



General Submissions Template Retail Policy Review Discussion Paper

Name of Organisation

Moreland 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 Furthermore, access to any unpublished submissions may still be granted pursuant to the provisions of the *Freedom of Information Act 1982*.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.

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- While in a general sense the Discussion Paper recognises that climate change and 'sustainability' are factors to be considered in the setting of retail policy, there is very little discussion what these terms mean, and what their implications might be for the future of cities. There is an assumption within the paper that a hierarchy of retail activities with supermarkets in major centres at the top is a given, and will persist in the future. Is this the case? In a future where oil supplies are declining, petrol and other energy prices are rising, and carbon constraints are changing consumer behaviour it might not be viable for households to shop using a car on a weekly basis. What research has been undertaken into this scenario, and how has that research informed the discussion paper? If in future people will need to have a greater range of goods available within walking distance of their homes, this would suggest the restructuring of retailing back to a more even distribution and viability of corner shops and local shopping strips. These issues do not seem to have been given adequate consideration. Suggest a fifth principle guiding the review – sustainable urban form.
 - Greater attention needs to be given to walkability, and the desirability of modal shift particularly for daily convenience needs. The current retail hierarchy has contributed to the demise in the local corner shop and reinforces community's car dependency. More should be done to encourage and support true, local convenience retailing, and promote walkability and modal shift.
 - There should be more emphasis on the role of activity centre planning and structure plans in influencing retail mix and location. To this end, the development of the Activity Centre Zone is seen as a key tool for being able to encourage retail activity in the right locations. The use of this zone will encourage uses and development that are consistent with a structure plan (with potential for more 'as of right' uses and/or exemptions from notice and review for example), making Activity Centres desirable locations for retail uses to locate.
 - It is important that retail development (of all kinds) is focused within identified activity centres (including neighbourhood activity centres). While there will be instances where out of centre development may be appropriate or necessary this must be last resort if the activity centre policies are to be achieved, particularly given that not all activity centres are experiencing high levels of investment or growth despite a desire to attract it.
 - There is very little guidance or direction provided at a State level on retail growth and emerging issues, particularly as they relate to a local context. Greater assistance and support is required from the State Government to ensure strategic and statutory decision-making provides a community benefit rather than a short-term speculative outcome.



- Facilitating retail development in or out-of-centre needs to be led at the State level, and provide for a clear framework for consistent decision-making for all municipalities.
- The retail sector is a large consumer of building materials and energy and has a significant stormwater impact due to car parking, roof areas and hard surface areas. Achieving good environmental outcomes is therefore considered to be a critical component of a good design outcome.
- The highlighting of the importance of the design of retail development, and the role it must play in the experience of the whole activity centre is strongly supported. Policy and if possible statutory provisions to ensure appropriate, high quality design outcomes are achieved should be strengthened and strongly enforced. For activity centres to succeed and achieve the growth and amenity sought, changes in the approach to retail design are required and this is unlikely to happen without strict guidelines being introduced.



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

Providing assistance to Council's in their Activity Centre Planning is a key responsibility for the State Government for the overall delivery of Melbourne 2030.

Research and forecasts prepared on a Regional level by the State Government will provide assistance to Council in preparing policies and strategies for future retail development.

Council's in general are likely to experience funding/resourcing issues in relation to retail assessments and further clarity is therefore required in relation to the role that Council's would play in the preparation of Regional Retail Assessments.

Retail growth and planning should not occur in isolation from other forms of business and social activity.

Facilitating appropriate development in appropriate locations

Reducing the demand for 'out of centre' development is critical to the success of activity centres.

The development of the Activity Centre Zone is seen as a key tool for being able to encourage retail activity in Principle and Major Activity Centres and provide greater flexibility for the mix of uses in desired locations.

The role of retailing in smaller Neighbourhood Centres, where the Activity Centre Zone will not be appropriate needs to be further explored. Keeping these centres 'alive' by meeting the day-to-day convenience needs of residents is important. Walkable access to daily shopping needs is important and this may not always mean access to a Major or Principle Activity Centre.

Clear guidelines on preparing a Net Community Benefit analysis for different types of development proposals relative to their location should be provided.



Managing restricted retail premises

Resolving the long-standing debate between what constitutes a Restricted Retail Premises and a Shop is required to simplify and create greater certainty in the planning process.

