

PLANNING PROPOSAL MARRICKVILLE METRO

13-55 EDINBURGH ROAD, MARRICKVILLE

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SA7153
FINAL
PREPARED FOR AMP CAPITAL

URBIS

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1. INTRODUCTION

1.1. OVERVIEW

This Planning Proposal has been prepared by Urbis on behalf of Marrickville Metro Pty Limited as trustee of the Marrickville Metro Trust (the Owner) and AMP Capital Investors (AMPC), to request an amendment to the *Marrickville Local Environmental Plan 2011* (MLEP 2011) for the Marrickville Metro Shopping Centre expansion site located at 13-55 Edinburgh Road, Marrickville (the Site).

The site is subject to a Major Project Approval (MP09_0191) (MPA) (attached at Appendix A), which granted consent to demolish the existing industrial building and construction of a new retail building and car parking at the Marrickville Metro Shopping Centre expansion site (the site). The MPA approval (and subsequent modifications) permits *retail premises* and *business premises* on the site, which are prohibited land uses under the site's current zoning (IN1 General Industrial) pursuant to *Marrickville Local Environmental Plan 2011* (MLEP 2011). The MPA for Marrickville Metro has been physically commenced and is an active consent. The Proponent is seeking to commence construction at the Site before the end of the 2018.

This Planning Proposal seeks to amend Schedule 1 *Additional Permitted Uses* of MLEP 2011 to ensure consistency between the land uses approved under the MPA and those permitted on site under MLEP 2011, to simplify the approval process for future minor works and ensure other compatible land uses that are typically located within modern shopping centres can occur on the site with development consent.

It should be noted that whilst the site falls within the boundary of the Sydenham to Bankstown Corridor, this Planning Proposal is not relying on the draft Sydenham to Bankstown Corridor Urban Renewal Strategy, nor does this Planning Proposal seek any density or height uplift.

1.2. PROPOSED LEP AMENDMENT

Whilst, the planning framework is not an impediment to the construction of the approved shopping centre, the site remains zoned 'IN1 General Industrial'. The IN1 zoning prohibits *retail premises* and *business premises* on the site under the MLEP 2011. The IN1 zoning also prohibits the introduction of other compatible land uses into the approved shopping centre, such as *Centre-Based Child Care Facilities*, *community facilities* or a *medical centre*. It will also prevent the use of complying development certificates for minor works/changes of use related to the development of retail and business use activities under the *State Environmental Planning Policy (Exempt and Complying Development Codes)* 2008 (Codes SEPP)

The existing Marrickville Metro Shopping Centre located at 34 Victoria Road and is zoned 'B2 – Local Centre' under MLEP. In the B2 Zone, *retail premises*, *business premises*, *Centre-Based Child Care Facilities*, *community facilities* and *medical centres* are all permissible with development consent. Upon construction of the shopping centre extension at 13-55 Edinburgh Road, Marrickville, AMPC would like to ensure that both sites of the shopping centre benefit from the same zoning to ensure consistency of future operations for the centre owner. A consistent zoning across both sites, will also ensure that existing tenants in Marrickville Metro Shopping Centre would have the ability to be in either of the shopping centre sites. For examples, there is a medical centre in the existing Marrickville Metro sites, which would not be able to be re-located to the expansion site due to the current industrial zoning restrictions. The Planning Proposal will also ensure that the range of permissible land uses on the site reflects at the very least some of the typical land uses that are permissible in the zoning of other nearby comparable shopping centres including Market Place Leichhardt (within Inner West local government area (LGA)) and the Campsie Centre (Canterbury Bankstown LGA).

Whilst, the planning framework is not an impediment to the construction of the approved shopping centre, the intended outcome for the planning proposal is:

- to ensure consistency between the MLEP 2011 and the MPA;
- to simplify the approval process for future minor works, uses (first and change of) and tenancy fit outs, allowing these works to be undertaken as complying development under the Codes SEPP and any other future potential state-wide initiatives which will permit additional low impact works/facilities that are typically undertaken at a shopping centre to be approved under a fast-track complying development pathway; and

- to enable other compatible land uses that are typically offered in shopping centres on the site, which were not thought of at the time of the granting of the MPA in 2012, such as childcare, which would benefit the community.

At this stage, the Planning Proposal does not propose the removal of the current IN1 General Industrial zoning which applies to the site. Whilst AMPC's preferred option is to rezone the site from IN1- General Industrial to B2- Local Centre and increase the maximum Floor Space Ratio (FSR) to ensure consistency with the MPA, Inner West Council have advised that their preferred approach at this stage would be to permit additional permitted uses on the site that are consistent with the MPA and to allow for complimentary additional permitted uses, which would facilitate an evolution of the shopping centre in the future. Inner West Council have advised that until construction of the shopping centre on site is underway, Council are concerned that a rezoning to B2 would permit an array of uses that are not possible under the MPA, in particular shop top housing. Council want surety about the outcomes on the site (i.e. that a shopping centre is built in accordance with the MPA) prior to supporting a change in land use zone to B2 and increasing the maximum permitted FSR on the site to be consistent with the MPA.

AMPC therefore understands that the best way forward to achieve the intended outcome of the Planning Proposal in the most efficient timeframe is to amend Schedule 1 of MLEP 2011 to permit the following additional uses:

- Retail Premises (already permitted on the site under the MPA);
- Business Premises (already permitted on the site under the MPA);
- Medical Centres;
- Centre-Based Child Care Facilities; and
- Community Facilities.

Our discussions to date with Inner West Council and DPE on this approach have being positive.

The proposed amendments to MLEP 2011 within this Planning Proposal are therefore considered to be an interim step, prior to the eventual rezoning of the site from IN1 *General Industrial* to B2 *Local Centre* to align with the current zoning of the existing Marrickville Metro Shopping Centre. This will likely occur following the construction of the expanded shopping centre, possibly as part of Inner West Council's current LEP Review and Local Strategic Planning Statement (LSPS) process. Once construction of the shopping centre begins, AMPC will be making submissions to Inner West Council to request the rezoning of the site to B2 Local Centre and an increase in the FSR on site to be consistent with the existing Marrickville Metro Shopping Centre, as part of Council's own broader LEP review.

It is important to note that the recently published Eastern City District Plan identifies the current use on Site as '*Industrial and Urban Services Land*', which is to be retained and managed under Action 51. The Greater Sydney Commission and the Department of Planning (DPE) have advised Urbis via an email dated 21 September 2018 and via phone conversations, that whilst the provisions of the District Plan still continue to apply in respect of the Industrial zoned land, the effect and activation of the MPA approval prior to the adoption of the District Plan means that the "retain and manage" policy in the District Plan is not to be enforced for this land and the Department may consider a planning proposal to rezone the land to permit retail premises and business purposes (as well as other compatible uses) on its merits.

