

Our ref: R04/0029-07 Out-27624

22 May 2018

Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms McNally 

Proposed amendments to the Standard Instrument LEP: Better planning for the NSW retail sector

Thank you for the opportunity to provide feedback on the *Proposed amendments to the Standard Instrument LEP: Better planning for the NSW retail sector*.

On 1 May 2018 Local Government NSW (LGNSW) held a Retail Planning Forum with council staff to discuss the Department's proposed changes to the definitions of retail premises and review the *Planning for the future of retail: Discussion Paper*, April 2018 (Discussion Paper) currently on exhibition.

LGNSW will provide a submission on the Discussion Paper in due course.

This letter provides feedback from the forum on the definitional changes only.

Our concerns are as follows:

1. The definitions need further consideration:
 - The participants questioned the purpose of the proposed changes and whether they were needed for all council areas. They also disagreed that the proposed wording was clearer and would better resolve the current debates on these types of activities and their permissibility within certain zones. For example, the definition of a garden centre allows inclusion of cafés or restaurants but it provides no guidance to councils on the scale and proportion of the café or restaurant relative to the area given over to plants and landscaping supplies.
 - The definitions of activities in the LEP Standard Instrument are highly technical and the proposed changes are loosely worded. The wording must change to avoid unanticipated outcomes.
2. The timing of the definitional changes is out of step with the overall reform of retail planning in NSW.
 - The participants of the forum suggested these definitions be revised when the NSW Government had taken into account the feedback on the Discussion Paper.
 - It is very important that the new definitions be tested in the relevant zones used by councils to ensure they align with the objectives of the zone.

- It was agreed the proposed definitions needed to be tested in possible new zones, or zones where they are currently not applied.

We would appreciate your consideration of the above matters and will provide more extensive feedback in our submission on the Discussion Paper shortly.

If your staff would like to discuss these comments, please ask them to contact Jenny Dennis, Senior Policy Officer – Planning, on 9242 4094 or jennifer.dennis@lgnsw.org.au.

Yours sincerely



Donna Rygate
Chief Executive