

Our Ref: 000016/13lt5

15 February 2014

Marian Pate
NSW Department of Planning and Infrastructure
PO Box 39
SYDNEY 2001

Dear Marian,

**RE: SUTHERLAND DRAFT LEP REVIEW
100 PARRAWEENA ROAD, CARINGBAH**

We advise that we act on behalf of the owner of the above property and have been instructed to make a submission to be included as part of the independent review of the Draft Sutherland Shire LEP 2013. In accordance with the terms of reference set out by the Minister for Planning and Infrastructure, this submission relates to a site that was included in Mayoral Minute dated 3 August, 2013. In addition, we refer to the appropriateness of the second exhibited version of the Draft LEP and contend that the LEP should be amended to make bulky goods premises a permissible use on the subject site.

By way of background, Planning Ingenuity made a submission to Council as part of the initially exhibited Draft LEP requesting that the proposed zoning for the subject site under Draft SSLEP 2013 be changed to enable "bulky goods premises". It was suggested that this could be achieved by identifying the site within the B5 Zone which permits "bulky goods premises", or by including an "additional permitted use" clause permitting bulky goods premises specifically at the subject site. The detailed submission is attached to this letter.

Staff support the notion of formalising "bulky goods use" on the subject site however maintained reservations in relation to potential flood impacts on the site. The subject site is currently used for bulky goods premises and has been for the past 35 years.

Discussions with Council staff and elected Councillor in relation to the remaining issue of potential flood impacts were held immediately following the release of comments on the first round of public exhibition. Our client was instructed to commission a hydraulic engineer to provide advice on flooding issues. The advice is attached to the second round submission (enclosed) and concludes that the existing building sits above the flood level and car parking areas could be managed in an appropriate manner.

It was this information, which had also been discussed with staff, that lead to the Mayoral Minute which supported an additional use clause to allow "bulky goods premises" on the site. Therefore, the Mayoral Minute as it relates to this site has basis in technical information that was provided to Council. Given the inability to otherwise respond to staff comments made in relation to the first round LEP exhibition, this was an effective and appropriate way of dealing with the request, particularly given the additional round of public exhibition that the Draft LEP proceeded to.

In any case, we note that Clause 6.5 of the Draft LEP relates to land within the flood planning area and this Clause would apply to the subject site as part of any redevelopment. This clause is a mechanism of controlling flood risk and Council need not rely on zoning or prohibition of use to do so.

We anticipate that professional staff will be in support of our request in relation to the second exhibited LEP, however, we do not have the benefit of the staff report that deals with the second exhibited version of the LEP. We therefore ask that the Panel endorse our request to include an additional use clause relating to the subject site that allows bulky goods premises.

Future redevelopment of the site is capable of being designed to comply with flood planning levels and would be required to comply with Clause 6.5 of the Draft LEP which relates to flood planning.

Should you wish to discuss any of the above, please feel free to contact the undersigned.

Yours faithfully,
Planning Ingenuity Pty Ltd

A handwritten signature in black ink, appearing to read 'J. Mead', written in a cursive style.

Jeff Mead
DIRECTOR

**ANNEXURE 1: SUBMISSION IN RELATION TO FIRST ROUND
DRAFT SSLEP EXHIBITION**

Our Ref: 0016/13lt1
Your Ref: LP/03/252376

29 April 2013

Environmental Planning Unit
Sutherland Shire Council
Locked Bag 17
SUTHERLAND NSW 1499

Dear Sir,

**SUBMISSION ON THE DRAFT SUTHERLAND LEP 2013
NO. 100 PARRAWEENA ROAD, CARINGBAH**

INTRODUCTION

We refer to the *Draft Sutherland Shire LEP (SSLEP) 2013* which is on exhibition from 19 March to 1 May, 2013. We act on behalf of the owner of the subject site and have been instructed to make a submission in relation to the Draft LEP to request that Council make amendments to enable "bulky goods premises" to be permissible on the subject site. This would effectively formalise permissibility of the current use on the site (Cronulla Furniture) which has existed for over 25 years and allow similar bulky goods premises on the site in the future.

In our opinion, two mechanisms for achieving this request are available to Council. The site may be rezoned to B5 – Business Development, consistent with the zoning of other sites within Taren Point that currently accommodate "bulky goods premises". The B5 zoning has also been applied to the eastern side of Taren Point Road (between Parraweena Road and Toorak Avenue) along which Council is seeking to promote additional bulky goods development. Alternatively, Schedule 1 – Additional Permitted Uses could be amended to specifically permit "bulky goods premises" on the subject site.

