



18 May 2018

Director, Employment Policy and
Systems
GPO Box 39
Sydney NSW 2001

Contact: Martin Johnson
Our Ref: DOC2018/038474
Your Ref:

Dear sir or madam:

Cessnock City Council Submission on the “Discussion Paper: Planning for Future of Retail” and proposed amendment to the Standard Instrument LEP

Thank you for the opportunity to comment on the “Discussion Paper: Planning for Future of Retail” and the proposed amendment to the Standard Instrument LEP. Cessnock City Council is very supportive of all efforts to advance the NSW planning system and to support and invigorate our town centres and regional economies.

Discussion Paper: Planning for Future of Retail

Council is thankful that the discussion paper acknowledges the differences between metropolitan areas and regional towns and cities. Council found that the Retail Expert Advisory Committee’s (REAC) report was Sydney-centric and focussed on providing additional land for large format retail because of the scarcity of land. The report only briefly considered the retail landscape of our regional towns and cities. Generally, regional towns are *not* experiencing land supply shortages for commercial and retail uses. In fact, many of these centres are contracting as the retail drivers identified in the REAC report disrupt retail in regional areas as well. Council has invested significant resources to instate a strategic policy framework and investment program to reinvigorate its major centres including Cessnock, Kurri Kurri, Weston and Branxton. Any additional retail floor space, including large format retail should be directed to these centres ahead of providing additional land elsewhere or reallocating employment land to retail uses.

As the discussion paper highlights, retail has a fundamental role in activating our main streets and sustaining our urban centres. However, centres also provide employment and opportunities for recreation, socialisation and entertainment. A diversity of land uses promotes activity and extends the period of activation in our centres. Therefore, it is imperative that any initiative to support retail recognises that retail is only *part* of the mix of uses that collectively sustain our town centres. Any additional retail floor space, including large format retail, should be located within or immediately adjoining existing town centres. Where this is not possible, any out-of-centre retail proposal, including *big-box* shopping centres or *homemaker* centres should be assessed against the hierarchy of existing centres and its impact on the viability of these centres determined.

Proposed amendment to the Standard Instrument

Council commends the Department for committing to reform the standard instrument with an expectation that zones and land uses will be rationalised in the future. Council suggests

that any initiative should examine what is actually achieved by precisely defining land uses within each category and whether this results in significant benefit over the flexibility afforded by adopting more broad land use definitions. The Department should be certain that the administrative and regulatory burden of these additional land uses is justified. For example; if the proposed amendments are adopted, the standard instrument will contain three definitions for essentially the same land use: Shop; Neighbourhood Shop; Neighbourhood Supermarket.

Shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.

Neighbourhood shop means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.

Neighbourhood supermarket means a shop selling food and other household items where the selection of goods is organised on a self-service basis.

Again, the introduction of 'Local distribution premises' appears unnecessary when the definition 'Warehouse and distribution centre' exists. If required, the thresholds of these uses could be regulated by other mechanisms such as development control plans.

Council is also unconvinced about the benefit of introducing a new land use definition of 'Artisan Premises' when the use could be accommodated by applying several existing definitions; for example; 'Light Industry', 'Food and Drink Premises' and 'Shop' or accommodating food or drink manufacturing in the definition of 'Food and Drink Premises' or 'Shop'. Similarly, the proposed 'Garden Centre' re-definition tries to anticipate many other land uses that could be accommodated by applying multiple, existing land uses.

It is acknowledged that the existing definition for 'Bulky goods premises' is problematic; however Council questions the need to anticipate the examples of this land use in the definition when the fundamental basis for the definition is a land use that requires a large area for handling, display and storage of goods. If this is deemed necessary it may be better placed as an explanatory note.

Once again, Council commends the Department for investigating this dynamic and important land use category and for taking steps to ensure that the retail industry remains strong across NSW. Council looks forward to reviewing the anticipated NSW Retail Strategy and if resources allow, participating in the development of that strategy so that the experiences of NSW's regional towns and cities is represented.

If you wish to discuss any of these items please do not hesitate to contact Rob Corken on 02 4993 4241 or at robert.corken@cessnock.nsw.gov.au.

Yours faithfully



Martin Johnson
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