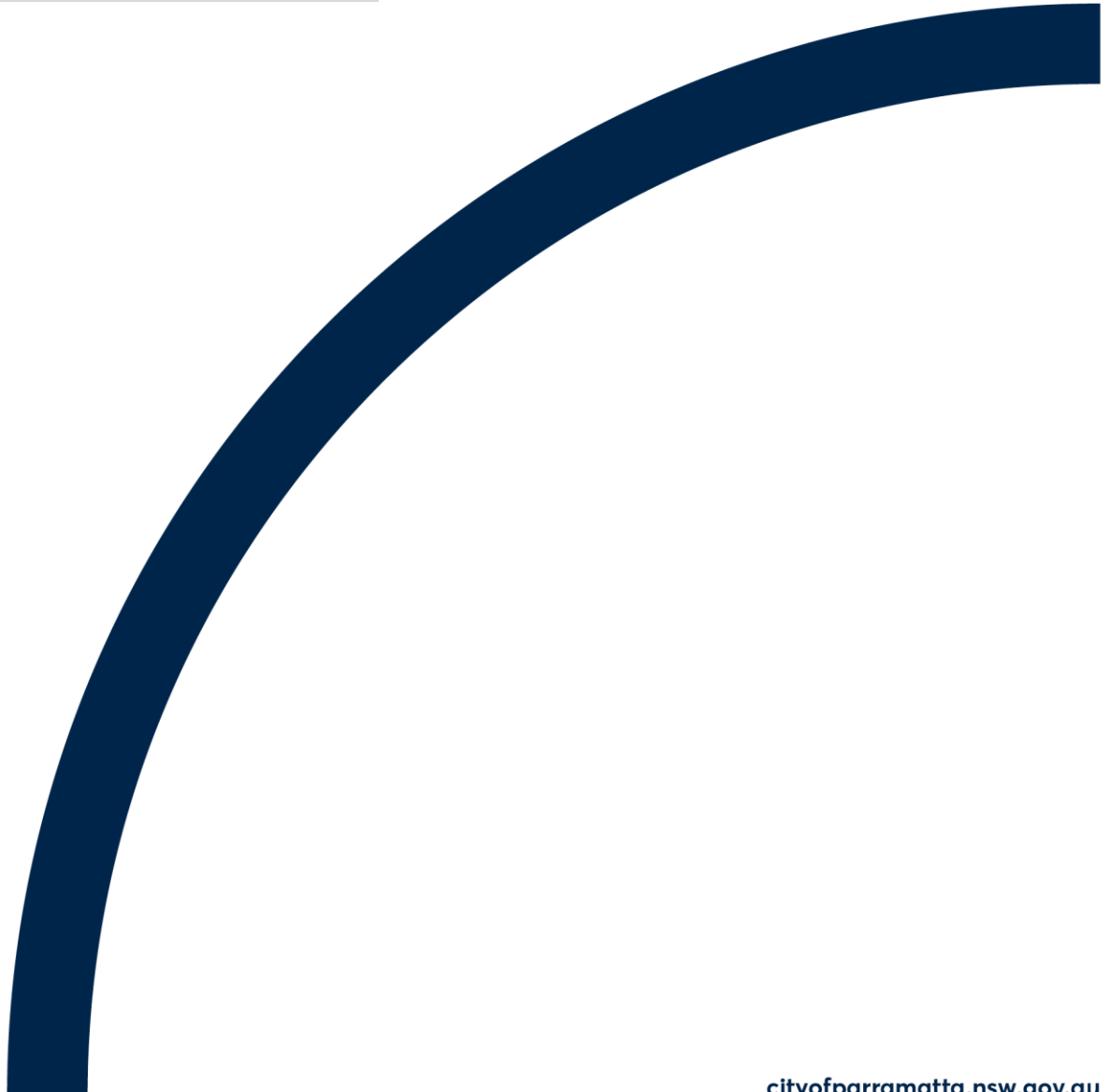


PLANNING PROPOSAL

1 Windsor Road, North Rocks





**CITY OF
PARRAMATTA**

PLANNING PROPOSAL

[insert site name (if applicable)]

1 Windsor Road, North Rocks

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Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Planning Ingenuity Pty Ltd	22 October 2019

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel and Council on the assessment of planning proposal and submission to DPIE for Gateway Determination
2.	City of Parramatta Council	Consistent with Gateway Determination

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta (former The Hills) Local Environmental Plan 2012*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (August 2016) and 'A Guide to Preparing Planning Proposals' (August 2016) and 'Guidance for merged councils on planning functions' (May 2016).

Background and context

On 28 October 2019, the applicant, Planning Ingenuity Pty Ltd, on behalf of the landowner, Fabcot Pty Ltd, lodged a Planning Proposal with the City of Parramatta Council for land at 1 Windsor Road, North Rocks. The site was previously occupied by a Bunnings store however it is currently unoccupied.

The subject site is located on the corner of Windsor Road and James Ruse Drive. The site comprises two lots and is legally described as Lot 1 in DP 112482 and Lot 6 in DP 247452, with a total area of approximately 2.52ha.

The site has frontage to Windsor Road to the west and to James Ruse Drive (slipway) to the north. It is adjacent to, but does not have direct frontage to, North Rocks Road, being separated by Darling Mills Creek which runs adjacent to the site to the eastern and southern boundaries.

The main access to the site is from North Rocks Road with vehicular entry/exit and a pedestrian walkway via an elevated concrete bridge over Darling Mills Creek. Secondary vehicular access is available to Windsor Road.

The site is currently occupied by a large warehouse building (previously occupied by Bunnings Warehouse), with a gross floor area of 7,405m². At grade car parking is provided on the site, with 260 spaces located predominantly to the south of the building with the remainder to the north and west.

The site is shown in **Figure 1** and **Figure 2** below.



Figure 1 – Site at 1 Windsor Road, North Rocks subject to the planning proposal



Figure 2 – Aerial view

Under *Parramatta (former The Hills) Local Environmental Plan 2012* the site:

- is zoned B6 Enterprise Corridor and SP2 Infrastructure (Public Transport Corridor);

An extract of each the above maps is provided in Part 4 – Mapping; specifically, Section 4.1 Existing controls.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The Planning Proposal seeks approval to permit 'retail premises' in the form of a supermarket and liquor shop on the site. The site is within the B6 Enterprise Corridor Zone which currently allows a range of non-residential (and commercial) uses but not 'retail premises'. The site also contains a small portion of land zoned SP2 Infrastructure (Public Transport Corridor) along the Windsor Road frontage, but this does not affect any existing structures. The proposed future development of the site seeks to utilise the existing warehouse building on the site to accommodate a full-line Woolworths supermarket of 3,800m² (including a BWS liquor store). The remainder of the existing building (3,015m²) will potentially be developed as a warehouse and distribution centre (non-retail) which is permitted under the current B6 zone that applies to the site. Further, an existing mezzanine level of 590m² is proposed to accommodate ancillary office space.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta (former The Hills) Local Environmental Plan 2012* in relation to the zoning controls.

In order to achieve the desired objectives the following amendments to the *Parramatta (former The Hills) Local Environmental Plan 2012* would need to be made:

1. Amend Schedule 1 of the *Parramatta (former The Hills) Local Environmental Plan 2012* by adding retail premises as an additional permitted use (limited to a maximum of 3,800m²) to facilitate a Woolworths supermarket and a liquor store.
2. Require that 'retail premises' may only be permitted as an additional permitted use in conjunction with an existing permissible use under the B6 Enterprise Corridor zone.

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

3.1.1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal is not the result of any strategic study or report. As noted, the site is currently occupied by a large warehouse building (previously occupied by Bunnings Warehouse), with a gross floor area of 7,405m². The Planning Proposal seeks to amend Schedule 1 of the Parramatta (former The Hills) Local Environmental Plan 2012 by adding retail premises as an additional permitted use (limited to a maximum of 3,800m²) to facilitate a Woolworths supermarket and a liquor store.

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

An alternative option is to amend the Parramatta (former The Hills) Local Environmental Plan 2012 to rezone the site to B6 Mixed Use Zone. However, this is not considered as an appropriated mechanism to address the site-specific scenario. The expansion of the type of retail use permissible on the site would serve the existing and future community and is considered consistent with the aims of the B6 zone. Further, it is not considered that the proposal will undermine or pre-empt any future strategic planning for North Rocks. Therefore, allowing 'retail premises' as an additional permitted use is the best means of achieving the objectives or intended outcomes.

3.2. Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1 Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

A Metropolis of Three Cities

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* ("the GSRP") a 20 year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions that each contain Potential Indicators and, generally, a suite of objective/s supported by a Strategy or

Strategies. Those objectives and or strategies relevant to this planning proposal are discussed below.

