

REQUEST TO PREPARE PLANNING PROPOSAL

106-128 WOODPARK ROAD, SMITHEFIELD



12 SEPTEMBER 2019
FINAL
PREPARED FOR SNOWSIDE PTY LTD



URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Tim Blythe
Associate Director	Naomi Daley
Consultant	Jarred Stratham, Paige Crowe
Project Code	SA7394
Report Number	Final

TABLE OF CONTENTS

1.	Introduction	1
1.1.	Overview	1
1.2.	Proposed Amendments	1
1.3.	Site-Specific and Strategic Merit.....	1
1.4.	Report Structure.....	2
1.5.	Supporting Documentation	2
2.	Site and Locality Analysis.....	3
2.1.	Overall Site Description	3
2.2.	Surrounding Context.....	4
2.3.	Affected Site Area (The Subject Site)	6
3.	Background.....	8
3.1.	Stage 1 DA.....	8
3.2.	Stage 2 DA.....	8
3.3.	Stage 3 DA (and Subject Planning Proposal).....	9
4.	Existing Planning Controls.....	11
4.1.	Holroyd Local Environmental Plan 2013	11
5.	Indicative Development Concept.....	15
5.1.	Overview	15
5.2.	Land Uses.....	16
5.3.	Site Layout and Built Form	16
6.	Public Benefit Offer.....	17
7.	The Planning Proposal	18
7.1.	Part 1: Objectives and Intended Outcomes.....	18
7.2.	Part 2: Explanation Of Provisions	18
7.3.	Part 3: Justification.....	19
7.4.	Part 4: Mapping.....	34
7.5.	Part 5: Community Consultation	35
7.6.	Part 6: Project Timeline	35
8.	Conclusion	36
	Disclaimer	38

Appendix A	Preliminary Concept Plans
Appendix B	Proposed HLEP 2013 Amendments
Appendix C	Economic Benefits Report
Appendix D	Economic Need and Impact Assessment (retail Demand)
Appendix E	Initial Traffic Review
Appendix F	Sydney Water Feasibility Letter

FIGURES:

Figure 1 – The Overall Site (106-128 Woodpark Road, Smithfield).....	3
Figure 2 – Surrounding Land Use Context.....	4
Figure 3 – Surrounding Public Transport.....	5
Figure 4 – Aerial of the Subject Site	6
Figure 5 – Images of the Subject Site	7
Figure 6 – Subject Site for Stage 3 Works (Left) and Stage 2 Approved Works on Northern Portion of the Site (Right)	7

Figure 7 – HLEP 2013 Zoning Map (Sheet LZN_006) Extract.....	11
Figure 8 – HLEP 2013 Height of Buildings Map (Sheet HOB_006) Extract.....	14
Figure 9 – Indicative Development Concept	15
Figure 10 - Site catchment area	31

PICTURES:

Picture 1 – Existing Warehouse Building.....	7
Picture 2 – Existing Bitumen and Grassed Areas	7

TABLES:

Table 1 – Supporting Documentation	2
Table 2 – Surrounding Development.....	4
Table 3 – Approved Land Uses Mix Under Stage 1 Concept Approval	8
Table 4 – Stage 3 Concept Discussions.....	9
Table 6 – B5 Zone Controls from HLEP 2013	12
Table 10 – Indicative Project Timeline.....	35

1. INTRODUCTION

1.1. OVERVIEW

This Planning Proposal has been prepared by Urbis Pty Ltd on behalf of Snowside Pty Ltd (the **Applicant**). It is submitted to Cumberland Council (**Council**) to initiate an amendment to the *Holroyd Local Environmental Plan 2013 (HLEP 2013)* with respect to the southern portion of land at 106-128 Woodpark Road, Smithfield (the **subject site**).

The intended outcome of this Planning Proposal is to enable the redevelopment of the subject site to realise a high-quality mixed-use development that:

- Contributes to the rejuvenation and revitalisation of the site;
- Introduces compatible land uses that will contribute to the creation of a vibrant, active and economically sustainable locality;
- Serves as a transformative or catalyst site for the adjoining industrial land;
- Provides for the orderly and economic development of the land and is strongly supported by retail businesses;
- Leverages the site's strategic location in proximity to a range of bus networks (including the T-Way bus system between Liverpool and Parramatta); and
- Increases public amenity with revitalised services in the locality.

This will serve to deliver the vision of the overall site at 106-128 Woodpark Road, Smithfield as an integrated mixed-use precinct comprising a variety of compatible land uses that provide amenity and generate employment for local residents and the wider area.

1.2. PROPOSED AMENDMENTS

It is intended to achieve this vision with the following amendments:

- Amend Schedule 1 Additional permitted uses of the HLEP 2013 to include *shop, office premises* and *business premises* as additional permitted uses at 106-128 Woodpark Road, Smithfield.
- Amend the Schedule 1 Additional Permitted Uses Map of HLEP 2013 in accordance with the proposed map shown at **Appendix B**, which identifies the site as having additional permitted uses.
- Amend the Height of Building Map (Sheet HOB_006) of HLEP 2013 in accordance with the proposed height map shown at **Appendix B**, which indicates a maximum permissible height of 29 metres on the Stage 3 portion of the site.

1.3. SITE-SPECIFIC AND STRATEGIC MERIT

The Planning Proposal has site-specific merit as it will enable the revitalisation of an existing commercial site, that is well serviced and in proximity to a range of bus networks and residential communities, to become a commercial hub with a range of employment and services. The development increases public amenity with revitalised services in the locality.

The Planning Proposal has strategic merit as it enables knowledge-based employment in the Smithfield Industrial Park through the provision of commercial office space, which is consistent with local, district and regional strategic plans.

It is therefore recommended that the Planning Proposal be endorsed by Council to enable a Gateway Determination by the NSW Department of Planning and Environment (**DPIE**).

1.4. REPORT STRUCTURE

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and the relevant guidelines prepared by the NSW Department of Planning, Industry and Environment (**DPIE**) including *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*. Specifically, this Planning Proposal provides the following:

- Description of the site and its context;
- Overview of site background;
- Summary of the existing local planning controls;
- Description of the indicative development concept;
- Discussion of a Public Benefit Offer;
- Statement of the objectives and intended outcomes of the proposal;
- Description of concept proposal;
- Overview of the strategic context of the site;
- Explanation of the provisions of the proposal;
- Justification for the proposal;
- Mapping to accompany the proposal;
- Description of the expected community consultation process; and
- An approximate project timeline.

1.5. SUPPORTING DOCUMENTATION

This Planning Proposal is accompanied by a range of plans and reports to provide a comprehensive analysis of the site opportunities and constraints. These include:

Table 1 – Supporting Documentation

Document Title	Consultant	Appendix
Preliminary Concept Plans	Leffler Simes Architects	Appendix A
Proposed HLEP 2013 Map Amendments	Urbis	Appendix B
Economic Benefits Report (Commercial Office Demand)	Urbis	Appendix C
Economic Need and Impact Assessment (Retail Demand)	Leyshon Consulting Pty Ltd	Appendix D
Initial Traffic Review	Colston Budd Hunt & Kafes	Appendix E
Sydney Water Feasibility Letter	Sydney Water	Appendix F

2. SITE AND LOCALITY ANALYSIS

2.1. OVERALL SITE DESCRIPTION

The overall site is known as 106-128 Woodpark Road, Smithfield, which is legally described as Lots 10 and 11 on DP 1007432 (Figure 1). It is a part of the Cumberland Local Government Area (formerly Holroyd Council).

The overall site is rectangular in shape, has a total site area of 67,478m² and has a 165m frontage onto Woodpark Road to the north and a 405m frontage onto Cumberland Highway (Betts Road) to the east. The dedicated Parramatta to Liverpool Bus Transitway also adjoins the southern boundary of the site. The entire site slopes downwards towards to the southern boundary.

The overall site currently accommodates four large industrial buildings and associated structures. Vehicular access is provided via a dedicated driveway off Woodpark Road.

The land is subject to recent development consents for specialised retail premises, childcare centre, medical centre and fast food premises (Refer Section 3).

Figure 1 – The Overall Site (106-128 Woodpark Road, Smithfield)



