AUSTRALIAN LIVE MUSIC BUSINESS COUNCIL

Draft State Planning Policy 2026 Submission

Submission to the Queensland Government on the draft State Planning Policy 2026

Australian Live Music Business Council, November 2026

About the ALMBC

The Australian Live Music Business Council (ALMBC) is the national peak body for Australia's grassroots live music businesses. We represent thousands of Australian owned small businesses and sole traders who put live music in front of audiences, including venue operators, concert and festival promoters, booking agents, artist managers, artists, DJs, production and technical crew, venue workers, ticketing companies and merchandise businesses.

Many of our members are based in Queensland, from Fortitude Valley, the Gold Coast and the Sunshine Coast through to Toowoomba, Townsville and Cairns. Their ability to keep music venues open depends heavily on decisions made in local planning schemes, and those schemes are written to reflect the State Planning Policy.

A note on timing

The ALMBC acknowledges that formal consultation on the draft State Planning Policy closed at 11.59pm on Monday 26 October 2026.[1] We respectfully ask the Department of State Development, Infrastructure and Planning to consider this submission as part of finalising the policy, given our part time employed leadership (2.5 days each week) and our role in significant recent national activities, including the Regional & Remote Music Summit[2], leading the national response to superannuation in the music industry[3] and undertaking in-person liaison with local government and industry leaders in Cairns[4] The issues raised here go to how the night-time economy policy in the draft will work in practice, and we would welcome the chance to discuss them with the department before the final policy is made.

---

[1] **Draft State Planning Policy 2026 submission form**, Department of State Development, Infrastructure and Planning, 2026. https://www.planning.qld.gov.au/__data/assets/pdf_file/0024/116664/draft-state-planning-policy-2026-submission-form.pdf

[2] **2026 Regional and Remote Music Summit announces first 25 speakers**, The Note, 2026. https://www.thenote.com.au/news/2026-regional-and-remote-music-summit-announces-first-25-speakers

[3] **Australian Live Music Business Council acknowledges ATO's rewriting superannuation guidance for live performance but highlights remaining grassroots gap**, Australasian Leisure Management, 2 September 2026. https://www.ausleisure.com.au/news/australian-live-music-business-council-acknowledges-atos-rewriting-superannuation-guidance-for-live-performance-but-highlights-remaining-grassroots-gap

[4] **Instagram Post** https://www.instagram.com/p/DfL2trGCNxj/

Summary

The ALMBC welcomes the draft State Planning Policy 2026 and congratulates the Deputy Premier on the first comprehensive review of the policy since 2017.[5] We are particularly pleased that the Tourism state interest now includes a policy to facilitate "a safe, vibrant and diverse night-time economy", including protection of night-time economy locations from encroachment by sensitive land uses.[6] This policy lines up well with the Queensland Nightlife Economy Action Plan 2026–2032 released in July.[7]

Our concern is with how that intent will be carried through. As drafted, the policy leaves a set of gaps that will matter a great deal to grassroots music venues, particularly as the policy also pushes higher density housing into the same centres where most of those venues trade. Our recommendations are summarised below and set out in full later in this submission.

1. Recognise live music venues of every size as cultural and economic infrastructure in the State Planning Policy, in metropolitan and regional Queensland, rather than only as part of tourism.
2. State the agent of change principle as a state interest policy, so the party introducing a new use is responsible for managing the noise interface with an established one.
3. Link the Housing state interest to the night-time economy policy, so higher density and mixed-use development near centres is designed around existing venues.
4. Add established live music and entertainment venues to the list of uses protected from encroachment under the High impact and hazardous activities state interest.
5. Carry these protections into the assessment benchmarks as they move into the Planning Regulation 2017, and make sure fast-tracked housing pathways cannot bypass them.
6. Support existing Special Entertainment Precincts (SEPs) and encourage councils to establish SEPs through their planning schemes, supported by state model provisions and local funding for activation.
7. Define night-time economy, live music venue and entertainment precinct in the glossary.
8. Align the final policy with the sound and first-in reforms committed to in the Nightlife Economy Action Plan.