Liveability

An assessment of the planning proposal’s consistency with the GSRP’s relevant Liveability objectives is provided in Table 3b, below.

Table 3b – Consistency of planning proposal with relevant GSRP Actions – Liveability

Liveability Direction	Relevant Objective	Comment
<p>A city for people</p>	<p>O6: Services and infrastructure meet communities’ changing needs</p>	<p>The planning proposal supports the liveability objectives of the District Plan. <i>“Liveability is about people’s quality of life. Maintaining and improving liveability requires housing, infrastructure and services that meet people’s needs...”</i></p> <p>Given the substantial increase in the future population of the District, the proposed additional permitted retail use will provide opportunities and better access to jobs and services for current and future population. It meets and reflects local communities’ changing needs and improves the quality of life in terms of liveability and accessibility- more healthy, resilient and socially connected.</p> <p>The proposed supermarket will allow for additional retail floor space in the form of a supermarket and liquor store and will not compete with existing centres in the area that provide a range of retail and non-retail uses.</p>
	<p>O7: Communities are healthy, resilient and socially connected</p>	
<p>A city of great places</p>	<p>O12: Great places that bring people together</p>	<p>The proposed supermarket will bring and attract a combination of people together, provide opportunities for social connection in the neighbourhood.</p>
	<p>O13: Environmental heritage is identified, conserved and enhanced</p>	<p>The site contains a locally listed heritage item, ‘Stone Bridge Approaches and Foundation Plaque, Sydney Woollen Mills’, Item A23 in Schedule 5 of The Hills LEP 2012. The only known built heritage elements on the site is a portion of wall with inset foundation plaques located along Windsor Road, directly adjacent to the footpath, which is bounded at the rear by metal cyclone fencing.</p> <p>The proposed future development of the site will utilise the existing warehouse building, with minor alterations including some existing openings to be blocked off and made</p>

		good, some portions of wall cut out, new shopfront glazing and new awning. All works would be clear of the existing built heritage fabric by approximately 25 metres, and hence there would be no physical impact to the heritage item.
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Productivity

An assessment of the planning proposal’s consistency with the GSRP’s relevant Productivity objectives is provided in Table 3c, below.

Table 3c – Consistency of planning proposal with relevant GSRP Actions – Productivity

Productivity Direction	Relevant Objective	Comment
Jobs and skills for the city	O19: Greater Parramatta is stronger and better connected	<p>The District Plan identifies the need for additional retail floor space in the district: <i>“Research has shown that the Central City District will need to accommodate more than 1.76 million square metres of additional retail floor space over the next 20 years”</i>. The proposal will allow for additional retail floor space in the form of a supermarket and liquor store and will not compete with existing centres in the area that provide a range of retail and non-retail uses. Given the substantial increase in the future population of the District, it is important to provide supermarket floor space to provide adequate services for the population, noting that there is already an undersupply of supermarket floor space for the existing population.</p> <p>Allowing additional permitted use of retail premises will ensure that the site continues to provide employment uses which is consistent with the objective of the Economic Corridor.</p>

Sustainability

An assessment of the planning proposal’s consistency with the GSRP’s relevant Sustainability objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
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A city in its landscape	O25: The coast and waterways are protected and healthier	The Darling Mills Creek is located adjacent to the site to the east and south. In relation to potential flood impacts, the site is already developed with recent use as a Bunnings Warehouse and the proposal will not significantly affect the nature of the use of the site given that it seeks to allow only an additional permitted use (retail premises) on the site. The proposal does not introduce any sensitive land uses to the site.
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Implementation

An assessment of the planning proposal’s consistency with the GSRP’s relevant Implementation objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	The Planning Proposal is consistent with the State Government’s Planning Proposal process in accordance with the ‘A Guide to Preparing Planning Proposals’. The Planning Proposal considers other strategic planning documents including the Central City District Plan and local strategies. This will be further discussed below.

Central City District Plan

In March 2018, the NSW Government released *Central City District Plan* which outlines a 20 year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* (“CCDP”) is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities that are each supported by corresponding Actions. Those Planning Priorities and Actions relevant to this planning proposal are discussed below.

Liveability

An assessment of the planning proposal’s consistency with the CCDP’s relevant Liveability Prioirties and Actions is provided in Table 4b, below.

Table 4b – Consistency of planning proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
A city for people O6: Services and infrastructure meet communities’ changing needs	PP C3: Provide services and social infrastructure to meet people’s changing needs • A8: Deliver social infrastructure that reflects the need of the community now and in the future.	The proposed additional permitted retail use will provide opportunities and better access to jobs and services for current and future population. It meets and reflects the objective of meet communities’ changing needs.

<p>O7: Communities are healthy, resilient and socially connected</p>	<p>PP C4: Working through collaboration</p> <ul style="list-style-type: none"> • A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d). • A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places 	<p>The Planning Proposal will encourage greater physical activity and social connection. It also provides better access to local retailers of fresh food which is consistent with the objective – communities are healthy, resilient and socially connected.</p>
<p>A city of great places O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced</p>	<p>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</p> <ul style="list-style-type: none"> • A19: Identify, conserve and enhance environmental heritage by (a-c) • A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods • A21: In Collaboration Areas, Planned Precincts and planning for centres (a-d) 	<p>Heritage and history are important components of local identity and form part of the character of places. Understanding the significance and community values of heritage early in the planning process provides greatest opportunity for conservation and management.</p> <p>The subject site contains Heritage Item 23 – Stone Bridge Approaches and Foundation Plaque, Sydney Woollen Mills listed in Schedule 5 of the Hills LEP 2012. The only known built heritage elements on the site is a portion of wall with inset foundation plaques located along Windsor Road, directly adjacent to the footpath, which is bounded at the rear by metal cyclone fencing.</p> <p>The proposed future development of the site will utilise the existing warehouse building, with only minor alterations required. All works would be clear of the existing built heritage fabric by approximately 25 metres, and hence there would be no physical impact to the heritage item.</p>

Productivity

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4c, below.

Table 4c – Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
<p>Jobs and skills for the city O15: The Eastern, GOPP and Western Economic Corridors are better connected and more competitive</p>	<p>PP C8: Delivering a more connected and competitive GOPP Economic Corridor</p>	<p>The proposed development provides opportunities to access to jobs, goods and services.</p> <p>The economic Impact assessment indicates that the study notes that the proposed supermarket and associated liquor store, coupled with the warehouse and distribution and ancillary office use will provide both direct and indirect employment generation in the region of 1,196</p>

		jobs. It is consistent with the objective
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4.1.1. Will the planning proposal give effect to a council’s endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The following local strategic planning documents are relevant to the planning proposal.

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region.

The planning proposal is considered to meet the strategies and key objectives identified in the plan including:

Accessible: The proposed additional permitted retail use will provide opportunities and better access to jobs and services for current and future population.

Welcoming: The site contains Heritage Item 23 – Stone Bridge Approaches and Foundation Plaque, Sydney Woollen Mills listed in Schedule 5 of the Hills LEP 2012. The proposed future work will not have physical impact to the heritage item.

Thriving: Contributes to the vibrancy of Parramatta, provides opportunities and better access to jobs and services, which promotes a better quality of life.

Innovative: The Planning Proposal provides local retail service to local and the broader community.

Parramatta Local Strategic Planning Statement

In March 2018 the NSW Government introduced requirements for councils to prepare a Local Strategic Planning Statement (LSPS) as part of planning legislation to align state and local government plans as well as to guide long term planning and infrastructure decisions. LSPS responds to the planning priorities and objectives within the NSW Government’s Central City District Plan as well as the statutory requirements set out in section 3.9 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and supporting regulations.

The LSPS provides greater weight to strategic planning in the broader plan making process and any new planning proposal must justify any inconsistency with this framework and the supporting Local Housing Strategy (LHS) and Employment Lands Strategy (ELS).

Council’s Local Strategic Planning Statement was published on 31 March 2020. The LSPS provides strategic direction on how the City of Parramatta is planning for the next 20 years. The site is not in an area that is specifically identified for growth within the LSPS, however given there is an existing undersupply of supermarket floorspace in the broader region and the potential job creation from the proposal (detailed in the Assessment of Key Issues below), it is considered that the Proposal is generally consistent with the LSPS.

4.1.2. Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to Table 5 below).