Source: Nearmap / Urbis

2.2. SURROUNDING CONTEXT

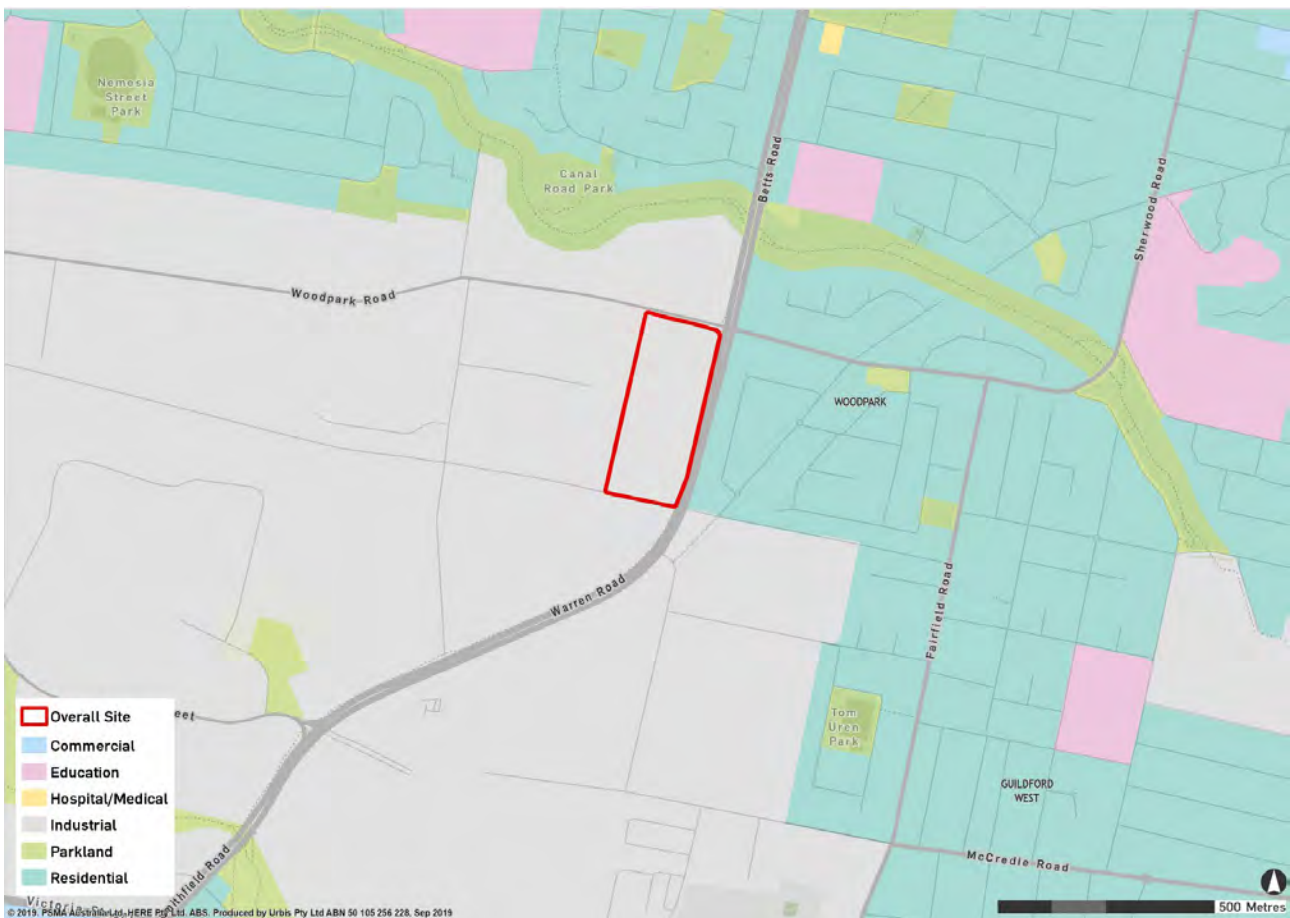
2.2.1. Surrounding Development

Land uses surrounding the overall site is summarised within **Table 2** and visualised within **Figure 2**.

Table 2 – Surrounding Development

Direction	Description
North	To the north of the site on the opposite side of Woodpark Road lies a mix of light industrial uses, which include vehicle repair/body repair workshops, freight transport facilities and a small number of independent retail premises.
East	To the east of the site are low-density residential development comprised of 1-2 storey dwellings, reflective of the R2 zoning. There are also several public recreation areas. The residential properties are located well beyond the site (in excess of 40m) on the opposite side of Cumberland Highway and feature high front fencing and well vegetated front yards with generous front setbacks.
South	To the south of the site are more general industrial land uses such as a car wrecker, equipment hire service centre and tile factory outlet.
West	To the west of the site is general industrial land comprising 1 to 2 storey industrial development. These are largely occupied premises distributed amongst smaller lots.

Figure 2 – Surrounding Land Use Context



Source: Urbis

2.2.2. Surrounding Road Network

The overall site has a frontage onto Woodpark Road to the north and a frontage onto Woodpark Road to the east. The dedicated Parramatta to Liverpool Bus Transitway also adjoins the southern boundary of the site.

Each of these three roads contain the following characteristics.

- Woodpark Road: Two lane road (one lane each direction) with a maximum speed limit of 60km/h.
- Cumberland Highway (Betts Road): Six lane road (three lanes each direction) with a maximum speed limit of 70km/h.
- Liverpool-Parramatta Transitway: Dedicated two lane road (one lane each direction) servicing busses only with a maximum speed limit of 70km/h.

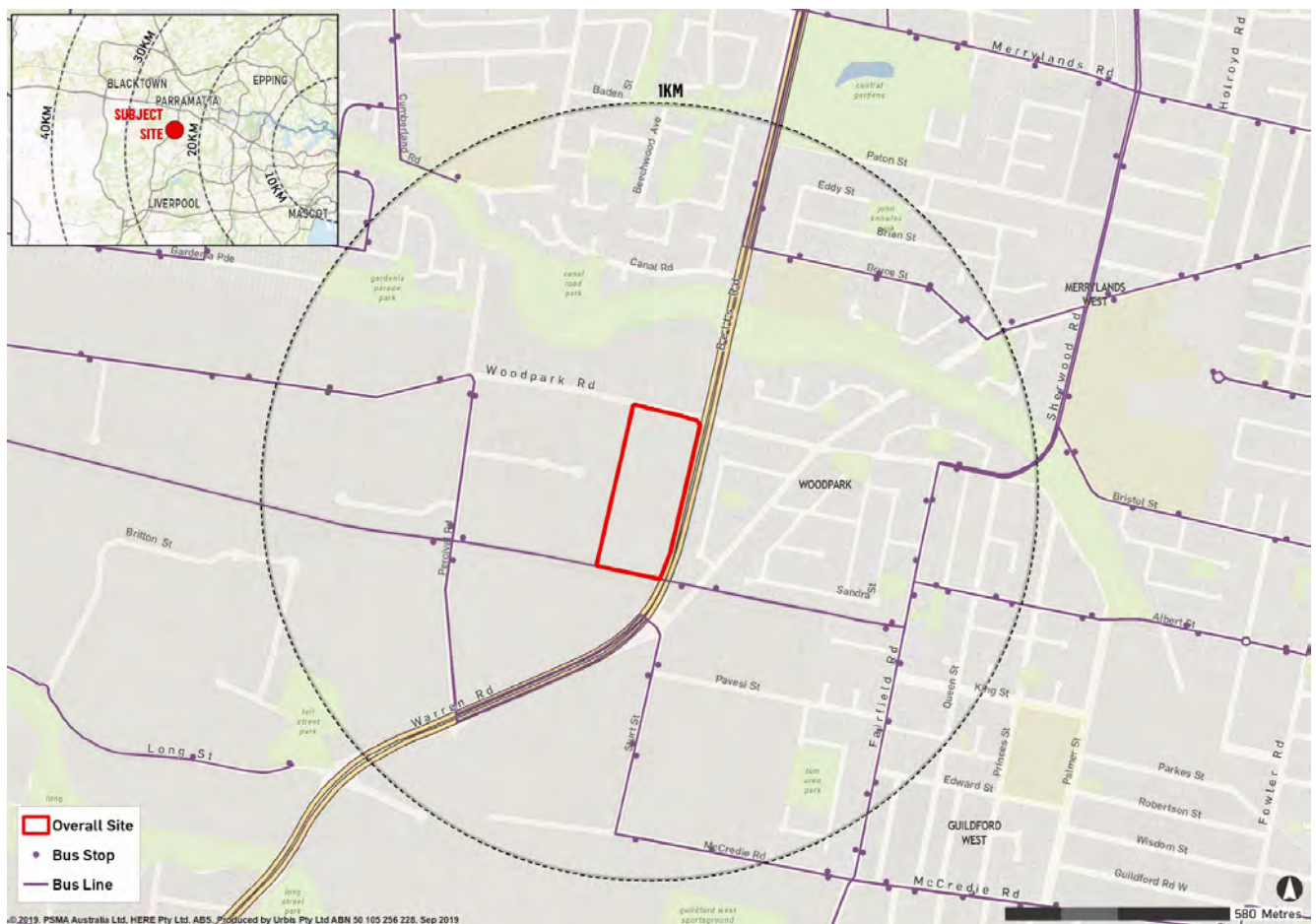
In addition to these above three roads, a range of local roads are also located near the site to service surrounding residential and industrial land uses.

2.2.3. Public Transport

The overall site is located in close proximity to a number of bus stops which service a variety of routes. These bus routes are illustrated within **Figure 3** and comprise the following:

- T80 – Liverpool to Parramatta via T-way;
- 802 – Liverpool to Parramatta via Green Valley;
- 820 – Guildford to Merrylands; and
- 821 – Guildford to Smithfield Industrial Area.

Figure 3 – Surrounding Public Transport



Source: Urbis

2.3. THE SUBJECT SITE

This Planning Proposal will allow the redevelopment of the southern portion of 106-128 Woodpark Road, Smithfield, which is outlined in red within **Figure 4 (subject site)**.

Redevelopment of the subject site is for Stage 3 works of a larger development of the overall site at 106-128 Woodpark Road for a mixed-use precinct. A ground floor plan of the overall site showing the approved development on the northern portion of the site and the Stage 3 site (subject site) is provided in **Figure 5**.

The subject site currently comprises a large warehouse building, concrete surfaces and grassed areas. Images of the subject site are provided in **Figure 6** below.

Figure 4 – Aerial of the Subject Site



Source: Nearnmap / Urbis

Figure 5 - Subject Site for Stage 3 Works (Left) and Stage 2 Approved Works on Northern Portion of the Site (Right)



Source: Leffler Simes Architects

Figure 6 – Images of the Subject Site



Picture 1 – Existing Warehouse Building

Source: Google Earth



Picture 2 – Existing Concrete and Grassed Areas

Source: Google Earth

3. PROJECT BACKGROUND

3.1. STAGE 1 DA

Development Application (DA) 2017/7 was approved by the Sydney Central City Planning Panel (the Panel) on 14 December 2017 for stage 1 concept approval for building envelopes and associated land uses, site preparation, civil works, tree removal and construction of a signalised intersection. The approval applies to the overall site.

The approval was subject to a condition within Schedule A of the Conditions of Consent. On 15 March 2018, Sydney Water provided a letter that provided written approval to the proposed alteration to the existing stormwater discharge into the Sydney Water land. This satisfies Item 1 of Schedule A of the Deferred Commencement DA consent 2017/7/1.

The approval of the Stage 1 DA facilitates the future development of the entire site through a development consent which includes indicative building envelopes and vehicle access arrangements for future development proposals to be assessed against. In addition, the future development of the site is subject to the following land uses and maximum allocated Gross Floor Areas (GFA):

Table 3 – Approved Land Uses Mix Under Stage 1 Concept Approval

Land Use Mix	Approved GFA
Bulky goods premises	39,600sqm
Warehouse	2,000sqm
Food and drink premises	1,851sqm
Child Care Centre	1,820sqm
Medical Centre	1,580sqm
Total Maximum GFA	46,851sqm

3.2. STAGE 2 DA

DA 2018/332 was approved by the Panel on 23 July 2019 for stage 2 construction works on the northern part of the overall site, including:

- A two-storey building comprising various sized specialised retail premises, medical centre, and childcare centre
- A single storey building comprising one specialised retail premises and four food & drink premises
- Three separate single storey buildings for use as fast food outlets with 24-hour operation
- Associated works including signage, 594 car parking spaces, 113 bicycle parking spaces, tree removal, landscaping and stormwater works

Indicative completion of stage 2 works is early 2022.

