

Your Ref: Fun SEPP

30 November 2021

Dear [REDACTED]

Hawkesbury City Council Submission – FUN SEPP

Hawkesbury City Council (Council) would like to thank you for the opportunity to make a submission on the FUN SEPP. Having reviewed the Explanation of Intended Effect (EIE) for the FUN SEPP, Council's detailed comments on each topic are as follows:

Outdoor dining:

Council supports the blanket provision of councils approving outdoor dining without needing business owners to submit a separate development application. This will enable local businesses, especially pubs, small bars, cafés and restaurants to recover from the past two years of the COVID- 19 pandemic, and the community to enjoy the opportunity to socialise outdoors.

Small live music and arts venue:

Council supports the transition of shops into new functions by changing the Building Code of Australia for suitable shops or food and drink premises to change to small live music and arts venue. However, Council would like to raise concerns about the impact of this change in general on local amenity. The criteria for the music and arts venue allows a maximum of 300 people or 50 people if food and drink are provided. The EIE does not clarify specifically which zones that this provision will apply to.

Having this provision on a blanket scale to just building class could cause detrimental noise and traffic impacts in residential areas. Whilst Council supports this provision, it is recommended that this use should only be limited to certain zones, or that a buffer be included as a measure of planning control to separate this use from residential areas.

Artisan food and drink industry:

Council supports the complying development pathway to allow a change of use from light industry or a light industry with an industrial retail outlet to an artisan food and drink industry.

Food trucks and dark kitchens:

Council supports the proposal to maintain the existing food truck measure and providing some additional flexibility on land adjoining a residential zone, by increasing the hours a food truck can operate. Council also supports the proposal to continue to allow premises with an existing commercial kitchen, including restaurants and cafés, community facilities, cooking schools and function centres, to prepare, sell and deliver food and drinks that can be consumed off site.

Temporary events:





Council supports the proposal that temporary events on council-owned and managed land would not need separate planning approval. A new clause for temporary events on public land to combine the temporary use and the temporary structures into one clause is welcomed.

However, in terms of 'Events on private land', Council would be in a better position to make comments once the appropriate controls are finalised and provided to Council for review.

Hawkesbury City Council is committed and always willing to work closely with the State Government (Department of Planning, Industry and Environment). Hawkesbury City Council welcomes and supports the inclusion of the FUN SEPP into the NSW planning framework through Codes SEPP amendments.

Yours faithfully

[Redacted signature block]