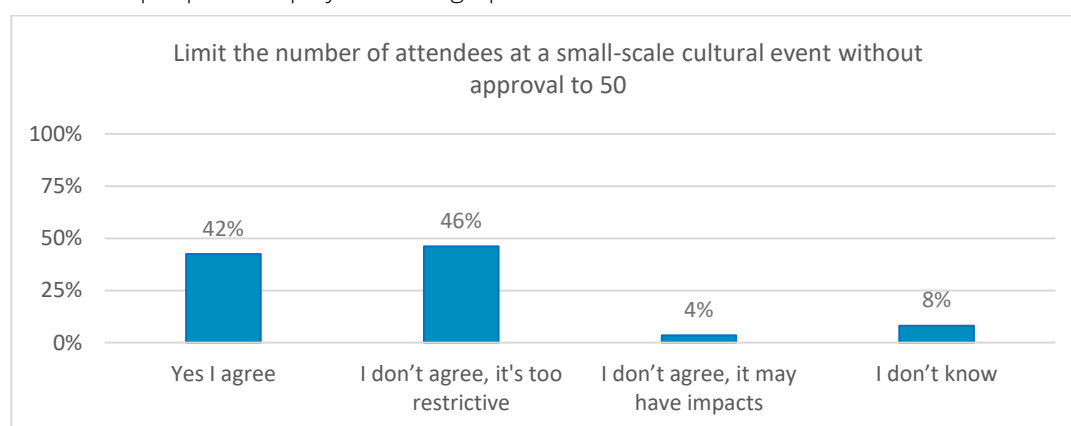
RESPONDENTS WERE ASKED: No more than 50 people?

Summary of findings

- The respondents had mixed responses to limiting the number of attending people
 - 46% of respondents agreed, while 42% thought it was too restrictive.

RESULTS

The percentage of respondents who agreed, did not agree because it was too restrictive or may have impacts, or did not know if the capacity of small-scale cultural events allowed without an approval should be limited to 50 people is displayed in the graph below.



- Support for small-scale cultural events to be only held in approved shop, office, or industrial buildings:
 - 46% of respondents selected 'I don't agree, it's too restrictive'
 - 42% of respondents selected 'Yes I agree'
 - 4% of respondents selected 'I don't agree it may have impacts'
 - 8% of respondents selected "I don't know".

THE **46% OF RESPONDENTS** WHO ANSWERED: *"I don't agree – it's too restrictive"* WERE THEN ASKED:

Why do you think it's too restrictive?

Summary of findings (481 Comments)

- A very large number of respondents felt that limiting the number of people attending a small-scale cultural event to 50 people without an approval was too restrictive because this proposed capacity was too low.
- A large number of commenters stated that instead of setting a blanket capacity for small-scale events, the capacity should be dependent on the type of event, venue, and crowd that the event would attract.
- A substantial number of respondents thought that limiting the capacity of small-scale cultural events held without an approval to 50 people was too restrictive as it constrained the creativity and financial viability of these events.
- A considerable number of respondents disapproved of regulating small-scale cultural events based on the number of event attendees.

PROPOSED CAPACITY IS TOO LOW (429)

A very large number of respondents felt that limiting the number of people attending a small-scale cultural event to 50 people without an approval was too restrictive because this proposed capacity was too low.

Suggested capacity

While a substantial number of respondents made simple comments expressing that limiting the capacity of a small-scale cultural event held without an approval to 50 people was too low, a sizeable number of people suggested the capacity should be raised to 100 people.

Consider raising this to 100. It is not a mandatory requirement that retailers/venues take this offer up, but at least it can allow for places to hold dining and music in one place...

A small number of respondents suggested the capacity of small-scale cultural events held without an approval should be increased to 100 people to be in line with the capacity limit of the Small Bar Licence; this would allow small bars to hold an event, such a small jazz band playing live music, at their current allowed capacity.

Only a moderate number of commenters suggested that a small-scale cultural event should be allowed to have up to 200 attendees before requiring an approval. One commenter noted industrial buildings can hold a lot of people, so small-scale cultural events held in these types of buildings could have up to 200 attendees before requiring approval.

A few comments were made regarding confusion over how the 50-person capacity would be managed; these respondents queried if only 50 people were allowed in the venue at a time, or if this spanned the entire evening, and how event capacity would be enforced. There was concern that venues would have to turn away small groups of people as they would exceed the 50-person capacity, therefore discouraging groups of people spontaneously attending events together. A small number of respondents did not understand why events or venues needed an enforced maximum capacity.

Some commenters argued that limiting small-scale cultural events held without an approval to 50 people contradicted the proposal's aim of encouraging cultural activities to flourish in the evenings. Overall, the respondents who stated that a capacity of 50 people is too low, or suggested a higher capacity, were concerned that small-scale cultural events would have a poor atmosphere and would not encourage an active and diverse evening economy.

...By capping it at 50 pax you restrict the reach of these [small-scale cultural] events and that defeats the purpose of allowing these smaller events to grow and flourish

Venue capacity and facilities

A large number of respondents thought limiting the number of people attending a small-scale cultural event to 50 people was too restrictive, and the venue capacity and facilities should dictate the number of event attendees instead. Many people made unfavourable comments regarding having empty space in venues during small-scale cultural events, with some stating that the area could feel "really sparse" and lead to "bad experiences". Respondents wanted flexibility for different types of small-scale cultural events to be held without an approval in a variety of venues, and not limit the location where these small events can be held to small venues.

You can't put a blanket rule across different venues as it would vary across different areas and different uses.

Several respondents noted that if venues can safely hold more than 50 attendees during a small-scale cultural event, then they should be allowed to fill the venue without an approval. Restricting the small-scale event capacity based on the floor size of the venue was suggested by several respondents.

A small number of respondents noted that including staff and performers within the capacity limit could dramatically reduce the number of event attendees.

50 capacity will include the performers, their partners, and any staffing. That barely leaves room for the audience.

Restricts profitability

Of the respondents that did not support limiting the capacity of small-scale events to 50 people without an approval, a considerable number felt that it was too financially restrictive. Many of these people were concerned that holding an event for fewer than 50 people would not be profitable or worthwhile for small businesses, especially once staff and performers were accounted for. Some respondents made the point that limiting small-scale cultural events to 50 people without an approval would reduce the variety of events that could be held as only profitable or financially viable would be held.

To build a sustainable cultural life, I think it is very important to consider that we need an environment in which venues can generate enough revenue to be able to pay the performers.

Only cafes, bars, and restaurants were viewed as businesses capable of running small-scale cultural events without an approval for up to 50 people and still make a profit.

Dependent on type of event and its attendees

A considerable number of respondents thought that it was too restrictive to limit the capacity a small-scale cultural event held without an approval to 50 people, and that the allowed capacity should depend on the type of event and the crowd that it would attract. Many of these respondents noted that some events, such as performances or launches, may attract more than 50 people. A small number of commenters suggested that the capacity limit of a small-scale cultural event held without an approval should depend on the type of event, this was on the basis that different events promote different crowd behaviours.

Depends on the nature of the event. More than 50 people at a writers' talk would most likely be less disruptive than a live music performance

Restricts creativity

A moderate number of respondents thought that limiting small-scale cultural events held without an approval to 50 people was too restrictive as it limited creativity and the types of viable cultural activities. It was noted that music or artistic events may require a significant amount of set up and organisation prior to the event, which may not be worthwhile if only 50 people could attend; therefore, some types of cultural activities may be inadvertently discouraged. Some suggestions were made to increase the capacity of small-scale cultural events held without an approval so that upcoming artists and musicians could flourish.

I think putting more restrictions on the amount of people who can experience a certain cultural experience will limit exposure and traction artists starting out can get from the smaller places and opportunities they have to get their start in.

A few commenters made the point that limiting the capacity of small-scale cultural events held without an approval to 50 people would negatively impact the ease of participation for many people. Following from this, some noted that by removing restrictions, more people would be encouraged to attend alternative cultural activities in various locations around Sydney.

BUREAUCRACY AND PROCESS (38 COMMENTS)

A considerable number of respondents felt that it was too restrictive to limit the capacity of small-scale cultural events held without an approval to 50 people because they did not think these types of events should be so heavily regulated, or it would be too challenging to enforce such regulations. Many people argued that restricting culture and art was not the way to encourage an open and creative Sydney.

Regulating culture with a headcount is not the answer

A small number of respondents stated that adding in restrictions for small-scale cultural events held without an approval, such as a capacity limit, would introduce unnecessary costs and onerous processes for administrative duties and event management.

OTHER COMMENTS (14 COMMENTS)

A couple of respondents suggested that capacity levels of a small-scale cultural venue could depend on the day of the week or the time of evening; for example, the capacity limit could be increased on the weekends

or reduced after 10pm. Other people noted that it depends on the area that the venue is in; the capacity of small-scale cultural events held in mixed residential and business areas could be limited to a smaller capacity than those held in central Sydney.

A couple of people noted residents who live in a city or in a village centre should expect mild disruption and noise from venues, and this should not determine how many people can attend small-scale cultural events held without an approval.

A few respondents suggested starting the capacity limit at 50 people for small-scale cultural events held without an approval, but then raising this limit if businesses or artists struggled to organise viable events.

THE 4% OF RESPONDENTS WHO ANSWERED: "I don't agree, it may have impacts" WERE THEN ASKED:

What impact do you think it will have?

Summary of findings (42 Comments)

- A moderate number of respondents did not agree that small-scale cultural events held without an approval should be limited to 50 people as they felt this could negatively impact the event, either by restricting appropriate venues, types of attendees, or event creativity.
- Several respondents did not approve of limiting the capacity of small-scale cultural events without an approval to 50 people as they felt that this may negatively impact nearby residents.
- Several comments were made regarding enforcement and approval process of the proposed 50-person capacity limit for small-scale cultural events that can be held without an approval.

IMPACTS ON EVENTS (19 COMMENTS)

A moderate number of respondents did not support limiting the capacity of small-scale cultural events held without an approval to 50 people as they felt that this limit should be dependent on the venue and the event. A few respondents felt that the capacity limit should be set on a "case-by-case" basis, as some shops, houses, or buildings can hold a much larger number of people, while other venues may not be able to hold 50 people. A few commenters also noted that if the small-scale cultural event did not negatively impact nearby residents, then the capacity limit should be increased.

If the venue is suitable and it doesn't have an impact on local residents (such as noise) then fine.

The council doesn't have a good record for noise control so I would generally say no.

A small number of respondents did not support limiting the capacity of small-scale cultural events held without an approval to 50 people as they felt this may negatively impact the creativity and variety of these events. One commenter noted that severely limiting the capacity of small-scale cultural events could force organisers to increase costs, such as tickets, food, or beverages, to ensure the event is profitable; this may cause events to be too expensive and inaccessible for some.

IMPACTS ON NEARBY RESIDENTS (15 COMMENTS)

Several respondents did not approve of limiting the capacity of small-scale cultural events without an approval to 50 people as they felt that this may negatively impact nearby residents. Noise pollution from small-scale events with up to 50 attendees was considered a potential significant impact on residents by several respondents, especially when people arrive and leave the event. A few comments were made regarding the noise produced from events that does not come from its attendees, such as rubbish removal, that can impact the peace and quiet of a residential neighbourhood. A few respondents noted that alcohol can alter the behaviour of even a small number of small-scale cultural event attendees and can produce a lot of disruption for nearby residents.

50 people with alcohol can be disruptive

A couple of commenters made the point that 50 attendees of a small-scale cultural event can cause a lot of traffic congestion and take up a lot of car parks in a usually quiet residential area.

APPROVAL PROCESS AND ENFORCEMENT OF CAPACITY LIMIT (8 COMMENTS)

Several comments were made regarding enforcement and approval process of the proposed 50-person capacity limit for small-scale cultural events that can be held without an approval. These respondents queried how the council proposed to monitor whether these events had more than 50 attendees, especially if people could come and go throughout the event.

...how can this be policed? will there be a fine for the premises? i do not think this one size fits all number is relevant to the multiple venues this proposal will cover. I think this is too restrictive, un-enforceable, and unrealistic.

Due to concern over how the capacity limit of small-scale cultural events held without an approval would be enforced, a few people suggested that the capacity limit should be increased to 100 people; one person noted these events should not be limited when the aim of the proposal is to encourage people to enjoy a diverse range of cultural activities.

One respondent suggested that the approval process required community consultation.

Support for limiting small-scale cultural events held without an approval to no more than 26 days a year, 8 days a month, and 2 consecutive days a week

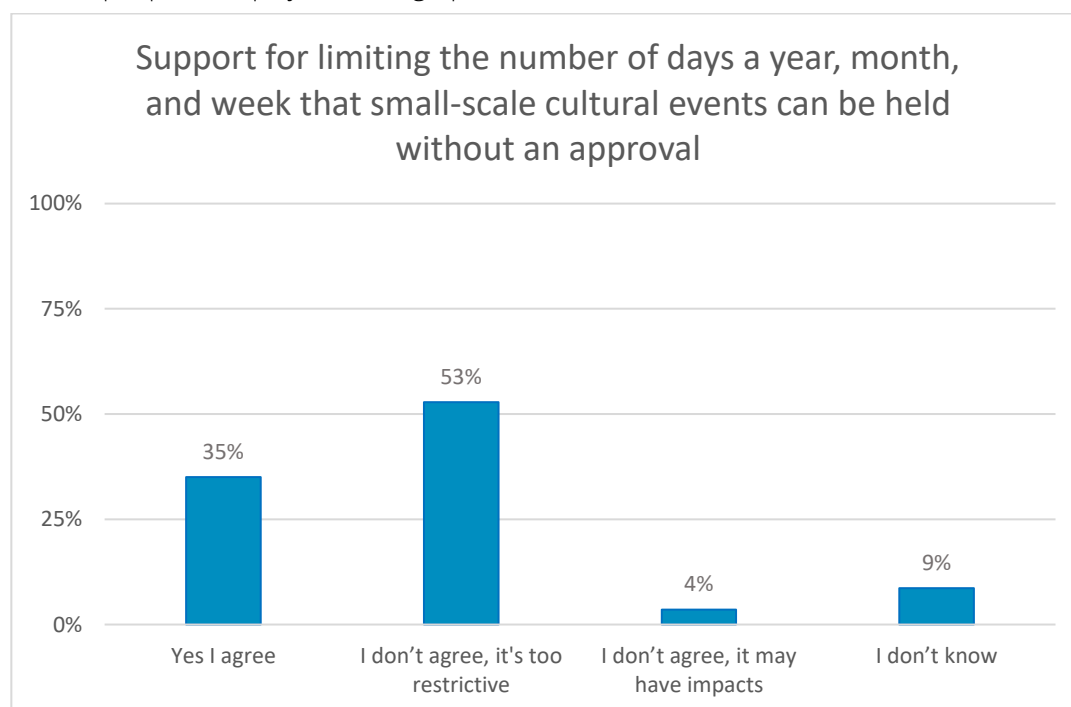
RESPONDENTS WERE ASKED: No more than 26 days a year, 8 days a month, and 2 consecutive days a week?

Summary of findings

- Respondents had mixed responses to limiting small-scale cultural events held without an approval to no more than 26 days per year, 8 days per month, and 2 consecutive days per week, although a small majority disagreed:
 - 53% of respondents disagreed because it was too restrictive.

RESULTS

The percentage of respondents who 'agreed', 'did not agree, it's too restrictive', 'didn't agree, it may have impacts' or 'didn't know' if the capacity of small-scale cultural events allowed without an approval should be limited to 50 people is displayed in the graph below.



- Support for limiting the number of days a year, month, and week that small-scale cultural events can be held without an approval:
 - 53% of respondents selected 'I don't agree, it's too restrictive'.
 - 35% of respondents selected 'yes I agree'.
 - 4% of respondents selected 'I don't agree, it may have impacts'.
 - 9% of respondents selected 'I don't know'.

Why do you think it's too restrictive?

Summary of findings (562 Comments)

- A very large number of respondents stated that limiting small-scale cultural events held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week was too restrictive as they disapproved of the proposed limitations or thought there should not be any restrictions.
- A large number of respondents felt that limiting small-scale cultural events held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week was too restrictive for some types of events or may inadvertently reduce the creativity and diversity of the evening economy in Sydney; several respondents thought these limitations needed to be more flexible.
- A sizeable number of respondents did not agree with limiting small-scale cultural events held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week because they felt that these restrictions should be more dependent on the venue.
- A considerable number of respondents felt that limiting small-scale cultural events held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week was an overly restrictive and unnecessary bureaucratic act that would be challenging to monitor and enforce.

DISAPPROVAL OF RESTRICTING THE NUMBER OF DAYS (463 COMMENTS)

A very large number of respondents stated that limiting small-scale cultural events held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week was too restrictive as they disapproved of the proposed limitations or thought there should not be any restrictions.

General restriction is too low

A large number of respondents stated that only allowing small-scale cultural events held without an approval to function 26 days per year, 8 days per month, and 2 consecutive days per week was too low. Of these respondents, a moderate number thought these restrictions should be raised to allow events to occur weekly (double the proposed days). A moderate number of respondents felt that increasing the restrictions too allow small-scale cultural events to occur 3 consecutive days per week without an approval was appropriate, while several commenters suggested 4 consecutive days per week; a small number of respondents suggested even more than 4 consecutive days per week. Several respondents suggested the restrictions should allow small-scale cultural events to run all weekend, any weekend, without an approval. There was concern that restricting the number of days that small-scale cultural events can be held to 2 consecutive days per week would make these types of event inaccessible to many people who do not work standard '9-5, 5 days' per week.

We should be encouraging creative events, not limiting. I assume that "8 days a month and 2 consecutive days a week" translates to the weekend. This cuts out an entire section of the population who work weekend...

Although some respondents supported the limiting of the number of days per year that a small-scale cultural event could be held without an approval to 26, they did not agree with restricting when these days could be used; this would allow an event to be held every day for almost one month and not require an approval. Other respondents suggested that the limitation should be monthly; that is, allowing small-scale cultural events to run 8 days per month without an approval, regardless of how many days per year this would be.

How are you supposed to build a community with that? No days per year limit. But the per month limit is fine.

A moderate number of respondents felt the proposed limitations for the number of days that a small-scale cultural event can be held without an approval per week, month, and year seemed arbitrary; some of these respondents were confused as to how these allowed days would play out for businesses and venues.

Too restrictive for a diverse range of events

A large number of respondents felt that limiting small-scale cultural events held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week was too restrictive for some types of events. A sizeable number of these respondents thought that the proposed limitations would restrict the vibrancy and creativity of the evening economy in Sydney.

The very definition of having a hive of activity means that something can be caught on any day of the week

To create an active and diverse evening economy in Sydney, many commenters wanted a variety of small-scale cultural events; however, a large number of respondents thought that the limiting the number of days per week, month, and year would not encourage event diversity. A blanket restriction of days that a venue can hold any type of small-scale cultural event without an approval could lead to inadvertent exclusion of some types of events; for example, businesses are more likely to hold profitable events over those that are less profitable, reducing the amount of available spaces for less profitable creative events.

Different groups could want to use a location throughout a year, but this requirement restricts the use of buildings to only a relatively small amount of time. Which in turns means many groups could miss out on these great opportunities.

Some respondents felt that venues could be encouraged to hold a variety of small-scale cultural events by only restricting the number of days that certain event types can be held without an approval; for example, small-scale cultural events that have a very low impact on neighbouring residents could be excluded from the proposed restriction for the number of days per week, month, or year without an approval.

I understand this is to minimise impact on neighbours but maybe there needs to be flexibility and a distinction between cultural activities with a clean impact and those without – i.e. amplified vs non amplified sound

A substantial number of respondents made the point that the proposed limitations for the number of days, per week, month, or year that a small-scale cultural event can be held without an approval could exclude small event programs, such as theatre performances or art exhibitions, running for a whole week or a short period of time. These commenters noted that the organisation and event set-up can require a significant amount of time and effort, and if these events can only be held for two consecutive days per week without an approval, they may not be worthwhile; this would unintentionally discourage these small-scale cultural events being run in Sydney, despite their low impact on nearby residents.

It takes a least 2 days to set up and take down small events, if the event can only go for 2 consecutive days it might not be worth it for the people involved...

