

24 February 2017

General Manager
Sutherland Shire Council
Locked Bag 17
SUTHERLAND NSW 1499

Attn: Ms Robyn Williams, Senior Environmental Planner

Dear Sir/Madam,

Re: WOOLWORTHS PLANNING PROPOSAL – 130-142 PARRAWEENA ROAD, TAREN POINT

1.0 INTRODUCTION

This letter has been prepared on behalf of the applicant Fabcot Pty Ltd in connection with the site specific Planning Proposal (PP) for the land at 130-142 Parraweena Road, Miranda (also referred to as Taren Point), in response to Council's email dated 18 November 2016 which raised a number of matters.

Please find enclosed as agreed during our meeting held on 30 November 2016, a revised Planning Proposal dated February 2017, inclusive of Appendices to address the matters raised in Council's email dated 18 November 2016 and discussed during meetings held on 30 November and 7 December 2016.

Table 1 below provides a summary of the applicant's responses to the matters raised by Council:

Table 1: Applicant's responses to Council's RFI email dated 18 November 2016

COUNCIL'S EMAIL DATED 18 NOVEMBER 2016	RESPONSE
<u>General</u> <i>Could you provide a concept plan of the proposed development. This does not need to be a detailed plan, but we would like to know how the different components of the development (ie, the different types of buildings and the parking arrangements) would relate spatially, and their relative proportions. This concept plan will assist in community and council understanding of the project.</i>	The proposal seeks to enable an outcome on the land which is similar to that which have now been permitted as a result of a site specific Planning Proposal for the land at 17-19 Smith Street, Chatswood East, which is zoned IN2 Light Industrial. The site specific planning proposal gazetted at 17-19 Smith Street, Chatswood on 22 July 2016 added an enabling clause to Schedule 1 of the Willoughby LEP 2012 to enable specific uses which are complementary to the IN2 Light Industrial zone, which states: 73 Use of certain land at 17 Smith Street, Chatswood (1) This clause applies to land at 17 Smith Street, Chatswood, being Lot 101, DP 714477.

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	<i>(2) Development for the purposes of a supermarket or a supermarket and liquor store is permitted with development consent.</i> <i>(3) Development consent under subclause (2) must not be granted unless the consent authority is satisfied that:</i> <i>(a) the floor space ratio of that part of the building on the site that is to be used for the purposes of the proposed development will not exceed 1.1:1, or</i> <i>(b) the gross floor area of that part of the building on the site that is to be used for the purposes of the proposed development will not exceed 4,815m².</i> The revised Planning Proposal (PP) for the Taren Point site, dated February 2017 as enclosed seeks the inclusion of a site specific enabling clause, while at the same time maintains the existing zone for the land IN1. 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 and would form part of the DA stage of the process. A Development Application (DA) for the Smith Street site is currently being prepared and includes a dedicated warehouse and distribution component to support the “on-line fulfilment” functions. The size of the warehouse has grown 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. The design of the Taren Point facility will be similar to that of Chatswood East, and 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

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	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.
<i>We are trying to establish how different this use is to a traditional retail supermarket. Could you provide details of another Woolworths store that has the same or similar mix of supermarket, warehouse and home delivery/'click and collect' functions that we can visit? Is there a national example we can study?</i>	Woolworths is in the process of preparing a Development Application for the land at 17-19 Smith Street, Chatswood East. The PP seeks a similar outcome for Taren Point as that which is now permitted at 17-19 Smith Street, Chatswood. This has been clarified in the revised Planning Proposal dated February 2017.
<i>Could we have a more detailed description of the hybrid use, for example in regard to the following questions:</i> <i>-"The site's location allows direct freight and logistics links to and from the Woolworths distribution centres" (Planning Proposal p 17)</i> <i>How do the requirements for freight and logistics differ from any other full line supermarket?</i>	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. This has been clarified in the revised Planning Proposal dated February 2017.
<i>-"Running a 24 hour facility with multiple truck movements... longer hours of operation as a support function to the online retailing" (Planning Proposal p17)</i> <i>Is the 24 hour operation for the delivery of goods from Woolworths central warehouse to Taren Point, or only for home delivery for people who have shopped online?</i>	Woolworths has advised: <i>"... 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."</i> It is anticipated that the building will be open to customers for trading between the hours of 6am and midnight daily.