Why the State Planning Policy matters for live music

Queensland was the first state in Australia to create a Special Entertainment Precinct, when Brisbane City Council established the Fortitude Valley precinct on 1 July 2006.[8,9] Within the precinct, venues are exempt

[5] **Queenslanders invited to shape future planning framework**, Queensland Government media statement, Deputy Premier the Hon. Jarrod Bleijie MP, 28 August 2026. https://statements.qld.gov.au/statements/105959

[6] **Draft Queensland State Planning Policy 2026**, Department of State Development, Infrastructure and Planning, 2026. https://www.planning.qld.gov.au/__data/assets/pdf_file/0021/116292/draft-state-planning-policy-2026.pdf

[7] **Queensland Nightlife Economy Action Plan 2026–2032**, State of Queensland (Department of Housing and Public Works), 2026. https://www.hpw.qld.gov.au/__data/assets/pdf_file/0017/92105/qld-nightlife-economy-action-plan.pdf

[8] **Amplified music venues in the Valley**, Brisbane City Council. https://www.brisbane.qld.gov.au/planning-building/planning-guidelines-tools/other-plans-projects/valley-special-entertainment-precinct/amplified-music-venues-valley

[9] **Letter from Colin Jensen, Chief Executive Officer, Brisbane City Council, about the Special Entertainment Precinct in Fortitude Valley**, NSW Legislative Council Portfolio Committee No. 6, 21 September 2018.

from the noise requirements of the state liquor regulation and are instead regulated by council under its amplified music venues local law, and new residential development must meet specific noise insulation requirements.[8] When the Southport precinct opened in 2023, the only other Queensland precincts were in Fortitude Valley and Nambour.[10] The model works, but uptake has been slow, and most Queensland music venues trade without any precinct protection at all.

The Nightlife Economy Action Plan commits the Queensland Government to strengthening "first-in" protections for existing venues when new developments occur nearby, to modernising entertainment sound regulation, and to encouraging councils to explore Special Entertainment Precincts.[6] These commitments respond to recommendations in the Moonside report by the Night-Life Economy Commissioner, which found that current frameworks unfairly penalise venues by applying residential-level amenity standards to entertainment precincts.[11] Neither document names the State Planning Policy. Local governments are required to reflect the State Planning Policy in their planning schemes, so the final policy is where the Action Plan's planning commitments either take hold in every council area or are left to individual councils to pick up or ignore.

What the draft gets right

Tourism policy 4 in the draft reads:[5]

> *Facilitate a safe, vibrant and diverse night-time economy by: (a) supporting co-location or clustering of compatible land uses in centres and other areas which accommodate night-time economy activities; (b) protecting locations which support night-time economy activity from encroachment by sensitive land uses; and (c) managing impacts on amenity through appropriate buffers and separation distances, design, and operational controls.*

Policy 4(b) is the most important clause in the draft for the live music sector. Protecting locations from encroachment by sensitive land uses is, in practice, the agent of change principle, and we strongly support its inclusion. The parallel dawn economy policy in Tourism policy 3 is a thoughtful addition that will help early morning hospitality and recreation businesses in the same way.[5]

We also support the protection of major sport, recreation and entertainment facilities from encroachment under High impact and hazardous activities policy 4(i), and the encouragement of adaptive reuse of heritage places under Environment, heritage and efficient growth policy 3(c).[5] Many of Queensland's best loved music venues trade from heritage hotels, halls and theatres, and adaptive reuse is often what keeps them viable.

Where the draft falls short

Live music is treated only as tourism

The night-time economy policy sits entirely within the Tourism state interest. A suburban pub with a band room, a 150 capacity bar in a regional city or an all ages space in a community hall is part of the night-time

https://parliament.nsw.gov.au/lcdocs/other/11996/011%20-%20%20Letter%20-%20Mr%20Colin%20Jensen,%20Brisbane%20City%20%20about%20the%20Special%20Entertainment%20Precinct%20in%20Fortitude%20Valley.PDF

[10] **Southport Special Entertainment Precinct celebrations**, Yelo, 8 November 2023. https://yelo.live/?p=12692

[11] **Moonside: The Queensland Night-Life Economy Commissioner's Report 2026**, Queensland Night-Life Economy Commissioner, December 2025. https://www.nlec.qld.gov.au/__data/assets/pdf_file/0023/92093/moonside-report.pdf

economy, yet very few councils would treat it as a tourism asset when assessing a residential development next door. These venues are where Queensland artists, crew and audiences develop, and they deserve recognition in their own right as cultural and community infrastructure. The draft contains no policy that names live music venues or music.

The policy does not say who carries the cost

Tourism policy 4(c) refers to managing impacts on amenity through buffers, separation distances, design and operational controls, but it does not say who is responsible for them.[5] Read together with Tourism policy 2(a), which asks tourism development to be compatible with surrounding sensitive land uses, the draft leaves room for a council to place the burden on the venue. This is the exact situation the agent of change principle is meant to prevent.

This matters more because the Queensland Government has declined the Moonside recommendation for sound attenuation grants, on the basis that capital improvements are the responsibility of individual businesses and property owners.[6] Other state governments have funded sound attenuation for venues, including New South Wales through its current Venue Upgrade Grants and Victoria through its Good Music Neighbours program,[12,13] and the ALMBC encourages Queensland to reconsider its position so Queensland venues are on par with those in other states. However, if government will not fund attenuation, the planning system at least needs to be clear that the incoming development pays for it. Otherwise a small venue operator who has traded for decades can be left with the cost of acoustic reports and building works triggered by someone else's project.

