

Planning Proposal

60A Gray Street, 2-8 Princes Highway and 1-9
Rocky Point Road, Kogarah

October 2010

urbis

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Executive Summary

Consent for the demolition of existing buildings and the construction of a four storey building for bulky goods retailing, commercial offices, medical purposes and a community room on the subject site, excluding 60A Gray Street, was issued by Council in December 2008. The approved development had an FSR of 3:1 and a maximum height of 15 metres.

After the consent was issued, the owners of the site received strong interest from potential retail (supermarket) tenants and other retailers to occupy the development. As the existing consent and zoning of the site do not permit shops, a Planning Proposal was subsequently lodged for the site, to include a site specific clause to allow "shops" to be permitted at the site, with an FSR of 3:1, and a clause to ensure that at least one "shop" tenancy would have a retail floor area of at least 2,500 sqm.

After commencing its assessment of the Planning Proposal, Council required that the adjacent site at 60A Gray Street to be included as part of the Planning Proposal. This Planning Proposal therefore includes the whole block and an assessment of land use currently under the ownership of our client.

Given the increased scope of the proposal, it is considered that rather than a site specific clause being proposed, a rezoning of the entire site including 60A Gray Street, 2-8 Princes Highway, and 1-9 Rocky Point Road, Kogarah to the 3(b) Business (Town Centre) Zone would be more appropriate for the following reasons:

- Council's request to investigate the entire block in terms of retail capability;
- The clear demand for retail development; and
- The likelihood that any light industrial development, for commercial reasons, would be overlooked for higher order uses.

A review of the Kogarah LEP 1998 determined that the 3(b) Business (Town Centre) Zone would be the most appropriate zone to achieve the objectives of this Planning Proposal, for the following reasons:

- The site is seen as a natural extension to the existing Kogarah Town Centre.
- The extension to the town centre would satisfy the objectives of the 3(b) Business (Town Centre) Zone:
 - It would encourage the development and expansion of business activities, contributing to economic growth and employment opportunities within the Kogarah Town Centre;
 - It would result in the expansion of retail and commercial facilities within the Kogarah Town Centre;
 - The site is strategically located in relation to its proximity to available public transport and surrounding residential development, as well as it's location between two major vehicular thoroughfares, providing high exposure to the site.

Studies prepared to assess the capability of the site for retail use to support the zoning change indicate that the proposal to rezone the site is appropriate. These studies have also informed the development standards proposed as part of this Planning Proposal.

Whilst the Retail Capacity Assessment confirms that the Kogarah Town Centre has the capacity to support the scale of retail development proposed on this site, certain constraints with respect to traffic have been identified.

It is also proposed to introduce development standards, including a maximum FSR of 3:1 and a maximum height of 15 metres. These development standards are also considered appropriate, being based on the previously approved development standards for the site.

This Planning Proposal recommends that a site specific DCP be prepared and exhibited simultaneously with the Draft LEP amendment and Voluntary Planning Agreement, in order to ensure that any future development will not introduce any significant environmental impacts.

Finally, the principles for a proposed Voluntary Planning Agreement are included as part of this Planning Proposal, a VPA which will be finalised and exhibited alongside the proposed LEP amendment post Gateway.

The principles of the agreement would include:

- Provision of a shuttle bus between the development and Kogarah Town Centre, with interim stops.
- Streetscape and landscape improvements to Kogarah Town Centre.
- A dedicated community room of at least 300 sqm within the development.

These actions of the approval are considered to be of public benefit and it is proposed that the value of such actions be offset against S. 94 contributions.

1 Introduction

Urbis has been engaged by AFC Holdings, the owners of 2-8 Princes Highway and 1-9 Rocky Point Road, Kogarah, and Citadel Property Group to prepare a Planning Proposal to amend the Kogarah Local Environmental Plan 1998, in relation to the zoning of the site bound by Gray Avenue, Princes Highway and Rocky Point Road, Kogarah, to permit retail development.

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979, and consideration has been given to the requirements outlined in “A guide to preparing planning proposals”, NSW DOP.

A Planning Proposal was recently lodged with Council in response to demand from supermarket retailers to locate within the previously approved redevelopment of this site. This Planning Proposal related to the subject site, excluding the large allotment at 60A Gray Street, to include a site specific clause to allow retail development in the form of a supermarket to be included within the redevelopment.

