



POLICY BRIEF

Delivering Effective Reform Through a Whole-of-Government Approach to Live Music, Noise and Planning in Victoria

Prepared for: Members of the Victorian Parliament

Date: March 2026

Context: Victorian EPA Live Music Precinct Noise Regulation Review

Recommendation: Use the EPA review as a catalyst for structural, whole-of-government reform through Special Entertainment Precincts (SEPs) using *Agent Of Change* as an underpinning policy

Executive Summary

Victoria's live music sector remains structurally vulnerable under current planning and noise regulation arrangements, as clearly illustrated by recent cases involving The Night Cat, The Tote, and the ongoing exposure faced by venues such as The Corner Hotel.

The Victorian EPA Live Music Precinct Noise Regulation Review is a welcome signal that the State Government recognises the need for reform. Industry bodies, including the Australian Live Music Business Council (ALMBC), strongly support the intent of the review. However, the review's current scope, framing and consultation design risk limiting its effectiveness unless addressed.

At the same time, NSW has demonstrated the benefits of a whole of government *Special Entertainment Precinct* (SEP) model, aligning planning, noise regulation, development and enforcement frameworks. This alignment has delivered clarity, reduced disputes and strengthened both cultural and residential outcomes.

Victoria now has a timely opportunity to move beyond incremental technical adjustments and deliver coordinated, system level reform.

What the EPA Review Has Correctly Identified

In responding directly to the current EPA Review, the ALMBC has identified several points of broad industry consensus:

- The current system for measuring and regulating live music noise is too complex, too expensive and inaccessible for most venues
- Many operators do not know whether they are compliant until enforcement action occurs
- Mixed use developments are often poorly designed, with inadequate sound insulation
- Enforcement disproportionately targets venues because it is easier than addressing planning and construction failures
- Multiple regulatory bodies operate with overlapping and sometimes conflicting responsibilities
- Agent of Change has merit in theory but fails in practice to protect venues or residents on its own
- Victoria has only one formally recognised Live Music Precinct (St Kilda), with no meaningful differentiation in EPA noise rules.

These findings align strongly with the empirical outcomes seen in recent venue disputes detailed below.

Where the Current Review Risks Falling Short

While supporting the review's intent, the ALMBC has raised constructive concerns about its current design that are relevant for policymakers to consider.

1. Lack of Context for Respondents

The surveys provide limited background information about:

- What Live Music Precincts are under Victorian law
- How limited their current protections are
- How SEPs function successfully in NSW and Queensland

Without this context, respondents cannot reasonably assess reform options or trade-offs.

2. Framing Live Music Primarily as “Noise”

In the residents’ survey in particular, live music is framed almost exclusively through a noise and disturbance lens. Questions are structured in a way that may unintentionally:

- Prioritise complaint-based responses
- Reinforce conflict narratives
- Exclude consideration of benefits

This risks skewing feedback away from balanced outcomes that recognise live music as a public good, cultural asset and economic driver.

3. Absence of Economic and Ecosystem Considerations

The surveys do not meaningfully reference:

- The economic value of live music
- Employment supported across venues, hospitality, production, logistics and creative services
- The reliance of booking agents, promoters, technicians, labels, publicists and small businesses on venue viability

As currently structured, the review risks under-representing the scale of the ecosystem affected by regulatory settings.

4. Limited Pathways for Sector-Level Expertise

There is no clear mechanism for:

- Industry bodies to provide consolidated evidence
- Sector-wide submissions outside survey responses
- Expert input on operational realities

This reduces the likelihood that outcomes will be informed by how live music actually operates in practice.

5. Practical and Artistic Risks in Proposed Measures

Questions about:

- Enforced use of internal noise limiters
- Interrupting performances mid-set
- Regulatory oversight of sound system design

raise legitimate concerns about:

- Practical feasibility
- Artistic impact
- Cost and complexity

The ALMBC notes these ideas would require extensive technical and industry consultation to avoid unintended consequences.

Why a Whole-of-Government SEP Model Addresses These Gaps

The issues identified above are not primarily technical; they are structural.

Fragmentation in Victoria

Currently:

- Planning controls land use
- EPA regulates noise
- Liquor Control Victoria oversees licensed operations
- Councils manage complaints
- Creative Industries absorbs cultural fallout

These systems are not aligned, resulting in:

- Regulatory uncertainty
- Enforcement bias toward venues
- Ongoing conflict between residents, operators and councils

The NSW Special Entertainment Precinct Model

NSW SEPs demonstrate the benefits of whole-of-government alignment:

- Live music identified as a priority land use
- Noise expectations explicitly defined at precinct level
- Developers required to design for sound attenuation
- Clear differentiation between precinct and non-precinct areas
- Predictable enforcement thresholds
- Reduced reliance on complaint-driven regulation

This approach has delivered greater certainty for residents, venues, councils and government alike, and is explicitly cited by industry as outperforming Victoria's current settings.

Case Study 1: The Night Cat Fitzroy

Victoria (actual):

- Developer for an *unbuilt* development triggered enforcement action
- Legacy permit conditions were used against a 30-year-old venue
- Closure averted only through emergency fundraising and litigation
- The dispute occurred despite Agent of Change principles nominally applying

The EPA review confirms this pattern: venues shoulder responsibility for conflicts they did not create, while development-driven risk is externalised onto operators.