Experience in Victoria shows why the principle needs to be stated firmly. Melbourne's Night Cat, which has operated in Fitzroy since 1994, was taken to the Victorian Civil and Administrative Tribunal by a nearby developer, and temporary orders were placed on the venue over noise even though the venue maintained it was operating within its planning permit conditions.[14,15] In the ALMBC's view, this moved the noise issue away from complaints by individual residents and towards a deliberate push by a well-funded developer to protect the future returns on its project by removing a venue noise issue early. The temporary orders were cancelled at the Tribunal, but only after a costly fight funded largely by the venue's community, which raised more than $78,000.[14] In our April 2026 discussion paper to the Victorian EPA, the ALMBC argued that agent of change expressed as policy intent helps manage everyday friction between venues and neighbours but offers little protection once a dispute reaches enforcement or a tribunal. Queensland has the chance to avoid that outcome by writing the principle clearly into the state instrument from the start.

Housing growth is directed to the same places as venues

Housing policy 3 prioritises higher density housing and mixed-use development in and around city, town, retail, business, commercial and mixed-use centres and along transport corridors.[5] The ALMBC supports more housing near transport and services, to drive night time economy and live music accessibility. Those

---

[12] **Venue Upgrade Grants 25/26 – Infrastructure and Equipment**, Sound NSW, NSW Government, 2025. https://www.nsw.gov.au/grants-and-funding/venue-upgrade-grants-25/26-infrastructure-and-equipment

[13] **Sounding out new grant opportunities for live music venues**, Premier of Victoria media release, 12 May 2017. https://www.premier.vic.gov.au/sounding-out-new-grant-opportunities-live-music-venues

[14] **Fitzroy live music venue The Night Cat beats developer in VCAT showdown**, Beat, 27 August 2025. https://beat.com.au/fitzroy-live-music-venue-the-night-cat-beats-developer-in-vcat-showdown/

[15] **The Night Cat wins case against developer, fights for change against agent of change legislation**, The Music, 27 August 2025. 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

same centres are where most of Queensland's music venues trade. Without a cross-reference to the night-time economy policy, the Housing state interest will drive residential development up against existing venues, and the two state interests will pull in opposite directions in every assessment.

Encroachment protection covers only large facilities

High impact and hazardous activities policy 4 protects a list of existing and approved uses from encroachment, including major sport, recreation and entertainment facilities.[5] The glossary ties that term to premises used for large-scale events.[5] Stadiums and arenas will be covered, while the small and mid-sized music venues that are most exposed to residential encroachment are left out.

Assessment benchmarks and fast-tracked housing

The draft proposes moving the assessment benchmarks out of the State Planning Policy and into the Planning Regulation 2017.[16] Benchmarks are where noise and attenuation requirements are actually applied to a development, so the night-time economy policy will only be as strong as the benchmarks that sit beneath it. We are also concerned that housing delivered through State Facilitated Development can be approved without submitter appeal rights.[17] A venue next door to such a project may have no avenue to seek proper attenuation if the benchmarks do not require it.

Special Entertainment Precincts and regional Queensland

The draft supports clustering of night-time economy uses in centres but does not mention Special Entertainment Precincts, even though Queensland pioneered them and the Action Plan commits to encouraging councils to adopt them.[6] Regional councils in particular need a clear signal from the state, along with model provisions they can adopt without commissioning their own work from scratch.

Learning from other states

Several jurisdictions have moved in the last three years, and each offers something Queensland can draw on.

- New South Wales has made Liquor and Gaming NSW the lead regulator for venue sound, introduced order of occupancy as a consideration in noise disputes, and set a threshold of five complainants from different households or businesses before a disturbance complaint can proceed.[18,19] Councils across the state are now establishing Special Entertainment Precincts, including in regional centres such as Tamworth.[20]

[16] **State Planning Policy 2017 Review: The future of assessment benchmarks**, Queensland Government discussion paper, August 2026. https://www.planning.qld.gov.au/__data/assets/pdf_file/0020/116660/the-future-of-assessment-benchmarks.pdf

[17] **State Facilitated Development**, Queensland Government planning website. https://www.planning.qld.gov.au/planning-framework/development-assessment/state-facilitated-development

[18] **Reforms to venue sound management regulation**, Liquor and Gaming NSW. https://www.nsw.gov.au/business-and-economy/liquor-and-gaming/liquor-licensing/sound-regulation-for-licensed-venues/reforms-to-venue-sound-management-regulation

[19] **Statutory disturbance complaints**, Liquor and Gaming NSW. https://www.nsw.gov.au/business-and-economy/liquor-and-gaming/liquor-licensing/sound-regulation-for-licensed-venues/statutory-disturbance-complaints

