



Council Ref: Planning & Place Division
21/112358/ SC2589

30 June 2021

Aoife Wynter
Director Employment Zones
NSW Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Ms Wynter,

Exhibition of the Employment Zones Reform 2021

Woollahra Council staff welcome the opportunity to provide a submission on the proposed Employment Zones Reform.

The attached submission provides our feedback on the proposed employment zones, land use tables and implementation plan. In summary, Council staff are concerned that the proposed reforms do not accommodate the different scale, character, and uses appropriate to the unique context of each centre. Key concerns regarding the proposed reforms are that:

- Merging land currently zoned B1 Neighbourhood Centre into the proposed E1 Local Centre zone has implications for scale, character and amenity.
- Enabling residential development is identified as a mandatory objective in the proposed E1 Local Centre zone which is inconsistent with the zone's business and employment focus
- The proposed zone objectives do not include direct references to local character statements which leaves the term "character" open to inconsistent interpretation
- Inserting new objectives with undefined terms will create ambiguity in their application and how they should be interpreted
- The expansion of mandated permissible uses without consideration for local context
- The intention to have the initial translation of zones undertaken by the Department which is contrary to Council's place-based approach to planning
- The proposed implementation timeline does not provide Council an opportunity to undertake local community consultation or public exhibition of the amendments to the Woollahra LEP 2014 before they come into effect.

If you require any further information about our submission please contact [REDACTED]

Yours sincerely



Submission on the public exhibition of the Employment Zones Reform

Part 1 Introduction

In May 2021 the Department of Planning, Industry and Environment (the Department) exhibited a proposal to replace the existing Business (B) and Industrial (IN) zones with five new employment zones and three supporting zones under the *Standard Instrument Principal Local Environmental Plan (2006)* (SILEP).

Council staff support the Department's intent to encourage a diverse mix of uses in centres that help to create vibrancy and economic opportunities. However, we have a number of concerns about the detail of the proposed reforms, the implementation timeline and the strategic justification for certain elements.

Business and employment centres in Woollahra

Our centres are important community hubs and are the core of our local economy. Under the *Woollahra Local Environmental Plan (LEP) 2014*, our centres are zoned B1 Neighbourhood, B2 Local Centre and B4 Mixed Use, reflecting their diverse economic function, local character and unique context.

There is a significant difference between the scale and role of our centres. Our B1 centres serve as neighbourhood shops for the immediate surrounding area while our B2 and B4 zones service a wider range of local needs. Many of our B2 and B4 zones are also destinations attracting a vibrant range of businesses, workers and visitors. The scale, local character, heritage, unique mix of uses and high quality public domain are key reasons people come to our centres and our current zones seek to maintain this.

Under the proposed new framework, most of Woollahra's businesses zones would likely be translated to the proposed E1 Local Centre zone. The exception being the Double Bay local centre which may be translated to the proposed E2 Commercial Centre zone. Council staff are concerned that this translation is not appropriate to reflect the different scale and local character of these centres and would not accommodate uses appropriate to their unique context.

Additionally, merging the neighbourhood and local centre zones confuses our centres hierarchy. The Eastern City District Plan and Woollahra LSPS 2020 identify five key local centres in Woollahra, whilst there are in excess of 12 small local shopping strips which are zoned B1 Neighbourhood Centre. Neighbourhood scale and local scale centres play very different roles in our local economy and community life. As shown in **Figures 1 and 2** below, the scale and character of these two zones is very different.