Table 5 – Consistency of planning proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	Not relevant to proposed amendment.
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	Not relevant to proposed amendment.
SEPP 33 – Hazardous and Offensive Development	N/A	Not relevant to proposed amendment.
SEPP No 55 Remediation of Land	✓	There is no proposed works as a part of this Planning Proposal
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment
SEPP No 65 Design Quality of Residential Flat Development	✓	Not relevant to proposed amendment
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendment
SEPP (BASIX) 2004	N/A	Not relevant to proposed amendment
SEPP (Exempt and Complying Development Codes) 2008	✓	The Planning Proposal will not preclude the application of the SEPP for future development
SEPP (Infrastructure) 2007	✓	The Planning Proposal will not preclude the application of the SEPP for future development
Sydney Regional Environmental Plan No 18– Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the <i>Parramatta LEP 2011</i> .

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.
SEPP (Urban Renewal) 2010	N/A	Not relevant to proposed amendment

4.1.3. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)

In accordance with Clause 9.1 of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Housing, Infrastructure and Urban Development
- Local plan making

The following directions are considered relevant to the subject Planning Proposal.

Table 6 – Consistency of planning proposal with relevant Section 9.1 Directions

Relevant Direction	Comment	Compliance
1. Employment and Resources		
Direction 1.1 – Business and Industrial Zones	<p>This Planning Proposal seeks to amend Schedule 1 of the Parramatta (former Hills) LEP 2012 to allow retail premises as an additional permitted use to facilitate a Woolworths supermarket and a liquor store comprising 3,800m² of a supermarket, 3,015m² of a warehouse and distribution centre (non-retail) and 590m² of offices.</p> <p>The proposal protects employment land by maintaining the existing commercial floor space and maintaining employment in the zone. By virtue of expanding the type of retail use permissible at the site it will potentially allow for additional employment uses in the locality.</p> <p>The proposal would address some of the significant undersupply of supermarket floor space within the area. It would provide significant improvement in the range of retail facilities that would be available to residents, particularly in terms of convenient supermarket retailing, improve choice of location and allow for price competition.</p> <p>Given there is an existing undersupply of supermarket floorspace in the broader region as identified in the supporting economic impact analysis and the potential job creation from the proposal it is considered that the Proposal is generally consistent with the LSPS. More specifically, the proposal is consistent with Planning Priority 11 of the LSPS that seeks to “<i>Build the capacity of...Local Centres and Employment Lands to be strong, competitive and productive</i>”. This Planning Proposal is proposing to accommodate a supermarket, also a warehouse distribution component and still classified as employment land, and there will be significant increase in</p>	

	jobs which addresses the existing need. Noting the warehouse distribution is currently permissible within the zone.
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An Economic Impact Assessment has also been provided in support of the Planning Proposal prepared by Location IQ and has been reviewed by Council officers, that indicates this proposal has a potential to generate up to 1,196 direct and indirect jobs. The proponent has indicated that the currently permissible distribution centre proposed on site would be reliant on a co-located supermarket in order to operate, as distribution stock would be drawn from the supermarket stock in many instances. It is considered that the proposal does meet the objectives of the Direction.

Yes

2. Environment and Heritage		
Direction 2.3 - Heritage Conservation	<p>The subject site contains Heritage Item 23 – Stone Bridge Approaches and Foundation Plaque, Sydney Woollen Mills listed in Schedule 5 of the Hills LEP 2012. The only known built heritage elements on the site is a portion of wall with inset foundation plaques located along Windsor Road, directly adjacent to the footpath, which is bounded at the rear by metal cyclone fencing.</p> <p>The proposed future development of the site will utilise the existing warehouse building, with only minor alterations required. All works would be clear of the existing built heritage fabric by approximately 25 metres, and hence there would be no physical impact to the heritage item.</p> <p>A full assessment of potential heritage impacts would be required as part of the future detailed development application and would address any potential impacts, including visual impacts, however these are expected to be minimal.</p>	Yes
Direction 2.6 – Remediation of Contaminated Land	<p>At this point in time, there is no work proposed at the site, the intention of the proposal is for the supermarket and the associated warehouse distribution to occur within the existing building. However, in the event that should any works be proposed within the site (ie. Demolition or new structure), the issue of remediation will need to be addressed at the DA stage.</p>	Yes
3. Housing, Infrastructure and Urban Development		
Direction 3.1 - Residential Zones	N/A	N/A
Direction 3.4 - Integrating Land Use and Transport	The planning proposal will enable improved access to convenience shopping for the surrounding area and passing traffic.	Yes

	<p>The area is accessible via public transport and road connections - have access to a number of bus services which operate between Parramatta and various locations.</p> <p>A Traffic Impact Assessment is submitted with this application, see details in the traffic and transport section.</p>	
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	<p>The proposal is seeking to utilise the existing building on site and therefore is not expected to undertake any excavation that could expose any acid sulfate soils should they exist.</p> <p>The applicant will be required to carry out a geotechnical study to investigate acid sulfate soils risk prior exhibition if there is going to be any excavation work on the site.</p> <p>Notwithstanding the above, this issue would be required to be addressed (given the current lack of acid sulfate soils mapping) at the DA stage should excavation be proposed.</p>	Yes
Direction 4.3 - Flood Prone Land	<p>Darling Mills Creek is located adjacent to the site, to the east and south. In relation to potential flood impacts, the site is already developed with recent use as a Bunnings Warehouse and the proposal will not significantly affect the nature of the use of the site given that it seeks to allow only an additional permitted use (retail premises) on the site. The proposal does not introduce any sensitive land uses to the site.</p> <p>An overland flow assessment is submitted with the application which concludes that there is relatively low overland flooding risk to the site given the limited contributing catchment area. Additionally, flood mapping plans are provided which demonstrate that the building footprint lies entirely outside areas subject to hazard during the 1% AEP flood event.</p> <p>The proposal does not appear to be obstructing any significant overland flow conveyance path ('floodway') nor will it cause unacceptable displacement of overland flow floodwaters onto other properties or lands. The main vehicular access to the site (from North Rocks Road) is substantially elevated over the creek and which could accommodate a change in level to the creek. In addition, secondary access to/from Windsor Road is also available.</p>	Yes
5. Local Plan Making		

<p>Direction 6.1 - Approval and Referral Requirements</p>	<p>The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.</p>	<p>Yes</p>
<p>Direction 6.2 Reserving Land for a Public Purpose</p>	<p>In accordance with advice from TfNSW, Woolworths are proposing to dedicate 515m2 of land to facilitate future upgrades to James Ruse Drive/Windsor Road</p> <p>Given the medium to long term nature of the proposed upgrade by TfNSW, the proposed land dedication will be provided to Council in the interim until TfNSW require the land for the road widening works and is proposed to be included in Council's Planning Agreement.</p>	<p>Yes</p>
<p>Direction 6.3 - Site Specific Provisions</p>	<p>This Planning Proposal seeks to amend Schedule 1 of the Parramatta (former Hills) LEP 2012 to allow retail premises as an additional permitted use to facilitate a Woolworths supermarket and a liquor store comprising 3,800m2 of a supermarket, 3,015m2 of a warehouse and distribution centre (non-retail) and 590m2 of offices.</p> <p>It is considered that a site specific provision is required for this planning proposal in order to facilitate a use for which there is an identified need. The use will also generate employment on a currently vacant site within an Employment Zone, and facilitate a warehouse and distribution centre that is already permissible within the existing zone. Rezoning this whole site to a zone (such as the B2 Zone) that would facilitate retail uses over the entire site would result in unintended/greater impacts from traffic and economic perspectives than what has currently been considered. For instance, such an approach could allow for a supermarket and a large number of specialty stores to develop on site, the impacts of which have not been assessed.</p> <p>A site specific provision is considered the best way to facilitate the proposed use and mitigate any unintended impacts that could result from the entire site being rezoned. This is proposed to be achieved via a site specific provision limiting the supermarket/retail use on the site to a maximum of 3,800 sqm, thereby ensuring that the site does not develop outside a clearly defined parameter.</p>	<p>Yes</p>
<p>6. Metropolitan Planning</p>		
<p>Direction 7.1 - Implementation of A Plan for Growing Sydney</p>	<p>The Central City District Plan (CCDP) identifies the need for additional retail floor space in the district: "<i>Research has shown that the Central City District will need to accommodate more than 1.76 million square metres of additional retail floor space over the next 20 years</i>". The proposal will allow for additional retail floor space in the form of a supermarket and liquor store and will not compete with existing centres in the area that</p>	<p>Yes</p>

	<p>provide a range of retail and non-retail uses. Given the substantial increase in the future population of the District, it is important to provide supermarket floor space to provide adequate services for the population, noting that there is already an undersupply of supermarket floor space for the existing population.</p> <p>Further, the planning proposal will support the liveability objectives of the District Plan. <i>“Liveability is about people’s quality of life. Maintaining and improving liveability requires housing, infrastructure and services that meet people’s needs...”</i>. Allowing for a supermarket will provide for the day to day needs of the large population in the district (existing and future).</p>	
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4.2. Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

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

The site is not affected by critical habitat or threatened species, populations or ecological communities, or their habitats. Further, the Planning Proposal is seeking enable an additional use within an existing building of the site.