3.3. STAGE 3 DA (AND SUBJECT PLANNING PROPOSAL)

As detailed within this Planning Proposal, the southern portion of the overall site is proposed to include offices and traditional retail development. This will consist of a commercial low-rise tower over two levels and a supermarket anchoring specialty retail on the ground level.

The Applicant has engaged in discussions with Cumberland Council during the preparation of this Planning Proposal and accompanying preliminary concept design.

- In 2017, the Applicant met with Cumberland Council to discuss the potential for introducing additional uses on the stage 3 site to allow for the proposed development.
- Following further development of the scheme, a pre-lodgement meeting was held with the Applicant and Cumberland Council on 26 March 2019.
- Finally, a pre-lodgement meeting was held with the Applicant and Cumberland Council on 15 August 2019 to discuss the final scheme to be lodged with Council.

The key matters from these discussions are provided below.

Table 4 – Stage 3 Concept Discussions

Council Comment	Applicant Response
<p>Amendments</p> <p>Council would be prepared to insert additional permitted uses under Schedule 1 of the LEP (land potentially limited to a certain size) rather than a site rezoning.</p> <p>Economic and Traffic Impacts</p> <p>The Planning Proposal will need to address both Economic Impacts and Traffic Impacts.</p>	<p>This approach has been adopted for this Planning Proposal.</p> <p>Refer to Section 6.2.</p> <p>These considerations have been addressed in this Planning Proposal.</p> <p>An Economic Benefits report is provided at Appendix C. An Economic Need and Impact Assessment is provided at Appendix D. A Traffic Review is provided at Error! Reference source not found..</p>
<p>Quantum of Commercial Floorspace Proposed</p> <p>It was acknowledged that the office component was discussed previously by Council Officers as a potential catalytic component of a future development. However, the scale of the component proposed is not supported by any current, or future strategic vision for the Woodpark Employment Area, therefore it was recommended that this element of the proposal be reconsidered.</p> <p>Council are not willing to amend the controls if the use and height is not viable.</p> <p>Strategic justification, analysis of the current and future demand for office floor feasibility analysis to support the office tower component on the site is required.</p>	<p>An Economic Benefits report assessing the commercial office component is provided at Appendix C. The findings of the report support the quantum of commercial office space proposed, noting that it is consistent with the future employment and floorspace requirements of the LGA and the flexibility of floorspace can provide options as the nature of businesses change over time.</p> <p>It is further noted that there has been a reduction in the quantum of floor space since the initial discussions.</p>

Council Comment	Applicant Response
<p>Approvals of Stakeholders</p> <p>Cumberland Council undertakes pre-Gateway consultation and recommends consulting key stakeholders to ensure in principle support:</p> <ul style="list-style-type: none"> ○ Ensure Sydney Water/Transit Systems are accepting of any pedestrian linkages to the site. ○ Ensure RMS is supportive of any increase in floor space 	<p>Concept plans were provided to Sydney Water in an application dated 20 February 2019. Subsequently, Sydney Water has provided a Feasibility Letter (Appendix F), providing information about requirements to be met. This is considered in principle support.</p> <p>A Traffic Review is provided at Appendix E, which finds that with the road works previously required by RMS for the concept DA and the additional left turn lane on the Cumberland Highway site access, the adjacent road network could accommodate the additional traffic generated by the Planning Proposal.</p>
<p>Additional Retail Use</p> <p>Council are comfortable with the additional retail proposed on site (including full line supermarket), aimed at being a local level centre. Economic impact on other established centres is to be quantified.</p>	<p>An Economic Need and Impact Assessment is provided at Appendix D. The findings of the assessment support the proposed retail and supermarket provision, noting that the impact would be relatively insignificant as far as the major centres operated by Stockland at Merrylands and Wetherill Park as well as the Fairfield Town Centre.</p>
<p>Urban Design</p> <p>Connectivity to the residential area viewed as being important as well as presenting a local centre that is walkable, accessible etc.</p> <p>Strategic Considerations</p> <p>The Planning Proposal will need to address the s117 Directions and District Plan</p>	<p>The concept design has considered walkability, accessibility and pedestrian access. This is detailed in Section 6.3.3.</p> <p>These considerations have been addressed in this Planning Proposal.</p> <p>Refer to Section 6.3.2.</p>
<p>Mapping</p> <p>This is not an urgent matter for lodgement and will be a matter for a later stage when the legal document is drafted.</p> <p>Regarding the location of mapping amendments (entire site or portion of the site), Council and the applicant agreed to provide flexibility so that the Planning Proposal is not tied to a specific scheme. Council will assess the potential impacts of applying the height amendment to the entire site.</p>	<p>Mapping for the purpose of this Planning Proposal has adopted the whole site for amendments.</p>
<p>Public Benefit Offer</p> <p>Council have a Planning Agreements Policy and supporting Guidelines. Planning Proposals must include reference to a Public Benefit Offer (PBO).</p>	<p>A PBO is addressed in Section 6.</p>

4. EXISTING PLANNING CONTROLS

This section provides a summary of the existing land use zoning and height of building controls that apply to the site under the current legislative framework.

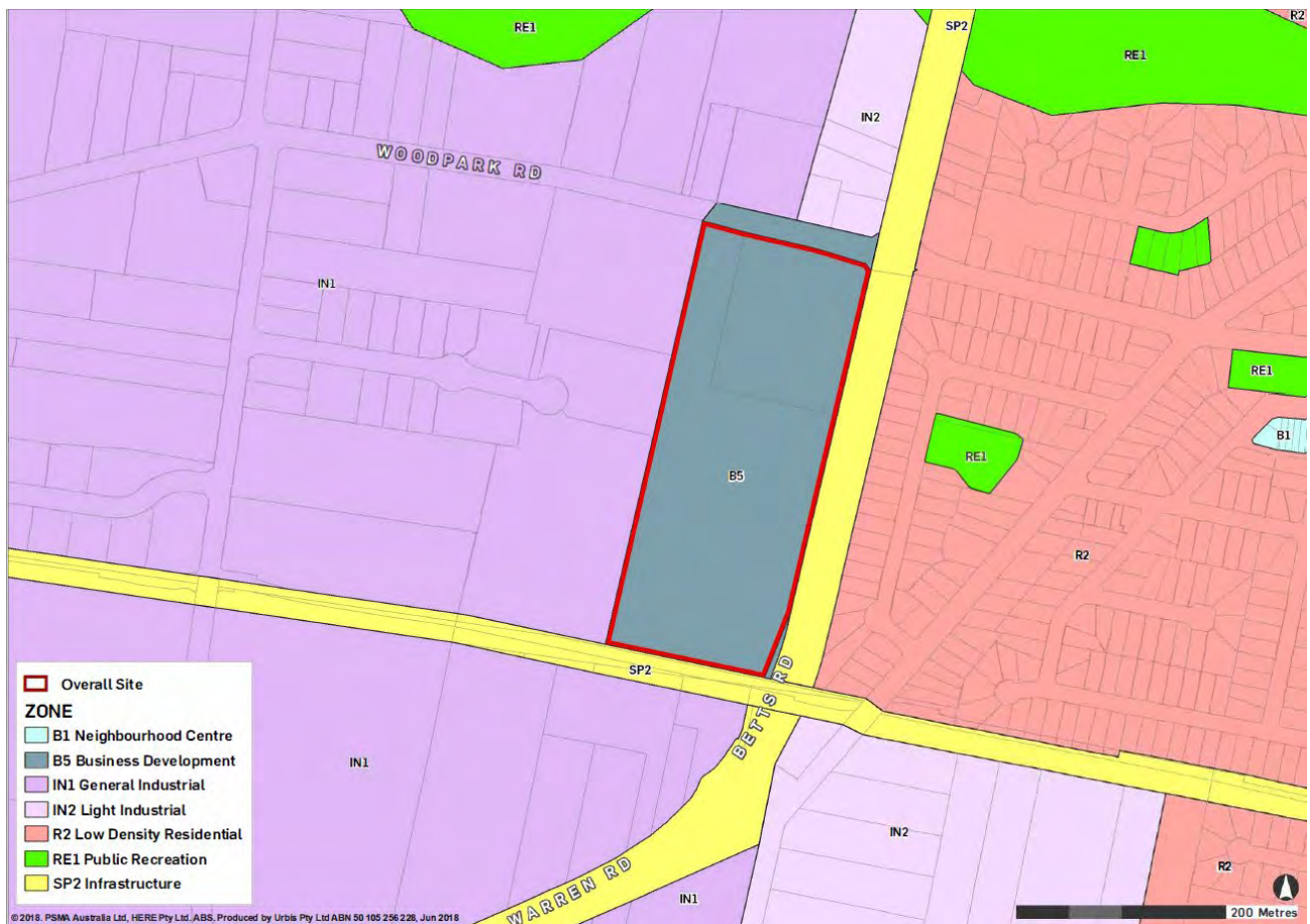
4.1. HOLROYD LOCAL ENVIRONMENTAL PLAN 2013

The principle statutory planning instrument applying to the site is the *Holroyd Local Environmental Plan 2013* (HLEP 2013).

4.1.1. Land Use Zoning

The site is currently zoned B5 Business Development under the HLEP 2013. An extract of the HLEP 2013 Zoning Map (Sheet LZN_006) that applies to the site is provided in **Figure 7**.

Figure 7 – HLEP 2013 Zoning Map (Sheet LZN_006) Extract



Source: HLEP 2013 / Urbis

The existing zoning controls of the site are summarised in **Table 3**.

Table 5 – B5 Zone Controls from HLEP 2013

Control	B5 Business Development
Zone Objectives	<ul style="list-style-type: none"> • <i>To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.</i> • <i>To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.</i>
Permissible Development	<i>Bulky goods premises; Child care centres; Food and drink premises; Funeral homes; Garden centres; Hardware and building supplies; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Respite day care centres; Roads; Self storage units; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4</i>
Prohibited Development	<i>Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities</i>

Under the 'B5 Business Development' zoning, 'commercial premises' are prohibited. The HLEP 2013 defines 'commercial premises' as follows:

commercial premises means any of the following:

- (a) *business premises,*
- (b) *office premises,*
- (c) *retail premises.*

A 'business premises' is defined by the HLEP 2013 as follows:

Business premises means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis,

and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

An 'office premises' is defined by the HLEP 2013 as follows:

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

A 'retail premises' is defined by HLEP 2013 as follows:

retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:

- (a) bulky goods premises,
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

Notwithstanding this, the 'B5 Business Development' zone does permit specific types of 'retail premises'. These comprise specialised retail premises, food and drink premises, garden centres, hardware and building supplies, landscaping material supplies, plant nurseries and timber yards. All other retail premises comprising cellar door premises, kiosks, markets, roadside stalls, rural supplies, shops and vehicle sales or hire premises are prohibited.