Under a SEP + whole-of-government model:

- Noise is an explicit and anticipated characteristic of the precinct
- Planning approval requires residential attenuation upfront
- EPA, planning and council standards are aligned
- No pathway exists for enforcement against established uses based on new development

The Night Cat would not have faced enforcement based on an unbuilt development under a precinct-aligned system.

Case Study 2: The Tote Hotel Collingwood

Victoria (actual):

- One of Australia's most important rock venues placed at risk
- Zoning value and redevelopment pressure outweighed cultural protection
- Community forced to raise ~\$3 million to remove the site from the speculative market

The EPA review makes clear that grassroots venues are routinely asked to absorb costs that should sit with development and planning systems, even though venues generate economic and cultural value statewide.

Under a SEP framework:

- Live music is embedded as a priority land use
- Redevelopment must be compatible with the precinct's function
- Cultural infrastructure is protected structurally, not philanthropically

The Tote would not have relied on community crowdfunding to overcome redevelopment pressure if live music were structurally embedded in planning controls.

Case Study 3: The Corner Hotel Richmond

The Corner Hotel demonstrates a critical but misleading success story:

- Highly professional operation
- Extensive sound management
- Significant resources devoted to compliance and monitoring

Yet its continued operation relies on scale and financial resilience, not policy certainty. The EPA review explicitly warns that this model is not scalable across the ecosystem, leaving smaller venues acutely vulnerable.

In a precinct-based system:

- Compliance shifts from complaint-driven enforcement to predictable parameters
- Venue viability does not depend on legal capacity
- Residents receive clearer expectations and better-built dwellings

The Corner would operate with certainty based on precinct standards, rather than scale-dependent compliance capacity.

Policy Recommendations

1. Use the EPA Review to Enable Statutory SEPs

- Empower councils to designate precincts of any scale
- Embed SEPs in the Victoria Planning Provisions
- Ensure state recognition, not just local endorsement

2. Align EPA Noise Frameworks with Precinct Intent

- Simplify guidance using plain language
- Enable low-cost, venue-operable measurement
- Reserve complex acoustic modelling for exceptional cases

3. Retain Agent of Change as a Supporting Tool

- Mandatory sound attenuation in new residential development
- Shift responsibility upstream rather than retroactively

4. Broaden and Deepen Consultation

- Enable formal submissions by industry bodies
- Include economic and ecosystem impacts
- Engage technical experts collaboratively

5. Establish a Single, Coordinated Complaints Pathway

- Clear thresholds before enforcement
- Precinct-wide monitoring options
- Reduced reliance on adversarial processes

Conclusion

The EPA review has opened an important door — but the survey design alone will not deliver lasting reform.

As the ALMBC notes, without broader context, inclusive engagement and structural alignment, there is a real risk that the process could:

- Miss critical ecosystem impacts
- Reinforce misunderstanding
- Produce incremental outcomes where transformation is needed

NSW and Queensland have already demonstrated that Special Entertainment Precincts, supported by whole-of-government coordination, work.

Victoria now has the opportunity to:

- Move beyond complaint-driven regulation
- Align planning, noise and culture
- Protect live music while improving residential amenity

The EPA review has made something clear:

The problem is not that live music is loud.

The problem is that Victoria lacks a system designed for cities where music exists.

NSW and Queensland have already shown the solution works. Victoria now has the opportunity to move beyond incremental tweaks and deliver structural certainty.

This review should not be the moment Victoria fine-tunes enforcement. It should be the moment Victoria finally aligns planning, noise and culture.

About the ALMBC

The Australian Live Music Business Council is the peak national body representing the interests of Australia's live music businesses. We advocate for sustainable policy, fair commercial practices, and a thriving live music industry across Australia.

The ALMBC represents thousands of Australian-owned small businesses and sole traders supporting Australian music in public performance settings, including concert and festival promoters, event presenters, venues, booking agents, artists, DJs, technical crew, show crew, venue workers, ticketing companies, merchandise companies and catering operators.

The live music sector is the most critical component of the overall music supply chain. It provides a creative proving ground for artists, sustains the platforms and infrastructure required to develop and commercialise an artist's creative work, and generates substantial economic activity across the hospitality, tourism, transport and events industries.

ALMBC Board Members

Name	Board Role	Company	Sector
Howard Adams	Chair & Secretary	Corner Soul	Legal
Angie Dunbavan	Deputy Chair	Red Chair	Promoter
Kylie Thompson	Treasurer	Sorrento Strategic	Accounting
Sharlene Harris*	Director	ALH Group	Venues
Brian Chladil	Director	Oztix	Ticketing & Promoters
Stephen Wade	Director	Select Music	Booking Agents
Jarrad Thessman*	Director	Midnight Assembly	Events & Production
Andrew Basingthwaighte	Director	Xcelerate	Insurance & Risk
Hayley Ayres	Director	360 Artist Logistics	Promoters & Events
Larissa Jane Ryan*	Director	Hutch Collective	Artist Development
Rod Smith*	Director	Corner Group	Venues
Ben Tillman	Director	Yours & Owls	Agents & Promoters
Letisha Ackland	Director	Balya Productions	Production & Logistics

**Based in Victoria*