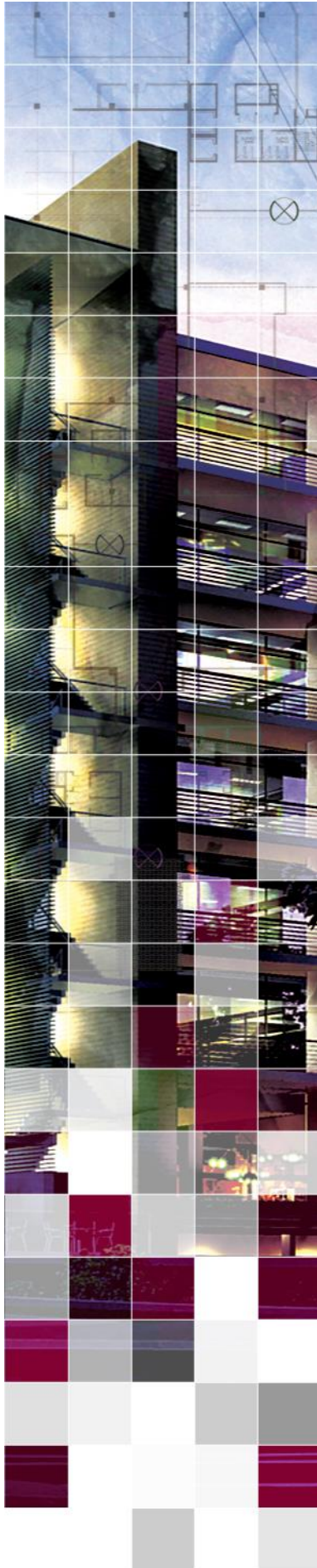




PLANNING PROPOSAL
130-142 Parraweena Road,
Taren Point

Site specific enabling clause to permit a
supermarket, cafe and liquor store

For:

Fabcot Pty Ltd

Submitted to:

Sutherland Shire Council

Date:

February 2017

2015.0037 PP

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TABLE OF CONTENTS

1.	INTRODUCTION	1
2.	THE SITE	3
2.1	SITE CONTEXT	3
2.2	SITE LOCATION DETAILS	5
2.3	SITE TOPOGRAPHY	7
2.4	VEGETATION	7
2.5	PUBLIC TRANSPORT	7
2.6	INFRASTRUCTURE AND SERVICES	8
2.7	SURROUNDING DEVELOPMENT	8
2.8	SUTHERLAND LOCAL ENVIRONMENTAL PLAN 2015	11
3.	INDICATIVE SCHEME.....	14
3.1	URBAN DESIGN PRINCIPLES.....	14
3.2	INDICATIVE SCHEME	14
3.3	EMPLOYMENT GENERATING DEVELOPMENT	16
3.4	NEED FOR THE NEW RETAIL SUPERMARKET FLOOR SPACE	16
4.	THE PLANNING PROPOSAL – ASSESSMENT AGAINST A GUIDE TO PREPARING PLANNING PROPOSALS	20
4.1	PART 1 - OBJECTIVES OR INTENDED OUTCOMES	20
4.2	PART 2 - EXPLANATION OF PROVISIONS	21
4.3	PART 3 - JUSTIFICATION	22
4.3.1	SECTION A – THE NEED FOR THE PLANNING PROPOSAL.....	22
4.3.2	SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK....	31
4.3.3	SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT.....	67
4.3.4	SECTION D – STATE AND COMMONWEALTH INTERESTS	76

5.	PART 4 – MAPS.....	77
6.	PART 5 - COMMUNITY CONSULTATION.....	77
7.	PART 6 – PROPOSED TIMELINE	78
8.	CONCLUSION.....	79

APPENDICES

Appendix A: Planning Study

Appendix B: Preliminary Concept Layout

Appendix C: Economic Impact Assessment, Net Community Benefit and Sequential Test

Appendix D: Traffic and Transport Assessment

Appendix E: Flood Statement

Appendix F: Phase 1 - Preliminary Site Assessments for 130-140 and 140-142 Parraweena Road, Miranda

Appendix G: Computer Generated Renders of the Proposal

Appendix H: VPA Letter of Offer

Appendix I: Applicant's response to Council's Request for Information

Appendix J: Attachment 1 – Information checklist

LIST OF FIGURES

Figure 1: Site aerial context with Sydney CBD

Figure 2: Site aerial

Figure 3: Site context relationship with adjoining suburbs

Figure 4: Site identified using aerial photography

Figure 5: Site cadastral relationship

Figure 6: SLEP 2015 Land Zoning Map Extract

Figure 7: “Strategic Plan for the future growth of Sydney”

Figure 8: Extract of “Figure 2 A metropolis of three cities: Global Sydney”

Figure 9: Extract of “Figure 26 Sydney’s Six Subregions - South Region”

Figure 10: Extract of “Figure 3-7 Strategic district and local centre” – draft South District Plan

LIST OF TABLES

Table 1: Net Community Benefit Evaluation Criteria Responses Summary

Table 2: Industrial Lands Strategic Assessment Checklist for Rezoning of Existing Industrial Land

Table 3: Summary assessment of applicable SEPPs to this Planning Proposal

Table 4: Summary assessment of applicable Section 117s

Table 5: Summary of Responses to Strategic Merit Test

Table 6: Summary of Responses to Site-Specific Merit Test

LIST OF PHOTOGRAPHS

Photo 1: View of existing site development at 130 Parraweena Road.

Photo 2: View of existing building and loading dock at 130 Parraweena Road.

Photo 3: View of existing site development at 142 Parraweena Road.

Photo 4: View of existing site development at 142 Parraweena Road.

Photo 5: View of existing building at corner of Parraweena Road with Kareena Road.

Photo 6: View of existing loading dock accessed from Kareena Road to building at 142 Parraweena Road.

Photo 7: View of existing site frontage to Parraweena Road looking east.

Photo 8: View of existing site frontage to Parraweena Road looking west.

Photo 9: View of existing dwellings on northern side of Parraweena Road from intersection of Kareena Road.

Photo 10: View of IGS on Parraweena Road, east of site.

Photo 11: View of BCF on Parraweena Road, east of site.

Photo 12: View of Taren Point Hotel and Beacon Lighting on Parraweena Road, east of site.

Photo 13: View of Cronulla Furniture on Parraweena Road, east of site.

Photo 14: View of Gold's Gym, café and Play Cave on Parraweena Road, east of site.

Photo 15: View of Caringbah Homemaker Centre fronting Taren Point Road with over 30 shops including Freedom Furniture, JB HiFi, Harvey Norman, and Fantastic Furniture, etc.

Photo 16: View of existing building and uses on corner of Taren Point Road and Koonya Circuit including Oporto, Subway and Petbarn.

Photo 17: View of existing Bunnings development at 31-35 Willarong Road.

Photo 18: View of Taren Point McDonalds at corner of Taren Point Road and Koonya Circuit.

Photo 19: View of Officeworks on Taren Point Road.

Photo 20: View of Baby Bunting and Workout World on Taren Point Road.

Photo 21: View of Good Guys and SuperAmart on Taren Point Road.

Photo 22: View of bicycle store and Tackle World on Taren Point Road.

1. INTRODUCTION

This report is a Planning Proposal (PP) to seek an amendment to the *Sutherland Local Environmental Plan 2015* (SLEP 2015) to allow a site specific outcome on the land at 130-142 Parraweena Road, Taren Point referred to in this report and supporting documentation as “Taren Point”.

This PP has been prepared on behalf of Fabcot Pty Ltd (Fabcot) as the applicant. Fabcot is a wholly owned subsidiary of Woolworths Limited (Woolworths). This PP is submitted to Sutherland Shire Council for assessment and determination under Part 3 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This PP has had regard to the strategic planning documents affecting the land, the physical characteristics of the site, along with its context in the surrounding area and key planning issues to a level of detail appropriate to support a Gateway Determination by the NSW Department of Planning and Environment (DP&E).

Woolworths is the leading retailer in supermarkets in Australia, and has been undertaking a search throughout the Sutherland Shire local government area (LGA) for suitable locations to support new supermarket retail floor space for over 10 years. Discussions over this period of time have been undertaken with Council and other owners of land with a view to source suitable locations including exploration of co-location opportunities. For a number of reasons, no existing suitably zoned land parcels are available or due to size and ownership fragmentation have been ruled out. In this regard, the applicant has undertaken land use analyses and conducted a number of sequential tests to demonstrate that no zoned land within existing centres is currently or foreseeably available.

The proposal meets the specialised transport, technical, spatial and servicing requirements of a supermarket retail development. The development will provide for a significant increase in employment opportunities with approximately 101 equivalent full-time jobs created, which when combined with the net community benefits detailed in this PP will create a positive socio-economic impact. In addition, the applicant has also offered via letter at **Appendix H**, to enter into a Voluntary Planning Agreement being the applicant’s VPA Letter of Offer, associated with funding a masterplan study of land located in the immediate area generally west of the intersection of Taren Point Road with Parraweena Road within the Taren Point Employment Area. Council, in earlier discussions with other land owners in the locality who had sought to be included in the B5 Business Development zone, had indicated that such a master plan study was necessary before land use changes could be considered. The subject site does not fall within the masterplan precinct but is immediately adjacent. As such the applicant is prepared to assist in supporting opportunities for other land in the Taren Point Employment Area. Refer to Section 2.5 of the Planning Study at **Appendix A** and Section 4.3 of this Planning Proposal for more details.

The site is currently zoned IN1 General Industrial under the SLEP. This PP seeks to permit a supermarket, cafe and liquor store as “retail premises” on the land. This change would be most effectively implemented via an enabling clause to be inserted in Schedule 1 under the SLEP 2015, as the land is currently zoned General Industrial IN1 in the SLEP 2015 land zoning map.

In particular, this PP seeks:

- The inclusion of a site specific enabling clause under Schedule 1 *Additional permitted uses* of the SLEP 2015 by way of inclusion of:

29 Use of certain land at 130-142 Parraweena Road, Miranda

- (1) *This Clause applies to land at 130-142 Parraweena Road, Miranda being Lots 1 and 2, DP 715461 and Lot B DP 385650.*
- (2) *Development for the purposes of a retail premises in the form of a supermarket, liquor shop and café is permitted with development consent;*

No change is proposed to any of the existing mapping as it affects the subject land in the SLEP 2015 or the existing land use table as it affects the subject site. All uses permitted in the IN1 General Industrial zone would be retained.

This PP includes a number of supporting documents, including:

- Planning Study with supporting analysis – “Sutherland LGA wide Supermarket and Consumer Trends Review” by MacroPlan Dimasi including “Sutherland LGA analysis and Taren Point deep-dive” by Quantum and Community Research Survey by Crosby Textor – **Appendix A**;
- Preliminary Concept Layout by BN Group – **Appendix B**;
- Economic Impact Assessment (EIA), Net Community Benefit and Sequential Test by MacroPlan Dimasi – **Appendix C**;
- Transport Assessment by Colston Budd Rogers & Kafes (CBRK) – **Appendix D**;
- Flood Statement by Henry & Hymas – **Appendix E**;
- Phase 1 - Preliminary Site Assessments by Environmental Strategies – **Appendix F**;
- Computer Generated Renders of the Proposal on Parraweena Road – **Appendix G**;
- Woolworths VPA Letter of Offer – **Appendix H**;
- Response to Council’s RFI – **Appendix I**; and
- Attachment 1 – Information Checklist – **Appendix J**.

2. THE SITE

2.1 SITE CONTEXT

The subject site is located at 130-142 Parraweena Road, Miranda within the Sutherland Shire local government area (LGA). The subject site is approximately 25 kilometres south of Sydney's Central Business District (CBD).

The contextual location of the site is shown in **Figure 1**, **Figure 2** and **Figure 3** below.

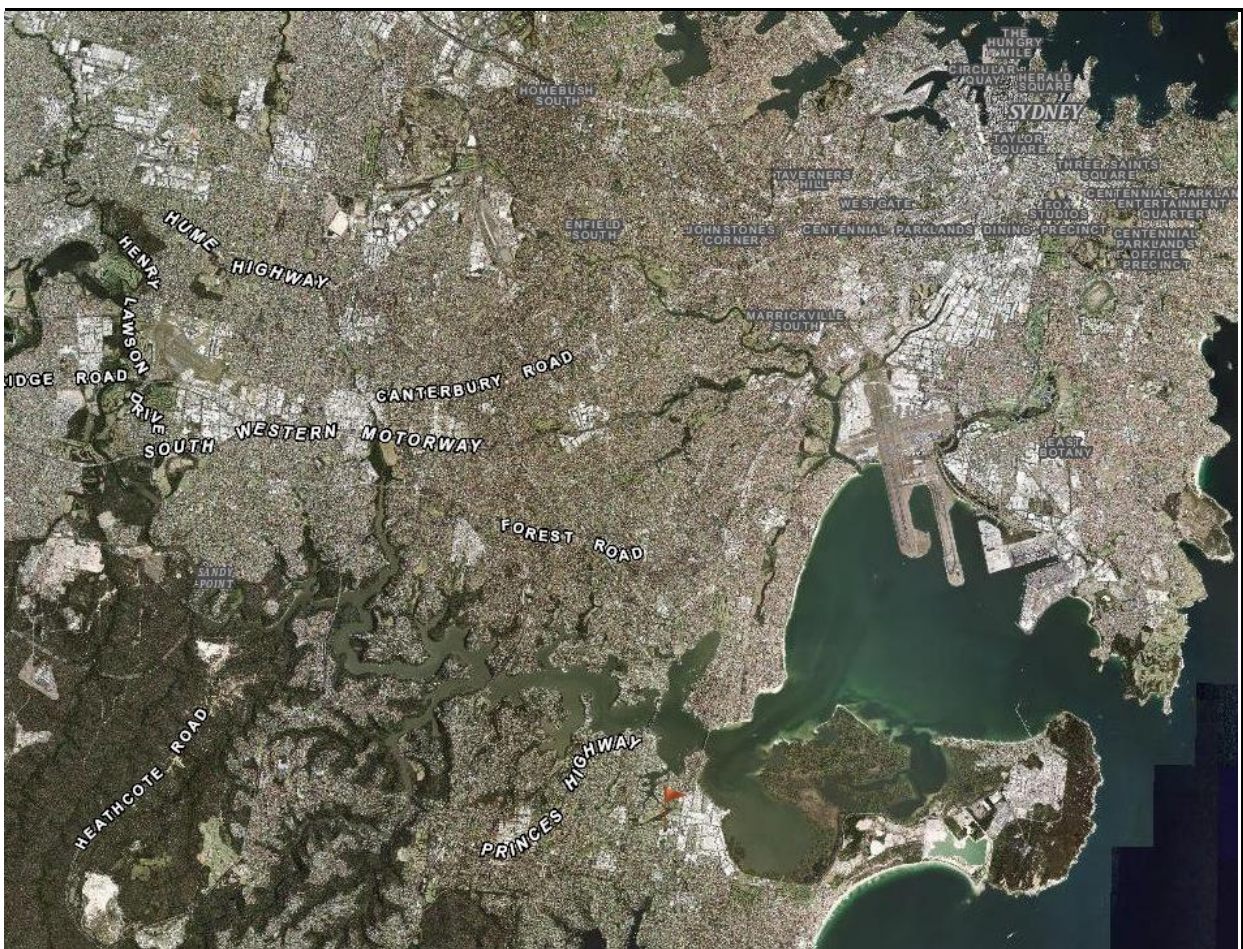


Figure 1: Site aerial context with Sydney CBD (site identified by red flag and Sydney CBD in capital letters)

Source: SIX Maps

Neighbouring suburbs include Caringbah to the east and south, Taren Point and Sylvania Waters to the north, and Miranda to the south-west.

Westfield Miranda is located some 1.7 kilometres to the south-west of the site and Caringbah Railway Station is located some 2.4 kilometres to the south of the site.

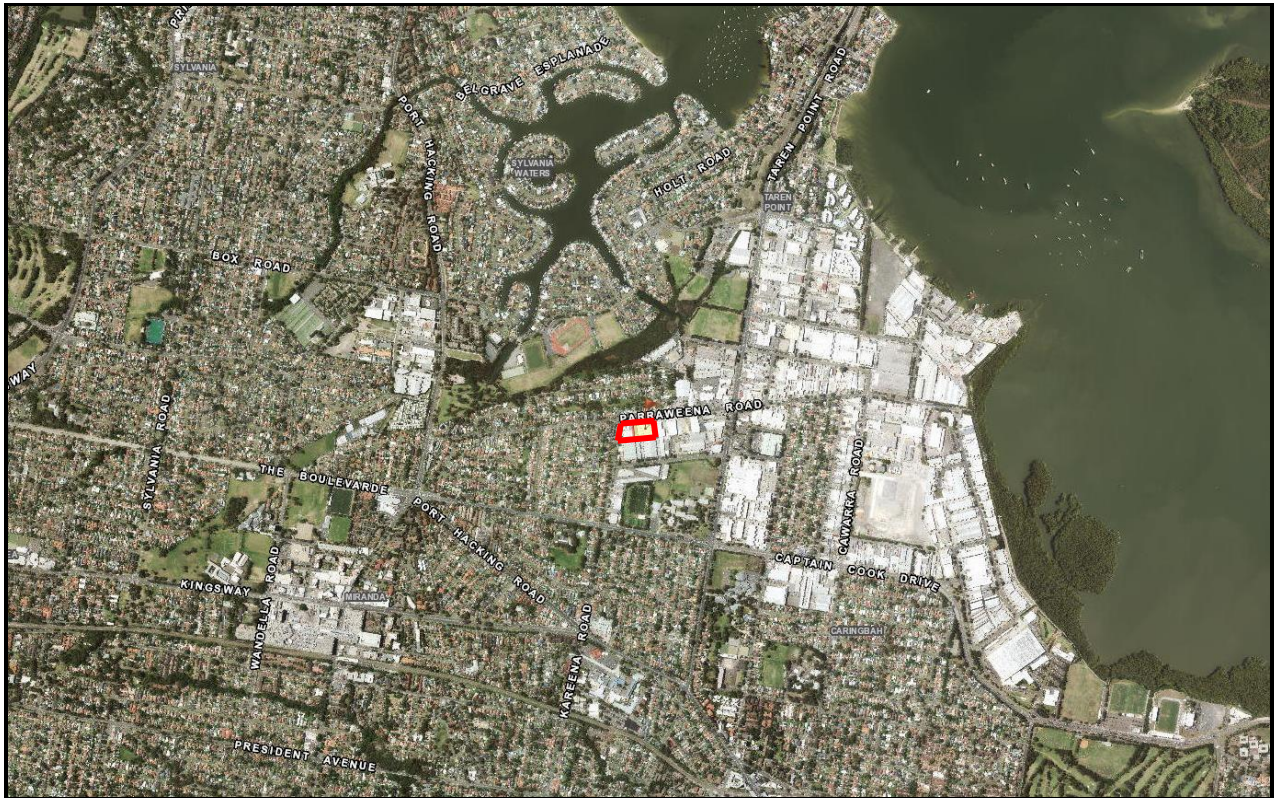


Figure 2: Site aerial (site outlined in red)

Source: SIX Maps



Figure 3: Site context relationship with adjoining suburbs (site outlined in red)

Source: SIX Maps

- Lot 2 DP 715461 (being 130-140 Parraweena Road) is some 7,726.9 square metres in area,
- Lot 1 DP 715461 (being 142 which is some 3,505.4 square metres in area, and
- Lot B DP 385650 which is some 1,256.6 square metres in area.

[illegible]

The map shows a residential area in Parramatta, NSW. A large rectangular lot, outlined in red, is the central focus. This lot is labeled with the DP number 715461. To the left of this lot, there is a smaller lot labeled DP 181646. To the right of the red-outlined lot, there are several other lots, including one labeled DP 1161798 and another labeled DP 1161638. The map also shows a network of roads, including Parramatta Road and Karla Road. Various other lots are labeled with their DP numbers and some with their SP numbers. A scale bar at the bottom indicates a distance of 0 to 100 meters.

5

The land at 130-140 Parraweena Road has been developed for a warehouse building with offices which presents as 2 levels to Parraweena Road with loading dock access off Parraweena Road.