Figure 1: B1 Neighbourhood Centre
Streatfield Road, Bellevue Hill

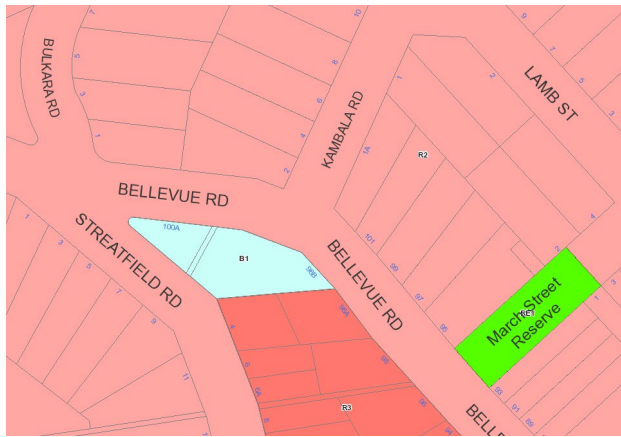
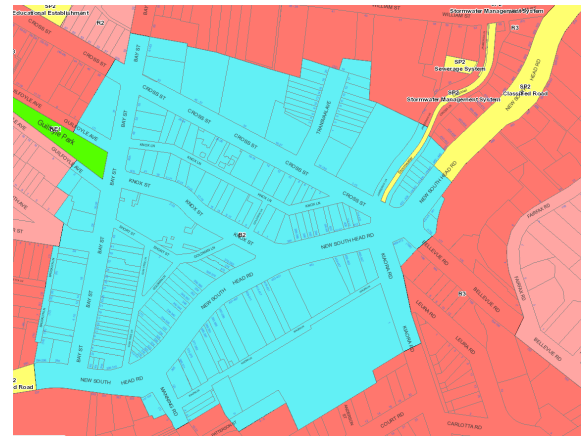


Figure 2: B2 Local Centre
Double Bay



Justification for the proposed changes

The position paper identifies that it is based on reviews by both the Australian and NSW productivity commissions and broader planning reforms to support economic growth and productivity. We are concerned that the position paper does not provide a sufficiently robust planning justification or identify the community benefits of the proposed reform. We also have concerns about the rigour of analysis and evidence on which the Productivity Commission based its recommendations for the employment zone reform.

As an example, in the Double Bay local centre residential apartments in mixed use buildings sell for premium prices. However, there is strong demand for non-residential uses and this is being pursued by the market under the existing planning framework.

The following recent DAs propose 100% commercial floor space:

- 384 New South Head Road – 4 storey commercial building (2020)
- 357-359 New South Head Road – 5 storey commercial building (2020)
- 30-36 Bay Street – 6 storey commercial building (2019)*.

The following recent DAs proposed shop top housing development:

- 20-26 Cross Street – 6 storey mixed residential and commercial building (2020)
- 21-27 Bay Street – 5 storey mixed residential and commercial building (2020)
- 28-34 Cross Street – 6 storey mixed residential and retail building (2020)

- 16-18 Cross Street – 6 storey mixed residential and commercial building (2019)
- 3 Knox Street – 4 storey mixed residential and commercial (2018)
- 374-382 New South Head Road – 6 storey mixed residential and commercial building (2017)

** Note: 30-36 Bay Street had a Land & Environment Court (LEC) approval for a 6 storey mixed use development comprising mostly of apartments. However, a more recent development consent for a 100% commercial building is now under construction and nearing completion.*

Based on these recent development trends, we are not convinced that the Productivity Commission's findings regarding the need for land use zone reform are justified. This example shows that where there is market demand in centres and councils actively plan for centres as places, the current zones are not hindering development for business and employment uses.

Proposed zone names

It is unclear why the proposed framework intends to rename Business zones as Employment zones, subsequently requiring the Environment Protection zones (E1-E4) to be renamed.

Additionally, the term 'employment' does not capture the breadth of economic, commercial and community functions of our centres.

With a view to facilitating a clear and simple transition to the new framework, we recommend that the Environment Protection Zones retain their current names and alternate names are used for the proposed new zones

We recommend that the term "Business" is retained for these zones. Alternatively we suggest other names are used, that better reflect the broad range of important functions that our centres provide.

Part 2 Proposed employment zones framework

Council staff do not support the inconsistency with the centres hierarchy established in the Eastern City District Plan and the *Woollahra Local Strategic Planning Statement (LSPS) 2020* which would result from the proposed zone framework. We are also not satisfied that the proposed zones and objectives will help us to achieve the desired future character and place outcomes for our centres.