1.3. DEVELOPMENT CONSENT HISTORY

The site and the existing Marrickville Metro Shopping Centre at 34 Victoria Road is subject to a Major Project Approval (MP09_0191), which was granted on 19 March 2012. The Concept Plan approval approved the expansion of the Marrickville Metro Shopping Centre on the subject site. The concept approval was approved at project detail, subject to conditions. No further environmental assessment requirements were imposed pursuant to the former Section 75P(1)(c) of the *Environmental Planning and Assessment Act 1979*. This approval includes a condition requiring a minimum of three years between the occupation of Stages 1 and 2.

Since this time the MPA has been modified five times (Modification 4 was withdrawn). The most recent modification (MP09_0191 MOD 6) was lodged in November 2017 and is due to be granted consent in November 2018.

Specifically, development approval has been granted under MP09_0191 (and the subsequent modifications) as follows:

- “demolition of existing warehouse buildings and associated structures on the Edinburgh Road site
- upon the surrender of development consents required under Condition B3 of this approval, use of the Victoria Road site for retail premises and business premises.
- refurbishment and construction of a first-floor addition to the existing retail building on the Victoria Road site and a construction new building with two main levels of retail with car parking above on the Edinburgh Road site comprising:
 - a discount department store (5,000m²), supermarket (4,449m²), mini major (1,000m²) and retail premises and business premises (6,318m²)
 - an additional 21,780m² GFA (16,767m² G FA) to provide a total of 50,705m² GFA (39,700m² GLFA)
 - Authorise the use of 1,623 car parking spaces comprising 1,018 existing spaces and 605 additional car parking spaces.

As discussed above, the MPA approval (as modified) permits *retail premises* and *business premises* on the site, which are prohibited under the site’s current zoning (IN1 General Industrial) pursuant to MLEP 2011.

The MPA (and subsequent modifications) have split the development into the following three stages:

- **Stage 1A** comprises works to the main entry of the existing Marrickville Metro shopping centre at Victoria Road, traffic management works and geotechnical works on the Edinburgh Road site.
- **Stage 1B** comprises the new shopping centre building on the 13-55 Edinburgh Road site.
- **Stage 2** comprises the expansion of the existing shopping centre, including first floor additions to the existing building at 34 Victoria Road.

Stage 1A of the development which focused on the Victoria Road entrance, the Civic Place, archival recording of Mill House and other works were completed in March 2017. The MPA has therefore been physically commenced. This means the consent is active and AMPC can construct a shopping centre on the site at any time.

A section 75W modification (MP09_0191 MOD 6) is with the Department of Planning and Environment. At the time of writing, a recommendation has been made to approve the application, with the Modification Instrument awaiting signature. This MOD followed extensive discussions with future operators, which led to a design response which includes an amended retail floor layout and façade for the proposed building on the extension site (at Edinburgh Road), redistribution of gross floor area and parking spaces across the two sites, extended hours of operation for a limited number of tenancies, an amended road alignment for Smidmore Street, public domain works, a new pedestrian bridge across Smidmore Street and introduction of signage and art zones for the proposed building on site. This will ultimately lead to the delivery of the scheme, which was initially granted consent in 2012.

The current modification application also has clarified that the intent of ‘*speciality retail*’ which was approved for the subject site under the original MPA, included both *retail premises* and *business premises*. The consent has been modified to reflect this, which will allow for the standard provision of *business premises* tenants such as hairdressers and travel agents, as well as *food and drink premises* (a type of retail premises) which would usually be found within a shopping centre. Noting that the MPA approves some retail only uses (4,449m² supermarket and 1,000m² mini major) and that separate DAs will be required for any fit-out and use of a pub, small bar or restaurant (which has the capacity for more than 50 seats, other than premises where the seating is provided within a common food court or food hall) and associated outdoor seating areas, as these uses (whilst permitted under the MPA) will require further environmental impacts assessment for individual tenants.

Further, the recent modification includes a new Minor Works Condition of consent, which will permit some minor works/change of use to be undertaken without the need for any further modification or approval. Whilst this will help simplify the approval process for minor works for future tenants, the Planning Proposal will facilitate the use of the Codes SEPP and more importantly any other future amendments to the Codes SEPP or other potential state-wide initiatives which will permit low impact works/facilities/uses that are typically undertaken at a shopping centre to be approved under a fast-track complying development pathway.

AMPC are currently tendering for the construction works on the project. Given this, and the recent approval for MP09_0191 MOD 6, the construction of the shopping centre is anticipated to commence on site at the end of 2018.

1.4. CONSULTATION FOR THE PLANNING PROPOSAL TO DATE

AMPC has undertaken pre-lodgement consultation with Inner West Council and DPE.

An initial meeting was held with Inner West Council on 28th February 2018 to discuss the potential to rezone the site. The feedback received at that point was that Council officers could see the logic in rezoning the site given it has a Project Approval and will be developed for retail. The process for progressing a Planning Proposal was also outlined in the meeting.

Following this, a Pre-Planning Proposal meeting request was submitted to Inner West Council on 4th July 2018 and a response received on 8th August 2018. The key issues raised in this letter were that the rezoning of the site would be contrary to the Strategic Planning Policy contained in the Eastern City District Plan which was published in March 2018. Furthermore, Council were concerned about rezoning the site (to B2 Local Centre) until a retail scheme is commenced at the site, as it would permit other uses such as shop-top housing which would not be considered appropriate.

It was suggested by Council that an alternative approach would be to amend Schedule 1 of the LEP as it affects the site, to permit a range of additional permitted uses including retail and business premises, centre-based child care facility, medical centre and community facilities.

This approach was then discussed with the NSW Department of Planning and Environment (DPE) on 27th August 2018, where officers advised that there would be merit in the approach suggested by Council.

DPE briefed the Greater Sydney Commission (GSC) on this proposal and a response was provided by DPE to Urbis with detail of this briefing on 21st September 2018. This identifies that GSC consider that although the provisions of the District Plan continue to apply in terms of loss of industrial land, the retain and manage policy in the Plan is not to be enforced for this land, and the Department may consider a planning proposal to rezone the land to permit retail and business purposes (and other uses).

All the meetings to date have been positive and the Planning Proposal request has been framed around these discussions and the response received from Inner West Council on the Pre-Planning Proposal letter dated 8th August 2018 (as attached at Appendix B).

2. LAND TO WHICH THIS PLANNING PROPOSAL APPLIES

2.1. THE SITE

Marrickville Metro is a subregional shopping centre, located approximately 7km south west of the Sydney Central Business District and approximately 2.5km from Marrickville Railway Station, 1km from St Peters Railway Station and 1.5km north of Sydenham Railway Station. Several bus routes pass along Victoria Road and Smidmore street and connect to other local centres, services and railway stations.

