



General Submissions Template Retail Policy Review Discussion Paper

Name of Organisation

Moonee Valley City Council

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The Department of Planning and Community Development (DPCD) is seeking comment and feedback on the Issues and Proposed Responses outlined in the Retail Policy Review Discussion Paper.

Submissions Template

This General Submissions Template has been prepared as a guide and we request that submissions are succinct and no more than 15 A4 pages long.

Closing Date

Closing date for lodging submissions is **Friday 27 February, 2009 at 5.00 pm**

How to Lodge Submissions

Electronic copies of this document can be found at:

www.dpcd.vic.gov.au/retailpolicy

Hard copy submissions can be posted to the following address:

Retail Policy Review
Department of Planning and Community Development
GPO BOX 2390, Melbourne, VIC 3001

Electronic Submissions can be emailed to:

retailpolicy.review@dpcd.vic.gov.au

Publication of submissions

All submissions received will be published in full on the DPCD website. If there are particular reasons why you do not wish to have your submission or personal information published, please advise DPCD in writing stating your reasons. Please be aware that the ultimate discretion whether to publish or not on the DPCD website rests with DPCD. Furthermore, access to any unpublished submissions may still be granted pursuant to the provisions of the *Freedom of Information Act 1982*.

Further Information

Phone: 1300 366 356 (8.30am – 5pm Monday – Friday)

Email: retailpolicy.review@dpcd.vic.gov.au

Website: www.dpcd.vic.gov.au/retailpolicy



Overview of Key Points

Provide an overview of the key messages in your submission.

Moonee Valley City Council acknowledges the need for a retail planning policy in order to improve the planning and development approvals process in and around activity centres and strategic redevelopment sites. Council generally supports the State government's response to retail issues as outlined in the Discussion Paper but raises the following issues as concerns:

- More information is required in relation to the functions of the proposed Development Assessment Committees (DAC) particularly in relation to making planning permit decisions in 'market ready' activity centres
- Although Council supports the idea of Regional Retail Assessments further information is required in respect to the use of the assessment reports and whether the reports will be too general or too broad to be used effectively by local councils
- It is important that the economic viability of local and neighbourhood centres is protected
- An appropriate and varied mix of retailing in activity centres is required but often difficult to achieve
- Council generally supports the sequential test approach but in order for the criteria to work effectively clear definitions should be provided for the terms 'suitability', 'viability' and 'availability'.



Issues

For each of the identified Issues please provide your comments in the sections below.

Additional comments on other major issues and challenges that you wish to raise may be added at the end of this section.

Managing growth and the network of centres

Council generally supports this response however further clarification will be required on some points

Facilitating appropriate development in appropriate locations

Council generally supports this response

Managing restricted retail premises

Council generally supports this response

Managing retailing in industrial areas

Council generally supports this response

Managing new centres and major retail proposals

Council generally supports this response

Improving design outcomes

Council generally supports this response



Additional Comment

Moonee Valley City Council has faced recent challenges in relation to retail development both within the City of Moonee Valley and neighbouring municipalities. These challenges have arisen through 'out of centre' developments that have had an impact on nearby designated activity centres. Examples of these developments include the retail development at the Melbourne Showgrounds in Flemington and the establishment of the Direct Factory Outlet (DFO) at Essendon Airport.

The redevelopment of the showgrounds will create a new stand alone out-of-centre activity centre on the Showgrounds non-core land which is inconsistent with key elements of Melbourne 2030. The Showgrounds site is located within close proximity to but outside of the Union Road and the Racecourse Road Activity Centres and represents a standalone and competing activity centre.

The establishment of the DFO has raised issues relating to retail development on Commonwealth land and the lack of control that council has over such development. The establishment of such a large retail development in an area that is poorly serviced by public transport has contributed to an increase in vehicular traffic and congestion in its vicinity. This development does not contribute to a local sense of place and diverts retail spending away from the nearby Major Activity Centres of North Essendon and Keilor Road, Niddrie and the Principal Activity Centre of Airport West.

Local and neighbourhood centres play an important role in terms of providing a mix of independent retailers meeting local convenience needs. These centres are generally accessible by foot or by bicycle and are generally serviced by one or more means of public transport. These local and neighbourhood centres serve as important community focal points. Council has an ongoing concern about the protection of these centres and is anxious to ensure that the community has safe and convenient access to a good mix of retail opportunities in close proximity to community facilities

Council would like to see a greater mix of retail activities in the activity centres to ensure variety and vitality but understands that this is difficult to achieve as retail activity is market driven rather than controlled by legislation.



Proposed Responses

For each of the Proposed Responses please provide your comment in the sections below.

Managing growth and the network of centres

Key message

We need to prioritise regional and local planning to manage and accommodate growth in retail floorspace likely to be required across the network.

PROPOSED RESPONSE

1. Undertake a program of improved monitoring and reporting on retail development.
2. Work with councils and the industry to develop Regional Retail Assessments.
3. Provide greater assistance to councils in preparing municipal strategies that provide for future retail growth.
4. Work with councils to ensure structure planning for activity centres provides for adequate retail growth.