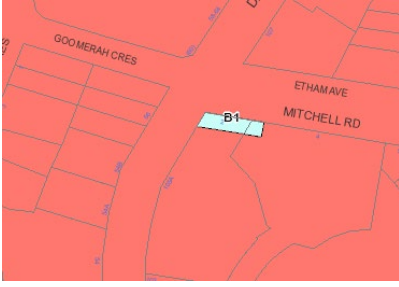
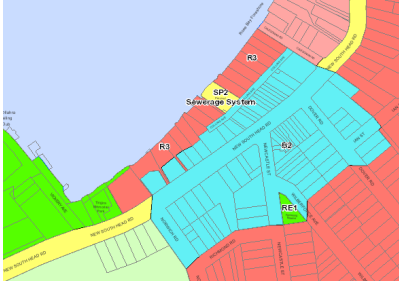
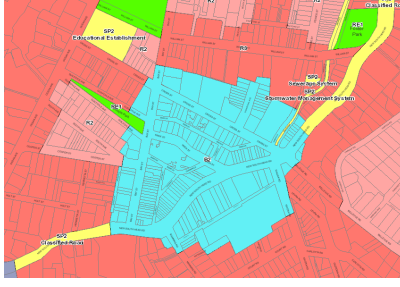



As identified in previous feedback to the Department, zone objectives must reflect the terminology adopted in the strategic planning framework by the Greater Sydney Region and District Plans and LSPSs to ensure consistent interpretation across the state.

For example, the E2 Commercial Centre zone refers to these centres being the "principal" commercial centre, yet the term "principal" is not used in the relevant strategic plans nor is it defined in the SILEP. The Woollahra LSPS 2020 identifies strategic centres (Bondi Junction in the Waverley Council LGA), key local centres, local centres and neighbourhood scale centres.

Council staff are concerned that the transition in the scale and role from E1 Local Centres to E2 Commercial Centres does not respond to the unique roles or qualities of our existing B1 Neighbourhood Centre and B2 Local Centre zones.

In the Woollahra LEP 2014, the B2 Local Centre Zone applies to several centres, including the Double Bay centre and the Rose Bay centre. Both of these centres are identified in the Woollahra LSPS 2020 as key local centres that provide local employment opportunities and economic diversity. Under the proposed new zoning framework, Double Bay may be elevated to the status of

a principal commercial centre under the E2 zone. Meanwhile Rose Bay, which is unlikely to be identified as a “principal centre”, is zoned the same as our small neighbourhood shopping strips, which in some instances contain a single retail business (see **Figures 3, 4 and 5** below).

Figure 3: B1 Neighbourhood Centre Mitchell Rd, Darling Point	Figure 4: B2 Local Centre Rose Bay	Figure 4: B2 Local Centre Double Bay
		
		

While we appreciate that the draft zone objectives seek to support the centres hierarchy, we are concerned that the proposed objectives and expansion of mandated permissible uses will not facilitate the intended outcomes. Our concerns are discussed below under each proposed zone.

2.1 E1 Local Centre

We do not support the removal of the B1 Neighbourhood Centre zone and its merging into the new E1 Local Centre zone. As stated previously, in the Woollahra LGA the B1 Neighbourhood Centre zone is applied to very small scale neighbourhood shops located in residential areas. These strips of shops usually provide small businesses such as cafes, dry cleaners, and corner stores which service the surrounding neighbourhood for their day to day needs.

The uses proposed under the E1 Local Centre zone are much broader than our strategic plans have envisaged for our Neighbourhood Centres. A change of this nature could fundamentally change the nature of our Neighbourhood Centres, such that they no longer meet the needs of local residents.

