

Our Ref:  
Contact: Michael Park

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NSW Department of Planning & Infrastructure  
PO Box 5475  
WOLLONGONG NSW 2520

### Re: Planning for the Future: Retail Discussion Paper

Council generally supports the intent of the proposed changes to the Standard Instrument retail definitions and land use tables, however, there are two principal concerns.

#### 1. Large Format retailing in the Industrial Zones

The proposal to include large format retailing in the Industrial zones is considered to have the potential to draw anchor tenants such as supermarkets and major retail outlets, away from existing core commercial areas with a resultant flow on effect which would be disadvantageous to remaining smaller retail outlets. The proposed changes have the potential to undermine the viability of such centres, especially in regional areas such as Wingecarribee Shire.

#### 2. Local Rural Industries

Council supports the introduction of the artisan premises definition, but notes that it is also intended for the Industrial zones.

In drafting Wingecarribee Local Environmental Plan 2010, Council sought to include the following definition which had been in the previous 1989 LEP, enabling agri-business opportunities associated with existing rural activities.

#### **7.3 Tourism related development in Zones RU1, RU2 and E3 [local]**

- (1) *This clause applies to land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU4 Rural Smallholdings with a lot size 10 hectares or greater and Zone E3 Environmental Management.*
- (2) *In this clause, **local rural industry** means:*
  - (a) *in the case of a winery, the processing of wine from grapes grown substantially in the vineyard where the winery operates, and from other grapes that are predominantly locally grown, and may include the sale of any such wine at the winery, and*
  - (b) *in any other case, the handling, treating, processing or packaging of predominantly locally grown or produced agricultural or horticultural*

*products, and may include the sale of any such products, from premises located on the land where the products are substantially grown or produced,*

*but does not include any other rural industry undertaking.*

- (3) Despite any other provision of this Plan, development consent may be granted for carrying out development on land to which this clause applies for the purposes of a local rural industry.*
- (4) Despite any other provision of this Plan, development consent may be granted for carrying out development on land to which this clause applies for the purposes of a restaurant, café, function centre or serviced apartments, if the development is:*
  - (a) to be operated in conjunction with a local rural industry, and*
  - (b) on the same lot on which exists a lawful local rural industry.*
- (5) However, development consent must not be granted under subclause (3) unless the consent authority is satisfied that the development will operate at all times in conjunction with, and ancillary to, the local rural industry.*
- (6) Notwithstanding subclause (3), this clause does not apply to land located within the Berrima Landscape Conservation Area.*

Notwithstanding the fact that the draft clause was included in all exhibited versions of the draft LEP and was strongly supported by both Council and the community, the draft clause was removed prior to the making of WLEP 2010 without any warning or explanation.

Rural industry associations continue to advocate for this clause, either in its proposed form, or in a form acceptable to the Department to be reconsidered for inclusion into the Standard Instrument or at least the Wingecarribee LEP. The clause provides the opportunity for Council to permit agri-tourism and agi-business on an appropriate scale which current land use definitions do not provide.

Council takes this opportunity to once again request that serious consideration be given to this clause and would be willing to meet with the Department to discuss how it might be progressed.

If you require further information, please contact Mr Michael Park, Coordinator Strategic Land Use Planning on 4868 0830 or [Michael.park@wsc.nsw.gov.au](mailto:Michael.park@wsc.nsw.gov.au)

Yours sincerely



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