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

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

Traffic and Transport

An assessment of potential traffic and parking implications has been prepared by the applicant’s traffic consultant, Colston Budd Rogers & Kafes in support of the Planning Proposal. A copy of the traffic assessment is included at **Appendix 1**.

Car Parking

The traffic report states that while the site currently provides approximately 300 parking spaces within the existing at grade car parking area, this will be reconfigured to provide a reduction to the total number of spaces resulting in approximately 256 car spaces in accordance with the RMS rates for supermarkets. In addition, bicycle and motor cycle spaces will be provided in accordance with Council requirements.

Traffic Generation

The Traffic Report indicates that the previous Bunnings store on the site was surveyed by the RMS and found to generate approximately 200 vehicles per hour (two way) in the weekday afternoon peak hour. The report also states that based on surveys of similar supermarkets and RMS guidelines for warehouses and offices, the proposed development would generate approximately 420 vehicles per hour (two way) in the weekday afternoon

peak hour. The report, then notes that during the afternoon peak period, a high proportion of above trips will be passing trade given the sites location and heavy traffic flows on the adjacent road network. Accordingly, the report concludes that the increase in traffic on the surrounding road network compared to the previous Bunnings store (when excluding passing trade given these vehicles are already on the road network) is likely to increase by up to 100 vehicles per hour (two way). However, when this is distributed to the surrounding road network, increases in traffic on North Rocks Road and Windsor Road will be minor at approximately 20 to 50 vehicles per hour (two way).

Council officers consider that the trip generation from the site is likely to be lower than similar sites in the afternoon peak due to the high levels of traffic congestion within the area. It is considered that customers are likely to travel to other supermarkets that are easier to access during peak periods or may also travel to the site outside of these peak times to take advantage of the extended trading hours of supermarkets. For this reason, Council officers consider that the proposed centre is not likely to contribute to additional traffic as much as may occur in other locations. That said, whilst the proposal will have a relatively minor impact on the surrounding road network (based on the applicant’s modelling detailed above) when compared with the previously approved Bunnings store, Council officers and the applicant’s traffic consultant acknowledge that the adjacent road network is currently operating at capacity in the weekday afternoon peak. Notwithstanding the above, the site is also well located to deliver improvements to the surrounding traffic network while also improving access to and from the site. This is discussed in detail below under *Traffic and Transport Infrastructure Upgrades*.

Traffic and Transport Infrastructure Upgrades

The applicant’s traffic report recommends the provision of a third lane on the westbound off ramp of James Ruse Drive onto Windsor Road. The report indicates that the additional left turn lane will result in reduced delay/queues on the westbound off ramp as well as the ability to reallocate the traffic signalisation phases across the overall road network in this area, including the North Rocks Road approach to Windsor Road (benefitting right turn egress from the subject site).

It is noted that the site is well located to facilitate this additional left hand turn lane as it would require some land take along the James Ruse Drive frontage of the subject site which is currently undeveloped (e.g. some at grade car spaces, and landscape buffer). Given that both James Ruse Drive and Windsor Road are State roads the Planning Proposal and associated traffic report was also referred to Transport for NSW (TfNSW) for comment.

The key traffic issues raised by TfNSW are detailed in the below table:

Table 7: TfNSW preliminary comments and response

TfNSW Preliminary Comment	Council Officer Response
TfNSW recommend that “a site specific clause be inserted into the LEP limiting retail on the subject site to 3,800sqm only” to align with the traffic generating rate of a shopping centre < 10,000sqm (12.7 vehicle trips per 100sqm GLFA in PM peak period).	The applicant’s traffic assessment was based on a 3,800m2 supermarket with the balance of the site a warehouse/distribution centre. Therefore, Council officers agree with TfNSW’s recommendation that a site specific clause limiting retail on the site to 3,800m2 of retail space in total is appropriate.
TfNSW currently have no approved road proposal that impacts the subject site, however the James Ruse Drive intersection with Windsor Road is currently under investigation for potential future	At this stage, TfNSW are still yet to prepare a Property Impact Plan detailing how much land will be required for the additional left turn lane on the James Ruse Drive off ramp onto Church

<p>transport improvements in the medium to long term.</p> <p>TfNSW acknowledge that an additional left turn lane at the James Ruse Drive off ramp into Church St/Windsor road will not only benefit the broader network but will also benefits for the proposed development given the existing traffic capacity issues within the adjoining network.</p> <p>Should land be provided to facilitate the above additional lane, TfNSW will consider waiving a right hand turn restriction from the site into North Rocks Rd during afternoon peak.</p> <p>However, to provide flexibility for motorists exiting the site, a U-turn facility (roundabout) should be provided on North Rocks Road (in the vicinity of the site) to allow vehicles wishing to turn right out of the site onto North Rocks Road, can instead turn left, then do a U-turn nearby to allow them to get to Windsor Road, in order to assist right hand turn movements out of the site during peak periods.</p>	<p>Street/ Windsor Road. It is understood that TfNSW are currently in the process of preparing this plan for consideration by the applicant.</p> <p>Should this be agreed to by the applicant, a suitable mechanism to facilitate the delivery of this land to State Government will need formalised (e.g. VPA with the State Government/Satisfactory Arrangements Provisions within the Planning Proposal or other) as this relates to a State Government owned road i.e. James Ruse Drive.</p> <p>In relation to the U-turn facility, Council has care and control of North Rocks Road and it is therefore recommended that Council enter into negotiations with the applicant for the purposes of delivering a roundabout/U-turn facility on North Rocks Road within an appropriate location. It is noted that the proposed roundabout will ultimately need to be approved by Council’s Traffic Committee and would not need to be delivered until the supermarket opens, however to ensure certainty that the roundabout will be delivered by the applicant, it is recommended that the commitment to deliver the works is formalised as part of a VPA with Council.</p>
<p>The proponent is required to prepare a detailed Plan of Management that identifies practicable measures to minimise as much as possible queuing/congestion within the site associated with potential delays for motorists attempting to turn right from the site to North Rocks Road during peak periods. This is due to queues on the North Rocks Road approach to Windsor Road extending past the signalised site access road in the peak periods. The Plan of Management should be submitted to Council and TfNSW for review and comment as part of any future DA for the proposed development.</p>	<p>Noted. It considered that the requirements of the Plan of Management could be addressed through the delivery of the roundabout.</p>

Council’s Traffic and Transport team have also raised a number of issues relating to pedestrian and cyclist access to and from the site. The existing footpath on the southern side of the existing driveway bridge over Darling Mills creek is approximately 1.2m wide which is acceptable for the previous Bunnings use where most customers are picking up hardware and garden supplies by vehicle, but for a supermarket use the nature of shopping trips is different and is likely to generate a greater proportion of trips from pedestrians and/or cyclists.

It is therefore recommended that Council investigate the option of negotiating a planning agreement (in addition to the roundabout discussed in the above table) with the applicant to facilitate the provision of a shared path (at least 3m wide) which may require augmentation to the existing bridge (i.e. clip on structure) or alternatively a standalone bridge alongside to facilitate safe access for pedestrians and cyclists entering and leaving the site.

Based on the above, it is considered that there are still a number of outstanding traffic and transport matters that are yet to be resolved, however these relate to confirming a delivery mechanism for the proposed additional left turn lane at the James Ruse Drive off ramp into Church Street/Windsor Road (State infrastructure), new roundabout on North Rocks road to manage right hand turn movements from the subject site (Council infrastructure) and improved accessibility for pedestrians and cyclists.

It noted that while these delivery mechanisms are still yet to be confirmed, it is considered that the planning proposal has appropriately considered the traffic and transport impacts and there is sufficient scope to address how these items will be delivered following Gateway Determination being issued, but prior to public exhibition of the proposal.

Should Council endorse the planning proposal to proceed to Gateway Determination, Council will continue to liaise with State Government and the applicant to ensure that the identified traffic and transport works (both State and local) are confirmed via an appropriate delivery mechanism (either via VPA and/or planning provisions to be included within the planning proposal such satisfactory arrangements).

Heritage

A Heritage Impact Assessment has been prepared by Extent Heritage Advisors in support of the submitted Planning Proposal and is included at **Appendix 3**. The site contains a locally listed heritage item referred to as, 'Stone Bridge Approaches and Foundation Plaque, Sydney Woollen Mills', Item A23 in Schedule 5 of The Hills LEP 2012. The only known built heritage elements on the site is a portion of wall with inset foundation plaques located along Windsor Road, directly adjacent to the footpath, which is bounded at the rear by metal cyclone fencing.