It comprises two parcels of land being 34 Victoria Road (the existing Marrickville Metro shopping Centre site) and 13-55 Edinburgh Road (the shopping centre expansion site). The existing shopping centre consists of the major tenants of Kmart, Woolworths and Aldi and a range of speciality stores, with roof-top car parking. The shopping centre is the largest retail centre in the local area attracting some five million visitations per annum and approximately 28,925m² of GFA.

The current shopping centre is a substantially enclosed and internalised with pedestrian entries from Victoria Road to the north and Smidmore Street to the south. Pedestrian access is also provided from the rooftop car parking areas down into the centre.

The expansion to the shopping centre is approved on the 13-55 Edinburgh Road site, which is located on the opposite side of Smidmore Street to the south. The site (which is subject to the Planning Proposal) is presently occupied by a two-storey brick factory/warehouse building that is built to the street frontages. This site is legally described as Lot 1 in DP 612551 and Lot 91 in DP 4991. The site has an area of approximately 9,070sqm and is located south of the existing Marrickville Metro Shopping Centre (located at 34 Victoria Road), on the opposite side of Smidmore Street.

The site has a frontage to Smidmore Street, Murray Street and Edinburgh Road (Refer to Figure 1 Below). an industrial warehouse currently occupies the site.

Figure 1 – Marrickville Metro Shopping Centre Expansion site



Source: Urbis

2.2. SURROUNDING LAND USES

To the North of the Edinburgh Road site is the existing Marrickville Metro Shopping Centre, with residential properties beyond.

To the East of the site is an electrical substation on the opposite side of Smidmore Street, with residential properties on Bourne Street on the other side of the substation. On the southern side of Edinburgh Road to the east is an industrial estate and distribution centre.

To the South and West of the site are industrial and warehouse uses.

3. PLANNING PROPOSAL

3.1. OVERVIEW

This Planning Proposal has been prepared in accordance with Sections 3.33 (1) and (2) of the Environmental Planning and Assessment Act 1979 with consideration of the relevant guidelines, namely “A guide to preparing planning proposals” issued by the Department of Planning and Environment (August 2016).

Accordingly, the proposal is discussed in the following six parts:

- Part 1: A statement of the objectives or intended outcomes of the proposed amendment;
- Part 2: An explanation of the provisions that are to be included in the proposed amendment;
- Part 3: The justification for those objectives, outcomes and the process for their implementation;
- Part 4: The supporting maps which identify the aspects of the Planning Proposal (This step is not required for this Planning Proposal);
- Part 5: Details of community consultation that is to be undertaken for the Planning Proposal; and
- Part 6: The prospective timeline.

Each of the above are addressed in the following sections of this Report.

3.2. PART 1 – OBJECTIVES AND INTENDED OUTCOME

This Planning Proposal aims to ensure consistency between the MLEP 2011 and the MPA at the Site, with construction programmed to start at the end of 2018. The proposal aims to amend MLEP 2011 to include *retail premises* and *business premises* as additional permitted uses on the site (to align with the MPA), as well as a range of other compatible uses such as medical centres, community facilities and child care centres. The Planning Proposal will facilitate these types of uses to be delivered on the Site as part of the expansion of the existing shopping centre.

The intended outcome of the Planning Proposal is:

- To ensure consistency between the MLEP 2011 and the MPA;
- To simplify the approval process for future minor works, uses (first and change of) and tenancy fit outs, allowing these works to be undertaken as complying development under the Codes SEPP and any other future potential state-wide initiatives which will permit low impact works/facilities that are typically undertaken at a shopping centre to be approved under a fast-track complying development pathway; and
- To enable other compatible land uses that are typically offered in shopping centres on the site, which were not thought of at the time of the granting of the MPA, such as childcare, which would benefit the community.

3.3. PART 2 – EXPLANATION OF PROVISIONS

The Planning Proposal seeks to achieve the intended outcomes outlined in Part 1 of this report by proposing amendments to MLEP 2011 as follows:

- An amendment to Schedule 1 *Additional Permitted uses* to allow for the following uses within the site:
 - Retail Premises (already permitted on the site under the MPA);
 - Business Premises (already permitted on the site under the MPA);
 - Centre-Based Child Care Facility;
 - Medical Centre; and

- Community Facilities.

It is proposed to introduce a site-specific enabling clause via Schedule 1 amendment for the site as follows:

Schedule 1

22 – Use of certain land at 13-55 Edinburgh Road, Marrickville

This clause applied to land at 13-55 Edinburgh Road, Marrickville, being Lot 1 in DP 612551 and Lot 91 in DP 4991.

Development for the purposes of the following uses of an approved development is permitted with development consent;

- *Retail premises;*
- *Business premises;*
- *Centre-based child care facilities;*
- *Medical Centres; and*
- *Community facilities*

These uses must be delivered as part of the redevelopment of the site as an extension to the existing shopping centre and not within the existing warehouse buildings on site.

3.3.1. Other Relevant Matters

This Planning Proposal responds to the recommendation made by Council and the Department of Planning and Environment (DPE) through pre-lodgement correspondence and meetings with the Proponent.

Inner West Council requested that the Proponent investigate the various options to obtain the intended outcome for the Planning proposal. The suggested options for the site involve the following points and are addressed in detail below:

- Do nothing; or
- Retain the IN1 General Industrial zoning and add retail premises, business premises, medical centre, child care facilities and community facilities as additional permitted uses under Schedule 1 of MLEP 2011; or
- Rezone to B2 Local Centre and increase the maximum FSR from 0.95:1 to 1.65:1 to reflect the MPA (whilst anticipating minor changes to FSR above the approved 1.6:1 may occur over time).

3.3.1.1. Do Nothing

The 'do nothing' scenario would mean that the site's zoning remains as IN1 General Industrial. This is clearly not consistent with the approved use of the site as a shopping centre.

Within shopping centres, the ability to use exempt and complying development is commonplace for activities such as shop fit-outs, minor works, etc. The recent modification includes a new Minor Works Condition of consent, which will permit some minor works/change of use to be undertaken without the need for any further modification or approval. The 'do nothing' scenario would prevent the ability to undertake minor works, tenancy fit outs and uses (first and change of) at the site in the future under the Codes SEPP and any other future amendments to the Codes SEPP, or other potential state-wide initiatives which will permit additional low impact works/facilities that are typically undertaken at a shopping centre to be approved under a fast-track complying development pathway.

The 'do nothing' scenario would not permit complimentary land uses that are typically offered at the present in shopping centres on the site but were not thought of at the time of the granting of the MPA.

Given this, the 'do nothing' scenario is not considered to be a suitable approach.

