

18 May 2018

F00678 (18/111345)

Department of Planning and Environment
Planning for the future of retail: Discussion Paper
On-line submission

Dear Sir/Madam

**SUBJECT Submission on Planning for the Future of Retail:
Discussion Paper**

Council appreciates the opportunity to make a submission on this Discussion Paper on Planning for the Future of Retail. A separate submission has been made on definitions.

Following a review of the discussion paper, significant concern is raised in four key areas:

- Place-based planning
- Land use conflict
- The role of the community
- Consultation

Place based planning

Council has great concerns with the apparent prioritisation of retail market concerns above the principles of place-based planning. It is acknowledged that the retail market is changing and the dominance of the online marketplace has fundamentally changed the way people purchase retail goods. However, reducing the ability of individual Councils to establish nuanced and defined land use zones to support a centres hierarchy is not considered an appropriate long-term response to such market changes.

The proposed changes inevitably reinforce homogenised industrial and retail areas and reduce centres planning based on local planning priorities. This is despite and seems contrary to, reference in the discussion paper to the need for place-based planning to remain a hallmark of a flexible planning system in NSW (page 25).

Of primary concern is the expansion of retail land uses into industrial areas and the impact on the function and purpose of centres. It would appear the justification for the majority of the proposed land use changes are around improving retail market conditions for primarily large-scale industry retailers.

A fundamental principle of land use planning is the development of a local centres hierarchy. This centres based planning approach is driven by relevant local planning studies, such as retail and employment studies, which take account of catchments, location, transport services and a range of other local variables.

Under the current SILEP land use zone hierarchy, a series of business and industrial zones are available with a number of mandated uses attached to each zone and mandated objectives for these zones. The selection of appropriate locally specific zone objectives and land uses to populate the land use table is the remit of local councils. It is anticipated that Local Strategic Planning Statements being prepared by councils will establish key narratives for future desired outcomes based on such a land use hierarchy for the location of zones throughout a Local Government Area.

It follows that increasing the range of mandated land uses in particular zones without due consideration against local planning frameworks decreases the ability of Councils to clearly articulate between, and plan for, desired planning outcomes for different urban and rural centres.

The inclusion of new land uses into publicly exhibited and community endorsed local environmental plans should be done in accordance with local retail studies and the Local Strategic Planning Statement, in conjunction with consultation associated with these studies/statements.

Land Use Conflict

Existing retail and recreation-based permitted uses within industrial zones, currently and consistently lead to land use conflict with traditional and established industrial uses. These conflicts include but are not limited to: parking requirements, noise, safety and hours of operation. To further erode the distinction between industrial and retail zonings is considered counterproductive to addressing this issue.

Such a shift away from a land use zone hierarchy (as the basis for permissibility) results in a misplaced emphasis on the development assessment process to condition and regulate activity. Further, this does not provide the same legal certainty to either the land owner or the community, as that provided by land zoning and its associated permissibilities.

The proposed planning changes for the retail sector, including the mandating of land uses, the broadening of land use definitions and the blurring of boundaries between industrial and retail uses are considered contrary to the stated objectives of these recent state government planning reforms.

The role of the community

The discussion paper focuses only on the purchasing needs of the community at the expense of other community needs and priorities. Such priorities include the importance of local character and sense of place. These principles are highlighted in the recently finalised Regional Plan and Western City District Plan and are to be central to the preparation of Local Strategic Planning Statements.

This change in emphasis on the role of community in local areas runs contrary to the increased importance being given to place-based planning in a range of State-led planning initiatives including, but not limited to, Local Strategic Planning Statements and Local Housing Strategies.

Consultation

Council understands that a single report, the Retail Expert Advisory Committee (REAC) Report, greatly informed the development of the Discussion Paper. This report was produced with no avenue for public consultation beyond that of a high level, and industry focused, key stakeholder group. This is the first opportunity for local planners and local councils to comment on what is a significant change in planning function.

While the REAC report identifies emerging trends in the retail sector, there is undue weight given to this report and its recommendations. This information should be taken as an input on a single sector, rather than the basis for significant, broad ranging changes to the Standard Instrument.

As outlined above, it is considered that the proposed broadening of land uses and the mandating of these uses will result in further erosion of a local narrative. This local focus is central to Local Strategic Planning Statements. The recommendations in the Discussion Paper are contrary to these state government reforms.

I would welcome the opportunity to discuss this further, and can be contacted on 4780 5591 or kbarrett@bmcc.nsw.gov.au.

Yours faithfully

A handwritten signature in black ink, appearing to be 'KB' or 'K.B.', written in a cursive style.

KIM BARRETT
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