Figure 3: Proposed works with existing built heritage item outlined in red

The proposed future development of the site seeks to utilise the existing warehouse building, with minor alterations including adjustments to some openings, new shopfront glazing and new awnings. All works would be clear of the existing built heritage fabric by approximately 25 metres, and hence there would be no physical impact on the heritage item. No ground penetrating works are proposed that could impact upon potential archaeological resources (refer to **Figure 3**).

There is no direct change proposed to the built heritage item and therefore no impact to built heritage fabric. A full assessment of potential heritage impacts would be required as part of the future detailed development application and would address any potential impacts, including visual impacts, however these are expected to be minimal.

Flooding

An Overland Flow Assessment report has been prepared by BMT WBM Pty Ltd in support of the submitted Planning Proposal. A copy of the Overland Flow Assessment is included at **Appendix 4. Figure 4** below shows there is some flood affectation in the 1% AEP (100 year ARI) flood event but only around the eastern and southern edges of the site (the immediate area of Darling Mills Creek), and is not significantly affected by the overland flow.

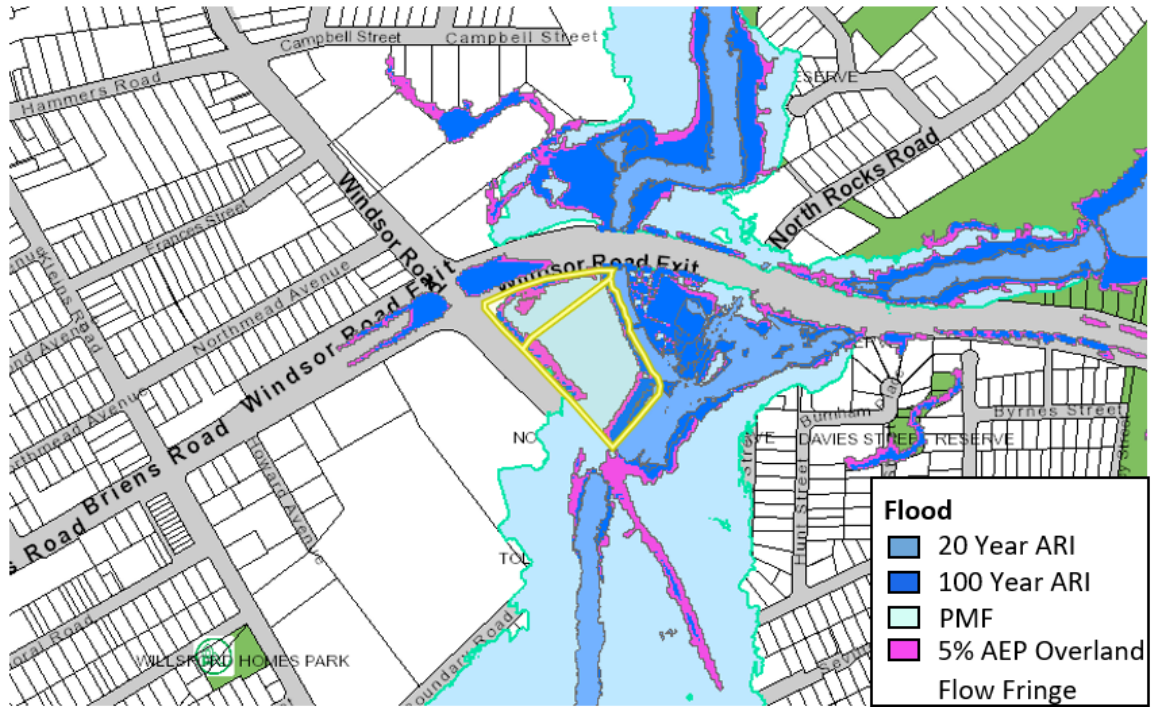


Figure 4: Flood Affectation

Figure 5 shows there is an area of high flood hazard flow (shown in red), but affects the site only the outer edges and is located near the Darling Mills Creek

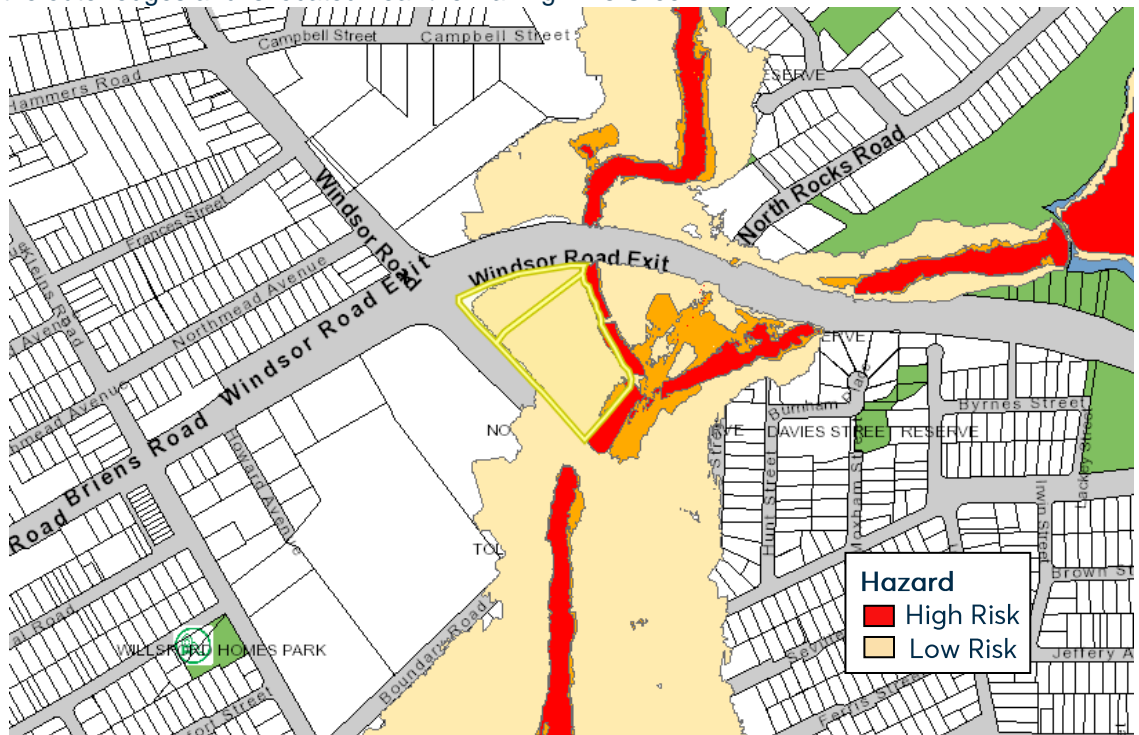


Figure 5: Flood Risk – map showing 'low hazard' flood zone in yellow

The change in use from the hardware warehouse (Bunnings) to a supermarket is predicted to increase the number of occupants on the site, which will increase the flood risk associated with this development. However the flood studies indicate minimal intrusion of high hazard flooding onto the site and only minor intrusion of moderate hazard 1% AEP (100 year ARI) flooding around the edges of the land. This means increasing the number of occupants on the site is not likely to generate an increased risk from overland flow flooding.

As the proposal is not seeking to alter the extent of the existing building envelope on the site, it does not appear to be obstructing any significant overland flow conveyance path ('floodway') nor will it cause unacceptable displacement of overland flow floodwaters onto other properties or lands. Potential flood impacts would be further considered and addressed as a part of the future detailed development application.

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

Economic Impact

An Economic Impact Assessment has also been provided in support of the Planning Proposal prepared by Location IQ. The study presents an analysis of the trade area, its demographics, socio-economic profile, projected population growth and expenditure capacity. It also presents a detailed analysis of the retail profile of the trade area, including a competitor analysis, highlighting the supply and the indicative performance of food retailing stores in the area. Overall, the analysis supports the viability for the proposed supermarket at the subject site. A copy of the Economic Impact Assessment is included at **Appendix 2**.

The study notes that there is currently an undersupply of supermarket space within the identified trade area and any impacts on nearby centres or supermarkets both within and outside the main trade area are manageable. The economic impact analysis undertaken by Location IQ indicates that all impacts of the proposed supermarket at 1 Windsor Road, North Rocks on surrounding centres are within a reasonable competitive range of 10% or less. Therefore, the proposal will not threaten the viability of any nearby centre or supermarket, particularly given the current undersupply of supermarket floorspace in the trade area. In addition, the impacts from the proposed development on other centres will be offset over time given the underlying population growth (and associated growth in retail spending) within the trade area and within the broader region. The identified trade area for the proposed supermarket as contained in the economic impact analysis is shown in **Figure 6** below.

