



Introduction

The Victorian Environmental Protection Authority (EPA) is reviewing how noise laws operate inside live music precincts. The Australian Live Music Business Council (ALMBC) welcomes this review as a positive signal that the Victorian Government is open to reform and to better supporting live music across the state.

This is, however, a complex policy area that deserves careful unpacking. Too often, discussion of music noise immediately descends into technical debates about frequencies and acoustic modelling that exclude most of the people affected — venue operators, musicians, workers, residents and small businesses. The ALMBC doesn't want to revisit the acoustic theory as we don't understand it, and we suspect most participants in this process also do not.

Our aim is to describe the situation plainly, focusing on outcomes rather than jargon, and we urge the Victorian Government, the EPA and all stakeholders to do the same.

The simple facts as we see them

- The current system for measuring live music noise is too complex, too expensive, and inaccessible for most venues to manage themselves^{1 2}
- Because of this complexity, many venues do not know whether they are compliant until enforcement action occurs^{3 4}
- The current approach is not working, as evidenced by ongoing disputes, venue closures, and negative impacts across the live music ecosystem
- The *Agent of Change* principle has improved everyday operating conditions, but does not prevent worst-case scenarios and in fact leaves venues vulnerable to litigious developers (see below) and has ongoing gaps, such as how venue locations are registered and included within developer applications, with many examples of this step falling over

¹ <https://www.epa.vic.gov.au/entertainment-venue-and-outdoor-event-music-noise-guidelines>

² <https://www.musicvictoria.com.au/music-victoria-launches-new-noise-regulation-guide-to-support-live-music-venues/>

³ <https://musicvictoriamembers.com.au/resource/noise-regulation-guide/>

⁴ <https://www.musicvictoria.com.au/wp-content/uploads/2023/07/Agent-of-Change-White-Paper-Music-Victoria-2018-UPDATE-Ver.-2.pdf>

- Mixed-use developments (venues or hospitality on the ground floor, residences above) are often poorly built, with inadequate sound insulation and design features that exacerbate noise transmission
- Noise assessment routinely requires high-cost specialist consultants, and complex methods, despite the existence of simple, low-cost measurement technologies
- Multiple layers of government regulation frequently conflict, creating uncertainty and administrative burden for venues
- Enforcement typically defaults to regulating venues because it is easier than addressing systemic planning and construction failures
- Victorian liquor licence compliance is overseen by Liquor Control Victoria, managing safety, harm reduction, and licensing. The EPA standards apply separately to licensed venues regarding environmental impacts, such as noise pollution, waste management, and emissions.

Agent Of Change – In Practice

Agent of Change has anecdotally provided well-needed protections⁵ for venues such as *The Gasso*, *Open Studio*, *Night Hawks*, *Howler* and others, with venues treated as expected land uses, not anomalies, complainants directed back toward personal mitigation (windows, behaviour, expectations) and issues filtered by local Councils and dealt with informally.⁶

However, recent events at *The Night Cat*, as well as a number of examples where developers have left out existing important live music venues in applications, demonstrate the outer limits of *Agent of Change* protection. Despite operating for over 30 years with no history of noise complaints, the venue faced existential risk when a proposed nearby development initiated enforcement proceedings based on historic permit conditions, rather than complaints from new residents and before construction had commenced⁷.

The case exposes a crucial weakness: *Agent of Change* expresses policy intent, but does not create a legal shield once disputes escalate to enforcement or tribunal settings⁸. *Agent of Change* helps manage friction, eg routine complaints, informal disputes, and early-stage negotiations. However, it does not prevent collisions: high-stakes enforcement actions, tribunal disputes, or developer-led challenges. It provides great protection from individual complainants where a local council understands the value of the venue, however it does not protect against litigating developers.

⁵ <https://www.planning.vic.gov.au/guides-and-resources/guides/planning-practice-notes/live-music-and-entertainment-noise>

⁶ <https://www.musicvictoria.com.au/advocacy-update-february-2026/>

⁷ <https://www.3mdr.com/the-night-cat-battles-for-survival-amid-sound-compliance-crunch/>

⁸ <https://themusic.com.au/industry/the-night-cat-wins-case-against-developer-fights-for-change-against-agent-of-change-legislation/h-41m5qdnJ8/27-08-25>

Special Entertainment Precincts operate on a different logic. They prevent collisions by embedding entertainment as the dominant land use, removing ambiguity before conflicts arise. *The Night Cat* issue has proven the vulnerability of all Victorian venues, with urgent community fundraising, rather than government policy, the only tool to save this 30 year old vital cultural institution⁹.

Agent of Change has not guaranteed venue safety, removed VCAT risk, neutralised legacy permits, nor provided structural zoning certainty.

Live Music Precincts – what the phrase really means

The EPA has stated that this review concerns noise laws “inside live music precincts.” Many readers might reasonably assume this refers to any area with one or two live music venues.

That assumption is incorrect.

Under current Victorian law, a *Live Music Precinct* is a formally recognised planning area where live music is considered a priority activity. At present, St Kilda is the only precinct that meets this definition.¹⁰

Even then, St Kilda’s status is limited:

- The precinct was established by local council, not by state planning instruments
- It is acknowledged, but not fully implemented, by State Government
- EPA noise limits remain identical to those applying elsewhere¹¹
- Noise measurement processes remain complex, technical and expensive
- There is no consistent state planning overlay or policy framework governing live music precincts.

St Kilda has some symbolic and administrative benefits, but these remain modest and, in many cases, assumed rather than realised.

Yarra City Council endorsed live music precincts in Fitzroy, Collingwood and Richmond in late 2025, but these have not yet been gazetted or formally recognised by the state.

That is the full extent of live music precinct recognition in Victoria today. Other locations and venues remain incredibly vulnerable to residential complaints and developer actions.

