



New South Wales

Standard Instrument (Local Environmental Plans) Amendment (Land Use Terms) Order 2018

under the

Environmental Planning and Assessment Act 1979

DAVID HURLEY, Governor

I, General The Honourable David Hurley AC DSC (Ret'd), Governor of New South Wales, with the advice of the Executive Council, and in pursuance of section 3.20 of the *Environmental Planning and Assessment Act 1979*, make the following Order.

Dated, this 22nd day of August 2018.

By His Excellency's Command,

ANTHONY ROBERTS, MP
Minister for Planning

Standard Instrument (Local Environmental Plans) Amendment (Land Use Terms) Order 2018

under the

Environmental Planning and Assessment Act 1979

1 Name of Order

This Order is the *Standard Instrument (Local Environmental Plans) Amendment (Land Use Terms) Order 2018*.

2 Commencement

This Order commences on 31 August 2018 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

[1] Land Use Table

Omit “Bulky goods premises;” from Direction 5.

Insert in alphabetical order “Artisan food and drink industries;”, “Local distribution premises;”, “Neighbourhood supermarkets;” and “Specialised retail premises;”.

[2] Land Use Table, Zone B1

Insert “Neighbourhood supermarkets;” in alphabetical order in item 3.

[3] Land Use Table, Zone B5

Omit “bulky goods premises” from item 1. Insert instead “specialised retail premises”.

[4] Land Use Table, Zone B5, item 3

Omit “Bulky goods premises;”. Insert in alphabetical order “Specialised retail premises;”.

[5] Clause 5.4 Controls relating to miscellaneous permissible uses [compulsory]

Insert “*and not more than 1,000*” after “80” in clause 5.4 (7).

[6] Clause 5.4

Insert after clause 5.4 (7):

(7AA) Neighbourhood supermarkets

If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.

[7] Dictionary

Insert at the end of the note to the definition of *artisan food and drink industry*:

Artisan food and drink industries are a type of *light industry*—see the definition of that term in this Dictionary.

[8] Dictionary

Omit the definition of *bulky goods premises*. Insert in alphabetical order:

local distribution premises means a building or place used for the storage or handling of items (whether goods or materials) pending their delivery to people and businesses in the local area, but from which no retail sales are made.

Note. Local distribution premises are a type of *warehouse or distribution centre*—see the definition of that term in this Dictionary.

neighbourhood supermarket means premises the principal purpose of which is the sale of groceries and foodstuffs to provide for the needs of people who live or work in the local area.

Note. See clause 5.4 for controls relating to the gross floor area of neighbourhood supermarkets.

Neighbourhood supermarkets are a type of *shop*—see the definition of that term in this Dictionary.

specialised retail premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires:

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

Note. Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

Specialised retail premises are a type of *retail premises*—see the definition of that term in this Dictionary.

[9] Dictionary, definition of “neighbourhood shop”

Insert “neighbourhood supermarkets or” after “does not include”.

[10] Dictionary, definition of “retail premises”

Omit paragraph (a). Insert after paragraph (l):

- (la) specialised retail premises,

[11] Dictionary, definition of “shop”

Insert “and neighbourhood supermarket” after “neighbourhood shop”.

[12] Dictionary, definition of “warehouse or distribution centre”

Insert “, and includes local distribution premises” after “made”.