Council generally supports this response however it is unclear how the monitoring and reporting program will operate. Further information is required as to whether a separate body will be established to undertake this function. If responsibility for this monitoring and reporting function is shifted to local government from the State funding will be required.

Council generally supports this response however the Discussion paper is not clear on how each of the regions will be defined in terms of municipalities. It is assumed that the metropolitan regions will align with the sectors referred to in *Melbourne 2030*.

It is considered that a local retail needs assessment based on municipality or activity centre might be more manageable than a regional assessment. This would enable decisions to be made at a local level and for more effective monitoring of vacancy rates, new floor space, retail spillage etc.

The Regional Retail Assessments should be based on a standardized calculation of retail need and capacity so that comparisons can be made within a consistent framework.

Council would welcome the assistance of the Department of Planning and Community Development (DPCD) in preparing municipal strategies that provide for future retail growth.



Council would welcome the assistance of DPCD in ensuring that structure planning for activity centres provides for appropriate retail growth. In planning for increased retail growth Councils that are in the process of developing Activity Centre Structure Plans will require access to data resulting from the Regional Retail Assessments.



Facilitating appropriate development in appropriate locations

Key message

We need planning tools that are better aligned to achieving policy outcomes and support development when it is in appropriate locations.

PROPOSED RESPONSE

1. Refine planning policies to provide greater clarity and guidance for retail proposals.
2. Undertake adjustments to the Business 1 Zone and schedule to allow better delivery of policy outcomes.
3. Encourage councils to investigate and implement non-regulatory mechanisms as well as planning controls to deliver the desired outcomes for a centre.

Council supports the refinement of planning policies to provide greater clarity and guidance for retail proposals and agrees that the broader network of centres in the regions need to be taken into account in decision making. Council also agrees that greater emphasis should be placed on walkable communities in line with current environmental objectives and promoting healthy communities.

Council supports adjustments to the Business 1 Zone and the schedule to allow a better delivery of policy outcomes.



Managing restricted retail premises

Key message

We need to move toward a system that does not distinguish between or favour particular forms of retailing.

PROPOSED RESPONSE

4. Maintain the existing definition of 'restricted retail premises' in planning schemes and the VPP.

Council generally supports this response.



Managing retailing in industrial areas

Key message

We need to ensure retailing in industrial areas does not occur unless there is a sound strategic basis.

PROPOSED RESPONSE

1. Amend industrial zones so that restricted retail premises become a prohibited use.
2. Develop transitional arrangements and work with councils to deal with restricted retail premises that are currently located within industrial areas.

Council generally supports this response



Managing new centres and major retail proposals

Key message

We need to provide greater clarity about how or when we would consider retail in a new centre location and support development within the existing network of centres.

PROPOSED RESPONSE

3. Develop and implement Retail Assessment Criteria based on a sequential test approach.
4. Develop criteria to be applied when considering a request for a new centre or to reclassify a centre.
5. Continue to provide advice and assistance to councils in planning for major retail proposals.

Council generally supports the sequential test approach but in order for the criteria to work effectively clear definitions should be provided for the terms 'suitability', 'viability' and 'availability'. Clarification should also be provided on what constitutes 'edge of centre' and 'outside of centre.' An edge of centre site needs to be a safe and accessible walking distance from a centre, with a suggested distance being between 300 and 400 metres.

Clarification should also be provided on the size and type of restricted retail applicable to the hierarchy of the activity centre – Principal and Major Activity Centres.



Improving design outcomes

Key message

We need to ensure the design of new retail facilities and centres is well integrated and contributes to and enhances the public realm.

PROPOSED RESPONSE

6. Finalise the Interim Design Guidelines for Large Format Retail Premises.
7. Undertake a review of design guidelines for retail developments and where possible consolidate this advice, improve the content and minimise any duplication.
8. Update the Activity Centre Design Guidelines to incorporate design objectives and guidance on the development of new activity centres.
9. Continue to provide assistance and advice to developers and councils on the design of major retail development.

Council generally supports this response.



Additional Comments

Please provide additional comments in relation to any other issues or proposed responses that you wish to raise.

After reviewing the Discussion Paper Council considers that the following elements should also be addressed by the Retail Policy Review:

The Retail Policy Review does not raise any proposed restrictions or guidance on the development of mezzanine floor space or whether the extension of retail floor space via a mezzanine requires the sequential test approach. An 'out of centre' or 'edge of centre' restricted retail unit could double in size which can have ramifications on the vitality and viability of a centre. Consideration should be given to including a requirement that mezzanine floor extensions above a certain size, eg. 200sqm require the sequential test approach in order to manage this type of development.

Any extensions proposed for existing Restricted Retail Premises that are over a certain size, eg. 200sqm should require the Sequential Test Approach.

The Retail Policy Review should discuss issues regarding requirements for State and Commonwealth owned land. Retail developments on State and Commonwealth land have the ability to affect the vitality and viability of an activity centre and should be required to demonstrate its appropriateness via the sequential test approach.