3.3.1.2. Additional Permitted Uses

This scenario would mean amending Schedule 1 of MLEP 2011, so that *retail premises* and *business premises* (as permitted under the MPA as modified) and other compatible land uses that typically occur

within a shopping centre of this size, such as childcare facilities, medical centres and community facilities would be permissible on the site with development consent. The site would retain its IN1 Zoning.

This scenario would not provide sufficient flexibility for the natural evolution of the shopping centre over time to accommodate new and emerging trends in retail and would also mean that the maximum FSR permitted for the site under MLEP 2011 will not reflect the FSR approved under the MPA (or allows for any minor changes to FSR over time).

Notwithstanding, this scenario would deliver the most efficient and time effective approach, which would partly satisfy the intended outcomes of the planning proposal and has Inner West Council's in-principle support. This scenario would mean that fit outs, minor alterations and change of use would be able to be undertaken under the Codes SEPP. This gives greater flexibility for the shopping centre than the Minor Works Condition under the MPA (which permits some minor works/change of use to be undertaken without the need for any further modification or approval) as the Codes SEPP could be amended over time to introduce additional low impact works/facilities that are typically undertaken for shopping centres to be approved under a fast-track complying development pathway. Further, other compatible land uses that are typically offered at the present in the existing shopping centre (such as a medical centre) and/or in other comparable shopping centres would be permitted with development consent on the site under this scenario.

3.3.1.3. Rezone to B2 Local Centre

AMPC's preferred option is to rezone the site from IN1- General Industrial to B2- Local Centre and increase the maximum Floor Space Ratio (FSR) from 0.95:1 to 1.65:1. This would ensure consistency with the MPA (MP09_0191) which was granted for the shopping centre extension (whilst anticipating minor changes to FSR above the approved 1.6:1 may occur over time).

The rezoning of the site to B2 Local Centre would ensure that the Marrickville Metro extension site reflects the zoning of the existing shopping centre, which ensures consistency of future operations for the centre owner. It would also ensure the zoning reflects the land use zoning of other nearby centres including Market Place Leichhardt (within Inner West LGA) and the Campsie Centre.

The B2 zoning will accurately reflect the existing Marrickville Metro's recognised status as a local centre in the centres hierarchy as defined with the recently published Eastern City District Plan. This is due to the centre's proximity to transport (bus and rail) networks, and the scale of the centre which provides essential access to day-to-day goods and services close to where people live. In addition, there is the centre's ability to contribute to the local night time activity through the approved vibrant eat-street along Smidmore Street, along with its ability to deliver a role as a community hub.

3.3.1.4. Summary

Whilst the Proponent's preferred option is to rezone the site from IN1 General Industrial to B2 Local Centre and increase the maximum Floor Space Ratio (FSR) from 0.95:1 to 1.65:1 to ensure consistency with the MPA, Inner West Council have advised that their preferred approach would be to seek additional permitted uses on the site that are consistent with the MPA, to allow for complimentary additional permitted uses, which would facilitate an evolution of the shopping centre in the future.

Council have advised that until construction of the shopping centre on site is underway, Council are concerned that a rezoning to B2 would permit an array of uses that are not possible under the MPA, in particular shop top housing. Council want surety about the outcomes on the site (i.e. that a shopping centre is built in accordance with the MPA) prior to supporting a change in land use zone to B2 and increasing the maximum permitted FSR on the site to be generally consistent with the MPA.

AMPC agree that the best way forward to achieve the intended outcome of the Planning Proposal in the most efficient timeframe is therefore to amend Schedule 1 of MLEP 2011 to allow the additional permitted uses. This will be of significant benefit to the leasing of the proposed development, which typically starts during the tendering and construction process and will help secure the successful delivery of the approved shopping centre project.

The additional permitted uses at the site will only be delivered as part of the redevelopment of the site as a shopping centre, and this will be a stipulation contained within Schedule 1 amendment. This means that these uses will not be independently brought forward within the existing warehouse building on site.

3.4. PART 3 – JUSTIFICATION AND THE PROCESS FOR THEIR IMPLEMENTATION

3.4.1. Section A – Need for the Planning Proposal

Q1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not the direct result of a specific strategic study or report. The need for the proposed LEP amendment has arisen given the specific circumstances relating to the MPA which permits the development of the Site for a retail and business premises uses as part of the expansion of the Marrickville Metro Shopping Centre on IN1-General Industrial zoned land.

The current industrial zoning of the site prohibits uses which are already permitted by the MPA or are uses that are typically offered within shopping centre. The Planning Proposal seeks to regularise this situation and ensure these uses are also permissible with consent on the site pursuant to MLEP 2011.

The Planning Proposal will also facilitate future minor works, uses (first and change of) and tenancy fit outs, to be undertaken as complying development under the Codes SEPP. This gives greater flexibility for the shopping centre than the recently approved Minor Works Condition of consent under the MPA as modified. This is because the Codes SEPP could be amended over time to introduce additional low impact works/facilities that are typically undertaken for commercial premises to be approved under a fast-track complying development pathway, which would not be facilitated under the current proposed condition.

The Planning Proposal also seeks to ensure other compatible land uses which are typically offered in shopping centres such as medical centres, centre-based child care facilities and community facilities would be permissible with consent on the site. This will serve to future-proof the evolution of the shopping centre and allow AMPC to provide these in-demand types of tenants/services to the community.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes or is there a better way?

The Planning Proposal is the best means of achieving the objectives of the project. As discussed, AMPC have been in discussions with Inner West Council and the DPE regarding various options to obtain the intended outcome for the Planning Proposal, including:

- **Option 1:** Do nothing - this option would mean that the site's zoning remains as IN1 General Industrial. This is clearly not consistent with the approved use of the site as a shopping centre and would not permit complimentary land uses that are typically offered at the present in shopping centres on the site but were not thought of at the time of the granting of the MPA.
- **Option 2:** Rezone the site to B2 Local Centre and increase the maximum FSR from 0.95:1 to 1.65:1 to reflect the MPA.
- **Option 3:** Amend Schedule 1 of MLEP 2011, so that that *retail premises* and *business premises* (as permitted under the MPA as modified) and other compatible land uses that typically occur within a shopping centre of this size, such as childcare facilities, medical centres and community facilities would be permissible on the site with development consent. The site would retain its IN1 Zoning.

After discussions with Council and the DPE, Option 3 was identified as the preferred scenario at this stage for the intended outcome of the Planning Proposal at this point in time.

Marrickville LEP is also over five years old and the present controls do not reflect the approved use for the site and its future development/operation as a shopping centre.

3.4.2. Section B – Relationship to Strategic Planning Framework

Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional and sub-regional strategy (including the Sydney Metropolitan Strategy and Exhibited Draft Strategies)?

