



26 November 2021

Department of Planning, Industry and Environment
Locked Bag 5022,
Parramatta NSW 2124

Attn: Meagan Kanaley, Director Codes, Planning and Assessment

Dear Meagan,

**SUBMISSION – THE FUN SEPP
COMPLYING DEVELOPMENT FOR ARTISAN FOOD AND DRINK INDUSTRY**

CPS write in response to the Explanation of Intended Effect (EIE) that is currently on public exhibition for the Fun SEPP, in particular, to the proposal to create a complying development pathway to allow a change of use of premises to ‘artisan food and drink industry’ in certain circumstances.

CPS are fully supportive of the proposed changes outlined in the EIE, however make the following comment for consideration by the Department of Planning, Industry and Environment in finalising the proposal.

Change of Use – We note it is proposed to allow a change of use from ‘light industry’ or a ‘light industry with an industrial retail outlet’ to an ‘artisan food and drink industry’.

CPS has seen many circumstances where the current use of the premises is a ‘general industry’ and the incoming artisan producer is looking to set up as an ‘artisan food and drink industry’.

With the proposed changes outlined above a development application (DA) would still be needed, because the current use of the premises is not a ‘light industry’.

Alternatively, a convoluted approval process would ensue whereby the applicant first has to change the use of the premises from a ‘general industry’ to a ‘light industry’ via a separate complying development application, or a DA to Council. The applicant would then have to prepare a second complying development application to change the use to an ‘artisan food and drink industry’.

The EIE indicates the outcomes sought by the changes are to *'introduce a swift and simple change of use pathway for artisan food and drink businesses'*. However, the convoluted arrangement outlined above conflicts with the Fun SEPP's intended outcome.

CPS believe that because the change of use is moving to a less intense form of development, that a change of use from a general industry to a light industry (i.e. artisan food and drink industry) should also be an acceptable circumstance for which the complying development pathway can apply.

If the complying development change of use circumstances could be broadened to enable existing 'general industries' to be changed to 'artisan food and drink premises', then we strongly believe this would capture a lot more artisan producers looking to establish themselves in industrial areas, particularly in the IN1 General Industrial zone where 'general industries' are more prevalent.

Should you have any queries regarding the information above please do not hesitate to contact me on the above listed details.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Ben Tesoriero', with a long horizontal flourish extending to the right.

Ben Tesoriero
Director - Creative Planning Solutions Pty Limited