

Northern Beaches Council recognises the uncertainty many businesses across the Northern Beaches are experiencing at this moment as a consequence of the COVID lockdowns. Council supports the principle of the Department of Planning, Industry and Environment's efforts to make it simpler, faster and cheaper for businesses to get back on their feet after the 2021 lockdown period and will continue to support local business as they face the ongoing challenges of the coronavirus pandemic.

While Council agrees with the Fun SEPP in principle, certain clarifications and amendments are also required to limit potential impacts of the proposed amendments, as outlined below.

Outdoor dining

Council has no objection to the proposal to make alfresco dining exempt development *permanently* for lawful food and drink premises, subject to satisfying the existing development standards and approvals including:

- the requirement to acquire land-owners consent; and
- those approvals required under the Roads Act 1993, the Local Government Act 1993 and the Liquor Act 2007.

Small live music or arts venues

Under the Department's Employment Zone Reform, the new E1 Local Centre zone is proposed to consolidate existing B1 (Neighbourhood Centres) and B2 (Local Centres) zones on the Northern Beaches. Under this new E1 zone, additional mandated permissible uses not previously permissible under the previous B1 zones will include hotel or motel accommodation, cellar door premises, pubs, food and drink premises, small bars, amusement centres and entertainment facilities.

Of concern will be the likely impact in smaller neighbourhood centres, being those that immediately abut/adjoin existing low density residential areas. While the National Construction Code has some sound attenuation requirements such as insulation between mixed use spaces, concern is raised that these existing requirements may be inadequate and result in land use conflict/amenity and nuisance.

As a minimum, the development standards for small live music venues (as complying development) should include:

- an acoustic assessment of the proposal, prepared by a suitably qualified and experienced acoustic practitioner (e.g. a member of the Australian Acoustical Society, the Association of Australian Acoustical Consultants or a person with other appropriate professional qualifications). This will enable noise to be considered and if necessary, mitigated and managed through such measures as the design of the sound system.
- a complying development standard and condition that includes an appropriate noise limit. This will be necessary to manage noise complaints.

It is noted that amenity impacts (i.e. from patrons coming and going to the premises) can be managed through management plans required under liquor licences, and consent conditions for specific matters such as hours of operation, maximum capacity and noise mitigation measures.

Artisan food and drink industry

The exhibited Explanation of Intended Effect (the 'EIE') lacked adequate detail on the development standards relating to:

- additional car parking requirements that would be necessary to support such businesses; and
- the management of amenity impacts where these premises may be located adjacent to existing dwellings or residential zones.

Temporary public events on private or council owned land

Council requests clarification on the rationale for limiting events on private land to 2 days within a 12-month period.

Council recommends:

- A 14-day notification period to Council (rather than 7 days) to enable adequate consideration of impacts on residents, traffic, and transport services.
- Residents being notified in writing a minimum of 14 days out from the event, not 7 days as proposed.

Filming

In principle Council supports the removal of the existing 30-day filming limit in a twelve-month period subject to agreement by the landowner, filmmaker and Council via the 'Filming Management Plan'.

A Filming Management Plan is currently required to be provided to the '*consent authority*' at least '*five*' working days before the commencement date of filming. If the plan is to be submitted to Council, it should be provided to Council at least ten working days prior to the commencement of any filming. Council also recommends DPIE clarify the role of the consent authority given filming may be undertaken as exempt development.

It is also recommended that the following development standards for filming be considered:

- a minimum period of 14 continuous days where no filming occurs at the location. This will ensure adjacent properties are relieved of associated noise and other amenity impacts. Council does receive complaints in relation to this.
- adherence to the Local Government Filming Protocol (2009).

Should you require any further information or assistance in relation to this submission, please contact [REDACTED]