

Temporary Guidelines – live performance in outdoor dining areas

Introduction

The NSW Government has introduced temporary measures to encourage the use of outdoor areas for live performance space while venues experience capacity restrictions under public health orders.

The City of Sydney has developed these temporary guidelines to allow for live music and performance in outdoor dining areas in Central Sydney as shown in Figure 1.

This pilot aims to assist the economic recovery of Central Sydney. These guidelines need to be read along with our outdoor dining guidelines.

These guidelines apply until 30 June 2022 or until they're repealed by the NSW Government and may be updated at any time.

Application

These guidelines apply to Central Sydney only as shown on the map at Figure 1 in these guidelines.

This guideline does not apply to Crown land.

Approvals

All performance in outdoor dining areas will require an approval to use public land. At the City of Sydney, this is called a footway approval.

Existing outdoor dining approvals

To host live performance in existing outdoor dining areas, you must complete an application on the City of Sydney website to amend conditions relating to live performance in the outdoor dining space.

Performance in proposed new outdoor dining areas

If you want to host live performance but don't have an outdoor dining approval, you'll need to prepare plans in line with our outdoor dining guidelines.

Revoking, suspending or amending an approval

The City of Sydney can revoke, suspend or amend an approval for outdoor dining, including live performance, if:

- the conditions of the approval are breached
 - the use of the road or footway area for outdoor dining or performance is causing public safety or public access to be compromised
 - the road or footway area is needed for public works
 - the road or footway area is needed for a special event
 - the road or footway area is needed to manage an increase in pedestrians
 - disputes between neighbouring businesses arise relating to live performance in outdoor dining.
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1.1. Notification of applications for live performance in outdoor dining areas

Public notification will be required for all applications seeking to have live performance in their outdoor dining space.

Provisions

- 1) All proposed live performance in outdoor dining areas will be required to be notified, including areas that are less than 20 square metres in Central Sydney.
- 2) Notification will be made through a notice on the premises, on the City of Sydney's website and by letter:
 - for a period of 7 days
 - within 50 metres of the proposal.

1.2. Introduction of live performance in an outdoor dining area

Provisions

- 1) Live performance may be conducted in an approved outdoor dining area:
 - a) in Central Sydney on public land that is not managed under the *Crowns Land Management Act 2016*
 - b) no earlier than 10am
 - c) no later than 10pm, or approved operating hours if earlier
 - d) no more than 2 hours a day up to 4 days a week.
- 2) For the purpose of these criteria, a live performance may include:
 - a) music, theatre, spoken word, dance, comedy or other theatrical arts
 - b) live mixing of electronic or other pre-recorded music.
- 3) Performers and the performance must be located wholly within the approved outdoor dining area.
- 4) Electrical cabling is discreet and does not create trip hazards.
- 5) The performance must not be audible at a distance of 50 metres from the outdoor dining area.
- 6) A minimum distance of 2 metres must be maintained between performers and any traffic lane in use by vehicular traffic, except where a parking lane has been allocated to outdoor dining use under an approval and protected by a traffic barrier.
- 7) Public liability insurance must be maintained and must cover the performance activity and performers.
- 8) An acoustic report will not be required if you meet the provisions in these guidelines.

1.3. Management requirements

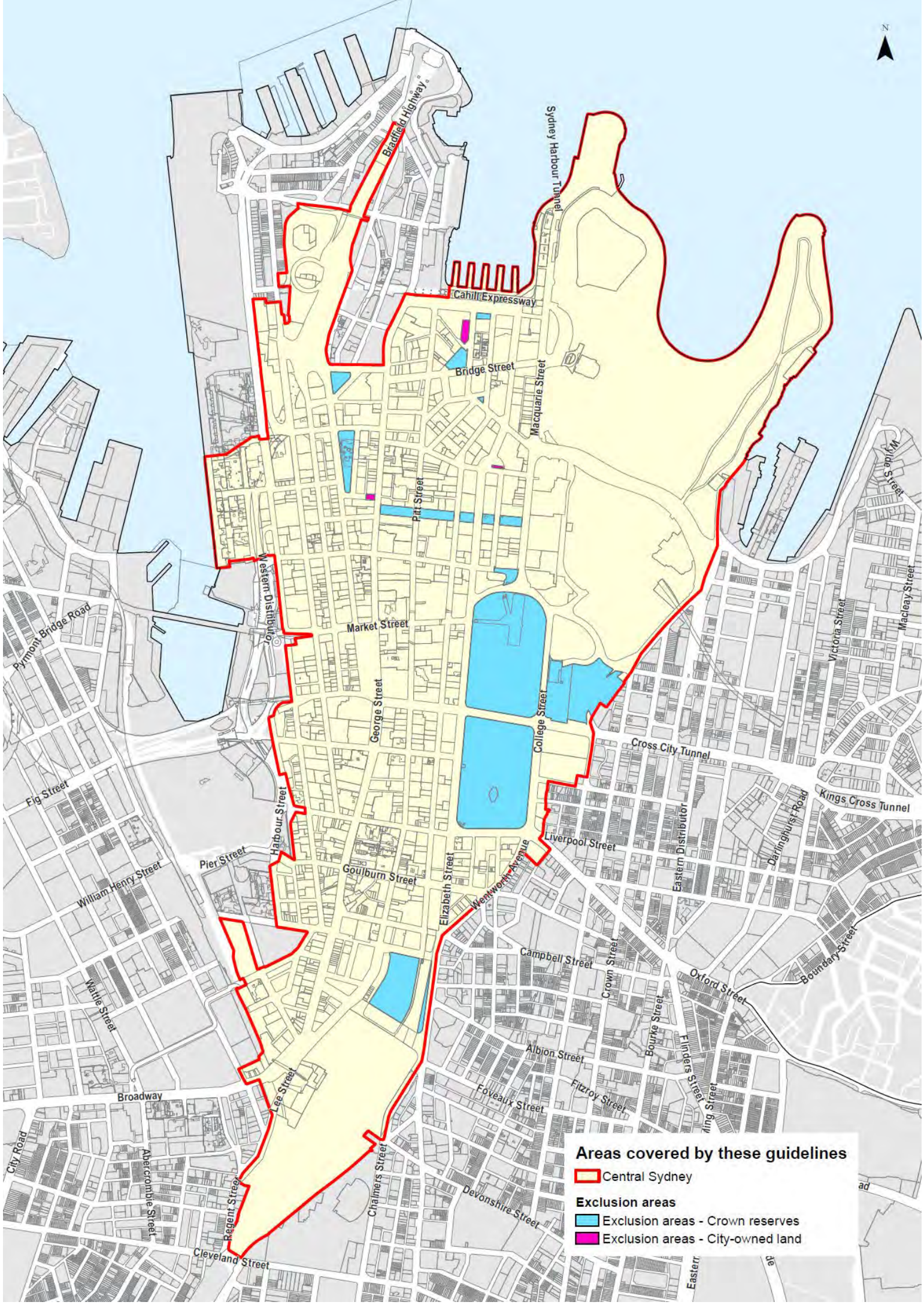
In addition to the existing management requirements for the outdoor dining space when used for dining, the following requirements apply.

Provisions


- 9) applicant must make every effort to work with neighbouring businesses when scheduling live music and performance to manage impacts.

Note: It is the responsibility of individuals and operators using outdoor spaces for live performance to comply with these guidelines and any updates to them, as well as all relevant laws, regulations and policies and the lawful directions of state and local government authorities.


Federal and state public health orders take priority over these guidelines.




Areas covered by these guidelines

 Central Sydney

Exclusion areas

 Exclusion areas - Crown reserves

 Exclusion areas - City-owned land

