

Planning Development Application Assessment Report

Application No:	DA 10-09-2016
Application Site:	Lot 100 DP 1193985 - Shop 1, No. 1 Burroway Road, Wentworth Point
Proposal:	Fitout and use of the subject premises as a supermarket
Applicant:	Payce Communities Wentworth Point & SH FWT Development Pty Ltd
Determining Agency:	Sydney Olympic Park Authority

1 Site and surrounds

The site is located at the northern end of a new residential and mixed use suburb known as Wentworth Point. The site is located on the northern side of Burroway Road at the junction of Hill Road and is immediately adjacent to the Sydney Olympic Park Ferry Wharf, approximately 2.8 kilometres from Sydney Olympic Park train station to the south, and approximately 3.7 kilometres from the M4 motorway also to the south. A shared pedestrian path and cycleway along the Parramatta River adjacent to the west of the site provides access to the Millennium Parklands and also the Armory Wharf Cafe.

Wentworth Point is bounded by the Parramatta River along its eastern and northern boundaries, Sydney Olympic Park to the south and Millennium Parklands to the west across Hill Road. The Millennium Parklands contain the 'Millennium Marker' which is located to the south-east of the subject site.

The site comprises Lot 100 in DP 1193985, is known as 1 Burroway Road, Wentworth Point, has an area of 10,430m² and is currently occupied by a construction site for an approved mixed use development.

2 Background

2.1 State Significant Development Application SSD 6387

On 1 December 2014, the Secretary of the Department of Planning and Environment granted approval for State Significant Development Application 6387 for the construction of three 8-storey residential buildings above ground floor retail/commercial podiums and a three level basement structure and associated public domain works at 1 Burroway Road, Wentworth Point.

The development specifically involves the erection of a two ground level commercial podiums, above three common basement levels, which are separated by a central open air plaza. The larger western podium contains a small supermarket and speciality retail stores, above which are two residential buildings. The smaller eastern podium also contains speciality retail stores as well as a cafe, above which is located one residential building.

The two lower basement levels provide parking for residents, whilst the upper basement level provides parking for retail customers. The three residential buildings which rise above the podium level are crafted as three thin blades along a north-south axis. As each building rises it begins to step back from the northern boundary which provides relief when viewed from the River and generates a high level of modulation and articulation to the buildings which take on a sculptural form.

The development also involves the construction of the public domain surrounding the site comprising a new road parallel to the Parramatta River between the proposed development and the existing ferry wharf, and also a new service street along the south-eastern boundary of the site.

The proposal has been subsequently amended several times for a range of minor amendments to the development and apartment layouts.



Figure 1 – Site Location

3 The proposed development

The proposal is for the fitout and use of Shop No. 1 (approx. 1800m²) as a supermarket for the sale of products which meet the every day needs of residents and workers including liquor sales. The fitout generally comprises the following:

- Shelving and display areas
- Various cool rooms
- Various refrigerators
- Checkouts and registers
- Ancillary patisserie
- Liquor store

- Bakery preparation area
- Cheese room
- Deli area
- Back of house storage and loading areas

Staff

The number of employees will be between 16-20 at any point in time.

Hours of Operation

Monday to Sundays: 6.00am – 12.00 midnight

Parking

Customers will have the ability to park in the retail car park which contains 114 spaces. The total amount of car parking and bike parking is in accordance with previous approvals at Basement Level 1 which is accessed via ramps off a driveway onto Burroway Road.

There is to be no staff parking on site, all employees will be encouraged to travel via public transport to work.

Deliveries

Deliveries will take place Monday to Friday and Saturdays during the times of 6.00am to 8.00pm. Most deliveries will be undertaken by a rigid vehicle with a maximum height of 3.1 metres and maximum length of 12.5 metres. Delivery vehicles attending the site will be required to park in the designated loading bay.

Waste Management

Garbage waste and recycling collection vehicles can use the same loading dock to service the supermarket and compactor areas.

Signage

Signage for the business will consist of the following:

- Sign 01 2400mm high x 3000mm wide
- Sign 02 800mm high x 1300mm wide
- Sign 03 1000mm high x 2200mm wide
- Sign 04 1000mm high x 2200mm wide
- Sign 05 2400mm high x 3000mm wide
- Sign 06 2400mm high x 3000mm wide
- Sign 07 5205mm high x 5510mm wide

4 Assessment

The application has been assessed pursuant to Section 79C of the *Environmental Planning and Assessment Act 1979*, including consideration of the following matters:

4.1 Environmental Planning Instruments, DCPs and Planning Agreements

4.1.1 State Environmental Planning Policy (State Significant Precincts) 2005

The Minister for Planning is the consent authority pursuant to Schedule 6, Part 1, Clause 3 of the SEPP State Significant Precincts 2005 and the proposed development is permissible with consent pursuant to Schedule 3, Part 23 of the SEPP. The relevant provisions are addressed in Table 2 below.