DPE's Planning Circular (PS 16-004) notes that a key factor in determining whether a proposal should proceed to Gateway determination is its strategic and site-specific merit. It is considered that the planning proposal meets these tests as outlined in the following sections.

Greater Sydney Region Plan - A Metropolis of Three Cities

The Plan is the current Strategic Plan for Metropolitan Sydney. The plan integrates land use, transport and infrastructure planning between the three tiers of government and across State agencies. The vision is for residents within Greater Sydney to live within 30 minutes of their jobs, education and health facilities, and great places. The key priorities for Greater Sydney are included under the following;

- Infrastructure and Collaboration;
- Liveability;
- Productivity; and
- Sustainability.

The plan highlights the following priorities to enhance the function three-city metropolis:

- 30-Minute City: Increasing the range of jobs and services and other opportunities that people can get to within 30 minutes. This will provide equitable access to health, open space and community and cultural infrastructure, improve the ability to walk to local services and amenities and encourage residents to access local services and employment generating facilities.
- A City with Smart Jobs: Increasing the knowledge and skills capacity of the workforce will improve the resilience of the economy. A key focus of the plan is to increase health, knowledge and education jobs in both major and local centres in order to provide opportunities for people to work in a wider range of areas.

The site is located within the Eastern Harbour City as identified by the plan. The plan recognises the strategic importance of the Eastern City as a well-established, well-served and highly accessible district that boasts the largest office market in Greater Sydney. The plan estimates that the district will grow to accommodate an additional 900,000 people over the next 20 years within areas close to existing employment opportunities. Given this, it is clear that the additional permitted uses will provide additional facilities and services to cater for this growing population.

Further the proposal is consistent with the Greater Sydney Region plan as it supports productivity through the growth on jobs and retail floor space within the Eastern Harbour City.

Eastern City District Plan:

The site is situated within the area covered by the Eastern City District Plan, released in March 2018. This District Plan has been developed by the Greater Sydney Commission and outlines the priorities and actions for the District which includes the Inner West Council LGA.

The Key Objectives identified in the District Plan are addressed below in Table 1.

Table 1 – Vision for the Eastern Harbour City

Objectives	Comment
<u>Infrastructure and Collaboration:</u> Include health and education precincts at Camperdown-Ultimo, Randwick and Kogarah with collaboration roles at St Leonards, Macquarie Park and Frenchs Forest. Further collaboration to address planning complexities and identify ways to support growth will be undertaken at the Australian Nuclear Science and Technology Organisation innovation precinct and the Bankstown Airport and Milperra industrial area.	The proposal does not undermine the potential to achieve this objective.

Objectives	Comment
<p>Liveability: The population of the Eastern Harbour City is projected to grow from 2.4 million people in 2016 to 3.3 million people by 2036.</p> <p>The Eastern Harbour City is a mature mix of well-established communities, from traditional suburban neighbourhoods to Australia's most highly urban areas. Growth will bring urban renewal with increased infrastructure and services, open spaces and public places. Sympathetic infill development will focus on improved local connections.</p>	<p>The proposal does not affect the continued operation of the existing Marrickville Metro Shopping Centre or the approved expansion development.</p> <p>The proposal will strengthen the ability of the existing retail and business tenancies to complement these uses and provide a streamlined approval process for minor shop fit outs and change of use. The proposal will permit potential future uses at the site such as, centre-based child care facilities and medical centres, benefiting the growing population.</p>
<p>Productivity: Innovation and global competitiveness will be focussed in the Harbour CBD, the Eastern Economic Corridor and strategic centres. These will be supported by investments in transport and services, job growth and business activity.</p> <p>Retention and management of industrial and urban service land will enable the growth of nationally significant, and locally important businesses and services.</p>	<p>The proposal will permit additional uses within the expanded shopping centre, which will benefit the leasing potential of the new units, thereby helping to ensure the creation of new jobs at the centre. Permitting minor works to be undertaken as <i>Complying Developments (CDC)</i> under the Codes SEPP, provides a quicker approval process, minimising operation and construction delays. This will assist AMPC's development of the site.</p> <p>At this stage, it is not proposed to rezone the site and as such the proposal complies with the protect and manage policy for industrial and urban services land. At an appropriate point, following the construction of the centre and Council's review of industrial premises in the LGA, a rezoning proposal will be progressed by AMPC.</p>
<p>Sustainability: The Greater Sydney Green Grid will improve access to foreshores, waterways and the coast for recreation, tourism, cultural events and water-based transport.</p>	<p>The proposal does not undermine the potential to achieve this objective.</p>

Loss of Industrial land

The Eastern City District Plan identifies the subject site as '*Industrial and Urban Services Land*', which is to be retained and managed.

Specifically, Action 51 of the District Plan is to:

"retain and manage industrial and urban serves lad, in line with the Principles for managing industrial and urban services land in the Eastern City District by safeguarding all industrial zone land from conversion to residential development, including conversion to mixed use zone.

In updated local environmental plans, councils are to conduct a strategic review of industrial lands”.

The site appears to have been counted as industrial land in the District Plan, despite the approved expansion of the shopping centre. The MPA has effectively already turned the site for other land uses (*retail premises* and *business premises*) and a shopping centre can be constructed on the site at any time. Once the shopping centre is constructed it will never be returned as industrial land.

As discussed earlier in this report, the Greater Sydney Commission and the DPE have advised via an email to Urbis dated 21 September 2018 and via follow up phone conversations, that whilst the provisions of the District Plan still continue to apply in respect of the Industrial zoned land, the effect and activation of the MPA approval prior to the adoption of the District Plan means that the retain and manage policy in the Plan is not to be enforced for this land and the Department may consider a planning proposal to rezone the land to permit *retail premises* and *business purposes* (as well as other compatible uses) on its merits.

Local Centre

The existing Marrickville Metro has been identified in the District Plan as a Local Centre (Figure 13), which is a result of it being a focal point for the neighbourhood, containing a range of retail outlets and its connection with a range of local bus services. Planning Priority E6 in the District Plan identifies that certain local centres will need to grow to provide for the requirements of the local community. Furthermore, local centres have an important role to play in providing local employment and this proposal will maintain and enhance the employment generating potential of the site for the benefit of the locality.

The proposal is entirely consistent with the relevant priorities of the Eastern City District Plan as it seeks to protect and enhance retail floor space, activities and offerings in an existing local centre, which already has a major project approval to be expanded. It also consistent with Planning Priorities E4: Fostering healthy, creative, culturally rich and socially connect communities by seeking to permit a greater diversity of uses on that that will benefit the community.

It is therefore evident that the proposal is consistent with the relevant priorities in the Region and District Plan.

Q4. Is the Planning Proposal consistent with a council’s local strategy or another local strategic plan?