The land at 142 Parraweena Road has also been developed for a warehouse building with offices which presents as 1 level to Parraweena Road with its loading dock off Kareena Road.

Photographs 1 – 8 (Photos) below demonstrate the existing development on the subject site.



Photo 1: View of existing site development at 130 Parraweena Road.



Photo 2: View of existing building and loading dock at 130 Parraweena Road.



Photo 3: View of existing site development at 142 Parraweena Road.



Photo 4: View of existing site development at 142 Parraweena Road.



Photo 5: View of existing building at corner of Parraweena Road with Kareena Road.



Photo 6: View of existing loading dock accessed from Kareena Road to building at 142 Parraweena Road



Photo 7: View of existing site frontage to Parraweena Road looking east.



Photo 8: View of existing site frontage to Parraweena Road looking west.

2.3 SITE TOPOGRAPHY

The site has a gentle cross-fall along its frontage to Parraweena Road which using Google Earth rises in the order to 3 metres from east to west, and a gentle slope which rises in the order of 1.5 metres from its southern boundary to its northern boundary along the Kareena Road frontage.

2.4 VEGETATION

The site contains a number of trees and shrubs along its frontages to Parraweena Road and Kareena Road in existing landscape strips. These will be assessed in detail with any proposed redevelopment of the site.

2.5 PUBLIC TRANSPORT

As discussed in the Traffic and Transport Assessment contained at **Appendix D**, which advises the site is located with access to existing public transport services:

Public Transport

- 2.18 *Local bus services are provided by Transdev and Sydney Buses. Services operate along Parraweena Road, adjacent to the site and Taren Point Road and Port Hacking Road, east and west of the site.*
- 2.19 *Route 477 operates along Taren Point Road and connects Miranda with Taren Point, Sans Souci, Ramsgate, Kogarah and Rockdale. Services are every 30 minutes in each direction, Monday to Saturday and every 60 minutes in each direction on Sundays.*
- 2.20 *Route 971 operates along Port Hacking Road and connects Cronulla with Miranda, Port Hacking Road and Hurstville. Services are every 30 minutes in each direction, Monday to Saturday, and every 60 minutes in each direction on Sundays. During weekday peak periods, services are more frequent.*
- 2.21 *Route 986 operates along Parraweena Road and connects Miranda with North Miranda via Sutherland Hospital. Two services are provided in each direction on weekdays.*
- 2.22 *The site is therefore accessible by public transport.*

As such, the site is conveniently located in relation to public transport services which include numerous high frequency bus services operated along existing arterial and sub-arterial roads in the near vicinity of the site. These bus services include connections to Miranda, Cronulla, Rockdale and Kogarah, Sans Souci and Hurstville.

2.6 INFRASTRUCTURE AND SERVICES

The site is currently adequately serviced with water, sewer, stormwater, electricity and telecommunications services. The connection and amplification of these services (if required) will be considered in any future Development Application (DA).

2.7 SURROUNDING DEVELOPMENT

The land to the immediate north and west of the site fronting Parraweena and Kareena Roads have been developed for one and two-storey detached dwelling houses.

There are retail uses on Parraweena Road east of Kareena Road and residential uses to the west. Further east, there are retail, industrial and bulky goods uses in Taren Point. South of the site there are commercial and industrial uses. Parraweena Road connects Taren Point Road and employment areas in the east with Port Hacking Road in the west. **Photographs 9 – 14 (Photos)** below demonstrate the existing development on immediately adjoining properties and locality along the western section of Parraweena Road to the west of the intersection of Taren Point Road.



Photo 9: View of existing dwellings on northern side of Parraweena Road from intersection of Kareena Road



Photo 10: View of IGA on Parraweena Road, east of site



Photo 11: View of BCF on Parraweena Road, east of site



Photo 12: View of Taren Point Hotel and Beacon Lighting on Parraweena Road, east of site



Photo 13: View of Cronulla Furniture on Parraweena Road, east of site



Photo 14: View of Gold's Gym, café and Play Cave on Parraweena Road, east of site

A comprehensive land use survey of the current uses of all properties along Parraweena Road and Taren Point Road was undertaken as at the end of May 2016. This survey can be found in the Planning Study included at **Appendix A** of this PP.

This survey indicates the specific tenants within each of the existing buildings along Taren Point Road, from the intersection of Holt Road with Toorak Avenue (in the north of the Taren Point Employment Area) to the intersection of The Boulevard with Captain Cook Road at the south, and Parraweena Road from 89 Parraweena Road to the subject site.

The site is within the “Taren Point Employment Area” (Taren Point Employment Precinct) which takes in land which is also located in the suburbs of Caringbah and Miranda. The part of this precinct which allows “bulky goods retailers” is generally found along the eastern side of Taren Point Road from 94 Taren Point Road to 244 Taren Point Road and includes buildings such as the Caringbah Homemaker Centre (which is the section of Taren Point Road south of Parraweena Road). In addition, this precinct extends along 89-97 Parraweena Road and 40-40A Parraweena Road to the east of Taren Point Road intersection with Parraweena Road, which is located approximately 330 metres to the east of the subject site. **Photographs 15 – 22 (Photos)** below demonstrate the existing development and uses within the “Taren Point bulky goods precinct”.



Photo 15: View of Caringbah Homemaker Centre fronting Taren Point Road with over 30 shops including Freedom Furniture, JB HiFi, Harvey Norman, and Fantastic Furniture, etc.



Photo 16: View of existing building and uses on corner of Taren Point Road and Koonya Circuit including Oporto, Subway and Petbarn.



Photo 17: View of existing Bunnings development at 31-35 Willarong Road.



Photo 18: View of Taren Point McDonalds at corner of Taren Point Road and Koonya Circuit.



Photo 19: View of Officeworks on Taren Point Road.



Photo 20: View of Baby Bunting and Workout World on Taren Point Road.



Photo 21: View of Good Guys and SuperAmart on Taren Point Road.



Photo 22: View of bicycle store and Tackle World on Taren Point Road

2.8 SUTHERLAND LOCAL ENVIRONMENTAL PLAN 2015

The main environmental planning instrument which affects the site is the *Sutherland Local Environmental Plan 2015* (SLEP 2015).

Land Zoning and Permissible Uses

The land is zoned IN1 General Industrial under the SLEP 2015, as shown in the extract from the SLEP Zoning Map as follows:

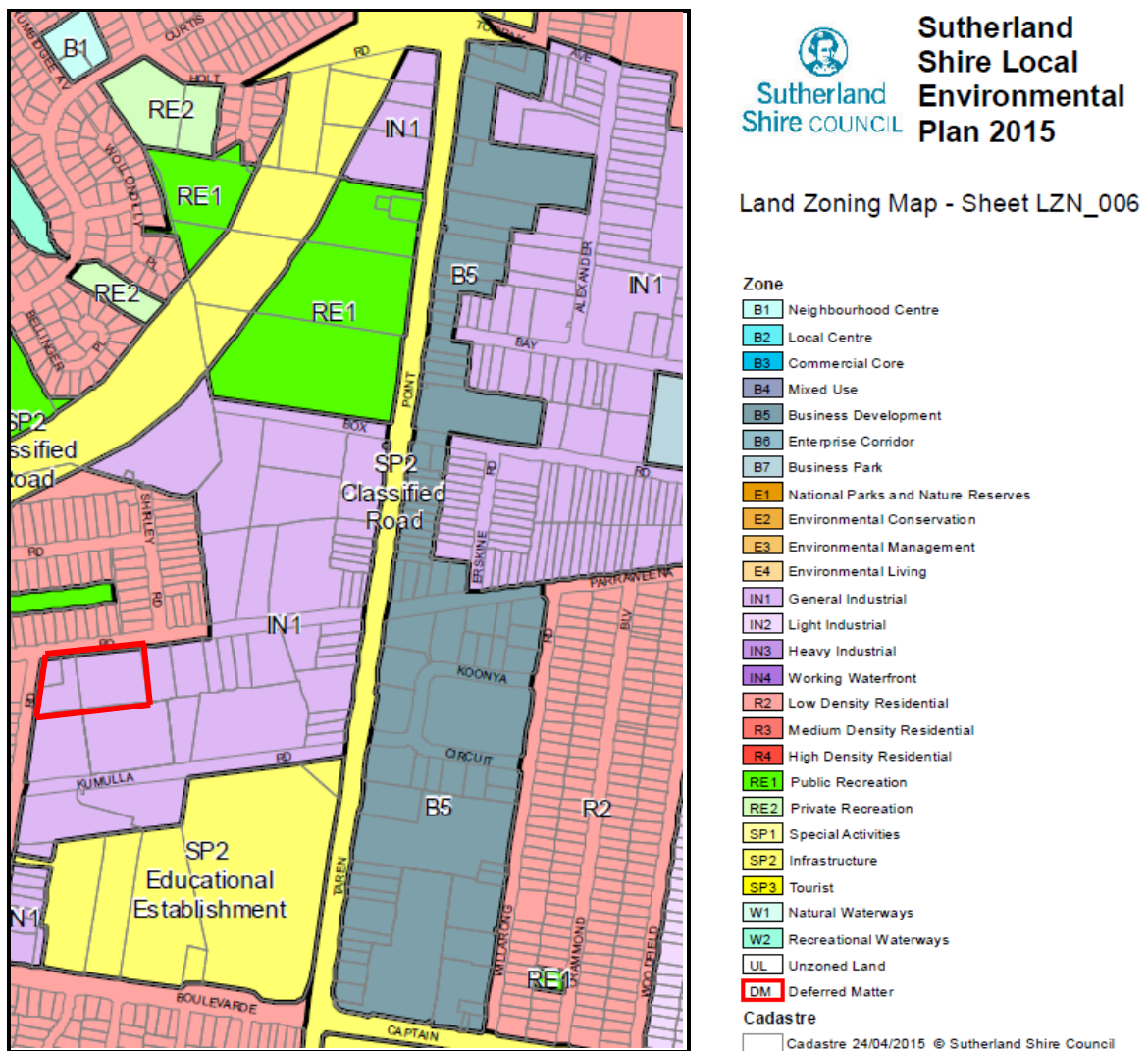


Figure 6: SLEP 2015 Land Zoning Map Extract (site outlined in red)

Source: NSW Legislation

The land use table under the SLEP 2015 states:

Zone IN1 General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To enhance the visual appearance of the employment area by ensuring new development achieves high architectural and landscape standards.
- To minimise the impact of development in the zone on areas of environmental significance.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Places of public worship; Plant nurseries; Roads; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Community facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Open cut mining; Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sewage treatment plants; Tourist and visitor accommodation; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

“Commercial premises”, of which “retail premises” is a type as defined under the Dictionary of the SLEP 2015, are prohibited in this zone.

The site has been developed for offices and warehouses with loading docks in accordance with the existing land zoning. It is noted that “warehouse or distribution centres” are permitted.

Previously Applicable Environmental Planning Instrument – Sutherland Local Environmental Plan 2006

The site was formerly in Zone 11 – Employment under the Sutherland Local Environmental Plan 2006, which states:

Zone 11—Employment

1 Objectives of zone

The objectives of this zone are as follows:

- (a) to ensure development supports the role and functioning of employment areas,*
- (b) to promote appropriate development that will contribute to employment generation and the economic growth of Sutherland Shire,*
- (c) to provide for a range of related land uses to provide direct services to employees,*
- (d) to provide for development for the purposes of shops and businesses ancillary to other development carried out on the land concerned,*
- (e) to provide for bulky goods premises only on selected sites.*

2 Development allowed without consent

Development for the purpose of:

bush fire hazard reduction work, drainage.

Exempt development.

3 Development allowed only with consent

Development (other than development included in item 2) for the purpose of:

advertisements, animal boarding or training establishments (not including a riding school), arts and crafts centres, awnings, brothels, bulky goods premises (but only on land identified on the map for such a purpose), bus depots, business identification signs, car parks, childcare centres, community facilities, convenience stores, dwelling houses ancillary to other permissible uses, food shops, generating works, high technology industries, industries, junk yards, liquid fuel depots, maritime activities, motor showrooms, nightclubs, passenger transport facilities, places of public worship, recreation areas, recreation facilities, registered clubs, repair centres, road transport terminals, roads, service stations, service support industries, sex shops, utility installations, vehicle and mechanical repair premises, vehicle rental centres, veterinary hospitals, warehouses, waste recycling and management centres.

Demolition not included in item 2.

4 Prohibited development

Any development not included in item 2 or 3.

In this regard, the subject site was not identified on the map “for such a purpose” to permit “bulky goods premises”.

3. INDICATIVE SCHEME

This section of the report describes the Preliminary Concept Layout at **Appendix B** for the site which is to be facilitated by this planning proposal. Further design detail will be provided in a DA, with indicative artist's impressions included at **Appendix H**.

3.1 URBAN DESIGN PRINCIPLES

The design intent of the project is to provide a high quality retail supermarket with warehousing and distribution functions that meets the needs of customers and provides for suitable access for trucks to load and unload as part of Woolworths "multi-option retailing" model. In addition to providing a best practice retail supermarket along with warehousing a distribution usage, the scheme seeks to ensure that it is contextually appropriate and makes a positive contribution to the streetscape.

The following design principles are therefore considered suitable for inclusion with the final architectural drawings to be submitted with a DA:

- Provide for an appropriate designed building to ensure customers readily understand and provides for "wayfinding" from the site's frontage when viewed from Parraweena Road;
- Locating entrances visible from the street, providing activation and casual surveillance;
- Provide appropriate boundary setbacks with landscaping within the car parking area and around the perimeter of the site.

In addition, the design needs to ensure that appropriate amenity is provided for customers, staff and adjoining properties in relation to solar access, natural ventilation, building size and outlook.

The design will also be required to provide a legible street address, safe and secure access, appropriate car parking and circulation space, waste management and servicing.

Turning to the potential environmental impacts of the future building, the design will seek to mitigate and provide acceptable building height within the existing FSR and height of building controls so as to avoid overshadowing, maintain views and aesthetics, and contribute positively to the streetscape.

3.2 INDICATIVE SCHEME

To protect the amenity of customers, as well as that of existing and future development on surrounding sites, the applicant has proposed setbacks similar to the existing building setback from Kareena Road.

The car parking will be provided at-grade, with a loading dock access similar to the access to the existing loading dock accessed from Kareena Road.

Please refer to the Preliminary concept layout for the site included at **Appendix B** of the PP. It should be noted that the internal layout of the overall building is yet to be determined in detail and would form part of the DA stage of the process.

A DA when prepared will include a dedicated warehouse and distribution component to support the “on-line fulfilment” functions. The size of the warehouse may grow in area between the PP stage and the DA stage due to the growth of Woolworths “multi-option retailing” model and the need to support more users seeking access to “online fulfilment” services and goods. In this regard, the concept is preliminary and requires a degree of flexibility, as with the growth of Woolworths online business, so too the design of the building may change to support this growth and the size of the warehousing and distribution functions.

The design includes:

1. A specific area for customers (car parking spaces and a collection point) who use Woolworths online website for the function called “click and collect”;
2. A specific floor area for “online storage facility” for home deliveries where orders are stored pending distribution via the small home delivery trucks; and
3. Specially designed loading docks for the home delivery trucks, being separated from the large articulated trucks.

While at the same time allowing for employees of Woolworths to fulfil the “click and collect” and online home delivery order along with providing the opportunity for live sales to customers.

The home delivery function associated with online fulfilment of orders seeks connections to a highly accessible arterial road network such as that enjoyed by the subject site, to enable the distribution of orders to homes in the wider area. At the same time, it enables the building to be serviced by large articulated trucks from the distribution centre which is likely to occur between 4-6 times daily compared to around 4 times a day for a standard supermarket. These functions are similar to freight and logistics businesses, which locate within industrial areas.

Woolworths has advised:

“... if the proposal progresses to DA stage, we will be seeking standard Woolworths operating hours. There will be no truck movements outside of these hours. There may be staff in the building outside of these hours.”

It is anticipated that the building will be open to customers for trading between the hours of 6am and midnight daily. Trucks would service the site during these hours.

So the online fulfilment of orders can occur in a timely manner, staff from Woolworths would undertake the “picking” of orders throughout the day, thus some staff may be in the building outside of the store trading hours. The online fulfilment orders would be stored pending distribution via the home delivery service which would operate during trading hours. The “click and collect” service collection by customers would generally occur when the building is open for trading.

Further design detail both internally and externally of the building will be provided in a DA, using the Preliminary Concept Layout base included at **Appendix B**.

3.3 EMPLOYMENT GENERATING DEVELOPMENT

Included with the Economic Impact Assessment (EIA) by MacroPlan Dimasi contained at **Appendix C** of this PP, the development once operational will make provision of 101 equivalent full-time positions at the site (or a net increase of 96 jobs), and will generate 36 additional jobs in the broader economy. As such, the proposal is employment generating.

3.4 NEED FOR THE NEW RETAIL SUPERMARKET FLOOR SPACE

MacroPlan Dimasi has prepared an assessment for the site titled “Economic Impact Assessment, Sequential Test & Net Community Benefit Test – July 2016”, which is included at **Appendix C**. This report advises in part the need for new retail supermarket floor space:

...

Review of supermarket trends and shopping behaviours in Sutherland Shire

- *Sutherland Shire is significantly under-provided in regards to supermarket floorspace per capita, with around 286 sq.m of supermarket floorspace per 1,000 residents across the Sutherland Shire, which is around 16% below the capital cities average (ex-Sydney). The current under-provision of supermarket floorspace equates to around 12,000-13,000 sq.m, adopting a target rate of 340 sq.m per 1,000 residents. Allowing for future population growth is equivalent to a further 13,000 sq.m of additional floorspace, where the combined supermarket floorspace under provision means that a further eight large supermarkets (above 3,000 sq.m) would be needed between now and 2031.*
- *The existing supply is poorly distributed with around 33% of all supermarket floorspace located within the Miranda and Caringbah activity centres – which are located just 2 km from each other in the eastern part of the Sutherland Shire.*
- *At the 2011 Census approximately 20% of the 57,200 local jobs were filled by workers from beyond the Sutherland Shire, meaning around 60% or 66,000 Sutherland Shire resident workers leave the LGA every day for work. Further, retail trade is a key driver of the local economy, yet there was a net under-provision of retail jobs in the Sutherland Shire.*
- *Quantum was engaged to examine the actual supermarket shopping patterns of Sutherland Shire residents. This showed that around 12% of all supermarket expenditure generated by Sutherland Shire residents escapes the Shire, and the average distance travelled (from home) to undertake supermarket shopping trips for residents is between 2.5-3 times greater than the distance to their nearest supermarket.*
- *A detailed analysis of supermarket expenditure patterns of the catchment within a 1 km radius of the IGA supermarket at Taren Point was also undertaken. This shows that around 75% of all supermarket expenditure generated by residents in the defined Taren Point catchment is not spent at the Taren Point IGA supermarket – with considerable escape expenditure to Miranda (22%), Caringbah (22%) and Sylvania (12%). The average distance to the IGA supermarket for this catchment is about 0.9 km, however the average distance travelled to undertake supermarket shopping trips for this population was about 2.0 km.*

- *Taren Point represents a highly suitable location for additional full-line supermarket facilities because of the significant escape expenditure from this locality at present; the large daily workforce; and the significant amount of latent demand existing from drivers passing through the locality along Taren Point Road (i.e. local residents leaving the Shire for work; people accessing sporting facilities in the area; parents taking children to schools near Taren Point, etc). The worker population in the Taren Point/Caringbah Employment Area, in and of itself, would drive substantial additional demand for supermarket/convenience facilities over and above the local residential catchment and passing traffic. This would mean that many shoppers would be able to link another trip with a supermarket trip which would help to reduce specific/dedicated trips to supermarkets throughout the Shire.*
- *Caringbah and Miranda are under significant pressure due to a lack of full-line supermarket facilities around Sutherland/Kirrawee and Caringbah/Cronulla. The provision of new facilities at Kirrawee and Woolooware will help to ameliorate this issue to some extent, however, further provision of supermarket facilities in 'non-centre' locations (i.e. near main roads where there is already latent demand), is considered to be critical in relieving acute capacity issues that currently exist in some centres and to help prevent the escalation of such issues.*

...