Given that 'office premises', 'retail premises (shops)' and 'business premises' are prohibited at the site under the 'B5 Business Development' zone, the construction of the concept scheme as outlined within the Preliminary Concept Design at **Appendix A** (low rise office, supermarket and speciality shops) at the subject site is currently prohibited. An amendment to the HLEP 2013 is therefore requested.

4.1.2. Height of Buildings

The site currently has a maximum building height limit of 20 metres under the HLEP 2013. An extract of the HLEP 2013 Height of Building Map (Sheet HOB_006) that applies to the site is provided in **Figure 8**.

Given that a 20-metre maximum height limit currently applies to the site, the construction of the concept scheme as outlined within the Preliminary Concept Design at **Appendix A** (with a maximum building height of 29m) at the subject site is not compliant with the standard. An amendment to the HLEP 2013 is therefore requested.

Figure 8 – HLEP 2013 Height of Buildings Map (Sheet HOB_006) Extract



Source: HLEP 2013 / Urbis

5. INTENDED DEVELOPMENT OUTCOME

5.1. OVERVIEW

An indicative development concept illustrating the type of development facilitated by this Planning Proposal has been prepared by Leffler Simes Architects and is included at **Appendix A** and shown in **Figure 9** below.

The preliminary concept design includes office space and traditional retail development. This will consist broadly of a 7,000sqm commercial mid-rise tower over two levels and a supermarket anchoring specialty retail on the ground level.

The concept design also includes a pedestrian overpass, connecting the northern and southern sides of the Cumberland Highway. This will improve pedestrian access within the locality to key pedestrian traffic generators including the T-Way and the revitalised subject site.

It should be noted that the design is conceptual only, demonstrating the suitability of the land for further development. In accordance with the statutory planning framework, there are a considerable number of matters that will need to be advanced in detail ahead of development consent being obtained, presenting multiple opportunities for design refinement.

Key land use and built form details of the preliminary concept design are provided below.

Figure 9 – Indicative Development Concept



Source: Leffler Simes Architects

5.2. LAND USES

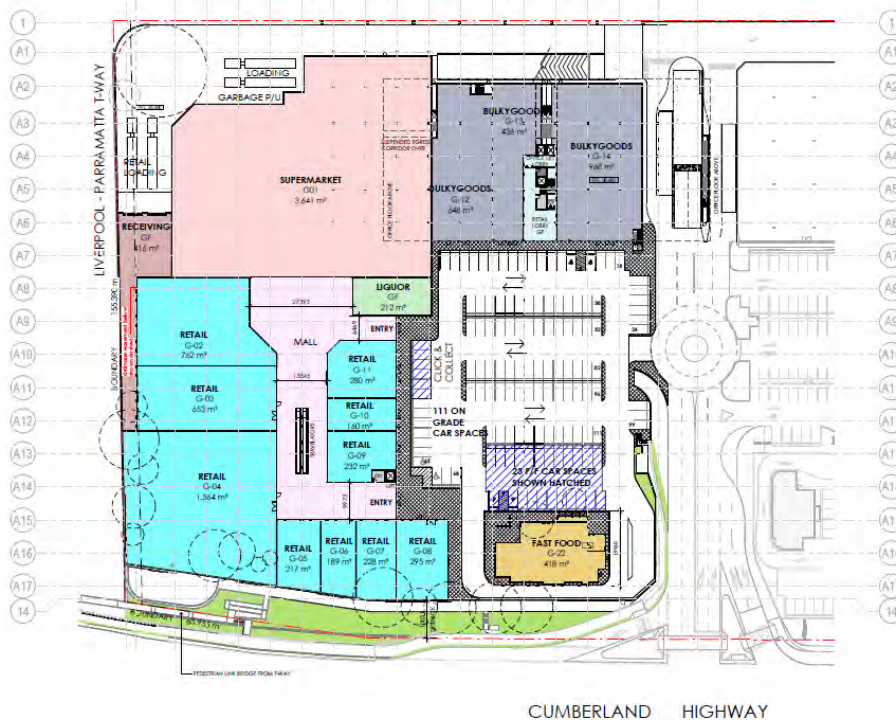
The concept design includes retail and commercial land uses. For the purposes of this Planning Proposal request, a quantum of floor space for each land use has been provided to show what a future development could potentially look like. However, this is subject to change during the detailed design and development application stage. The concept design comprises the following land uses:

- A ground floor mall with:
 - One 3,641sqm ground floor supermarket, inclusive of a liquor store.
 - Ten ground floor retail tenancies/shops ranging in size from 160sqm to 1,564sqm.
- One 418sqm fast food tenancy (currently permissible)
- Eight specialised retail tenancies over basement 2, ground floor and level 1 ranging in size from 436sqm to 2,696sqm (currently permissible), with a total GFA of 8,964sqm.
- Four commercial office tenancies over levels 2 and 3 ranging in size from 1,750sqm to 1,756sqm, with a total GFA of 6,994sqm.
- 888 car parking spaces:
 - 697 basement car spaces.
 - 111 at grade car spaces, with assigned click and collect;
 - 23 fast food spaces.
 - 57 car spaces on the first floor.
- Business identification, building identification and wayfinding signage

5.3. SITE LAYOUT AND BUILT FORM

The site layout is broadly defined by at-grade car parking central to the site and commercial buildings on the periphery, with vehicular access from Cumberland Highway. The buildings are primarily of a single storey-built form, with a commercial space over the western portion comprising an additional two storeys.

Figure 10 – Ground Floor Plan of Preliminary Concept Design



Source: Leffler Simes Architects

6. PUBLIC BENEFIT OFFER

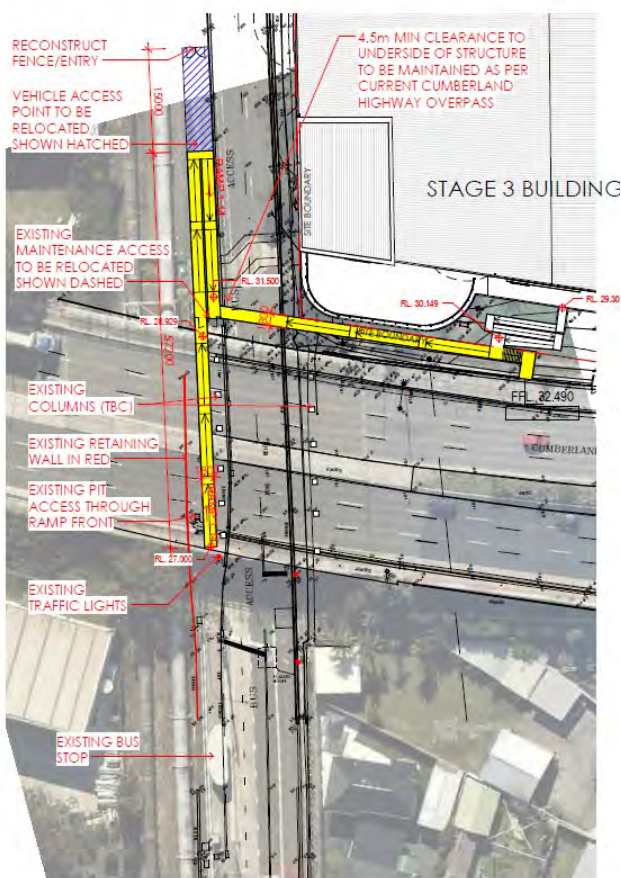
The applicant acknowledges Council's Planning Agreements Policy and supporting Guidelines and confirm a commitment to work through this issue in good faith. This section provides the general terms the Applicant's intention to deliver public benefits across the site. It is appropriate that Council initially assess the strategic merit of this Planning Proposal and, following this, the Applicant will subsequently engage in discussions with Council to discuss a Public Benefit Offer in line with their Planning Agreements Policy and Guidelines.

Once the general terms of the public benefits associated with the development are agreed between the Applicant and the Council, the Applicant will prepare a draft VPA which identifies the specifics of the offer responding to the comments of the Council's Executive Team.

Notwithstanding, some general terms of potential public benefits offered by the Applicant under consideration are:

- Pedestrian overpass over the T-Way to provide direct public access to the development and the residential areas. The T-Way operator has acknowledged that the construction of this improved access is likely to facilitate additional bus services on the T-Way.
- Flood control drainage and diversion works to handle flood waters from Council's land and upstream properties (historically committed to as part of Stage 2 works).
- Significant reduction of stormwater discharge into the local catchment and downstream to the Georges River by providing 1890m³ of on-site detention which did not previously exist (historically committed to as part of Stage 2 works).
- New High voltage electrical supply headworks from zone substation as Endeavour Energy network is over capacity.

Figure 11 – Indicative Pedestrian Overpass Plan



Source: Leffler Simes Architects

7. THE PLANNING PROPOSAL

This Planning Proposal request has been prepared in accordance with section 3.33 of the EP&A Act, with considering of the DPE's *Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*.

Accordingly, the Planning Proposal is addressed in the following parts:

- **Part 1:** A statement of the objectives or intended outcomes.
- **Part 2:** An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3:** The justification for the planning proposal and the process for the implementation.
- **Part 4:** Mapping (where relevant) to identify the intent of the Planning Proposal and the area it applies.
- **Part 5:** Details of community consultation that is to be undertaken for the planning proposal.
- **Part 6:** Project timeline.

Discussion for each of the above parts is outlined in the following sections.

7.1. PART 1: OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to amend the HELP 2013 to enable the redevelopment of the subject site at 106-128 Woodpark Road, Smithfield to realise a high-quality mixed-use development that:

- Contributes to the rejuvenation and revitalisation of the site;
- Introduces compatible land uses that will contribute to the creation of a vibrant, active and economically sustainable locality;
- Provides for the orderly and economic development of the land; and
- Leverages the site's strategic location in proximity to a range of bus networks (including T-Way bus system between Liverpool and Parramatta).

