

Strategic Planning Referral Response

Application Number:	Mod2024/0253
Proposed Development:	Modification of Development Consent DA2001/1615 granted for Erection of a Multi-Tenancy Bulky Goods Centre With Ancillary Access Roads, signage & Landscaping "Bulky Goods Shops" Restaurants and Shops
Date:	18/06/2024
To:	Adam Croft
Land to be developed (Address):	Lot 1 DP 1104786 , 4 - 6 Niangala Close BELROSE NSW 2085

Officer comments

Reason for referral

This modification application has been referred because it proposes to remove conditions 39A and 41 from DA2001/1615, which were included to maintain use of the centre for the retailing of bulky goods and prevent the creation of mini major retailers, as envisaged by the Austlink Corporate Park Master Scheme (2000).

Comments

The subject site at Nos. 4-6 Niangala Close, Belrose, is zoned part C2 Environmental Conservation and part E3 Productivity Support under Warringah LEP 2011. The site also benefits from Schedule 1 Additional Permitted Uses for specialised retail premises, business premises (with a gross floor area not exceeding 2,500m²), function centres, hotel or motel accommodation, pubs and shops (with a gross floor area not exceeding 2,500m²).

The application proposes to delete Conditions 39A and 41 of DA2001/1615, which read:

Condition 39A

39A Notwithstanding Condition 41 the following restrictions also apply to the gross floor space of shops:

- a) 1000 square metres of shops may be utilised for general retailing.*
- b) 1500 square metres of shops is subject to the following restrictions:*
 - i. This consent does not authorise the use of the additional 1500 square metres for shops whose primary purpose is for the retailing of clothing or apparel.*
 - ii. This consent does not authorise any individual shop to exceed 400 square metres of gross floor space.*

Condition 41

This consent does not authorise the use of any shop for the purposes of a supermarket or other similar food sales outlet.

The application is supported by economic analysis and commentary prepared by Deep End Services, dated 10 March 2023, which provides commentary on the State Government's employment zones reforms, evolving nature of large format retail, and a retail analysis of the site and surrounds. The Statement of Modification prepared by Willowtree Planning, dated 13 May 2024, also provides commentary on the need for change.

Strategic policy framework

The development of the Austlink Business Park is guided by the Austlink Corporate Park Master Scheme (2000). In relation to the subject site, the Scheme identifies the concentration of bulky goods retail in the north east corner of the Austlink Business Park. The intended vision is for the north east corner to function as a regional large format retail (bulky goods) hub.

The Austlink Business Park has been operating successfully since its inception and has been implemented as set out in the Austlink Corporate Park Master Scheme. The clustering of large format retail to allow for easy comparison-based shopping has contributed to its success by minimising trip generation.

Council's Employment Study (2019) highlights the following action for the Austlink Business Park (page 221):

· Continue to support the role of Austlink Business Park. The Austlink Business Park is a well-functioning precinct with little remaining vacant site for development. The park has a mix and clear separation of bulky good uses and commercial offices. It is not considered necessary to alter any controls to change how this precinct functions. As it reaches capacity, it is anticipated that demand will divert to Frenchs Forest, particularly over the medium – long term with the hospital's maturation and the establishment of the town centre. B7 Business Park zones would best support non-bulky good business types.

Council's Employment Study does not recommend any changes to the planning controls applicable to the Austlink Business Park. There are no strategic documents that support increasing retail uses in the Austlink Business Park and the priority is maintaining such land for large format retail (bulky goods) whilst retaining other retail uses within more traditional commercial/retail centres, which are better suited due to a range of reasons e.g. accessibility, amenity and trip generation.

Strategic Planning acknowledge that Condition 39 will remain which specifies a maximum GFA of 2,500sqm for shops and maximum GFA of 302sqm for restaurants.

The overall intent of the modification application is unclear. It is assumed that the removal of Conditions 39A and 41 would allow the site greater flexibility with tenancies, with the ability to attract clothing stores, food sales outlet and mini majors that require a GFA greater than 1,000sqm. A supermarket (up to 2,500sqm and being the only shop in the development) or neighbourhood shop (up

to 1,000sqm) would also be possible.

Strategic Planning is concerned that deleting conditions 39A and 41 would infer that site is able to transition towards mini major retailing and clothing stores, which is inconsistent with the vision for the Austlink Business Park. Inclusion of a supermarket may also have impacts on other supermarkets nearby and the future retail offering to be provided for within the Frenchs Forest Town Centre. No detailed analysis has been undertaken to confirm whether this is the case.

Greater certainty on the intended outcome is required. Further, an understanding of the existing employment floor space in the development via an audit of floor space usage would be beneficial to understand what impact the removal of conditions 39A and 41 would have. It is noted that Condition 40 of the consent issued under DA2001/1615 requires an annual audit of floor space usage. To date, Council has not received any information to support the implementation of Condition 40.

Based on the level of information received, Strategic Planning cannot support the proposed modification.

Should further information be received, Development Assessment may consider obtaining specialist economic advice to provide an independent assessment of any potential economic impacts.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Strategic Planning Conditions:

Nil.