Trade area analysis

- *The trade area has been defined to include a primary sector and a secondary sector, referred to as the main trade area throughout the report, which includes the suburbs of Taren Point and part of Sylvania Waters, Caringbah and Miranda. The main trade area aligns with the Taren Point catchment identified by Quantum (as referred to in Section 2 of this report).*
- *The main trade area population is estimated at around 12,600 as at June 2016, with 7,600 people in the primary sector. The main trade area is forecast to reach almost 15,300 by 2031 reflecting average annual growth of 1.3%, while the primary sector is estimated to reach almost 8,400 people reflecting growth of 0.6% per annum.*
- *In addition, the Taren Point Employment Area is a key employment generating location within the Sutherland Shire. The worker trade area population is estimated at around 15,200 workers in 2016, and is expected to grow to around 17,500 workers by 2031, representing average annual growth of 0.9% per annum.*

Competition

- *Retail facilities in the Sutherland Shire form a typical retail hierarchy. Miranda Town Centre provides regionally oriented shopping centre facilities; Southgate Sylvania is a sub-regional shopping centre; and there are a range of smaller centres across the Shire (including Caringbah), generally supermarket-based shopping centres and street based retail. The only relevant retail offer located within the main trade area, is the 3,700 sq.m Supa IGA at Taren Point, located on the northern side of Parraweena Road proximate to the site. The remainder of retail facilities relevant to the proposal are located outside of the main trade area.*
- *There are several proposed retail oriented developments planned in the Sutherland Shire, with the most relevant supermarket facilities including proposed Coles and Aldi supermarkets as part of South Village, Kirrawee (Brick Pit Site) which is under construction; a proposed Woolworths supermarket at Flora Street, Kirrawee (we have assumed that this proposal is approved for the purpose of this assessment); a large supermarket (assumed to be Woolworths) and a small supermarket at Bay Central, Woolooware Bay Town Centre (Sharks Village) and a proposed Aldi at the former Caringbah Marketplace. It is also understood that Coles own their site in Caringbah, however any redevelopment of the Coles site is anticipated to occur post the proposal at the subject site.*

Retail market gap and sales potential

- *The residents and workers of the main trade area generate demand for about 6,900 sq.m of supermarket floorspace at 2016, which is projected to increase by almost 2,000 sq.m, to reach 8,800 sq.m by 2031. By subtracting supermarket floorspace supply from estimated demand, we have identified an existing market gap of around 3,100 sq.m of supermarket floorspace for the defined main trade area at 2015/16.*
- *The addition of the proposed 3,800 sq.m supermarket in 2019/20 would effectively fill the existing supermarket floorspace gap by 2021, where this floorspace gap is expected to grow to over 1,300 sq.m by 2031, assuming the provision of no additional facilities in the main trade area, and shows that the proposed development could be comfortably absorbed and that there is sufficient demand to support the proposed supermarket at the subject site.*
- *We estimate that the proposed development would potentially achieve a sales volume of \$39.1 million at 2019/20. The estimated market share to achieve these sales within the main trade area is estimated at 15.6%, meaning that around 84% of all expenditure generated by residents in the main trade area would be directed to other retail facilities including Supa IGA Taren Point, as well as surrounding centres such as Caringbah, Miranda and Sylvania. In combination, the proposed development and Supa IGA Taren Point are estimated to achieve a combined market share of around 30%, which means that 70% of all main trade area retail would still be available for capture by other centres, generally located outside the trade area.*
- *In addition, we expect around 20% of sales turnover to be generated from beyond the defined main trade area, in the form of passing traffic and accounting for a contribution from surrounding workers.*

Within the Sydney metropolitan region, the southern region in which Sutherland LGA forms part, supports a population where a significant proportion of residents already have access to the internet/smart devices and often seek access to goods and services in conveniently positioned locations. Woolworths have undertaken research which concluded that shifts in lifestyle choices, longer working hours, lost time spent in increasing public and private transport congestion have resulted in many families becoming increasingly time poor.

Market feedback has demonstrated that an increasing number of households are utilising the internet to service their retailing needs, as weekend shopping is not always possible. The site's location in Taren Point meets the demographic needs of the locality and is an accessible location, enabling the supply chain element of freight and logistics services to access the site via an easily accessible arterial road network. The site's location will allow direct freight and logistics links to and from the Woolworths distribution centres to regions within the Sydney metropolitan region, supporting online retail orders for convenience goods.

The following points form the critical elements of the process:

- The growth of internet retailing, i.e., "online retailing" and how location can influence its growth;
- What Woolworths considers the best approach to support its online retailing strategy to ensure its success; and
- Access for the supply chain and its requirements.

The location at Taren Point is the most suitable location for a number of important reasons, including:

- The location of the site is on a local feeder road which allows accessibility for online click and collect users to collect an order on their return journey home from work;
- The proposal will have hours of operation similar to a standard store including support functions to the online retailing, where the online fulfilment involved warehousing and distribution which is permissible within the IN1 General Industrial zoned land at Taren Point, so as the amenity of adjoining properties can be maintained to a suitable level;
- To ensure truck distribution movements associated with the online retailing functions allow access to the arterial road network which filters movements to the local residential population in a timely manner;
- The location will support the “dark store” at Mascot (being the hub) and the Taren Point location (being a spoke) of the “online fulfilment” in Woolworths “multi-option retailing” model as detailed above; and
- The shift in Woolworths’ business model is akin to a freight and logistics business with traditional retailing in a customer service interface, being “multi-option retailing”, being a warehouse and distribution centre including a traditional retail facility which is appropriate in the industrial zoning of the site at Taren Point.

Woolworths seeks the inclusion of an enabling clause in the SLEP 2015 associated with subject site, on a number of grounds:

1. The business model requires access to the arterial road network in Sydney to enable the freight and logistics functions to operate at the optimal level;
2. The location for the freight and logistics component of the business model requires access to “industrial” zoned land as it is a traditional use of industrial land;
3. The business model “multi-option retailing” requires warehousing and distribution functions with traditional retailing;
4. Traditional planning regimes have not kept pace with new market demands associated with hi-tech businesses and *A Plan for Growing Sydney*, including its amendment *Towards Our Greater Sydney 2056* and the *Draft South District Plan* seeks to redress this stagnation; and
5. The SLEP 2015 already includes a number of site specific enabling clauses such as that requested by this PP.

Woolworths business is moving towards a form which has characteristics which require brick-and-mortar locations which allow for supermarkets and include warehousing and distribution functions in highly accessible locations, to support customer choices as part of their “multi-option retailing” model. Therefore, the site at Taren Point requires an enabling clause to allow all of these functions to be permitted under the planning regime.

4. THE PLANNING PROPOSAL – ASSESSMENT AGAINST A GUIDE TO PREPARING PLANNING PROPOSALS

The following sections include an assessment against the requirements in “*Guide to preparing planning proposals*” published by the Department of Planning and Environment in August 2016.

Section 55(2) of the EP&A Act outlines that a PP must include the following components:

- Part 1 - Objectives or intended outcomes
- Part 2 - Explanation of provisions
- Part 3 - Justification
- Part 4 - Mapping Information
- Part 5 - Community consultation

Section 55(3) of the EP&A Act includes the Secretary’s requirements:

- Part 3 – Specific matters to be addressed in the justification of the PP;
- Part 6 – A project timeline for the PP.

The following sections address these requirements.

4.1 PART 1 - OBJECTIVES OR INTENDED OUTCOMES

Objectives

The PP will amend SLEP 2015 to include an enabling clause that will:

1. Provide for a site specific change, which is not inconsistent with the range of uses already being undertaken in the locality;
2. Provide greater flexibility in delivering current floor space potential within the Taren Point local centre including its wider employment and urban service land, and act as a catalyst for promoting the revitalisation of Parraweena Road;
3. Promote the highest standard of architectural and urban design that benefits the long term amenity for future residents, employees and visitors;
4. Recognise the importance of providing amenity to future users with a building design that is responsive to the local context; and
5. Provide for additional supermarket floor space in a location which can support large truck access in a context where large trucks are already operationally active.

Intended Outcomes

The PP will further facilitate the redevelopment of the site for the purposes of compatible retail premises in the form of a supermarket, café and liquor store that will result in the following:

- Facilitation of new conveniently located retail supermarket infrastructure with warehousing and distribution usage;
- Act as a catalyst for urban renewal in this portion of Parraweena Road;

- Provide for the highest quality design outcomes and flexibility in providing for the supply of supermarket floor space; and
- Provision for renewed public domain in the vicinity of the site.

This PP is supported by a number of reports and documents including:

- Planning Study with supporting information including, Land Use Surveys, Community Expectations Surveys by Crosby Textor and supermarket floor space analysis - Sutherland LGA wide Supermarket and Consumer Trends Assessment by MacroPlan Dimasi with Quantum and Community Research Survey by Crosby Textor – **Appendix A**;
- Preliminary Concept Layout by BN Group – **Appendix B**;
- Economic Impact Assessment (EIA), Net Community Benefit and Sequential Test by MacroPlan Dimasi – **Appendix C**;
- Traffic and Transport Assessment by Colston Budd Rogers & Kafes – **Appendix D**;
- Flood Statement by Henry & Hymas – **Appendix E**;
- Phase 1 - Preliminary Site Assessments for 130-140 and 140-142 Parraweena Road, Miranda by Environmental Strategies – **Appendix F**;
- Computer Generated Render of the Proposal on Parraweena Road – **Appendix G**; and
- VPA Offer – **Appendix H**
- Response to Council's RFI – **Appendix I**; and
- Attachment 1 – Information Checklist – **Appendix J**.

4.2 PART 2 - EXPLANATION OF PROVISIONS

The subject site is zoned IN1 General Industrial under the SLEP 2015, which prohibits “retail premises”.

This PP seeks an amendment to the SLEP 2015 to allow for a site specific amendment to permit “retail premises” as a use at 130-142 Parraweena Road, Miranda as follows:

- The inclusion of a site specific enabling clause under Schedule 1 Additional permitted uses of the SLEP 2015 by way of inclusion of Clause:

29 Use of certain land at 130-142 Parraweena Road, Miranda

- (1) *This Clause applies to land at 130-142 Parraweena Road, Miranda being Lots 1 and 2, DP 715461 and Lot B DP 385650.*
- (2) *Development for the purposes of a retail premises in the form of a supermarket, liquor shop and café is permitted with development consent;*

No change is proposed to any mapping as it affects the subject land in the SLEP 2015.

4.3 PART 3 - JUSTIFICATION

4.3.1 SECTION A – THE NEED FOR THE PLANNING PROPOSAL

This section details the reasons for the proposed outcomes and is based on a series of questions outlined in the Department of Planning and Infrastructure's A Guide to Preparing Planning Proposals 2012. Heads of consideration include the need for the planning proposal from a strategic planning viewpoint, implications for State and Commonwealth agencies and environmental, social and economic impacts.

4.3.1.1 Q1: *Is the planning proposal a result of any strategic study or report?*

This PP for 130-142 Parraweena Road, Miranda is not the result of any strategic study or report endorsed by the Secretary, however it is the result of a strategic study report prepared by the applicant, included at **Appendix A**.

It has been prepared in response to a detailed review of the provisions and supply of retail supermarket floor space within the Sutherland Shire by the proponent/land owners.

This review has identified a number of issues and irregularities that have resulted in the undersupply of retail supermarket floor space within the LGA. This has meant that residents do not have convenient access to meet their shopping needs, resulting in additional and longer trips and seeking access to jobs in retailing outside of the LGA.

This PP seeks to resolve these identified issues through an amendment to the SLEP 2015 by inclusion of an enabling clause in Schedule 1. This amendment will facilitate the delivery of a more site responsive and integrated development outcome by co-locating facilities on Parraweena Road.

4.3.1.2 Q2: *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The change included in this PP is considered to be the best means of achieving the objectives and intended outcome. The proposed amendment relates to allocating mandatory planning provisions to land that will facilitate the renewal of the existing urban development on Parraweena Road and a form of development which is consistent with the character of the locality.

As the SLEP 2015 specifically controls land use development, an amendment to the SLEP 2015 is the most appropriate means to establish the proposed development in this Planning Proposal.

Other available processes are not considered an appropriate means of achieving the objectives and intended outcomes of the Planning Proposal.

The change requested in this PP, will allow for a number of community benefits. The Evaluation Criteria to undertake a Net Community Benefit analysis has been considered in this PP to assist with demonstrating that the intended outcomes have site specific strategic merit.

A Net Community Benefit Test (NBC) undertaken by MacroPlan Dimasi is included within the Economic Impact Assessment (EIA) which can be found at **Appendix C**. Table 1 below provides a summary of responses to the established evaluation criteria:

Table 1: Net Community Benefit Evaluation Criteria Responses Summary

Net Community Benefit Evaluation Criteria	Response	Net Community Benefit
Will the project be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	MacroPlan Dimasi has assessed and advised: <i>Yes. The subject site is located within 400 m of Taren Point Road, the second busiest road in Sutherland Shire and a major access route into and out of the region, and is also located within the Taren Point Employment Zone. The general strategic planning intent for this region is to accommodate employment generating uses in a highly accessible location. Residents and workers in Sutherland Shire are generally car-dependent; however, there are bus stops nearby to the subject site on Parraweena Road and near the intersection with Taren Point Road and Port Hacking Road.</i> <i>Our EIA analysis indicates that estimated impacts of the proposed development are likely to be minor, and with growth in the trade area and across Sutherland Shire will not affect the future viability of any centres, including future proposed centres. The proposed development will therefore not alter or impact the existing strategic centres hierarchy, in particular the role and function, or timing of the planned centres in Woollooware or Kirrawee. In this context, the proposed development at the subject site is consistent with the strategic direction in the region. Indeed, the identified retail centres hierarchy would remain unchanged and would be augmented by the proposed development at the Taren Point subject site.</i>	Yes
Is the project located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	MacroPlan Dimasi has assessed and advised: <i>Yes. The subject site is located within the Taren Point Employment Area, the largest employment precinct in the Sutherland Shire LGA, and is located near the intersection of Taren Point Road, a key economic development and transport corridor in the region.</i>	Yes

Net Community Benefit Evaluation Criteria	Response	Net Community Benefit
<i>Is the project likely to create a precedent or create or change the expectations of the landowner or other landholders?</i>	MacroPlan Dimasi has assessed and advised: <i>No. Supa IGA Taren Point is already located proximate to the subject site in the same IN1 – General Industrial zone. There is no substantive ground therefore to view the proposed development as setting an additional precedent, in the context of the supporting analysis/technical documentation, which demonstrates the appropriateness of the development.</i>	Yes
<i>Have the cumulative effects of other such projects in the locality been considered? What was the outcome of these considerations?</i>	MacroPlan Dimasi has assessed and advised: <i>Yes. Our EIA has accounted for the cumulative effects of all approved and proposed developments across the competitive network of relevance to the site. In this context, our analysis has not only considered the potential trading impacts of the proposed development itself, but also the impacts of other proposals in the region on the surrounding network of centres. For example, the proposed development of centres at Woollooware town centre and Kirrawee town centre.</i> <i>The economic impact assessment showed that the proposed development concept being considered at the subject site is of an appropriate scale and composition in the context of the existing and planned centres hierarchy in the surrounding area.</i> <i>Given the under-provision of supermarket floorspace within the Sutherland Shire LGA, and the high degree of supermarket expenditure leakage from the Taren Point main trade area, as well as population growth projected in the trade area and broader surrounds means that any potential impacts are likely to result in centres still trading at supportable trading levels post development, no future centres being impacted in terms of staging/scale and any impacts being dissipated very quickly.</i> <i>In this context, the proposed development would enhance the centres hierarchy and proposed future hierarchy, as it would not result in an additional centre in the network without compromising the hierarchy.</i>	Yes

Net Community Benefit Evaluation Criteria	Response	Net Community Benefit
<i>Will the project facilitate a permanent employment generating activity or result in any impact on employment lands?</i>	MacroPlan Dimasi has assessed and advised: <i>Yes. We estimate that the proposed development concept being considered could support a net additional 96 on-going jobs as well as a further 38 jobs across the broader economy.</i> <i>The proposed development is located within the Taren Point Employment Area, where its key objective is to generate employment. The proposed development will not have any impact on the provision of zoned employment land in the Sutherland Shire LGA. Indeed, it would create additional employment opportunities in the LGA. The proposed development concept will also help to service the significant workforce within the Taren Point Employment Area.</i> <i>Furthermore, temporary employment will be supported during the construction phase of the project, including jobs created directly and from multiplier induced effects.</i>	Yes
<i>Will the project impact upon the supply of residential land and therefore housing supply and affordability?</i>	MacroPlan Dimasi has assessed and advised: <i>No. The subject site under its current zoning cannot support residential development. So the proposed rezoning would not reduce the availability of residential dwellings in this part of the LGA. Indeed, the Industrial zone in the Sutherland Shire LEP 2015 does not allow residential development, and there is no proposal to change this.</i>	Yes

Net Community Benefit Evaluation Criteria	Response	Net Community Benefit
<i>Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?</i>	MacroPlan Dimasi has assessed and advised: <i>Yes. The subject site is serviced by the 986 Miranda to North Miranda bus service (there is an existing bus stop near the subject site along Parraweena Road), the 477 and 478 Rockdale Station to Miranda bus services (there are existing bus stops near the site at the intersection of Taren Point Road with Bay Road and Box Road; and near the intersection of Parraweena Road and Erskine Road) and the 971 Hurstville to Miranda/Cronulla (there is an existing bus stop near the intersection of Port Hacking Road and Parraweena Road, although this is located further from the subject site).</i> <i>In addition, there is existing pedestrian and cyclist infrastructure that can be used to access the site.</i> <i>We understand a traffic report has been prepared as part of the planning proposal.</i> A traffic report prepared by Colston Budd Rogers & Kafes has been prepared and accompanies this PP, which can be found at Appendix D. This report has concluded in relation to the proposal: <i>3.21 In summary, the main points relating to the traffic implications of the proposed development are as follows:</i> <i>i) the proposed development would be accessible by public transport services;</i> <i>ii) appropriate parking will be provided;</i> <i>iii) access, servicing and internal layout will be provided in accordance with AS 2890.1:2004 and AS 2890.2 – 2002; and</i> <i>iv) the road network will be able to accommodate the additional traffic from the proposed development.</i>	Yes

Net Community Benefit Evaluation Criteria	Response	Net Community Benefit
<i>Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?</i>	MacroPlan Dimasi has assessed and advised: <i>Yes, it is anticipated that the development of this site is likely to result in reduced vehicle kilometres travelled by customers, employees or suppliers. The Quantum analysis showed that 75% of supermarket expenditure generated by main trade area residents escaped the catchment and that the average distance travelled to undertake supermarket shopping trips for this population was 2.0km. Further by providing employment opportunities within Sutherland Shire, resident workers may no longer need to leave the Shire to access employment thereby possibly decreasing car distances travelled.</i> <i>The site is well serviced by major road infrastructure, with Taren Point Road connecting to Rocky Point Road, and Port Hacking Road connecting to the Princes Highway. The highly accessible site location will enable excellent access to distribution networks and labour markets. Furthermore the subject site is located about 2.1 km from the closest Woolworths store at Westfield Miranda, enabling delivery efficiencies to be achieved with minimal additional kilometres travelled.</i> <i>The site is situated near an established residential population, with future growth expected in and around the main trade area. We anticipate that workers can be drawn from the existing established population and future growing areas. An analysis of ABS Journey to work data across selected employment precincts in metropolitan Sydney shows that for major suburban employment precincts a significant proportion (and in many cases a majority) of workers tend to reside within approximately 10 km of their place of employment, and the creation of employment opportunities at the subject site will provide job opportunities for residents of Sutherland Shire LGA, as well as surrounding LGAs (i.e. Rockdale, Kogarah and Hurstville).</i> <i>The review of supermarket trends and shopping behaviours in Sutherland Shire in Section 2 and the assessment of the market gap in the defined main trade area in Section 5 of this report showed that there is considerable leakage of expenditure from the trade area and the proposed development will serve to reduce this trade area leakage.</i>	Yes