Using industrial land outside of Activity Centres or established retail nodes to establish Restricted Retail Premises should be prohibited unless there is a strategic approach (ie. structure plan) which defines the area as appropriate for future restricted retail type uses.

Managing retailing in industrial areas

A Restricted Retail Premises should be prohibited from zones which provide flexibility to establish outside commercial nodes such as Activity Centres, eg. Industrial Zones and Business 3, 4 and 5 Zones unless strategically justified, ie. via a structure plan.

Managing new centres and major retail proposals

The development and implementation of Retail Assessment Criteria, based on a sequential test approach is supported. However there would need to be clear guidelines on what an applicant would need to demonstrate that thorough investigation of in-centre and edge-of-centre options had taken place.

Any “new centre” must have a demonstrated scope to become a real Activity Centre as defined by Melbourne 2030, and therefore, be established in a zone (possibly by way of rezoning if necessary) that is retail focused, not industrial.

Improving design outcomes

Design guidelines for large format retail premises are supported. Updating other guidelines where they can improve decision-making, particularly their impact on the public realm, whilst avoiding duplication is also supported.

The retail sector is a large consumer of building materials and energy and has a significant stormwater impact due to car parking, roof areas and hard surface areas. Achieving good environmental outcomes is therefore considered to be a critical component of a good design outcome.

A State assessment panel could be established for “new centres”, with prescribed turnaround times for a decision, ensuring Melbourne 2030 objectives are addressed and complimented. This should include delegated authority or Ministerial Exemptions for strategic and statutory decisions.

Additional Comment



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.

Point 4 is essential in ensuring that the work is done early to define boundaries of activity centres to ensure that the majority of retail growth can occur in-centre. This means that Regional Retail Assessments must be undertaken as a priority to help provide guidance for activity centre planning.

More clarity around the role of Council's in the regional retail assessments and reporting/monitoring is required. Greater clarity on what is meant by improved monitoring will assist. Ultimately, the resourcing issue needs to be properly considered to ensure successful implementation.

In many instances, particular within inner municipalities, retail growth in existing areas may not be the issue. Retail maintenance and retail restructure may be more important to essentially reinvigorate existing infrastructure rather than challenge established business nodes with new development on peripheral locations.

A standardised process for monitoring and reporting on retail development needs to have regard to the particular social, economic and physical conditions which relate to the centre. Different places have different catchments and serve different needs.



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

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

More needs to be done to align policy objectives and statutory provisions. Moreland's Activity Centres are generally made up of a number of different zones, some of which directly conflict with outcomes sought in structure plans, meaning that future rezonings are required.

Where the Business 1 Zone is applicable, Schedules to Business 1 Zones may be used to prioritise or regulate the types of retail uses to be established within a particular Activity Centre defined by local or broader needs. A similar review and "adjustment" to other business zones may also be warranted in the context of aligning activity centre and retail policy with statutory mechanisms to achieve them.

Implementation of new Activity Centre Zone, accompanied by local schedules is more likely to achieve the outcome of encouraging retail uses to these locations and reduce demand for 'out of centre' development.

Also needs to go hand in hand with other reviews of planning schemes – ie. car parking.

Planning system and State-led initiatives should be the way in which desired outcomes are delivered in the first instance. Not all Council's have the resources to investigate and implement non-regulatory mechanisms.

Clear guidelines on preparing a Net Community Benefit analysis for different types of development proposals relative to their location should be provided.

Greater attention needs to be given to walkability, and the desirability of modal shift particularly for daily convenience needs. The current retail hierarchy has contributed to the demise in the local corner shop and reinforces community's car dependency. More should be done to encourage and support true, local convenience retailing, and promote walkability and modal shift.



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

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

A distinction between a Restricted Retail Premises and Shop needs to be better defined as it relates to the size of the premises and the type of products being sold.

Restricted Retail Premises are essentially quasi-shops that sell both small and large products, eg Harvey Norman sells couches as well as DVD's. Debates about ancillary floor stock must be removed.

Resolving the long-standing debate between what constitutes a Restricted Retail Premises and a Shop is required to simplify and create greater certainty in the planning process.

Using cheap industrial land outside of Activity Centres or established retail nodes to establish Restricted Retail Premises should be prohibited unless there is a strategic approach (ie. structure plan) which defines the area as appropriate for future restricted retail type uses.



