

13 December 2017

Carolyn McNally

Secretary
Department of Planning and Environment
320 Pitt Street
Sydney NSW 2000

Dear Ms McNally,

**Amendment to the Standard Instrument definition of 'Bulky Goods Premises'
Submission in Support**

This submission has been prepared in response to the proposed amendment to the definition of 'Bulky Goods Premises' prepared by the NSW Department of Planning and Environment.

By way of background, Spotlight is one of the leading large format retailers in Australia with more than 125 stores currently operating across the country. Spotlight is also a founding and active board member of the Large Format Retailers Association (LFRA) that includes representatives from all leading large format retail organisations.

In New South Wales, Spotlight has thirty-three operating outlets, twenty-four of which are located in Homemaker Centres and are approved under the definition of 'bulky goods premises'. The remaining nine outlets are located on properties which date back to Spotlights origins in strip centre or main street locations when the business commenced operations in New South Wales in the late 1980's. These remaining stores are all planned for upgrade; expansion and relocation into Homemaker Centres in the next 1-5 years. We also plan to open new showrooms in areas identified within our strategic plan in metropolitan and regional locations across NSW.

We understand that the proposed amendment to the 'Bulky Goods Premises' definition within the 'Standard Instrument Local Environmental Plan (LEP)' is to (largely) revert back to the original definition that was in place prior to 2011. The amendment to the definition that was undertaken back in 2011 was both unexpected and unexplained in terms of why the change was implemented. The change itself, whilst appearing minor in nature has resulted in 'unintended consequences' for our business and the large format retail sector more broadly. Since the current definition has been in place, it has been significantly more time consuming and costly to obtain approvals for Spotlight in NSW. The simple change in text within the definition has caused local councils to question the intention of the definition and its application in the practical course of assessing development applications.

In some cases, Spotlight has been frustrated by local councils to the point of having to abandon plans to open new showrooms in NSW and re-invest in other States where there is a clear and more consistent approach to land use planning. It has also influenced our decision to limit and in some cases, defer investment in property development in NSW until the planning system is repaired and reformed.

This proposed amendment to the definition is supported by Spotlight as an interim measure pending a more considered and detailed response to the issue of land use definitions for the large format retail sector. Moving forward, we strongly advocate there is an urgent need to undertake the following;

1. Introduce a new definition for the current land use term - 'Bulky Goods Premises' which is largely based on a list of products that are deemed to satisfy rather than the current drafting of the definition around the issues of 'bulky goods'. The current definition including the proposed revision being exhibited is outdated, not aligned with the retail market, and not consistent with planning reform undertaken in other States.
2. Expand the zones in which Spotlight can locate its business to increase the supply of appropriately zoned land. The current inconsistent situation in NSW whereby Spotlight can locate in the B6 zone in one local council and not another is not logical or sustainable.

In summary, Spotlight supports the proposed amendment to the bulky goods definition as an interim measure and believe this should be implemented immediately. Following implementation, we strongly encourage further reform measures be introduced to address the items identified throughout our submission.

We thank you for the opportunity to provide a submission and welcome the opportunities to provide our views on future planning reform issues.

Yours sincerely,



Quentin Gracani
CEO Spotlight Retail Group