7.2. PART 2: EXPLANATION OF PROVISIONS

It is intended to achieve this vision with the following amendments:

- Amend Schedule 1 Additional permitted uses of the HLEP 2013 to include *shop* and *business premises* (that do not exceed 10,500sqm in total), and *office premises* (that do not exceed 7,000sqm) as additional permitted uses at 106-128 Woodpark Road, Smithfield.
- Amend the Schedule 1 Additional Permitted Uses Map of HELP 2013 in accordance with the proposed map shown at **Appendix B**, which identifies the overall site as having additional permitted uses.
- Amend the Height of Building Map (Sheet HOB_006) of HELP 2013 in accordance with the proposed height map shown at **Appendix B**, which indicates a maximum permissible height of 29 metres on the subject site (southern portion – Stage 3 site).

The amendments are intended to allow for development on the Stage 3 site only. The height of building amendment is proposed to apply to the southern portion only. However, due to potential future permissibility issues associated with access to the additional permitted uses on the Stage 3 site from other portions of the site where the uses are not permitted, it is proposed to map the entire site for additional permitted uses. To give Council the assurance that the additional permitted uses are intended to be limited to the Stage 3 site only, GFA caps are proposed.

7.3. PART 3: JUSTIFICATION

7.3.1. Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal responds to the direction set in the Cumberland Employment, Innovations Land Strategy, which identifies the Smithfield Industrial Precinct as an Enterprise Park Precinct, with a strategic focus to build on its existing industry specialisations and increasing digitisation of production. In particular, the Precinct has been identified to accommodate higher knowledge workers, with the potential to build synergies with surrounding development.

As such, the proposed development responds to this Strategy as it accommodates for high value knowledge sector jobs through its provision of office space.

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

Site specific amendments to HELP 2013 are the most appropriate means of achieving the objectives of this Planning Proposal. Other approaches have been considered:

- **Amendment to the land use table to allow supermarkets and offices in the B5 zone**
The site is unique in that it benefits from excellent access to bus services and is in proximity to homes, making it an excellent location for a local centre with a mix of uses. This means that whilst the site plays an important role in business development, unlike other B5 zoned sites, it is also an opportunity site to provide a variety of land uses in proximity to transport access, residents and workers.
- **Rezone the Site to Allow Supermarkets and Offices**
The B5 zone is considered the most appropriate zoning allocation for the subject site. The proposed amendments only apply to a portion of the southern end of the overall site and serve the surrounding uses of the future bulky goods centre. As such, the role of these additional permitted uses are ancillary to the primary role of the site and do not warrant the rezoning of the site.

7.3.2. Section B – Relationship to Strategic Planning Framework

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

a) Does the proposal have strategic merit?

The strengthened strategic merit test criteria requires that a planning proposal demonstrate strategic merit against (at least one of) the following three criteria:

1. *Consistent with the relevant district plan, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment*
2. *Consistent with a relevant local council strategy that has been endorsed by the Department.*
3. *Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.*

The Planning Proposal is consistent with the objectives and actions of the applicable strategic plans and policies that apply to the site, including:

- *NSW State Priorities*
- *The Greater Sydney Region Plan – A Metropolis of Three Cities*
- *Central District Plan*
- *Cumberland Employment and Innovations Lands Strategy*
- *Draft Cumberland Local Strategic Planning Statement (LSPS)*

Consistency with these plans is detailed in the sections below, demonstrating strategic merit under criteria 1 and criteria 2.

The Planning Proposal enables knowledge-based employment in the Smithfield Industrial Park through the provision of commercial office space, consistent with the direction local, district and regional strategic plans. It responds to changing trends and economic objectives, this demonstrating strategic merit under criteria 3.

NSW State Priorities

In 2015, the Premier of NSW committed to delivering 12 Premier's Priorities. The priorities aimed to keep the economy strong, create jobs, deliver world-class services, protect the vulnerable and ensure that all NSW citizens and communities share in the state's success.

The NSW government is supporting job creation by: supporting businesses by providing advice and initiating a Startup hub; creating jobs and apprenticeships for the construction sector; and supporting regional development.

The Planning Proposal will retain and enhance the employment role of this important strategic site. It will provide a variety of employment options from the ongoing operation of the site with the provision of office space, specialty retail tenancies, bulky goods retail tenancies, a supermarket with a liquor store, and a fast food tenancy.

The overall site, in delivering Stages 2 and 3 has the potential to deliver 1,350 direct ongoing jobs across retail, commercial, office, medical and childcare uses. It will also support employment of the construction industry in line with the direction of government, resulting in the order of 183 jobs per year.

The Greater Sydney Region Plan – A Metropolis of Three Cities

Objectives

The Plan seeks to rebalance growth and deliver its benefits more equitably to residents across Greater Sydney. Aligning land use, transport and infrastructure planning is intended to reshape Greater Sydney as three unique but connected cities. The plan is built on a vision where most residents of the three cities

(Central River, Western Parkland and Eastern Harbour) live within 30 minutes to their jobs, education, health facilities and services.

The Planning Proposal supports a variety of employment generating land uses and day-to-day services in an appropriate location with access to public transport and in proximity to residential areas. This supports the 30-minute city concept.

Relevant to the Site

The following key points are of relevance to the site:

- The Plan identifies the site and Cumberland LGA within the Central City District. Smithfield is identified as Industrial and Urban Services Land.
- Smithfield is located within the Central River City metropolis, which is centred on greater Parramatta, the core of the City.
- Economic activity and infrastructure investment is to be focused in Greater Parramatta and the Olympic Peninsula Economic Corridor and supported by the well-established industrial corridor which extends from Villawood to Wetherill Park. Economic activity will also be enhanced surrounding Greater Parramatta through investment in links to the surrounding strategic centres, such as Smithfield.
- The Plan includes a rhetoric towards reviewing, planning, retaining and managing industrial and urban services land of which the subject site falls within.

The Planning Proposal will retain and enhance the employment role of this important strategic site. It will support the development of the site akin to a local centre with a variety of jobs and day-to-day services for residents and workers. This complements the direction of the Plan as it will enhance economic activity in Smithfield.

Central District Plan

The Plan provides a 20-year plan to manage growth and achieve the Greater Sydney Commission's 40-year vision. The plan will enhance Greater Sydney's liveability, productivity and sustainability. The Plan sets out priorities and actions for the Central City District, which includes Cumberland Council and the site. The District Plans give effect to the Region Plan.

Employment Land

The following Directions relate to employment land and the subject site:

- A planning priority is *"Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land"*
- The Plan identifies that the industrial and urban services land in the Cumberland LGA is required for innovative industries such as digital innovation, media, arts, creative industries, food and beverage manufacturing, allied health, research and development and advanced technology. The Plan also identifies the draft Employment and Innovation Lands Strategy and Land Use Planning Framework.
- The Plan states that, *"All existing industrial and urban services land should be safeguarded from competing pressures, especially residential and mixed-use zones. This approach retains this land for economic activities required for Greater Sydney's operation, such as urban services. Councils are to conduct a strategic review of industrial land as part of updating local environmental plans and confirm the retention or management to potentially allow for higher order employment activities such as business parks"*.

- Specifically, the existing industrial lands are to be maintained for economic and employment purposes. Their retention or otherwise will not only look at the number of jobs but rather a mix of economic outcomes that support the city and population. The management of these lands should accommodate evolving business practices and changes in needs for urban services from the surrounding community and businesses.

Retail

Overall, the District Plan contains the following themes, which are of relevance to the proposed increase in retail on the site:

- The Plan defines a centres hierarchy of strategic and district centres. The subject site is not an identified centre but is an established large format retail centre.
- The Plan contains principles for developing and new, emerging centres. The Plan does acknowledge that new centres are needed across Sydney. Any transition to increase retail on the site centre should be based on sound strategic planning and supported by infrastructure provision and transport accessibility, especially public transport. These centres have to be walkable and well-designed places.

The subject site is well serviced by public transport and supported by infrastructure. A Traffic Review has also been undertaken, with findings that surrounding road network can accommodate the increase in retail GFA (Error! Reference source not found.).

- A key point is that any centre growth to be informed by local studies. This would include Local Community Strategic Statements, retail studies, employment land studies and the like.

An Economic Need and Impact Assessment is provided at **Appendix D**. The findings of the assessment support the proposed retail and supermarket provision, noting that the impact would be relatively insignificant as far as the major centres operated by Stockland at Merrylands and Wetherill Park as well as the Fairfield Town Centre.

Draft Retail Discussion Paper - Planning for the Future of Retail

In 2018, a Discussion Paper, "Planning for the Future of Retail" prepared by the Department of Planning was placed on exhibition which is intended to be a precursor to the development of a Retail Policy. The discussion paper builds on Region and District Plans and REAC report, aligns with a Centres based policy and clustering of development and makes a clear case for reform of:

- Better local strategic planning for retail
- A modern approach to retail development
- Adaptability/flexibility and certainty for retail

Large Format Retail

As relevant to large format retail (LFR) sites, the Discussion paper includes:

- Clusters of LFR should be treated as part of retail network. Therefore, LFR clusters should be planned for in accordance with 'traditional' centres planning
- Supports 'nurturing' of large-format sites 'into emerging centres', 'outside of the traditional centres hierarchy'
- Additional uses may be supported, to morph into a traditional centre
- New centres may be supported, subject to net community benefit assessment
- Key issue in this consideration will be infrastructure and transport accessibility
- However, any emerging centre must also consider protection of industrial and urban services land

New Centres

The Discussion Paper notes that Councils will prepare strategic reviews for new centres and they should be endorsed by the Greater Sydney Commission. The discussion paper notes that any new centre should be:

- Located where public transport services are commensurate with the scale of the centre
- Directly opposite a residential catchment accessible by a controlled pedestrian crossing
- More than a standalone supermarket
- Exhibit quality urban design with amenity, informed by a masterplan
- Supported by planned and funded infrastructure commensurate with the needs of the centre

Whilst the Discussion paper has no statutory weight, it does provide an indication of the matters that Council (and the Department) will consider if additional retail is proposed on the site. The themes in the paper are generally supportive of 'evolving' or 'emerging' bulky goods precincts but has a number of caveats and matters that need detailed analysis.

On this basis, arguments can be made to explore additional retail on the site without undermining the established retail hierarchy and centres policy. The subject site is an appropriate location for the proposed mixed-use centre, with consideration of how it meets the requirements detailed within the Paper:

- It has great access to public transport services, being adjacent to the Parramatta to Liverpool Transitway.
- An Economic Need and Impact Assessment is provided at **Appendix D** which supports the proposed retail and supermarket provision, noting that the impact would be relatively insignificant as far as the major centres operated by Stockland at Merrylands and Wetherill Park as well as the Fairfield Town Centre.
- Residential land uses are located on the opposite side of Betts Road, with access to the site proposed via a pedestrian overpass.
- The concept design is for an integrated mixed-use development and does not solely propose a standalone supermarket.

b) Does the proposal have site-specific merit?