Some respondents noted that allowing these types of programme-style small-scale cultural events to be held over many consecutive days would encourage a diverse, creative, and active evening economy in Sydney, as well as allowing attendance of people who work nonstandard hours or who have atypical lifestyles.

Several respondents noted small-scale cultural events that become very popular should be allowed to run for more than two consecutive days to allow a greater number of attendees throughout the week. One commenter noted areas or suburbs can become popular for small-scale cultural events, but this could be discouraged by limiting the number of days venues can hold such events without an approval. However, it seemed that some respondents did not realise these restrictions only applied to small-scale cultural events run without an approval, and if organisers of programme-style events wanted to run an event for multiple consecutive days, they could still apply for an approval to do so.

More flexibility is required

Several respondents thought there should be more flexibility for the number of days per week, month, and year that a small-scale cultural event can be held without an approval.

Need some flexibility to operate on weekends if your really going to support small business

A small number of these respondents suggested that the proposed restrictions for the number of days per week, month, and year small-scale cultural events can be held without an approval could be made more flexible depending on the season or days of the week.

No restrictions

A sizeable number of respondents disagreed that small-scale cultural events held without an approval should be limited to 26 days per year, 8 days per month, and 2 consecutive days per week, as they thought there should be no restrictions for how often a venue can hold this type of event. Many of these people did not agree with limiting arts and cultural activities considering this action to prohibit city-wide creative growth. A considerable number of commenters questioned why minimal impact small-scale cultural events held without an approval should be restricted at all, especially if these events were held in areas with few residents that could be disturbed.

Why limit the number of events a year? The more our city is allowed to host such events the more vibrant and alive it will become

A few people noted creating unnecessary restrictions around how often very low impact small-scale cultural events can be held without an approval could encourage unjustified complaints from nearby residents. One commenter noted that, “frequency does not accurately dictate whether events held would cause a disturbance”, while another respondent thought as long as the event was held within the “allowed hours”, there shouldn't be any restrictions for how often a venue holds an event.

RESTRICTIVE FOR THE VENUE (60 COMMENTS)

A sizeable number of respondents did not agree with limiting small-scale cultural events held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week because they felt these restrictions should be more dependent on the venue. Some respondents thought businesses and venues should be able to decide how often they host small-scale cultural events to make them viable enterprises, as they would be able to judge how many or how often people would attend such an event. Several commenters suggested the number of days a small-scale cultural event could be held without an approval per week, month, and year could depend on the location of the venue; if the location of a venue was in a mixed residential and business area, then the proposed restrictions may be appropriate, however these restrictions may be too conservative for venues located in the central city. A few commenters thought these restrictions could be done on a ‘case-by-case’ basis for different venues.

It could be in a thriving area which has a lot of social noise and movement in which case, a nightly event wouldn't impact neighbours due to the existing commotion.

A considerable number of respondents did not approve of limiting small-scale cultural events held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week as they thought this would be financially restrictive for the businesses and venues holding such events, as well as performers, artists, and organising personal.

The ease, and therefore cost, to set up and pull down for such short runs, would be prohibitive

For businesses and venues to be incentivised to hold small-scale cultural events, they need to be profitable. Limiting the amount of available venue space for small-scale cultural events could increase rent price, therefore restricting new or financially limited artists or creative event organisers putting on an event.

BUREAUCRACY AND PROCESS (25 COMMENTS)

A considerable number of respondents felt that limiting small-scale cultural events held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week was an overly restrictive and was

an unnecessary bureaucratic act that would be challenging to monitor and enforce. These respondents did not think regulating creativity and culture was a proactive response to the aim of diversifying and activating the Sydney evening economy. Some respondents considered adding such restrictions could be too complicated for venues or organisers to bother holding a small-scale cultural event, thus discouraging these events from occurring.

*Too complex and seems to be adding unnecessary restrictions/red tape. Allow it or don't allow it.
Rules like this creates frustration and confusion.*

Several commenters queried how the number of days per week, month, and year that a venue holds a small-scale cultural event without an approval would be monitored or enforced, and if necessary, how a venue would be penalised for holding too many events.

OTHER COMMENTS (14 COMMENTS)

A small number of respondents expressed some support for limiting small-scale cultural events to be held without an approval to 26 days per year, 8 days per month, and 2 consecutive days per week, however most of these people explained this was a start and may need some adjustment in the future. On the other hand, a couple of people stated that the restrictions should be more “chill” or that they wanted a more active, party-style night-life in Sydney. A few commenters noted minor disturbance and noise from small-scale cultural events held without an approval should be expected by those who live in a city such as Sydney.

Favourable comments about Melbourne and cities in other countries allowing small-scale cultural events to be held without an approval whenever and how often it suited the venue or business were made by a few respondents.

THE 4% OF RESPONDENTS WHO ANSWERED: “I don't agree, it may have impacts” WERE THEN ASKED:

What impact do you think it will have?

Summary of findings (48 Comments)

- A moderate number of commenters who disapproved of limiting the number of days a venue could hold a small-scale cultural event without an approval to no more than 26 days per year, 8 days per month, and 2 consecutive days per week voiced concerns about the impacts that this number of events could have for nearby residents.
- Several comments were made expressing concern that restricting small-scale cultural events to no more than 26 days per year, 8 days per month, and 2 consecutive days per week may have negative impacts on the venues and events.

RESIDENTIAL DISTURBANCE (23 COMMENTS)

A moderate number of commenters who disapproved of limiting the number of days a venue could hold a small-scale cultural event without an approval to no more than 26 days per year, 8 days per month, and 2 consecutive days per week voiced concerns about the impacts that this number of events could have for nearby residents. Of these, several were concerned about noise pollution disrupting residential areas. A couple of respondents pointed out these restrictions do not apply to all businesses in an area, introducing the possibility small-scale cultural events could be held without an approval in different venues in close proximity to one another every night.

How would you coordinate between different venues in the same area? If they are all on different days, then this would create a disturbance throughout the year

A small number of respondents thought the proposed number of days per week, month, and year that venues could hold small-scale cultural events without an approval was too high and would create an excessive risk for disturbance of residents to occur. Alternatively, a couple of respondents were open to allowing exemptions for venues holding small-scale cultural events with an extremely minimal impact to

the neighbourhood. One person noted not all buildings will be set up to hold some types of small-scale cultural events in a manner that would not disturb neighbours.

If the business is allowed to have amplified music in a space that has not been designed to reduce neighbourhood impacts then the 26 days a year may not be minimal impact

A few respondents expressed concern about frequency of events causing a notable impact on the availability and access to parking.

If people are coming by car it's also enough to make it really annoying/problematic trying to find a park that often.

IMPACTS ON VENUE AND EVENT (14 COMMENTS)

Several comments were made expressing concern that restricting small-scale cultural events to no more than 26 days per year, 8 days per month, and 2 consecutive days per week may have negative impacts on the venues and events. A small number of commenters thought limiting the number of days that a small-scale cultural event could be held without an approval could reduce the vibrancy, diversity, and creativity of these types of events; half of these respondents felt that these restrictions would make organising small-scale cultural events impractical and not worthwhile.

Impractical. This takes away from spontaneous nature of some of the events

A few respondents considered the location and type of venue an important factor for the level of residential disturbance a small-scale cultural event may have. A couple of these respondents were concerned that some venues may not have appropriate facilities to contain noise and minimise disruption caused by small-scale cultural events. One person thought event organisers and venues should be able to decide how often they host events. One respondent offered an outdoor summer painting class as an example of an event that may need to operate more frequently than outlined in the question.

Sydney is seasonal enough that some activities are only viable in warmer/colder months. Say an art class is painting the forshore. They may need several sittings in a short period of time.

A few people thought limiting small-scale cultural events held without an approval to no more than 26 days per year, 8 days per month, and 2 consecutive days per week may negatively impact the financial viability of such events and, therefore, business owners would be less likely to host small-scale cultural events.

Impact the industry and the small culutural space and wont allow them to put on many events

A couple of commenters thought the proposed restrictions may negatively impact the type of small-scale cultural events that could be easily held; one of these commenters then suggested that these restrictions should be on a case-by-case basis for venues.

OTHER COMMENTS (11 COMMENTS)

A small number of respondents did not agree small-scale cultural events should be limited to no more than 26 days per year, 8 days per month, and 2 consecutive days per week without an approval as they felt that these restrictions could be challenging to monitor and enforce, leading to impacts on residents.

A couple of respondents thought the proposed restrictions too complicated, while one person suggested the number of days a small-scale cultural event held without an approval should be based on a percentage of the year that the venue operates as a normal business. One respondent simply stated the proposed number of days allowed "far too many" small-scale events to occur.

Support for limiting small-scale cultural events held without an approval to no more than 4 hours per day

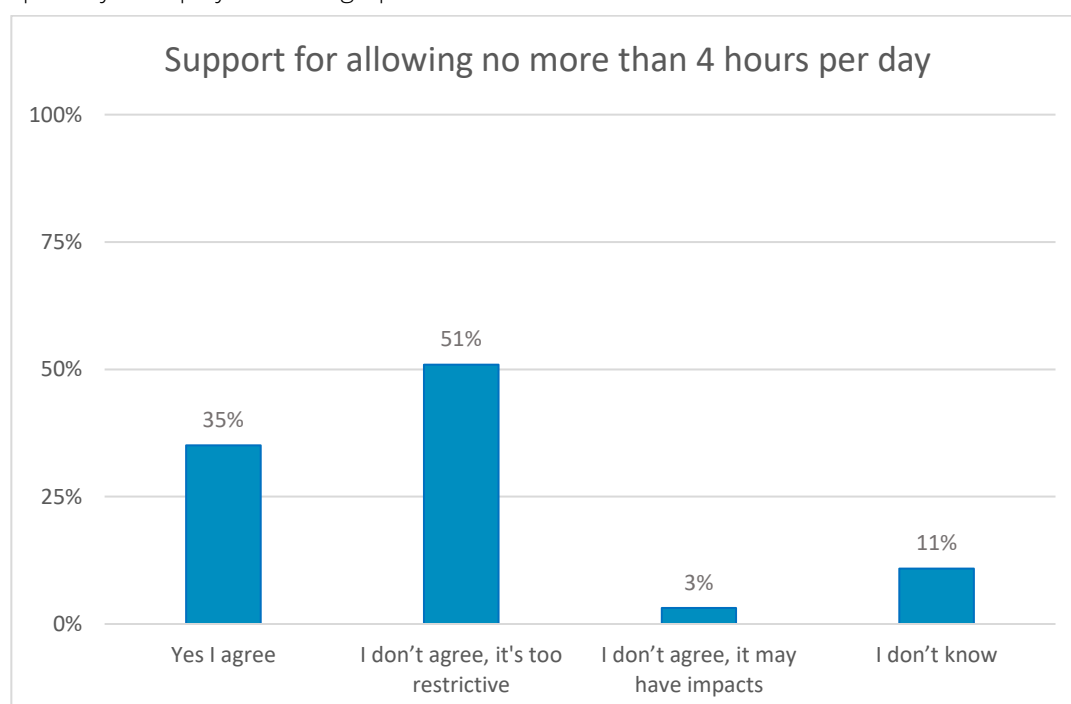
RESPONDENTS WERE ASKED: No more than 4 hours per day?

Summary of findings

- The respondents had mixed responses about limiting cultural events to no more than 4 hours per day, although a small majority disagreed with the proposal because it is too restrictive:
 - 51% of respondents disagreed because it was too restrictive.

RESULTS

The percentage of respondents who agreed, did not agree because it was too restrictive or may have impacts, or did not know if limiting small-scale cultural events held without an approval to no more than 4 hours per day is displayed in the graph below.



- Support for allowing small-scale cultural events held without an approval to no more than 4 hours per day:
 - 51% of respondents selected 'I don't agree, it's too restrictive'.
 - 35% of respondents selected 'Yes I agree'.
 - 3% of respondents selected 'I don't agree, it may have impacts'.
 - 11% of respondents selected 'I don't know'.

Why do you think it's too restrictive?

Summary of findings

498 Comments

- A very large number of respondents disapproved of limiting small-scale cultural events held without an approval to no more than 4 hours as they felt this was too restrictive for the events, the venues that hold them, and the event attendees.
- A substantial number of commenters thought limiting small-scale cultural events held without an approval to no more than 4 hours per day was too restrictive to satisfy the need for a diverse, active, and creative evening economy in Sydney.
- A very large number of commenters disliked limiting small-scale cultural events held without an approval to no more than 4 hours as they felt this was too restrictive or that there should be no time restrictions.
- A considerable number of respondents felt that limiting small-scale cultural events held without an approval to no more than 4 hours per day was an overly restrictive and was an unnecessary bureaucratic act that would be challenging to monitor and enforce.

RESTRICTIVE FOR EVENTS AND VENUES (257 COMMENTS)

A very large number of respondents disapproved of limiting small-scale cultural events held without an approval to no more than 4 hours as they felt this was too restrictive for the events and the venues that hold them.

Too short for some events

A large number of respondents thought limiting small-scale cultural events held without an approval to no more than 4 hours per day was too short for some events. While a moderate number of people made general statements that the time limit should depend on the type of small-scale cultural event being held, others thought 4 hours was too restrictive for programme-style events like workshops, art exhibitions, or theatre productions.

Active events such as music can be planned around this, however does this mean displays and the like would need to be removed after 4 hours?

Some people commented that this restriction may inhibit small-scale cultural events from holding more than one performance or opening per day, such as a lunch time and evening session. In accordance with this, many respondents argued that 4 hours was far too restrictive for events that have very low impact on neighbouring businesses and residents; a considerable number used art exhibitions and performances as examples of low impact small-scale cultural events, while workshops, talks, and meetings were suggested by several commenters. Some wanted art exhibitions allowed to run all day without an approval as they felt these events produced very few negative impacts on nearby residents.

It depends on the use. For live (loud) performances, four hours is adequate, for displays of art, classes, or anything else which is not too disruptive, four hours is not enough

Several commenters stated 4 hours was too limiting for rehearsals, while a small number of respondents stated 4 hours was too restrictive for many music performances, especially if multiple artists were involved in a single event. A small number of respondents were not aware the 4-hour limit did not include set-up and break down and therefore felt this limit was too restrictive for small-scale cultural events held without an approval.

Overall, respondents who disapproved of limiting small-scale cultural events to no more than 4 hours per day thought that this was too restrictive for activities that did not significantly impact neighbouring businesses and residents; some also stated this restriction would be inconvenient for businesses to set up and break down events to ensure they fit within the 4-hour window (particularly for art exhibitions).

Restricts the creativity and diversity of small-scale cultural events

A substantial number of commenters thought that limiting small-scale cultural events held without an approval to no more than 4 hours per day was too restrictive to satisfy the need for a diverse, active, and creative evening economy in Sydney. A large proportion of these commenters thought introducing regulations inhibited events from flourishing and repressed the growth of vibrancy throughout Sydney day and night. Many of these respondents felt 'diversity' of events was important and implied that a variety of events would be available at all times of the day and night.

...you can't have culture just happen on your own terms... It is dynamic and fluid... greater flexibility is desirable

Too restrictive for certain venues and their patrons

A substantial number of respondents felt limiting small-scale cultural events held without an approval to no more than 4 hours was too restrictive for the venues hosting these events and their patrons. Although a small number thought time restriction should depend on the location of the venue, a considerable number thought this should be conducted on a case-by-case manner.

...this needs to be on a case by case scenario, to be reviewed on merit and potential impact on the surrounding neighbourhood...

A moderate number of respondents thought limiting small-scale cultural events to no more than 4 hours per day without an approval was too restrictive to ensure these events were financially viable and worthwhile for businesses, venues, and the artists or organisers.

Generally these small events are put on by students or people starting out in whichever field. It is often cost effective for people to showcase multiple works at once meaning longer hours [are] necessary

Only a small number of respondents felt the event organiser or venue should decide how long small-scale cultural events should run for without requiring an approval; however, some of these noted this would allow businesses to hold events for a period that was appropriate for that event and to ensure that the event was financially viable for their business.

A small business may rely on activities to draw customers in... and they should be encouraged to thrive

Several respondents argued that restricting small-scale cultural events held without an approval to no more than 4 hours was inconvenient and impractical for event attendees. Some argued that if a small-scale cultural event was only allowed to be held for a short period, only a limited number and type of people would attend; for example, those who work standard hours (9am to 5pm, 5 days a week) would be unable to visit events run during the day. This could negatively impact the accessibility of small-scale cultural events and result in poor attendance.

If it's a display people can't just leave work, they may want to see it after or before

DISAPPROVAL OF RESTRICTING THE ALLOWED HOURS (213 COMMENTS)

A very large number of commenters disliked limiting small-scale cultural events held without an approval to no more than 4 hours as they felt that this was too restrictive or that there should be no time restrictions.

Longer hours

A large number of respondents felt that limiting small-scale cultural events to no more than 4 hours was too restrictive, and they thought that a longer time period would be more appropriate. A considerable number of people suggested that this limit be raised to 6 hours, while a moderate number thought 8 hours was more appropriate, with several of these people stating this fitted in with a normal working day. Several commenters suggested even longer than 8 hours, especially if these events had very little impact on neighbouring businesses or residents. Overall, these respondents felt that the proposed limit of no more than 4 hours for a small-scale cultural event held without an approval did not provide enough flexibility for people to see the event or to create a sufficiently active and diverse evening economy.

No restriction

A substantial number of respondents did not support restricting small-scale cultural events held without an approval to no more than 4 hours, as they thought these types of events should not be limited at all. Many of these people did not believe creativity and cultural activities should be regulated; instead, they should be allowed to flourish, especially if there is minimal impact on nearby businesses and residents.

If it's not intrusive it can go as long as it needs to. Market forces dictate it won't go on in perpetuity unless people are showing up and supporting it...

Several respondents considered the proposed limit an arbitrary number and did not consider how events would be run in a realistic situation. A considerable number of people queried why small-scale cultural events should be regulated in this manner.

BUREAUCRACY AND PROCESS (13 COMMENTS)

Several respondents felt that limiting small-scale cultural events held without an approval to no more than 4 hours per day was an overly restrictive and unnecessary bureaucratic act that would be challenging to monitor and enforce. Several respondents felt that implementing regulations around cultural and creative events was counteractive to creating an active and diverse evening economy.

Stop putting limits and conditions on everything, that here is the cancer of Sydney life. Regulations just kill the mood.

A small number of commenters did not support limiting small-scale cultural events to no more than 4 hours as they felt the administration and personnel required to monitor this restriction would be excessive and gratuitous.

OTHER COMMENTS (16 COMMENTS)

A small number of respondents thought the time of day that a small-scale cultural event was run should dictate how long the event should be allowed to run for; many of these commenters thought that there shouldn't be restrictions during the day. A couple of respondents felt small-scale cultural events held without an approval should be allowed to run for longer on Fridays and weekend days.

Some had no concern with the duration of the event as long as it was within the other proposed guidelines; however, one person thought time restrictions should apply if the venue also served alcohol.

One commenter noted that those who live in a city should expect activity. Another commenter simply stated "too restrictive".

THE 3% OF RESPONDENTS WHO ANSWERED: "I don't agree, it may have impacts" WERE THEN ASKED:

What impact do you think it will have?

Summary of findings (33 Comments)

- Several respondents did not approve of limiting small-scale cultural events held without an approval to no more than 4 hours per day as they were concerned about residential disturbance caused by these events; however, many stated this concern was dependent on when the 4 hours were utilised.
- Several commenters did not approve of limiting small-scale cultural events held without an approval to no more than 4 hours as they felt any impacts produced would depend on the type of event or venue.
- Several commenters did not approve of limiting small-scale cultural events held without an approval to no more than 4 hours as they felt this could negatively impact the event attendees.

RESIDENTIAL DISTURBANCE (13 COMMENTS)

Several respondents did not approve of limiting small-scale cultural events held without an approval to no more than 4 hours per day as they were concerned about residential disturbance caused by these events;

however, many stated that this concern was dependent on when the 4 hours were utilised. A small number of respondents expressed concern that residents could be disrupted by noise pollution emitted from a small-scale cultural event over 4 hours.

Four hours of excessive noise can be hell, whatever time of day or night. Should affected residents have only the consolation of knowing that their torment will end in "only for hours"?