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	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. This has been clarified in the revised Planning Proposal dated February 2017.
<i>Will the normal retail floor space have extended hours?</i>	Refer above. This has been clarified in the revised Planning Proposal dated February 2017.
<i>What is the anticipated truck movement over a 24 hour period? Which vehicle entrances will have 24 hour use and what size trucks are anticipated for 24 hour use?</i>	It is anticipated that the building will be open to customers for live sales between the hours of 6am and midnight daily. Trucks would service the site during these hours. No trucks will service the site between midnight and 6am. This has been clarified in the revised Planning Proposal dated February 2017.
<i>The planning report refers to a staged implementation. What will this physically mean for construction on the site?</i>	The staged implementation is in reference to the need to obtain a Development Application and Construction Certificate, being separate stages of the process. No staging of construction is proposed. This has been clarified in the revised Planning Proposal dated February 2017.
<i>What percentage of the total floor space will be allocated to the different functions on the site:</i> <i>Retail floor space</i> <i>Warehouse</i>	The internal design and layout of a proposed building will form part of a Development Application. This has been clarified in the Planning Proposal.

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<i>Other uses</i>	
<i>How does the size of the warehouse component compare to the storage area for a full-size supermarket?</i>	Please refer to the Preliminary Concept Layout at Appendix B of the PP. Please note this is indicative only. The detailed internal design and layout of a proposed building will form part of a Development Application. This has been clarified in the revised Planning Proposal dated February 2017.
<i>The second stage is described as: "Build in capacity on site to support a future "dark box" (Woolworths in Mascot 2014) "A "dark box" is a warehouse and distribution centre to enable foodstuffs to be processed in significant volumes and in a timely manner to meet online orders, where Woolworths staff pick the customer order and facilitate its distribution. Taren Point would have the ability in the future to provide a "staging point" for the freight and logistics components of the selected location of the "dark box". How would the staging point operate? Will this be a warehouse to temporarily store items intended for delivery to Sutherland? elsewhere?</i>	No staging of the proposal is sought. This has been clarified in the revised Planning Proposal dated February 2017.
<u>Traffic</u> <i>Council's traffic engineer has provided the following comments.</i> <i>In order to properly assess the traffic impact of the development following information and clarification is required:</i> <i>Concept plan with site access entry /exit location for vehicles, trucks and pedestrians.</i>	Please refer to the preliminary concept layout for the site included at Appendix B of the Planning Proposal. It should be noted that the detailed internal layout of the overall building is yet to be determined and would form part of the DA stage of the process. This has been clarified in the revised Planning Proposal dated February 2017.
<i>Concept plan with site access entry /exit location for vehicles, trucks and pedestrians.</i>	Please refer above. This has been clarified in the revised Planning Proposal dated February 2017.

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<i>Crash data analysis along Parraweena Road and review of existing traffic calming measures and environmental performance standards based on increased AADT.</i>	The applicant's traffic consultants at Colston Budd Rogers and Kafes (CBRK) have been liaising with Council and have obtained the base model from its owner as required by Council. The new model and supporting information will be provided shortly to supplement the traffic report at Appendix D of the PP. However, at the time of preparing this letter the final model and report had not been completed. Council were advised that the new modelling will be finished shortly and then submitted as part of the Planning Proposal via email dated Tuesday 21 February 2017.
<i>Review of parking provision based on RMS guidelines.</i>	CBRK have been liaising with Council and are currently undertaking the modelling requested by Council. The new model and supporting information will be provided shortly to supplement the traffic report at Appendix D of the PP.
<i>A recent microsimulation traffic model has been undertaken for Bunnings/ Homemaker Centre which includes Parraweena Road. To accurately understand the traffic implications of the planning proposal, it is recommended that you extend the microsimulation traffic model to include Parraweena Road / Kareena Rd and Parraweena Road / site access intersections.</i> <i>Please contact Muhammad Mahmud, Traffic Engineer (mmahmud@ssc.nsw.gov.au phone 9710 0688) with any questions.</i>	CBRK have been liaising with Council and are currently undertaking the modelling requested by Council. The new model and supporting information will be provided shortly to supplement the traffic report at Appendix D of the PP.
<u>Flooding</u> <i>Council's Stormwater and Waterways Engineer has provided the following comments.</i> <i>The flood statement in the planning proposal used Initial Assessment flood information. A more recent study has been done for this area and the relevant information is attached to this email. Please review the flood statement which forms part of the planning proposal and assess the proposed rezoning against the flood criteria in Clause 6.3 of the Sutherland Shire LEP 2015.</i>	Please refer to the flood report by Henry & Hyman at Appendix E of the PP.