In addition to meeting at least one of the strategic merit criteria, a Planning Proposal is required to demonstrate site-specific merit with regard to the following:

1. *The natural environment (including known significant environmental values, resources or hazards) and;*
2. *The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and;*
3. *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.*

The Planning Proposal demonstrates site-specific merit, considering:

- The subject site is substantially developed and comprises little vegetation. There are no known critical habitats or threatened species, populations or ecological communities located on the subject site and therefore the likelihood of any negative impacts are minimal.
- Potential flooding impacts were considered during the Concept development application.
- The site is unique in that it benefits from excellent access to bus services, is in proximity to residential homes and contains employment generating land uses, making it an excellent location for a revitalised centre with a mix of uses.

- The site is serviced.
- A Traffic Review is provided at **Appendix E**, which finds that with the road works previously required by RMS for the concept DA and the additional left turn lane on the Cumberland Highway site access, the adjacent road network could accommodate the additional traffic generated by the Planning Proposal.

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

The Planning Proposal demonstrates strategic merit through its consistency with the objectives and actions of the applicable local plans and policies that apply to the site, including:

- Cumberland Employment and Innovations Lands Strategy
- Draft Cumberland Local Strategic Planning Statement (**LSPS**)

Cumberland Employment and Innovations Lands Strategy

Objectives

Cumberland Council adopted the Strategy in May 2019. The strategy sets the direction for employment and innovation land within the amalgamated LGA. Council identified the following aspirations:

- Forming an Innovation eco-system and knowledge-intensive industrial sector.
- Fostering growth in priority productive sectors which will also leverage the diversity and skills of migrants.
- Ensuring employment lands are sustainable, able to adapt to and accommodate changing needs of industry and business

Smithfield Industrial Precinct

The Smithfield Industrial Precinct has been identified as an Enterprise Park Precinct, with a strategic focus to build on its existing industry specialisations and increasing digitisation of production. In particular, the Precinct has been identified to accommodate higher knowledge workers, with the potential to build synergies with surrounding development.

As such, the proposed development aligns with the Strategy objectives as it accommodates for high value knowledge sector jobs through its provision of office space. The future tenant profile is expected to reflect a diverse range of businesses that will leverage opportunities associated with the designated Enterprise Precinct.

The proposed development also represents a strategic opportunity for the Cumberland LGA overall, given:

- Its positioning and ability to support innovation activities in the Western Sydney Employment Area (WSEA) and to an extent, the Western Sydney Aerotropolis
- It provides an affordable price point for businesses requiring office accommodation relative to space in the Eastern City of Sydney.

Draft Cumberland Local Strategic Planning Statement (LSPS) – Cumberland 2030

Cumberland Council released their draft Statement in July 2019 for public exhibition. The Statement sets a 20-year vision for land use, identifies the special characteristics which contribute to local identity, identifies shared community values to be maintained and enhanced, and details how growth and change will be managed into the future.

The following relevant priorities are identified for the area:

- Planning Priority 7 – Designing vibrant and attractive town centres.
- Planning Priority 10 – Supporting a strong and diverse local economy across town centres and employment hubs.
- Planning Priority 11 – Promoting access to local jobs, education opportunities and care services.

- Planning Priority 12 – Facilitating the evolution of employment and innovation lands to meet future needs.

The Smithfield Industrial Precinct is identified a ‘significant employment land precinct’.

The Planning Proposal meets these priorities in that it supports a variety of employment generating land uses and day-to-day services in an appropriate location with access to public transport and in proximity to residential areas.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

This Planning Proposal is consistent with all applicable Statement Environmental Planning Policies (SEPPs), including:

- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 64—Advertising and Signage*

Consistency is demonstrated in **Table 6** below.

Table 6 – Consistency with State Environmental Planning Policies

State Environmental Planning Policy	Comment
SEPP (Coastal Management) 2018	Not Applicable
SEPP (Educational Establishments and Child Care Facilities) 2017	Not Applicable
SEPP Amendment (Child Care) 2017	Not Applicable
SEPP (State and Regional Development) 2011	Not Applicable
SEPP (Sydney Drinking Water Catchment) 2011	Not Applicable
SEPP (Urban Renewal) 2010	Not Applicable
SEPP (Affordable Rental Housing) 2009	Not Applicable
SEPP (Western Sydney Parklands) 2009	Not Applicable
SEPP (Exempt and Complying Development Codes) 2008	Not Applicable
SEPP (Western Sydney Employment Area) 2009	Not Applicable
SEPP (Rural Lanes) 2008	Not Applicable
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not Applicable
SEPP (Infrastructure) 2007	<p><i>State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)</i> aims to facilitate the effective delivery of infrastructure across the State by (amongst other things) identifying matters to be considered in the assessment of development adjacent to particular types of development.</p> <p>The proposed development is identified as ‘traffic generating development’ to be referred to the Roads and Maritime Services in accordance with Schedule 3 of the Infrastructure SEPP, as it includes at least 10,000sqm of floor space for commercial premises and at least 2,000sqm of floor space for a shop, with access to a road.</p> <p>Traffic considerations have been addressed during the design of the scheme. A Traffic Review has been undertaken, with findings that surrounding road network can accommodate the increase in retail GFA (Appendix E).</p>

SEPP (Miscellaneous Consent Provisions) 2007	Not Applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not Applicable
SEPP (Sydney Region Growth Centres) 2006	Not Applicable
SEPP (State Significant Precincts) 2005	Not Applicable
SEPP (Building Sustainability Index: BASIX) 2004	Not Applicable
SEPP (Housing for Seniors or People with a Disability) 2004	Not Applicable
SEPP (Penrith Lakes Scheme) 1989	Not Applicable
SEPP (Kurnell Peninsula) 1989	Not Applicable
SEPP No. 1 Development Standards	Not Applicable
SEPP No. 19 Bushland in Urban Areas	
SEPP No. 21 Caravan Parks	Not Applicable
SEPP No. 30 Intensive Agriculture	Not Applicable
SEPP No. 33 Hazardous and Offensive Development	Not Applicable
SEPP No. 36 Manufactured Home Estates	Not Applicable
SEPP No. 44 Koala Habitat Protection	Not Applicable
SEPP No. 47 Moore Park Showgrounds	Not Applicable
SEPP No. 50 Canal Estate Development	Not Applicable
SEPP No. 52 Farm Dams and Other Works in Land and Water Management Plan Areas	Not Applicable
SEPP No. 55 Remediation of Land	Not Applicable
SEPP No. 62 Sustainable Aquaculture	Not Applicable
SEPP No. 64 Advertising and Signage	<p><i>State Environmental Planning Policy No 64—Advertising and Signage (SEPP 64)</i> aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high-quality design and finish.</p> <p>The concept design provides indicative locations for business identification signage. Whilst signage does not impact on the built form or land uses subject to this Planning Proposal, it has been considered. The key principle applied to the design at this stage is the consolidation of signage where possible to avoid visual clutter, with consideration of the large quantum of tenancies requiring identification. This will be further refined during the Development Application process.</p>
SEPP No. 65 Design Quality of Residential Apartment Development	Not Applicable
SEPP No. 70 Affordable Housing (Revised Schemes)	Not Applicable
SEPP No. 71 Coastal Protection	Not Applicable

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

This Planning Proposal is consistent with all applicable Ministerial Directions, including:

- 1.1. Business and Industrial Zones
- 3.4. Integrating Land Use and Transport
- 7.1. Implementation of A Plan for Growing Sydney

Consistency is demonstrated in **Table 7** and in the sections below.

Table 7 – Consistency with Section 9.1 Directions

Ministerial Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	Applicable. This has been addressed below.
1.2 Rural Zones	Not Applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not Applicable
1.4 Oyster Aquaculture	Not Applicable
1.5 Rural Lands	Not Applicable
Environment and Heritage	
2.1 Environmental Protection Zones	Not Applicable
2.2 Coastal Protection	Not Applicable
2.3 Heritage Conservation	Not Applicable
2.4 Recreation Vehicle Areas	Not Applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not Applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Not Applicable
3.2 Caravan Parks and Manufactured Home Estates	Not Applicable
3.3 Home Occupations	Not Applicable
3.4 Integrating Land Use and Transport	Applicable. This has been addressed below.
3.5 Development Near Licensed Aerodromes	Not Applicable
3.6 Shooting Ranges	Not Applicable

Ministerial Direction	Comment
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Not Applicable
4.2 Mine Subsidence and Unstable Land	Not Applicable
4.3 Flood Prone Lane	Not Applicable
4.4 Planning for Bushfire Protection	Not Applicable
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not Applicable
5.2 Sydney Drinking Water Catchments	Not Applicable
5.3 Farm Land of State and Regional Significance on the NSW Far North Coast	Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable
5.8 Second Sydney Airport: Badgerys Creek	Not Applicable
5.9 North West Rail Link Corridor Strategy	Not Applicable
5.10 Implementation of Regional Plans	Not Applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	Not Applicable
6.2 Reserving Land for Public Purposes	Not Applicable
6.3 Site Specific Provisions	Not Applicable
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	Applicable. This has been addressed below.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not Applicable

1.1. Business and Industrial Zones

(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 Secretary of the Department of Planning and Environment.

(a) give effect to the objectives of this direction.

(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 centres.

The site is a suitable location for employment growth. The site comprises an established large format retail centre with opportunities to increase the quantum and variety of jobs considering its proximity to residential precincts and good public transport access connecting the site with the large centres of Liverpool, Parramatta, Guildford and Merrylands.

The Planning Proposal will retain and enhance the employment role of the site to protect employment land.

The site contains an existing centre and is identified as an Enterprise Park Precinct within the Cumberland Employment and Innovation Lands Strategy, with a strategic focus to build on its existing industry specialisations and increasing digitisation of production. In particular, the Precinct has been identified to accommodate higher knowledge workers, with the potential to build synergies with surrounding development. The mixture of complementary land uses proposed ensure the ongoing viability of this identified centre, particularly with the provision of flexible office floorplates that address how the nature of businesses change over time.

(b) retain the areas and locations of existing business and industrial zones

The Planning Proposal will retain the land use zoning of the site as B5 Business Development.