Marrickville Employment Lands Study (2008)

The Marrickville Employment Lands Study (2008) identified Marrickville Metro and land surrounding the shopping centre as potential revitalisation areas, resulting in the approved expansion of the existing shopping centre to 13-55 Edinburgh Road. The study identified the need for investment in Marrickville Metro to address the public domain deficiencies and have a larger role in servicing the local community’s needs. The proposal includes provisions to permit additional uses which will further benefit the community such as medical centre, community facilities and child care facilities within the approved expansion of the existing shopping centre.

Marrickville ‘Our Place, Our Vision’ Community Strategic Plan 2023

The Marrickville Strategic Plan identifies the need to encourage a mix of businesses in urban centres to meet the needs and expectation of the community. The Planning Proposal ensures a range of community uses (medical centre, child care centre, and community facilities) are permissible with consent along with (*retail* and *business premises*) in the approved expanded shopping centre.

Inner West Council Statement of Vision and Priorities (2017)

The Vision and Priorities Statement highlights the need to provide and support additional social hubs and meeting places. The Planning Proposal seeks to permit community other uses within the approved expansion of the shopping centre. Permitting such uses would ensure medical centres and child care centres can be provided in a convenient location for parents, carers and patients. It would also provide the opportunity for these essential community facilities to operate within a new well designed and located shopping centre complex, reducing the need to find an alternative location for such uses.

3.4.2.1. Strategic Merit

The strengthened strategic merit test criteria contained in 'A Guide to Preparing Planning Proposals' require that a planning proposal demonstrate strategic merit against (at least one of) the following three criteria set out in Table 2 below:

Table 2 – Strategic Merit Test

Assessment Criteria	Response
<p>Consistent with:</p> <ul style="list-style-type: none"> Regional Plan outside of Greater Sydney Relevant District Plan in Greater Sydney Corridor or Precinct Plan applying to the site Draft Regional, District or Corridor Plan released for public comment. <p>(or)</p>	<p>The site is located within Greater Sydney</p> <p>The site is included in the draft Sydenham to Bankstown Corridor. However, it is not proposed to be rezoned under the last draft that was released by the Department. This Draft Strategy has now been handed back to Inner West Council and the future outcomes of this Strategy are not known at this stage. There is no precinct plan relating to the site.</p> <p>The proposal is consistent with the aims of the Eastern City District Plan as demonstrated above.</p>
Consistent with a relevant local council strategy that has been endorsed by the Department (or)	The proposal is consistent with the Marrickville Community Strategic Plan 2023.
Responding to a change in circumstances, such as investment in new infrastructure or changing demographic trends not recognised by existing planning controls.	<p>This proposal now responds to the opportunity presented by development of the MPA to deliver the extension to the existing shopping centre.</p> <p>The Proponent intends to commence the construction of the project in 2018 and this has led to the urgent requirement to ensure that a range of appropriate uses are permissible at the site under the MLEP 2011.</p>

3.4.2.2. Site-Specific Merit

In addition to meeting at least one of the strategic merit criteria, 'A Guide to Preparing Planning Proposals' requires that Planning Proposals demonstrate site-specific merit against the following criteria set out in Table 3 below.

Table 3 – Site Specific Merit

Assessment Criteria	Response
Does the planning proposal have site specific merit with regard to:	
The natural environment (including any known significant environmental values, resources or hazards); and	<p>The site is not environmentally sensitive land or land with significant biodiversity value.</p> <p>Furthermore, there are no environmental constraints or hazards of such significance that would preclude the redevelopment of the site for residential purposes.</p>

Assessment Criteria	Response
The existing uses, approved uses and likely future uses of land in the vicinity of the proposal; and	<p>The site is occupied by an existing industrial warehouse. However, the development of the site for the expansion of the Marrickville Shopping Centre was approved in 2012 (MP09_0191). This consent has been physically commenced at the shopping centre can be constructed at any time.</p> <p>The Proponent intends to develop the MPA following various modification applications and this Proposal will assist the development process.</p>
The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.	The Proponent has undertaken discussions with services and utilities providers as part of the ongoing design development on the project numerous modifications to the MPA. As a result of this, it is clear that there will be sufficient infrastructure to meet the demands of the scheme.

Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the relevant State Environmental Planning Policies as summarised below.

Table 4 – State Environmental Planning Policies

SEPP	Consistency	Consistency of Planning Proposal
SEPP 1 – Development Standards	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP. The proposal will support the application of the SEPP to the site which will contribute to the transparency of the planning controls applicable to the site.
SEPP 6 – Number of Storeys in a Building	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP 14 – Coastal Wetlands	Not Applicable	
SEPP 15 – Rural Land sharing Communities	Not Applicable	
SEPP 19 – Bushland in Urban Areas	Not Applicable	
SEPP 21 – Caravan Parks	Not Applicable	

SEPP	Consistency	Consistency of Planning Proposal
SEPP 22 – Shops and Commercial Premises	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP. The proposal seeks to permit business and retail premises to align with the MPA.
SEPP 26 – Littoral Rainforests	Not Applicable	
SEPP 29 – Western Sydney Recreation Area	Not Applicable	
SEPP 30 – Intensive Agriculture	Not Applicable	
SEPP 33 – Hazardous and Offensive Development	Not Applicable	
SEPP 36 – Manufactured Home Estates	Not Applicable	
SEPP 39 – Spit Island Bird Habitat	Not Applicable	
SEPP 44 – Koala Habitat Protection	Not Applicable	
SEPP 47 – Moore Park Showground	Not Applicable	
SEPP 50 – Canal Estate Developments	Not Applicable	
SEPP 55 – Remediation of Land	Yes	<p>Contamination and SEPP 55 have been considered as part of the original MPA and the most recent MOD. A Contamination Synthesis Report was prepared by Douglas and Partners to support the recent MOD. The report concludes that the Edinburgh Road site is suitable, from an environmental perspective, for the proposed shopping centre redevelopment subject to:</p> <ul style="list-style-type: none"> • Prior to the demolition of any existing buildings, the buildings area assessed for the presence of hazardous materials; • The preparation of an Acid Sulphate Soil Management Plan for the construction phase; • An unexpected finds protocol to form the part of the contractor's standard method statement and construction management plan; and

SEPP	Consistency	Consistency of Planning Proposal
		<ul style="list-style-type: none"> • Prior to any soils to be removed from site, a waste classification assessment should be undertaken.
SEPP 59 – Central Western Sydney Regional Open Space and Residential	Not Applicable	
SEPP 60 – Exempt and Complying Development	Yes	One of the intended outcomes of the Planning Proposal is to ensure that fit outs, minor alterations and change of use would be able to be undertaken under the Codes SEPP.
SEPP 62 – Sustainable Aquaculture	Not Applicable	
SEPP 64 – Advertising and Signage	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP No. 65 – Design Quality of Residential Apartment Development	Not Applicable	
SEPP 70 – Affordable Housing (Revised Schemes)	Not Applicable	
SEPP 71 – Coastal Protection	Not Applicable	
SEPP (Affordable Rental Housing) 2009	Not Applicable	
SEPP (Building Sustainability Index: BASIX) 2004	Not Applicable	
SEPP (Exempt and Complying Development Codes) 2008	Consistent	The proposal is to adopt the standard instrument provisions for exempt and complying development
SEPP (Housing for Seniors or people with a Disability) 2004	Not Applicable	
SEPP (Infrastructure) 2007	Yes	State Environmental Planning Policy (Infrastructure) 2007, sets out requirements for various public authority and infrastructure works throughout the state. In addition, it requires the referral of certain traffic generating development to the RMS during the DA assessment process.

