

Our ref: R24/0021
15 June 2026

The Hon. Dr Sarah Kaine, MLC
Chair
NSW Legislative Council, Standing Committee on Social Issues
NSW Parliament

Via email: socialissues@parliament.nsw.gov.au

Re: Response to Supplementary Questions – State of live music in New South Wales

Dear Dr Kaine

Thank you for the opportunity to appear at a hearing of the Inquiry into state of live music in New South Wales. Please find below responses from Local Government NSW (LGNSW) to the Committee's supplementary questions issued on 26 May 2026.

- (1) Do you feel the office of liquor and gaming is adequately regulating noise?**
a) Have they achieved balance between vibrancy and residential amenity?

Councils have indicated that they value the role of Liquor & Gaming NSW in regulating noise from licensed premises, and acknowledge the importance of maintaining an appropriate balance between vibrancy and residential amenity.

A key issue identified by councils is the interface between the planning system and the liquor licensing framework. Councils remain responsible for assessing noise impacts at the development application stage and applying consent conditions to manage amenity. However, for licensed premises, these conditions are effectively superseded while a venue operates under a liquor licence, with noise regulation managed by Liquor & Gaming NSW. Despite this, councils must continue to apply robust noise conditions at approval stage, as these may become relevant if the use changes to an unlicensed activity.

This dual framework has contributed to confusion among applicants and acoustic consultants, with some interpreting the reforms to mean that noise assessment is no longer required at the planning stage, despite ongoing statutory obligations.

In addition, the shift from fixed, consent-based noise controls to a complaints-based system (centred on the concept of "undue disturbance") has created uncertainty. Councils note that this term is not clearly defined, making it difficult for councils,

venues and residents to understand how impacts will be assessed and what level of noise is considered acceptable.

Overall, while the framework is supported in principle, councils consider that additional time, clearer guidance on the interaction between planning and licensing systems, and better definition of key concepts will be necessary to determine whether an appropriate and consistent balance is being achieved.

(2) How much do the Kickstart grants need to be raised by to ensure Councils can afford to create a SEPP?

Feedback from councils indicates that while the Kickstart grants are a positive initiative, the current level of funding is insufficient to fully support the development of a Special Entertainment Precinct (SEP).

In particular, councils have noted that resourcing is required prior to accessing Kickstart funding to undertake the preparatory work needed to meet eligibility requirements. Several councils have expressed difficulty in allocating sufficient internal resources to complete this pre-work within existing budgets.

Additionally, while the Kickstart funding provides for a dedicated officer, it does not adequately cover the broader costs associated with establishing a SEP. This is especially evident in relation to community engagement, which is a critical component of the process and requires substantial time and financial investment.

Regional councils have also reported challenges in accessing suitably skilled staff, noting both limited internal capacity and difficulty obtaining specialised technical advice locally, such as noise consultants.

LGNSW estimates that an additional \$50,000 to \$100,000 would better support access to specialised consultants and enable meaningful community engagement activities.

Consideration should also be given to providing support to meet eligibility requirements, including the need for an endorsed mandate or council resolution to establish the SEP(s). This includes demonstrating strategic alignment through the adoption of a night-time economy strategy (or equivalent), and a formal resolution to establish a Special Entertainment Precinct. Development of this kind of strategy can be expensive and time consuming.

(3) If small grants were available for accessible rehearsal spaces, do you think Local Councils have the spaces and would apply?

There is general support from councils for the provision of small grants to support accessible rehearsal spaces, particularly where this would enable the activation or adaptive reuse of underutilised council-owned or community spaces. However, the



extent to which councils would apply for such funding is likely to depend on the specific eligibility criteria and program design.

Councils have noted that they are often not eligible for existing Sound NSW funding programs, either explicitly (due to ineligibility of government operated venues) or effectively (due to requirements that grants are only available for venues where 'live music is the primary function of the business.' This requirement can exclude council operated multi-purpose venues. This issue is particularly pronounced in regional NSW, where multi-purpose facilities are more common than dedicated live music venues.

Ensuring that grant eligibility criteria appropriately recognise the role of local government and the characteristics of council-managed spaces will be critical to achieving strong uptake.

LGNSW appreciates the opportunity to provide this information and would be pleased to provide further clarification if required.

Yours sincerely

David Reynolds
Chief Executive