Additionally, merging the local centre and neighbourhood zones is inconsistent with the centres hierarchy identified in the Woollahra LSPS 2020. As identified previously, neighbourhood scale and local scale centres play very different roles in our LGA and community life (see Figures 1 & 2 which show highlight that the scale and character of these two zones is very different).

Local Centre zone land use table: Objectives

As discussed above, Council staff’s recommend that Neighbourhood and Local centres are retained and separated. However, if the Department proceeds with the E1 Local Centre zone,

several of the proposed objectives require refining to ensure that they are not open to different interpretations, such as what determines the interpretation of character.

Our feedback on the proposed E1 Local Centre objectives is provided below:

- ***To provide a range of retail, business and community uses that meet the needs of people who live, work or visit the area.***

This objective is very similar to the current objective in the B2 Local Centre zone. Council staff are concerned that it does not adequately address the very different scales of centres which will be merged into the proposed E1 Local Centre zone, specifically:

- The small-scale shopping strips currently zoned B1 Neighbourhood Centre.
- The mid-scale local centres with a supermarkets and other local businesses, services and community uses currently zoned B2 Local Centre.

In the absence of a clear scale for the zone or a link to a strategy such as the LSPS to determine the needs of the people who live, work or visit the area, the objective is ambiguous and potentially open to inconsistent interpretation. We note that the LEC regularly relies on objectives when considering variations to development standards, as discussed below in relation to the fourth proposed zone objective.

Council staff do not support the inclusion of uses that “meet the needs of people who live, work or visit the area”. This does not reflect the scale or economic role of our existing B1 Neighbourhood Centres which primarily service the day-to-day needs of the surrounding neighbourhood.

- ***To encourage employment opportunities and business investment.***

This objective is very similar to the current objective in the B2 Local Centre zone. However, it removes the important reference to employment being encouraged “in accessible locations”. This text should be included in the objective for the proposed E1 Local Centre zone.

Council staff note that encouraging employment opportunities in accessible locations is consistent with the intent of the 30-minute city outlined in the *Greater Sydney Region Plan: A Metropolis of Three Cities* (Greater Sydney Commission, 2018).

Additionally, the meaning of “business investment” is not defined in the SILEP. It is unclear what development outcome this term is seeking to achieve. A possible unforeseen outcome is that this term may be viewed by some in the community and industry as a blanket objective to encourage increased development. “Business investment” needs to be defined in the SILEP to ensure consistent interpretation and development outcomes.

- ***To enable residential development if it will encourage a vibrant Local Centre.***

Council staff do not support the inclusion of this objective in the SILEP. Planning objectives for residential development should be identified at a local level consistent with the local housing strategy and LSPS. We are very concerned about the potential interpretation of the word “enable” as an intent to actively encourage residential development separately to business and employment uses.

Residential floor space has a significantly greater sale value than business uses and has high demands for servicing and vehicle entrances. We are concerned that this objective may have the unintended impact of undermining the important economic role of our Local Centres. As noted above, our current zones and objectives, which were developed using a place-based approach, are delivering a mix of residential and business uses in centres such as Double Bay.

Residential development should be delivered in a way that is consistent with local, place-based housing strategies that have been developed in consultation with the community. It should not be included as a mandatory objective of an employment zone in the SILEP. Council staff are very concerned about the absence of planning justification to substantiate the need for and intended outcome of this objective.

Additionally, Council staff are concerned that the meaning of a “vibrant Local Centre” has not been defined. The SILEP does not define “vibrant” which leaves it open to a range of potential interpretations.

Council staff do not support this objective being introduced into the SILEP.

- ***To ensure that development is compatible with the amenity, character and scale of surrounding neighbourhoods.***

Council staff support the intent of this objective, however it needs further refining to clarify its interpretation and ensure consistent outcomes. Local character, appropriate development scale and high levels of amenity for residential uses and the public domain are critical to delivering successful centres that are great places for people.

We are concerned that the proposed objective does not provide a mechanism or specific definitions to interpret what is compatible with regards to character or scale, or amenity. This is important to how it interacts with clause 4.6 variations to development standards, for example height and FSR.