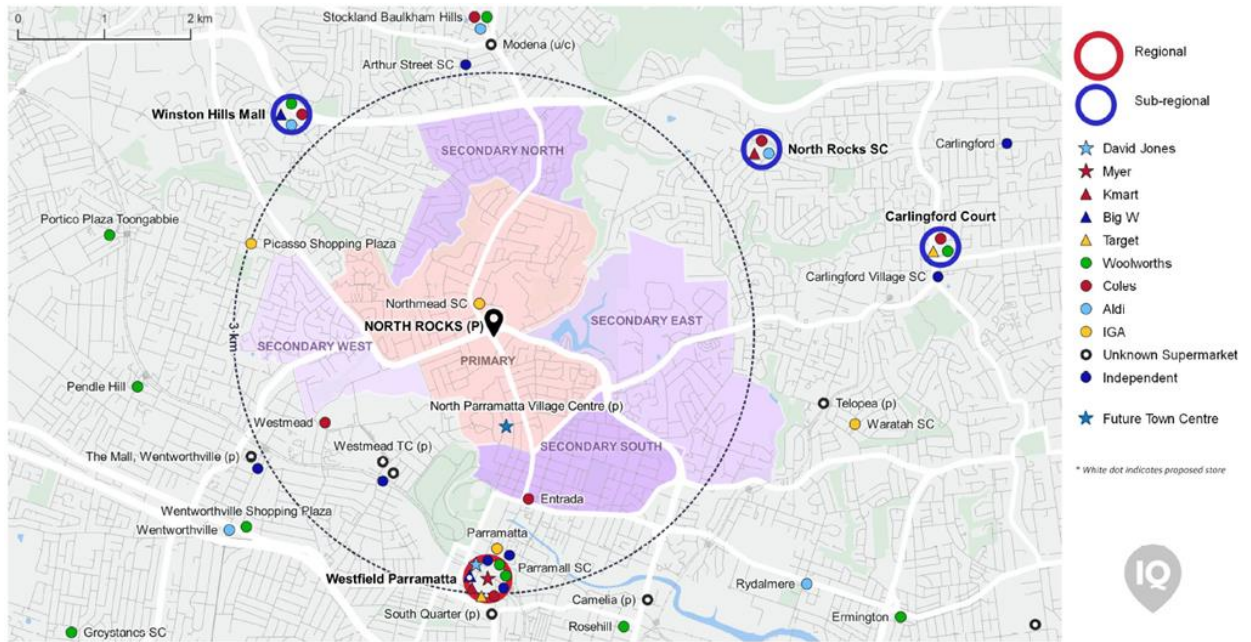


Figure 6: Main Trade Area and Competition (extracted from Economic Impact Assessment)
 Furthermore, the study notes that the proposed supermarket and associated liquor store, coupled with the warehouse and distribution and ancillary office use will provide both direct and indirect employment generation in the region of 1,196 jobs.

It is noted that the Economic Impact Assessment only assesses the potential economic impacts of the proposed development being a supermarket and liquor store of 3,800m², a warehouse and distribution centre and associated office space. However, should the Planning Proposal proceed and allow retail premises as an additional permitted use, there is potential for a much larger retail centre to be developed on the site that could include a large number of specialty stores or discount department stores. Such a centre would have a profoundly different impact on surrounding centres that has not been adequately considered should the proposed LEP amendment proceed in its current form. The potential for a much larger centre would also lead to significantly different traffic generation from the site as noted in the traffic and transport section above.

In order to address this concern, it is proposed that the additional permitted use of retail premises be limited to a maximum of 3,800m² in accordance with the proposed supermarket and liquor store development included in the Planning Proposal. It is proposed to include this limit as part of the Additional Permitted Use provisions within Schedule 1 of the Parramatta (former The Hills) Local Environmental Plan 2012. This will ensure that retail uses are capped on the site and any additional retail uses do not occur on the site over and above those that have already been subject to a detailed impact analysis.

Social Impacts

In terms of social impacts, in allowing for a full-line supermarket in an area with an identified shortage of supermarket floor space, the planning proposal will provide for the day-to-day needs of the substantial population in the area and therefore provide positive social impacts.

4.3. Section D – State and Commonwealth Interests

4.3.1. Is there adequate public infrastructure for the planning proposal?

The Proposal does not intend to facilitate any new development, rather the Planning Proposal will facilitate an additional permitted use within the existing building.

However, given the issues identified within the Traffic and Transport section above, a Planning Agreement may provide an appropriate mechanism to ensure that issues associated with the increase in demand for infrastructure as a result of the Planning Proposal are satisfactorily addressed.

It is therefore recommended that Council authorise the Chief Executive Officer (CEO) to negotiate a Planning Agreement on behalf of Council. Should the Planning Agreement proceed, the outcome of the negotiations would be reported back to Council prior to its concurrent public exhibition with the Planning Proposal. The key elements of the Planning Agreement would address the following:

- delivery of a roundabout on North Rocks Road, and
- augmentation of the existing bridge over Darling Mills Creek to facilitate increased capacity for pedestrian and cyclists.

In addition, as noted in the Traffic and Transport section above, a mechanism to deliver a third lane on the James Ruse Drive off ramp should be agreed to by the State Government and the proponent prior to any public exhibition of the Planning Proposal. This will likely require some land take on the northern boundary of the site but will not impact the existing structures on site. Should a Planning Agreement be required to deliver the additional lane, it would be undertaken at State level as James Ruse Drive is not a Council owned and managed road.

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

Consultation with the State and Commonwealth public authorities will be undertaken once the gateway determination has been issued.

PART 4 – MAPPING

This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals. **Existing controls**

This section illustrates the current *Hills LEP 2012* controls which apply to the site.

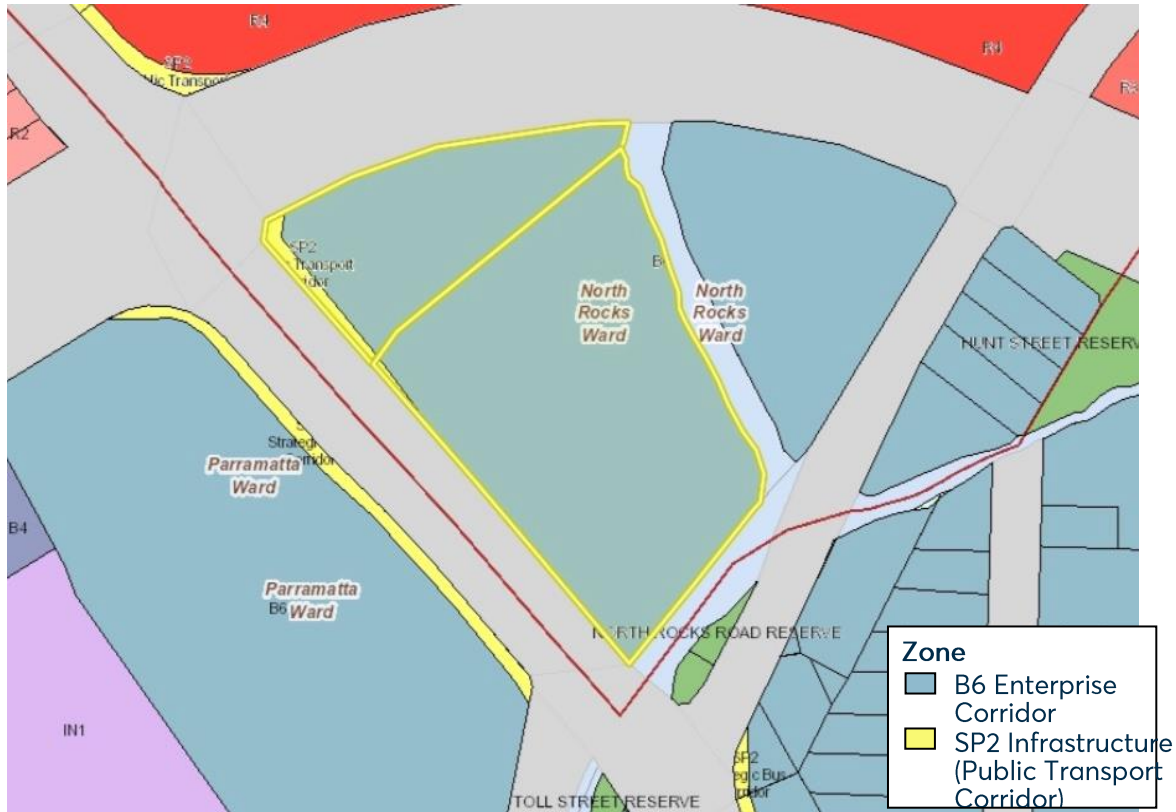


Figure 7 – Existing zoning extracted from Parramatta (former The Hills) LEP 2012 Land Zoning Map

Figure 7 illustrates the existing B6 Enterprise Corridor Zone and SP2 Infrastructure Zone.