Net Community Benefit Evaluation Criteria	Response	Net Community Benefit
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	MacroPlan Dimasi has assessed and advised: <i>The proposed development is not expected to have an adverse impact on the surrounding road infrastructure, and, if anything, may reduce the number of private vehicle kilometres travelled by the population of the main trade area when accessing supermarket facilities.</i> <i>The potential reduction in travel distance, will in turn result in reduced travel times for Taren Point trade area residents and workers.</i> <i>The existing bus services are not expected to be greatly impacted by the proposed development.</i>	Yes
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	The proposal includes a Flood Assessment Report prepared by Henry and Hymas at Appendix E, which advises: <i>An adjacent site to the south fronting Kumulla Road has been identified as a site in a Medium Flood Risk precinct, which is land identified as being flood affected but with no significant evacuation difficulties. Kumulla Road would be inundated during the PMF and as such, evacuation west along Kumulla Road would be potentially through flood waters.</i> <i>Given that the site at the corner of Parraweena Road and Kareena Road would not require evacuation via flood affected roads, it would be expected that if a flood risk management plan were prepared for the site, it would be identified as land with lower or no greater flood risk than the parcel of land fronting Kumulla Road.</i> <i>On the basis of the available evacuation routes and the majority of the site being above the 1% AEP or 100 year Average Recurrence Interval (ARI), it is expected that the site would be classified in the Low Flood Risk precinct. Note that the majority of the site is above the PMF, therefore also above the 100 year ARI flood.</i> <i>In accordance with Schedule 3 of Council's Flood Risk Management DCP, some of the planning considerations for commercial developments (including retail) within Low Flood Risk precincts include:</i> <i>Setting the floor level at least 500mm above the 100 year ARI flood level.</i> <i>Ensuring that the development does not result in loss of flood storage or change in flood levels.</i> <i>Refuge to above the PMF should be provided.</i> <i>Given that the majority of the site is above the PMF, it is not expected that setting the floor level with sufficient freeboard above the 100 year ARI flood level will be an issue. It is also unlikely that the development will result in an increase in flood levels or loss of flood storage. Compensatory flood storage could be provided in the south eastern corner of the site if required to ensure that the existing flooding conditions are maintained. Finally, since the majority of the site is above the PMF, evacuation or refuge above the PMF will not be an issue.</i>	Yes

Net Community Benefit Evaluation Criteria	Response	Net Community Benefit
Will the project be compatible/complementary with surrounding land uses? What is the potential impact on amenity in the location and wider community? Will the public domain improve?	MacroPlan Dimasi has assessed and advised: <i>The subject site is situated amongst an established precinct including the existing Supa IGA Taren Point on the northern side of Parraweena Road, a child care and play centre, a gym, Taren Point Hotel, bulky good retailers and light industrial uses, as well as being located near an established residential area around Taren Point, Sylvania Waters and northern Miranda and Caringbah.</i> <i>While the land is zoned IN1 – General Industrial, the site is surrounded by residential uses, where the proposed development provides an appropriate conduit between the two zones.</i> <i>The site currently supports low amenity technology and long life dairy businesses, as well as a data centre. In this context, the subject site would be an extension of the existing retail and shop uses in the precinct and would be complementary to this offer. The additional “pulling power” of the proposed development, will enhance this precinct overall.</i> <i>The proposed development will assist in providing jobs and services to meet the growing population in the area, and the proposed scale and mix of uses are appropriate in the context of the existing facilities and planned future centres in Sutherland Shire LGA.</i> <i>It is anticipated that the proposed development will adhere to the required urban design guidelines and will contribute to the broader amenity in the area and public domain through well designed buildings and landscaping. Currently the site is occupied by commercial and warehousing facilities, and it is considered that the proposed development would be a major improvement on this. It would also significantly improve in the level of convenience amenity for surrounding residents and workers.</i>	Yes

Net Community Benefit Evaluation Criteria	Response	Net Community Benefit
What are the public interest reasons for the project? What are the implications of not proceeding at that time?	MacroPlan Dimasi has assessed and advised: <i>The proposed development on the site could potentially result in a range of net community benefits, such as:</i> <i>Increased choice and amenity for the population of the main trade area, and more convenient access to new food and grocery shopping facilities, as well as likely increased competition for the benefit of consumers.</i> <i>Reduction of supermarket floorspace demand/supply gap, ensuring sufficient supermarket floorspace is provided, at convenient locations, for main trade area residents. As well as addressing the high proportion of supermarket expenditure leakage from the main trade area, through a better provision of food and grocery shopping facilities at the local level.</i> <i>Savings on time and fuel for main trade area residents due to a much better provision of supermarket shopping facilities, and supporting convenience facilities.</i> <i>A reduction in travel times and distances generates related benefits, including reduced vehicle wear and tear, reduced fuel costs, reduced pollution, reduced traffic congestion, reduced risks of car-accidents, and more time can be spent either working, socialising or undertaking other activities.</i> <i>Providing jobs near people's homes and consequent economic multiplier impacts, which will boost the local economy.</i> Fabcot offers to Council a contribution of \$100,000 towards a Master Plan of the land currently zoned IN1 General Industrial within the Taren Point Employment Area generally west of Taren Point Road, as described in the Council report considered on 30 November 2015 so as to enable a wider public benefit to be achieved in the Taren Point Employment Area. Refer to the applicant's Voluntary Planning Agreement Offer at Appendix H.	Yes

The Net Community Benefit evaluation above demonstrates that there are a number of net community benefits resulting from this Planning Proposal.

This Planning Proposal will ensure a high quality development outcome based on appropriate planning controls.

If the proposal does not proceed, the above benefits will not be realised.

4.3.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4.3.2.1 Q3: *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any draft plans or strategies)?*

Yes. The proposed amendments are consistent with the broad policy directions contained in the Greater Sydney regional plan, *A Plan for Growing Sydney*, including the draft amendment to the Greater Sydney regional plan currently being exhibited *Towards our Greater Sydney 2056*, and the sub-regional plan *Draft South District Plan – November 2016*, also currently being exhibited.

A Plan for Growing Sydney

In December 2014, NSW Government released *A Plan for Growing Sydney*. This new document supersedes the draft Metropolitan Plan for Sydney 2036 – *A Plan for Sydney's Future* which was released in December 2010. Therefore, the relevant metropolitan strategy relating to this proposal is *A Plan for Growing Sydney*.

The Sydney metropolitan area will face increasing pressure over the next twenty years with the projected increase in population of 1.6 million people, requiring 664,000 more dwellings and 689,000 more jobs by 2031. These pressures require careful and integrated land use and infrastructure planning and mechanisms for delivery. *A Plan for Growing Sydney* is the NSW Government's response to these pressures. The plan provides a strategy for accommodating Sydney's future population growth over the next 20 years and a framework for delivering investment and jobs growth.

The plan identifies growth projections from a whole of Sydney perspective and specifically identifies the need to:

- develop a competitive economy with world-class services and transport;
- guide land use planning decisions for Sydney for the next 20 years;
- deliver greater housing choice to meet changing needs and lifestyle and make it easier for Sydney's residents to move between their homes, their jobs, the centres where they shop and use local services and their open spaces and create communities that have a strong sense of wellbeing;
- make a wider variety of housing available to suit the changing make-up of the population - more than one million people will be over the age of 65 years and almost the same number under the age of 15 years by 2031;
- deliver new infrastructure which supports our community as it grows, and strategic infrastructure that also strengthens the economy; and
- recognise and safeguard natural environment – the harbour, coast, mountains, parks and open spaces.

A Vision for Sydney

The Government's Vision for Sydney is a *Strong Global City and A Great Place to Live*. The Government's goals to achieve this vision are for Sydney to be:

Goal 1: A competitive economy with world-class services and transport.

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles.

Goal 3: A great place to live with communities that are strong, healthy and well connected.

Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The plan aims to better connect people to strategic centres and in doing so, connecting them to jobs, education facilities, health centres and hospitals and sporting, cultural and entertainment facilities.

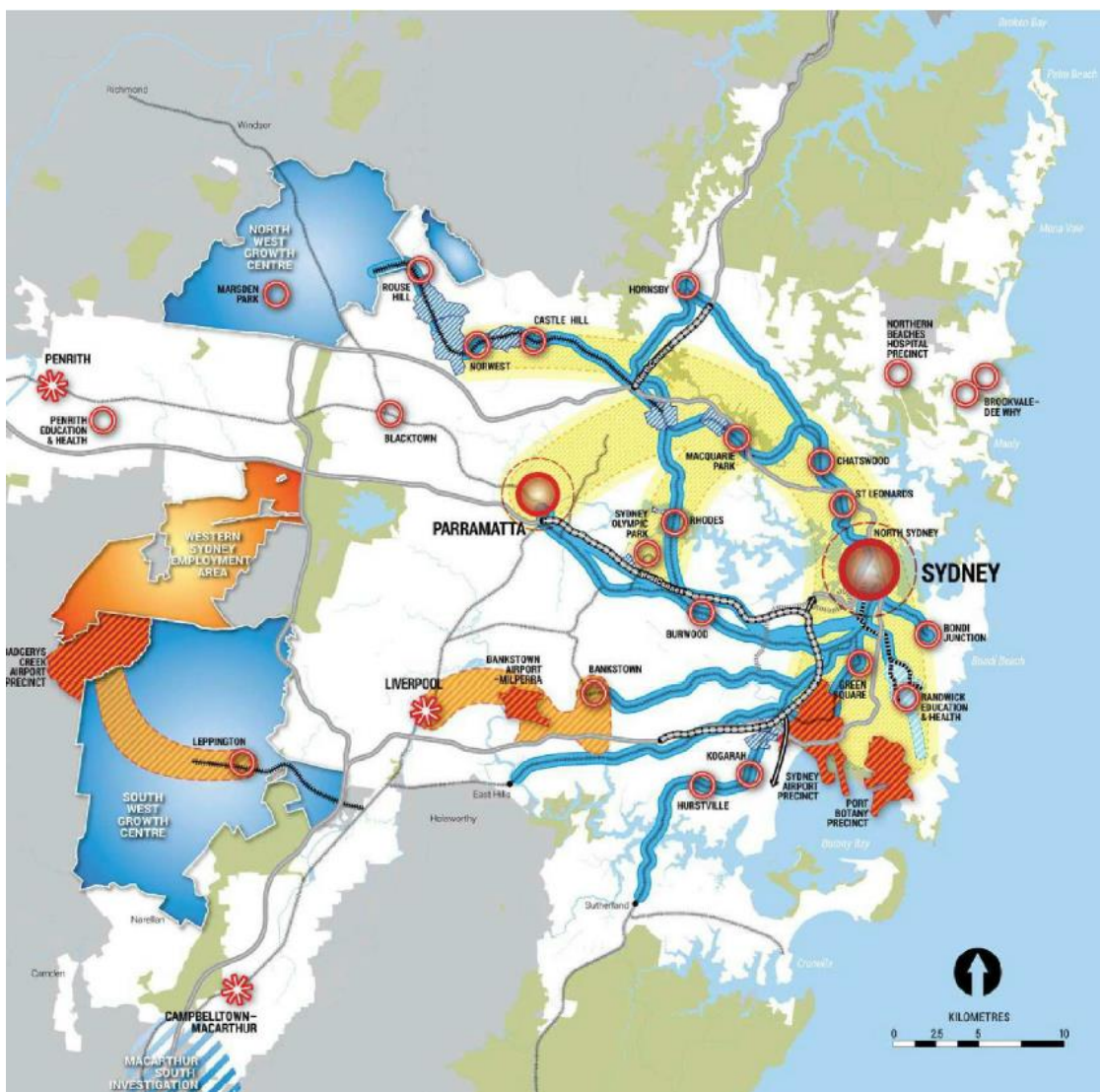


Figure 7: "Strategic Plan for the future growth of Sydney"

Source: A Plan for Growing Sydney

It is noted that Direction 1.9: Support Priority Economic Sectors is a key outcome sought from A Plan for Growing Sydney, which states:

The growth of priority industries has to be supported by planning for their land use needs. Benefits can flow from the emergence of industry clusters in cost-effective locations.

The Government is progressively developing Industry Action Plans as part of NSW 2021 including for the following priority industries:

- *visitor economy (tourism);*
- *creative industries;*
- *digital economy (such as information and communications technology);*
- *professional services;*
- *manufacturing;*
- *minerals;*
- *international education and research; and*
- *agriculture.*

A Plan for Growing Sydney will create a setting for sufficient well-located and well-serviced land to be available to meet the needs of these industries.

As detailed within the Planning Study at **Appendix A**, the need for the project has in part come about as Woolworths responds to the emergence of the digital economy and customer expectations, this is Woolworths' multi-option retailing strategy which seeks the delivery of sites within regions of Sydney to support the "dark box" at Mascot.

In addition, as required by Action 1.9.2 "Support Key Industrial Precincts with Appropriate Planning Controls", this PP includes at Table 2, an assessment of the proposal against the "Industrial Lands Strategic Assessment Checklist". It is noted that the checklist specifically allows for evidence-based decisions such as that proposed in this PP.

Table 2: Industrial Lands Strategic Assessment Checklist for Rezoning of Existing Industrial Land

Strategic Assessment Checklist	Response
<i>Is the proposed rezoning consistent with State and/or council strategies on the future role of industrial lands?</i>	There is no local strategy that has been endorsed by the Director-General on the future role of industrial lands. The proposed rezoning is not inconsistent with State and/or Council strategies.
<i>Is the site:</i> • <i>Near or within direct access to key economic infrastructure?</i> • <i>Contributing to a significant industry cluster?</i>	The proposal consists of 2 lots and has an area of approximately 12,488sqm. The precinct consists of a variety of land uses such as retail uses, industrial uses, vehicle sales storage and repair workshops and waste or resource management facilities. The site is near or within direct access to key economic infrastructure such as transportation, communication, power, sanitation, and water. The site is located just over 1.7 kilometres from the Westfield Miranda and approximately 2.4 kilometres from Caringbah railway station, and is serviced by regular local buses. The established road network surrounding the site includes roads such as Kareena Road, Captain Cook Drive, The Boulevard and Parraweena Road. These roads provide access to major roads such as the Taren Point Road, Princes Highway, and Port Hacking Road. As such, the site is well connected to areas within Sydney's Southern area as well as the wider Metropolitan areas of Sydney. The Caringbah / Taren Point bulky goods retailing and employment area precinct is a well-established area in Sydney's southern suburbs therefore it has direct access to communication networks, water supply, power supply and sanitation. The site's location near or within direct access to key economic infrastructure makes it a suitable location for a supermarket. While the site does form part of an industrial area, this industry cluster has been promoted by Council as evolving to suit more bulky goods retailing with the zone change along Taren Point Road in the SSLEP 2015, and other land within the precinct is not considered to be solely used for industrial purposes. A majority of the premises located within the precinct are now bulky good retailers, offices, retailers and warehouses while only a small proportion are of an industrial nature. As such the industry cluster at Taren Point is considered to be undergoing transition and the location of a supermarket in the area would not impact on the area's character as an industrial area.

Strategic Assessment Checklist	Response
<i>How would the proposed rezoning impact the industrial land stocks in the subregion or region and the ability to meet future demand for industrial land activity?</i>	The proposal consists of 2 lots and has an area of approximately 12,488sqm. The precinct consists of a variety of land uses such as retail uses, industrial uses, vehicle sales storage and repair workshops and waste or resource management facilities. The Employment Lands Development Program Report 2015 has been identified in the Caringbah / Taren Point precinct as containing 142.8 ha of zoned employment lands. The location of retail space on the subject site would mean that 1.24 ha of the 142.8 ha (or 0.86%) of the precinct could no longer be used immediately for industrial uses. This is a very small proportion of land therefore the PP for the site would not have a significant impact on industrial land stocks in the precinct or subregion. Nor would it affect the ability of the subregion to meet future demand for industrial land activity. This represents a reduction of under 1% of general industrial zoned land for the entire Sutherland Shire LGA. The existing zone enables industrial uses within the subject site and this will be maintained. Hence, the proposed rezoning does not technically reduce the amount of industrial zoned land within the LGA. Accordingly, the rezoning will have minimal impact on the industrial land stock in the south region.
<i>How would the proposed rezoning impact on the achievement of the subregion/region on LGA employment capacity targets and employment objectives?</i>	As part of the comprehensive LEP process, Sutherland Shire Council ensured sufficient lands were zoned for employment purposes and achieve the employment targets as contained at the time of its preparation in the draft <i>Subregional Strategy (2007)</i>. As discussed previously, the PP will not result in an unacceptable reduction of employment land within the precinct or the Sutherland LGA. The PP is consistent with the draft South District Plan.

Strategic Assessment Checklist	Response
<i>Is there a compelling argument that the industrial land cannot be used for an industrial purpose now or in the foreseeable future and what opportunities may exist to redevelop the land to support new forms of industrial land uses such as high-tech or creative industries?</i>	The subject site is currently zoned IN1 General Industrial. Development permissible in this zone includes industries, vehicle sales or hire premises, and warehouse or distribution centres. There is a degree of flexibility under the SSLEP 2015 Schedule 1. This PP seeks inclusion under Schedule 1 in a similar manner as other locations which have made uses permissible despite the existing zoning. A supermarket is also an appropriate addition to Schedule 1 as the site location is the nearest available and appropriately sized land. The subject site is located over 1 km from the edge of Miranda's centre and is not located in an area that would affect the services offered by existing shops in the locality.
<i>Is the site critical to meeting the need for land for an alternative purpose identified in other NSW Government or endorsed council planning strategies?</i>	The subject site has not been identified for an alternative purpose in NSW Government or endorsed Council planning strategies. The location of retail, such as a supermarket, on the subject site would assist the State government in achieving its Direction 1.9 of A Plan for Growing Sydney to support the digital economy in the retail sector, while at the same time seek to ease traffic congestion in Caringbah and Miranda centres which generate significant traffic.

This planning proposal is consistent with *A Plan for Growing Sydney*, in that it will:

- directly deliver skilled jobs despite not being within the identified 'global economic corridor';
- increase the number of jobs on a site by 96, which will provide greater benefits to the overall productivity of Sydney and seeks to contain retail sector jobs within the Sutherland LGA;
- enable this site to contribute to achieving the delivery of Direction 1.9;
- provide additional much needed retail supermarket facilities to service Sutherland LGA's growing population; and
- not have any significant adverse environmental or socio-economic impacts.

The proposed development facilitated by this planning proposal supports the current metropolitan strategy contained in *A Plan for Growing Sydney*.

Specifically, the Sydney Metropolitan Strategy - *A Plan for Growing Sydney* has the following goals and directions:

- **Goal 1: A competitive economy with world-class services and transport**

The inclusion of a site specific enabling clause via this planning proposal will support the industrial zones aim to ensure that there is land available in a range of configurations to support the development of a range of economic activities.

- **Goal 2: A city of housing choice with homes that meet our needs and lifestyles**

Direction 2.1 Improve housing supply across Sydney

Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs

Direction 2.3 Improve housing choice to suit different needs and lifestyles

The planning proposal aims to provide shopping choices within convenient access from existing residential neighbourhoods surrounding the employment centre, and thereby no existing residential zoned land is impacted by the need to supply additional supermarket floor space.

Overall, the planning proposal will support the overall aim of SSLEP ‘to meet the future housing needs of the population of Sutherland Shire’ and the above goal and directions of the metropolitan strategy.

- **Goal 3: A great place to live with communities that are strong, healthy and well connected**

Direction 3.2 Create a network of green and open spaces across Sydney

The proposed enabling clause will not result in the loss of land zoned for open space, industrial or residential purposes within Sutherland Shire.

- **Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources**

Direction 4.3: Manage the impact of development on the environment

The proposed use of an enabling clause to accommodate a proposal will not result in an unacceptable impact as demonstrated in the supporting documents including traffic and transport assessment (**Appendix D**), flood statement (**Appendix E**) and contamination investigations (**Appendix F**).

Towards Our Greater Sydney 2056

In November 2016, the Greater Sydney Commission (GSC) released a separate document that forms a draft amendment to the Greater Sydney Regional Plan for public exhibition known as *Towards Our Greater Sydney 2056*. It should be noted that the draft District Plans use *A Plan for Growing Sydney* as its base, they also draw on the “new vision” for Greater Sydney as articulated in *Towards Our Greater Sydney 2056*.