This was an issue in a recent judgement of the LEC which found that that there needed to be a specific text reference to the provisions in the LEP or DCP to require that they be used to interpret the term ‘desired future character’ as used in the objectives in the Woollahra LEP 2014. The relevant cases are *Woollahra Municipal Council v SJD DB2 Pty Ltd [2020] NSWLEC 115* and *SJD DB2 Pty Ltd v Woollahra Municipal Council [2020] NSWLEC 1112*.

Most Councils already have provisions for local character, amenity and scale in the LEPs and DCPs that apply to many different types of development and the local character of their areas. These existing provisions must be retained.

We note that there is growing community concern that recent appeals are resulting in less legal weight being given to these existing provisions which is undermining the intent of the planning controls at the time of drafting. This is resulting in outcomes that are not transparent, consistent or certain.

It is vital that development in local centres responds to the desired future character which is established in local plans and strategies and is developed in consultation with the community. Establishing a clear, individual local character provides certainty, consistent interpretation of development standards and transparent decisions for the community and developers. It is central to delivering place-based development that meets community needs and provides public benefits.

We recommend that, at a minimum, this objective contains an in-text link to the relevant local character statement, LEP development standards or DCP. Council can work with DPIE to identify the relevant instrument during the translation process. This change to the proposed objective will help to ensure that character, scale and amenity outcomes link to the specific characteristics, heritage, activation, urban greening and desired future character established for each local centre.

Local Centre zone land use table: Permissible uses

As discussed above, Council staff's preference is that the separate zones for Neighbourhood and Local centres are retained. The neighbourhood shops of the former are very different to the supermarkets and village centres of a Local Centre. This is a matter that also concerns permissible land uses.

We do not support the following proposed mandated permissible uses for the E1 Local Centre zone applying to land that is currently zoned B1 Neighbourhood Centre:

- Amusement centres
- Commercial premises parent term
- Domestic goods repair and reuse facility
- Entertainment facilities
- Function centres
- Local distribution premises
- Vehicle repair stations.

Many neighbourhood scale centres do not have adequate road infrastructure, parking, or space to accommodate these types of uses. Particularly in established areas like Woollahra, many small shopping strips are already overly constrained by local traffic and parking issues, which would only be exacerbated if local distribution premises, entertainment/function centres and domestic goods repair facilities are permitted.

Councils should retain the flexibility to include these uses if they are determined by Council to be appropriate to the scale and road infrastructure of local centres in their area. The existing mix of permissible uses in the Woollahra LEP 2014 were identified based on detailed assessment of our centres when the SILEP was introduced. Notwithstanding the Department's best intentions, this detailed strategic work cannot be replaced by a standard provision that will merge two very different scales of centres across a wide range of LGAs.

2.2 E2 Commercial Centre

We are generally supportive of the intent of the Commercial Centre zone to provide a range of business and employment uses with a focus on creating vibrant and active centres that meet the needs of the community.

However, Council staff are concerned that objectives for amenity, compatibility of height and scale, local character or desired future character are not proposed for the Commercial Centre zone. Furthermore, it is important that these centres transition appropriately to surrounding residential areas to maintain amenity and local character. Commercial Centres must be contextually responsive to ensure they evolve in-line with the local character objectives set by Council in consultation with the community.

Our feedback on the proposed E2 Commercial Centre objectives is provided below:

- ***To provide the principal commercial centre for surrounding areas.***

Council staff support the intent of using this zone to identify the principal commercial centre for the surrounding area. However, we are concerned that the term 'principal commercial centre' is not defined in the SILEP and is inconsistent with terminology used to describe centres across the strategic planning framework.

The Woollahra LSPS 2020 identifies strategic centres (Bondi Junction in the Waverley Council LGA), key local centres, local centres and neighbourhood scale centres.