A couple of people noted the inconvenience of competing with event attendees for car parks or the noise produced from vehicles in the neighbourhood could be a significant negative impact on nearby residents.

A small number of respondents pointed out that the time of day that the 4 hours is utilised can dramatically alter amount of residential disturbance; events occurring at night are more disruptive compared to those occurring during the day.

The length of time is not as relevant as the time of day

IMPACTS ON EVENT AND VENUE (8 COMMENTS)

Several respondents did not approve of limiting small-scale cultural events held without an approval to no more than 4 hours as they felt any impacts produced would depend on the type of event or venue. A small number of commenters stated the time limit should depend on the type of small-scale cultural event, as some events, such as an art exhibition or educational discussion, would have very minimal impact on neighbouring businesses and residents. A couple of people suggested minimal impact small-scale cultural events should be allowed to run throughout normal trading hours.

If it's an exhibition it should be there for the entirety of the shops opening hours.

However, other people noted the definition of a small-scale cultural event may permit live entertainment events, of which some could be more disruptive than others and could unpredictably negatively impact nearby businesses or residents.

A couple of respondents disapproved of limiting small-scale cultural events held without an approval to no more than 4 hours as they felt venues and event organisers should be responsible for managing possible negative impacts for others produced by the event.

NEGATIVE IMPACTS FOR EVENT ATTENDEES (8 COMMENTS)

Several respondents did not support limiting small-scale cultural events held without an approval to no more than 4 hours as they felt this would negatively impact event attendees. A small number of these respondents felt this limitation would negatively impact the creativity, variety, and freedom of type of events organisers and artists could viably run. One person noted limiting small-scale cultural events held without an approval to only 4 hours could be inconvenient for event attendees as their accessibility to these events would be significantly reduced.

OTHER COMMENTS (4 COMMENTS)

While one person stated that they supported the 4-hour limit, one did not think it was long enough, and another argued that "its not small-scale if its going on all day". One stated the approval process needed to be via community consultation only.

Support for limiting small-scale cultural events held without an approval to no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday

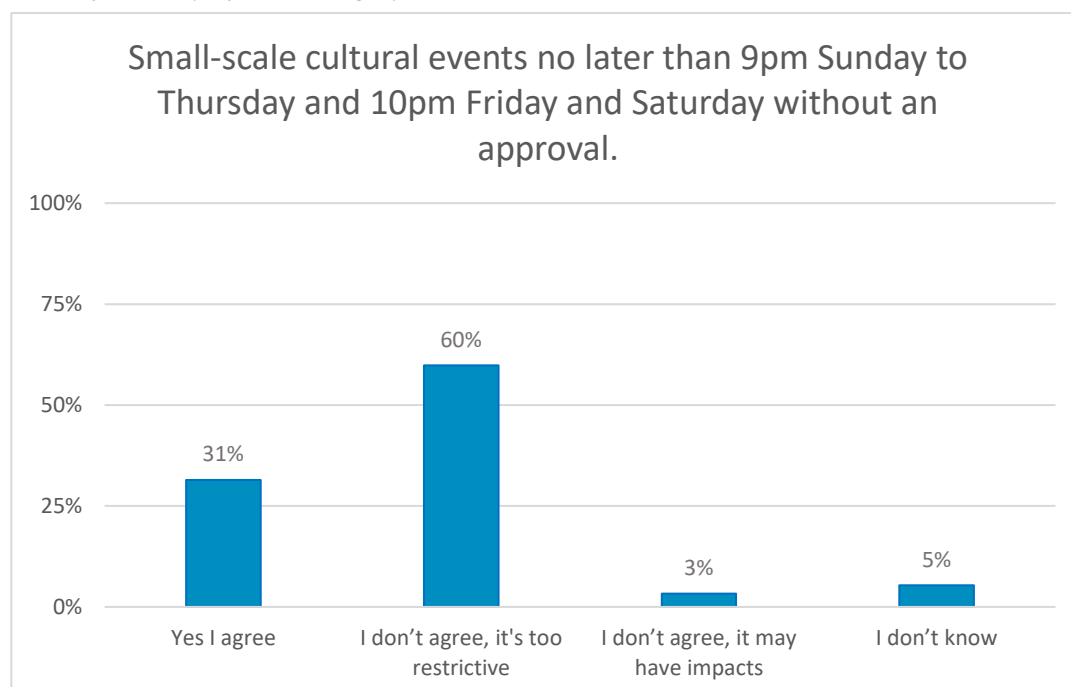
RESPONDENTS WERE ASKED: No later than 9pm Sunday to Thursday, and 10pm Friday and Saturday?

Summary of findings

- The respondents had mixed views about allowing small-scale cultural events to run no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday, although a majority disagreed because it was too restrictive:
 - 60% of respondents disagreed because it was too restrictive.

RESULTS

The percentage of respondents who agreed, disagreed as it was too restrictive or may have impacts, or did not know if limiting small-scale cultural events to no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday are displayed in the graph below.



- Limiting small-scale cultural events held without an approval to no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday:
 - 60% of respondents selected 'I don't agree, it's too restrictive'.
 - 31% of respondents selected 'Yes I agree'.
 - 3% of respondents selected 'I don't agree it may have impacts'.
 - 5% of respondents selected 'I don't know'.

Why do you think it's too restrictive?

Summary of findings (156 Comments)

- A large number of respondents did not support preventing small-scale cultural events held without an approval running later than 9pm Sunday to Thursday, and 10pm Friday and Saturday as they thought these times too restrictive. They supported later hours.
- A considerable number of respondents did not support limiting small-scale cultural events to run no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday as they felt this was too restrictive to support an active evening economy and was impractical for event attendees.
- A moderate number of respondents felt that limiting small-scale cultural events held without an approval to no more than 4 hours per day was an overly restrictive bureaucratic act.

TOO RESTRICTIVE FOR EVENTS (130 COMMENTS)

A large number of respondents did not support preventing small-scale cultural events held without an approval running later than 9pm Sunday to Thursday, and 10pm Friday and Saturday as they thought these proposed times too restrictive and should be later to ensure Sydney has an active and diverse evening economy that a wide range of people can enjoy.

Too restrictive, should be later

A sizeable number of respondents thought the proposed times that small-scale cultural events can run until without needing an approval were too restrictive and should be later. Of these respondents, a substantial number felt small-scale cultural events should be allowed to run later throughout the whole week than the proposed times, whereas a considerable number felt the time limit for Friday and Saturday should be later; several commenters thought small-scale cultural events should be able to run until midnight on Friday and Saturday nights without an approval, while a small number suggested 11pm, and a couple suggested times later than midnight.

For performance based events 10pm on a weekend is too early. These events don't start until 8:20pm or 9pm. Particularly in summer when it gets dark later.

A small number of commenters made general supportive comments about the time limit for small-scale cultural events to run until without an approval from Sunday to Thursday. A moderate number of respondents thought that small-scale cultural events should be allowed to run later than 9pm Sunday to Thursday, and 10pm Friday and Saturday if these events were held in non-residential areas.

Overall, respondents who thought that small-scale cultural events should be allowed to run later without an approval wanted Sydney to be more active and creative in the evenings.

Too restrictive for a vibrant evening economy

A considerable number of people did not support limiting small-scale cultural events to run no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday as they felt this was too restrictive to support an active evening economy and was impractical for event attendees. Several respondents argued that the proposed time limits for small-scale cultural events held without an approval were too conservative to encourage an active, diverse, and vibrant evening economy.

Those times suggested do not create a night time economy. That's a child's bedtime.

A moderate number of respondents made the point that limiting small-scale cultural events to no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday was impractical and inconvenient for event attendees. Many of these people argued that proposed time restrictions do not allow for people to go out for dinner after work and then visit a small-scale cultural event before it closes without rushing through their evening.

In most lively cities around the world, people start going out at 11pm. You should have the option of going to a leisurely dinner before heading to a cultural event instead of always rushing or choosing either or...

Some people thought there should be more consideration for people who do not work standard hours but want to attend small-scale cultural events, and for artists who want to exhibit their work at atypical times of the day or evening.

Overall, people wanted to be able to enjoy a diverse evening culture in Sydney at a leisurely pace, regardless of their work hours and lifestyle; excessive time restrictions were viewed as contradicting the aim of encouraging an active and vibrant evening economy.

BUREAUCRACY AND PROCESS (22 COMMENTS)

A moderate number of respondents felt limiting small-scale cultural events held without an approval to no more than 4 hours per day was an overly restrictive and unnecessary bureaucratic act. Many of these respondents felt that implementing regulations on activities such as small-scale cultural events was too controlling, and that people's freedom and lifestyle flexibility should be encouraged.

The hours should be determined by the event/performance – not the whims of the government/council

A couple of commenters suggested allowing small-scale cultural events to be held without an approval throughout standard trading hours so as not to confuse business owners, event organisers, or event attendees with several different opening hours.

Hours should relate to local trading hours. This makes it confusing for punters and creates more paperwork and policing for the council.

Another respondent argued that businesses should be allowed to regulate their own hours and times that they run small-scale cultural events, as they will know when they are busiest and when their customers want to attend such events. One person stated businesses should be responsible to keep noise levels within the noise level restrictions. Another respondent suggested the application process for later events could be made simpler so that organisers can easily get approval to run their small-scale cultural event later.

OTHER COMMENTS (4 COMMENTS)

A few respondents commented that people who live in the city should expect disturbances from activities such as small-scale cultural events and that these activities should not be forced to change; one suggested these residents should be responsible for sound mitigation themselves.

One noted that in European countries, small-scale cultural events are held "all the time" and thought that Sydney should follow suit.

THE 3% OF RESPONDENTS WHO ANSWERED: "I don't agree, it may have impacts" WERE THEN ASKED:

What impact do you think it will have?

Summary of findings (31 Comments)

- A moderate number of respondents disapproved of limiting small-scale cultural events held without an approval to run later than 9pm Sunday to Thursday, and 10pm Friday and Saturday as they thought these proposed times would have impacts and should be either earlier or later.
- A small number of respondents thought that allowing small-scale cultural events to run until 9pm Sunday to Thursday, and until 10pm Friday and Saturday could negatively impact nearby residents.

ALTERNATIVE END TIME (24 COMMENTS)

A moderate number of respondents disapproved of limiting small-scale cultural events held without an approval to run later than 9pm Sunday to Thursday, and 10pm Friday and Saturday as they thought these proposed times would have impacts and should be either earlier or later.

Too restrictive, should be later

Several respondents felt limiting small-scale cultural events to run no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday would have negative impacts, and events should be allowed to run until later. Several of these people thought that small-scale cultural events should be allowed to run later on Friday and Saturday nights without an approval, with a small number stating that midnight would be appropriate.

Could be later on Friday – Saturday evenings. People don't want an evening to finish at 10pm on a weekend!

Too restrictive, should be earlier

A small number of respondents felt allowing small-scale cultural events to run until 9pm Sunday to Thursday, and 10pm Friday and Saturday without an approval may have impacts and suggested making these restrictions earlier; two thirds of these respondents noted that noise pollution and other disturbances caused by small-scale cultural events would negatively impact nearby residents.

9pm is way past children's bedtimes. With more kids than ever living in the city we need to be mindful how interrupted sleep may affect their wellbeing, including their ability to concentrate at school.

A couple of respondents thought small-scale cultural events held without an approval should be run no later than 8pm to ensure nearby residents are not negatively impacted by these events. One commenter noted that allowing small-scale cultural events to run until 9pm Sunday to Thursday, and 10pm Friday and Saturday would exacerbate congestion and parking challenges, as well as change the character of the area surrounding a venue. However, a small number of people argued that the times that small-scale cultural events held without an approval can run until should depend on the area; earlier time limits were suggested for high-density residential areas or events that had amplified sound.

IMPACTS ON NEARBY RESIDENTS (7 COMMENTS)

A few respondents made general supportive comments about limiting small-scale cultural events to run no later than 9pm Sunday to Thursday, and 10pm Friday and Saturday, but also expressed concern that there could still be negative impacts on nearby residents. Projected impacts included: noise levels suddenly increasing at 9pm or 10pm as patrons left events; event attendees mingling around in the area after the event has ended, causing disturbances in residential areas; and, concern that venues would not have infrastructure to appropriately contain disturbances produced by small-scale cultural events.

Support for prohibiting small-scale cultural events from residential areas without an approval

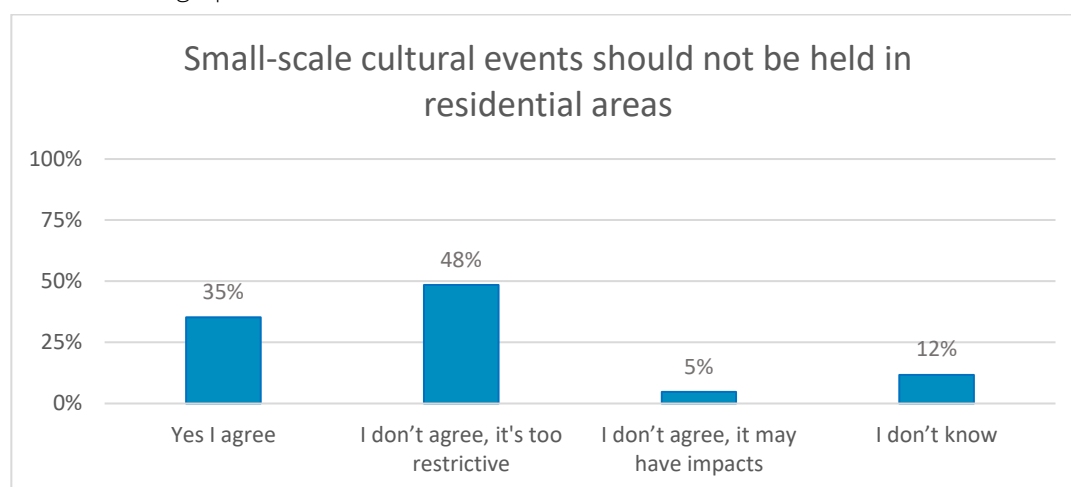
RESPONDENTS WERE ASKED: Not in residential area?

Summary of findings

- The respondents had mixed support for small-scale cultural events not being held in a residential area. Close to half of the respondents disagreed:
 - 48% of respondents disagreed because it was too restrictive.

RESULTS

The percentage of respondents who agreed, did not agree as it was too restrictive or may have impacts, or did not know if small-scale cultural events should be prohibited from residential areas without an approval is presented in the graph below.



- Small-scale cultural events should not be held in residential areas:
 - 48% of respondents selected 'I don't agree, it's too restrictive'.
 - 35% of respondents selected 'I agree'.
 - 5% of respondents selected 'I don't agree, it may have impacts'.
 - 12% of respondents selected 'I don't know'.

THE **48% OF RESPONDENTS** WHO ANSWERED: *"I don't agree, it's too restrictive"* WERE THEN ASKED:

Why do you think it's too restrictive?

Summary of findings (471 Comments)

- A large number of respondents felt it was too restrictive to prohibit all small-scale cultural events from residential areas without an approval as some areas or events may be appropriate in some or all suburban areas as long as they were respectful of the neighbourhood.
- A large number of commenters thought prohibiting small-scale cultural events held without an approval from residential areas was too restrictive as these types of activities benefit the community and encourage culture and life into suburban areas, while spreading cultural events to avoid concentration in the city centre.
- A sizeable number of contributors stated the term 'residential area' is redundant when referring to a central city area in Sydney, and therefore that prohibiting small-scale cultural events from residential areas without an approval was too restrictive.
- A sizeable number of respondents felt it was too restrictive to prohibit small-scale cultural events from residential areas without an approval as there should be no limit on where these events could be held.

SUPPORT FOR SMALL-SCALE CULTURAL EVENTS THAT HAVE MINIMAL IMPACTS IN RESIDENTIAL AREAS (145 COMMENTS)

A large number of respondents felt it was too restrictive to prohibit all small-scale cultural events from residential areas without an approval as some areas or events may be appropriate in some or all suburban areas, as long as they were respectful of the neighbourhood. Concern for residential disturbance was a resounding theme presented by these respondents, most did not consider small-scale cultural events to be excessively disruptive if they abided by the proposed regulations and event owners strived to minimise any significant impacts.

I think it should be allowed in residential areas as long as the business owner takes the neighbours into consideration

Approval on a case-by-case basis

A moderate number of people stated the approval for businesses in residential areas to host small-scale cultural events should be on a case-by-case basis, allowing the community to have input into the types of events allowed in their area, and the extent to which they are willing to be impacted by such events.

I think it should be decided on a case by case basis – if and when complaints are raised by neighbours. If there are complaints then perhaps restrictions should be introduced to that venue...

Other respondents offered support for this proposal- dependent on the location and type of the event, with some claiming that certain suburbs and locations would be more appropriate than others.

It depends on the area and the community. Some more cultured areas would be more willing to have small-scale cultural events in their neighbourhood.

More restrictions for residential areas

Several commenters supported having small-scale cultural events in residential areas without an approval, with the proviso that specific restrictions were put in place for residential areas. Some people felt that provided small-scale cultural events restricted their noise to certain hours, there was no reason to ban such an event within a residential district.

BENEFIT RESIDENTIAL AREAS (135 COMMENTS)

A large number of respondents thought prohibiting small-scale cultural events held without an approval from residential areas was too restrictive as these types of activities benefit the community and encourage culture and life into suburban areas, while spacing out cultural events to avoid concentration in the city centre.

Small-scale cultural events are beneficial to the neighbourhood community

A large number of respondents expressed that they found limiting small-scale cultural events held without an approval to outside of residential areas too restrictive as these events benefit the community and encourage the development of neighbourhood culture. A substantial number of commenters thought allowing small-scale cultural events to be hosted in residential areas without an approval would make residents more inclined to spend more time within their local area, thus developing a healthy and cohesive community environment.

Having cultural events in residential areas is important to foster a tighter more welcoming community

Many respondents noted that if small-scale cultural events are close to where people live, they are more likely to attend such events, which will in turn benefit local businesses and artists as residents will choose to support their local community rather than travel into the city centre. In accordance with this, a couple of people thought residents unable to travel great distances, either as they do not own a car or have a disability, would have improved access to small-scale cultural events if they were held closer to their home.

[The proposal] Might prevent some members of the community attending small scale cultural events. For example, those without reliable transport methods or with a disability.

One person claimed more events in residential areas would allow more people to walk, thus removing the likelihood of people drinking and then driving home.

Allowing small-scale cultural events to be held in residential areas was proposed by a small number of respondents as beneficial to artists and event organisers, with one person pointing out that some artists and performers are “carers or minders” and cannot travel far from home.

A substantial number of respondents wanted small-scale cultural events held without an approval in residential areas as they felt that this would encourage culture and vibrancy to develop in neighbourhoods.

Should be allowed to occur anywhere. Residential areas become boring and lifeless without cultural events occurring nearby

Overall, commenters felt that permitting events within residential areas would allow residents: to walk, rather than drive; enable residents to engage with other community members and businesses; and, improve accessibility to and attendance at such events. This was projected to lead to increased liveliness of residential areas and development of healthier communities.

Could create concentration of evening activities

A moderate number of respondents stated prohibiting small-scale cultural events held without an approval from residential areas was too restrictive as it would only create an active and diverse evening economy in a concentrated central area. Respondents did not want residents, businesses, and entertainment venues separated, and many thought that cohesion of people and businesses would enable the development of positive attitudes towards entertainment venues, as well as encourage creative growth for Sydney.

We need to decentralise engagement and make residential suburbs more relevant to their local audiences. We can't have everything be on 3-4 suburbs all over a 6 million people city

By allowing cultural activities to be held in residential areas, a wider range of people would be encouraged to attend such events. Some respondents made the point that the geography and extent of residential areas of Sydney can deter people from attending an event in the central city or non-residential areas.

Sydney is already massively spaced out and time consuming to navigate. Having small pop up events and exhibitions would enliven neighbourhoods and build a fun and thriving community

Specific Sydney locations that would benefit from hosting small-scale cultural events

Several respondents specifically mentioned residential suburbs of Sydney they felt would benefit from hosting small-scale cultural events without an approval. Marrickville, the Inner West, especially Newtown, and the central Sydney parks were mentioned by a small number as key locations where small-scale cultural events could be held.