Towards Our Greater Sydney 2056 is the Greater Sydney Regional Plan amendment prepared by the GSC which proposes a new “Three Cities” structure for Greater Sydney: the established Eastern City (Sydney City); the developing Central City (Greater Parramatta); and the emerging Western City focused around the proposed Western Sydney Airport.

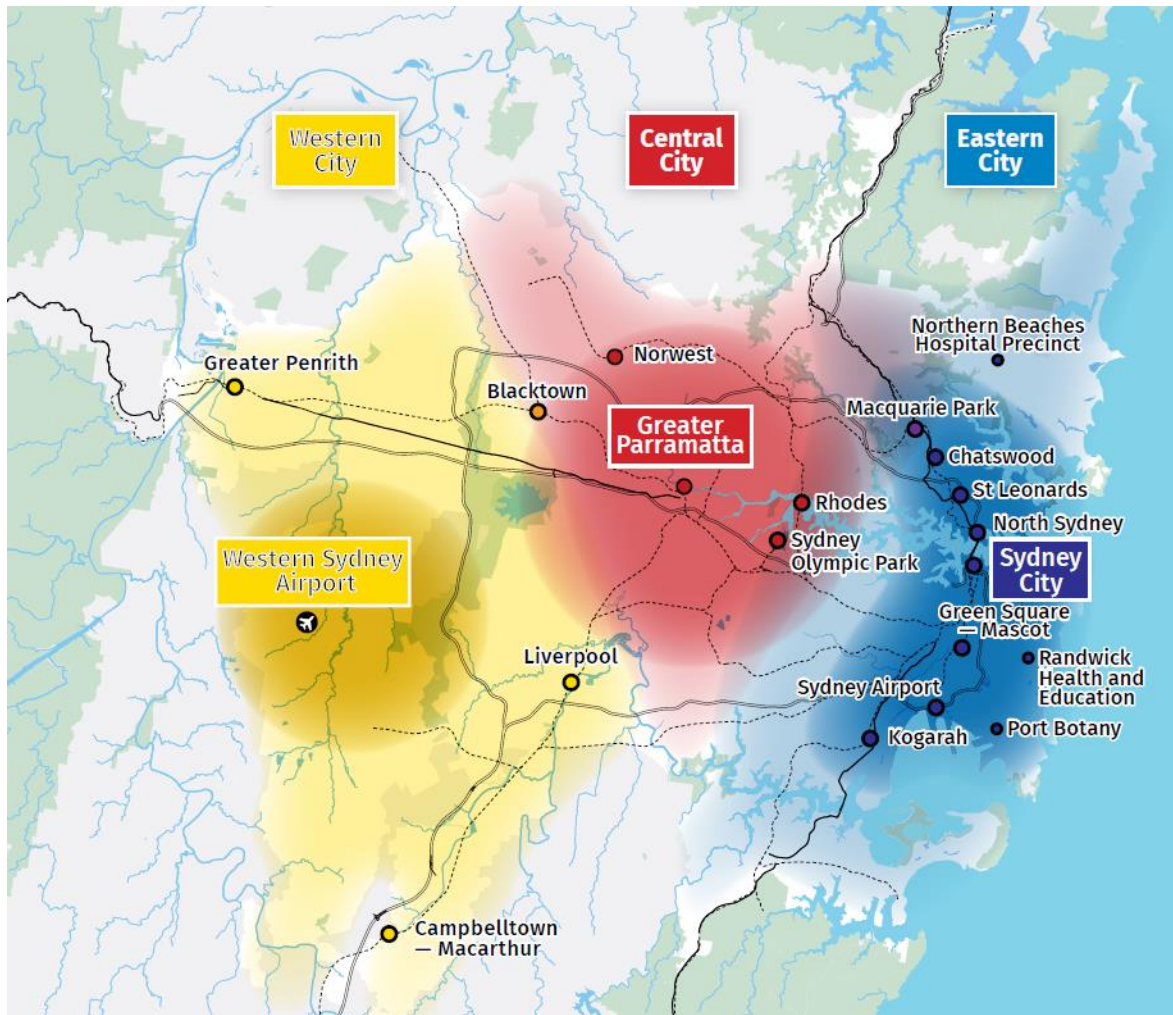


Figure 8: Extract of “Figure 2 A metropolis of three cities: Global Sydney”

Source: *Towards our Greater Sydney 2056*

Towards Our Greater Sydney 2056 places an emphasis on growing existing centres and allowing new centres to grow.

...

Our vision for Greater Sydney to 2056 represents the economic, social and environmental integration of a metropolis of three cities. It acknowledges that Greater Sydney is more likely to develop in a sustainable manner when it has a strong, productive economy underpinning a fair and liveable lifestyle and allowing a focus on Greater Sydney’s natural environment, resilience and efficiency.

This vision can be delivered through a number of metropolitan priorities, summarised in the table below.

A Productive Sydney	A Liveable Sydney	A Sustainable Sydney
A growing city A city with smart jobs A 30-minute city	An equitable, polycentric city A city of housing choice and diversity A collaborative city	A city in its landscape An efficient city A resilient city

Source: *Towards our Greater Sydney 2056*

Just as the site specific enabling clause proposed in this PP is consistent with *A Plan for Growing Sydney*, so too it is considered to be consistent with the amendment of the Greater Sydney Regional Plan *Towards our Greater Sydney 2056* as detailed in the discussion associated with the draft South District Plan below.

Draft South District Plan – November 2016

As part of *A Plan for Growing Sydney*, the NSW Government established the independent Greater Sydney Commission, which has been working in partnership with councils, the community and stakeholders to oversee the implementation of the plan.

The Greater Sydney metropolitan area has six subregions and focuses on strategy and what's needed in neighbourhoods, the region and the city.

A Plan for Growing Sydney advises in relation to the subregional plans:

Subregional planning is a partnership between State Government, local councils and the community. It will guide the delivery of *A Plan for Growing Sydney* across the city's six subregions. Each plan will address:

- a vision for housing and employment growth in the subregion, consistent with *A Plan for Growing Sydney*;
- the distribution of housing and employment at the Local Government Area level;
- the goals, directions and actions contained within *A Plan for Growing Sydney*; and
- the infrastructure required to support housing and employment growth within the subregion.

The draft District Plans give effect to the metropolitan goals and planning priorities from *A Plan for Growing Sydney* and the Greater Sydney Regional Plan amendment *Towards our Greater Sydney 2056* by setting out priorities and actions for each District, structured around three key themes of a Productive City, a Liveable City and a Sustainable City.

Sutherland LGA is part of the South subregion, which also includes the LGAs of Canterbury-Bankstown, Georges River Council (former Hurstville and Kogarah) and Bayside Council (former Rockdale and Botany Council's) as illustrated in Figure 9 below.

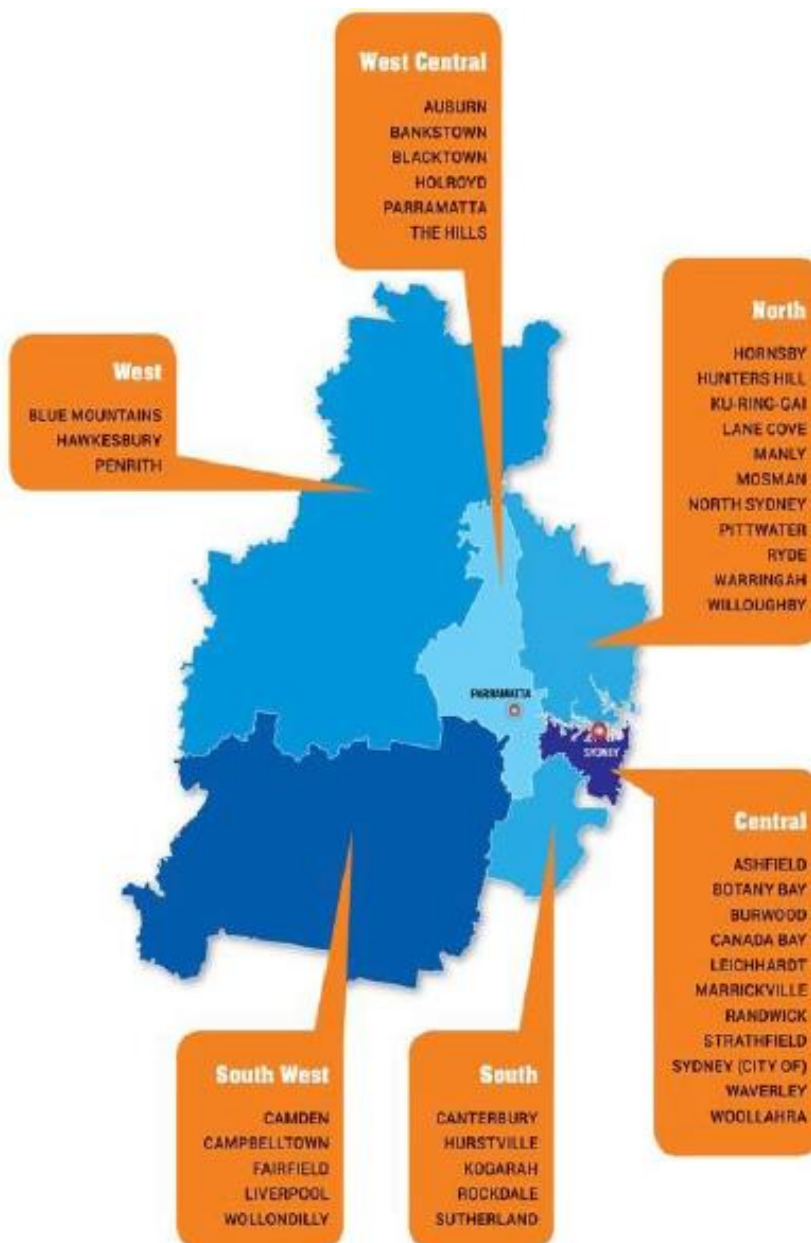


Figure 9: Extract of Figure 26 Sydney's Six Subregions - South Region

Source: *A Plan for Growing Sydney*

The draft District Plans including the *draft South District Plan*, provides the link between the Metropolitan Regional Plan (*A Plan for Growing Sydney* and the recently released for exhibition *Towards a Greater Sydney*) and Council's Local Environmental Plans. The draft District Plans seek to influence how different levels of government plan for each District and guide the assessment and decision making process for future development in Sydney. The draft South District Plan (released for exhibition in November 2016) is an intermediate step in translating the Metropolitan Regional Plan at a local level and acts as a broad framework for the long-term development of the South District, guiding government investment and linking local and state planning issues.

The *draft South District Plan* establishes:

- Principles and guidance for the preparation of local environmental plans;
- Strategic planning criteria to assess planning proposals;
- Strategic land use, transport and infrastructure planning across local government areas; and
- Infrastructure delivery priorities.

The *draft South District Plan* is a matter for consideration in the assessment of development applications and planning proposals, as such has been considered as part of this PP.

Importantly, the site on which this PP is located, is within the Taren Point Local Centre. The Taren Point Local Centre is shown in figure 3-7 of the draft South District Plan, as extracted below:



Figure 10: Extract of “Figure 3-7 Strategic district and local centre – draft South District Plan”

Source: Draft South District Plan

This PP contributes to achieving a number of priorities, actions and principles sought by the GSC for Taren Point being an identified local centre.

Local Centres are defined under the *draft South District Plan* as follows:

Local centres vary in size from a few shops on a corner to a vibrant main street. They are on a smaller scale than district centres and generally serve the local population.

In addition, the *draft South District Plan* advises in relation to Local Centres:

These centres vary in terms of scale and contribution to Greater Sydney's job growth and productivity as well as service provision to local communities. In brief:

...local centres have a range of local jobs and services for local catchments.

The PP has been considered in relation to the *draft South District Plan* Priorities. In particular the relevant: Productivity Priorities; Liveability Priorities; Sustainability Priorities; Actions and Principles, have been considered in this PP.

This PP is consistent with a number of Productivity Priorities including "3.3 Growing economic activity in centres" which seeks to promote better "Access to jobs (3.1.1)" within the district; provide more "economic opportunities (3.1.2)" within the district and achieve "district priorities (3.1.3)", as the site is located within a Local Centre and will generate some 96 jobs.

Specifically, this PP is consistent with "*Productivity Priority 1: Managing growth and change in strategic and district centres and, as relevant, local centres*", which states:

When undertaking planning for strategic, district and local centres, the relevant planning authority should consider:

- *opportunities for existing centres to grow and new centres to be planned to meet forecast demand across a range of retail types*
- *the need to reinforce the suitability of centres for retail and commercial uses whilst encouraging a competitive market*
- *the commercial requirements of retailers and commercial operators such as servicing, location, visibility and accessibility*
- *the use of the B3 Commercial Core Zones in strategic centres and, where appropriate, in district centres to reinforce and support the operation and viability of non-residential uses including local office markets.*

When preparing strategic plans the relevant planning authority needs to demonstrate how its planning for centres has considered strategies to:

- *deliver on the strategic and district centre's job targets*
- *meet the retail and service needs of the community*
- *facilitate the reinforcement and/or expansion of allied health and research activities*
- *promote the use of walking, cycling and integrated public transport solutions*
- *provide urban spaces such as meeting places and playgrounds*
- *respond to the centre's heritage and history*
- *promote community, arts and cultural activities*
- *reflect crime prevention through environmental design (CPTED) principles such as safety and management*

- *manage the transition between higher intensity activity in and around a centre and lower intensity activity that frames the centre.*

How these matters are taken into account is to be demonstrated in any relevant planning proposal.

As the PP proposes:

- an opportunity to grow an existing Local Centre;
- the delivery of at least a net gain of 96 jobs;
- details specific demand so as to meet the retail needs of the community;
- will support the expansion of allied health and research activities and jobs, by providing for access to goods to support shift workers by the hours of operation proposed;
- promoting the use of walking, cycling and integrated public transport solutions by providing for improved streetscapes and an active frontage;
- provision of a new place capable of supporting a meeting place including a supermarket and café;
- will include with a DA an opportunity for public art which could include a response to the centre's heritage and history, and with a DA specific design mechanisms which are routinely implemented by Woolworths to reflect crime prevention through environmental design (CPTED) principles such as safety and management including a detailed design to response to Liveability Priority L10: *Provide design-led planning to support high quality urban design*; and
- support and help manage the transition between higher intensity activity in and around other centres such as Caringbah and Miranda which are experiencing demand which over extend existing supermarkets, to lower intensity activity that frames these centres.

This PP is consistent with priority “3.4.3 Planning for retail floor space provision and demand in the South District and specifically is consistent with “Productivity Priority 4: Prioritise the provision of retail floor space in centre, which states:

When preparing retail and commercial strategies to inform local planning, the following matters should be considered:

- *existing and future supply and demand for retail floor space within the District based on the Department of Planning and Environment's medium population growth scenario*
- *the accessibility of different types of retail and commercial floor space to communities*
- *opportunities to allow retail and commercial activities to innovate*
- *the impacts of new retail and commercial proposals to the viability and vitality of existing and planned centres*
- *the need for new retail development to reinforce/enhance the public domain*
- *the net social, economic and environmental benefits of new supply within different locations.*

How these matters are taken into account is to be demonstrated in any relevant planning proposal.

The EIA contained in **Appendix C** of this PP demonstrates:

- existing and future supply and demand for retail floor space within the District based on the Department of Planning and Environment's medium population growth scenario;
- the accessibility of different types of retail and commercial floor space to communities;
- opportunities to allow retail and commercial activities to innovate;
- the impacts of new retail and commercial proposals on the viability and vitality of existing and planned centres;
- the need for new retail development to reinforce/enhance the public domain; and
- the net social, economic and environmental benefits of new supply within different locations.

This PP is consistent with priority "3.5 *Managing employment and urban services land across the District*, and is specifically consistent with *Productivity Priority 5: Protect and support employment and urban services land*, which states:

Employment and urban service lands play a critical role in the efficient and effective function of the District. Owing to the comparative scarcity of this resource, a holistic and precautionary approach to their planning should be undertaken.

Accordingly, relevant planning authorities should take a precautionary approach to rezoning employment and urban support lands or adding additional permissible uses that would hinder their role and function.

The exception being where there is a clear direction in the regional plan (currently A Plan for Growing Sydney), the District Plan or an alternative strategy endorsed by the relevant planning authority. Any alternative strategy should be based on a net community benefit assessment (i.e. analysis of the economic, environmental and social implications) of the proposed exception taking into account a Districtwide perspective in accordance with Action P3.

How these matters are taken into account is to be demonstrated in any relevant planning proposal.

The PP does not seek to rezone the land as it does not involve the conversion to another zone, but rather seeks an outcome which will maintain the existing zone while at the same time support the provision of retail floor space in centre.

In addition, this PP is consistent with the following priorities:

- 3.4.4 *Planning priorities for strategic district and local centres;*
 - Principle 1: *Connecting centres with a networked transport system;*
- 3.8 *Accessing a greater number of jobs and services within 30 minutes;*
- 3.9 *Managing freight activities across the district;*
- 4.6 *Create great places in the South District;*
- 4.7 *Foster cohesive communities in the South District;*
 - Liveability Priority 4: *Facilitate the delivery of safe and healthy places;*
 - Liveability Priority 5: *Facilitate enhanced walking and cycling connections;*
- 5.1 *The South District's environment;*
- 5.2 *Enhancing the South District in its landscape;*
 - Sustainability Priority 2: *Avoid and minimise impacts on biodiversity; and*
 - Sustainability Priority 3: *Align strategic planning to the vision for the Green Grid.*

As such, the PP is consistent with the *draft South District Plan* as:

- The proposal will not reduce the primacy of existing centres such as Caringbah or Miranda as detailed in the EIA prepared by MacroPlan Dimasi at **Appendix C**;
- The use of an enabling Clause will allow the continuation of businesses within existing District Centres in the South District;
- The site is located within the Taren Point Local Centre and will maintain the existing land use zoning along with permissible uses, hence will not reduce the available employment land, but rather will contribute both to the overall concentration of businesses in the area and maintaining a place of mixed enterprises;
- The proposal seeks to increase the capacity of the Caringbah / Taren Point employment and service lands area to provide additional supermarket retail infrastructure (that is not able to be accommodated on any existing suitably zoned sites) or district centres;
- The proposal will deliver a retail supermarket:
 - i. in close proximity to existing retail uses within the Caringbah / Taren Point bulky goods and employment area precinct;
 - ii. in a location where colocation of retail uses has already occurred; and
 - iii. in character with existing built forms and within acceptable traffic considerations as that of other land uses within the Caringbah / Taren Point bulky goods characteristics and employment area precinct.
- The proposal will facilitate additional workers and visitors to the precinct who seek convenient access to supermarket facilities and usage of existing public transport networks.

The proposed site configuration is consistent with desired outcomes of the plan in that it will:

- complement adjoining built form through massing that respects the existing street character and allows for the future redevelopment of the neighbouring sites;
- provides a much needed supermarket facility for the community; and
- provides additional employment.

The site is not of high biodiversity, or located in proximity to a water way to the extent that redevelopment poses a risk, and accordingly will not adversely affect the natural environment.

4.3.2.2 Q4: Is the planning proposal consistent with the council's local strategy or other local strategic plan?

Yes. The Sutherland Shire Community Strategic Plan *Our Shire Our Future: Our Guide to Shaping the Shire to 2030* provides the long term vision and a set of desired futures for the Sutherland Shire which the local community aspires to achieving. The Community Strategic Plan establishes a framework for growth and development for the Sutherland Shire LGA and addresses the draft South Subregional Strategy and employment targets. The Strategy also provides the foundation for the development of the SSLEP2015.

The planning proposal is consistent with the following primary strategies from the Community Strategic Plan:

- **Provide effective and integrated infrastructure:** Through the site specific enabling clause, the Planning Proposal seeks to ensure that the community is aware of the location and form of important retail infrastructure provision which will be collocated within a precinct which already has retail characteristics.
- **Respect and value all heritage and culture:** The proposal does not involve any existing heritage items or conservations areas and therefore is not consistent with this strategy.