- ***To provide a range of business, office, retail, community, entertainment and other land uses that meet the needs of the community.***

Council staff generally support the objective to provide a range of business, office, retail, community and entertainment uses in the proposed E2 Commercial Centre zone, with an emphasis on business and employment.

However, it is unclear what the desired outcome is of the term “meet the needs of the community” and how this is different to the proposed E1 Local Centre zone which seeks to meet the needs of “people who live, work or visit the area”. The meaning of these terms and their intended outcome must be defined in the SILEP to ensure consistent interpretation and provide certainty about the intended development outcome.

- ***To encourage employment opportunities and business investment.***

Council staff generally support the intent of this objective. However, similar to our comments on the E1 Local Centre zone objectives, we are concerned that the important reference to employment being encouraged in “accessible locations” is not included.

Additionally, as mentioned previously, it is unclear what the term “business investment” means, what outcomes it is seeking to achieve for employment zones and how it is to be interpreted. This term must be defined in the SILEP to ensure consistent interpretation and provide certainty about the intended development outcome.

- ***To promote vibrant and active street frontages, including during evenings and weekends.***

We commend the Department for including a focus on active frontages. Promoting consistent activation will help to enhance the vibrancy in Commercial Centre zones and attract diverse businesses and workers.

Commercial Centre zone land use table: Permissible uses

We do not support the inclusion of Recreation facilities (major) in the Commercial Centre zone.

recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

By definition, Recreation facilities (major) are used for large-scale activities attended by large numbers of people. These uses are not appropriate for the majority of smaller-scale commercial centres in Greater Sydney due to size and access constraints.

We recommend that Recreation facilities (major) is removed from the mandated permissible uses so that local councils retain the ability to identify where it is strategically and contextually appropriate to permit this land use within their LGA.

2.3 MU1 Mixed Use

Council staff are uncertain what the central purpose of the proposed mixed use zone is and whether it is a business zone, a residential zone or a transition zone.

This zone seeks to accommodate land uses that are not primarily employment or productivity related. There is no definition of its purpose and role in the LGA, whereas the current B4 Mixed Use is identified as a Business zone.

In the absence of a clear role, a direct link to desired future character is vital to ensure that development in the zone is appropriate to the local context and contributes to the needs of the local community consistent with the strategic plans for the area.

Our feedback on the proposed MU1 Mixed Use objectives is provided below:

- ***To provide a range of business, community, light industrial, retail and residential land uses.***

As identified in the objectives for the other proposed zones, Council staff are concerned that there is no reference to encouraging the provision of a range of uses in “accessible locations”. Due to the mix of employment, industrial and residential land uses permissible in this zone, accessibility and proximity to transport infrastructure are important to creating areas that are attractive to businesses, workers and residents.

We recommend that the Department amend this objective to insert a reference to encourage a compatible range of uses in accessible locations within the Mixed Use zone.

- ***To encourage, vibrant, active and safe areas.***

While we support the intent of this objective, Council staff are disappointed that there is no reference to providing active street frontages and/or ground level non-residential uses to enhance the vibrancy, activation and safety within this zone.

Promoting vibrant street level activation, particularly non-residential uses, provides enhanced walkability, adds a sense of vitality to the public domain and provides opportunities for passive surveillance which helps to increase safety. Active frontages also contribute significantly the local character and streetscape, creating distinctive and attractive areas.

It is unclear what the term “safe” means, what outcomes it is seeking to achieve for employment zones and how it is to be interpreted. This term must either be removed or defined in the SILEP to ensure consistent interpretation and provide certainty about the intended development outcome.

- ***To minimise conflict between land uses within this zone and land uses within adjoining zones.***

We generally support the intent of this objective and its focus on minimising land use conflicts within the zone and adjoining zones.

2.4 SP4 Local Enterprise

In addition to the zones proposed in the Draft SILEP amendment, the position paper identifies an additional zone, the SP4 Local Enterprise zone, which is to be introduced at a later unspecified date. The position paper identifies that this will likely be applied on a precinct basis.

