

# Late Night Trading Development

## Control Plan FAQs

The draft Late Night Trading Development Control Plan (LNT DCP) will provide businesses, venues, and operators with a consistent set of requirements and conditions that will balance community desires for a vibrant nightlife with the amenity of surrounding uses as well as community expectations.

The proposed controls aim to facilitate growth and diversification of the night-time economy by balancing night-time vibrancy and reasonable levels of residential amenity, encouraging a broad and inclusive mix of uses throughout the night and ensuring good venue practices to promote safety and community amenity.

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### What is the Late Night Trading Development Control Plan?

The Late Night Trading Development Control Plan (LNT DCP) is an objective development assessment framework for licensed and non-licensed trading between 10pm and 6am. The Draft LNT DCP also includes place-based acoustic controls that look to balance vibrancy and amenity; trial periods for extended hours that aim to provide certainty for venues operators and management of venue impacts; and standardised and impact-based plan of management requirements to facilitate good venue management practices.

### Why has the LNT DCP been developed?

Currently, Council does not have a specific set of controls that apply to late night trading. Development applications are assessed on a case-by-case basis, leading to inconsistent outcomes for businesses. This is a major barrier to encouraging more diverse uses and activities at night.

A specific set of controls will help Council guide the growth and management of the night-time economy across the Local Government Area (LGA). It will also give businesses that contribute to the night-time economy a principal point of reference for planning controls and regulations.

### To what does the LNT DCP apply?

The LNT DCP applies to new development applications for night-time development within designated Late Night Trading Areas. Night-time development can include small bars, bars, pubs, clubs, cafes, restaurants, retail shops, performance venues, cultural and sporting venues. The LNT DCP is **not retrospective** and **will not change** existing operating conditions or uses. The LNT DCP will only apply to new development applications.

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## **What are Late Night Trading Areas?**

Late Night Trading Areas are designated areas within the LGA that have existing night-time activity and potential to grow as night-time areas.

There are four areas identified in the LNT DCP:

1. CBD LNTA 1 – centred around the commercial core of the Parramatta CBD;
2. CBD LNTA 2 – areas that have a mix of commercial, retail, and residential uses such as the indoor and outdoor dining activity on Eat Street and Church Street
3. Urban Centre LNTA 3 – a range of centres around the LGA with a lower concentration of late night trading venues, but serve the local community and are located close to public transport. These areas include parts of the CBD, Harris Park, Epping, Westmead, Granville and Wentworth Point.
4. Local Centre LNTA 4 – retail centres and high street areas that can accommodate smaller-scale uses like restaurants, cafes, small bars, retail and neighbourhood groceries.

Development applications for late night trading within the LNTAs will be assessed according to the provisions in the LNT DCP.

Applications outside of these four areas will be assessed according to merit.

## **How will trading hours be affected by the LNT DCP?**

The trading hours that a venue can apply for depend on their venue category and what LNTA they are located in.

There are three venue categories:

1. High impact premises;
2. Medium impact premises; and
3. Non-licensed premises.

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### How late can venues trade?

Each LNTA has a set of base hours and extended trading hours that can apply to late night trading venues.

Base hours are the standard set of hours that all venues can trade within once an application is approved.

Extended hours may be approved above base hours on a trial basis and are considered maximum hours.

Late Night Trading Area	Venue category & location		Base hours	Extended hours
CBD LNTA 1	High Impact & Low Impact	Indoor	6am to 2am	24 hours
		Outdoor	6am to 11pm	6am to 3am
	Non-Licensed	Indoor	24 hours	
		Outdoor		
CBD LNTA 2	High Impact & Low Impact	Indoor	6am to 2am	6am to 3am
		Outdoor	10am to 10pm	6am to midnight*
	Non-Licensed	Indoor	24 hours	
		Outdoor		
Urban Centre LNTA 3	High Impact & Low Impact	Indoor	6am to midnight	6am to 2am
		Outdoor	10am to 10pm	6am to midnight*
	Non-Licensed	Indoor	24 hours	
		Outdoor		
Local Centre LNTA 4	High Impact & Low Impact	Indoor	10am to 10pm	10am to midnight
		Outdoor	7am to 8pm	7am to 10pm
	Non-Licensed	Indoor	7am to midnight	
		Outdoor		
Outside of Late Night Trading Areas	Indoor	Merit assessed		
	Outdoor			

\* Outdoor areas with a direct frontage to the River foreshore will have maximum trading hours until 10pm.

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### **Do extended trading hours apply to outdoor areas?**

Extended hours can apply to outdoor areas. A high impact venue in CBD LNTA 1 can trade up to 3am outdoors, up to midnight in CBD LNTA 2, up to midnight in Urban Centre LNTA 3 and up to 10pm in Local Centre LNTA 4.

Outdoor areas that directly face onto the River foreshore will only be able to trade until 10pm.

### **How can a venue obtain extended trading hours?**

Extended hours may be approved above base hours based on a trial period. Trial periods give venue operators the opportunity to demonstrate that the proposed hours will have no unreasonable impacts on surrounding areas and that the venue will be well-managed. They also provide Council with a mechanism for managing potential impacts.

The LNT DCP proposes that any application for extended hours will be subject to a trial period of 12 months.

After completing a successful trial, an application can be lodged to formalise extended trading hours. Trial periods can be extended or cancelled. If a trial is extended, it can only be extended up to the length of the first trial.

More detail on the application process can be found in LNT DCP User Guide for Businesses.

### **What will change in the City?**

Parramatta's transformation into a vibrant and diverse night-time centre will offer many benefits to its residents including exposure to local food and beverage, cultural activities, live music, social gatherings, events and later trading businesses.

However, living in close proximity to a commercial or industrial centre can cause amenity impacts as a result of operating hours, odour, noise, lighting, traffic and measures associated with night-time activity.

### **What is Council's approach to managing night-time noise?**

Currently, Council's acoustic controls take a blanket approach to managing noise. This means that noise arising from live music in the CBD is viewed the same as a community member playing loud music after 10pm in a residential area.

Council has a responsibility to balance the successful operation of local businesses with the amenity of residents. The LNT DCP provides a framework for Council to proactively address any concerns around noise and public behaviour.

The LNT DCP includes place-based acoustic controls that balance management and mitigation of noise between emitters (venues, premises, etc.) and receivers (residential uses, hotels, education, etc.).

### **Why is Council taking this approach?**

The proposed controls in the LNT DCP would enable a more flexible approach to managing noise across the LGA. They also consider not just what levels of activity are present now, but also what levels of activity are desirable for the City in the future.

A more flexible, nuanced approach holistically considers noise and sound within a specific context and can facilitate a vibrant city that everyone can enjoy.

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**What feedback is Council asking for?**

Council invites the community to have their say on the draft LNT DCP. Council seeks feedback on the proposed LNMAs, trading hours and acoustic controls.

**How will feedback be used?**

Council will use community and stakeholder feedback to determine if the proposed controls match community expectations around what kind of City communities want to see and experience. A report of the results of community consultation will be completed.

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