Council subsequently requested that our client include the site at 60A Gray Street as part of the Planning Proposal, to include the block in its entirety, and that traffic and economic assessments be carried out. The following extract is taken from Council's report to the Working Party on 3 May 2010:

“Recommendation:

- *That the owners be advised that Council supports in principle the submission of a Planning Proposal relating to No.'s 2-8 Princes Highway, 60B Gray Street and No.'s 1-9 Rocky Point Road, Kogarah seeking to allow the uses as identified in the report.*
- *That as part of the Planning Proposal, the applicant be required to submit a detailed Traffic and Parking Study and a Social and Economic Impact Assessment Report.*
- *That once submitted, the Planning Proposal and associated studies be submitted to a future Planning & Environmental Services Working Party for endorsement to commence the formal planning process and submission of the planning proposal through the Gateway process.*
- *That a letter be written to the proponent seeking confirmation of their intentions with respect to the Voluntary Planning Agreement.”*

The subject Planning Proposal has been prepared in response to this resolution and Council's further request to include the whole block.

1.1 The Site

The subject site is located at 60A Gray Street, 2-8 Princes Highway and 1-9 Rocky Point Road, Kogarah. The legal description of the site is as follows:

Lot 1, DP91359; Lot 1, DP 1108502; Lot 52, DP 81626; Lots 50 and 51, DP 81627; Lot 1, DP 86795; Lot 47, DP 512033; Lots 48 and 49, DP 975331.

The subject site is located in the Kogarah Industrial Precinct and is strategically located within close proximity to the Kogarah Town Centre separated by this only by St George Public and Private Hospitals.

The site is also prominently located at the intersection of two major arterial roads, the Princes Highway and Rocky Point Road, and the block is bound by these roads, as well as Gray Ave to the south.

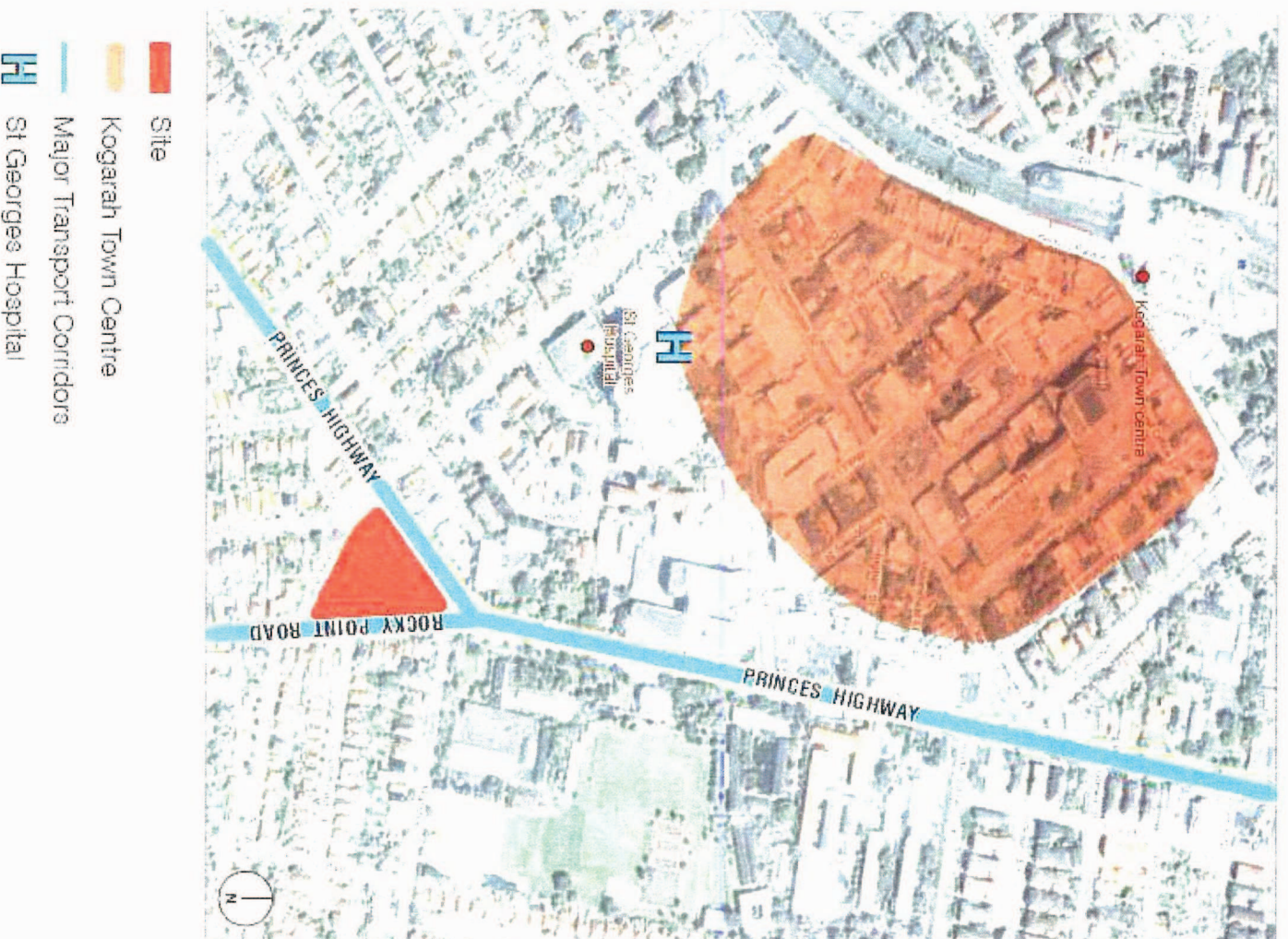
An aerial view and location plan of the site, showing the location of the site in relation to other significant land uses, are included below.