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

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

A Restricted Retail Premises should be prohibited from zones which provide flexibility to establish outside commercial nodes such as Activity Centres, eg. Industrial Zones and Business 3, 4 and 5 Zones unless strategically justified, ie. via a structure plan.

Under the framework of strategically justifying out-of-centre development, it would need to examine why a “new centre” is being created and how it compliments or enhances existing Activity Centres. The “new centre” may specialise in bulky goods, where there is no capacity for it to be sustained within the Activity Centre or its edges.

Any “new centre” must have a demonstrated scope to become a real Activity Centre as defined by Melbourne 2030, and therefore, be established in a zone (possibly by way of rezoning if necessary) that is retail focused, not industrial.

Careful consideration of transitional arrangement must occur so that Council’s do not receive a flood of Restricted Retail Premises applications from developers wanting to subvert the new system.



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

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

The development and implementation of Retail Assessment Criteria, based on a sequential test approach is supported. However there would need to be clear guidelines on what an applicant would need to demonstrate that thorough investigation of in-centre and edge-of-centre options had taken place.

This needs to go hand in hand with new zones for Activity Centres to assist in the in-centre locations being the optimal choice as well as streamlined planning processes for in-centre (or edge-of-centre) development, providing a greater incentive than out-of-centre development where land is otherwise comparatively abundant and cheap.

Any “new centre” must have a demonstrated scope to become a real Activity Centre as defined by Melbourne 2030, and therefore, be established in a zone (possibly by way of rezoning if necessary) that is retail focused, not industrial.

Streamlined processes for “new centre” development may be provided if they pass the sequential test, with a strong case for why a “new centre” is required and how it will be coordinated with existing/proposed infrastructure such as public transport.



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

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

The highlighting of the importance of the design of retail development, and the role it must play in the experience of the whole activity centre is strongly supported. Policy and if possible statutory provisions to ensure appropriate, high quality design outcomes are achieved should be strengthened and strongly enforced. Traditional retail formats typically look inwards, focus on protecting their competitive advantage and have little regard for the surrounding public realm and wider centre. For activity centres to succeed and achieve the growth and amenity sought, changes in the approach to retail design are required and this is unlikely to happen without strict guidelines being introduced.

Design guidelines for large format retail premises is supported. Updating other guidelines where they can improve decision-making, particular their impact on the public realm, whilst avoiding duplication is also supported.

Design guidelines should also deal with residential noise attenuation standards for residential uses in Activity Centres as well as the requirement for all public spaces to meet the relevant requirements of the “Safer Design Guidelines”.

Design guidelines should also deal with improved pedestrian and cycling amenity, including in car parks within activity centres.

Design guidelines for retail developments that can assist in the structure planning process are supported. Duplication of State and Local requirements should be avoided, but deference must be given to approved structure plans which will take account of local context and conditions.



Design guidelines for both large format and retail developments should include achieving sustainable outcomes. The retail sector is a large consumer of building materials and energy and has a significant stormwater impact due to car parking, roof areas and hard surface areas. Achieving good environmental outcomes is therefore considered to be a critical component of a good design outcome.

A State assessment panel could be established for “new centres”, with prescribed turnaround times for a decision, ensuring Melbourne 2030 objectives are addressed and complimented. This should include delegated authority or Ministerial Exemptions for strategic and statutory decisions.

Additional Comments

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

Challenges faced by Moreland:

- Facilitating the ‘catalyst developments’ that will spark new development/growth in our Activity Centres (the Coburg Initiative will achieve this in the Coburg PAC).
- Pressure for development at key redevelopment sites outside of designated Activity Centres.
- Lack of available data/research on retail demand, growth/catchments and because of this, Council must rely on applicants to produce such information on a site-by-site basis. This is not considered to be an efficient or wholistic approach and does not always necessarily result in an ‘independent’ assessment. A State led program of regional retail assessments is therefore supported.
- Retail decline, especially the decline of small convenience centres, needs to be taken into account in planning decisions. Further streamlining the planning process for uses in neighborhood centres may ensure more ongoing use of existing buildings and new development to reinvigorate these smaller centres. Further information on the proposed changes to the Business 1 will be necessary to determine if this mechanism will assist in achieving this.