Should a SP4 Local Enterprise zone be adopted, its objectives must provide a specific in-text link to the relevant plans for the special activation or regional jobs precinct.

The position paper states that the core objective of this zone should be to facilitate investment in enterprise where the application of another zone is not appropriate. The meaning and intended outcomes of “investment in enterprise” must be made clear in the drafting of objectives for this zone to ensure consistent application and interpretation.

Council staff would like to be involved in the process as this new zone is being developed.

Part 3 Land use definitions

3.1 Updated and new definitions

Council staff provide the following feedback on the proposed definitions in the position paper:

Domestic goods repair and reuse facility

We commend the Department on seeking to support the circular economy. However, the proposed definition should be further refined to avoid unnecessary restrictions on activities related to a circular economy.

The proposed definition is:

domestic goods repair and reuse facility means a building or place mainly used to collect, repair or refurbish domestic goods, including furniture and appliances, for the purposes of sale, lease or swap, but does not include a shop that is an op shop.

Note— *Domestic goods repair and reuse facilities are a type of light industry—see the definition of that term in this Dictionary.*

Defining these facilities as being “for the purposes of sale, lease or swap” does not include domestic goods which may be repaired or refurbished for the purpose of being returned to their current owner. We suggest removing the phrase “for the purposes of sale, lease or swap” from the definition to remove unnecessary restriction on the reason for the goods being repaired.

The proposed definition states that domestic goods repair and reuse facilities do not include a shop that is an “op shop”. However, there is no definition in the SILEP of an “op shop”. The proposed definition should not include reference to an undefined land use. We recommend that definition is amended or that a definition of “op shop” is introduced into the SILEP.

Shop-top housing

Council staff support, in principle, the expansion of this definition to allow health service facilities with low amenity impacts as ground floor uses below shop-top housing.

However, we are concerned that the position paper mentions potentially permitting light industry as a ground floor use under shop-top housing. We are concerned that permitting all types of ‘light industry’ in the zone would result in adverse impacts on the activation and amenity of our centres, particularly when many light industries generate traffic and have different floor space requirements to retail or business uses.

We note that light industry is not included in the proposed definition of shop-top housing in the draft SILEP amendment. Council staff do not support expanding the definition to include light industry.

We recommend reviewing the definition of “shop-top housing” to strengthen its intent and ensure it is applied consistently. Specifically, the definition should seek to ensure that ground floor retail and business premises are providing active frontages and public benefits, rather than being a tokenistic part of the development where the majority of the floorplate is dedicated to servicing the rest of the building.

There have been a number of recent developments in the Woollahra LGA, such as at 14 Bay Street and 55 Bay Street, Double Bay, where the ground floor retail area accounts for less than 50% of the gross floor area (GFA). The majority of the GFA in these two developments is used for servicing and access requirements for the residential areas.

Part 4 Implementation

The position paper identifies an intention to introduce the final framework into the SILEP by September 2021 and for all LEPs to be updated by mid-2022. As outlined below, Council staff have a number of concerns about the feasibility of this timeframe given the important nature of the reforms, the resourcing requirements, additional strategic studies that may be required, and the limited opportunities for local community consultation resulting from the accelerated process.

Council staff request that Woollahra implements the employment zone reforms in Tranche 2, consistent with the dates outlined in the implementation plan.

4.1 Zone translation

We appreciate that the reform team is seeking to minimise the administrative burden on councils for the introduction of the proposed changes by preparing the first draft of zone translations and land use tables. However, the zoning and existing mix of permissible uses in the Woollahra LEP 2014 were identified as the result of a detailed place-based assessment of our centres when the SILEP was introduced.

Notwithstanding the Department's best intentions, this detailed strategic work cannot be replaced by a standard provision that will merge two very different scales of centres across a wide range of LGAs. Additional strategic work to implement the reforms will likely include, but not be limited to:

- transport, economic and community impact studies to enable Council to plan accordingly for potential changes in our local centres resulting from the reforms
- amendments to various planning instruments to update zone references, definitions and centre hierarchy to reflect the new framework. Documents that require updating may include DCPs, LSPSs, housing strategies, and centre-specific planning, urban design and placemaking strategies.