Figure 1 – Aerial View



2-8 PRINCES HIGHWAY, 1-9 ROCKY POINT ROAD & 60A GRAY STREET, KOGARAH

Figure 2 – Location of site



The site has a consolidated site area of 7250m², which includes an area of 271m² of Gray Lane.

INTRODUCTION

Currently, the site contains a number of vacant buildings which are currently for lease, and a large open area at the southern end of the site fronting Gray Avenue (60A Gray Street). The buildings that are occupied include the following uses:

- A carwash
- Water tank retailer
- Timber furniture store

The site is currently zoned Industrial 4(a) – Industrial (Light) under the provisions of Kogarah LEP 1998. The following provisions within the Kogarah Commercial and Industrial Lands Development Control Plan currently apply to the site:

Height

- Maximum number of storeys – 4 storeys
- Maximum façade height – 12 metres
- Maximum overall building height – 15 metres

Floor Space Ratio

- The maximum floor space ratio is 2:1, however Council may permit a bonus of up to 1:1 where the applicant proposes a Planning Agreement with Council that will provide community benefits.

Development immediately surrounding the site comprises a mix of residential and special use developments including hospitals, schools and a church.

An area of commercial development is located to the south of the site. Immediately to the north-west, on the opposite side of the Princes Highway, are recently constructed residential flat buildings which range from three (3) storeys to five (5) storeys in height

1.2 Background

A Deferred Commencement consent (DA60/2008) for the demolition of existing buildings and the construction of a four storey building for bulky goods retailing, commercial offices, medical purposes and a community room was issued by Council on 16 December 2008. The approved development was in the form of a four storey building and includes parking for 391 vehicles, over 4 levels, with vehicular access off Gray Avenue. The development approved an FSR of 3:1 and a height of 15 metres.

Photomontages illustrating the approved development are included below.



