

NSW Department of Planning, Industry and  
Environment  
Locked Bag 5022  
Parramatta NSW 2124

Dear Sir/Madam

## **SUBMISSION IN RESPONSE TO PUBLIC EXHIBITION OF PROPOSED EMPLOYMENT ZONES REFORM**

Ref: *jh/AS/GV/Document Set ID789234*

Tamworth Regional Council (TRC) appreciates the opportunity to lodge a submission in relation to the proposed Employment Zones reform.

It is understood that the reform is intended to stimulate employment growth by creating greater flexibility within the proposed new zones and responding to the changing nature of industry and business.

Whilst TRC supports the intent of promoting productivity and jobs growth, the proposed reform must actually deliver a simplified, flexible and practical framework. The proposed reform must also align with the local strategic direction that Councils have adopted through their various planning processes, including the preparation of Local Strategic Planning Statements. TRC is very concerned that the proposed reform may not deliver a more simplified framework for the Tamworth Region nor align with our local strategic direction which has been fully supported by the local Tamworth community.

### **Background to Council's Perspective**

It should be noted that TRC's significant strategic planning included extensive consultation with and input from the Department of Planning, Industry, and Environment. This process resulted in the [Blueprint 100](#) project that included the [Tamworth Regional Local Strategic Planning Statement 2020](#) which was subsequently endorsed by the Department.

The entire process was underpinned by the directions within the *New England North West Regional Plan 2036* and associated Implementation Plan including Direction 9: Coordinate growth in the cities of Armidale and Tamworth. The Blueprint process also implemented the actions that were identified by your Department in company with TRC in the *Tamworth City Activation Plan (2018)*.

### **Overall Comments in relation to proposed Employment Zones Reform**

- This is a significant reform package with a great amount of detail but insufficient time provided to review and fully assess the implications;
- Little consultation has occurred to date and the consultation that has taken place allowed extremely short, inadequate timeframes and was overlapped/occurred in conjunction with a

range of other DPIE reviews. This meant that none of the individual reviews could be given appropriate attention by Council planning staff.

- Given the timing of this exhibition in relation to the looming Local Government Elections, TRC notes that it is difficult to make a full and proper submission which would take account of the views of councillors (and therefore the views of their constituents).

The following comments are provided in response to the proposed new zones:

### **Commercial Centre Zone (E2)**

TRC concurs that the focus of a commercial centre needs be on employment uses such as large scale commercial and retail businesses but *strongly* disagrees with the view that higher density residential development should be discouraged in this new zone.

TRC has undertaken significant strategic planning to identify that whilst the primary employment focus should be preserved, providing opportunities for CBD living should also be a key objective - in simple terms, people living and working in the CBD will add vibrancy, natural surveillance, stimulation to the night time regional economy and assist with the reduction of the 'commuting' carbon footprint.

Obviously, not all commercial centres across metropolitan and regional NSW are the same and therefore not one size will fit all in terms of zoning and permitted land uses. Therefore, it is disappointing to see that this proposal appears to be quite "Sydney-focused". In regional areas such as Tamworth it is extremely important that higher density CBD living above retail/commercial development is not only permitted but promoted to ensure and enhance the vitality (and sustainability) of city centres.

As another example, TRC is currently investigating the potential to prohibit non-typical Commercial Centre land uses such as "vehicle sales or hire premises" and "vehicle repair stations" in the Tamworth CBD and yet these appear to be 'mandated' land uses in the proposed E2 Commercial Centre Zone.

From a strategic perspective, removing this type of atypical land use will free up valuable land for major retail, commercial and higher density residential development. In addition, it will enable future enhanced quality in city centre architecture and urban design noting that it would be unusual to find a contemporary community that wants their city centre filled with unsightly car yards. In this respect TRC has undertaken extensive strategic planning for the Tamworth CBD to support this approach and is supported by community comment raised during the development of Blueprint 100.

### **Productivity Support Zone (E3)**

The name and purpose of the proposed 'E3 Productivity Support' zone is quite confusing. Unlike business and industrial zones, it is unclear what the zone name 'Productivity Support' actually means and it would certainly not be a user-friendly term for the general public. It is also unclear as to the strategic intent of the zone - it appears to incorporate a mix of bulky goods retailing (specialised retail premises), business park, and light industrial development BUT this is certainly not reflected in the name. Trying to explain the meaning and purpose of this zone to the "mums and dads" that TRC staff deal with every day would be extremely difficult and will likely result in negative feedback, on the back of what is one of the most regularly received complaints about the planning system, i.e. that the use of *technical jargon* makes it so difficult to understand.