Inner west of Sydney is full of usable space which was once a local corner store or an old pub, they are beautiful locations that could come alive.

In general, these respondents wanted their suggested areas to be encouraged to develop a creative and active atmosphere and felt they could be revitalised by small-scale cultural events.

DEFINITION OF A RESIDENTIAL AREA (92 COMMENTS)

A sizeable number of contributors expressed the term ‘residential area’ is redundant when referring to a central city area in Sydney, and therefore they felt that prohibiting small-scale cultural events from residential areas without an approval was too restrictive. It was mentioned that multiple areas within the city are mixed areas, despite being categorised ‘residential’. A couple of respondents made the point that if small-scale cultural events were not allowed in residential areas without an approval, the number of available appropriate spaces for these activities would be extremely limited.

There is residencies all over the city of Sydney. It would be very hard to find a suitable space if one of the requirements was not in a residential area...

It was also expressed that those living within an urban environment cannot reasonably expect to have the same level of peace as one would find in city fringes, and that small-scale cultural events within the city are a vital influence on the health of the city.

Particularly in the case of the CBD - these activities are what make a city live and breathe. As long as reasonable provisions are made, there's no reason why they shouldn't be allowed to coexist.

Overall, these respondents wanted a vibrant city where small-scale cultural events could be held without an approval in mixed areas with residents and businesses, as well as residential areas.

TOO RESTRICTIVE FOR EVENT AND VENUES (77 COMMENTS)

A sizeable number of respondents felt it was too restrictive to prohibit small-scale cultural events from residential areas without an approval as there should be no limit on where these events could be held. These respondents expressed the view that event organisers should be able to choose the most appropriate place for their event, with some noting certain events may benefit from being outside of an urban environment. In addition, comments were made arguing that venue owners all over should be able to hold suitable events wherever their venue may be established.

I think sometimes the perfect venue for a small scale cultural event might be in residential area, so to me, it makes sense to allow it...

Some respondents made the point that prohibiting small-scale cultural events from residential areas without a permit would limit available venues and put pressure on new artists, event organisers who are starting their programs, or those with a low event budget.

The city desperately needs small performance spaces to thrive, so that the future artists have somewhere to hone their craft. Restricting small-scale performances places an unfair burden on the performers and event organisers alike.

OTHER COMMENTS (22 COMMENTS)

Several comments opposed the prohibition of small-scale cultural events in residential areas without an approval stating this was too restrictive and would not enhance the culture or vibrancy of Sydney.

I want everywhere in Sydney to be free and open and vibrant. Let us be exciting again!

A small number of respondents made favourable comments giving examples from other countries, especially in Europe, which allow small-scale cultural events to occur anywhere noting these places had “the best neighbourhoods” that were “lively” and family orientated.

A few respondents wanted more events held in residential properties or in backyards.

A couple of people noted that in the past, cultural events were held in all areas of Sydney, and they wanted this to be the case once more.

THE 5% OF RESPONDENTS WHO ANSWERED: “I don't agree, it may have impacts” WERE THEN ASKED:

What impact do you think it will have?

Summary of findings (47 Comments)

- A considerable number of respondents did not support prohibiting small-scale cultural events from residential areas held without an approval as they felt that the term ‘residential area’ was redundant in Sydney and the proposal could have negative implications on community development and wellbeing.
- Several respondents did not support prohibiting venues in residential areas hosting small-scale cultural events held without an approval as they felt it may have negative impacts on the events or venues.
- Several commenters did not support prohibiting small-scale cultural events held without an approval from residential areas as they felt that there could still be negative impacts on nearby residents.

PROPOSAL MAY NEGATIVELY IMPACT RESIDENTIAL AREAS (25 COMMENTS)

A considerable number of respondents did not support prohibiting small-scale cultural events from residential areas held without an approval as they felt that the term 'residential area' was redundant in Sydney and the proposal could have negative implications on community development and wellbeing.

A moderate number of commenters expressed that the term 'residential area' is redundant in an urban environment such as Sydney, as there are many mixed residential and business areas that are constantly evolving.

Everywhere is now residential in part.

Respondents felt that classifying an area as solely on residential may restrict future evolution of the city by inadvertently discouraging new businesses starting up in locations within an area described as 'residential'. Overall, this was viewed to have negative impacts on current and future residential areas.

Several commenters disapproved of prohibiting small-scale cultural events from residential areas without an approval, as they felt this may negatively impact the ability to build active, diverse, and creative communities. Some of these respondents expressed that encouraging small-scale cultural events to be hosted in residential areas would generate a vibrant city with 'better community connections' and financially benefit small local businesses who have facilities to host such events. A couple showed support for small-scale cultural events in residential areas but suggested adding some restrictions, including: setting earlier closing times or night-period times; and, reducing the allowed capacity of events held without an approval in residential areas.

A common view held was that small-scale cultural events provide a benefit to the wider community and help to enhance the atmosphere of residential areas.

Bring small-scale cultural events to the community, including residential areas. A community is nothing without its residents. The impact of excluding residential areas is that residents will miss out on experiencing the best and most fulfilling experience that Sydney can offer.

IMPACT EVENT AND VENUE (12 COMMENTS)

Several respondents did not support prohibiting venues in residential areas hosting small-scale cultural events held without an approval as they felt it may have negative impacts on the events or venues. A small number of commenters were in favour of allowing small-scale cultural events to be held in any suitable venue, regardless of an area's residential status. Respondents stated event organisers should have the freedom to choose the most suitable venue for their event. Provided that an event does not negatively impact an area, commenters held the view that a small-scale cultural event should not be limited to outside of residential areas.

Restricts the availability of space for events and also the diversity. Some events could be more suited or appeal to residential areas.

A small number of respondents expressed that approval for small-scale cultural events in residential areas should be on a case-by-case basis so that local communities can choose what type of events are held in their neighbourhood and how lenient they are likely to be in response to the impacts caused by such events.

A small number of respondents made additional points, including the argument that there are too many restrictions on small-scale cultural events and the desire for more freedom for these activities.

restrictions on culture and arts are abhorrent and have no place in Sydney

One person noted small music gatherings would not be able to run if small-scale cultural events were prohibited from residential areas.

RESIDENTIAL DISTURBANCE (10 COMMENTS)

Several commenters did not support prohibiting small-scale cultural events held without an approval from residential areas as they felt there could still be negative impacts on nearby residents. A small number of

respondents disagreed with allowing small-scale cultural events to be held in the identified residential areas highlighted in the provided map; as they felt a greater residential area needed protection from such events. Respondents found these areas of the map were not suitable areas for events and if an event were held in these areas, the impact would be detrimental to residents.

There are residential areas within this map. ie Crown Street between Devonshire and Arthur Streets contains scores of family terrace houses. This proposal would greatly exacerbate pressures in this area including parking, noise, congestion, traffic, pedestrian congestion, unlivability, people making noise leaving the venue, change of character of area, sleep disturbance particularly for children.

Most of these respondents were concerned about noise pollution emitted from small-scale cultural events; one person pointed out a residential area should encapsulate the entire area where sound could travel to, while another stated that 'live entertainment' is open to wide interpretation.

A small number added additional points including ensuring noise, parking, and foot traffic impacts on neighbouring areas are considered.

Support for limiting small-scale cultural events (that serve alcohol) held without an approval to locations that have an existing licence or a caterer's licence

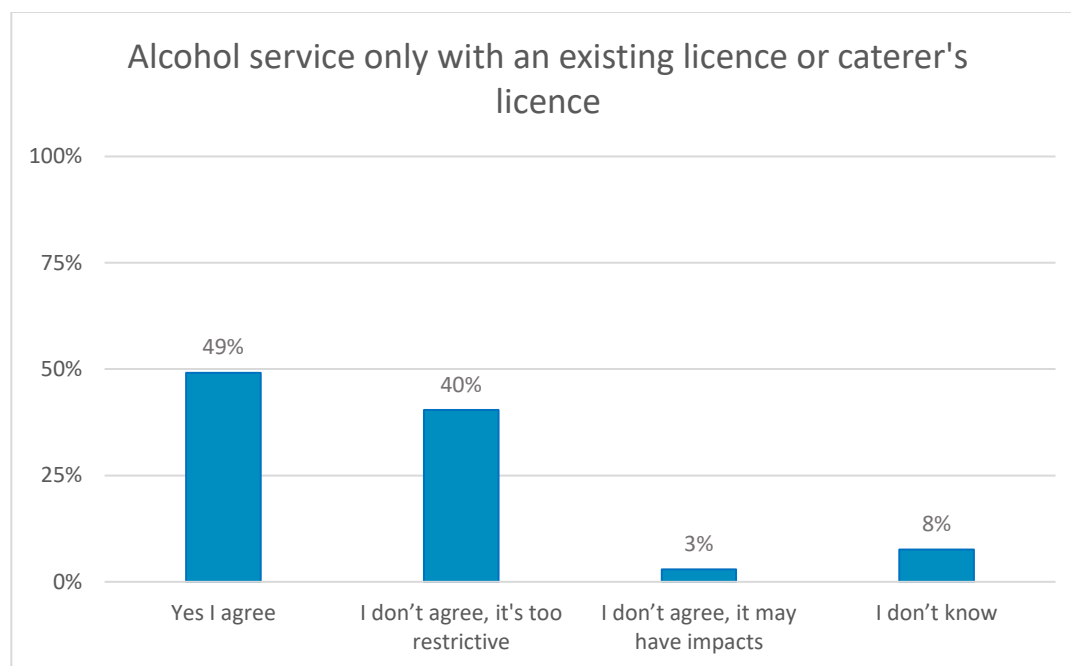
RESPONDENTS WERE ASKED: Only with an existing licence or a caterer's licence?

Summary of findings

- The respondents had mixed support for limiting small-scale cultural events to be held in locations that have an existing licence, with the largest group being a very slight minority that agreed:
 - 49% of respondents agreed.

RESULTS

The percentage of respondents who agreed, disagreed as it was too restrictive or it may have impacts, or did not know if limiting small-scale cultural events held without an approval to locations that have an existing licence or a caterers licence are displayed in the graph below.



- Support for limiting small-scale cultural events held without an approval to locations that have an existing licence or a caterer's licence:
 - 49% of respondents selected 'Yes I agree'.
 - 40% of respondents selected 'I don't agree, it's too restrictive'.
 - 3% of respondents selected 'I don't agree, it may have impacts'.
 - 8% of respondents selected 'I don't know'.

THE 40% OF RESPONDENTS WHO ANSWERED: "I don't agree, it's too restrictive" WERE THEN ASKED:

Why do you think it's too restrictive?

Summary of findings

372 Comments

- A very large number of respondents did not support limiting small-scale cultural events held without an approval that serve alcohol to locations that have an existing licence or a caterer's licence as they felt this was too restrictive to make such events feasible and financially viable.
- A considerable number of respondents thought limiting alcohol-serving small-scale cultural events held without an approval to locations that have an existing licence or a caterer's licence was too restrictive for event attendees and diminished their personal freedom.
- A considerable number of respondents made general comments stating that it was too restrictive to limit alcohol-serving small-scale cultural events held without an approval to locations that have an existing licence.

EVENT FEASIBILITY

266 COMMENTS

A very large number of respondents did not support limiting small-scale cultural events held without an approval that serve alcohol to locations with an existing licence or a caterer's licence as they felt this was too restrictive to make such events feasible and financially viable.

Licences

A very large number of commenters stated it was too restrictive to limit small-scale cultural events held without an approval that serve alcohol to locations that have an existing licence or a caterer's licence as these licences are expensive and problematic for small businesses or venues wanting to host these events. In general, these respondents felt for Sydney to become a vibrant, open, and creative city that has a wide variety of entertainment options, the ability to host a small-scale cultural event and serve alcohol should be easy to achieve for any event organiser or business.

Those licenses are too difficult to get and take too long. Also too costly

A sizeable number of people proposed allowing a venue to apply for a new low-cost temporary, special licence or BYO licence would enable a wider variety of venues to host small-scale cultural events with alcohol service; many stated this would be a better solution than restricting such events to venues with existing alcohol licences. Short term licences for pop-up-style events were commonly suggested, which would enable one-off events or businesses 'testing new concepts' to serve alcohol.

There should be options for small scale or temporary license or catering licensing options for short term or one off small-scale events as most of these events do not have the budget for expensive long term licenses.

Many provided examples, such as a small art exhibition or a book reading, where the venue may not have or usually need a full alcohol licence but would like to allow patrons to consume alcoholic beverages during a small-scale cultural event; some of these respondents suggested regulations should allow these venues to provide a few bottles of wine to be shared or for patrons to bring their own alcohol.

...if people want to have a bottle of wine while looking at some art or listening to poetry then they should be allowed to bring some or be given complementary wine...

It was also expressed that often venues, as mentioned above, put on these events not just for exposure, but also as fundraisers through donations, where alcohol often serves as a good drawcard to potential patrons; restricting this style of events from serving alcohol could have repercussions and impact event success.

A sizeable number of respondents felt alcohol service at small-scale cultural events held without an approval should not require any type of licence. It was expressed that an event not much larger than a residential party should not be required to have an alcohol licence to provide alcohol. Many of these

respondents felt that if alcohol was not the focus of the event, strong alcoholic drinks were not served, and if responsible service practices were followed, then there was no need for these events to require a licence.

As long as the event isn't an alcohol promotion and as long as alcohol is served responsibly people should be free to serve alcohol to their guests at cultural events without having a licence

Alternatively, a moderate number of respondents thought alcohol service at small-scale cultural events held without an approval should be allowed if there was one or a few RSA qualified service staff members and responsible alcohol service practices were followed.

Too restrictive for businesses and event venues

A substantial number of respondents thought it was too restrictive for businesses and event venues to limit small-scale cultural events held without an approval that serve alcohol to locations with an existing licence or a caterer's licence.

DO you know how hard it is to get a temp licence for a small event?!

The current cost and inconvenience of obtaining an alcohol licence was viewed as too great for many small venues or businesses; a moderate number of respondents argued that this could deter event organisers hosting events in certain small businesses, thus penalising small businesses and supporting existing, larger businesses that are financially able to hold alcohol licences. People expressed that this would stifle the cultural life of the city.

People without alcohol licences will lose patrons.

A small number of respondents argued regulations in other countries or in Melbourne allowed small-scale cultural events held without an approval, such as pop-up events or small exhibitions, to serve alcohol without the requirement of long-term expensive licences; these commenters used other cities as examples for how leniency around alcohol service worked is a good approach.

This initiative [new types of licences] may allow businesses to develop beyond their current operating model which would be stifled by the lack of existing licences. This condition favours businesses that already have licences which isn't fair.

PERSONAL FREEDOM

34 COMMENTS

A considerable number of respondents thought limiting alcohol-serving small-scale cultural events held without an approval to locations that have an existing licence or a caterer's licence was too restrictive for event attendees and diminished their personal freedom. Some respondents argued restricting alcohol glorifies its consumption and inadvertently results in a poor drinking culture.

To reduce the impact of alcohol related violence we need to shift out cultural perception of alcohol. When alcohol is not seen as a big deal and can be drunk casually then a more casual drinking atmosphere and culture is created

Commenters stated adults should not be restricted in such ways by council legislation and should be free to consume alcohol in a responsible manner as they feel is appropriate for the occasion. A few people also noted that minimal impact small-scale cultural events, such as those used in examples in this proposal, were not the types of events that encouraged binge drinking or those people who participated in such behaviour.

More trust needs to be given to people to drink responsibly. Stop treating adults like children.

GENERAL COMMENTS THAT THE PROPOSAL IS TOO RESTRICTIVE 34 COMMENTS

A considerable number of respondents made general comments stating it was too restrictive to limit alcohol-serving small-scale cultural events held without an approval to locations that have an existing licence; some of these people thought restricting alcohol service in general would not encourage Sydney to become more active, diverse, and free, and would in fact restrict innovative or creative ideas and new enterprises. Approximately half of these respondents did not approve of over-regulating small-scale cultural events.

A considerable number of commenters were unsure or did not provide an answer as to why they felt limiting alcohol service at a small-scale cultural event would be too restrictive.

Several people argued alcohol should not be the focus of small-scale cultural events or the regulation around them, with some going further saying there should be more alcohol-free events. Respondents stated some of these suggested venues should be allowed to provide alcohol, but not sell it. One commenter suggested allowing food trucks in possession of an alcohol licence to be at a small-scale cultural event held without an approval, therefore allowing event attendees to purchase an alcoholic beverage from them without the venue requiring a licence.

A few respondents stated limiting alcohol-serving small-scale cultural events held without an approval to locations that have an existing licence would exclude product launches or new initiatives, presumably of alcoholic products, from being classed as a small-scale cultural event.

A couple of respondents stated there should be a case-by-case basis for which small-scale cultural events and venues can serve alcohol.

One respondent expressed concern about residential disturbance caused by small-scale cultural events held without an approval serving alcohol, while another respondent suggested these events should have to pay a disruption bond to compensate for any residential disturbance resulting from alcohol service.

One commenter stated that not allowing small-scale cultural events held without an approval to serve alcohol at any venue would harm Sydney's reputation as a global city.

THE **3% OF RESPONDENTS** WHO ANSWERED: "I don't agree, it may have impacts" WERE THEN ASKED:

What impact do you think it will have?

Summary of findings

27 Comments

- Several people expressed concerns for alcohol related problems and were in favour of tighter restrictions.
- A small number of respondents suggested access to special and temporary licences, BYO, or RSA run alcohol service.
- A small number of respondents were in favour of alcohol service at small-scale cultural events without an existing licence.

IMPACT ON EVENT

19 COMMENTS

A small number of respondents suggested a small-scale cultural event or a venue planning to hold an event which would otherwise not need an alcohol licence (e.g. bookshop) should be able to apply for either a special licence, a temporary licence, be permitted to allow their attendees to bring their own alcohol (BYO), or provide alcohol service consistent with RSA (responsible service of alcohol) requirements.

it would be great to have short term licences that anyone with an RSA could apply for easily, obtain quickly and use for one-off or short-run events.

A couple of people expressed concern that an alcohol licence is prohibitively difficult to acquire for many small-scale cultural events and that requiring a licence would severely inhibit the feasibility of running a small-scale cultural event.

A couple of respondents felt a lack of alcohol service at a small-scale cultural event without an existing licence, would be financially prohibitive for the event. Respondents mentioned a venue may hold an event as a fundraiser and either rely on alcohol for sales revenue or as a drawcard for attendees and donations.

May impact the financial viability of some events

A small number of respondents were in favour of alcohol service at small-scale cultural events without an existing licence. Of these, a couple of commenters showed general support for unlicensed and unrestricted alcohol service.

IMPACT ON SURROUNDINGS

8 COMMENTS

Several commenters expressed concerns for alcohol related problems and were in favour of tighter restrictions. Respondents mentioned binge drinking and requesting positive emphasis on alcohol-free events.

I don't think alcohol should be included because the establishments are not restaurants or cafes and by having no alcohol it will reduce the risk of complaints and encourage more families to join in.

Support for allowing small-scale cultural events held without an approval to have amplified music

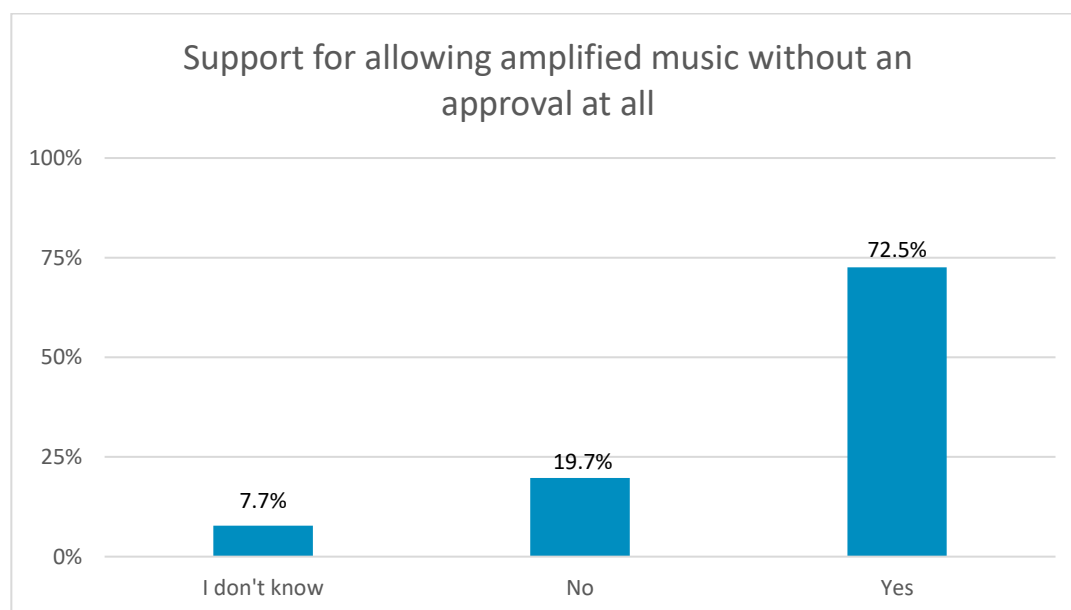
RESPONDENTS WERE ASKED: Should we allow amplified music without an approval at all?