Figure 3 – Looking south towards the proposal

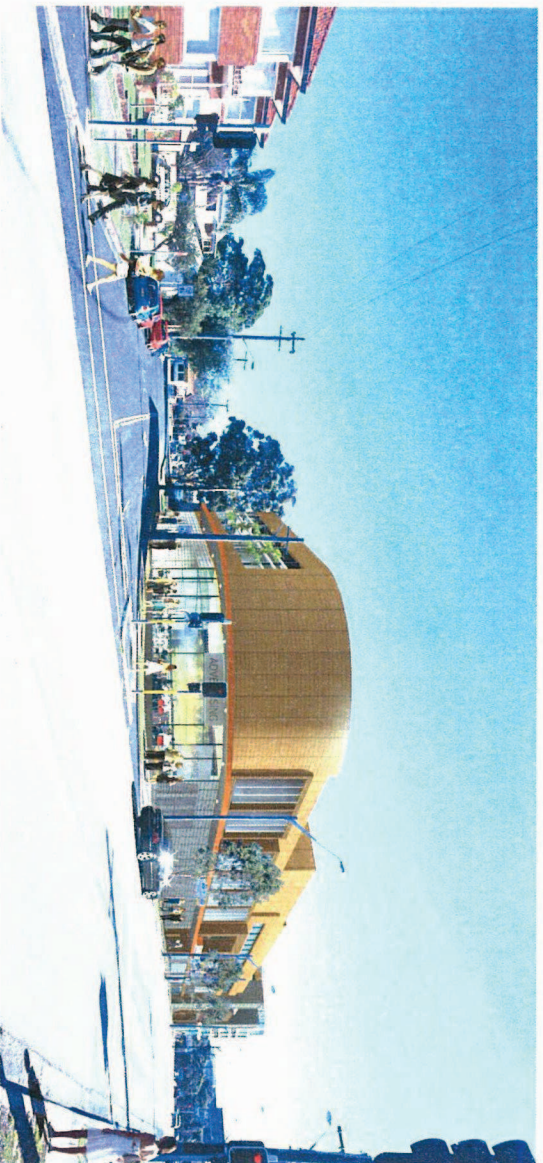


Figure 4 – Looking north towards the proposal

Further to receipt of the above consent, the applicant received strong interest from potential retail tenants, including a major supermarket chain.

A Planning Proposal was subsequently lodged for the site, with the support of Council, to allow the owners to carry out a similar development to that already approved, but to include a supermarket use on the site as opposed to bulky goods. The Planning Proposal included a site specific provision to allow development for the purpose of *shops* at the site and a clause to ensure that at least one “shop” tenancy would have a retail floor area of at least 2,500 sqm, in order to achieve Council objectives of facilitating a new supermarket on the site.

Since this Planning Proposal was lodged, Council required that our client incorporate the site at 60A Gray Street, previously owned by the RTA into the scope of this land use study.

Given a number of factors included at **Section 3.2.1**, it is considered that a rezoning of the entire site, rather than a site specific amendment to the LEP, would be more appropriate. This Planning Proposal therefore proposes an amendment to the current zoning of the site, to the 3(b) Business (Town Centres zone), that would allow retail development at the site, as justified in the body of this report.

2 Objectives or Intended Outcomes

The intended outcome of the Planning Proposal is to permit retail uses, including a supermarket, and other non-retail uses, on the site.

The Planning Proposal seeks to amend Kogarah LEP 1998 by rezoning the site to 3(b) Business Town Centre zone and to incorporate a provision that restricts the development of residential on the subject site.

The objectives of the Planning Proposal are to:

- align the use of the land with the NSW Metropolitan Strategy and draft South Sub-Regional Strategy which identifies the site as being capable of wider range of employment uses (SO A1.9.3 draft *South Sub Regional Strategy*);
- address the undersupply of retail choices available to the community, particularly supermarkets in the locality;
- provide increased employment opportunities;
- Prohibit residential development so as to ensure that the land retains employment opportunities.

3 The Proposal

3.1 Proposed Provisions

The objectives of the Planning Proposal shall be achieved through an amendment to the Kogarah LEP 1998, to reflect the zoning of the site as 3(b) Business Town Centre.

Figure 5 – Proposed Zoning Map



The Planning Proposal also includes principles for a Voluntary Planning Agreement, refer to **Section 3.3**.

3.2 Explanation of Provisions

3.2.1 Zoning

In forming a view on the most appropriate zoning for the site, the fundamental question is whether the existing zoning remains and a site-specific amendment proposed, or that the land be rezoned.

We consider that the site should be rezoned for the following reasons:

- Council's request to investigate the entire block in terms of retail capability;
- the clear demand for retail development; and,
- the likelihood that any light industrial development, for commercial reasons, would be overlooked for higher order uses.

The Kogarah LEP includes two zones where "shops" are permitted:

- 3(a) Business (Local Centres) zone
- 3(b) Business (Town Centre) zone

Whilst the 3(a) Business (Local Centres) zone does not discourage retail and commercial development, it is considered that the 3(b) Business (Town Centre) zone was deemed the most appropriate zone for the site, for the following reasons:

- The site is seen as a natural extension to the existing Kogarah Town Centre, and would act as a southern anchor to the town centre, with only the hospital separating the site from the existing area zoned 3(b).
- This extension, and the anticipated development on the site, would satisfy the objectives of the 3(b) zone, encouraging the development and expansion of business activities, and contributing to economic growth and employment opportunities within Kogarah Town Centre.
- The proposal would also result in the expansion of retail and commercial facilities within the Kogarah Town Centre, again satisfying the objectives of the 3(b) zone.
- The site is also considered an appropriate extension to the existing town centre, displaying characteristics suited to a town centre of this nature. The site is strategically located in relation to its proximity to available public transport, and surrounding residential development, as well as its location between two major vehicular thoroughfares, providing high exposure to the site.