The planning proposal aims to achieve the following desired Community Outcomes identified in the Community Strategic Plan:

- **Housing for all:** The planning proposal aims to protect existing land zoned for residential purposes, and will not result in a reduction in land zoned for residential purposes.
- **Diverse local jobs and local economic opportunities:** The proposal will generate new opportunities for local job creation.

Given that the proposal will support increased employment on the site and will not preclude future industrial development in the locality, it is not anticipated that the proposal will have a significant impact on the outcomes envisaged by Council in its employment strategy.

4.3.2.3 Q5: Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Yes. An assessment of the planning proposal against applicable State Environmental Planning Policies (SEPPs) is provided in **Table 3** below:

Table 3: Summary assessment of applicable SEPPs to this Planning Proposal

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
SEPP No. 1 - Development Standards			✓
SEPP No. 2 - Minimum Standards for Residential Flat Development	✓ - repealed		
SEPP No.4 - Development without Consent and Miscellaneous Complying Development	✓ - repealed		
SEPP No. 5 - Housing for Older People or People with Disability	✓ - repealed		
SEPP No. 6 - Number of Storeys in a Building	✓ - repealed		
SEPP No. 7 - Port Kembla Coal Loader	✓ - repealed Refer ISEPP		
SEPP No. 8 - Surplus Public Land	✓ - repealed Refer ISEPP		
SEPP No. 9 - Group Homes	✓ - repealed Refer ISEPP		
SEPP No. 10 - Retention of Low-Cost Rental Accommodation	✓ - repealed Refer AHSFPP		
SEPP No. 11 - Traffic Generating	✓ - repealed Refer ISEPP		
SEPP No. 12 - Public Housing (Dwelling Houses)	✓ - repealed		
SEPP No. 13 - Sydney Heliport	✓ - repealed		
SEPP No. 14 - Coastal Wetlands	✓		
SEPP No. 15-Rural Land Sharing Communities	✓ - repealed		
SEPP No. 16 - Tertiary Institutions	✓ - repealed Refer ISEPP		
SEPP No. 17 - Design of Building in Certain Business Centres	✓ - did not proceed		
SEPP No. 18 - Public Housing	✓ - did not proceed		
SEPP No. 19 - Bushland in Urban Areas	✓		
SEPP No. 20 - Minimum Standards for Residential Flat Development	✓ - repealed		
SEPP No. 21 – Caravan Parks (formerly Movable Dwellings)	✓		
SEPP No. 22 - Shops and Commercial Premises	✓ - repealed		
SEPP No. 23	Not allocated		
SEPP No. 24 - State Roads	✓ - did not proceed		
SEPP No. 25 - Residential Allotment Sizes	✓ - repealed		
SEPP No. 26 - Littoral Rainforests	✓		
SEPP No. 27 - Prison Sites	✓ - repealed Refer ISEPP		
SEPP No. 28 - Town Houses and Villa Houses	✓ - repealed		
SEPP No. 29 - Western Sydney Recreation Area	✓ -repealed		
SEPP No. 30 - Intensive Agriculture	✓		
SEPP No. 31 - Sydney (Kingsford Smith) Airport	✓ - repealed Refer ISEPP		
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	✓ - repealed		

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
SEPP No. 33 - Hazardous and Offensive Development	✓		
SEPP No. 34 - Major Employment Generating Industrial Development	✓ - repealed		
SEPP No. 35 - Maintenance Dredging of Tidal Waterways	✓ - repealed Refer ISEPP		
SEPP No. 36 - Manufactured Home Estates	✓		
SEPP No. 37 - Continued Mines and Extractive Industries	✓ - repealed		
SEPP No. 38 - Olympic Games and Related Development	✓ - repealed		
SEPP No. 39 - Spit Island Bird Habitat	✓ - repealed		
SEPP No. 40 - Sewerage Works	✓ - did not proceed		
SEPP No. 41 - Casino/Entertainment Complex	✓ - repealed		
SEPP No. 42 - Multiple Occupancy and Rural Land (Repeal)	✓ - repealed		
SEPP No. 43 - New Southern Railway	✓ - repealed Refer ISEPP		
SEPP No. 44 - Koala Habitat Protection	✓		
SEPP No. 45 - Permissibility of Mining	✓ - repealed		
SEPP No. 46 - Protection and Management of Native Vegetation	✓ - repealed		
SEPP No. 47 - Moore Park Showground	✓		
SEPP No. 48 - Major Putrescible Land fill Sites	✓ - repealed Refer ISEPP		
SEPP No. 49 - Tourism Accommodation in Private Homes	Draft only		
SEPP No. 50 - Canal Estates	✓		
SEPP No. 51 - Eastern Distributor	✓ - repealed Refer ISEPP		
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	✓		
SEPP No. 53 - Metropolitan Residential Development	✓ - repealed		
SEPP No. 54 - Northside Storage Tunnel	✓ - repealed Refer ISEPP		
SEPP No. 55 - Remediation of Land	✓		
SEPP No. 56 - Sydney Harbour Foreshores and Tributaries	✓ - repealed		
SEPP No. 57	Not allocated		
SEPP No. 58 – Protecting Sydney’s Water Supply	✓ - repealed		
SEPP No. 59 - Central Western Sydney Economic and Employment Area	✓ - repealed		
SEPP No. 60 - Exempt and Complying Development	✓ - repealed		
SEPP No. 61 - Exempt and Complying Development for White Bay and Glebe Island Ports	✓ - repealed Refer ISEPP		
SEPP No. 62 - Sustainable Aquaculture	✓		
SEPP No. 63 - Major Transport Projects	✓ - repealed Refer ISEPP		
SEPP No. 64 - Advertising and Signage	✓		

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
SEPP No. 65 - Design Quality of Residential Flat Development	✓		
SEPP No. 67 - Macquarie Generation Industrial Development Strategy	✓ - repealed Refer ISEPP		
SEPP No. 69 - Major Electricity Supply Projects	✓ - repealed Refer ISEPP		
SEPP 70 - Affordable Housing (Revised Schemes)	✓		
SEPP No. 71 - Coastal Protection	✓		
SEPP No. 72 - Linear Telecommunications Development – Broadband	✓ - repealed Refer ISEPP		
SEPP No 73 – Kosciuszko Ski Resorts	✓ - repealed		
SEPP No. 74 - Newcastle Port and Employment Lands	✓ - repealed		
SEPP (Affordable Rental Housing) 2009	✓		
SEPP (Housing for Seniors or People with a Disability) 2004	✓		
SEPP (Building Sustainability Index: BASIX) 2004			✓
SEPP (Exempt and Complying Development Codes) 2008	✓		
SEPP (Infrastructure) 2007			✓
SEPP (Kosciuszko National Park – Alpines Resort)	✓		
SEPP (Kurnell Peninsula) 1989	✓		
SEPP (Major Development) 2005	✓ - repealed		
SEPP (State Significant Precincts) 2005	✓		
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	✓		
SEPP (Penrith Lakes Scheme) 1989	✓		
SEPP (Port Botany and Port Kembla) 2013	✓		
SEPP (Rural Lands) 2008	✓		
SEPP (SEPP 53 Transitional Provisions) 2011	✓		
SEPP (State and Regional Development) 2011	✓		
SEPP (Sydney Drinking Water Catchment) 2011	✓		
SEPP (Sydney Region Growth Centres) 2006	✓		
SEPP (Temporary Structures) 2007	✓		
SEPP (Urban Renewal) 2010	✓		
SEPP (Western Sydney Employment Area) 2009	✓		
SEPP (Western Sydney Parklands) 2009	✓		

4.3.2.4 Q6: Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

Yes. The following applicable directions have been considered and the planning proposal is consistent and justifiably consistent with the relevant directions under Section 117(2) of the EP&A Act.

Direction 1.1 Business and Industrial Zones

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

7.117 Business and Industrial Zones

Objectives

- (1) *The objectives of this direction are to:*
 - (a) *encourage employment growth in suitable locations,*
 - (b) *protect employment land in business and industrial zones, and*
 - (c) *support the viability of identified strategic centres.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities.*

When this direction applies

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).*

What a relevant planning authority must do if this direction applies

- (4) *A planning proposal must:*
 - (a) *give effect to the objectives of this direction,*
 - (b) *retain the areas and locations of existing business and industrial zones,*
 - (c) *not reduce the total potential floor space area for employment uses and related public services in business zones,*
 - (d) *not reduce the total potential floor space area for industrial uses in industrial zones, and*
 - (e) *ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

Consistency

- (5) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
 - (a) *justified by a strategy which:*
 - (i) *gives consideration to the objective of this direction, and*
 - (ii) *identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*

- (iii) *is approved by the Director-General of the Department of Planning, or*
- (b) *justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or*
- (c) *in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
- (d) *of minor significance.*

Note: *In this direction, “identified strategic centre” means a centre that has been identified as a strategic centre in a regional strategy, sub-regional strategy, or another strategy approved by the Director General.*

Direction 1.1 – issued 14 April 2016

The PP is considered to be consistent with this Section 117 direction as it is located in the Taren Point local centre identified under the draft South District Plan (November 2016), and the PP will result in additional employment generation when compared to that of a traditional manufacturing or typical industrial use as discussed previously which complies with the objectives of this direction. Therefore, any inconsistency is justified by the strategic study undertaken by the applicant as contained within **Appendix A**, in accordance with Clause (5)(b) of the direction, which states as follows:

- ...
- (7)** *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
- ...
- (b) *justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or*

The subject site is located amidst an existing precinct which contains a number of retail activities which are served by public transport, and located within the Taren Point local centre. Therefore, the proposal is considered to be consistent with the existing established character. The subject site is considered as an ideal location to encourage employment growth as it does support the viability of employment precinct while not undermining existing centres. Given the market demand for supermarket and retail shops in the region, any perceived inconsistency with this Direction is considered minor.

Direction 3.4 Integrated Land Use and Transport

This direction applies to all Councils when a planning proposal is prepared that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.

3.4 Integrating Land Use and Transport

Objective

- (1) *The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:*

- (a) *improving access to housing, jobs and services by walking, cycling and public transport, and*
- (b) *increasing the choice of available transport and reducing dependence on cars, and*
- (c) *reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- (d) *supporting the efficient and viable operation of public transport services, and*
- (e) *providing for the efficient movement of freight.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities.*

When this direction applies

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.*

What a relevant planning authority must do if this direction applies

- (4) *A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:*
 - (a) *Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and*
 - (b) *The Right Place for Business and Services – Planning Policy (DUAP 2001).*

Consistency

- (5) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
 - (a) *justified by a strategy which:*
 - (i) *gives consideration to the objective of this direction, and*
 - (ii) *identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
 - (iii) *is approved by the Director-General of the Department of Planning, or*
 - (b) *justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
 - (c) *in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
 - (d) *of minor significance.*

Direction 3.4 – issued 14 April 2016

A traffic report prepared by Colston Budd Rogers & Kafes (CBRK) has been prepared and accompanies this PP, which can be found at **Appendix C**. As indicated previously, this report has identified a number of public transport services which are available to access the subject site including:

Public Transport

- 2.18 *Local bus services are provided by Transdev and Sydney Buses. Services operate along Parraweena Road, adjacent to the site and Taren Point Road and Port Hacking Road, east and west of the site.*
- 2.19 *Route 477 operates along Taren Point Road and connects Miranda with Taren Point, Sans Souci, Ramsgate, Kogarah and Rockdale. Services are every 30 minutes in each direction, Monday to Saturday and every 60 minutes in each direction on Sundays.*
- 2.20 *Route 971 operates along Port Hacking Road and connects Cronulla with Miranda, Port Hacking Road and Hurstville. Services are every 30 minutes in each direction, Monday to Saturday, and every 60 minutes in each direction on Sundays. During weekday peak periods, services are more frequent.*
- 2.21 *Route 986 operates along Parraweena Road and connects Miranda with North Miranda via Sutherland Hospital. Two services are provided in each direction on weekdays.*
- 2.22 *The site is therefore accessible by public transport.*

This report has concluded in relation to the proposal:

- 3.21 *In summary, the main points relating to the traffic implications of the proposed development are as follows:*
- i) the proposed development would be accessible by public transport services;*
 - ii) appropriate parking will be provided;*
 - iii) access, servicing and internal layout will be provided in accordance with AS 2890.1:2004 and AS 2890.2 – 2002; and*
 - iv) the road network will be able to accommodate the additional traffic from the proposed development.*

The PP has been considered against the provisions of this direction and is considered acceptable for the site for the following reasons:

- The PP is consistent with the objectives of this Ministerial Direction. It is considered that this PP, if implemented, will:
 - Improve access from existing and future housing to a new retailing infrastructure opportunity near public transport;
 - Reduce dependence on cars as the rezone will give rise to further opportunity within the Sutherland LGA for Transit Orientated Development (TOD); and

- Support the efficient and viable operation of public transport services;
- The PP will allow additional employment generating development within close walking distance of public transport infrastructure, thus reducing the demand for private use and improved accessibility to greater Sydney
- The PP amendment proposed for the future retail development of the site, will better align to this direction than what is permitted under the existing controls and take advantage of the existing public transport, including co-location of existing retail and employment generating infrastructure in close proximity to the site;

The PP seeks to enhance the existing Miranda/Caringbah/Taren Point locality by allowing the provision of the retail use of the subject site, which will capitalize on the services available on Parraweena Road.

It is noted that the Department of Planning and Environment (DP&E) have previously advised in assessment reports that supermarkets are 'car-based' retail developments and therefore is not fully consistent with this Direction. However, the CBRK report at **Appendix D**, demonstrates that the proposal is consistent with the objectives of this Direction and the proposal would generate employment, reduce traffic congestion in nearby centres, provide more retail choice for residents and passing motorists, enable easy access to servicing vehicles and is unlikely to adversely impact on the existing transport infrastructure.

Direction 4.1 Acid Sulphate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land containing Acid Sulfate Soils.

4.1 Acid Sulfate Soils

Objective

- (1) *The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.*

When this direction applies

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.*

What a relevant planning authority must do if this direction applies

- (4) *The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.*
- (5) *When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:*
 - (a) *the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or*
 - (b) *such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.*
- (6) *A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.*
- (7) *Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).*

Consistency

- (8) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
 - (a) *justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
 - (b) *of minor significance.*

Direction 4.1 – issued 1 July 2009

The relevant Acid Sulfate Soils Map identifies the subject site as being classified as Class 5. Class 5 land encompasses land where development consent is required for the carrying out of works within 500 metres adjacent to land in Classes 1, 2, 3 or 4 that are likely to lower the water table below 1 metre on the adjacent class 1, 2, 3 or 4 land.

The site specific enabling clause does not seek to alter this designation under the LEP Mapping for the subject site, and the inclusion of a site specific enabling clause in Schedule 1 of the Sutherland LEP 2015, still enables Council to consider as part of any DA for the site all assessable matters under the provision of Clause 6.1 of the Sutherland LEP 2015 associated with acid sulphate soils.

The preliminary concept layout included at **Appendix B** proposes a building on-grade, for which the finished levels are yet to be determined and this level of detail will form part of any future DA.

Therefore, it is considered that the further assessment can be dealt with at any future DA stage for the subject site with the inclusion of an Acid Sulphate Soils Management Plan, if required, without the need for a report as part of the PP.

Direction 4.3 Flood Prone Land

The objectives of this direction are to ensure that:

- development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005; and
- the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

7.117 Flood Prone Land

Objectives

- (1) *The objectives of this direction are:*
 - (a) *to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and*
 - (b) *to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA.*

When this direction applies

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.*

What a relevant planning authority must do if this direction applies

- (4) *A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).*

- (5) *A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.*
- (6) *A planning proposal must not contain provisions that apply to the flood planning areas which:*
 - (a) *permit development in floodway areas,*
 - (b) *permit development that will result in significant flood impacts to other properties,*
 - (c) *permit a significant increase in the development of that land,*
 - (d) *are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or*
 - (e) *permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.*
- (7) *A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).

Consistency

- (8) *A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:*
 - (a) *the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or*
 - (b) *the provisions of the planning proposal that are inconsistent are of minor significance.*

Note: *“flood planning area”, “flood planning level”, “flood prone land” and “floodway area” have the same meaning as in the Floodplain Development Manual 2005.*

Direction 4.3 – issued 1 July 2009

A flood certificate has been issued by Council for the subject site. This flood certificate and the associated draft flood study have been considered by the applicant for this PP.

A Flood Assessment Report has been provided by Henry & Hymas and is contained within **Appendix D** with respect to this issue, which advises in part:

An adjacent site to the south fronting Kumulla Road has been identified as a site in a Medium Flood Risk precinct, which is land identified as being flood affected but with no significant evacuation difficulties. Kumulla Road would be inundated during the PMF and as such, evacuation west along Kumulla Road would be potentially through flood waters.

Given that the site at the corner of Parraweena Road and Kareena Road would not require evacuation via flood affected roads, it would be expected that if a flood risk management plan were prepared for the site, it would be identified as land with lower or no greater flood risk than the parcel of land fronting Kumulla Road.

On the basis of the available evacuation routes and the majority of the site being above the 1% AEP or 100 year Average Recurrence Interval (ARI), it is expected that the site would be classified in the Low Flood Risk precinct. Note that the majority of the site is above the PMF, therefore also above the 100 year ARI flood.

In accordance with Schedule 3 of Council's Flood Risk Management DCP, some of the planning considerations for commercial developments (including retail) within Low Flood Risk precincts include:

- *Setting the floor level at least 500mm above the 100 year ARI flood level.*
- *Ensuring that the development does not result in loss of flood storage or change in flood levels.*
- *Refuge to above the PMF should be provided.*

Given that the majority of the site is above the PMF, it is not expected that setting the floor level with sufficient freeboard above the 100 year ARI flood level will be an issue. It is also unlikely that the development will result in an increase in flood levels or loss of flood storage. Compensatory flood storage could be provided in the south eastern corner of the site if required to ensure that the existing flooding conditions are maintained. Finally, since the majority of the site is above the PMF, evacuation or refuge above the PMF will not be an issue.

It should be noted that the planning controls for Medium Flood Risk precincts are the same as for Low Flood Risk precincts in relation to setting floor levels, impact on existing flood levels, and evacuation. So even if the site was classified in a Medium Flood Risk precinct which is unlikely, the design approach in relation to flooding would remain the same.

Flood Evacuation

If evacuation is required during a flood event, vehicular and pedestrian evacuation could be made either north along Kareena Road and west along Parraweena Road, or south along Kareena Road towards Kingsway and Port Hacking Road where various hospitals and medical facilities are available. Both these evacuation routes are unaffected by flooding. Refer Figure 2 below which identifies flood evacuation routes from the site.

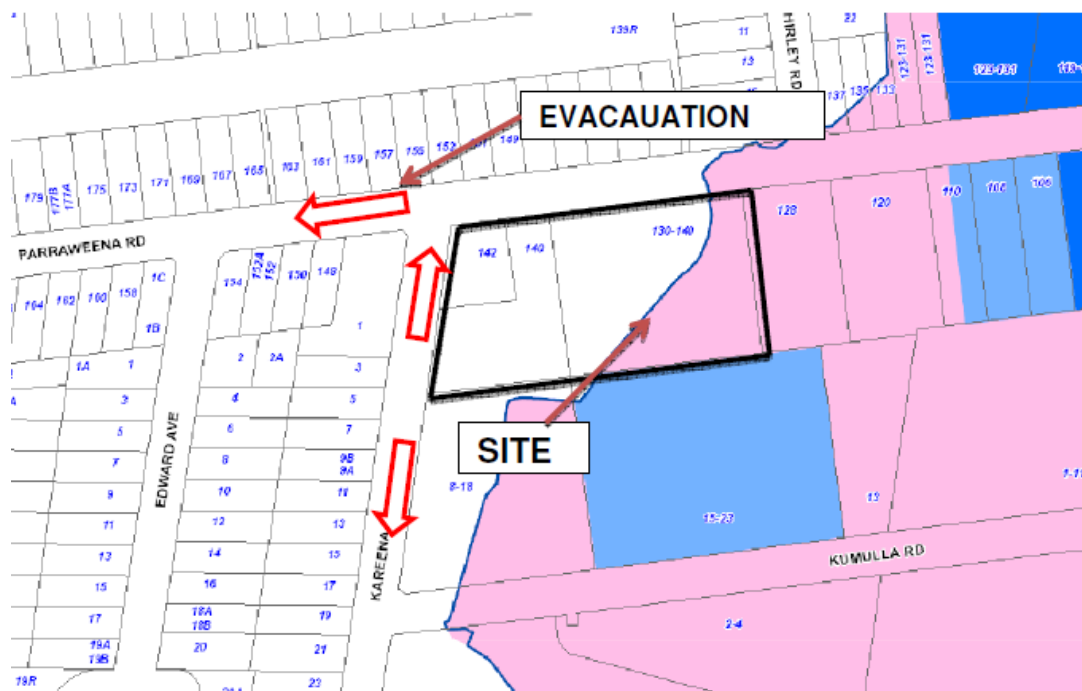


Figure 2: Site Locality and Available Evacuation Routes

Conclusion

Based on the available flooding information, there will be no issues setting an appropriate floor level for the proposed development. It is also likely that the existing flooding conditions will be unaffected, and that evacuation to above the PMF will be readily available. As such, any flooding issues relating to the site are minor and can be dealt with in more detail at the design stage.