In forming our opinion on the suitability of rezoning the subject site we have researched the development history of the site, have visited the site and locality and considered the *SSLEP 2006* and *Draft SSLEP 2013* controls in the context of the local and state strategic planning framework. We have also considered Council's *Employment Strategy – January 2013* which is a supplementary document also on public exhibition.

SITE & LOCATION

The subject site is located on the southern side of Parraweena Road, known as No. 100 Parraweena Road, with a legal description of Lot 6 in DP 715461. The site has an area of 4,530m² however is burdened by a large easement for drainage that coincides with the off-street car parking area (see Figure 1).

The subject site is occupied by a large furniture showroom that comprises ground floor and mezzanine level display space with ancillary offices and amenities. The site has direct access from Parraweena Road via a double width vehicular crossing which leads to a car parking area that provides 54 car spaces.

Figure 2: Aerial photograph of the site

TABLE 1: DESCRIPTION OF ADJOINING DEVELOPMENT			
ID No.	ADDRESS	ZONING	LAND USE
1	189-193 Taren Point Rd, Miranda	IN1	An existing 2-3 storey building containing several bulky goods retailers including Proud Furniture.
2	181-187 Taren Point Rd, Miranda	IN1	Factory units including children's play centre, trade suppliers, professional services, warehousing and general industrial uses
3	106 Parraweena Rd, Miranda	IN1	Proposed child care centre and gymnasium
4	108 Parraweena Rd, Miranda	IN1	Vacant, cleared land. Previously part of the Player's Biscuit factory.
5	110 Parraweena Rd, Miranda	IN1	Recently approved as a new 2 storey child care centre, with children's party rooms. Site remains vacant at present.
6	123-131 Parraweena Rd, Taren Point	IN1	Existing IGA (previously Franklins) supermarket to the north-west of the site. Contains extensive parking within the front setback.
7	119-121 Parraweena Rd, Taren Point	IN1	BCF bulky goods retail premises, selling boating, camping and fishing supplies.
8	107 Parraweena Rd, Taren Point	IN1	Taren Point hotel and motel.
9	99-103 Parraweena Rd, Miranda	IN1	Existing Shell service station.
10	169-171 Taren Point Rd, Taren Point	IN1	Power tool retailer
11	97 Taren Point Rd, Caringbah	IN1	Formerly Strathfield Car Radio, now vacant.
12	11-17 Koonia Circuit, Caringbah	IN1	Fast food outlets including Red Rooster and McDonalds fast food restaurants.
13	220 Taren Point Rd, Caringbah	IN1	Home Maker Centre - 2 storey shopping centre, containing bulky goods retail.
14	94-98 Parraweena Rd and 173-177 Taren Point Rd	IN1	Cronulla Carpets

BACKGROUND

The subject site is located within Zone 11 – Employment pursuant to SSLEP 2006 and is identified in the Draft LEP 2013 as IN1 – General Industrial. As demonstrated in Figure 2, the subject site and several other surrounding properties zoned for “industrial” purposes are currently occupied by “non-industrial” uses including retail, bulky goods, hotel and service station uses. These properties have a long history of “non-industrial” use.

Specific to the subject site, in November 1987, Sutherland Shire Council granted consent to development application (DA 465/87) for “the erection of an industrial building for new furniture assembly, storage and display of furniture and floor coverings and administrative purposes”. Of relevance to this submission is condition 10 of that development consent which states the following:

“ 10 The retail sale of any goods or associated products from the complex is strictly prohibited.”

The original development application was conditionally approved to enable the assembly, storage and display of furniture and floor coverings and associated administration. Imposing a condition precluding retail sales was a common planning practice at the time. This enabled Councils to allow “showrooms” but to avoid any legal implication that the use was a “shop”, which would otherwise be a prohibited use in the zone.

In our experience, conditions such as Condition 10 were often imposed for the reason outlined but were rarely enforced in these instances. "Showrooms" were considered an appropriate characterisation as customers rarely took any purchased goods away from the premises with them. Rather, the nature of the business then and now is that customers view the products on display in the showroom and order them for later delivery. The actual goods are delivered often from a separate warehouse or even direct from the manufacturer. In that sense, "showrooms" were differentiated from "shops". It should be remembered that at that time, the term "bulky goods premises" was not in use and was not available to describe the true nature of the intended use of the premises, and to thereby differentiate it from a "shop".

In practice, the subject premises have been used for the retail sale of furniture for the past 25 years. Therefore, the site was one of the earliest genuine "bulky goods premises" within Taren Point/Caringbah and well preceded the establishment of the Caringbah Homemaker Centre. The "bulky goods premises" was in fact permissible under SSLEP 2000. Ironically, by virtue of gazettal of SSLEP 2006, "bulky goods premises" became prohibited on the subject site whilst the much more recent Caringbah Homemaker Centre development (and surrounding land) was formalised as the only land within Taren Point/Caringbah where bulky goods was permissible.

