

13 December 2017

**Carolyn McNally**

Secretary  
Department of Planning and Environment  
320 Pitt Street  
Sydney NSW 2000

**Standard Instrument definition of 'Bulky Goods Premises'**

We are pleased to provide our response to the proposed amendment of the definition of 'Bulky Goods Premises' currently on public notice by the NSW Department of Planning and Environment.

Anaconda is one of Australia's leading large format retailers in the outdoor adventure products sector with 50 stores currently operating across Australia. Anaconda is also a retail member of the Large Format Retailers Association (LFRA) which includes other retailers operating in the same market sector such as BCF and Rays Outdoors. In New South Wales, Anaconda has 13 operating outlets.

We have reviewed the material placed on public exhibition and understand that the proposed amendment to the 'Bulky Goods Premises' definition within the 'Standard Instrument Local Environmental Plan (LEP)' is to make one change to the text that enables the definition to be more consistent with its previous and original drafting. We understand this is intended to remedy the changes to the definition that were made in circa 2011, resulting in the creation of uncertainty in the large format retail sector in NSW.

Anaconda has first-hand experience in dealing with local councils and we are frustrated by the inconsistent approach that is applied across the State. In the majority of Councils in NSW, Anaconda has been automatically accepted as a compliant 'Bulky Goods Showroom', however in some isolated cases we have been required to justify our compliance specifically in relation to the change in definition that occurred in 2011. This has caused unnecessary time and cost implications for us conducting our business and expanding our store network.


The proposed amendment to the definition is supported by Anaconda as a remedy to the problems that have arisen from the amendments undertaken in 2011. However, we consider this current proposal as a first step in the process of a more detailed review of land use definitions for our sector. Anaconda submits that there is an immediate need to adopt a new definition for the current land use term - 'Bulky Goods Premises' which needs to be completely re-drafted to reflect the recent planning reform adopted in other States of Australia.

All other States have adopted definitions based on a list of products rather than issues of 'bulky goods' or 'collection of goods by vehicles' etc. In NSW, the current definition, including the proposed revision currently exhibited, is no longer meeting the requirements of the retail sector and is not consistent with the equivalent planning laws in other States.

In summary, Anaconda supports the proposed amendments to the bulky goods definition as the first step in further planning reform and this should change to the definition should be implemented immediately.

We thank you for the opportunity to provide this submission.

Yours sincerely,



**Quentin Gracani**  
CEO Spotlight Retail Group