TRC is unsure where this new zone could be applied in Tamworth as it involves the separation of specialised retail premises/business park uses from most types of light industrial development (which now appear to be contained within a new E4 General Industrial Zone).

In this regard, the proposed Productivity Support zone does not suit the land use typology of TRC's existing employment area, Taminda, and newly developing business parks including the Tamworth Global Gateway Park which contains a mix of business park uses and light industrial development. These types of uses function very well together as a vibrant and bustling employment hub and TRC is very concerned that the introduction of a more rigid zoning framework will compromise this successful formula.

In particular, the Tamworth Global Gateway Park (TGGP) has been the focus of extensive structure planning and these zones throw into question whether this structure planning can actually be given effect, given the B7 zone will no longer exist. The TGGP strategically includes the existing IN1 General Industry zone and the implications of the proposed amendments remain to be assessed.

On the subject of naming, the use of the E2, E3 & E4 zone names will be further confusing (particularly to the public) as there are already environmental zones in the Standard Instrument that are titled E1-E4.

### **General Industrial Zone (E4)**

As mentioned in the previous paragraph, the proposed land uses in the 'General Industrial' zone appear too restrictive and will not facilitate the 'mixed land use' approach that has evolved in Taminda. It is understood that specialised retail premises/business parks are commonly segregated and separately zoned in metropolitan areas, however regional centres such as Tamworth require the flexibility of a 'mixed land use' approach to promote employment opportunities and jobs growth. Surely where regional Councils can achieve the Department's objective of productivity and jobs growth there should be flexibility to not be held to this proposed Sydney/metropolitan-centric model.

A previous example of this type of absurdity was the prohibition of specialised retail premises (bulky good premises at the time) in the Industrial zone at Taminda. This necessitated TRC undertaking a site-specific planning proposal to rezone land from IN1 to B5 to permit a bigger, better Bunnings which had already been operating successfully on an adjoining site for many years. TRC notes that the employment zone reform proposes to consolidate the definitions of 'hardware and building supplies' and 'garden centres' into a single 'home improvement retail' definition so perhaps this new land use will be permitted within the General Industrial zone.

It is also of great concern that land uses such as landscaping material supplies, plant nurseries, rural supplies, timber yards, vehicle sales or hire premises, vehicle repair stations, vehicle body repair workshops, wholesale supplies and rural industries appear to be prohibited within the proposed General Industrial zone **BUT** allowed in the proposed new Productivity Support and Mixed Use zones. The majority of these land uses, together with a range of light industrial uses are already well established in the Taminda locality.

### **Mixed Use Zone (MU)**

TRC is supportive of the intent of the proposed Mixed Use zone which could potentially be applied to a number of localities in Tamworth. It is however unclear as why service stations, sex services premises and veterinary hospitals are not permitted within this proposed new zone.

In response to the overall reform package, it is strongly suggested that there needs to be a more co-ordinated approach to reviewing the Standard Instrument. At present the proposed changes primarily relate to Business and Industrial zones, however many Councils have commenced comprehensive reviews of their LEPs and it is extraordinarily difficult to develop a sensible land use matrix (for the entire suite of zones) when some of the zones, definitions and permissible land uses keep changing in such an ad hoc manner. A significant level of strategic planning and community consultation has already been undertaken to develop the *Tamworth Regional Local Strategic Planning Statement 2020* which currently (and appropriately) provides the platform for the LEP

Review. TRC is extremely concerned that the proposed reform does not align with this local strategic direction which has the support of the elected Council and local community. Significance resources, community engagement and ratepayer funds have been expended to develop a clear strategic direction for the Tamworth region. It is not considered reasonable that the level of change proposed with the Employment Zones Reform requires Councils such as Tamworth to revisit its strategic direction with significant further funds and resources required, particularly when many of the changes proposed will not enhance economic development or strategic planning outcomes in regional areas.

Thank you for your attention to this matter. Should you require any additional information or clarification, please do not hesitate to contact Council's Acting Manager Integrated Planning, [REDACTED] via the details below.

Yours faithfully

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**Director, Planning and Compliance**

Contact:

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30 June 2021