As such, it is concluded that the redevelopment of the site is possible and can include management measures to ensure redevelopment can occur in an appropriate manner as part of a DA without adversely being impacted by flood waters or adversely affecting adjoining properties.

Based on the above, this PP is consistent with this Direction.

Direction 6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

6.3 Site Specific Provisions

Objective

- (1) *The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities.*

When this direction applies

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.*

What a relevant planning authority must do if this direction applies

- (4) *A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:*

- (a) *allow that land use to be carried out in the zone the land is situated on, or*
 - (b) *rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or*
 - (c) *allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.*
- (5) *A planning proposal must not contain or refer to drawings that show details of the development proposal.*

Consistency

- (6) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.*

Direction 6.3 – issued 1 July 2009

The PP is not inconsistent with this direction as it enables the current usage of the land to be maintained while permitting three additional uses via a site specific clause being added under Schedule 1 of the SSLEP, as detailed previously in this planning proposal.

Direction 7.1 Implementation of A Plan for Growing Sydney

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in *A Plan for Growing Sydney*. The Direction applies to a number of listed Local Government Areas (LGA), which includes the LGA of Sutherland Shire.

7.1 Implementation of A Plan for Growing Sydney

Objective

- (1) *The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.*

Where this direction applies

- (2) *This direction applies to land comprising of the following local government areas:*

Ashfield	Hornsby	Randwick
Auburn	Hunters Hill	Rockdale
Bankstown	Hurstville	Ryde
Blacktown	Kogarah	Strathfield
Blue Mountains	Ku-ring-gai	Sutherland
Botany Bay	Lane Cove	The Hills
Burwood	Leichhardt	Warringah
Camden	Liverpool	Waverley
Campbelltown	Manly	Willoughby
Canada Bay	Marrickville	Wollondilly
Canterbury	Mosman	Woollahra
City of Sydney	North Sydney	
Fairfield	Parramatta	
Hawkesbury	Penrith	
Holroyd	Pittwater	

When this direction applies

- (3) This direction applies when a Relevant Planning Authority prepares a planning proposal.

What a Relevant Planning Authority must do if this direction applies

- (4) Planning proposals shall be consistent with:
- (a) the NSW Government's A Plan for Growing Sydney published in December 2014.

Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with A Plan for Growing Sydney:
- (a) is of minor significance, and
- (b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its planning principles; directions; and priorities for subregions, strategic centres and transport gateways.

Direction 7.1 – issued 14 January 2015

It is considered that this PP is consistent with this Direction in that it will assist in delivering on the outcomes envisaged by the strategy as discussed previously.

Table 4 below provides a summary of the consistency of this PP with all the Section 117

Directions:

Table 4 – Summary of Section 117 Directions

NR: Not Relevant C: Consistent JI: Justifiably Inconsistent				
No.	S.117 (2) Directions	NR	C	JI
1.	Employment & Resources			
1.1	Business and Industrial Zones		✓	
1.2	Rural Zones	✓		
1.3	Mining, Petroleum Production and Extractive Industries	✓		
1.4	Oyster Aquaculture	✓		
2	Environment & Heritage			
2.1	Environmental Protection Zones	✓		

<i>NR: Not Relevant</i> <i>C: Consistent</i> <i>JI: Justifiably Inconsistent</i>				
2.2	Coastal Protection	✓		
2.3	Heritage Conservation	✓		
2.4	Recreation Vehicle Areas	✓		
3	Housing, Infrastructure and Urban Development			
3.1	Residential Zones	✓		
3.2	Caravan Parks and Manufactured Home Estates	✓		
3.3	Home Occupations	✓		
3.4	Integrating Land Use and Transport		✓	
3.5	Development Near Licensed Aerodromes	✓		
No.	S.117 (2) Directions	NR	C	JI
4	Hazard and Risk			
4.1	Acid Sulfate Soils	✓		
4.2	Mine Subsidence and Unstable Land	✓		
4.3	Flood Prone Land	✓		
4.4	Planning for Bushfire Protection	✓		
5	Regional Planning			
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	✓		

<i>NR: Not Relevant</i> <i>C: Consistent</i> <i>JI: Justifiably Inconsistent</i>				
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	✓		
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (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	✓		
6.2	Reserving Land for Public Purposes	✓		
6.3	Site Specific Provisions		✓	
7	Metropolitan Planning			
7.1	Implementation of the Metropolitan Strategy	✓		

Table 5 below has summarised the strategic merit test and how this planning proposal responds to the matters for consideration:

Table 5: Summary of Responses to Strategic Merit Test

Strategic Merit Test	Response
• consistent with the relevant regional or subregional strategy. This would include all Regional Strategies (when in place) and A Plan for Growing Sydney;	The proposal is consistent with <i>A Plan for Growing Sydney</i> and in particular will enable the implementation of Direction 1.9 associated with the digital economy and Action 1.9.2 without an unacceptable loss of industrial lands as detailed in the Industrial Lands Strategic Assessment included in Table 2 of this PP. The proposal is consistent with the proposed amendment to the metropolitan regional plan <i>Towards our Greater Sydney 2056</i>, and is consistent with each of the matters for consideration in the relevant “Productivity, Liveability and Sustainability Priorities” of the <i>draft South District Plan</i> and as the site is

Strategic Merit Test	Response
• consistent with a relevant local council strategy, endorsed by the Department;	located within a designated local centre under the draft <i>South District Plan</i>. There is no local council strategy which has been endorsed by the Department. Council prepared a number of supporting reports associated with the preparation of its draft LEP using the standard instrument format, this included a report titled "Employment Strategy – January 2013". This report includes information about bulky goods retailing at Section 4, which states in part: ... <i>Despite strong regional demand for bulky goods, Sutherland Shire's supply of bulky goods retail floor space is below the average for the Sydney Metropolitan Area. Therefore, there is considerable consumer demand to expand the Shire's relatively small bulky goods precinct in Taren Point. The underlying issue is that Sutherland Shire currently provides more retail jobs than there are local retail workers to fill them - in a sector characterised by low-wage and part-time or casual jobs. While this employment type meets the needs of a segment of the working population, utilising scarce large lots for low demand, low employment-generating purposes comes with high opportunity costs. This means: the more that underutilised industrial sites are consumed by bulky goods retailing, the less opportunity there is to develop higher-skill, higher employment-generating businesses in the Shire to meet the employment needs of the majority of resident workforce. The DSILEP seeks to address this.</i> ... As Council has not undertaken any study or investigations associated with verifying whether there continues to be an under-supply of retail supermarket floor space within the Sutherland LGA, and the perception that the LGA has sufficient jobs in the retail sector, Woolworths has engaged MacroPlan Dimasi to: • Undertake an analysis of supermarket floor space provision per capita in the Sutherland LGA, including comparisons with metropolitan Sydney, NSW and Australia. This has involved examining the provision of supermarket floor space across the broader "South District" (i.e. one of the NSW DPE metro strategy sub-regions) and assesses the trading performance of local supermarkets within the Sutherland LGA; • Undertake a further analysis of retail employment trends within the Sutherland LGA; and

Strategic Merit Test	Response
	• Provide a summary of economic and community impacts associated with any identified under-supply of supermarket floor space for local residents. The analysis work prepared by MacroPlan Dimasi in 2016 builds on the work undertaken by Hill PDA in 2010. In contrast to Council's report above, the MacroPlan Dimasi report at Section 2.2 states: <i>As at the 2011 Census, there were around 110,500 resident workers in the Sutherland Shire yet only 57,200 local jobs were available in the Shire. Furthermore, approximately 20% of the 57,200 local jobs were filled by workers from beyond the Sutherland Shire, meaning around 60% or 66,000 Sutherland Shire resident workers leave the LGA every day for work.</i> <i>The number of jobs in the Sutherland Shire grew by around 4.8% between 2006 and 2011, yet retail jobs in the Shire declined by 1%. Retail trade is a key driver of the local economy, constituting around 16% of all local jobs as at 2011, the largest employing industry in the Shire. Yet there was a net under-provision of retail jobs in the Sutherland Shire of around 16%, or 1,750 jobs in 2011, with less retail jobs available in the Shire than employed residents in the retail industry.</i> The work by MacroPlan Dimasi is included at Appendix C of this Planning Proposal
• <i>the contemporary nature of the relevant LEP, measured by the time elapsed since the community has been consulted on the zoning of the subject area (including, for example, as part of the introduction of standard instrument LEPs);</i>	While the Sutherland LEP 2015 was gazetted on 23 June 2015, it has not enabled additional supermarket retail floor space to be realised or present opportunities for additional supermarket retail floor space to be developed, therefore the applicant has proposed this planning proposal with a site specific enabling clause so as the long term proportion of industrial zoned land within the LGA is not diminished.
• <i>demonstrable reason for the rezoning or change in planning controls to occur, based on changed circumstances since the LEP was made, such as:</i> ➤ <i>new infrastructure;</i> ➤ <i>a new or updated regional, subregional or local strategy to address an inconsistency between strategic planning and zoning and/or development standards; or</i> ➤ <i>the public interest.</i>	There is a clear unmet demand for supermarket floor space within the Sutherland LGA, and in particular the locality, as detailed in the information contained within the Planning Study at Appendix A. The proposed enabling clause will contribute to new retail infrastructure to contribute to the unmet demand. There are constraints to establishing a new full-line supermarket within existing centres. The changing nature of the Taren Point Employment Area and its current character in Parraweena Road needs to be considered, given the number of existing retail activities which demonstrate the proposal is not inconsistent with its local context. In this regard, a pre-existing full-range supermarket is located across the road from the site,

Strategic Merit Test	Response
	along with other businesses along Parraweena Road such as BCF, Taren Point Hotel, Beacon Lighting, Gold's Gym and child care, reflect a mix of uses similar to existing centres in the LGA. Of the 142.8 hectares of industrial land in the Sutherland LGA, the proposal represents some 0.86 percent. The impact of this small area of the total stock of 142.8 hectares is considered to be relatively insignificant. The proposal is in the public interest for the reasons detailed above and in addition, will provide for a number of public benefits including: a. an additional 96 retail jobs on-site with a broader 38 full-time jobs as a result of the multiplier effect; b. the provision of additional retail jobs in this location within the Sutherland LGA will reduce the outflow of residents to jobs located beyond the boundaries of the Sutherland LGA, so as to contribute to stemming the undersupply of retail jobs within the Sutherland LGA; c. the provision of additional retail supermarket floor space in this location within the Sutherland LGA will contribute to stemming the undersupply of supermarket floor space; d. the proposal is consistent with the objectives of the zone as it seeks to provide for a warehousing and distribution function; e. the proposal will contribute to the use of existing transport infrastructure which utilises routes along Parraweena Road to nearby railway stations; f. will not contribute to unacceptable impacts on local traffic and road networks; g. will not diminish the amount of residential land zoned in the Sutherland LGA or adversely affect dwelling density targets; h. will provide a shopping facility closer to home for residents of the Sutherland LGA and therefore reduce car trip lengths and journey times; and i. the proposal includes a VPA Offer to support identified outcomes which Council could support subject to a masterplan associated with nearby land in the Taren Point Employment Area. As such, the planning proposal can be supported as:

Strategic Merit Test	Response
	i. suitable land is not available for the development in nearby business zones. ii. The development will not detrimentally affect the range of services offered by existing shops located in nearby business zones. iii. The granting of consent will not adversely affect the existing or future industrial zone.

4.3.3 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

4.3.3.1 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. There is no critical habitat, threatened species populations or ecological communities, or their habitats on the site. There does not appear to be the need for a Local Environmental Study.

It is considered unlikely that the site will contain critical habitat as it has been cleared of vegetation and used for the purposes of an industrial warehouse for many years.

4.3.3.2 Q8: *Are there any other likely environmental effects as a result of the planning proposal (and if so) how are they proposed to be managed?*

This PP is not located on land that is affected by any other land use planning constraints or on land subject to natural hazards not already addressed below. The land is not identified as bushfire prone, nor is it affected by potential landslip.

No unacceptable environmental impacts will result from the proposal, which cannot be managed as part of a DA process.

No other likely environmental effects are envisaged as a result of the PP, than those discussed below:

Visual Impacts and Preliminary Concept Layout

To assist with consideration of the likely environmental effects as a result of this PP, the applicant has prepared a Preliminary Concept Layout (refer to **Appendix B**) and computer generated renders (refer to **Appendix G**) of the visual appearance of the preliminary concept layout when viewed from Parraweena Road looking south-west along Parraweena Road, and the corner of Parraweena Road with Kareena Road looking north-east.

The visual quality of the existing precinct is that of existing warehouses with offices and a mix of retail and support retail uses. The existing precinct includes residential dwellings at its edge immediately opposite the site in Parraweena Road and Kareena Road.

The Preliminary Concept Layout and computer generated renders demonstrate that the visual quality of the site will be improved by a high quality building using materials indicative of the future redevelopment commensurate with design outcomes suitable in a local centre as Taren Point has been identified under the draft District Plan.

Traffic

An Assessment of traffic and parking implications has been prepared by Colston Budd Rogers & Kafes and is included at **Appendix D**. The purpose of the report is to:

- describe the site, its context and the envisaged development scheme;
- describe the road network serving the site, the prevailing traffic conditions and the public transport services available;
- assess the potential traffic implications;
- assess the envisaged parking provision; and
- assess the suitability of the envisaged vehicle access, internal circulation and servicing arrangements.

Existing Conditions

Traffic flows along Parraweena Road and Kareena Road carried approximately 150 to 400 vehicles per hour based on surveyed peak hours by Colston Budd Rogers and Kafes (refer to the Transport Assessment at **Appendix D**) and the unsignalised intersection of Parraweena Road with Kareena Road has a level of service C, which is a satisfactory level of service.

Proposed Conditions

The traffic generation of the proposed supermarket, café and liquor store results in projected traffic movements of 600 vehicle trips per hour during Thursday afternoon and Saturday peak hours.

An increase of some 40 to 290 vehicles per hour compared to the existing use in the peak periods on Parraweena Road, will not result in unacceptable impacts which cannot be managed.

Distributing these generation rates to the surrounding intersections results in the level of service being maintained to a satisfactory level of service.

Parking

Applying Sutherland Council's DCP rates would suggest that 136 spaces would be required for the proposal. The proposal will be capable of providing some 200 spaces onsite inclusive of disabled spaces.

Any future DA would provide car parking in excess of the DCP requirements. The car parking area can include the required number of accessible spaces, as well as suitable provision for motor cycle and bicycle spaces.

Driveways, Internal Circulation and Loading Dock

The location and design of the proposed driveways will include widths and suitable sight distances to comply with the requirements of the relevant Australian Standards. The layout of the future car park area (including bays, aisles and manoeuvring areas) will be designed to also comply with the relevant standard. The loading dock will be designed to accommodate up to a 19 metre semi-trailer with service vehicles to enter the site from Kareena Road, entering and exiting the loading dock in a forward direction. While at the same time the loading dock can accommodate trucks associated with online fulfilment orders, which can also enter and leave in a forward direction. Refer to the Preliminary Concept Layout in **Appendix B**.

Public Transport

The site is located within convenient walking distance to a number of bus stops as previously discussed.

Traffic Conclusions

A number of matters raised by Council have also been addressed by the work completed by CBRK included in **Appendix D**.

Contamination

A Phase 1 Preliminary Site Investigation for both 130-140 Parraweena Road and 140-142 Parraweena Road were undertaken by Environmental Strategies (refer to **Appendix F**).

The report on 130-140 Parraweena Road advises in part:

Based on the presence and likely age of the concrete hardstand in place across the majority of the site and a review of the site history, it is considered unlikely that gross contamination is present on the site. It is considered more likely that unknown fill material historically imported to level the site during construction may be the potential concern on the site. Further intrusive assessment would be required to confirm this opinion and quantify any risk.

Both of these reports indicated the known history of the land as not having been used for significantly contaminating uses, however recommend Phase 2 Investigations including soil sampling to determine the suitability of the site soils for the current and proposed land use and to further assess any potential impacts on local groundwater (as required).

It is the applicant's understanding that the Gateway Determination process enables additional information to supplement a PP as a condition, and as such the applicant's requests this approach.

This accords with the Department of Planning and Environment's "Guide to Preparing Planning Proposals", advises in part:

A planning proposal must demonstrate the strategic merit of the proposed LEP amendment.

A planning proposal which is submitted for a Gateway determination must provide enough information to determine whether there is merit in the proposed amendment proceeding to the next stage of the plan making process. The level of detail required in a planning proposal should be proportionate to the complexity of the proposed amendment.

A planning proposal relates only to a LEP amendment. It is not a development application nor does it consider specific detailed matters that should form part of a development application.

The planning proposal should contain enough information to identify relevant environmental, social, economic and other site specific considerations. The scope for investigating any key issues should be identified in the initial planning proposal that is submitted for a Gateway determination. This would include listing what additional studies the RPA considers necessary to justify the suitability of the proposed LEP amendment. The actual information/investigation may be undertaken after a Gateway determination has been issued and if required by the Gateway determination.

Flood prone land considerations

A Flood Assessment Report has been provided by Henry & Hymas and is contained within **Appendix E** with respect to this issue.

As detailed previously, this concludes that development is possible on the site and can include management measures to ensure this occurs in an appropriate manner as part of a DA.

In August 2014 Council considered a report on a number of submissions from owners of land in the Taren Point Employment Area, in which they sought a change to the existing zoning to B5 Business Development, this report states in part:

...

Bulky goods retailing is currently prohibited on the west side of Taren Point Road due, in part, to flood and evacuation risks associated with a major overland floodway in this location.

A number of the sites currently solely gain access from Taren Point Road and consequently there may be difficulties in maintaining traffic flows on Taren Point Road with the intensification of use of these sites. The area currently has very poor presentation to the street. One site is comprised of 8 smaller factory units and a number of other sites have multiple tenancies.

During the first and second LEP exhibitions Council received a number of submissions from or on behalf of properties owners on the west side of Taren Point Road seeking to be rezoned from IN1 General Industrial to B5 Business Development to allow bulky goods premises on their sites.

It was considered that if these sites were developed together, there is the potential to solve the constraints to access and flooding, while improving the streetscape for Taren Point Road. However, if the sites are simply rezoned B5 Business Development without being amalgamated and redeveloped, it is highly likely that the existing building will become bulky goods retailing outlets. This would only exacerbate poor existing vehicle movement patterns and maintain the low standard of presentation into the long term.

Consequently it was considered that the best long term option for delivering a quality streetscape and landscaped context to this part of Taren Point Road remains as adopted in Mayoral Minute No.6/13-14 (July 2013):

"That the landowners of the subject properties on the west side of Taren Point Road be advised that the potential for bulky goods has merit, provided that all properties [94-98 Parraweena Road, and 173, 175, 177, 181-187, 189 and 191-193 Taren Point Road] can be included in a single redevelopment which adequately addressed the flooding constraints, provides for the safe movement of vehicles and presents a quality streetscape and landscaped context to Taren Point Road. Should the landowners be able to achieve these outcomes, a planning proposal and master plan should be submitted to reconsider the zoning of the land".