Summary of findings

- A high proportion of respondents supported allowing amplified music to be played without an approval:
 - 73% of respondents selected 'Yes'.

RESULTS

The percentages of respondents who agreed, disagreed, or did not know if small-scale cultural events held without an approval could have amplified music are displayed in the graph below.



- Support for allowing small-scale cultural events held without an approval to have amplified music:
 - 73% of respondents selected 'Yes'.
 - 20% of respondents selected 'No'.
 - 8% of respondents selected 'I don't know'.

Support for allowing small-scale cultural events held without an approval to have other amplified sounds

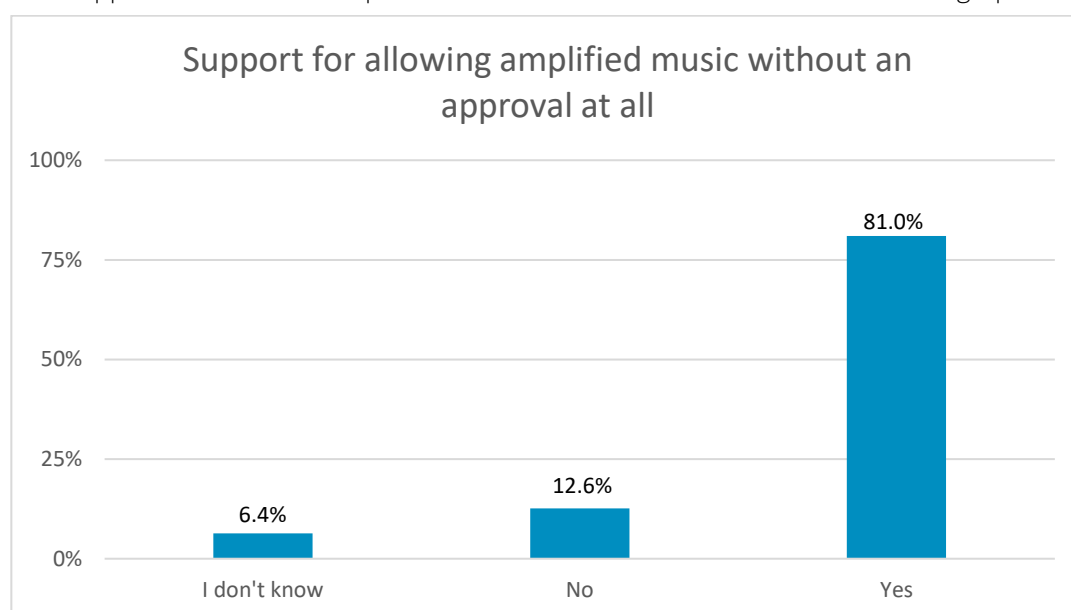
RESPONDENTS WERE ASKED: Should we allow amplification of other sound without an approval; for example, microphones or background music?

Summary of findings

- A high proportion of respondents supported allowing amplification of other sound without an approval.
 - 81% of respondents selected 'Yes'.

RESULTS

The percentages of respondents who agreed, disagreed, or did not know if small-scale cultural events held without an approval could have amplified sounds other than music are shown in the graph below.



- Support for allowing small-scale cultural events held without an approval to have amplified sounds other than music:
 - 81% of respondents selected 'Yes'.
 - 13% of respondents selected 'No'.
 - 6% of respondents selected 'I don't know'.

Support for expanding the area where amplified music is allowed without an approval

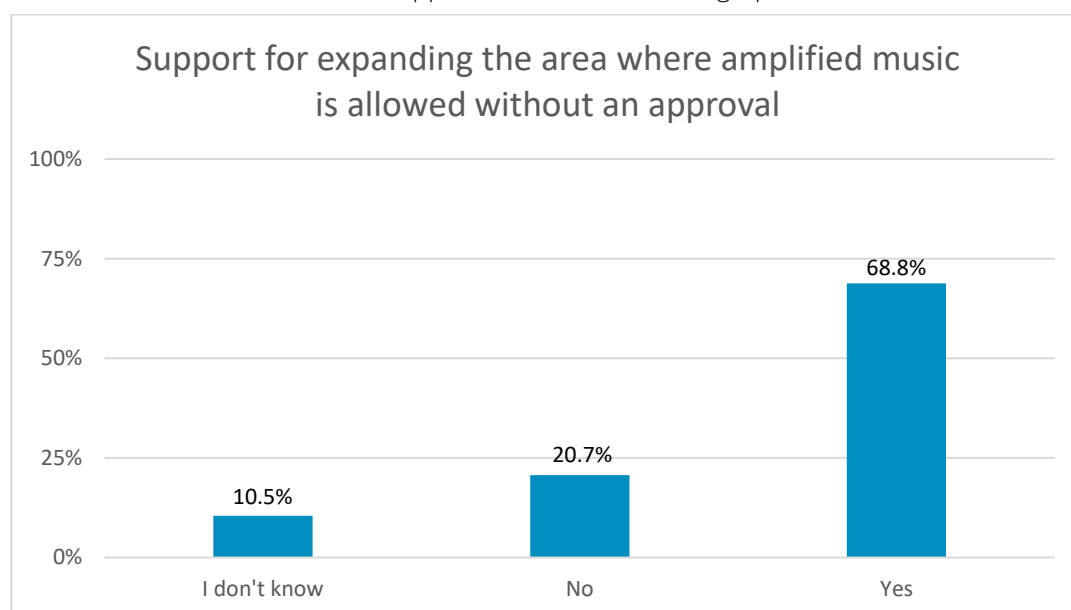
RESPONDENTS WERE ASKED: Should we expand the area where amplified music is allowed without an approval; for example, into areas with a mix of business and residential uses?

Summary of findings

- A substantial proportion of respondents supported expanding the area where amplified music is allowed without an approval.
 - 69% of respondents selected 'Yes'.

RESULTS

The percentages of respondents who agreed, disagreed, or did not know if expanding the area where amplified music is allowed without an approval are shown in the graph below.



- Support for expanding the area where amplified music is allowed without an approval:
 - 69% of respondents selected 'Yes'.
 - 21% of respondents selected 'No'.
 - 11% of respondents selected 'I don't know'.

Support for notifying neighbours if there is going to be amplified music at an event

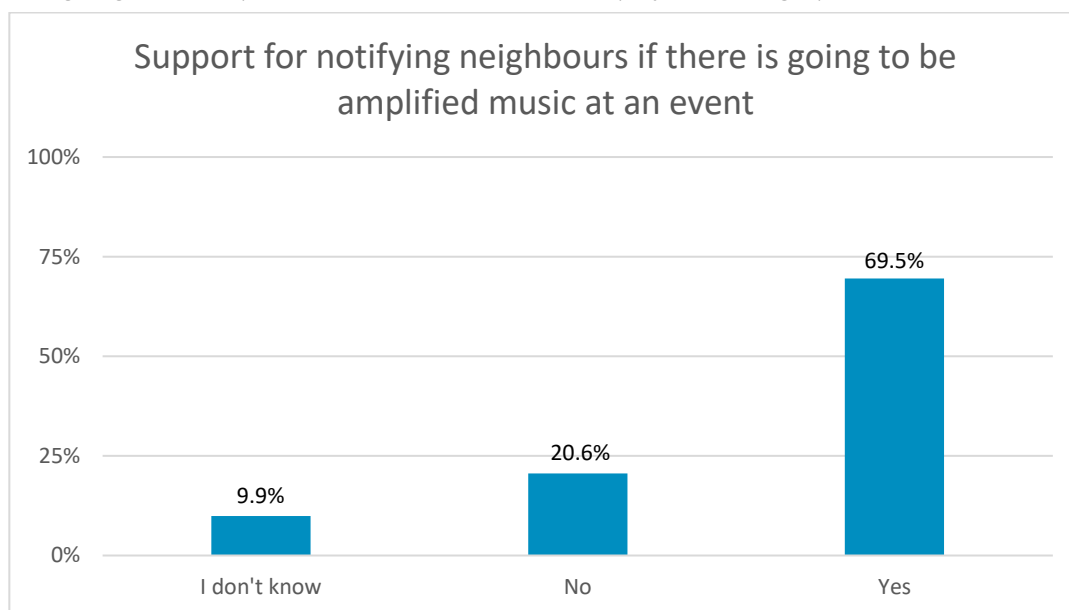
RESPONDENTS WERE ASKED: Should neighbours be notified if there is going to be amplified music at an event?

Summary of findings

- A substantial proportion of respondents supported notifying neighbours if there is going to be amplified music at an event.
 - 70% of respondents selected 'Yes'.

RESULTS

The percentages of respondents who agreed, disagreed, or did not know if neighbours should be notified if there is going to be amplified music at an event are displayed in the graph below.



- Support for notifying neighbours if there is going to be applied music at an event:
 - 70% of respondents selected 'Yes'.
 - 21% of respondents selected 'No'.
 - 10% of respondents selected 'I don't know'.

Support for having additional rules to manage impacts if the area where amplified music is allowed is expanded into mixed business and residential areas

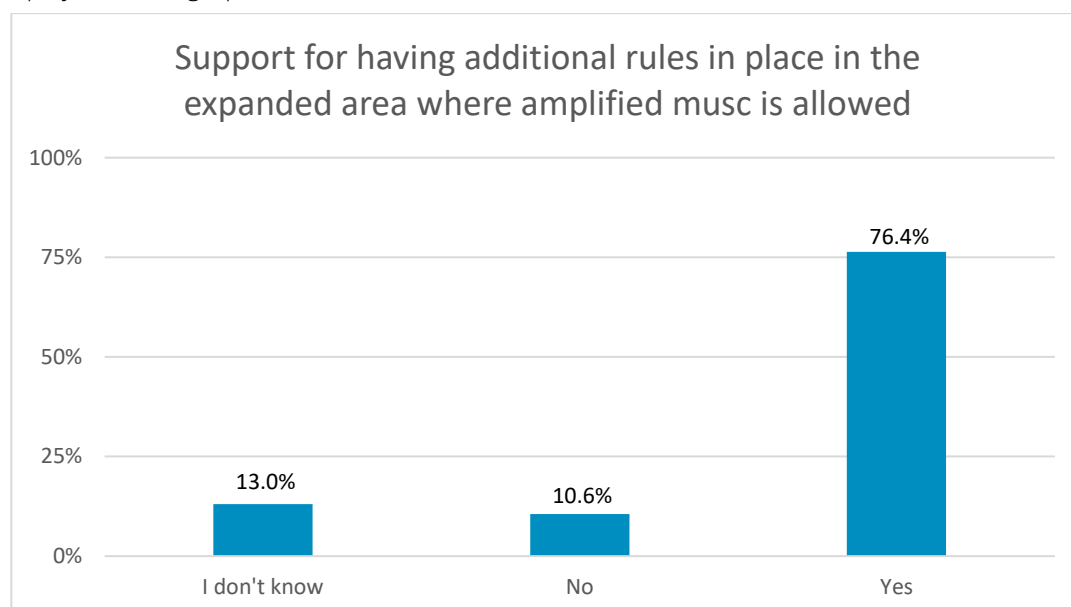
RESPONDENTS WERE ASKED: If we expand the area where amplified music is allowed into mixed business and residential areas, could additional rules to manage impacts make it acceptable?

Summary of findings

- A high proportion of respondents supported having additional rules in place in the expanded area where amplified music is allowed.
 - 76% of respondents selected 'Yes'.

RESULTS

The percentages of respondents who agreed, disagreed, or did not know if additional rules to manage impacts were acceptable if amplified music were to be allowed into mixed business and residential areas are displayed in the graph below.



- Support for implementing additional rules to manage impacts were acceptable if amplified music were to be allowed into mixed business and residential areas:
 - 76% of respondents selected 'Yes'.
 - 11% of respondents selected 'No'.
 - 13% of respondents selected 'I don't know'.

STAKEHOLDERSUBMISSIONS ~ Criteria for small-scale cultural events

The discussions that follow are informed by the comments received from stakeholders.

STAKEHOLDER SUBMISSIONS

Summary of findings

- Several stakeholders discussed aspects of the proposed criteria of a small-scale cultural event.
- Limiting the capacity of small-scale cultural events held without an approval to no more than 50 people was viewed as too restrictive by several stakeholders as organising these events would not be financially viable or worthwhile for musicians and artists or enable the development of sustainable businesses models.
- The proposed restrictions for the number of days per year, month, and week, or the times or period that small-scale cultural events can be held without an approval was not supported by a small number of stakeholders as they found these were too restrictive to sufficiently develop an active and diverse evening economy.
- Enabling a larger variety of businesses and spaces to be utilised for small-scale cultural uses was supported by a small number of stakeholders; however, many felt the proposed limitations could still prevent many appropriate sites from hosting such events.
- Support for allowing small-scale cultural events to have some level of amplified music or sound was expressed by a small number of stakeholders. These stakeholders stated that almost all musical or artistic presentations would require some form of amplification; however, a couple of stakeholders noted that amplification could have negative impacts.

CRITERIA OF A SMALL-SCALE CULTURAL EVENT

Stakeholders made comments regarding the proposed criteria for small-scale cultural events allowed to be held without an approval.

Capacity of small-scale cultural events

Some stakeholders made comments about the proposed capacity limit for small-scale cultural events held without an approval.

FBI Radio, MusicNSW, NAVA, and Sydney Fringe Festival all stated that while they approved of restricting venues to a capacity of no more than one person per square metre during a small-scale cultural event, they did not approve of capping this at 50 event attendees. FBI Radio, MusicNSW, and Sydney Fringe Festival preferred the limit of 120 patrons proposed in Action 4 for spaces of 499 square meters or less; however, Music NSW and Sydney Fringe Festival stated they would want this raised to 150 people to allow for staff and artists, while FBI Radio suggested 200 patrons. Live Music Office stated that limiting small-scale cultural events held without an approval to no more than 50 people was too restrictive considering the other proposed limitations.

The 50 cap patron limit is not supported by any business case as to how this could be viable for industry professionals, particularly when activity is capped not only to 26 days (or once a fortnight), but also to 9pm where the City is looking to extend standard trading to 10pm...

FBI Radio, Live Music Office, MusicNSW, and Sydney Fringe Festival expressed that limiting small-scale cultural events held without an approval to no more than 50 people did not provide a financially viable or worthwhile situation for many artists to present a high-quality experience. Ensuring that this proposal allows sustainable and viable business models was considered an essential factor for this proposal. MusicNSW and NAVA expressed concern that larger venues, especially the proposed 'office and industrial buildings', may be disadvantaged by limiting the event capacity to no more than 50 people. Sydney Fringe Festival sought an 'even playing field' with equal capacity limits for all business types, regardless of the

business use. On the other hand, Surry Hills Liquor Accord supported the 50-person capacity limit, stating that this would ensure residential disturbance and community pressure would be minimal, and 50 patrons was sufficient to generate sufficient revenue. They also noted that larger venues with higher levels of development consent were more appropriate hosts for events attracting more than 50 people.

Labor Loves Live Music stated that they did not support the 50-person capacity limit for small-scale cultural uses as it would not fulfil what City of Sydney aimed to achieve.

NAVA made a comment that the Office of Liquor and Gaming has previously set security limits at 100 people, which contradicts the proposed 50-person limit.

Restrictions of the days per year, month, and week for small-scale cultural uses

Some stakeholders made comments stating that they did not support the proposed limitations for small-scale cultural events held without an approval to be run no more than 26 days per year, 8 days per month, and 2 consecutive days per week. Live Music Office and Sydney Fringe festival argued that these restrictions did not encourage all creative avenues, as some would be unintentionally excluded. Live Music Office wanted small-scale cultural events to be allowed to run for more consecutive days per week, especially for festival type-events. Sydney Fringe Festival stated that this restriction does not 'encourage or enable any activity beyond the currently approved ancillary use' and that some small-scale cultural events, such as theatre performances, may require more than 2 consecutive days per week to 'work within any type of sustainable model'.

Labor Loves Live Music expressed their disapproval for limiting small-scale cultural events held without an approval to be run no more than 26 days per year, 8 days per month, and 2 consecutive days per week as they felt this would not fulfil what City of Sydney aimed to achieve by the proposal.

NAVA supported limiting small-scale cultural events held without an approval to no more than 26 days per year, 8 days per month, and 2 consecutive days per week.

Restrictions of the times allowed for small-scale cultural uses

Stakeholders made comments about restricting when and how long small-scale cultural events could be held without an approval.

FBI Radio, Live Music Office, MusicNSW, and Sydney Fringe Festival did not support limiting small-scale cultural events to no later than 9pm Sunday to Thursday and 10pm on Friday and Saturday as they felt that these events should be able to run until 10pm to be aligned with the later trading hours proposed in section 1; MusicNSW suggested that small-scale cultural events should be allowed to run even later than 10pm on Thursday, Friday, and Saturday nights.

MusicNSW and Sydney Fringe Festival argued that the proposed timeframe wherein a small-scale cultural event could be held without an approval did not provide enough time to allow the establishment of sustainable business models; MusicNSW also stated that this timeframe, and the allowed hours per day, did not suit musicians and was unlikely to encourage additional activity in small-scale places.

Labor Loves Live Music did not support the proposal to limit small-scale cultural events to no later than 9pm Sunday to Thursday and 10pm on Friday and Saturday or no more than 4 hours per day as they did not think that this would be enough time to make a significant impact and fulfil City of Sydney's aim to develop a more active and diverse evening economy.

ESNA commented that whatever time restrictions were put in place, there would be the 'inevitable creep', inviting the possibility for residential disturbance by 'loosening of controls'.

NAVA supported limiting small-scale cultural events held without an approval to no later than 9pm Sunday to Thursday and 10pm on Friday and Saturday and supported restricting such events to no more than 4 hours per day.

Restricting the types of venues where small-scale cultural events can occur

Some stakeholders submitted comments discussing the types of venues that small-scale cultural events could be held in without an approval. All these stakeholders sought a diverse range of small-scale spaces

to be available for creative and cultural events. Live Music Office, Music NSW, and Sydney Fringe Festival liked the venue size of 499 square meters or less, suggested in Action 4, as they felt this would provide appropriate venues for a diverse range of cultural events to be held; MusicNSW stated that this size venue would enable such cultural events to become viable and sustainable business models.

Sydney Fringe Festival supported small-scale cultural events to be held in approved shop, office, or industrial buildings without an approval but thought that this would still be too restrictive and not allow a diverse range of small-scale spaces to become activated. During an investigation into available theatre spaces in 2015, Sydney Fringe Festival found only 9 appropriate spaces that ranged from \$880 to \$5900 per week to hire; the high cost, and the fact that these spaces were suited for developed productions with established audiences, meant that these spaces were not appropriate for upcoming artists. Sydney Fringe Festival emphasised the need to open a wide range of retail and other spaces in Sydney to meet the needs of emerging and small-scale artists; they also noted that the creative landscape is vastly different from that of the past, pointing out the need for unique spaces to be included in this proposal.

World Square stated that there were many 'prime locations' in Sydney that could be activated for short-term or micro-leases that 'emerging concepts and small-scale examples from the maker community' (artists, speakers, and social enterprises) could utilise for their small-scale cultural events.

