

Strathfield Council Comment on “Fun SEPP”

This SEPP proposes changes to the State Environmental Planning Policy (Exempt & Complying Development Codes) 2008. The changes are intended to allow a mix of complying development or exempt development for outdoor dining, artisan food and drink premise, events and small live music venues, food trucks, dark kitchens, temporary events and filming.

Strathfield Council provides the following comment on the proposed changes.

Outdoor Dining Potential Issues

This proposal has potential issues with noise generation, particularly where pubs are located within a high density of residential units. This is compounded by the fact that the proposal does not recommend any time restrictions. While no noise complaints have been received in the last 3 years regarding any pub or small bar, we have received noise complaints from licenced restaurants, especially those with outdoor seating.

The Local Government Act approval provides an opportunity for Council to tightly control, and remove outdoor seating provisions for venues that are generating offensive noise – Council approval can be conditioned to control noise and have procedures for removing approval.

Outdoor Dining Recommendation:

Strathfield Council supports this proposal on provision the exempt approval contains maximum hours of operation (Mon-Sat: 10am-10pm; Sun: 10am to 8pm).

Small Live Music & Arts Venues Potential Issues

Noise is most likely in those scenarios where a mixed use residential buildings when a shop is converted to a SLMAV. The most relevant corollary are complaints from Gyms operating on the ground floor of mixed use residential buildings. These complaints relate to gyms starting at 6am – no complaints received from gyms operating at night.

The likelihood of this amendment causing noise issues in the near future is low in Strathfield LGA as noise from SLMAV would be likely in areas with music scenes such as Marrickville or

Enmore, they are less likely to be utilized in Strathfield to host live music. The potential issues would be reduced with standard hours of operation.

Small Live Music & Arts Venues Recommendation

Strathfield Council supports this proposal with the following change:

- The SEPP to include standard hours of operation:
7am-10pm Monday – Saturday
7am – 8pm Sundays & Public Holidays

(these hours would permit breakfast trade)

Artisan food & drink industry potential issues

Considering the nature and scale of businesses in this industry, complaints associated with this proposal are likely to be noise complaints, traffic/parking complaints and inadequate waste disposal.

Any noise complaints would likely be due to use of forklifts and their reversing alarms, especially late at night. In this regard 24 hour approval is not recommended, but would be ameliorated by including a minimum distance industry needs to be from a residential receiver. In Strathfield Council experience this should be 350m.

Like many areas across the State, industrial areas in Strathfield LGA have limited parking. Creating a retail component would increase the traffic and parking issues. Artisan food and drink industries wishing to incorporate retail components should be required to have off street parking available at levels commensurate with their maximum number of customers.

With regards to waste, the certifier must be required to consider waste disposal to a standard set by the SEPP or an Australian Standard prior to approval.

Artisan food & drink industry recommendation

Strathfield Council:

- Does not support 24 hour manufacturing. However, if the proposal succeeds, no 24 hour operation should be undertaken within 350m of an existing residential premises.
- Recommends changes to the SEPP to contain requirements for minimum parking commensurate with the maximum number of retail customers.
- Recommends changes to the SEPP to contain provisions for adequate assessment of waste disposal.

Food Trucks and Dark Kitchen potential issues

During COVID Council did not receive any noise complaints relating to food trucks. However, one food truck created water pollution due to inadequate waste oil storage and disposal. This can be controlled with POEO.

The proposed changes refer to relaxing residential requirements, but do not specify any details. Permitting food trucks to operate next to residential areas is likely to increase noise complaints and would not be supported.

No issues were noted from the operation of any dark kitchen. Changes to dark kitchens are supported.

Food Trucks and Dark Kitchen Recommendation

Strathfield Council supports changes to food truck proposal as long as food trucks are not able to operate in or adjacent to residential area.

Strathfield Council supports changes to dark kitchens.

Temporary events potential issues

Noise and traffic are the most likely issues associated with temporary events, and the proposal does not contain provisions ensuring noise and traffic/parking are not adversely impacted. As these events are temporary, Council has no effective means of penalty or control or unless strict measures are listed in the SEPP.

Temporary events recommendation

Strathfield Council does not support the proposed amendment to temporary events.

- If the proposed amendment proceeds, the SEPP must have strict conditions limiting noise and traffic/parking generation caused by the event.

Filming potential issues

Filming regularly occurs within the Strathfield LGA, almost always without complaint. Increasing the number of days filming provides potential to attract business into LGAs.

Further detail on the operation and development of film management plans needs to be provided.

Filming Recommendation

Strathfield Council provides in principle support for SEPP changes to filming, pending further detail regarding operation and development of film management plans.

Thankyou for providing the opportunity to comment on these proposed changes. Should you require any further information in relation to the above, please contact me on

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