3.2.2 Floor Space Ratio

The current approved FSR for the site, excluding Gray Street, is 3:1, on the basis, we understand, on the provision of a Council community room as part of the development.

Whilst the Retail Capacity Assessment concluded that 20,450 sqm of retail floor space could be supported on the site, an FSR in excess of 4:1, the Traffic Assessment concludes that although the traffic generated by the development anticipated within the retail capacity assessment would not result in any significant impacts, this would be subject to local road upgrades and a change to the retail mix.

To compensate for the physical characteristics of the site, being in proximity to residential development and without being able to regulate the mix of "shops" within the LEP, we recommend an FSR of 3:1. This is consistent with the approved scheme.

Matters relating to the appropriate mix of retail uses may be addressed at the Development Application stage, where further detailed traffic assessment may occur.

3.2.3 Height

The proposal includes a permitted maximum height of 15 metres across the site, being consistent with the current standards. We recommend the preparation of a DCP to contain site specific controls to further refine the building envelope in terms of reducing massing at more sensitive locations, access and servicing points and the treatment of the building at key focal points.

For example, we understand Council's preference for a landmark statement at the corner of Rocky Point Road and Princes Highway, which could be catered for within a DCP.

3.3 Voluntary Planning Agreement

As part of the delivery of this Planning Proposal, it is intended to prepare a Voluntary Planning Agreement (VPA) which would include the following principles of the agreement:

For the applicant:

- Provision of a shuttle bus between the development and Kogarah Town Centre, with interim stops.
- Streetscape and landscape improvements to Kogarah Town Centre.
- A dedicated community room of at least 300 sqm within the development.

For Council:

- To offset the cost of the provision of such public benefits against Section 94 Contributions.

We propose that the VPA be formalised post Gateway and be exhibited alongside the proposed LEP amendment.

3.4 Development Control Plan

We propose that as part of this Planning Proposal, a site specific DCP be prepared post gateway, to be exhibited alongside the LEP amendment.

The objectives of the DCP would be to control and further refine the building envelope in terms of reducing massing at more sensitive locations, access and servicing points, and the treatment of the building at key focal points.

The following site specific controls would therefore be proposed as part of the DCP to further refine the building envelope:

- Setbacks
- Massing
- Vehicular entry points
- Retail mix
- Floorspace controls
- Overall height controls

4 Justification

4.1 Need for the Planning Proposal

4.1.1 Is the planning proposal a result of any strategic study or report?

A demand for retail development, in particular supermarket development, has been identified within the draft St George Economic and Employment Strategy (2006), prepared by Hill PDA and as adopted by Council.. The Study identifies a demand in the Region for another 10-15 supermarkets over the next 10 years.

The Planning Proposal is also consistent with the Strategic Outcomes in the draft South Sub-Regional Strategy which identifies that certain industrial sites could be investigated to allow for a wider range of employment uses. The site is identified as Category 2 land and suited for a change in use to allow greater employment opportunities.

The additional retail floor space is also supported in this location by the Retail Capacity Assessment prepared for the proposal, provided at **Appendix A**. The Assessment concludes:

"Given that:

- *There is ample expenditure in the trade area to support the additional retail proposed;*
- *The proposed development will create added competition in the marketplace which will lead to superior products for consumers as well as lower prices;*
- *The proposed development will offer an alternative shopping experience for budget conscious shoppers and the opportunity for trade area residents and workers to access basic products at lower prices*

There is no reason, on economic grounds, that the LEP should not be amended to facilitate a development of the type and scale outlined in this report."

4.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that the planning proposal is the best means of achieving the intended outcome.

Significant demand for additional retail development in Kogarah has been identified in the various studies above.

The current zoning for the site does not allow for retail development proposed. In this case it is considered a Planning Proposal to rezone the site is appropriate.

