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22 November 2021

Dear [REDACTED]

RE: Fun SEPP Explanation of Intended Effect

I welcome the opportunity to provide comment from City of Parramatta on the proposed changes to the Codes SEPP. As Greater Sydney moves towards living with COVID-19, the last 18 months have emphasised the role that government plays in supporting businesses and encouraging communities to be out and about again.

The temporary measures that have been put in place for recovery can have long-term positive impacts on local economies. As a former LGA of concern, it has been crucial for the City of Parramatta to facilitate a holistic recovery by supporting businesses to get back on their feet and ensuring that communities are engaged with the places they live, work and play in.

The City of Parramatta supports the aim of the Fun SEPP to provide a more diverse range of events, activities and businesses, while also making it simpler to do so. As the second largest night time economy in Greater Sydney, and third largest in New South Wales, the City of Parramatta also has plans of shaping a future 24-hour CBD and late trading centres all over the LGA.

A night city with a multitude of business, venue and event offers can cater to various community needs for longer hours of the day. The [Parramatta Night City Framework 2020-2024](#) recognises the importance of meeting this ambition with robust, but flexible planning policy and legislation to ensure that the needs of businesses and communities are balanced.

Small live music or arts venues

The City of Parramatta supports greater flexibility in planning for and creating opportunities for live music and arts venues. The proposed changes should specify what constitutes a small live music or arts venue, and whether specific uses will be excluded from the new Building Code changes. For example, a live music venue can be a casual bar hosting live music gigs on one evening, and a dancefloor on another.

All types and uses of live music and arts venues should be captured under the proposed changes. Excluding specific types of live music and arts uses contrasts with the Fun SEPP's aim to deliver a diverse range of offerings for entertainment and limit their support of the live music and arts industry.

The proposed limit of 10pm for a small live music or arts venue in the Fun SEPP does not align with City of Parramatta's vision as stated in the [Parramatta Night City Framework 2020-2024](#) for a 24-hour city centred around the Parramatta CBD, supported by strategic and local centres. Councils should have the flexibility to determine where it is appropriate to encourage later trading, and how late businesses can trade.

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The management of noise is a key issue for councils that are building or managing night time economies. Greater detail should be provided on the noise impacts expected from changes to operation hours and venue use, and how councils can best manage these impacts.

To provide quality support for businesses interested in taking advantage of the proposed changes in the SEPP, councils need clarity on the level of support that will be provided to regulate and manage interface issues. This will assist councils in planning for a greater number of enquires and to ensure processes are as efficient as possible. Clarification on how changes to venue classification align with liquor licensing requirements as venue use becomes more flexible is also needed.

Artisan food and drink industry

The artisan food and drink industry enhances the diversity of food and drink offerings for communities. However, councils will need to manage interface issues with adjoining sensitive uses. Further detail on how to manage these interface issues and the degree of support provided to local councils is needed.

Providing blanket criteria on operating hours for food and drink premises may result in inconsistent outcomes for businesses. Councils should have the flexibility to determine where it is appropriate to encourage later trading, and how late businesses can trade.

The City of Parramatta wants to support local business owners and customers alike to enjoy benefits of localised economic activity. However, since LGAs differ in size and urban composition, further clarification on the definition of neighbourhood and local centres is needed. The Parramatta LGA consists of centres of varying scales – not just neighbourhood and local centres. Clarification on whether extended capacities and trading hours will be available for larger centres such as the Parramatta City Centre is needed.

Food trucks and dark kitchens

Food trucks provide opportunity to activate spaces throughout the LGA; however, the use of food trucks on any land, subject to owner's consent, must still be managed carefully as to not create adverse impacts on adjoining sensitive uses. It is suggested that there be a set of maximum trading hours for food trucks, with some flexibility depending on adjoining uses.

Takeaway and delivery were major lifelines for the hospitality industry over lockdown, not only providing a revenue stream, but also providing a way to ensure that commercial premises were being utilised. Clarity on the management of dark kitchens, particularly around trading hours, environmental health compliance and safety is needed. As dark kitchens also impact on the vibrancy and activity on the streetscape, it is important for councils to be able to regulate and manage the appropriate locations of dark kitchens.

Temporary events

Temporary events and activations provide a new dimension to existing places that businesses and communities welcome. The initial phases of recovery post-lockdown have focused on agile responses to the changing needs to communities. The City of Parramatta supports the intention to streamline the process for holding events.

The proposal to change the definition of *community event* and replace it with *temporary event* would provide clarity around what will be possible under the Codes SEPP. It is suggested that the use of Council-owned land for temporary events be expanded to include Council operational land. Utilising operational land to hold temporary events would open up opportunities for more spaces to hold events, as well as managing the meanwhile use of operational land.

Ambitions of creating a vibrant 24-hour economy should be met with robust planning policy and legislation to ensure that the needs of businesses and communities are balanced. The City of Parramatta supports the ambitions behind the changes proposed in the Fun SEPP EIE. We can leverage the opportunities at present to create lasting changes for places, businesses and communities. As all levels of government transition into new pathways and new ways of doing things, support must be

provided to councils through this transition in order to make the most of these opportunities and ensure consistency.

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