The Independent Review recommended that:

- 78. Council should also give consideration to its decision in relation to 94-98 Parraweena Road and 173, 175, 177, 181-187, 189 and 191-193 Taren Point Road to specify the essential outcomes required to prompt a rezoning rather than the means of achieving the outcomes, and*
- 79. Council should reverse its decision to allow bulky goods retail at 100-104 Parraweena Road, Taren Point.*

It is noted that Council resolved to permit bulky goods premises at 100-104 Parraweena Rd.

The Review supports the thrust of the officer's previous conclusions in relation to making bulky goods permissible on 94-98 Parraweena Road and 173, 175, 177, 181-187, 189 and 191-193 Taren Point Road. However, it notes that there may be other ways to achieve the desired outcomes without the need for all sites to be included in a single development. It may be that a solution can be found which would allow the sites to be developed incrementally so that a single development is not required. For example a Voluntary Planning Agreement could come up with a solution for flooding and access that would facilitate the incremental development of the subject lots. The current standard of development along much of Taren Point Road creates a very poor entrance to Sutherland Shire.

It is considered that the community benefits of a coordinated approach to this land are worth the wait. In the interim it is considered that the existing zoning should be retained.

108 Parraweena Road

With respect to the request for a B5 Business Development zoning for 108 Parraweena Rd, it is noted that development in the locality is mixed. The subject land is zoned Zone 11 - Employment. The area is proposed to be zoned IN1 General Industrial. Council records indicate that the subject site is affected by flooding. Council has recently approved on the subject site a three storey building containing a childcare centre, recreation facility (gym) and food shop. Flood risk in 108 Parraweena Road is characterised as 'medium' and the proposal adequately addressed flooding issues.

To the east of the site, No.106, Council has approved a new industrial building. To the west, No.110, Council has approved a Construction of a childcare centre for 80 children and Indoor play centre (DA12/0711). Adjacent to 110, at no. 120 is a timber and hardware supplies warehouse, and further west other industrial uses. To the rear is a Tynan car storage/facility.

An IGA supermarket is located directly opposite the site along Parraweena Road. East of IGA is a mix of uses, including BCF (Boating/Camping/Fishing – bulky goods approved under existing use rights), Taren Point Hotel, Beacon Lighting and a Shell service station. Westwards of IGA is a low density residential area.

It is noted that Council resolved to add a provision to the draft plan to enable bulky goods premises at 104 Parraweena Rd (Cronulla Furniture).

The B5 zone has largely been restricted to the eastern side of Taren Point Road. The B5 Business Development zone is a specialised zone which provides for a mix of business, warehouse uses and specialised retail uses principally bulky goods retailing. It is important that the B5 zone only allow activities that do not detract from existing centres, so as to maintain the retail hierarchy in the Shire.

It is clear that the area has a mixed character and is not purely an industrial zone. As discussed above applying the B5 zone to the western side of Taren Point Road is problematic given flooding and access considerations. Furthermore, the adjacent site has been approved as a new industrial building. Applying a B5 zone to one site without a review of the strategic context is not supported. It is considered that a B5 Business Development zoning may be appropriate for the area as a whole (including those properties fronting Taren Point Road), provided that flooding and access issues can be overcome. Until such time as there is a more strategic review to properly inform any decision, it is recommended that the zoning remain IN1 General Industrial.

Response to Issues

The submissions do not raise new issues that warrant a departure from the provisions contained in LEP3.

In addition, Council considered a report at its meeting held on 30 November 2015 with respect to “Remaining Minor Amendments – Sutherland Shire Local Environmental Plan 2015 - Amendment 4 Report Number EHR034-16” and “Expansion of the Bulky Goods Precinct, Taren Point” as follows:

...

Council officers advised the land owners that the best way to proceed with the development of individual sites is to resolve the design constraints in a masterplan which could be built into the DCP, allowing development to then progress on individual sites. In this way Council, would have certainty that redevelopment would result in good long term planning outcomes and hence support a B5 Business Development zoning. This advice was also forwarded to the land owners in writing the following day.

Following the meeting, one of the main land owners in the precinct (100-104 Parraweena Road, 189, and 181-178 Taren Point Road) advised in writing that they do not wish to be part of a proposed masterplan for the precinct. Without the cooperation of all land owners it will be difficult to resolve the access and flooding constraints that affect the precinct. This makes it difficult to support a rezoning of the whole precinct to B5 Business Development.

Correspondence has also been received on behalf of the owner of 173-175 Taren Point Road and 94-98 Parraweena Road. The correspondence seeks Council's support for a site specific rezoning of this land to Zone B5 Business Development. In support of the rezoning, the submission suggests that assumptions in the Gwawley Bay Catchment Flood Study may result in the study suggesting a greater flooding problem than could exist with better management of the stormwater system. The submission also asserts that the most appropriate stormwater management decisions can be made during the development assessment stage. The submission also highlights that it is proposed to rationalise crossovers to both Taren Point Road and Parraweena Roads and create a right-of-way to ensure that future co-ordination of access can be achieved.

The Flood Study has made assumptions based on historical flood data and these assumptions are consistent with technical standards endorsed by the Institution of Engineers. The assumptions are also consistent with the assumptions made by other councils. The rationalisation of vehicular access points, largely removes vehicular crossing which are currently redundant and the proposed right-of-way will not benefit the adjacent strata plan.

In considering a rezoning, Council must be satisfied that the rezoning would not have adverse environmental impacts and that the uses is appropriate for the level of risk. A rezoning must demonstrate that it is consistent with local and regional planning strategies and SEPPs. It must demonstrate strategic merit as well as have site specific merit, and be compatible with surrounding land uses. Council must be satisfied that the rezoning proposal will not have adverse environmental impacts, social or economic impacts. Individual spot rezonings generally demonstrate little strategic merit. A spot rezoning will not address the constraints facing the whole precinct. A sensible solution relies on all landowners working together to resolve these. However, should the owner of 173-175 Taren Point Road and 94-98 Parraweena Road wish to pursue the proposed rezoning, a planning proposal can be prepared and lodged. This will then be subject to a detailed assessment.

The land still has significant development potential. The land is presently zoned IN1 General Industrial and may be developed in accordance with the zone's permissible uses. Given the reluctance of all land owners to work together, it is recommended that a rezoning to facilitate bulky goods retailing (B5 Business Development zone) not be pursued at this time.

...

Fabcot offers to Council of a contribution of \$100,000 towards a Master Plan of the land currently zoned IN1 General Industrial within the Taren Point Employment Area generally west of Taren Point Road, as described in the Council report considered on 30 November 2015 so as to enable a wider public benefit to be achieved in the Taren Point Employment Area and identified local centre under the draft District Plan. Refer to the applicant's Voluntary Planning Agreement Offer at **Appendix H**.

Table 6 below has summarised the site-specific merit test and compatibility with surrounding land uses, and how this planning proposal responds to the matters for consideration:

Table 6: Summary of Responses to Site-Specific Merit Test

Site-Specific Merit Test	Response
• <i>the natural environment (including known significant environmental values, resources or hazards);</i>	As discussed previously in this PP, there are no environmental hazards which would prevent the development of the land as proposed, and all environmental impacts can be managed.
• <i>the existing uses, approved uses and likely future uses of land in the vicinity of the proposal;</i>	As discussed previously in this PP, the existing uses within the precinct are currently include retail shops, child care, industrial, warehouse and office based businesses.
• <i>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.</i>	As discussed previously in this PP, services and infrastructure are available and can be augmented as required to enable the site to be redeveloped.

4.3.3.3 Q9: How has the planning proposal adequately addressed any social and economic effects?

The proposed development will result in positive economic and social flow-on effects for the local area. The development will provide a much needed retail supermarket infrastructure, given the current undersupply for the community, as well as providing approximately 96 full time equivalent jobs on site.

An Economic Impact Assessment (EIA) has been prepared by MacroPlan Dimasi as included at **Appendix C**. This EIA includes a sequential test and net community benefit test. The EIA has assessed the proposal and advises in part:

...

Economic Impacts

- *The greatest impacts are expected to be absorbed by the range of retail facilities located at Miranda, Caringbah and Southgate Sylvania, which are the closest centres and with full-line Coles/Woolworths supermarkets, are the largest shopping precincts in the area (with a combined total of nine supermarkets). They are presently the main destination for food and grocery shopping for residents of the main trade area, as indicated by Quantum data.*
- *Given the highest order retail shopping offer is provided in Miranda, its proximity to the subject site and main trade area population, we estimate an impact in the order of around \$10 million or 1% on Miranda. In addition we estimate an impact in the order of \$9 million or 5% on Caringbah, and around \$4 million or 2% on Southgate Sylvania. Given the scale and wide offer of retail facilities at these centres, the impact on retail facilities is likely to be relatively small overall.*
- *Given its proximity to the Taren Point subject site, a moderate to high impact is anticipated on the Supa IGA at Taren Point, with an impact of around 13% estimated on this store. While this store is the most proximate to the subject site, Quantum data showed that 75% of main trade area expenditure is not directed to this centre.*

- We also estimate impacts in the order of around \$4 million or 4% on the Woollooware town centre, and we expect impacts on the Kirrawee Town Centre to be negligible. We also anticipate impacts on the smaller neighbourhood centres located beyond the trade area at Kareela, Cronulla, San Souci and Ramsgate will be small/negligible.
- Approximately 15% of sales are forecast to come from other centres and retail facilities.
- These estimated impacts across the identified centres are considered to be within an acceptable range, and when considered in the context of the size, performance, role and function of surrounding centres, would be highly unlikely to result in a material reduction of retail service provision throughout the Sutherland Shire.
- Supa IGA Taren Point is likely to be impacted by the proposed retail facilities at Bay Central, Woollooware as well as the proposed Taren Point subject site, however the store should still be viable at the sales levels likely to be achieved post impacts. We expect the majority of the impacts to be absorbed by the seven full-line supermarkets located throughout Miranda, Caringbah and Sylvania, stores that would be at no risk of closure following a moderate reduction in trading volumes. We also expect that the small impact on Woollooware town centre will not affect the timing, staging and ultimate potential of this centre, as it is being provided in an area of significant supermarket undersupply.
- We estimate 101 jobs could be created on site once the proposed development is fully operational. Making an allowance of around 5% for employment being redirected from other centres, the proposed development could result in a net addition of 96 jobs.

Sequential Test and Site Suitability Criteria

- Our sequential test assessment has considered the surrounding B3 zoned land that is considered reasonably closely located to the Taren Point subject site, namely Miranda, Caringbah and Southgate Sylvania. We have also assessed the surrounding B5 and B7 zoned land throughout Taren Point/Caringbah, even though full-scale supermarket facilities are not supported in this zone according to the Sutherland Shire LEP 2015. We have only considered sites within an approximate 4km distance, by road, of the subject site. In our view, and as demonstrated earlier by the Quantum analysis, centres/sites further away than this would not be practical alternative sites to accommodate supermarket development to meet the needs of the population within the identified main trade area.
- A detailed assessment of the range of uses accommodated within these precincts has been undertaken, where the majority of lots support functional and operational uses, with minimal vacant land identified within the precinct (the majority of which is too small to accommodate the proposed development concept). Any opportunity to develop within these precincts would require an entire site to be redeveloped, and in many cases multiple sites would need to be amalgamated, with the existing uses at the site removed and resulting in much lower net community benefit. Further existing retail facilities within the B3 zones include existing supermarkets, with Woolworths already represented in these centres, and would require Taren Point residents and workers to drive between 2 – 4 km to access these facilities contributing to existing congestion.
- This assessment has shown that there are no available sites within any of the established centres that could reasonably accommodate the proposed development concept being considered at Taren Point, nor any adjacent sites (i.e. edge-of-centre) that could be practically considered for rezoning. All of these centres are generally surrounded by residential, public recreation or infrastructure zoned land.
- The subject site performs very well against the suggested site suitability criteria in the NSW DPE draft Centres Policy, and the proposed development being considered for the site is considered to be appropriate in this context.

- *The subject site could be reasonably easily accessed by foot or bike and is served by a bus stop, along Parraweena Road and near the intersection of Taren Point Road, a major access route into and out of Sutherland Shire LGA. The subject site is also proximate to an existing and growing potential future labour market and the proposed development of the subject site will not materially impact the supply of housing or industrial land in the LGA.*
- *Further, a new modern convenience oriented retail development, which meets relevant urban design standards, would be sympathetic to the surrounding visual amenity of the local area and would integrate with the nearby existing uses (including Supa IGA Taren Point located on the northern side of Parraweena Road).*
- *Supermarket and convenience amenity for surrounding residents will be improved greatly.*

Other economic and social impacts

The delivery of the proposed supermarket based retail facilities at Taren Point will result in a range of other economic and community benefits. The key benefits, summarised below, include:

- *Increased choice and amenity for the population of the main trade area, and more convenient access to new food and grocery shopping facilities, as well as likely increased competition for the benefit of consumers.*
- *Reduction of supermarket floorspace demand/supply gap, ensuring sufficient supermarket floorspace is provided, at convenient locations, for main trade area residents.*
- *Addresses the high proportion of supermarket expenditure leakage from the main trade area, through a better provision of food and grocery shopping facilities at the local level.*
- *Savings on time and fuel for main trade area residents due to a much better provision of supermarket shopping facilities, and supporting convenience facilities.*

Employment

101 people will be employed at the facility when operational, equating to approximately 96 new full time equivalent employees at the site.

The number of employees from the supermarket is significantly higher than what would otherwise be expected to be generated on the site. The Employment Lands Development Program 2015 as prepared by DP&E states at page 35:

The average job density across Sydney's employment lands in 2011 was 50 jobs per developed hectare, as shown in Figure 26. Average job densities were significantly lower in the West (31 jobs per hectare) compared to the East (70 jobs per hectare).

Applying the expected employment generation rate of 70 jobs / hectare for the IN1 General Industrial zone, which is an accepted employment generation rate for industrial areas within the east metropolitan area of Sydney, the total existing employment generation potential of the site as a whole is therefore 87 employees.

The proposed supermarket will deliver 101 full time equivalent jobs, which is higher than the 87 that would be otherwise expected to be generated on a typical IN1 General Industrial site of that size.

This uplift in job numbers demonstrates that the proposal will not have a detrimental impact on the employment generating potential of the land, but will actually provide greater opportunities for employment.

Site Selection

An important factor in the consideration of site selection by Woolworths for new supermarket investment is associated with the ability to service the site by trucks and in particular 19 metre semi-trailer. Therefore, locations which are already serviced by 19 metre semi-trailer trucks are preferred. The current site is serviced by such trucks and this activity would not be out of character in the future with the proposed usage. Therefore, the amenity of the locality would not be changed by the proposed use.

Surrounding Uses

As previously discussed, the locality already has a number of retail uses within walking distance of the site, including the existing IGA within 250 metres, in the existing employment area. The inclusion of an enabling clause to permit a supermarket, café and liquor store is consistent with the existing character and as detailed in the EIA by MacroPlan Dimasi at **Appendix C**, the proposal will not result in unacceptable economic impacts.

In general, investment in major projects can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. As a result, the EP&A Act specifies that such a justification must be made having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development.

In addition, one of the key objectives of the EP&A Act is to encourage “the promotion and co-ordination of the orderly and economic use and development of land”. This and the other objectives of the EP&A Act recognize that the planning system needs to enable and facilitate the redevelopment of land in an economic manner, while balancing environmental and social impact and the public interest.

Overall, the proposed development will support the viability of the Taren Point precinct and the Sutherland LGA.

4.3.4 SECTION D – STATE AND COMMONWEALTH INTERESTS

4.3.4.1 Q10: *Is there adequate public infrastructure for the planning proposal?*

Yes. The site is located in an established urban area and has access to a range of existing services.

There is adequate public infrastructure to accommodate the future development as envisaged in the preliminary concept layout.

4.3.4.2 Q11: *What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?*

State and Commonwealth authorities will have the opportunity to provide comment on the planning proposal as part of its formal exhibition. Any future DA will be referred to the relevant authorities as required.

State and Commonwealth public authorities will be consulted following the outcomes of the gateway determination. Consultation can be carried out in accordance with the EP&A Act.

5. PART 4 – MAPS

No map amendments are proposed or required with this PP.

6. PART 5 - COMMUNITY CONSULTATION

The Department of Planning and Environment's "Planning Proposals: A guide to preparing planning proposals" encourages applicants to meeting with a local Council as part of preparing a PP. The applicant has met with Council to discuss this PP on a number of occasions, including: 14 July 2016, 6 October 2016, 30 November 2016 and 7 December 2016. Council has provided written feedback via email dated 18 November 2016, and this PP has sought to address Council's feedback. Please refer to the information contained at **Appendix I**.

It is noted that confirmation of the public exhibition period and requirements for the planning proposal will form part of the LEP Gateway Determination.

The applicant has engaged the professional services of Crosby Textor (refer to within the Planning Study at **Appendix A**) to conduct primary market research through telephone surveys in February and March 2016 (survey of 750 residents across the whole Sutherland LGA) and December 2016 (400 residents within Ward C in the Sutherland LGA). These February and March 2016 survey identified a number of important issues in relation to residents' supermarket behaviours and the following preferences for residents of Sutherland Shire LGA:

- easing local traffic congestion across the whole Sutherland Shire,
- a need for more local job opportunities and tackling youth unemployment,
- more retail jobs in the Shire,
- a preference to shop at the most convenient location available which is not being met, and
- a preference for larger supermarkets with a full range of products for choice and price , where such supermarkets would be located close to where people live – not just in centres.

The key findings of the Ward C survey included:

- *Ward C residents already recognise that the area's population is growing, and hold concerns that this may make existing living pressures – notably traffic, housing density and job opportunities – worse.*
- *These residents are as yet unaware of the Woolworths Taren Point supermarket proposal, but once introduced it receives immediate majority support of two- thirds (with only less than a fifth opposed to any extent). This is positive.*
- *It must be stated that shopping facilities are not a salient issue right now, and some in Ward C find current facilities adequate, but this majority support does stem from desired choice, competition and convenience in light of growth.*

- *Further, local residents do not seem to view this proposed supermarket as part of an ‘over-development problem’; instead, agreeing that it will help to service the population, provide jobs and facilitate urban renewal at Taren Point.*
- *They do not generally believe that this new supermarket would necessarily solve their very salient traffic issues, but also do not think they would be made worse either (and would reduce at least some people’s travel and parking times).*
- *Indeed, the only consistent reason for the minority opposition is that some do not see that a store is needed right now, e.g. they may have others closer.*

Section 55 of the EP&A Act requires the provision of details of proposed community consultation. Consultation on the PP will take place in accordance with the Gateway Determination made by the Minister for Planning in accordance with Sections 56 and 57 of the EP&A Act.

Any future DA for the site would also be notified in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

In addition, Woolworths will be undertaking an extensive stakeholder engagement program during the PP process.

7. PART 6 – PROPOSED TIMELINE

Should the PP be supported a timeline in consultation with the Greater Sydney Commission can be developed.

8. CONCLUSION

This Planning Proposal has demonstrated it has:

- Strategic merit;
- Site specific merit,
- There is an undersupply of retail supermarket floor space in the Sutherland LGA, and by inclusion of an enabling clause the SLEP, can contribute to a solution that is suitable in this location in the Taren Point local centre;
- There are a number of public benefits which flow from the PP, and the applicant's VPA offer;
- Surveyed residents of the ward area are not opposed to the change; and
- The ability to provide local improvements and potentially some improvements for existing users of Woolworths supermarkets in Caringbah, Miranda and Sylvania by easing the existing high demand and congestion during peak periods.

Please see at **Appendix J**, the completed "*Attachment 1 – Information Checklist*" as required by the DP&E "*Planning Proposals – A guide to preparing planning proposals*".

As such, we ask that Council support the inclusion of an enabling clause in the SLEP on the land at 130-142 Parraweena Road, Taren Point.

APPENDIX A

Planning Study

APPENDIX B

Preliminary Concept Layout

APPENDIX C

Economic Impact Assessment

APPENDIX D

Transport Assessment

APPENDIX E

Flood Statement

APPENDIX F

Preliminary Site Assessment

APPENDIX G

Computer Rendered Images



APPENDIX H

VPA Letter of Offer

APPENDIX I

Response to Council RFI

APPENDIX J

Attachment 1 – Information Checklist

