

NSW Department of Planning & Environment  
Employment Policy & Systems  
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Submission to be made online at:

[http://planspolicies.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9217](http://planspolicies.planning.nsw.gov.au/index.pl?action=view_job&job_id=9217)

Dear Sir/Madam

**Submission - Discussion Paper: Planning for the Future of Retail  
and proposed changes to retail land use definitions**

The opportunity to comment on the Discussion Paper and the proposed amendments to the Standard Instrument Local Environmental Plan (SI LEP) is appreciated. Council recognises the need to respond to the changing nature of retailing; better local retail strategic planning is favoured by Council as this allows for the development of appropriate locality specific solutions.

A 'one size fits all' approach, such as the introduction of a State Environmental Planning Policy (SEPP), would not be supported as the needs and development pressures in the Sydney CBD, for example, are very different from the needs and development pressures in a regional centre like Nowra or Ulladulla. The Discussion Paper recognises this to a degree, however, this recognition needs to continue through future reforms so that any future policies allow for local variations.

The detail of the proposed future reforms arising from the Discussion Paper will need to be discussed in detail with the broader community and specifically local councils.

At this stage, the following proposed initiatives are supported:

- The setting of criteria for emerging centres to minimise impact on existing centres. We agree with the need for support for existing centres, particularly the revitalisation of main streets. The proposal for DP&E to provide guidance to individual councils to identify the future direction of retail in their area is generally welcomed.
- The use of 'open' zones in business and industrial zones (supported by an updated land use matrix to assist in interpretation) but noting that it can sometimes create uncertainties.

However, the use of 'open' zones in residential zones is not supported as communities prefer certainty as to what can be developed in their residential neighbourhoods.

- The development of an 'innovation in retail' clause to be added to the Standard Instrument LEP to allow undefined uses to be assessed against established criteria and on merit.

Generally, the ongoing review of Standard Instrument LEP is supported to ensure it is contemporary and meets the needs of the community. In relation to the specific amendments proposed, Council makes the following comments:

*Artesian premises* – Council supports the inclusion of this land use and would like to see it permissible with consent in rural zones in the SI LEP, for example RU1 and RU2. For regional areas, this is generally where these types of uses are likely to be situated/appropriate. It is acknowledged that Council can amend its own LEP to include this land use in those zones, but this takes time and resources for each individual council to implement. As such its implementation through the Standard Instrument LEP should be considered.

*Local distribution premises* – It appears that the intention is that these premises are to be of a scale appropriate for local deliveries and that this would mitigate amenity impacts such as the extent of traffic movements, the size of the vehicles and required floor area. However, the proposed definition is vague considering there is no definition of local (i.e. is local a neighbourhood, a town, a local government area?) and there is nothing in the definition to ensure minimal amenity impacts. Further refinement and consultation is required regarding this definition and its use.

*Specialised retail premises* - The proposed definition is very open which may result in small format shops, for example, in traditional industrial and bulky goods areas which may compete with existing centres. This seems somewhat at odds with the dialogue in the Discussion Paper around renewing main streets.

There are generally no concerns with the proposed new definition of *Neighbourhood supermarket* and the amended definition of *Garden centre*.

If you need further information about this matter, please contact Marie-Louise Foley, Planning Environment & Development Group on (02) 4429 3559. Please quote Council's reference 31157E (D18/160681).

Yours faithfully



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