(c) not reduce the total potential floor space area for employment uses and related public services in business zones

The Planning Proposal will retain and enhance the employment role of the site to protect employment land. The site is currently used for low yielding industrial uses, and therefore supports minimal jobs and is making minimal Gross Value Added contribution to the local or state economy. The proposal will deliver a positive uplift of 1,350 new jobs on the site.

(d) not reduce the total potential floor space area for industrial uses in industrial zones, and

The site is not in an industrial zone.

(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment.

The site is an existing employment area that is identified in regional, district and local planning strategies.

3.4. Integrating Land Use and Transport

(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)*.

The Planning Proposal is consistent with this direction as its intended outcome is to enable the redevelopment of the subject site to realise a high-quality mixed-use development that increases the quantum and variety of employment and services within an existing centre that is in proximity to residential precinct and great public transport connections.

7.1. Implementation of A Plan for Growing Sydney

This direction refers to the superseded Sydney regional plan. As such, it is considered that this Planning Proposal should implement the current plan *A Metropolis of Three Cities*. As detailed in Question 3, this Planning Proposal is consistent with and will implement the current regional plan.

7.3.3. Section C – Environmental, Social and Economic Impact

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?

The subject site is substantially developed and comprises little vegetation. There are no known critical habitats or threatened species, populations or ecological communities located on the subject site and therefore the likelihood of any negative impacts are minimal.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are not likely to be any environmental impacts associated with the future development of the land that cannot be suitably mitigate through detailed design development. The key environmental considerations for this Planning Proposal are:

- Traffic implications and parking provision, with the increased GFA on the subject site.
- Flood planning, as Council have previously identified the subject sites as being subject to flooding/overland flow.
- The impacts of the height increase on the surrounding area, which will be negligible considering surrounding land uses and separation from residential properties.

Traffic and Parking

The Concept DA for the whole site initially considered the traffic impacts of the development of Stages 1 and 2. An Initial Traffic Review is provided at **Appendix E**, which assesses traffic effects of the planning proposal to allow retail and commercial development on the southern portion of the site (south of the proposed access to Cumberland Highway).

The Review found that with the road works previously required by RMS for the concept DA and the additional left turn lane on the Cumberland Highway site access, the adjacent road network could accommodate the additional traffic generated by the Planning Proposal.

The Review also found that pursuant to Council's DCP controls 828 parking spaces are required for the subject site and pursuant to RMS Guidelines 773 parking spaces are required. The Preliminary Concept Plans provided 888 spaces which satisfies both requirements and is less than the maximum parking spaces pursuant to Council's DCP. This indicates that the site is capable of being self-sufficient in terms of parking provision for the proposed land uses.

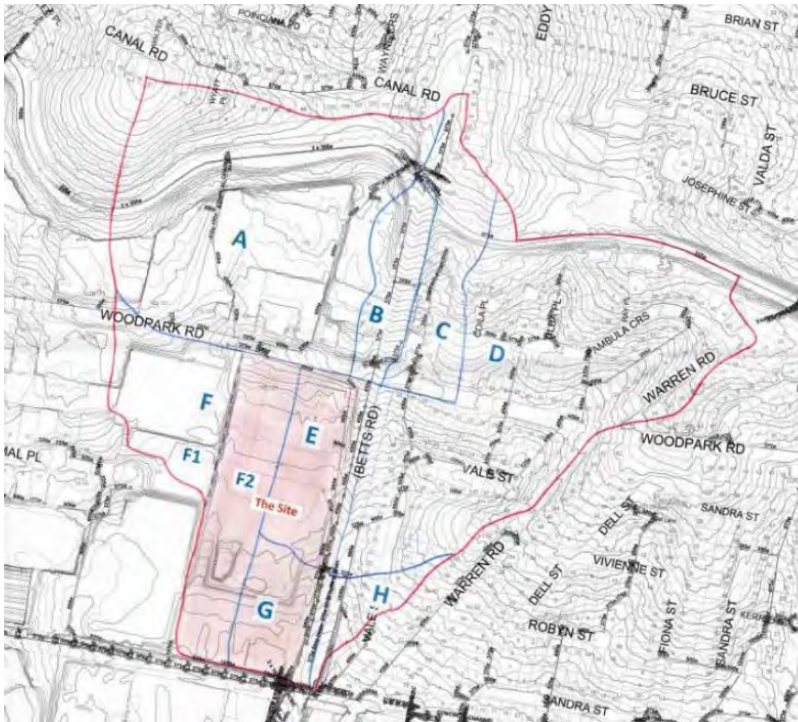
Flooding

The subject site is not identified as *flood prone land* in the HELP 2013. However, Council advised in previous discussions regarding the Stage 1 concept DA that the site is subject to flooding / overland flow of stormwater from the upstream catchment.

A map of the catchment was obtained from Council, which included contours in the area and the location of the Council pipe network. This map, reproduced at **Figure 10**, sets out the catchment boundary and is included in the Stormwater Management Report, prepared by Woolacotts Engineering, which was lodged with the Stage 1 DA.

The flooding assessment confirmed that the required flood planning levels for the development have been adequately assessed and applied to the design for the Stage 1 DA building envelopes and Stage 2 DA. Overall, the Woolacotts analysis provided confirmation that the proposal can be constructed to meet the flood planning criteria in accordance with clause 6.4(3) of the HLEP 2013.

Figure 12 - Site catchment area



Source: Stormwater Management Report, Woolacotts Engineers

Height Increase

Although height impacts will be considered and assessed at the DA stage, it is noted that there are no adverse impacts that would preclude the additional height allowance. The additional height is of a minor scale considering the large scale of the site (10m) and will offer greater opportunities for the site without compromising surrounding amenity, considering:

- There are no impacts on any residential areas or public open space given the context of the site adjoining industrial land uses to the west, the T-way to the south, the Cumberland Highway (6 lane road) to the west and Woodpark Road to the north. The nearest residential property boundary line is approximately 40m from the eastern boundary of the site (eastern side of the Cumberland Highway).
- There are no adverse overshadowing or overlooking impacts as result of the increase.
- The demand for commercial office space has a consequence of requiring additional height to accommodate this land use and floor space. This is an opportunity for the site and locality.
- Following fill works to level the site, the proposed building height measured from the new ground level will be significantly less than 29m, therefore not having the same visual impact as a regular 29m building.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will enable the redevelopment of the subject site to realise a high-quality mixed-use development that has many positive social and economic implications. These are addressed below.

Social Impacts

Increased Amenity

The Planning Proposal will enable a development that increases the quantum and variety of employment and day-to-day services in a suitable location proximate to residential precincts and access to public transport options. This provides increased amenity for local residents with access to jobs and services close to home.

Further to this, the concept design illustrates that the scheme will be a visually pleasing and high-quality design.

Safety

The Planning Proposal will allow for the transformation of the site into an active mixed-use centre, which contributes to real and a perceived sense of safety. This is achieved with the following:

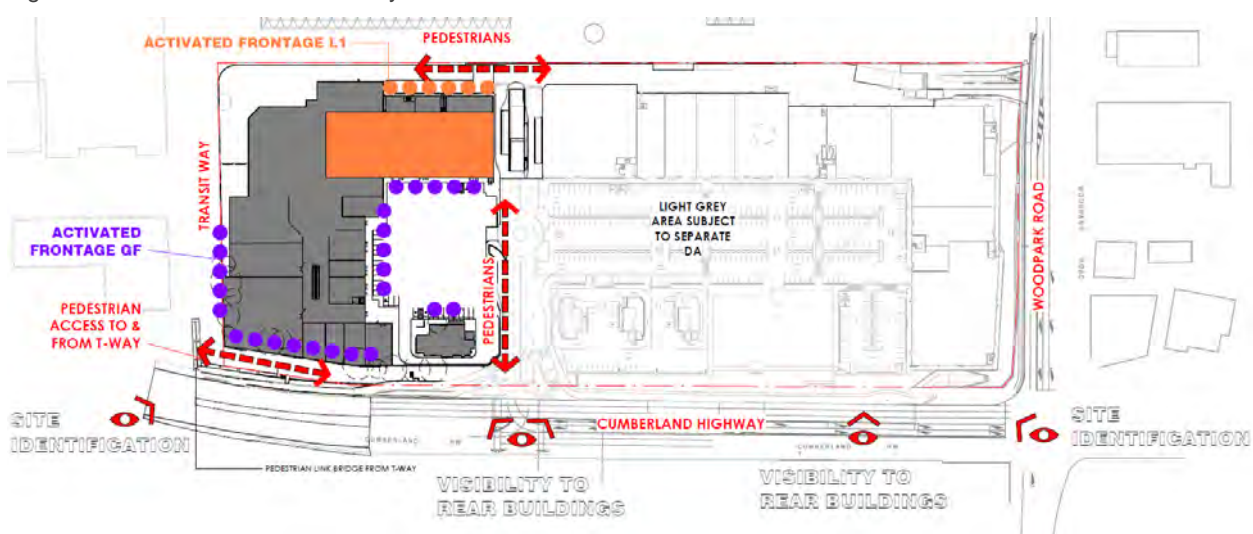
- Introducing a mix of uses on the site with varied operating hours that will maintain activation on the site for longer than the existing warehouses, particularly with the inclusion of a supermarket and retail mall.
- Increasing the employment capacity and use of the site which will increase activation.
- Positioning retail on the site periphery with active frontages to Cumberland Highway, the western edge of the site and inwards to the car park which will increase activation of the public domain and the site.