[20] **Special Entertainment Precincts**, NSW Office of the 24-Hour Economy Commissioner. https://www.nsw.gov.au/business-and-economy/office-of-24-hour-economy-commissioner/vibrancy-reforms/seps

- In late October 2026, Victoria gazetted Amendment VC305, which includes a new Live Music Overlay that councils can use to designate areas where live music is encouraged.[21] The ALMBC has welcomed the overlay while noting that, without full Special Entertainment Precinct protections, many risks remain for Victorian venues.
- In Western Australia, the Northbridge Special Entertainment Precinct was gazetted on 6 February 2026.[22] Rather than keeping a register of protected venues, the City of Perth scheme treats each lot in the precinct, with limited exceptions, as though an entertainment venue is operating on it, so new development must be designed for that noise environment regardless of which venues are there today.[23]

The Perth approach is particularly relevant to Queensland. It gives developers certainty about the standard they must build to, and it protects venues that open in the future as well as those trading now.

Recommendations

The ALMBC recommends that the final State Planning Policy 2026:

1. Names live music venues, of every size and in metropolitan and regional areas, as cultural and economic infrastructure. This could be done through a new policy within the Tourism state interest or a broader statement covering the night-time economy, so that suburban and regional venues are recognised in their own right.
2. Amends Tourism policy 4(c) to state that the party introducing a new use is responsible for managing the interface with an established use. A new residential or other sensitive development near an existing venue should meet the attenuation standard at its own cost, and a new venue opening near existing residents should do the same.
3. Adds a cross-reference in Housing policy 3 requiring higher density and mixed-use development in and around centres to give effect to Tourism policy 4(b) and (c).
4. Adds "established live music and entertainment venues" to the list of protected uses in High impact and hazardous activities policy 4.
5. Commits to an assessment benchmark in the Planning Regulation 2017 that sets acoustic attenuation requirements for sensitive uses proposed near existing music venues and within Special Entertainment Precincts, and confirms that State Facilitated Development and other accelerated housing pathways must meet that benchmark.
6. Directs councils to consider Special Entertainment Precincts where venues cluster, and is supported by state model planning scheme provisions and guidance for regional councils, consistent with action 3.1a of the Nightlife Economy Action Plan.

---

[21] **Protecting live music venues**, Victorian Department of Transport and Planning, 27 October 2026. https://www.planning.vic.gov.au/news/articles/protecting-live-music-venues

[22] **Northbridge Special Entertainment Precinct**, Government of Western Australia, 2026. https://www.wa.gov.au/government/publications/northbridge-special-entertainment-precinct

[23] **Schedule 8.28 Northbridge Special Entertainment Precinct, City Planning Scheme No. 2**, City of Perth, 2026. https://perth.wa.gov.au/-/media/Project/COP/COP/COP/Documents-and-Forms/Develop/Documents/Planning-Framework/Planning-Schemes/City-Planning-Scheme-No-2/Sch_8_28_Northbridge-Special-Entertainment-Precinct-260417.pdf

7. Includes glossary definitions for night-time economy, dawn economy, live music venue and entertainment precinct, and clarifies how these interact with the definition of sensitive land use.
8. Is finalised in step with actions 1.1a to 1.1d of the Nightlife Economy Action Plan, so that planning, liquor and environmental protection rules on entertainment sound give the same answer to venues, residents and councils.
9. Is accompanied by guidance encouraging disclosure to buyers and tenants that a property is near an established music venue or within an entertainment precinct, following the clear notification approach recommended in the Moonside report.[10]

Conclusion

The draft State Planning Policy 2026 is a real step forward for Queensland's night-time economy, and the ALMBC thanks the Deputy Premier and the department for including it. With the changes recommended above, the policy can give Queensland's music venues the planning certainty they need as the state grows towards 2032, and make sure new homes and live music can sit comfortably side by side.

The ALMBC would welcome the opportunity to meet with the department to discuss this submission, and to work with QMusic, the Night-Life Economy Commissioner and local government on model provisions for councils.

ALMBC Board

Name	Board role	Company	Sector
Howard Adams	Chair and 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 and promoters
Stephen Wade	Director	Select Music	Booking agents
Jarrad Thessman	Director	Midnight Assembly	Events and production
Andrew Bassingthwaighte	Director	Xcelerate	Insurance and risk
Hayley Ayres	Director	360 Artist Logistics	Promoters and events
Larissa Jane Ryan	Director	Hutch Collective	Artist development
Rod Smith	Director	Corner Group	Venues
Ben Tillman	Director	Yours and Owls	Agents and promoters
Letisha Ackland	Director	Balya Productions	Production and logistics