

WILLOWTREE PLANNING



045 September 2024
053

REF: WTJ24-

Adam Croft
Principal Planner
Northern Beaches Council
1 Belgrave Street
Manly NSW 2095

RE: RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION - MOD2024/0253

PROPERTY AT 4-6 NIANGALA CLOSE, BELROSE

Dear Adam,

Reference is made to Modification Application Mod2024/0253 which seeks to modify DA2001/1615 to remove the floorspace limits imposed under conditions 39A and 41 of the development consent. The proposed modifications seek to allow for supermarket uses to be introduced at the Subject Site and remove the overly restrictive limitations on the composition of shop uses. It is noted that no built form or works are proposed, and the proposed modifications do not seek to alter the 2,500m² limit on shops at the Subject Site under Schedule 1 of the *Warringah Local Environmental Plan 2011* (WLEP2011).

Table 1 overleaf provides a response to the matters raised by Council. The following additional documentation has been prepared in response to those comments:

- **Appendix 1** Economic Analysis; and
- **Appendix 2** Stakeholder Survey Results.

Based on this response, it is considered that the proposed development appropriately responds to those matters and is worthy of approval.

Should you wish to discuss further, please contact Cameron Gray on 0477003429 or via email at cgray@willowtp.com.au.

Yours Faithfully,

Chris Wilson
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TABLE 1 – RESPONSE TO SUBMISSIONS

Comment	Response
<u>Strategic Policy, Impact on Other Centres and E3 Zone Objectives</u>	
<i>The proposed modification seeks to remove restrictions on shop/retail uses and floor space within the existing bulky goods development.</i> <i>Based on the zoning, permissible land uses and Additional Permitted Uses (APUs) under the Warringah Local Environmental Plan 2011, the portion of the Austlink Business Park occupied by HomeCo Belrose is intended to remain as a large-format retail destination, with some allowance for other types of retail, but on a limited basis.</i> <i>The Strategic Planning Referral Response makes reference to the Northern Beaches Employment Study (2019), which identifies the Austlink Business Park as a “well-functioning precinct with little remaining vacant site for development” and does not recommend any changes to the applicable planning controls.</i> <i>The application to expand the retail uses in the manner proposed, which essentially overrides the retail limitations imposed on the original approval, does not include sufficient analysis of the potential impact of a “supermarket” in this location upon surrounding established commercial centres (Glenrose Village, Forest Way Shopping Centre and Warriewood Square) or the future Frenchs Forest Town Centre.</i>	Further analysis of the proposed modifications has been undertaken in the Economic Analysis provided in Appendix 1 which as determined as follows: ▪ The Subject Site occupies a strategic position where it helps sustain a key employment precinct with further employment creation to occur upon completion of the Wyvern Private Hospital; ▪ The centre represents a significant destination for large format retailing (LFR) however has low representation for non-LFR uses; ▪ The centre draws customers throughout the Northern Beaches area and beyond with a catchment of 250,000 people. Ongoing growth is expected due to new land releases, infill development and urban regeneration in surrounding areas such as Frenchs Forest; ▪ A new supermarket at the centre would have a limited role due to the smaller size, location within a LFR centre and lack of immediate residential catchment; ▪ Other supermarkets at centres such as Glenrose Village, Warriewood and Mona Vale are far better located with respect to their immediate residential catchments and surrounding population density; ▪ A new supermarket at the centre would capture just 0.7% of spending on food grocery shopping across the catchment and 1.8% within the primary sector which equates too little to no competitive adverse effect; ▪ When measured against existing supermarket sales, the impacts average -1.5% across the catchments and -6.6% for supermarkets in the primary sector. These impacts are low and would not alter the role or performance of other centres; and ▪ The inclusion of a mid-sized supermarket would generate benefits in the form of employment uplift (around 45 jobs), an improved day-to-day service offer for workers and shoppers, and an overall improvement in the amenity and economic performance of the centre and the surrounding employment precinct. In addition, a Stakeholder Survey has been undertaken to confirm the demand for these services existing within the existing marker and that the overall community is highly supportive. These results are provided in Appendix 2 which found support across the board



TABLE 1 – RESPONSE TO SUBMISSIONS

Comment	Response
	for additional products and services within the centre, in particularly for a convenience store/small supermarket. There is strong interest for the availability of grocery staples and convenience items from workers in the Austlink Business Park, workers in the centre, shoppers and other visitors.
<i>Further, the APUs applicable to the site are very clear, they permit a total of 2,500m² of floor area for “shops” and no information has been provided either with the application (or annually as required by Condition 40) in relation to the quantum of shop floor space within the development.</i>	The existing centre contains 210m ² of shop area. No change to the existing shop area is proposed.
<i>Any greater quantum of shop-based retail should be pursued by way of a Planning Proposal or alternatively you should make a submission to the draft comprehensive LEP of the LGA, which is forecasted to go on public exhibition in 2025 and present your case for greater shop-based retail within the Austlink Business Park.</i>	The proposed modifications do not seek to alter the 2,500m ² limit on shops under Schedule 1 of WLEP2011.
Objectives of the E3 Zone	
<i>Based on the information accompanying the application, Council is not satisfied that the proposed modifications to the Development Consent are consistent with the objectives of the E3 zone, which are listed as follows</i>	An assessment of the proposed modification against the listed objectives of the E3 zone pursuant to WLEP2011 is undertaken below:
<i>To provide a range of facilities and services, light industries, warehouses and offices.</i>	The allowance of a supermarket at the centre would allow for a greater range of services for workers and shoppers to be provided and improve the overall amenity and economic performance of the centre.
<i>To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres</i>	As demonstrated in Appendix 1 , the allowance of a supermarket would result in little to no competitive adverse effect on the performance of the existing surrounding centres. Further, a supermarket use would remain entirely compatible with the nature of the existing LFR uses at the centre.
<i>To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.</i>	As above, the allowance of a supermarket would not alter the economic viability of the existing surrounding centres. Further, a supermarket would significantly improve the economic viability of the existing centre in the form of employment uplift (around 45 jobs), an improved day-to-day service offer for workers and shoppers, and an overall improvement in the amenity and economic performance.



TABLE 1 – RESPONSE TO SUBMISSIONS	
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<i>To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.</i>	As demonstrated in Appendix 2 , there is a clear desire and need for a supermarket use at the centre. It is acknowledged that such a use may be suited to locations in other employment zones however given the need demonstrated and the little to no adverse economic impacts on the surrounding existing centres, it is considered appropriate for the E3 zone in this location.
<i>To provide opportunities for new and emerging light industries.</i>	The proposed modifications would not alter the 2,500m ² limit on shops at the Subject Site and would therefore not reduce the overall opportunities for new and emerging light industries given other shop uses may be carried out to this scale regardless of the proposed modifications.
<i>In order to progress the assessment of this application, further information is required that explains and describes the economic impacts of the proposal on nearby commercial centres and the future composition of land uses within the development site. Such an analysis and justification would need to present a compelling case as to why the integrity of the current consent and the limitations on shop-based retailing should be altered. This extent of additional information is required as the implications of the proposal are significant and a represent a major departure from the intended vision and role of this centre within the business park and local area.</i>	Further information has been provided above which clearly explains and demonstrates the economic impacts of the proposal and nearby centres and future composition of land uses within the Subject Site. A supermarket use will have little to no impacts on the surrounding centres and would be providing economic benefit to the existing centre. The proposed modification would not result in any adverse impacts and is entirely compatible with the surrounding development and should therefore be considered acceptable.