Live Music Office were supportive of the guidance models for fire safety and building compliance standards proposed in Action 4 and stated that they were in line with their work in South Australia and other regulations in Victoria. NAVA expressed concern that the updated regulations proposed by the NSW Government to strengthen the fire safety certification of new and existing buildings may add prohibitive costs onto artists, art spaces, and small businesses who want to hold small-scale cultural events. NAVA stated they were 'not opposed' to the proposal to only allow small-scale cultural events held without an approval to be run in approved shop, office, or industrial buildings that had a current development consent.

UGNSWDC sought venues in the Waterloo Estate, 1-3 Bank Street, and Wharves B1, B2, B3 and Blackwattle Bay to be included in the area where small-scale cultural events can be held without an approval; they felt that these locations were ideally suited for small-scale, waterfront cultural uses.

Restricting the use of amplified sound and music

Some stakeholders made comments on the proposal to only allow small-scale cultural events to have amplified music without an approval in Central Sydney and zones that do not allow residential uses.

FBI Radio, Live Music Office, MusicNSW, UGNSWDC, Sydney Fringe Festival, and Labor Loves Live Music did not support the proposal to only allow small-scale cultural events held in Central Sydney and zones that do not allow residential uses to have amplified music; these stakeholders argued that minimal impact small-scale cultural event were likely to be held in village areas and would almost always require some level of amplification. Some of these stakeholders wanted more support for musicians, artists, and performers who required amplification for their presentation; allowing amplification was proposed to encourage a diverse range of cultural events.

FBI would urge the City to consider allowing low impact amplification for small scale cultural uses to foster a broader range of cultural activities

Sydney Fringe Festival noted, 'even bare-bones with low production values require an amplified sound track or background music'. MusicNSW stated that it was 'near impossible' for musicians to work without amplified music, and the City of Sydney should support these creative types make a living.

Music is perhaps the most obvious and easiest way for small-scale premises to add culture and entertainment to their offerings, and the City should attempt to ensure music is made possible through these exemptions

Labor Loves Live Music stated that only allowing small-scale cultural events held in Sydney and zones that do not allow residential uses may mean venues in other locations would require a development consent, which might be too inconvenient and expensive to make such events worthwhile, especially if they would have low impact on the surrounding environment. Live Music Office suggested that acoustic reports for

amplified music should not be mandatory as this could place a prohibitory cost on businesses wanting to host small-scale cultural events.

FBI Radio, Live Music Office, MusicNSW, Sydney Fringe Festival, and Labor Loves Live Music argued 'acoustic, amplified, recorded, or live' sounds used in small-scale cultural events needed to be on a 'level playing field' with amplification of music in retail and hospitality businesses. Live Music Office, Sydney Fringe Festival, and Marshall Day Acoustics wanted more clarification on the definition of 'amplification' or 'amplified music', especially to what level this amplification was allowed and how this relates to what is currently permitted to be used in retail and hospitality businesses. Marshall Day Acoustics also noted that if music is not the primary focus of an event, amplified music and sound should be permitted in all small-scale cultural events without an approval in all areas; however, if amplified music is the main component of an event, then these events should be limited to Central Sydney and zones that do not allow residential uses.

ENSA stated that there should be no amplified music allowed in East Sydney without council consent as they were concerned about residential disturbance caused by noise from small-scale cultural events. NAVA also thought the proposal to only allow small-scale cultural events to have amplified music without an approval in Central Sydney and zones that do not allow residential uses was reasonable.

Circumstances where neighbours or residents should be able to make a submission about a small-scale cultural event that requires an approval

RESPONDENTS WERE ASKED: Where a small-scale cultural event requires approval, there is opportunity for residents to make a submission about the proposal. In what circumstances should neighbours or residents be able to make a submission?

Summary of findings

- A very large number of respondents offered circumstances under which a resident may make a submission on a proposal covering: noise; hours of operation; harm or disruption; vicinity; frequency; scale of event; generally outside the parameters set; new venues and new residents to areas discussion; alcohol available. Noise, hours of operation and harm or disruption, were the most commonly suggested reasons.
- A substantial number of respondents expressed residents should not be able to make a submission regarding a small-scale cultural event in any circumstance. The general opinion in support of this position was that a small number of people should not limit the behaviour of the majority of the community.
- A substantial number of people stated residents should under any circumstances be able to make a submission relating to a small-scale cultural event. The common theme mentioned by respondents was that one should not be inconvenienced within their own home, and all residents have a right to be heard.

CONDITIONAL CIRCUMSTANCES THAT A SUBMISSION SHOULD BE REQUIRED 671 COMMENTS

A very large number of respondents offered circumstances under which a resident may make a submission on a proposal, including: noise; hours of operation; harm or disruption; vicinity; frequency; scale of event; generally outside the parameters set; new venues and new residents to areas discussion; alcohol available; and other. The topics listed are discussed individually below.

Noise

A very large number expressed residents should be able to make a submission when the noise of a small-scale cultural event reached a certain threshold, both with, or without explicitly mentioning amplified sound. No suggestions were made as to what the threshold could be – descriptors such as ‘excessive’ were frequently used.

Hours of operation

A very large number of comments referred generally to ‘hours of operation’ or similarly, or if the event is outside specified hours, were circumstances where neighbours or residents should be able to make a submission about a small-scale cultural event that requires an approval. Others were specific about a particular time: a considerable number of people stated midnight or later; several stated 11pm; a considerable number stated 10pm; and a moderate number stated 9pm. A high proportion of these comments explicitly mentioned noise after these hours as unacceptable.

Harm or disruption

A very large number of people stated residents should be able to make a submission when a small-scale cultural event caused harm or posed a substantial disruption.

Of these, a considerable amount mentioned traffic and parking disruptions; a moderate amount mentioned health and safety concerns; a moderate amount mentioned substantial disruption caused by having a small-scale cultural event in a residential area; and several commenters expressed concern over a small-

scale cultural event based on hate speech, racism, or offensive material. A common theme across many comments was that residents must be able to provide proof of being negatively impacted.

Vicinity

A large number of commenters urged residents should be able to make a submission when a small-scale cultural event takes place within the vicinity of their residence. Suggested distances ranged from 'physically on their property' and 'across the road', to '2km' from the residence.

Frequency of event occurrence

A sizeable number of respondents stated residents should be able to make a submission when a small-scale cultural event was a recurring event. The frequency threshold ranged from two consecutive days, to annual.

Scale of event

A considerable number of respondents mentioned residents should be able to make a submission regarding the size and scale (number of patrons) of a small-scale cultural event. Some suggestions were made regarding potential thresholds, including: 50, 100, 150, and 300 patrons. People mentioned across all responses that the spill-over effects of an event concerned them.

Generally outside the parameters set

A considerable number of respondents stated residents should be able to make a submission when an event falls outside the parameters that are set down by Council. The comment below outlines the approach.

When the application goes outside the parameters set by council. For example if the applicant can answer all the questions asked by council, then no community submission is needed by council. But if the applicant can not easily answer the questions or what they are doing goes out side the parameters then community consultation would be needed

New venues and new residents to areas discussion

A moderate number of people discussed the circumstances of either a new venue opening in an existing residential area or someone moving into an area where a venue already exists. Two main opinions were expressed: it was generally stated that if a new venue appears in an area then residents should be able to make a submission; but if a resident moves into an area where a venue is already operating, prior to their arrival, then they should not be able to make a submission.

Alcohol available

Several people mentioned that a criterion for residents being able to make a submission regarding a small-scale cultural event should be the sale and/or consumption of alcohol at the event.

Other

A substantial number of respondents offered other comments regarding the circumstances under which a resident should be able to make a submission regarding a small-scale cultural event. These included: young families/families with young children; multiple residents agreeing must be required to make a submission (i.e. petition); post event feedback only; and following the example of other cities.

NO CIRCUMSTANCES SHOULD A SUBMISSION BE REQUIRED 74 COMMENTS

A substantial number of people stated residents should under no circumstances be able to make a submission relating to a small-scale cultural event. Common themes were that public input would severely reduce the opportunity and frequency to have small-scale cultural events, and if a small-scale cultural event were truly "small-scale" then it should not impose on any residents. Commenters also expressed concern that a small number of vocal residents could be enough to shut down an event which positively impacts the majority of the community.

A moderate number of respondents mentioned residents should not be able to make a submission regarding a small-scale cultural event if the small-scale cultural event (or venue) preceded the current resident's residence.

COMMENTS

A substantial number of commenters expressed that a resident should be able to make a submission regarding a small-scale cultural event under any circumstance. The common theme amongst respondents was that one should not be inconvenienced within one's home, and all residents had a right to be heard. It was stressed that while residents had a right to be heard, submissions were not to be given too much weight as to allow a single or small group of residents to influence an event simply by complaining. Several commenters expressed residents should be able to make a submission under very limited, or some conditions, but did not give explicit examples.

OTHER COMMENTS

Across responses it was clear that there was some confusion as to what constituted a "small-scale cultural event". Some respondents questioned why a 'small-scale cultural event' would need amplified music, and some expressed concern for a hypothetical event being heard from a distance of 2 kilometres or having more than 500 patrons.

... an event is no longer small-scale if it requires amplified music.

STAKEHOLDER AND PUBLIC SUBMISSIONS ~

Circumstances when community consultation is appropriate

The discussions that follow are informed by the comments received from stakeholders and members of the community who provided comments in their own format (did not complete the online survey).

STAKEHOLDER SUBMISSIONS

Summary of findings

- Reducing the notification requirements for cultural activities was supported by a few stakeholders, while a couple of stakeholders thought the current notification requirements should be strengthened.

Reduce notification requirements

FBI Radio; Live Music Office; MusicNSW were in favour of reducing the notification requirements for cultural activities.

FBI Radio recommended that cultural activities with minimal impact require no notification period.

Live Music Office supported the proposed reduction of notification periods for small scale cultural uses as this will encourage more spontaneity and cut red tape for creative businesses, many of whom are sole traders or small collectives run by volunteers. They were in favour of “standing DAs”, suggesting the Wollongong City Council approach is followed.

MusicNSW identified opportunities to reduce or remove notification periods for development applications for small-scale cultural uses, suggesting there is no need for extensive notification periods. They stated:

Where possible, no notice should be required if the events are of minimal impact (which is the whole purpose for establishing exemption criteria / controls).

Strengthen notification requirements

ESNA stated that residents need to be notified and a 14-day period is appropriate, believing the current extent of notification is inadequate, since an activity can have a negative impact on a far wider area than that notified by Council.

Potts Point and Kings Cross Heritage & Residents Society believe locals should have the opportunity to point out recidivistic non-compliance issues, and all Notifications should be increased not decreased or eliminated.

ANALYSIS OF PUBLIC SUBMISSIONS

Three public comments were made.

Two were in favour of neighbours being notified if an event is to occur. One of the comments went on to state that anti-social patron behaviour should be more closely managed by the Council and that the Council should have power to black list poor performing venues. This was one comment:

Noise pollution is less personally offensive when it is anticipated and there is an appropriate contact in the event of a complaint. I would suggest that small-scale cultural uses involving alcohol or noise should require advance notification to the local community

One comment, although in support of a simplified planning process, believed local residents are best placed to understand the likely impacts of a new venue. They felt a ‘streamlined’ development consent approach is required.

Other suggestions and comments about small-scale cultural uses

RESPONDENTS WERE ASKED: Is there anything else you would like to suggest or make comment under the more small-scale cultural uses section?

Summary of findings

382 Comments

- The majority of other suggestions and comments about small-scale cultural uses were in support of reducing regulations to allow more activity to occur. There was a sense of urgency in comments for the changes to be made. Many expressed the opinion that an individual should not be able to complain and stop cultural events that a majority favour.
- Many comments were in favour of taking action to stimulate more cultural activity through lifting restrictions imposed through regulations and generally taking steps to foster more activity such as more venues being provided.
- The biggest concerns were expressed regarding the impact of noise on neighbouring areas, although some stated city residents should expect noise.

SUPPORT FOR SMALL-SCALE CULTURAL EVENTS TO BE HELD WITHOUT AN APPROVAL

130 COMMENTS

A very large number of respondents supported small scale cultural events operating within regulations without needing to seek approval. There was a sense of urgency for the initiative to get underway. Overall supporters had a desire for the cultural side of Sydney to be encouraged to grow as soon as possible.

Encouragement of activities taking place. e.g. in Byron Bay they are proud of their busking and music heritage with a feel that street music is encouraged. I would like to see similar encouragement if these changes were implemented where this is something that Sydney could be similarly proud of.

A substantial number of people were in favour of supporting and protecting cultural events, rather than the regulation and restriction of which events can and cannot be held. Respondents stated the process of running an event, from conception to execution (including approval), needs to be as smooth and simple as possible, for a vibrant Sydney cultural life to flourish. Commenters said that 'culture' is not something you can plan and regulate; the community needs to have the freedom to run an event without an approval to allow for culture to evolve and expand.

Please allow these things to happen organically instead of having to go through a lot of red tape. That is the only way for culture to grow and thrive.

Respondents were in favour of clear limitations that would allow organisers to work freely within the limits without fear of residents having a small-scale cultural event shut down.

CONCERN ABOUT IMPACTS

75 COMMENTS

Noise

A considerable number of people held reservations regarding the impact of noise on surrounding residences, whereas a moderate amount held an opposing view that noise is a part of urban life and should be embraced.

Several people expressed there should be focus on residential and commercial soundproofing. Commenters supported subsidised soundproofing, and a Council run soundproofing initiative.

Public Disruptions

Several commenters expressed concern for the impacts of alcohol, public safety, and parking, traffic, and transport that may flow on from a small-scale cultural event.

There were several comments in favour of the Agent of Change principle and that a new resident or venue should not be able to disrupt the existing atmosphere of an area.

SUPPORT AND PROTECT CULTURAL ACTIVITIES

75 COMMENTS

A substantial number of people were in favour of reducing restrictions to enable a freer and more vibrant Sydney cultural scene. The comments had a consistent theme seeking reduced regulation and allowing people to freely pursue artistic and cultural activities. Benefits were identified for individuals, the community and the city more broadly.

Some expressed individual artists and audiences should not be inhibited by regulations and instead foster cultural and artistic expression.

Make it easier for the people of Sydney to express themselves through encouraging businesses to partake in small-scale cultural events. Give businesses and people a chance before imposing archaic rules and regulations

The broader community was also seen to benefit by creating an environment which encourages creative pursuits to flourish. It was felt that those who object, or 'red tape', should not restrict cultural pursuits, and subsequently a more vibrant Sydney; events and activities should be able to occur organically rather than being restricted by bureaucratic regulation. It was stated that the broader community would benefit as well as small event organisers.

A recognition that patrons attending an event and the organisers have as much right to their freedoms as others. We have to get beyond curtailing activities to appease the lone whinger.

The creation of a generally more enriched environment for residents, was viewed by some to benefit tourism by attracting more people to experience a more vibrant environment.

By relaxing our laws in regards to cultural and creative performances and embracing modern and future forms that aren't typically associated with cultural events (VR/Soundsystem Culture/Street Art etc) Sydney could transform its international reputation and become a beacon for artists and tourists from around the world equivalent to Berlin, Reykjavik or Portland.

CONCERN THAT COMPLAINING RESIDENTS MAY CURTAIL CULTURAL ACTIVITIES 31 COMMENTS

People argued that individuals who complain should not stifle the creative expression or enjoyment of others. Often the objectors were identified as being in the minority or having a NIMBY (not in my backyard) attitude. It was also frequently stated people should not live in areas if they are not prepared to accommodate the cultural and entertainment noise/activities that occurs in those places.

Residents and businesses both need to be happy but pandering to a small minority of grumpy people who don't like others enjoying their free time is a really bad way to go. Embrace culture and free it from restrictions. People need to connect with each other. Bars, pubs, cafes, restaurants with music, art, film, design, theatre do this. Staying at home complaining does not foster community spirit or connection. That's what this, and every city needs right now.

Several respondents made specific reference to new residents who move into an area, stating that they should not be able to object to venues that were already creating noise prior to their arrival.

Neighbours need to realise where they are moving to and not expect the whole area to change for them just because they have moved in there.

NEED FOR MONITORING, RULES AND COMMUNITY ENGAGEMENT 15 COMMENTS

A variety of different suggestions were made which were generally safe-guards for ensuring reasonable behaviour occurs. The topics covered included: a hotline for noise and traffic complaints; monitoring of the offensiveness of activities; Council rather than community monitoring of activities; stakeholder engagement and community consultation; approval split into set-up and performance times; penalties for breaking amplification rules; and, providing adequate public security.

ENCOURAGE EVENTS AND VENUES

26 COMMENTS

A moderate number of respondents were in favour of more venues, especially pop-up style premises, outside areas, and facilities that accommodate outdoor activity such as benches. Several comments stated that there should be more events hosted in Sydney. A small number of comments stated that venues should be able to open later.

GENERAL COMMENTS

30 COMMENTS

A broad range of other comments were provided including: look to overseas examples; a balance needs to be created between businesses and residents; and different rules for different types of events.

NOTHING FURTHER TO ADD

650 COMMENTS

Around 650 commenters had nothing further to add.

Section 3: Entertainment Noise

Support for the Agent of Change Principle determining responsibility of noise management

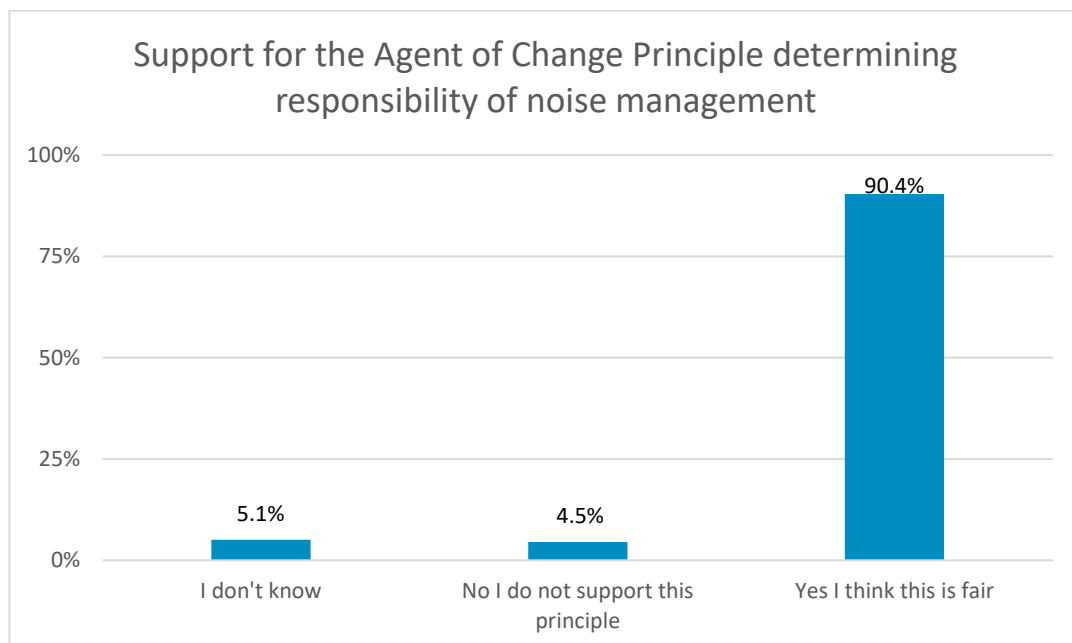
RESPONDENTS WERE ASKED: Do you think the Agent of Change principle is a fair approach in determining who bears the responsibility for noise management?

Summary of findings

- A very high proportion of respondents supported the Agent of Change principle determining responsibility for noise management.
 - 90% of respondents selected 'Yes, I think this is fair'.

RESULTS

The percentages of respondents who agreed, disagreed, or did not know if the Agent of Change Principal should be used to determine who bears the responsibility for noise management are displayed in the graph below.



- Support for the Agent of Change Principal to determine who bears the responsibility for noise management:
 - 90% of respondents selected 'Yes, I think this is fair'.
 - 5% of respondents selected 'No, I don't support this principle'.
 - 5% of respondents selected 'I don't know'.

Can you explain why you don’t support the Agent of Change principle?