SEPP	Consistency	Consistency of Planning Proposal
		Any required referral will be triggered at DA stage and does not impact a land rezoning. Traffic generation, parking and access are addressed in Section 5.3.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not Applicable	
SEPP (Kurnell Peninsula) 1989	Not Applicable	
SEPP (Major Development) 2005	Consistent	The Planning Proposal is consistent with the provisions of the Major Project Approval (MP09_0191) and relating Modifications.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not Applicable	
SEPP (Penrith Lakes Scheme) 1989	Not Applicable	
SEPP (Port Botany and Port Kembla) 2013	Not Applicable	
SEPP (Rural Lands) 2008	Not Applicable	
SEPP (SEPP 53 Transitional Provisions) 2011	Not Applicable	
SEPP (State and Regional Development) 2011	Consistent	The Planning Proposal does not contain provisions that will conflict or obstruct the application of the SEPP.
SEPP (Sydney Drinking Water Catchment) 2011	Not Applicable	
SEPP (Sydney Region Growth Centres) 2006	Not Applicable	
SEPP (Temporary Structures) 2007	Not Applicable	
SEPP (Urban Renewal) 2010	Consistent	The Planning Proposal does not contain provisions that will conflict or obstruct the application of the SEPP.

SEPP	Consistency	Consistency of Planning Proposal
SEPP (Western Sydney Employment Area) 2009	Not Applicable	
SEPP (Western Sydney Parklands) 2009	Not Applicable	
Draft SEPP (Competition) (2010)	Yes	The proposal has considered the draft SEPP, namely the objectives to remove artificial barriers on competition between retail businesses and is considered consistent with the draft SEPP.

Q6. Is the Planning Proposal consistent with applicable ministerial directions (S9.1 Directions)?

The Section 9.1 Ministerial Directions (under Section 9.1 of the *Environmental Planning and Assessment Act, 1979*) provide local planning direction and are to be considered in a rezoning of land. The relevant Section 9.1 considerations are considered in Table 5 below.

Table 5 – Section 9.1 Directions for Planning Proposals

Clause	Direction	Consistency	Comment
1. Employment and Resources			
1.1	Business and Industrial Zones	Consistent	<ul style="list-style-type: none"> The proposed development will have a positive employment impact, providing for ongoing opportunities for new jobs. The proposal will not undermine the integrity and core purpose of the Marrickville Metro Shopping Centre.
1.2	Rural Zones	Not Applicable	This Direction is not applicable as it applies to Rural zoned land.
1.3	Mining Petroleum Production and Extractive Industries	Not Applicable	This Direction is not applicable as it applies to Mining Petroleum Production and Extractive Industries.
1.4	Oyster Aquaculture	Not Applicable	This Direction is not applicable as it applies to Oyster aquaculture
1.5	Rural Lands	Not Applicable	This Direction is not applicable as it applies to rural lands.
2. Environment and Heritage			
2.1	Environmental Protection Zones	Not Applicable	This Direction is not applicable as the Site is not covered by an environmental protection zone.
2.2	Coastal Protection	Not Applicable	This Direction is not applicable as the Site is not in a coastal protection zone.

Clause	Direction	Consistency	Comment
2.3	Heritage Conservation	Not Applicable.	<p>MLEP 2011 contains heritage provisions. This Planning Proposal does not seek to amend these.</p> <p>Mill House' component of the subject site is listed as an item of local heritage significance in the Marrickville LEP, along with the adjacent brick paving on Victoria Road to the north and the St Pius Church and Presbytery to the east. The Planning Proposal will not affect the significance of these items.</p>
2.4	Recreation Vehicle Areas	Not Applicable.	This Direction is not applicable as the Site is not intended to be used as a recreational vehicle area.
3. Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Not Applicable	This Direction is not applicable as the Site.
3.2	Caravan Parks and Manufactured Home Estates		This Direction is not applicable as the Site is not currently a caravan park, nor is it intended to be used as a caravan park or manufactured home estate.
3.3	Home Occupations	Not Applicable	This Direction is not applicable as the Site is not intended to be used for housing purposes.
3.4	Integrating Land Use and Transport	Consistent	<p>The site supports the principle of integrating land use and transport.</p> <p>The site exhibits good access to public and private transportation use. The site is well serviced by Sydney buses and is within comfortable walking distance of a railway station.</p>
3.5	Development Near Licensed Aerodromes	Not Applicable	This Direction is not applicable as the Site is not near a licensed aerodrome.
3.6.	Shooting Ranges	Not Applicable	This Direction is not applicable as the Site is not located near a shooting range.
4. Hazard and Risk			
4.1	Acid Sulphate Soils	Consistent	The site is located on Class 2 Acid Sulphate soils. The proposal does not propose any additional exterior works other than that approved under MP09_0191.

Clause	Direction	Consistency	Comment
4.2	Mine Subsidence and Unstable Land	Not Applicable	This Direction is not applicable as the Site is not located within a Mine Subsidence District or identified as unstable land.
4.3	Flood Prone Land	Not Applicable	The proposal is not intended to facilitate changes to the approved built form on the site. The approved development addresses flood constraints within the site.
4.4	Planning for Bushfire Protection	Not Applicable	This Direction is not applicable as the Site is not located on bushfire prone land.
5. Regional Planning			
5.1	Implementation of Regional Strategies	Not Applicable	This Direction is not applicable as the Site is not part of a regional strategy.
5.2	Sydney Drinking Water Catchments	Not Applicable	This Direction is not applicable as the Site is not located within a hydrological catchment in the identified LGAs.
5.3	Farmland of State and Regional Significance on NSW Far North Coast	Not Applicable	This Direction is not applicable as the Site is not located on the NSW far north coast.
5.4	Commercial and Retail Development along the Pacific Highway	Not Applicable	This Direction is not applicable as the Site is not located along the Pacific Highway.
5.5	Development in the vicinity of Ellalong, Paxton and Millfield	Revoked	
5.6	Sydney to Canberra Corridor	Revoked	
5.7	Central Coast	Revoked	
5.8	Second Sydney Airport: Badgery's Creek	Not Applicable	This Direction is not applicable as the Site is not located within or adjacent to the proposed airport site.
5.9	North West Rail Link Corridor Strategy	Not Applicable	This Direction is not applicable as the Site is not located within the applicable LGAs.
6. Local Plan Making			
6.1	Approval and Referral Requirements	Consistent	The Planning Proposal is consistent with the objective of this clause as it sets a statutory planning framework for the Site that will facilitate appropriate development