⁹ <https://beat.com.au/fitzroy-live-music-venue-the-night-cat-beats-developer-in-vcap-showdown/>

¹⁰ <https://www.portphillip.vic.gov.au/media/pztgiwdb/st-kilda-live-music-precinct-planning-study-report-july-2023.pdf>

¹¹ <https://www.epa.vic.gov.au/entertainment-venue-and-outdoor-event-music-noise-guidelines>

The ALMBC believes that the use of the phrase Live Music Precincts in this review is confusing and we would welcome a new approach by the Victorian Government to enable a large number of dedicated live music precincts across the state through a well-proven model of *Special Entertainment Precincts* as a priority to protect vulnerable venues.

The gap compared with other states

While the Victorian Government has begun discussing precinct-based approaches and overlays, nothing presented to date provides the certainty, clarity, or protection seen elsewhere.

By contrast, *Special Entertainment Precincts* in NSW and Queensland operate under clear statutory frameworks, with defined sound rules, consistent enforcement, and explicit planning protections.¹² These frameworks have delivered long-term certainty for venues, artists, workers, residents and councils alike, which is building live music in those states.¹³

The only group that consistently resists these precincts is developers, because proper sound attenuation costs money.¹⁴ In fact, developers must play a more proactive role and have the financial means to ensure these processes work successfully for the long term, rather than simply for their short term financial gain. Currently, every new development in Victoria requires grass roots live music venue operators to spend thousands of dollars investigating the potential impact on their business.

Increased approved sound levels are central to the success of *Special Entertainment Precincts*, though how this is managed varies across the country. Queensland gives local government full responsibility — setting the levels and overseeing all compliance. In NSW, where the number of official precincts is growing, and in WA's single established precinct in Northbridge, Perth, local government sets the levels but day-to-day management is handled by the state through a single centralised body.

Both approaches keep costs low for local governments, though the NSW model appears to be delivering the strongest outcomes. By contrast, states like Victoria involve multiple agencies — Liquor Licensing, Planning, Police, and local government among them — creating a fragmented and often confusing process. Measured against that complexity, the Queensland, NSW, and WA models stand out as simpler, more coherent, and well worth considering as templates for other jurisdictions.

¹² <https://www.planning.nsw.gov.au/policy-and-legislation/night-time-economy/special-entertainment-precincts>

¹³ <https://www.apraamcos.com.au/about-us/news-and-events/entertainment-precincts-support>

¹⁴ <https://www.madisonmarcus.com.au/news-media/areas-of-law/planning-environment-government/sound-control-nightlife-harmony-how-nsws-special-entertainment-precincts-are-shaping-a-vibrant-nightlife-economy>

Ideas and practical solutions

Victorian venue owner and policy advocate Jon Perring has recently published a detailed and accessible online article¹⁵ proposing a simpler, fairer approach to measuring live music noise. His central argument is straightforward: the current noise rules are unworkable for everyday operators, and compliance needs to be measurable without expensive consultants.

Perring proposes:

- focusing on low-frequency (bass) impacts, which are the primary source of disturbance¹⁶
- using simple, accessible measurement tools that venues can operate themselves
- reserving complex acoustic modelling for court proceedings or exceptional cases.

We strongly encourage the EPA and Victorian Government to engage with this work as part of the review process.

What the ALMBC is asking for

The ALMBC calls on the Victorian Government and the EPA to:

1. Adopt *Special Entertainment Precincts* statewide, empowering local councils to designate areas of any scale (from major precincts to the space surrounding a single-venue).
2. Retain *Agent of Change* as a supporting principle, not the sole mechanism, with mandatory sound attenuation standards for all new residential development near live music.
3. Simplify EPA noise guidance, using plain language and everyday measurement methods that can be operated by venue staff.
4. Provide targeted financial support for sound attenuation works at grassroots venues, including in regional areas.
5. Fund best-practice sound management training through Music Victoria, ALMBC and similar organisations.
6. Establish a single, streamlined complaints pathway, requiring a reasonable threshold before enforcement action is triggered.
7. Follow interstate and international examples that use automated or precinct-wide sound monitoring to reduce disputes and enforcement costs.
8. Consider standards required for noise created outdoor events (eg crowd noise alone often exceeding limits, impacts of weather, time of day, temperature, etc) as well as ambient noise within busy night-time economy spaces, to ensure indoor venues are not faced with unreasonable limits.

¹⁵ <https://www.counternarrative.art/>

¹⁶ https://www.acoustics.asn.au/conference_proceedings/AAS2004/ACOUSTIC/PDF/AUTHOR/AC040101.PDF

Music Is Loud

Live music is inherently loud. It always has been. It creates culture, identity, economic activity and safe, social night-time spaces. Residents are drawn to that vibrancy, and cities thrive culturally and economically when people can live, work and socialise close together.

At the same time, everyone deserves rest and quiet in their home. Conflict arises not because live music exists, but because:

- many buildings are poorly designed
- residents are inadequately informed
- venues shoulder responsibility for failures they did not create
- regulations are overly complex and inconsistently enforced.

Agent of Change assumes good construction, informed choices and transparent measurement. Too often, none of those conditions exist.

Without reform, disputes will continue, venues will close, and Victoria will keep losing cultural infrastructure it cannot easily replace.

Conclusion

Special Entertainment Precincts in NSW and Queensland demonstrate that policy certainty, aligned with funding to minimise disputes, is the key. Where sound rules are explicit, planning responsibility is clear, and enforcement is predictable, live music and residential amenity can coexist.

Victoria now has an opportunity to catch up.

The ALMBC strongly encourages the EPA and the Victorian Government to use this review not for incremental tweaks, but for structural reform that genuinely protects live music while respecting residents.

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

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**Based in Victoria*