4.1.3 Is there a net community benefit?

The Proposal will have a significant net community benefit in the following ways:

- The provision of a type of retailing lacking in the Kogarah area as identified in the draft St George Economic and Employment Strategy prepared by Hill PDA;
- The development will result in the economic use of under developed, part vacant premises and the improvement of the visual appearance of the streetscape;
- Additional employment opportunities above and beyond that associated with traditional light industrial uses. The Retail Capacity Assessment confirms that the development has the potential to generate up to 740 jobs once the centre is complete;

- The proposed centre will complement the overall retail offer within Kogarah, providing a strong southern anchor to the town centre.
- It will also result in an increase in increased competition and lower prices in groceries, which is consistent with the recommendations of the *Report of the ACCC inquiry into the competitiveness of retail prices for standard groceries, July 2008*.
- As outlined in the traffic report, the development would strengthen demand for existing public transport services.
- The provision of a shuttle bus service, streetscape improvements and the dedication of a room for Council's use within the development.

4.2 Relationship to strategic planning framework

4.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with the Metropolitan Strategy and the draft South Subregional Strategy as outlined in the Table below:

Table 1: Consistency with Draft South Subregional Strategy

ACTION	RESPONSE
Economy and Employment	The draft Subregional Strategy identifies this Industrial precinct as <i>Category 2 Industrial Land</i> which has the <i>potential to accommodate a wider range of employment uses or more intensive scale of employment activity</i> . The planning proposal is consistent with the identified future role in that a supermarket has the potential to provide additional employment opportunities in a precinct which is currently struggling to retain employment/industrial based land uses.
Centres and Corridors	The Kogarah Town Centre has been identified as a "major centre" in the draft South Subregional Strategy and over the next 25 years is expected to grow by approximately 2,500 jobs. The Planning Proposal to allow commercial and retail development on the periphery of the Kogarah Town Centre, close to existing employment generators (St George Private & Public Hospitals) is consistent with the strategic outcomes in the draft Strategy.
Housing	The proposal would not have a direct impact on housing.
Transport	The site is situated in close proximity to existing public transport, and the proposal would strengthen demand for existing public transport services, and also take advantage of passing trade, being located between two arterial roads.
Environment, Heritage & Resources	The proposal will not adversely impact the environment or heritage.
Parks and Public Places	The proposal does not have a direct impact on parks and public places.

4.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Council's draft Community Strategic Plan, ***Bright Future, Better Lifestyle: Kogarah 2020*** identifies the following economic vision for the Kogarah Town Centre:

"a town centre that includes a vibrant mix of financial, education and medical based uses, mixed with residential and localised retail development, in a pedestrian orientated environment"

The draft St George Economic & Employment Strategy also identifies the need for additional supermarket development in the Kogarah LGA.

One of the key aims of this strategy is implicit in Council's desire to support an increase in the number of supermarkets in Kogarah. (It is noted that Kogarah currently only accommodates one supermarket.):

"Address the undersupply of supermarkets in Kogarah by working with the industry to secure larger parcels of land adjacent to the existing smaller centres. Due to the size required, suitable sites are limited; however supermarkets provide a key community service and a significant number of jobs, particularly for young people and part time workers."

4.2.3 Is the proposal consistent with applicable state environmental planning policies?

The two State Environmental Planning Policies relevant to the site are:

- SEPP (Infrastructure) 2007
- SEPP 55 – Remediation of land.
- Draft State Environmental Planning Policy (Competition) 2010

The proposed LEP is considered to be consistent with these policies.

4.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

It is considered that the Planning Proposal is consistent with those relevant s.117 directions. Refer to the table below.

Table 1 – Statement of Consistency with Section 117 Directions

Statement of Consistency with Section 117 Directions

1. Employment and Resources

1.1 Business and Industrial Zones

The planning proposal is consistent with the objectives of the Direction in that it:

Gives effect to the objectives of this direction

It is considered that the planning proposal is consistent with the objectives of this direction in the following ways:

- The proposed supermarket will result in additional employment, both during construction and operation.
- The proposal will maintain the use of the site as employment land.
- The site is located close to Kogarah Town Centre, which is identified within the South Subregional Strategy as a major centre. The proposal will therefore support the viability of Kogarah town centre, which currently only has one supermarket. This is confirmed within the Retail Capacity Assessment located in

Statement of Consistency with Section 117 Directions**Appendix A.**

Retains the areas and locations of existing business and industrial zones

- The planning proposal does not propose any change to the area or location of existing business and industrial zones.