Clause	Direction	Consistency	Comment
			assessment procedures in accordance with the EP&A Act 1979.
6.2	Reserving Land for Public Purpose.	Consistent	This is an administrative requirement for Council.
6.3	Site Specific Provisions	Consistent	The Planning Proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with the MLEP.
7. Metropolitan Planning			
7.1	Implementation of the Greater Sydney Region Plan – A Metropolis of	Consistent	The planning proposal is consistent with the aims of the Metropolitan Plan as detailed previously within the Planning Proposal.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not Applicable	This Direction is not applicable as the Site is not located within the Greater Macarthur Land Release Investigation area.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not Applicable	This Direction is not applicable as the Site is not located within the Parramatta Road Corridor.

3.4.3. Section C – Environmental, Social and Economic Impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the proposal?

No. The site is located within an established urban area. There are no known critical habitats, threatened species or ecological communities located on the site and therefore the likelihood of any negative ecological impacts is minimal.

Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The key environmental considerations associated with the project are as follows:

Traffic:

The proposal will not involve any changes to the approved quantum of floor space within the site. Existing parking, traffic and access arrangements have already been assessed as been satisfactory and will remain unchanged. Separate Traffic and Parking Reports will be undertaken as part of any future Development Application (DA) for the individual uses that will require a DA such as childcare and medical centres.

The original Traffic and Parking Assessment Report and Environmental Impact Statement can be accessed at the following link.

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=3734

Q9. Has the Planning Proposal adequately addressed any social and economic effects?

An Economic Assessment Report was undertaken and approved as part of the Major Project Approval (MP09_0191). The proposal does not include additional Gross Floor Area and will not cause any additional economic impacts than otherwise previously assessed prior to the grant of the MPA. If required, an updated

economic impact statement can be undertaken at the next DA stage to assess any likely changes to the economic impacts.

The proposal will also provide the ability for the shopping centre to include essential community services, such as a child care centre, medical centre and community facility within proximity to employment and retail options, increasing the level of convenience for the local community.

The original Economic Impact Assessment can be viewed at the following link.

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=3734

3.4.4. Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the Planning Proposal?

Yes. The site is served by existing utility services. The proposal involves the continuation of existing uses within the site. Accordingly, it is not anticipated that unnecessary or additional demands will be placed on public infrastructure.

Q11. What are the views of state and commonwealth public authorities consulted in accordance with the gateway determination?

The Planning Proposal is still in a preliminary stage. Appropriate consultation with relevant government agencies would be undertaken by Council following a gateway determination.

3.5. PART 4 – MAPPING

Given that this LEP amendment only seeks to introduce new additional permitted uses, it does not affect any of the LEP Maps. As such, there is no requirement to provide updated mapping as part of this Planning Proposal.

3.6. PART 5 – COMMUNITY CONSULTATION

The Planning Proposal will be publicly exhibited in accordance with the requirements of the Gateway Determination.

It is anticipated that the proposal would be notified by way of:

- A public notice in the local newspaper(s).
- A notice on the Inner West Council website.
- Written correspondence to adjoining and surrounding landowners.

The Planning Proposal will be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

3.7. PROJECT TIMELINE

The 'Guide to Preparing Planning Proposals' published in August 2016 indicates that the following details should be provided. As such, the timeline has been updated as part of this Addendum Report, with our estimated dates for each stage in italics:

- Anticipated commencement date (date of Gateway determination) – Q1 2019
- Anticipated timeframe for the completion of required technical information – Q1 2019
- Timeframe for government agency consultation (pre-and post-exhibition as required by Gateway determination) – Q2 2019
- Commencement and completion dates for public exhibition period – Q2 2019
- Dates for public hearing (if required) – Not proposed to be required
- Timeframe for consideration of submissions – Q3 2019
- Timeframe for the consideration of a proposal post exhibition –Q3 2019

- Date of submission to the Department to finalise the LEP –Q4 2019
- Anticipated date RPA will make the plan (if delegated) –Q4 2019
- Anticipated date RPA will forward to the Department for notification. – Q4 2019

The above information will be crystallised by the RPA following the issue of the Gateway determination and through the production of the formal Planning Proposal. However, it is considered that this would be a straightforward Planning Proposal and it is expected that the process can be finalised in approximately 12 months by Inner West Council (under delegation) and the consequential LEP amendments gazetted within this timeframe.

4. CONCLUSION

This Planning Proposal seeks to amend Schedule 1 *Additional Permitted Uses* of *Marrickville Local Environmental Plan 2011* (MLEP 2011) to align with the approved *retail premises* and *business premises* uses within the Major Project Approval (MP09_0191) as modified for the expansion of Marrickville Metro Shopping Centre at 13-55 Edinburgh Road, Marrickville. These uses are prohibited under the site's current IN1 General Industrial zoning pursuant of MLEP 2011.

The Planning Proposal also seeks to introduce additional complementary permitted uses within Schedule 1 of the MLEP such as medical centres, centre-based child care facilities and community facilities as additional permitted uses at the site. These uses which are typical to a shopping centre of this size and status, would be delivered as part of the redevelopment of the site to provide a new shopping centre extension and would not be accommodated within the existing warehouse building on site.

Importantly, the amendment would mean that minor works (change of use, shop fit outs, etc) will be able to be undertaken as complying development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, which is consistent with other shopping centres in Greater Sydney.

Whilst the site falls within the boundary of the Sydenham to Bankstown Corridor, it is important to note that this Planning Proposal is not relying on the draft Sydenham to Bankstown Corridor Urban Renewal Corridor Strategy nor does it propose any density uplift (height or FSR).

The Planning Proposal responds positively to various State and Local strategic plans and is considered the most favourable option for achieving the intended outcomes for the site by Inner West Council and the Department of Planning and Environment.

DISCLAIMER

This report is dated 31 October 2018 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of AMP Capital (**Instructing Party**) for the purpose of Planning Proposal (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A MAJOR PROJECT APPROVAL (MP09_0191)

APPENDIX B PRE-PLANNING PROPOSAL RESPONSE FROM COUNCIL



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