Summary of findings (56 comments)

- A moderate number of commenters found the issue of noise management was too complex for a simple solution like Agent of Change; of these respondents over a third expressed that the Agent of Change proposal did not address existing noise issues.
- Several commenters argued that a Polluter Pays approach is preferable versus an Agent of Change principle.
- Several respondents supported the Agent of Change principle; of these a third held reservations regarding the details of the approach. The remaining respondents’ suggestions alluded to an Agent of Change approach without explicitly referencing the principle outlined in the survey.

OPPOSITION FOR AGENT OF CHANGE (45 COMMENTS)

A moderate number of respondents expressed the noise pollution issue is too complex for a solution such as the Agent of Change principle. Over a third of these expressed that the Agent of Change principle did not address existing situations, and if applied retroactively may not offer a fair outcome.

In general I agree with this principle, however there are many issues surrounding existing venues and existing residential developments.

Several commenters argued that the Polluter Pays principle was more appropriate than an Agent of Change principle and that ‘residents come first’. Commenters were also concerned that some loud venues can pollute large areas and can be heard from distant residential areas preventing residents from enjoying their own home, and that under the Agent of Change principle, residents would be burdened with insulating their homes and gardens despite being a reasonable distance from a loud venue.

Noise is noise, whether someone moved in 2 weeks ago or has lived there for 20 yrs - it should not be allowed to impact on peace and quiet enjoyment of one's own home.

A couple of people were opposed to the additional building requirements an Agent of Change principle would impose upon new developers and residents. It was expressed that the average person does not possess the knowledge or resources of a business and to have the onus of alteration/insulation fall on the resident is not fair.

The current system is frankly screwed and to implement new regulations that place the onus on residents who do not have the know how and resources of a business to protect their amenity is fundamentally unfair.

A small number of people opposed the Agent of Change principle for other reasons; this included reasons such as people not being good at noise management, and that “it assumes that for the period of noise, the affected residents will need to be holed up inside a building”, and therefore ignoring sound levels in residents’ outdoor spaces.

SUPPORT FOR AGENT OF CHANGE (11 COMMENTS)

Several respondents’ suggestions alluded to an Agent of Change approach without explicitly referencing the Agent of Change principle outlined in the survey.

Even in existing properties if residents are moving to a cultural/entertainment area they should respect that those venues will make some noise and are there for everyone. Business will not always be able to protect existing properties from noise.

A small number of respondents expressed support for the broad idea of an Agent of Change principle but were concerned with certain aspects regarding retroactive implementation.

I support it in theory, however the venues shouldn't be penalised when people chose to live in an area that's particularly noisy. They should take responsibility and soundproof themselves.

NOTE

There appeared to be some confusion about how the Agent of Change principle would affect a new resident moving into an existing residence near an existing venue, where the venue had been established after the residence. This confusion appeared to have influenced respondents' points of view on the Agent of Change; more clarification on the Agent of Change principle and retroactive implementation may be required.

STAKEHOLDER AND PUBLIC SUBMISSIONS ~

Agent of Change principle

The discussions that follow are informed by the comments received from stakeholders and members of the community who provided comments in their own format (didn't complete the online survey).

STAKEHOLDER SUBMISSIONS

Summary of findings

- Support for implementing the Agent of Change principle was expressed by a small number of stakeholders, believing that this would be beneficial for the music scene and cultural and creative endeavors.
- Disapproval of the Agent of Change principal was expressed by one stakeholder who thought that the council should take more responsibility, while another stakeholder was skeptical about the approach.

Support for proposal

Support for the Agent of Change principle was provided by FBI Radio; HEARsmart; Live Music Office; Sydney Fringe Festival; Committee for Sydney; Labor Loves Live Music; House of Pocket and Marshall Day Acoustics. ESNA had some reservations of how it would work in established residential areas, such as East Sydney.

Those in favour, overall expressed the belief that this approach would be beneficial to the live music scene, encourage cultural creativity and grow the arts, both in performance opportunities and financially. Specifically, the principle would benefit the live music sector as it is a fairer approach to determining who bears the responsibility for managing noise impacts and alleviates some of the challenges venues face from local residents regarding noise complaints, whilst protecting residents from possible adverse impacts. Labor Love Music summed up the solution for the current challenges faced:

This is a common sense principle which balances competing interests. We have been approached, and have supported, a range of venues in the City of Sydney who have found the existing approach to managing noise a major barrier to their operation. The existing process has proven to be confusing, expensive and extremely uncertain.

FBI Radio; HEARsmart; Sydney Fringe Festival; and Live Music Office were in favour of keeping a register of existing venues: to ensure that there is an objective and accessible list of all existing venues; to provide incoming residents and potential developers with access to crucial information prior to making investment decisions; and to be an important baseline regarding 'pre-existing venues' which is a key component required for fair and equitable implementation of the 'Agent of Change' principle.

FBI Radio; Live Music Office; Sydney Fringe Festival felt that 100 meters is a suitable distance to measure entertainment sound from. Sydney Fringe Festival also added "defining noise sensitive uses" should be a fair playing field for all industries. They questioned why cultural uses need to be defined as noise sensitive when retail or hospitality do not.

HEARsmart; Live Music Office; Labor Loves Live Music suggested considering, and consulting with, other Australian places which have successfully applied a similar approach, specifically Melbourne and Victoria were cited.

Live Music office and HEARsmart were advocates for the Queensland approach, as they felt it was superior to the Agent of Change approach. This approach is explained by the Live Music Office in this quote:

There are other approaches to these types of planning controls, such as the Special Entertainment Precinct option available under the Local Government Act in the state of QLD. This is different to the agent of change principle, in that under Special Entertainment Precincts the live music venues are the dominant land use, with residential subordinate. With 'agent of change' residential land use can still be considered dominant even in long standing evening economy areas.

Sydney Fringe Festival suggested another alternative approach:

Other ways to mitigate entertainment sound would be to set ground rules that allow for that sound to exist in various areas or precincts in the city area. There is still no area in the city where entertainment is the primary land use. There are vast areas of industrial or residential use but entertainment businesses are still forced to confine themselves within other dominant uses. This inevitably causes friction.

ESNA was more sceptical about the success of the Agent of Change approach:

It is difficult to understand how this would work in practice in East Sydney since the whole area has been residential for longer than any of the operators. The geographical topography of East Sydney results in sound bouncing around the basin and people who live further away from a source of noise can experience higher volumes than those who live closer.

House of Pocket discussed a particular scenario, where a neighbour to a venue completes renovations which reduces the acoustic insulation of their building and so increases the impact of noise from the venue within their building. They believe that the Agent of Change principle would work perfectly in this instance to protect the business that has been operating without impacting their neighbour prior to renovations (by the neighbour) being completed.

Opposition to proposal

Opposition to the Agent of Change principle was provided by Potts Point and Kings Cross Heritage & Residents Society. They believe the Agent of Change principle already applies to owners as agents but is not enforced by Council. They believe it is an anti-resident proposal, stating:

Council now seeks to absolve itself from responsibility for its own conditions of DA consent or eliminate them altogether. Any premise can immediately apply for a minor DA and have these new rules apply to the whole premise, washing away previous DA conditions of DA consent.

Without referring specifically to the Agent of Change principle, ESNA were concerned with noise being extended into the evening in many areas of Eastern Sydney. They believe no area of East Sydney should be allowed amplified music without a consent.

ANALYSIS OF PUBLIC SUBMISSIONS

Support for the proposal

One submitters was supportive of the Agent of Change Approach, without providing detail.

Opposition to the proposal

One submitter stated that increasing late night trading will increase people moving around residential areas into the early hours of the morning, meaning residents are disturbed.

Support for providing informative tools about existing venue noise prior to residents moving into a new home

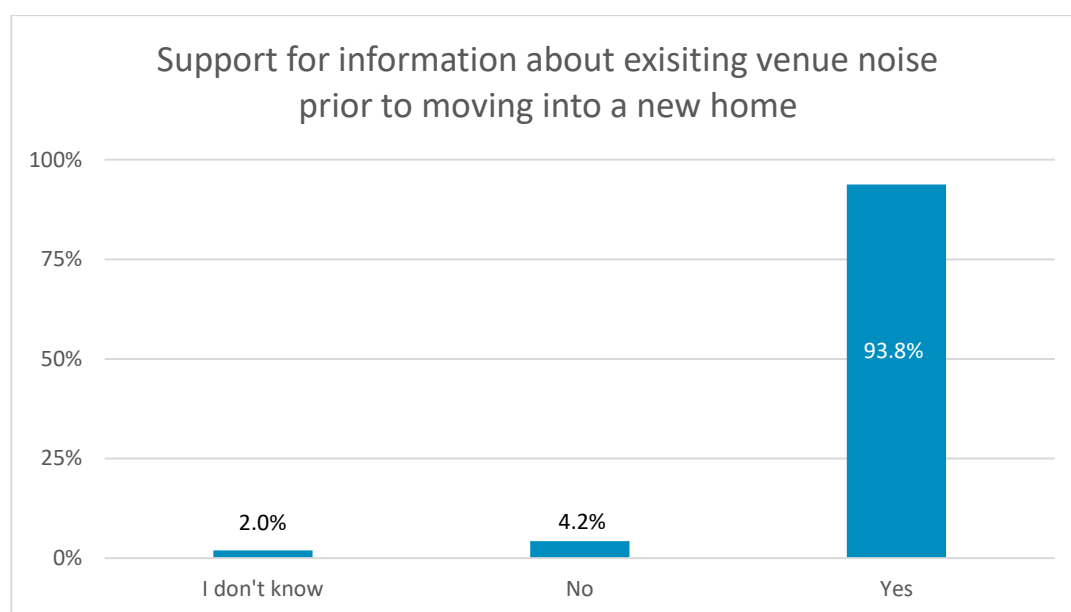
RESPONDENTS WERE ASKED: If you were moving into a new home that was affected by existing venue noise, would you like tools to inform you about this possible impact to you before you make your decision to move in?

Summary of findings

- A very high proportion of respondents supported information tools about existing venue noise prior to moving into a new home:
 - 94% of respondents selected 'Yes'.

RESULTS

The percentages of respondents who agreed, disagreed, or did not know if informative tools about existing venue noise should be provided prior to residents moving into a new home are displayed in the graph below.



- Support for providing informative tools about existing venue noise prior to residents moving into a new home:
 - 94% of respondents selected 'Yes'.
 - 4% of respondents selected 'No'.
 - 2% of respondents selected 'I don't know'.

Support for 'night-time' period lengths

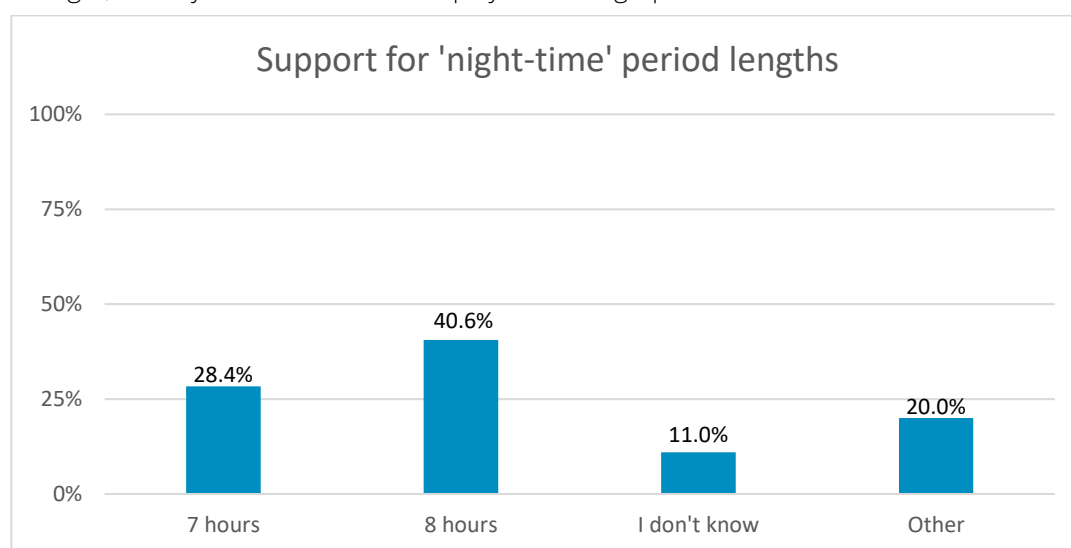
RESPONDENTS WERE ASKED: How long should the 'night-time' period be?

Summary of findings

- The respondents had mixed opinions on the length of the night time-period, with '8-hours' and '7-hours' being the most popular lengths of time:
 - 41% of respondents selected '8 hours'.
 - 28% of respondents selected '7 hours'.

RESULTS

The percentage of respondents who thought that the night-time period should be 7 hours, 8 hours, another period length, or they did not know are displayed in the graph below.



- Support for different night-time period lengths:
 - 41% of respondents selected '8 hours'.
 - 28% of respondents selected '7 hours'.
 - 20% of respondents selected 'Other'.
 - 11% of respondents selected 'I don't know'.

Further explanations of the night-time period length

RESPONDENTS WERE ASKED: Please explain further.

Summary of findings

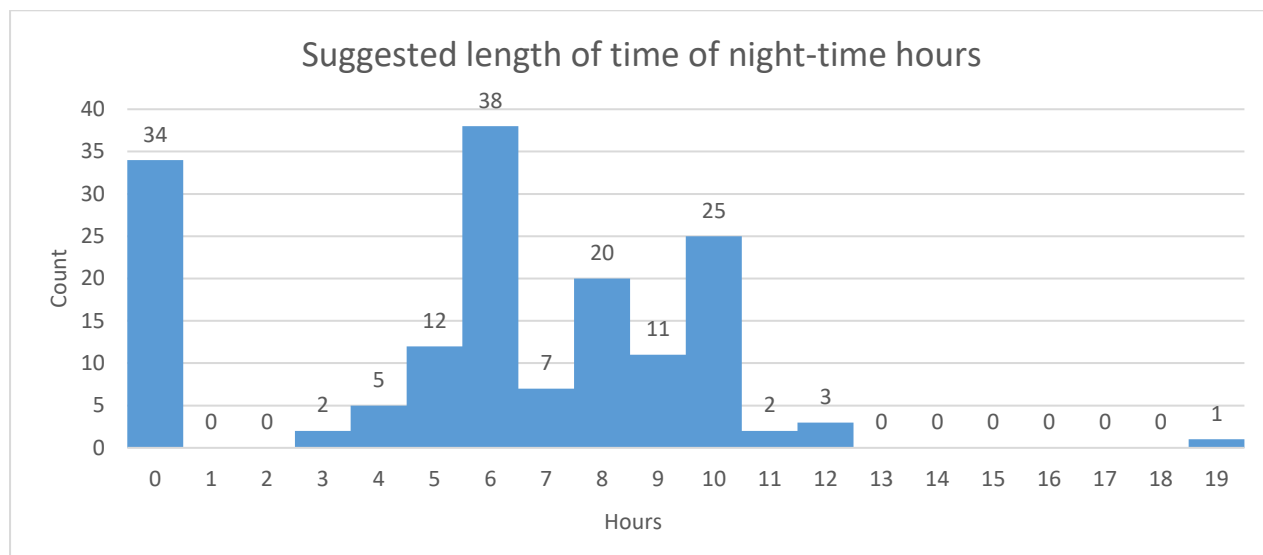
202 comments

- The most frequently suggested alternative to the '7 hour or '8 hour' period for a night-time length (from the previous question) was 6 hours, with almost a quarter of responses stating this.
- Almost as many respondents stated that they objected to any length of night-time noise restrictions (i.e., they stated "0 hours" was their preferred night-time period length).
- Other responses, noted in order of preference, were: 10 hours; 8 hours (with certain provisos, or additional information); and, 5 hours.

SUGGESTIONS FOR LENGTH OF NIGHT-TIME HOURS (142 COMMENTS)

The chart (below) represents the distribution of respondents' views on the length of night-time noise restrictions- where '7 hours', or '8 hours' from the previous question were not selected. A large number of respondents gave an answer to this question.

Just over a quarter of the responses stated that a 6 hour night-time period was preferable. Around a quarter stated opposition to a night-time noise restriction outright (these are the people who answered "0"). A 10 hour night-time period was preferred by a considerable number of people.



ADDITIONAL POINTS (60 COMMENTS)

A substantial number of people added points to their time suggestions for the length of potential night-time noise restrictions, discussed in the three topics below.

Oppose night-time restrictions

A considerable amount of those providing additional comments opposed night-time noise restrictions outright. Respondents expressed that current noise restrictions are 'ridiculous', and 'the city is now so quiet in the evenings this provision is not needed'.

Never. The "night time" period is different for everyone. If the above "agent of change" is implemented properly I can't see why any person would be effected by noise.

Increasing noise insulation standards for both residences and venues was offered as an alternative solution by commenters.

Should be location dependant

A moderate number of commenters stated that the night-time noise restrictions should be dependent on the residential status of the area on which the restrictions are imposed.

Consideration of alternative sleep needs

Several commenters made the point that not all residents have the same sleep patterns; offering shift workers as an example. Commenters expressed that night-time noise restrictions unfairly benefited residents with a 9 - 5 work pattern and punished residents with unconventional sleep or work patterns through limiting their opportunity to experience city nightlife.

Opinions on when the night time-period should start

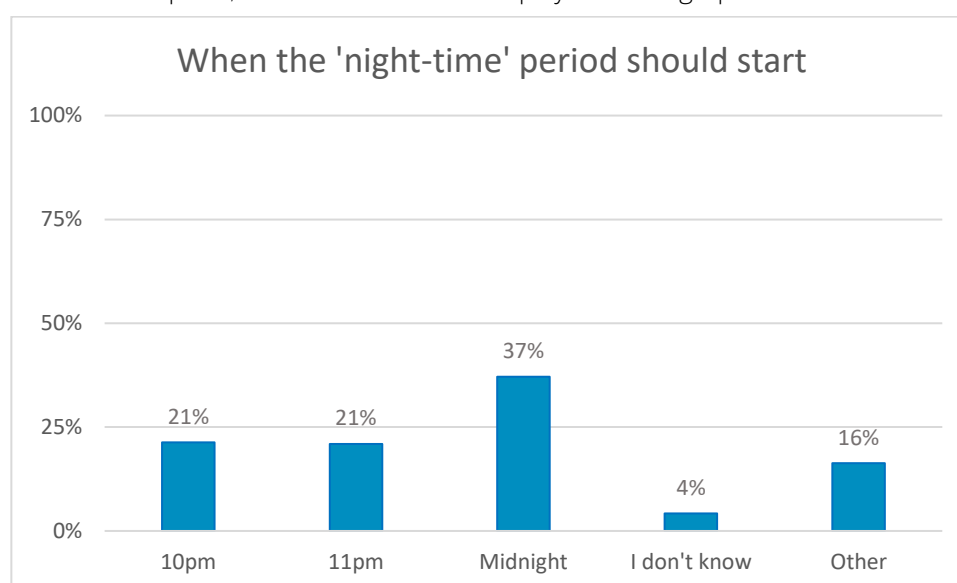
RESPONDENTS WERE ASKED: When should the night time-period start?

Summary of findings

- The respondents had mixed opinions on when the night time-period should start:
 - 37% of respondents selected 'Midnight'.
 - 21% of respondents selected '10pm'.
 - 21% of respondents selected '11pm'.

RESULTS

The percentages of respondents who thought that the night-time period should start at 10pm, 11pm, midnight, another time point, or did not know are displayed in the graph below.