Does not reduce the total potential floor space area for employment uses and related public services in business zones.

- The planning proposal relates to a parcel of land in close proximity to Kogarah Town Centre. It is anticipated to have a positive effect on the overall viability of the centre, allowing an additional supermarket in the vicinity of the town centre, demand for which has been demonstrated.

Does not reduce the total potential floor space area for industrial uses in industrial zones.

- The majority of the site is already approved for redevelopment as a non-industrial use. Although incorporating the additional site at 60A Gray Street will decrease the potential industrial floor space area, however overall it will result in a number of positive benefits in line with other relevant Planning directions, including an increase in employment at the site.

Ensures that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.

- The Planning Proposal will result in a relative increase in employment.

1.2 Rural Zones

The planning proposal is not affected by this Direction.

1.3 Mining, Petroleum Production and Extractive Industries

The planning proposal is not affected by this Direction.

1.4 Oyster Aquaculture

The planning proposal is not affected by this Direction.

1.5 Rural Lands

The planning proposal is not affected by this Direction.

2. Environment and Heritage**2.1 Environment Protection Zones**

The planning proposal is not affected by this Direction.

2.2 Coastal Protection

The planning proposal is not affected by this Direction.

2.3 Heritage Conservation

The planning proposal is not affected by this Direction.

2.4 Recreation Vehicle Areas

The planning proposal is not affected by this Direction.

3. Housing, Infrastructure and Urban Development**3.1 Residential Zones**

The planning proposal is not affected by this Direction.

3.2 Caravan Parks and Manufactured Home Estates

The planning proposal is not affected by this Direction.

3.3 Home Occupations

The planning proposal is not affected by this Direction.

3.4 Integrating Land Use and Transport

The planning proposal is consistent with the objectives of the Direction in that it:

Improves access to housing, jobs, and services by walking, cycling and public transport

The subject site is located in between two busy thoroughfares with bus services. It is also located in close proximity to housing.

Increases the choice of available transport and reduces

The proposal will not have an impact on the choice of

Statement of Consistency with Section 117 Directions

dependence on cars

Reduces travel demand including the number of trips generated by development and the distances travelled, especially by car

available transport.

The traffic report included at **Appendix B** indicates that the planning proposal may result in an increase in trips generated, the surrounding road network, with some recommended works, will be able to support the proposal.

It will however reduce the distances required to be travelled by Rockdale residents who are currently required to travel further afield for their retail needs.

The Planning Proposal would result in a strengthened demand for existing public transport services.

Supports the efficient and viable operation of public transport services

3.5 Development near Licensed Aerodromes

The planning proposal is not affected by this Direction.

4. Hazard and Risk

The planning proposal is not affected by this Direction.

4.2 Mine Subsidence and Unstable Land

The planning proposal is not affected by this Direction.

4.3 Flood Prone Land

The planning proposal is not affected by this Direction.

4.4 Planning for Bushfire Protection

The planning proposal is not affected by this Direction.

5. Regional Planning

The following Directions do not apply to Kogarah Council

5.1 Implementation of Regional Strategies**5.2 Sydney Drinking Water Catchments****5.3 Farmland of State and Regional Significance on the NSW Far North Coast****5.4 Commercial and Retail Development along the Pacific Highway, North Coast****5.5 Development in the vicinity of Ellalong, Paxton and Milfield (Cessnock LGA)****5.6 Sydney to Canberra Corridor****5.7 Central Coast****5.8 Second Sydney Airport: Badgerys Creek****6. Local Plan Making****6.1 Approval and Referral Requirements**

The planning proposal does not alter provisions relating to approval and referral requirements.

6.2 Reserving Land for Public Purposes

The planning proposal is not affected by this Direction.

6.3 Site Specific Provisions

The Planning Proposal is consistent with the objectives of the Direction in that it:

Discourages unnecessarily restrictive site-specific planning controls.

- It is not restrictive in that it adds an additional use to a residentially zoned site, thereby creating a more flexible range of uses for the site.

4.3 Environmental, social and economic impact

4.3.1 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 Planning Proposal relates to an additional use in an urban environment which already permits Light Industrial related uses.

4.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The traffic report located in **Appendix B** addresses the ability for the existing road network to support the planning proposal.

The traffic report has been prepared on the basis of the potential retail floor identified and supported by the Retail Capacity Assessment.