Clause	Response	Compliance */✓/N/A
(9) Zone B1 Neighbourhood Centre	<p>The proposed development is for a supermarket is defined as a 'shop' which is ordinarily prohibited in the B1 zone.</p> <p>However, DOP noted in its approval of the SSD 6387 that Section 89E(3) of the Environmental Planning and Assessment Act 1979 (EP&A Act) permits the Minister to grant consent for partly prohibited uses in State significant development. The Department considered that the proposed restaurant, cafe and supermarket uses are complementary to the overall proposal as they would serve the needs of the local population which is consistent with the objective of the 81 zone. Also, these uses are consistent with the land use controls for the site in the SOP Master Plan 2030, which allow a range of retail uses on the subject site including small supermarkets and restaurants. Further, the subject site is located adjacent to a future major residential precinct and transport hub and therefore more suited to a higher order local centre or mixed use zone. The use as supermarket therefore is now permissible. ✓</p> <p>The objective of the B1 Neighbourhood Centre zone is to:</p> <p><i>provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.</i></p> <p>The proposed development is for a supermarket which will serve the needs of people who live or work in the surrounding neighbourhood, is considered to be consistent with the objectives of the B1 Neighbourhood Centre zone.</p>	✓
(23) Public infrastructure	Public infrastructure requirements have been addressed in the base building approval. This application does not require additional public infrastructure to that already approved.	✓
(24) Major event capability	The proposed development is for supermarket development and as such do not impact on major events.	✓
(25) Transport	The proposal is for a supermarket development which was contemplated in the base building application and assessed by the Department of Planning and Environment as being satisfactory in traffic generating terms. As such it is considered to be acceptable in terms of its potential impact on transport infrastructure.	✓
(26) Master Plan (Note: Master Plan 2030 is a deemed DCP and is considered here for the purposes of S79C(1)(a)(iii)).	Master Plan applies to the subject site and has been considered in the base building approval and the proposed development is consistent with MP 2030 principles and controls.	✓
(29) Development in conservation area	The subject site is not in a conservation area.	✓
(31) Heritage	The subject site is not within the vicinity of a heritage item and the	✓

Clause	Response	Compliance x/✓/N/A
Conservation	proposed fit out works will not impact on heritage conservation.	

Table 2 SEPP State Significant Precincts – Planning Provisions

4.2 Prescribed Matters EP&A Regulation 2000

The proposed development is able to comply with prescribed matters of the *Environmental Planning and Assessment Regulation 2000* subject to fulfilment of conditions of consent.

4.3 Impact of the development

The proposed development is for a supermarket and will not adversely affect the natural, social or economic environment subject to conditions of consent.

4.4 The suitability of the site for the development

The proposal is of a nature that is in keeping with the overall objectives and functions of the site and approved mixed use building with retail/shops on ground floor.

4.5 Notification, advertising and submissions received

No submissions were received as the proposal did not require advertising, notification or agency referrals.

4.6 The public interest

The proposal is considered to be in the wider public interest as it:

- Is consistent with the in-force provisions and controls of the principal environmental planning instrument applying to the land contained with *State Environmental Planning Policy (State Significant Precincts) 2005*;
- Would not result in any adverse environmental affects (subject to conditions);
- Will make a positive contribution to the range of facilities and services available to the local residential community at Wentworth Point.

5 Sydney Olympic Park Authority Act 2001

5.1 Clause 22(2) – Consistency with Environmental Guidelines

The proposed development is considered to be generally consistent with the *Environmental Guidelines* as the proposed fitout and operation of the supermarket will not alter the environmental performance of the base building, which has been designed to achieve a high green-star rating.

6 SOPA Guidelines for Outdoor Advertising Identification & Promotional Signage

The Guidelines are designed to encourage well designed and well positioned signs which make a positive contribution to the vitality and vibrancy of Sydney Olympic Park. They are also designed to protect the characteristics of significant buildings, public spaces, urban elements and landscape elements, important streetscapes and vistas and the amenity of future residents and park users.

The proposed business identification signage does not alter the nature of the existing built form and is consistent with the Guidelines for Outdoor Advertising Identification and Promotional Signage and the provisions of SEPP 64. Furthermore the signage is considered to be compatible with the existing and desired future character of the Precinct and the signs will not detract from the amenity or visual quality of any environmentally sensitive areas or residential area. The signs will not detract from any existing views and will be consistent in scale, proportion and form of other similar signage in the precinct.

7 Consultation

The application was referred to the following internal Sydney Olympic Park Authority units for review and comment on 17 November 2016:

INTERNAL DEPARTMENT	RESPONSE
DEVELOPMENT CONTRACTS	No comments
COMMERCIAL SERVICES	No comments
BUILDING SERVICES	No objections, conditions provided.
MAJOR PROJECTS	No comments
PRECINCT OPERATIONS	No objections, conditions provided.

Standard conditions have been incorporated into the recommended Conditions of Consent.

8 Delegations

The Minister is the consent authority pursuant to Schedule 6, Part 1, Clause 3 of the SEPP State Significant Precincts 2005 and Clause 22 of the Sydney Olympic Park Authority Act 2001.

On 10 November 2014, the Minister delegated her powers and functions under Section 80 of the Environmental Planning and Assessment Act 1979 (*the Act*), effective from 10 November 2014, for all development at Sydney Olympic Park which have a Capital Investment Value of less than \$10 Million. These delegations have been provided to the Chief Executive Officer of Sydney Olympic Park Authority. The proposed development is consistent with these delegations as it:

- Has a CIV less than \$10 million
- SOPA is not the applicant; and
- SOPA will not derive a commercial benefit in excess of \$250,000 per year from the development.

Therefore it is appropriate for SOPA to exercise its delegations in determining this development application.

9 Conclusion and recommendations

9.1 Conclusions

The application has been considered with regard to the matters raised in Section 79C of the EP&A Act. The proposed development is considered to be acceptable, in the public interest and is recommended for approval subject to Conditions of Consent. ✓

9.2 Recommendation

- A) Consider all relevant matters prescribed under Section 79C of the EP&A Act, as contained in the findings and recommendations of this report;
- B) Determine that the development application be approved subject to conditions pursuant to Section 80(1) and 80(A) of the EP&A Act, having considered the relevant matters in accordance with (A) above;
- C) Authorise Sydney Olympic Park Authority to carry out post-determination notification pursuant to Section 81 of the EP&A Act.

Prepared by



Planner

Date: 1/12/2016

Reviewed & Endorsed by



Chief Executive Officer

Date: 6/12 2016