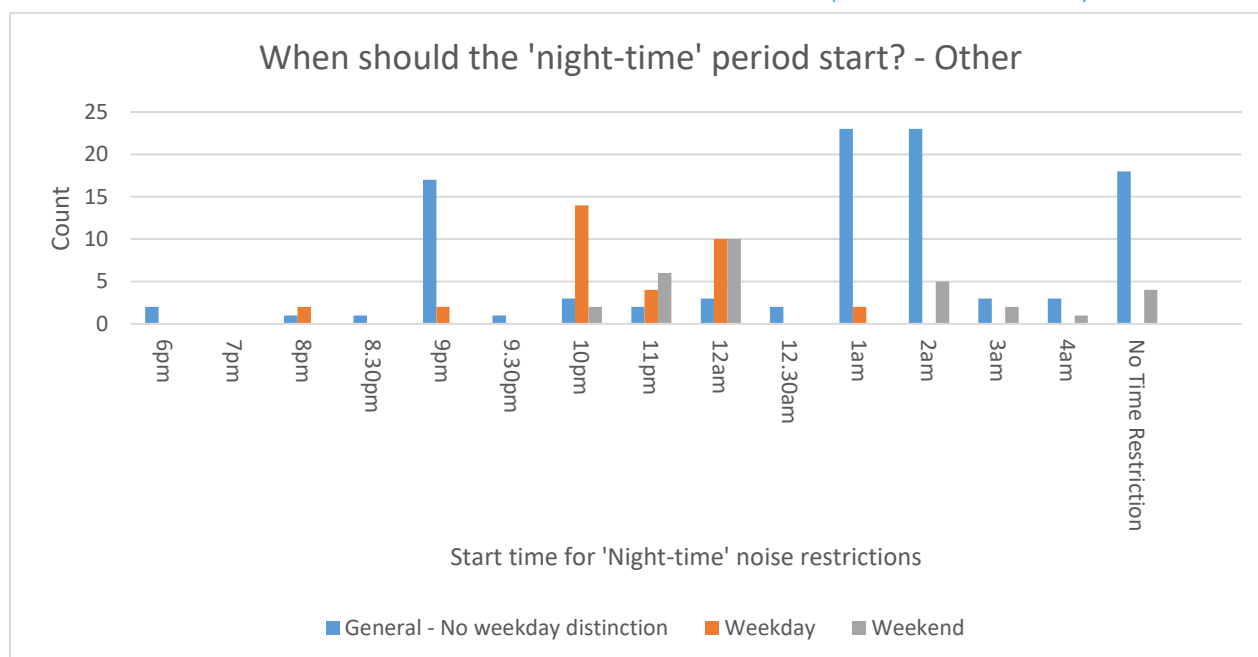
- Support for when the night-time period should start:
 - 37% of respondents answered 'Midnight'.
 - 21% of respondents answered '10pm'.
 - 21% of respondents answered '11pm'.
 - 4% of respondents selected 'I don't know'.
 - 1% of respondents selected 'Other'.

RESPONDENTS WERE ASKED: Please explain further.

Summary of findings (188 comments)

- Those who gave ideas for when the night -time period should start that were outside of the options listed in Section 3, Question 4, most often stated 9pm, 1am, 2am, or that there should be no night-time period which should incur noise restrictions.
- Half the remaining comments stated that a night-time period with restrictions was inappropriate for Sydney, and that city dwellers should either expect noise or soundproof their homes as a measure to mitigate problematic noise.

SUGGESTED TIME FOR NIGHT-TIME PERIOD TO START (129 COMMENTS)



The chart (above) presents the distribution of respondents' suggestions for alternative start time to the 'night-time noise period'. The majority of responses were simply a stated time. There was generally greater support for later start times for noise restrictions. Many respondents made a point to separate weekday (shown in orange), and weekend (shown in grey) noise restriction, with almost all who made this point in agreement that restrictions should apply from later times at weekends. Three representative quotes summarise the points made:

10pm weekdays 11pm Fri+sat

10:30 pm (Mon-Thur, Sun) and 12am (Fri-Sat)

Midnight on Monday to Thursday, Friday and Saturday unrestricted.

A moderate number of respondents opposed any night-time noise restrictions.

12:30am in entertainment areas. People should know better not to move into them if they want a quiet nights sleep every weekend.

ADDITIONAL COMMENTS (59 COMMENTS)

A substantial number of respondents made additional points alongside time suggestions.

Almost half of the comments either opposed the notion of a night-time period during which restrictions would apply, or stated that residents of cities such as Sydney should expect night-time noise (and not complain or lobby for change).

I don't think certain areas should have a night period. Residents in the city are increasing but they're choosing to be in a noisy area so shouldn't then have the right to complain about the noise.

A moderate number of respondents stated that night-time noise restrictions should be flexible according to location, with some places more appropriate than others for extended night-time periods. A few people wanted flexibility depending on the day of the week, or the type of noise emanating from venues.

A small number of respondents wanted consideration given to families, or shift workers, whose needs for quiet periods may be at odds with the common definition of night-time.

council should accept the fact that the residents in high density area have a right to sleep. 9pm should be the start of night time.

A small number of people stated that new or existing residential housing should take measures to sound-proof their buildings, reducing the need for night-time noise restrictions.

Support for a different night time noise periods for Friday and Saturday nights compared to the rest of the week

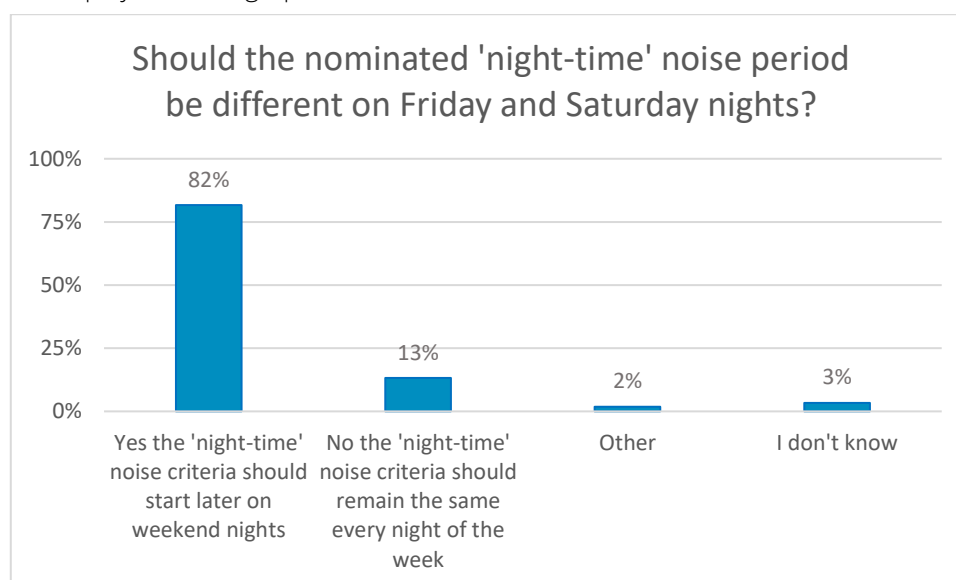
RESPONDENTS WERE ASKED: Should the nominated night-time noise period be different on Friday and Saturday nights?

Summary of findings

- A high proportion of respondents supported a different night-time noise period for Friday and Saturday compared to week nights.
 - 82% of respondents selected 'Yes the 'night-time' noise criteria should start later on weekend nights'.

RESULTS

The percentages of respondents who agreed, disagreed, had another opinion, or did not know if the nominated night-time noise period should be different for Friday and Saturday nights compared to the rest of the week are displayed in the graph below.



- Support for the nominated night-time noise period being different on Friday and Saturday nights compared to the rest of the week:
 - 82% of respondents selected Yes the 'night-time' noise criteria should start later on weekend nights'.
 - 13% of respondents selected 'No the 'night-time' noise criteria should remain the same every night of the week'.
 - 2% of respondents selected 'Other'.
 - 3% of respondents selected 'I don't know'.

RESPONDENTS WERE ASKED: Please explain further.

Summary of findings (20 comments)

- Those who did not state 'yes' or 'no' in response to whether the night-time noise period should be different on Friday and Saturday nights mostly felt that decisions should be made on a case by case basis.

FURTHER EXPLANATIONS (20 COMMENTS)

A small number of respondents mentioned that having a night time noise period which differs for Friday and Saturday nights should be based on a case by case approach depending on the area affected. Commenters argued that 'one size fits all' approach is unnecessary and 'what is appropriate in one location is not in another'.

Make it a question of fact rather than codifying it - what is appropriate in one location is not in another.

A few people commented that if a venue does not impact neighbours, then it should not matter what time of day the venue is operating.

If in a business area with minimal impacts to local residents, presumably it doesn't matter whether it's the weekend or during the week

A couple of commenters expressed general opposition to a night-time period, mentioning residents with fluctuating sleep patterns such as shift workers and a general concern for being disturbed while at home.

The division of days into day time and night time is a false one and unfair on residents who want to enjoy their waking hours without undue and unwarranted nuisance. This includes Friday and Saturday nights.

A couple of respondents made general comments regarding a differing night-time noise period for Friday and Saturday nights. Commenters made points about noise being expected at any time in an urban environment, and Friday and Saturday night activities should be able to run significantly longer than proposed.

If you live in the Sydney CBD expect noise all night

Support for residential buildings to close windows as a reasonable way to manage noise produced by performances

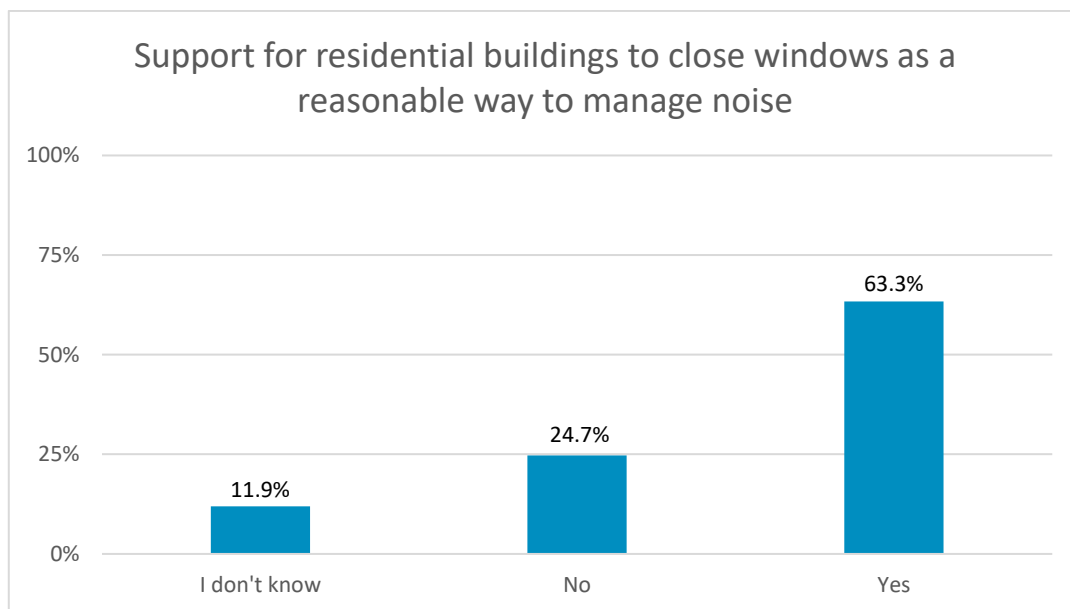
RESPONDENTS WERE ASKED: Closing windows helps stop noise but reduces ventilation. Is it reasonable to expect new residential buildings to have its windows closed during performances to manage noise?

Summary of findings

- A substantial proportion of respondents thought closing windows of new residential buildings is a reasonable expectation to manage noise:
 - 63% of respondents selected 'Yes'.

RESULTS

The percentages of respondents who agreed, disagreed, or did not know if closing windows of residential buildings was a reasonable way to manage noise produced by performances are displayed in the graph below.



- Support for closing windows of residential buildings as reasonable way to manage noise produced by performances:
 - 63% of respondents selected 'Yes'.
 - 25% of respondents selected 'No'.
 - 12% of respondents selected 'I don't know'.

Support for set noise limits matched to planning approvals to support an offensive noise assessment for entertainment venues

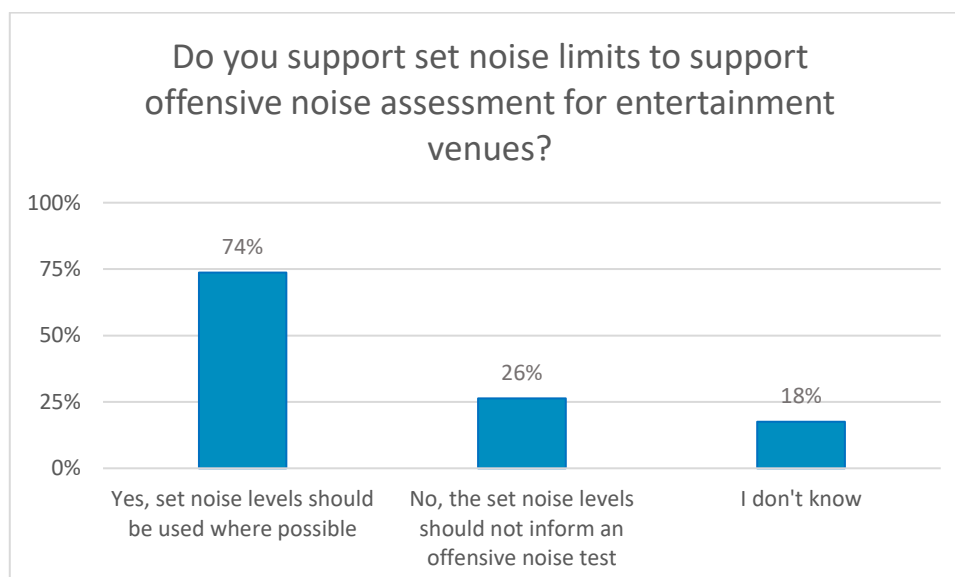
RESPONDENTS WERE ASKED: Do you support set noise limits matched to planning approvals to support an offensive noise assessment for entertainment venues?

Summary of findings

- A substantial proportion of respondents supported set noise limits to support offensive noise assessment for entertainment venues.
 - 74% of respondents selected 'Yes'.

RESULTS

The percentages of respondents who agreed, disagreed, or did not know if noise limits matched to planning approvals to support offensive noise assessment for entertainment venues should be set are displayed in the graph below.



- Support for setting noise limits matched to planning approvals to support offensive noise assessment for entertainment venues:
 - 74% selected 'Yes'.
 - 26% selected 'No'.
 - 1% selected 'I don't know'.

STAKEHOLDER AND PUBLIC SUBMISSIONS ~ Noise standards acoustic design and noise monitoring

The discussions that follow are informed by the comments received from stakeholders and members of the community who provided comments in their own format (did not complete the online survey).

STAKEHOLDER SUBMISSIONS

Summary of findings

- Support for introducing planning controls for new venues and new noise-sensitive development was expressed by a small number of stakeholders, believing that this would allow development of the evening economy while protecting residential amenity and the health of event attendees.
- Support for new noise compliance guidelines to provide greater certainty and consistency was expressed by a small number of stakeholders. Some of these stakeholders wanted clearer objective, rather than subjective, regulations and policies for monitoring 'offensive noise'.
- One stakeholder critiqued the proposed Actions 7 and 8, as they sought stricter controls for new venues and for new noise sensitive development.

GUIDELINES AND MONITORING NOISE STANDARDS AND BUILDING DESIGN

Stakeholders made a variety of constructive comment on noise standards, building design and noise monitoring. These came from FBi Radio; HEARsmart; Live Music Office; MusicNSW; NSW Small Business Commissioner; Surry Hills Liquor Accord; Sydney Fringe Festival; ESNA; Marshall Day Acoustics; and Sydney Fringe Festival.

Action 7: Planning controls for new venues and for new noise-sensitive development

FBi Radio, HEARsmart; Live Music Office; MusicNSW; Sydney Fringe Festival; and ESNA supported Action 7.

FBi Radio supported the planning controls for new venues and for new noise-sensitive development, stating the Council should ensure that new residential buildings developed in areas with entertainment sound and night time economies are built with the highest acoustic measures in place without limiting the required ventilation. A framework should be implemented to adequately enforce this.

HEARsmart provided technical detail on how sound can be managed and referenced the Registered Trademark of Australian Hearing Services ABN 80 308 797 003. They referred to setting monitoring levels inside venues so they can easily check if they are likely to breach compliance outside; setting a maximum standard for venues will ensure compliance and also reduce the risk of hearing loss; enables adjustments to be made in real time; also sound levels can be stored for use if there is a dispute. They stated:

...a focus on managing noise for hearing health purposes could also enhance and support noise management practices that aim to protect live music and community amenity.

Live Music Office stated they appreciate that to apply the Agent of Change principle, the city will need planning controls that fairly allocate responsibility for limiting noise impacts. This will create certainty for venues and the community. They stated:

The shift from relative to fixed criteria will provide more certainty for both venues and residents, and is supported.

They also believe residents who choose to live in the town centre should have buildings that are designed for evening economy areas. They provided specific criteria, from other places, that could be applied.

MusicNSW and Sydney Fringe Festival supported action 7, seeking council to ensure new residential buildings developed in areas with entertainment sound and vibrant night time economies, ensure they are built with the highest acoustic measures in place without limiting the required natural ventilation measures.

ESNA felt it is a sensible approach to have stronger controls for both venues and developments.

Action 8: New noise compliance guidelines to provide greater certainty and consistency

FBI Radio; HEARsmart; Live Music Office; MusicNSW; Sydney Fringe Festival; and ESNA supported this approach.

HEARsmart were in favour of self-monitoring. City of Sydney could make training available for staff. They believe that better sound insulation leads to higher sound levels and damage to hearing. They would welcome a partnership with City of Sydney.

This would help to create a new approach to sound level monitoring that would help to move the music industry beyond the "louder is better" culture that has dominated sections of the industry for some time, to make way for a culture that embraces "dynamic is better"

Live Music Office support a more objective, nuanced and measured approach to interpreting and actioning 'offensive noise' interactions with venues in the city. They believe the 'DA' conditions for example will provide further context within which to consider alternative or discretionary responses to complaints:

It's the inner city, so there will be hustle and bustle, and people out having fun. Closing windows and doors are simple but important steps for residents to take here if the urban sounds in the inner city are causing issue.

They also believe the term 'noise' is subjective and suggested looking at alternative approaches –Canberra's approach was cited as an example. They also saw the National Construction Code as a mechanism to deliver positive outcomes, have submitted to that process, and urged the council to support their position.

Surry Hills Liquor Accord suggested that in developing an approach, consideration should also include:

...the development and initiation of an optimal policy that noise related to entertainment and patrons, regardless of premises size and including those with existing development consents and those licensed under the Liquor Act, be subject to one standard set of regulatory conditions.

NSW Small Business Commissioner would like to work with The City of Sydney and other relevant Government agencies to seek regulatory reform and policy harmonisation in relation to existing noise compliance legislation and guidelines to ensure live music venues and businesses have certainty and consistent requirements, and that 'offensive noise' is objectively, not subjectively, measured.

Marshall Day Acoustics provided some technical comments. They stated that some elements of the action plan, mainly relating to the technical aspects of the criteria, are of concern and their feedback was predominantly related to the formation and application of the criteria.

They sought clarification of the term 'venue' as a better way to identify the kind of developments that the action plan will be applicable to. They believe that planning controls for new venues and for new noise-sensitive developments need greater clarity – new residential developments require establishing an effective 'baseline' level for current emissions from an existing venue and clarity is required over how this is achieved. They stated that objective, realistic baselines need to be achieved and managed for. They support the Council's move away from the problematic and subjective 'audibility' criteria and encourage the use of scientific metrics for evaluation, although clarification as to how this would work in practice is essential. They also provided a detailed discussion and critique of LAeq criteria. They went into the challenges faced by this approach.

Sydney Fringe Festival, MusicNSW and ESNA provided general support, stating it is reasonable and fair.

Opposition to Actions 7 and 8

Potts Point and Kings Cross Heritage & Residents Society were critical of the Actions outlines in the proposal, they sought stricter controls for new venues and for new noise sensitive development.

ANALYSIS OF PUBLIC SUBMISSIONS

One comment stated: "I also support the proposed approach to noise management/restriction."

Appendix

Stakeholders who provided submissions:

- Committee for Sydney
- Create NSW
- East Sydney Neighbourhood Association Inc
- FBI Radio
- HEARsmart
- House of Pocket
- Labor Loves Live Music
- Live Music Office
- Marshall Day Acoustics Pty Ltd
- MusicNSW
- National Association for the Visual Arts (NAVA)
- National Retail Association
- NSW Small Business Commissioner
- Potts Point & Kings Cross Heritage & Residents' Society
- Redfern Small Bar Liquor Accord
- Stage Whisper
- Surry Hills Liquor Accord
- Sydney Fringe Festival
- UrbanGrowth NSW Development Corporation
- World Square

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