The report concludes that the site could support the potential retail development identified within the Retail Capacity Assessment subject to road upgrades, and the traffic generated by the site was reduced by 25%.

Although the Retail Capacity Assessment indicates an FSR of over 4:1 could be supported at the site, this Planning Proposal seeks to propose development standard limiting the FSR at the site to 3:1, taking into account a number of additional factors, such as an appropriate built form and density, and potential traffic issues.

In relation to a reduction in traffic generation, as mentioned previously, any matters relating to the appropriate mix of retail uses may be addressed at the Development Application stage, where a further detailed traffic assessment may occur.

Notwithstanding the impacts on the road network, the report indicates that the planning proposal will result in a number of positive benefits on the surrounding area, including the following:

- The development would strengthen demand for existing public transport services;
- The removal of a number of existing driveways that currently have access onto Princes Highway and Rocky Point Road will benefit the operation of these major thoroughfares.

4.3.3 How has the planning proposal adequately addressed any social and economic effects?

The Retail Capacity Assessment has assessed the potential capacity for additional retail space within the Kogarah Town Centre, and has identified the capacity for a significant amount of retail capacity in the area. This assessment considers there is potential demand for up to 20,450 sqm at the site.

The Assessment considers that the proposal would result in the following economic and social benefits for Kogarah:

- The proposal would result in the provision of additional employment for the local community, with the potential to provide up to 740 jobs once the centre is complete.
- The proposal would result in greater choice for consumers when shopping at Kogarah, with a greater product range and opportunity for consumers to satisfy their top up and weekly shopping needs.
- The addition of additional retailing would enhance price competitiveness. Lower prices would have a direct positive impact on the budget of households.
- The proposal would result in the retention of primary trade area spending.

In addition, the proposal would benefit local consumers, by providing convenience for local residents, reducing travel distances for vehicle travel.

The Retail Capacity Assessment concludes the following:

“Given that:

- *There is ample expenditure in the trade area to support the additional retail proposed;*
- *The proposed development will create added competition in the marketplace which will lead to superior products for consumers as well as lower prices;*
- *The proposed development will offer an alternative shopping experience for budget conscious shoppers and the opportunity for trade area residents and workers to access basic products at lower prices;*

There is no reason, on economic grounds, that the LEP should not be amended to facilitate a development of the type and scale outlined in this report.”

4.4 State and Commonwealth interests

4.4.1 Is there adequate public infrastructure for the proposal?

The traffic report concludes that the surrounding road network has the potential to support the proposal.

This report also indicates that the development would strengthen demand for existing public transport services, which will have the capacity to cope with the additional demand.

4.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

A gateway determination has not yet been issued. No State agency has been consulted on the Planning Proposal to date.

5 Community Consultation

This Planning Proposal is considered to be of a type that falls within the definition of a *low impact Planning Proposal*. Therefore, it is likely to be on exhibition for a minimum period of 14 days. The community will be notified of the commencement of the exhibition period via a notice in a local newspaper and via a notice on the Kogarah City Council website

The written notice will:

- Give a brief description of the objectives or intended outcomes of the planning proposal;
- Indicate the land affected by the planning proposal;
- State where and when the planning proposal can be inspected;
- Give the name and address of the RPA for the receipt of submissions; and
- Indicate the last date for submissions.

During the exhibition period, the following material will be made available for inspection:

- The planning proposal, in the form approved for community consultation by the Director General of Planning;
- The gateway determination;
- VPA;
- DCP; and
- Any studies relied upon by the planning proposal..

6 Conclusion

The Planning Proposal seeks to amend Kogarah LEP 1998 by rezoning the site to Business 3(b) – Business (Town Centre) zone and to incorporate a provision that prohibits residential development on the site.

This is considered an appropriate zone for the subject site, for the following reasons:

- A number of local and state strategies and studies have identified a need for additional retail development within Kogarah, and specifically this location.
- The site is a natural extension to the existing Kogarah Town Centre, acting as a southern anchor to the town centre.
- The proposal will align the site with metropolitan planning strategies, including the Draft South Subregional Strategy.
- The site is identified as Category 2 Industrial land, which should be considered for intensification to a higher order use to encourage increased employment.
- The site is strategically located, with good access and the ability to take advantage of passing trade between two major transport corridors.
- The proposed potential retail floor space will have no significant economic impact on the existing Kogarah Town Centre;
- The site is suitable for the proposed development.

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