Translating existing zones into the new framework will require significant work from councils, regardless of whether the first draft is prepared by the Department or by Council. We request that councils have the option to prepare the first draft of zone application maps and land use tables. This will help ensure that the resulting zone translation continues to provide diverse centres that meet the needs of our community. To accommodate this process, we recommend that at least 6 months is allowed in the implementation timeframe.

4.2 Local objectives and provisions

The current zone objectives and uses in the Woollahra LEP 2014 were established by Council using a place-based approach in collaboration with the Department. It is vital that LEP objectives continue to address the local context to ensure development standards are interpreted consistently and help achieve the community's vision for the future.

We note that the Department intends to prepare a set of model local provisions to assist councils who wish to add similar provisions within their LEPs. It is important that these model local provisions act as a guide only and that councils continue to have the ability to tailor local provisions to respond to the unique context of their LGA.

4.3 Timeframe and consultation

Council staff are concerned about the timeframe identified to implement the employment zone reforms. In particular, we are concerned that the timeframe will not allow for Councillor engagement and robust community consultation to be undertaken at a local level by Council staff.

It is vital that communities are provided appropriate opportunities to share their views. The *Woollahra Community Participation Plan 2019* (Woollahra CPP) identifies a robust framework to help ensure our community can participate in strategic planning processes.

The position paper states that a centralised digital public exhibition will be managed by the Department's Policy Team. We are concerned that a centralised digital-only approach will not provide adequate opportunities for all members of our community to be involved or provide suitable notification of the public exhibition.

In line with the Woollahra CPP, our residents, residents associations and local businesses are notified of strategic planning matters that affect them and given the opportunity to share their views on the proposed changes. The lack of detail provided in the implementation plan about how the Department plans to notify local communities of the reform is very concerning. We are also concerned that a digital-only approach may exclude members of our community who are used to inspecting hard copy exhibition materials at our Customer Service area (subject to the relevant COVID-19 health requirements in place at the time).

Furthermore, insufficient time has been allowed to facilitate briefings to Councillors or public reports to Council at the following stages:

- the first round of draft land use tables and maps. The plan identifies that these will be provided in mid-August 2021. This is not enough time for the information to be reviewed by Council staff and presented to Councillors before the elections in September 2021
- the draft zone conversion before it is placed on public exhibition in February 2022. This work is to be finalised by the Department in December/January when council meetings do not take place.
- the outcome of public exhibition and any community feedback received
- any post-exhibition changes before the final package of information is sent to the Minister for approval and referred to Executive Council by mid-2022.

We urge the Department to amend the implementation plan and proposed timeframe to enable local consultation with the community and elected Councillors to be undertaken by Council staff.

4.4 Additional support from the Department

Council staff do not support utilising a flying squad of State-employed policy planners to undertake detailed review work on behalf of Woollahra Council. Council's strategic planning team have the appropriate local knowledge and understanding of the relevant strategic plans to ensure that implementation of the reforms is consistent with our community's vision for the future.

We note that the ePlanning Spatial Viewer will be used for the new maps. As discussed with the Department previously, both Council and our community value the certainty provided by the current PDF maps which identify the planning provisions at a certain point in time. While we appreciate that all mapping is transitioning to the ePlanning Spatial Viewer, we urge the Department to consider retaining PDF versions of the maps to comparison between current and previous maps.

Part 5 Conclusion

In principle, we support the Department's intent to encourage a diverse mix of uses in centres that help to create vibrancy and economic opportunities.

However, we have a number of concerns related to the merging of centres of very different scales and roles into one employment zone, ambiguous zone objectives, the expansion of mandated permissible uses, and the limited opportunity for local community consultation.

We look forward to continuing to work with the Department on the new employment zones framework.