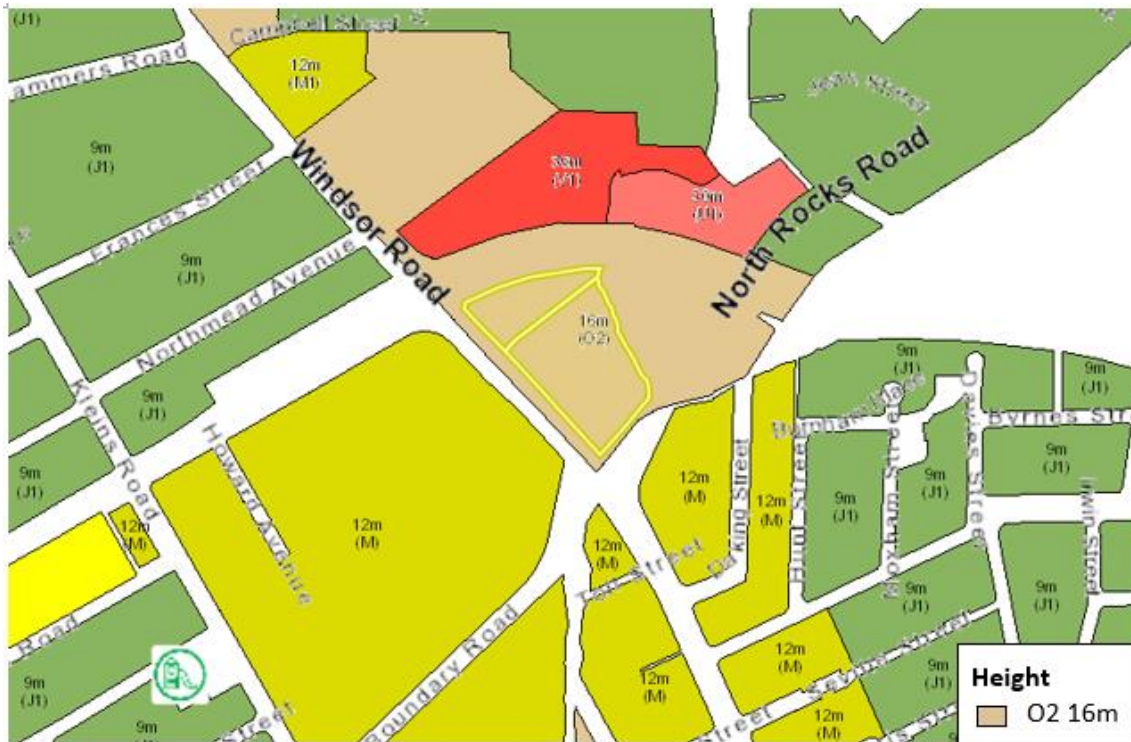


Figure 8 – Existing building heights extracted from the *Parramatta (former The Hills) LEP 2012* Height of Buildings Map

Figure 8 illustrates the existing building height of 16 metres.

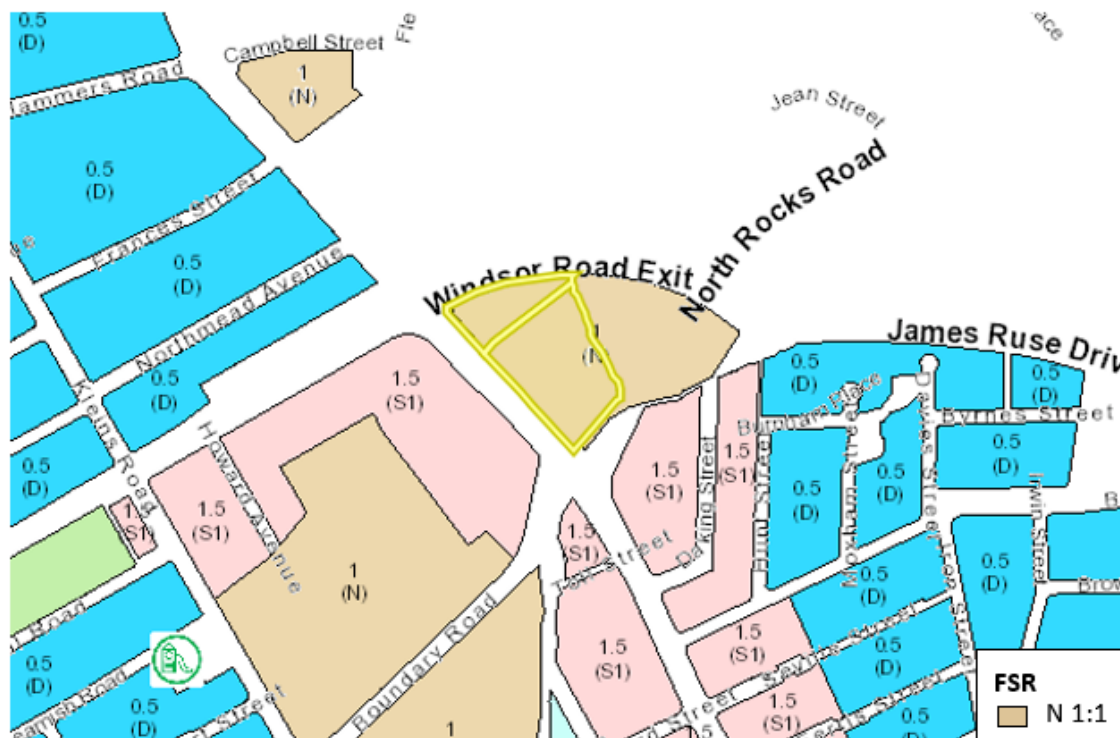


Figure 9 – Existing floor space ratio extracted from the *Parramatta (former The Hills) LEP 2012* Floor Space Ratio Map

Figure 9 illustrates the existing FSR of 1:1.



Figure 10 – Existing heritage items extracted from the *Parramatta (former The Hills) LEP 2012 Heritage Map*

Figure 10 above illustrates Item 23 – Stone Bridge Approaches and Foundation Plaque, Sydney Woollen Mills

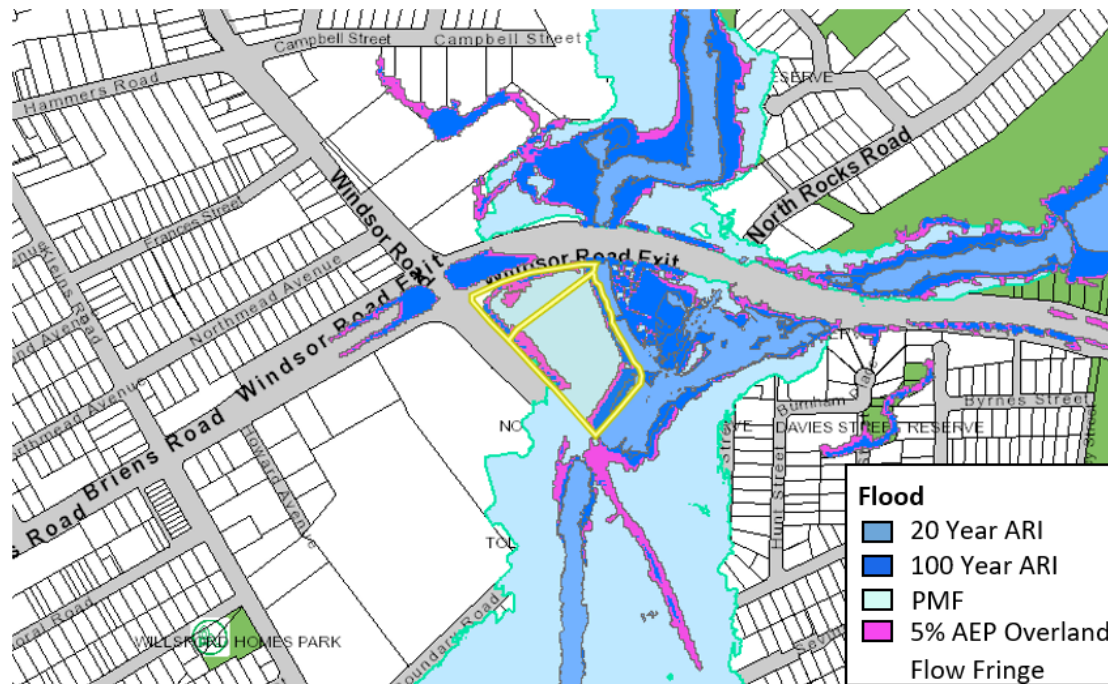


Figure 11 – Existing flooding extent extracted from the *Parramatta (former The Hills) LEP 2012 5/20/100 Year ARI and PMF Flooding Map*

Figure 11 above illustrates the flooding extent in the vicinity of the site.