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<i>Please contact Jack Slater, Stormwater and Waterways Engineer (jslater@ssc.nsw.gov.au phone: 9710 0190) with any questions.</i>	
<u>Contamination and Acid Sulphate Soils</u> <i>Council's Environmental Project Officer Phillipa Biswell has reviewed the Preliminary Site Assessment by Environmental Strategies and makes the following comments regarding acid sulphate soils and contaminated land on the site:</i> <i>Acid Sulfate Soils</i> <i>The land located at 140 - 142 Parraweena Road are identified as being in a Class 5 acid sulfate soils area. Land identified as 130-140 Parraweena Road is mostly within a class 5 acid sulfate soils area, but the adjacent to Class 3 intersects the eastern boundary of the site and protrudes slightly into the site by approximately 10m. The Phase 1 Preliminary Site Investigation prepared by Environmental Strategies for 130-140 Parraweena Road, Miranda incorrectly states that the adjacent land within 500m is Class 4. As the boundaries cannot be exactly relied on, it is possible that some or all of 130-140 Parraweena Road may contain acid sulfate soils and therefore a detailed investigation for acid sulfate soils shall be undertaken should the soils be disturbed beyond 1 metre below ground level and the definition of works under SSLEP2015 for Acid Sulfate Soils be met.</i>	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 provisions 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. The Planning Proposal includes information to address Ministerial Section 117 Direction 4.1 Acid Sulphate Soils without the need for further acid sulphate soils reporting as the extent of any changes associated with the existing site grades is currently not determined and further information to manage acid sulphate soils can be provided following a Gateway Determination or ideally as part of any future DA. This has been clarified in the revised Planning Proposal dated February 2017.
<u>Contamination</u> <i>Two separate Phase 1 Preliminary Site Investigation reports were prepared by Environmental Strategies. The first for 130-140 Parraweena Road, Miranda and the second for 140-142 Parraweena Road, Miranda. Both reports have concluded that the risk of contamination is low and have recommended a secondary site investigation be undertaken for soil and groundwater to determine if the site is</i>	The Planning Proposal for the land at 17-19 Smith Street, Chatswood East included a similar level of information at the initial Planning Proposal stage as included with this PP regarding the question of contamination. The process for 17-19 Smith Street, Chatswood included supplementary contamination investigations following the Gateway Determination, these investigations were to a level of information similar to that requested by Council with this PP. We request that such investigations be deferred until after the Gateway Determination.