Access

The concept design has taken into consideration the importance of access and connectivity both internally within the subject site and in relation to neighbouring sites and land uses. This is achieved with the following:

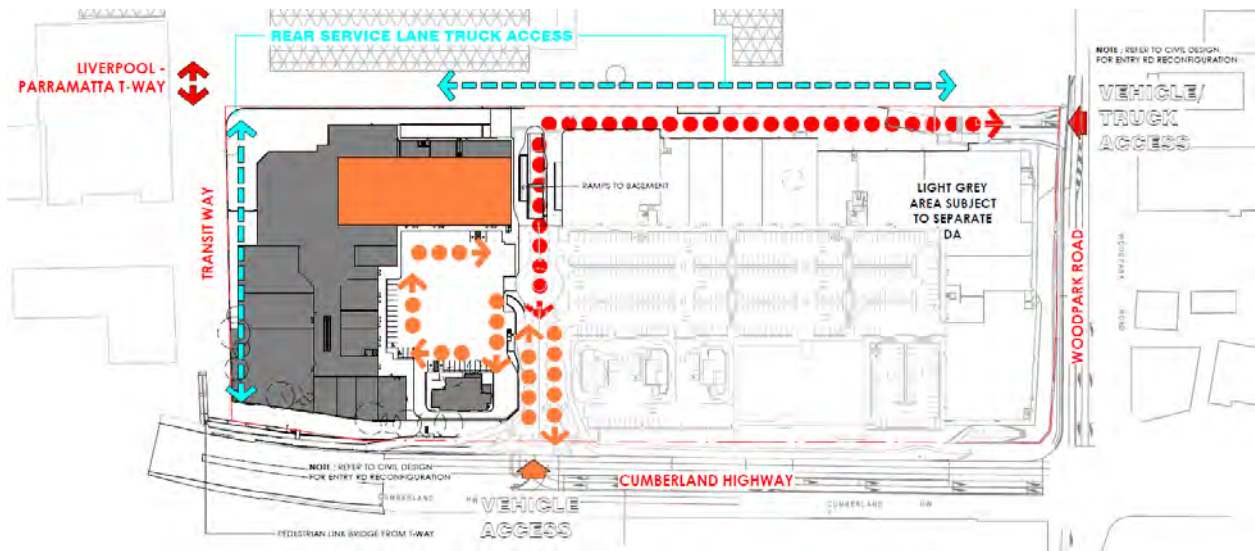
- Pedestrian access to Stage 3 from the public domain is proposed to be primarily from Cumberland Highway. A new pedestrian pathway is proposed along the eastern edge of the subject to connect the pedestrian entrance with key transport features to the south-east including the T-Way and Cumberland Highway pedestrian crossing. This links the subject site and the overall site with public transport links and creates a simple and attractive pedestrian connection with the neighbouring residential area.
- Access and positioning of the built form are consistent with the development proposed on the Stage 2 part of the overall site, with vehicular and pedestrian access from Cumberland Highway, car parking central to the site and buildings on the periphery. This enables legibility of the site and for pedestrians to move around the tenancies of the overall site with minimal interaction with vehicles.

Figure 13 – Pedestrian Access Analysis



Source: Leffler Simes Architects

Figure 14 – Vehicle Access Analysis



Source: Leffler Simes Architects

Economic Impacts

The Planning Proposal enables the orderly and economic development of the land. Leveraging the site’s strategic location in proximity to a range of bus networks (including the T-Way bus system between Liverpool and Parramatta) and the introduction of compatible land uses will contribute to the creation of a vibrant, active and economically sustainable locality.

Economic Benefits

As detailed within the Economic Benefits Report (Commercial Office Demand) provided at **Appendix C**, the Planning Proposal will provide the following economic benefits for the locality, considering the cumulative benefits from the delivery of Stage 2 (DA approved) and Stage 3 (subject to this Planning Proposal):

- The construction phase alone will result in the creation of approximately \$59.9 million total GVA and jobs in the order of 183 per year.
- The employment benefit will be felt throughout the local economy and broader state economy for the duration of the indicative 4-year construction timeframe of the staged development.
- There is a potential to deliver 1,350 direct ongoing jobs across retail, commercial office, medical and childcare uses and potential for an annual contribution to GVA of \$106.9 million per annum over the same period.
- Based on the alignment with planning strategy, employment projections and the existing precedent of demand for offices in industrial locations as illustrated by the case studies, the demand for offices on the subject site is likely to be supportable. The quantum of commercial office space proposed is consistent with the future employment and floorspace requirements of the LGA.
- The addition of quality office space on the subject site will support the expansion of businesses in the LGA.
- The flexibility of office floorspace can provide options as the nature of businesses change over time.

Supermarket Component

An Economic Need and Impact Assessment (Retail Demand and Impact) is provided at **Appendix D**. The results of the assessment are supportive of the quantum and type of retail floor space proposed, noting:

- The need for an additional supermarket and supporting specialty shops can be demonstrated with reference to the size of the Smithfield trade area’s resident population and the demand for retail services generated by a large worker population in the Smithfield/Woodpark area.
- The Smithfield trade area has sufficient available spending to support up to three full-line supermarkets at present—and this certainly will be the case by 2021.

- The impact of the proposed Stage 3 centre anchored by a supermarket would be somewhat significant particularly in relation to Greystanes although relatively insignificant as far as the major centres operated by Stockland at Merrylands and Wetherill Park as well as the Fairfield Town Centre.
- The impact on Greystanes, although falling in the 'medium' category of impact, is acceptable given it would not be sufficient to undermine the viability of the centre which currently trades at an above average sales rate.

7.3.4. Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the planning proposal?

It is understood that the existing infrastructure at and surrounding the site has the capacity to accommodate development on the site, subject to any necessary expansion and augmentation at the detailed DA stage.

An Initial Traffic Review is provided at **Appendix E**, which finds that with the road works previously required by RMS for the concept DA and the additional left turn lane on the Cumberland Highway site access, the adjacent road network could accommodate the additional traffic generated by the Planning Proposal.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Applicant has initiated consultation with Sydney Water to gain their in-principle view of the Planning Proposal. Concept plans were provided to Sydney Water in an application dated 20 February 2019. Subsequently, Sydney Water has provided a Feasibility Letter, providing information about requirements to be met. This is considered in principle support.

As acknowledged above, the road works previously required by RMS for the concept DA and the additional left turn lane on the Cumberland Highway site access, the adjacent road network could accommodate the additional traffic generated by the Planning Proposal. RMS will be further consulted on the proposal.

It is acknowledged that Council will consult with the relevant public authorities following the Gateway Determination.

7.4. PART 4: MAPPING

The following mapping amendments are proposed:

- Amend the Schedule 1 Additional Permitted Uses Map of HELP 2013 in accordance with the proposed map shown at **Appendix B**, which identifies the overall site as having additional permitted uses.
- Amend the Height of Building Map (Sheet HOB_006) of HELP 2013 in accordance with the proposed height map shown at **Appendix B**, which indicates a maximum permissible height of 29 metres on the subject site.

7.5. PART 5: COMMUNITY CONSULTATION

7.5.1. Public Consultation

Schedule 1, Part 1, Division 1 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway determination. It is anticipated that the Planning Proposal would be publicly exhibited for 14 or 28 days dependent on the outcome of the Gateway determination. This exhibition would be conducted in accordance with Council's policies for community consultation.

7.5.2. Council Consultation

The Applicant is willing to engage with Council following the lodgement of the Planning Proposal. This would include briefing councillors and Council staff, having workshops with Council officers and meeting with all relevant authorities or members of the public. Such an open and transparent attitude to this Planning Proposal, is aimed at creating clearer information and a more open process. It is also designed to provide for a better understanding of the Planning Proposal by the public and Council, prior to it being considered for a Gateway Determination.

7.6. PART 6: PROJECT TIMELINE

The process for this Planning Proposal can be conducted in parallel with the preparation of the Cumberland Comprehensive Local Environmental Plan, considering the split of roles between Council's strategic team between site specific Planning Proposals and the LEP work. This Planning Proposal can be considered independently of LGA-wide process.

It is anticipated that the subject LEP amendment will be completed within 12 months. An indicative project timeframe is provided in **Table 6**.

Table 8 – Indicative Project Timeline

Stage	Dates
Initial review and consideration by Cumberland Council and public consultation	September – October 2019
Report to Local Planning Panel	October – November 2019
Council consideration and preparation of Planning Proposal	November – December 2019
Planning Proposal referred to DPIE for Gateway Determination	February 2020
Gateway Determination by DPIE	March 2020
Commencement and completion of public exhibition	April 2020
Consideration of submissions and consideration of the proposal post-exhibition	May 2020
Submission to the DPE to finalise and LEP	June 2020
Gazettal of LEP amendment	July 2020

8. CONCLUSION

This Planning Proposal has been prepared by Urbis Pty Ltd on behalf of Snowside (the **Applicant**). It is submitted to Cumberland Council to initiate an amendment to the *Holroyd Local Environmental Plan 2013 (HLEP 2013)* with respect to the southern portion of land at 106-128 Woodpark Road, Smithfield (the **subject site**). It has been prepared in accordance with section 3.33 of the EP&A Act and the relevant guidelines prepared by the DPE including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The intended outcome of this planning proposal is to enable the redevelopment of the subject site to realise a mixed-use and employment generating development that:

- Contributes to the rejuvenation and revitalisation of the site;
- Introduces compatible land uses that will contribute to the creation of a vibrant, active and economically sustainable locality;
- Serves as a transformative or catalyst site for the adjoining industrial land;
- Provides for the orderly and economic development of the land and is strongly supported by retail businesses;
- Leverages the site's strategic location in proximity to a range of bus networks (including the T-Way bus system between Liverpool and Parramatta); and
- Increases public amenity with revitalised services in the locality.

This will serve to deliver the vision of the overall site at 106-128 Woodpark Road, Smithfield as an integrated mixed-use precinct comprising a variety of compatible land uses that provide amenity and generate employment for local residents and the wider area.

The Planning Proposal has site-specific merit as it will enable the revitalisation of an existing commercial site, that is serviced and in proximity to a range of bus networks and residential communities, to become a commercial hub with a range of employment and services.

The Planning Proposal has strategic merit as it enables knowledge-based employment through the provision of commercial office space, which is consistent with local, district and regional strategic plans.

It is therefore recommended that the Planning Proposal be endorsed by Cumberland Council to enable a Gateway Determination by the NSW Department of Planning and Environment.

DISCLAIMER

This report is dated 12 September 2019 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Snowside Pty Ltd (**Instructing Party**) for the purpose of Request To Prepare Planning Proposal (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A PRELIMINARY CONCEPT PLANS

APPENDIX B

PROPOSED HLEP 2013 AMENDMENTS

APPENDIX C

ECONOMIC BENEFITS REPORT

APPENDIX D ECONOMIC NEED AND IMPACT ASSESSMENT (RETAIL DEMAND)

APPENDIX E INITIAL TRAFFIC REVIEW

APPENDIX F SYDNEY WATER FEASIBILITY LETTER



BRISBANE

Level 7, 123 Albert Street
Brisbane QLD 4000
Australia
T +61 7 3007 3800

MELBOURNE

Level 12, 120 Collins Street
Melbourne VIC 3000
Australia
T +61 3 8663 4888

PERTH

Level 14, The Quadrant
1 William Street
Perth WA 6000
Australia
T +61 8 9346 0500

SYDNEY

Level 23, Darling Park Tower 2
201 Sussex Street
Sydney NSW 2000
Australia
T +61 2 8233 9900