

DATE OF DECISION	18 April 2018
PANEL MEMBERS	Helen Lochhead (Chair), Bruce McDonald, Lindsay Fletcher
APOLOGIES	Nicole Gurran
DECLARATIONS OF INTEREST	Steve Simpson and Michael Forshaw declared conflicts of interests having previously been involved in council review and consideration of this planning proposal.

REZONING REVIEW

2018SSH004 – Sutherland – PGR_2017_SUTHO_001_00 at 130-142 Parraweena Road Miranda (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
 - ☒ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

Strategic Merit

The South District Plan is considered by the Panel as the central district policy against which this proposal's strategic merit must be assessed.

The Panel concludes that the proposal is not consistent with the Planning Priority S9 and Planning Priority S10 of the South District Plan.

Planning Priority S9-Growing Investment, Business Opportunities and Jobs in Strategic Centres:

The District Plan observes that there may be exceptional cases to support new retail centres on industrial land but such opportunities should be supported by a net community benefit test and in turn supported by a strategic review of centres and an industrial lands review.

The Panel was not satisfied that the proposal meets the net community benefit test.

The Panel was also advised by Council officers that Council will be preparing a new LEP with the release of the new District Plan and that a strategic review of centres and industrial lands, including a review of retail space and appropriate locations, will form part of this work.

Planning Priority 10-Retaining and managing industrial and urban services land:

It is observed in the District Plan

- that the current nature of employment and urban services in the South District is changing as technologies and new industries emerge causing precincts to evolve into complex employment lands rather than ‘industrial lands’.
- Some precincts are under pressure to be converted to residential and other non-industrial uses.
- Proposals within the South District to convert industrial and urban service land to higher order uses including large format retail have largely not been supported and these lands have been retained for industrial and urban service uses.

Further, the South District Plan affirms that existing industrial and urban service land needs to be retained and must be managed to protect businesses supporting the local economy and servicing the local population.

Action 39 of the South District Plan requires that Councils manage industrial land in the South District by retaining all industrial zoned land from conversion to residential development including mixed use zones.




While the Planning Proposal does not seek to repeal the current zoning the additional retail use, if permitted, would when implemented effectively disqualify the future use of the subject site from industrial and urban service uses. This is in effect a rezoning, as there is little prospect of this then reverting to the former use.

The Panel noted, however, that the proposed “Dark Store” could be accommodated and could be an innovative use for the site that would be a permitted use within the current zoning.

Site Specific Merit.

While the Panel concludes that the site specific physical qualities of the site would not impede this proposal, the Panel considers its location is not appropriate for the proposed use.

It is considered a retail outlet of this scale, which would attract significant custom, would provide better convenience and social interchange if it were located within an established centre with complementary uses.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Bruce McDonald
 Lindsay Fletcher	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2018SSH004 – Sutherland – PGR_2017_SUTHO_001_00 130-142 Parraweena Road Miranda
2	LEP TO BE AMENDED	Sutherland Shire Local Environmental Plan 2015
3	PROPOSED INSTRUMENT	The rezoning review seek to amend Schedule 1 Additional Permitted Uses of Sutherland Shire Local Environmental 2015 to permit “retail premises” as a permissible use at 130-142 Parraweena Road Miranda.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning and Environment
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: 18 April 2018, 10.00am <ul style="list-style-type: none"> Panel members in attendance: Helen Lochhead (Chair), Bruce McDonald, Lindsay Fletcher, Steve Simpson and Michael Forshaw Department of Planning and Environment (DPE) staff in attendance: Douglas Cunningham and Laura Locke Briefing meeting with Department of Planning and Environment (DPE): 18 April 2018, 10.30am <ul style="list-style-type: none"> Panel members in attendance: Helen Lochhead (Chair), Bruce McDonald and Lindsay Fletcher Department of Planning and Environment (DPE) staff in attendance: Douglas Cunningham and Laura Locke Briefing meeting with Council: 18 April 2018, 11.10am <ul style="list-style-type: none"> Panel members in attendance: Helen Lochhead (Chair), Bruce McDonald and Lindsay Fletcher Department of Planning and Environment (DPE) staff in attendance: Douglas Cunningham and Laura Locke Council representatives in attendance: Mark Carlon and Robyn Williams Briefing meeting with Proponent: 18 April 2018, 12.00pm <ul style="list-style-type: none"> Panel members in attendance: Helen Lochhead (Chair), Bruce McDonald and Lindsay Fletcher Department of Planning and Environment (DPE) staff in attendance: Douglas Cunningham and Laura Locke Proponent representatives in attendance: Marian Higgins, Tony Pratt, Tim Rodger and Nikita Mahabatra