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<i>suitable for the current or proposed use.</i> Potential sources of information included: • Unknown fill materials used to level the site, • Storage and use of chemicals during historical and current timber furniture manufacturing and electronic equipment assembly processes, • Asbestos containing material within the building, • Potential work activities and management practices that may have the potential to contaminate soils, • Potential loss or spill of material stored within the warehouse area. Potentially contaminating activities that Council has identified to have occurred on the site, but have not been included in the Phase 1 reports include: • Electrical Substation, • Underground Storage Tank installed and operated onsite between 1970-1984. This may have been removed, but Council has no records of it having been removed or the area remediated. Council's records indicate that it was located on 140-142 Parraweena Road, but due to inconsistencies in historical records it may have been located on 130-140 Parraweena Road as during this time the land was used for the one activity. • Manufacture of auto parts from 1963. Potentially contaminating activities to the South of 130-142 Parraweena Road, that may have an impact on 130-142 Parraweena Road include: • Immediately adjacent to the south of 140-142 Parraweena road, the site located at 8-18 Kareena Road had the following potentially contaminating activities on site:	It is the applicant's understanding that the Gateway Determination process enables additional information to supplement a Planning Proposal as a condition. This accords with the Department of Planning and Environment's "Planning Proposals – A Guide to Preparing Planning Proposals", advises in part: <i>A planning proposal must demonstrate the strategic merit of the proposed LEP amendment.</i> <i>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.</i> <i>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.</i> <i>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.</i> <i>An 'Information Checklist' has been developed to assist both proponents and councils to identify and agree on the range of key issues for the proposed LEP amendment. A copy of the checklist is provided as Attachment 1.</i> <i>Evidence of any pre-lodgement discussions, negotiations and agreement between the parties on key issues and scope of work to be completed should be provided in the planning proposal that is submitted for a Gateway determination.</i> The planning proposal includes in Appendix J the applicant's completed "Attachment 1 – Information checklist". The planning proposal also seeks to respond

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- *a 1000 gallon Underground Storage Tank and 2 fuel bowzers,*
- *was an inflammable liquid store,*
- *Joinery and Plastic Manufacture, and*
- *Office Furniture manufacture*
- *Immediately adjacent to the south of 130-142 Parraweena Road, the site located at 15-23 Kumulla Road had the following potentially contaminating activities on site:*
 - *Spray painting*
 - *Oil Store*
 - *Engine Works*
 - *Battery Store*
 - *2 x USTs (removed in 2002)*
 - *Waste oil pits (removed in 2002)*
 - *Site Validated in 2002 for continued commercial / industrial use for USTs and waste oil pit area only.*

Prior to rezoning land Council must be certain that the land is suitable or can be made suitable for the intended purpose. A Phase 1 Preliminary Site Inspection on 140-142 Parraweena Road, and 130-140 Parraweena Road found potential contamination sources and has recommended a detailed site inspection including soil and groundwater sampling to determine whether the site is suitable for current or future uses. Council records indicate further potential sources of contamination from on-site and off-site sources that have not been identified in the Phase 1 Preliminary Site Investigation. Therefore, prior to approval of rezoning of the land it is recommended that a Phase 2 Detailed Site Investigation including soil and groundwater be undertaken by an appropriately qualified and experienced Environmental Consultant certified by EIANZ Contaminated Land Assessment Specialist Certified

to the feedback received from Council via email dated 18 November 2016.

The applicant's request to defer the Stage 2 Detailed Contamination Investigations to after the Gateway determination have also been clarified in the revised Planning Proposal dated February 2017.

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<i>Environmental Practitioner (CLA Specialist CEnvP) scheme, Site Contamination Practitioners Australia - Certified Practitioner (SCPA) or similar to determine whether the land is suitable in its current state or can be made suitable through remediation for the intended purpose.</i> <i>Please contact Phillippa Biswell, Environmental Project Officer - Earth Scientist (pbiswell@ssc.nsw.gov.au phone 9710 0210) with any questions.</i>	
<i>Also, could you provide a correction to an error on page 29 of the Planning Proposal in Section 5.2 Traffic, Proposed Conditions. The second sentence is unfinished.</i>	This has been clarified in the revised Planning Proposal dated February 2017.

Please find enclosed four (4) hard copies and one (1) USB electronic copy of the Taren Point Planning Proposal dated February 2017. The applicant requests that all of this information replace the previous information published on Council's webpage, as the February 2017 Planning Proposal is the applicant's site specific planning proposal for the subject site. We ask Council to please note that the traffic modelling and reporting requested to be undertaken (as detailed above) is in the process of being finalised and will be provided to Council shortly to supplement Appendix D.

We trust the above information will assist Council in assessing the PP favourably in a report to Council.

Should you have any queries or require clarification on any matters please do not hesitate to contact the undersigned on (02) 9929 4044.

Yours sincerely,



Marian Higgins
Planning Manager
Higgins Planning Pty Ltd

Encl.

Four hard copies and 1 USB electronic copy of Fabcot's Site Specific Planning Proposal dated February 2017.