

Planning proposal to allow a supermarket within IN2 Light Industrial zone at 17-19 Smith Street, Chatswood

Proposal Title :	Planning proposal to allow a supermarket within IN2 Light Industrial zone at 17-19 Smith Street, Chatswood		
Proposal Summary :	The planning proposal seeks to amend Schedule 1 of Willoughby Local Environmental Plan 2012 (WLEP 2012), to allow the additional use of a supermarket and liquor store to be permissible within the IN2 Light Industrial zone at 17-19 Smith Street, Chatswood.		
PP Number :	PP_2014_WILLO_001_00	Dop File No :	14/03245

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **1.1 Business and Industrial Zones
3.4 Integrating Land Use and Transport
6.3 Site Specific Provisions**

Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

1. The planning proposal be exhibited for 28 days;
2. A community consultation program be adopted, as outlined in Council's report, dated 3 February 2014.
3. The planning proposal be completed within 9 months of the gateway determination;
4. Prior to undertaking public exhibition, the proponent is to provide a preliminary investigation report in accordance to State Environmental Planning Policy No. 55 - Remediation of Land for the subject site, and this report is to be publicly exhibited with the planning proposal;
5. Prior to undertaking public exhibition, the proponent to provide an updated land use study and vacancy study for East Chatswood industrial area, and this information is to be publicly exhibited with the planning proposal;
6. Consultation is required with Government Agencies, as follows:
 - Energy Australia;
 - Sydney Water; and
 - Transport for NSW – Roads and Maritime Services.

Supporting Reasons : **The agency supports the planning proposal because:**

- it would assist in addressing the unmet demand for new supermarket floor space in Willoughby LGA and region;
- it would increase employment capacity of the site; and
- it would provide more retail choice and convenience for local residents and workers.

It is considered appropriate that the planning proposal proceed, to allow public consultation of the planning proposal.

Panel Recommendation

Recommendation Date : **06-Mar-2014** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The planning proposal should proceed subject to the following conditions:**

1. Council is to adopt the community consultation program as outlined in its report dated 3 February 2014, including writing to adjoining landowners; property owners in the East Chatswood industrial area and surrounding commercial and residential areas; local progress associations; and Ku-ring-gai Council. Council is to hold a public question and answer session during the public exhibition of the planning proposal.
2. Council is to ensure that the planning proposal satisfies the requirements of State

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Environmental Planning Policy (SEPP) 55 – Remediation of Land. An initial site contamination investigation report is to be prepared to demonstrate that the site is suitable for the proposed additional uses. This report is to be included as part of the public exhibition material.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available within 6 weeks of the week following the date of the Gateway determination and for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Planning and Infrastructure 2013).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Energy Australia
- Sydney Water
- Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2) (e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Plan making delegation

The Minister delegated his plan making powers to councils in October 2012. As the planning proposal was subject to a pre-Gateway review an authorisation for council to exercise delegation should not been issued.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

20/3/14