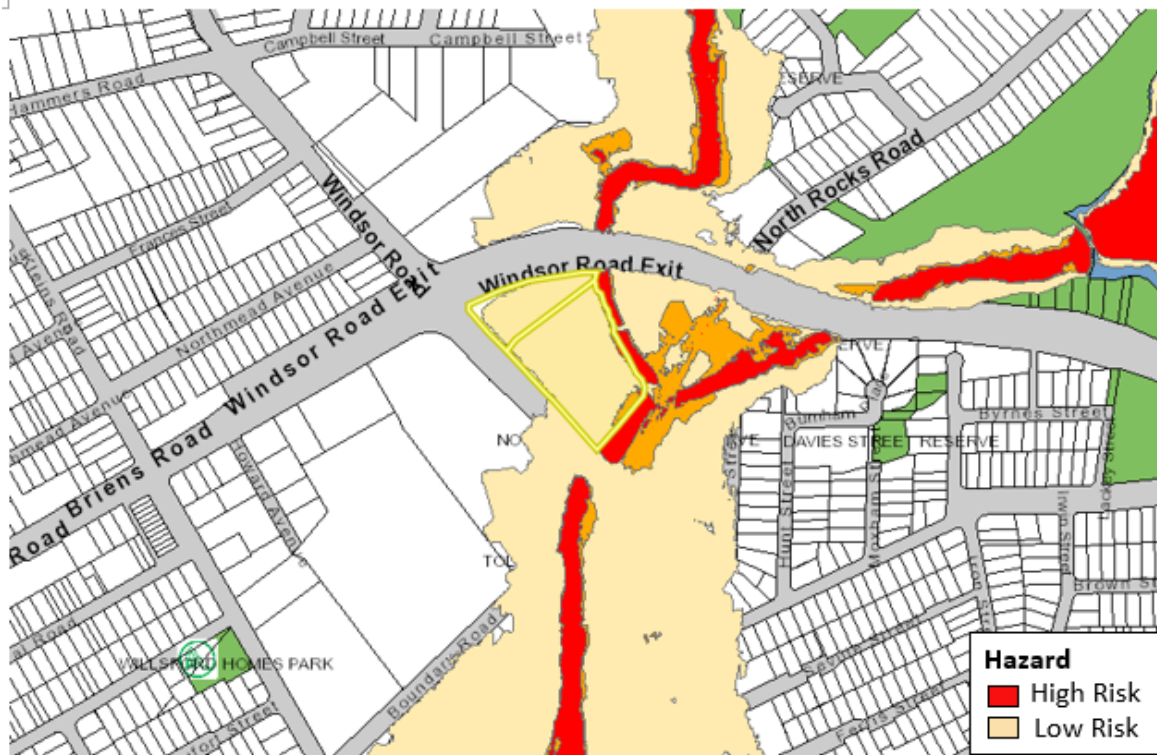


Figure 12 – Existing flooding extant extracted from the *Parramatta (former The Hills) LEP 2012* Flood Hazard Map

Figure 12 above illustrates the flooding extant in the vicinity of the site.

4.2 Proposed controls

No changes to the zoning, height, and FSR controls are proposed as a part of this Planning Proposal. The proposal is seeking to amend Schedule 1 of the Parramatta (former The Hills) Local Environmental Plan 2012 by adding retail premises as an additional permitted use (limited to a maximum of 3,800m²) to facilitate a Woolworths supermarket and a liquor store.

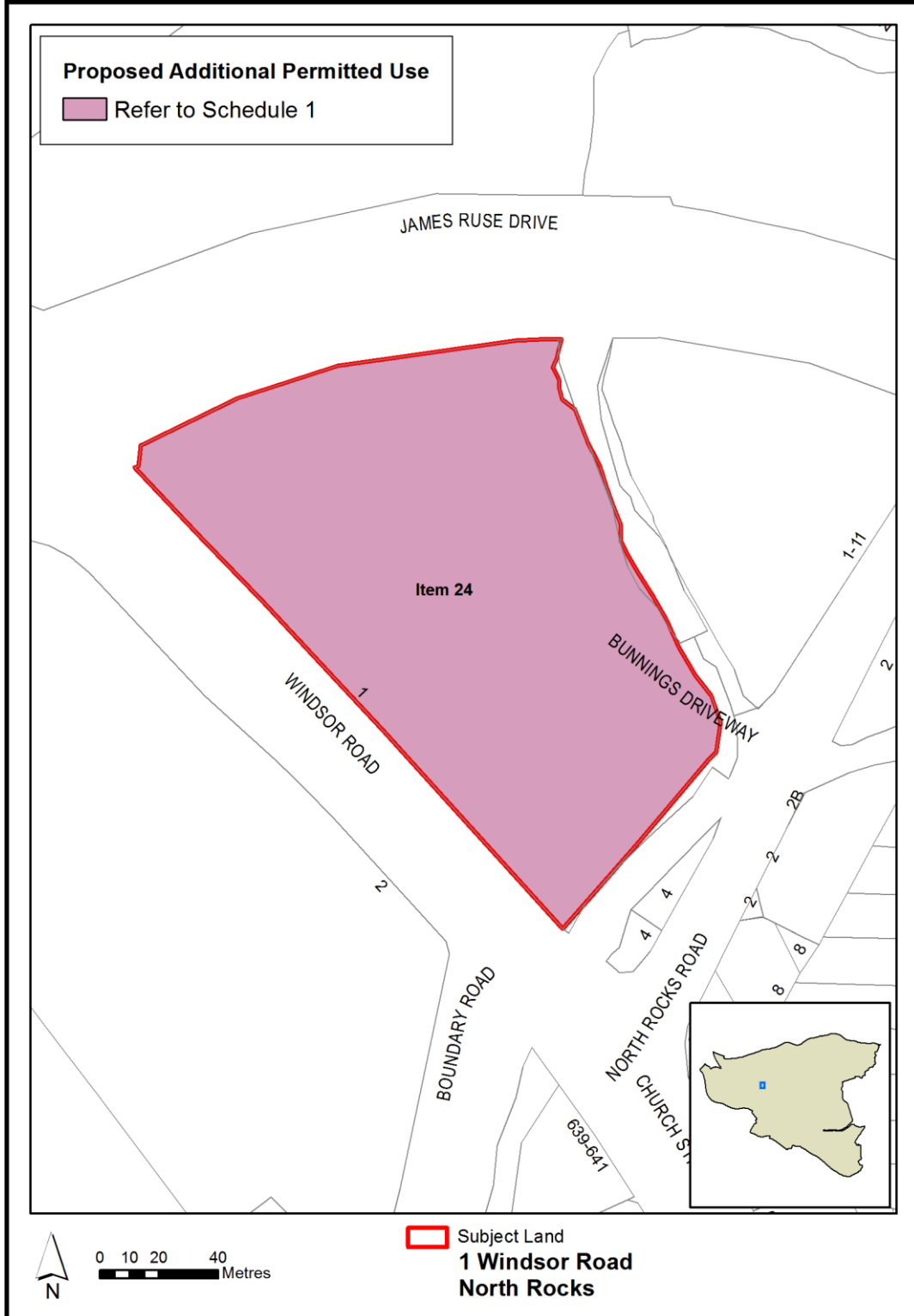


Figure 13 – Proposed amendment to the Parramatta (former The Hills) Local Environmental Plan 2012 Additional Permitted Use Map

Figure 13 above illustrates the proposed additional permitted use to permit 'retail premises' (limited to a maximum of 3,800m²) to facilitate a Woolworths supermarket and a liquor store.

PART 5 – COMMUNITY CONSULTATION

The planning proposal (as revised to comply with the Gateway determination) is to be publicly available for community consultation.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PART 6 – PROJECT TIMELINE

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal’s process.

Table 7 below outlines the anticipated timeframe for the completion of the planning proposal.

Table 7 – Anticipated timeframe to planning proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	16 June 2020
Report to Council on the assessment of the PP	27 July 2020
Referral to Minister for review of Gateway determination	August 2020
Date of issue of the Gateway determination	November 2020
Commencement and completion dates for public exhibition period	November/December 2021
Commencement and completion dates for government agency notification	November/December 2021
Consideration of submissions	January 2022
Consideration of planning proposal post exhibition and associated report to Council	February 2022
Submission to the Department to finalise the LEP	March 2022
Notification of instrument	March 2022

Appendix 1 – [Traffic Review]

Appendix 2 – [Economic Impact Assessment]

Appendix 3 – [Heritage Impact Assessment]

Appendix 4 – [Overland Flow Report]