THE REQUEST

It is requested that the proposed zoning under Draft SSLEP 2013 be changed to enable "bulky goods premises". This change to the Draft LEP is sought to regularise permissibility of the current use on the subject site which has existed for over 25 years and which was in fact permissible for a period of time prior to SSLEP 2006 being gazetted. The change would also enable similar bulky goods uses to occupy the site in the future.

This request may be enabled in one of two ways:

- 1) Include the subject site within the B5 which permits "bulky goods premises";
- 2) Amend Schedule 1 – Additional permitted uses to specifically allow for "bulky goods premises" on the subject site. This can be achieved with the following wording under the heading "Caringbah":

" **Use of certain land at Parraweena Road, Caringbah**

(1) This clause applies to the land at 100 Parraweena Road, Caringbah, being Lot 6 in DP 715461.

(2) Development for the purpose of bulky goods premises is permitted with consent."

STRATEGIC PLANNING

In preparing this submission, we have considered the strategic planning framework within which the Draft LEP has been prepared. It is our opinion that the subject request is not contrary to this framework at state or local level, particularly given that the request relates to formalisation of permissibility of a use that has existed on the site for over 25 years. That is, the proposal will not increase the supply of bulky goods premises in the locality now or in the future.

We make the following observations in relation to the strategic planning framework:

1. South Subregion of the Draft Metropolitan Strategy:

The Metropolitan Strategy comments on “bulky goods retailing” and promotes concentration of retail activity in centres, business development zones and enterprise corridors. The Strategy also notes that bulky goods retail land uses are increasingly competing for cheaper land in industrial areas across Sydney, which can have the effect of displacing industrial land uses and creating excessive trip generation to out of centre locations.

In this regard, we note that the site has been used for “bulky goods premises” for over 25 years and therefore formalisation of the permissibility of such use will not displace industrial uses nor will it encourage additional trip generation to the locality. We further note that the IN1 zone permits hardware and building supplies, garden centres and recreation facilities and therefore displacement of traditional industrial uses is challenged to the same extent by uses that are in fact permissible in the zone.

Given that the subject site is within a street block that is in fact opposite the largest bulky goods precinct in the Sutherland Shire (being the Caringbah Homemaker Centre site and surrounding lands), it is our view that the “bulky goods premises” are in fact “centralised”, providing for compatibility and having minimal impact in terms of trip generation to out of centre locations.

2. Employment Strategy – January 2013

On exhibition, as supplementary information to demonstrate the strategy underlying the Draft LEP in relation to employment, is Council's *Employment Strategy*. The purpose of the Strategy is stated to include the evaluation of the underlying potential for employment growth and to ensure that the planning framework supports good economic, employment and social outcomes.

Of direct relevance to the subject request is *Objective 4 – to address the growth in demand for bulky goods retailing*. It states, inter alia:

- " Over the past three decades, population growth, rising disposable incomes and change within the retail sector have driven a rapid increase in retail floorspace throughout Australia, particularly with respect to the bulky goods retailing sector. This trend is expected to continue.

Despite strong regional demand for bulky goods, Sutherland Shire's supply of bulky goods retail floor space is below the average for the Sydney Metropolitan Area. Therefore, there is considerable consumer demand to expand the Shire's relatively small bulky goods precinct in Taren Point. The underlying issue is that Sutherland Shire currently provides more retail jobs than there are local retail workers to fill them - in a sector characterised by low-wage and part-time or casual jobs. While this employment type meets the needs of a segment of the working population, utilising scarce large lots for low demand, low employment-generating purposes comes with high opportunity costs. This means: the more that underutilised industrial sites are consumed by bulky goods retailing, the less opportunity there is to develop higher-skill, higher employment-generating businesses in the Shire to meet the employment needs of the majority of resident workforce. The DSILEP seeks to address this."

The Strategy states that this objective is met by Strategy 7 - *Bulky Goods Retailing [being] expanded in defined locations*. Specifically the Strategy states, inter alia:

- " While State planning policy dictates that bulky goods retailing (as with most types of 'commercial premises') should be located in town centres and adjacent business zones, the number of strata properties in and adjacent to the majority of Sutherland Shire centres make this generally unachievable. Consequently, the majority of Sutherland Shire's bulky goods retailers are concentrated

in a designated precinct within the Taren Point Employment Zone. Taren Point Road offers high visibility and good transport access required by this sector.

Despite the current oversupply of retail jobs in the Shire relative to the resident workforce, retailing is forecast as a growth industry and regional demand for additional bulky goods remains high. The DSILEP has taken a conservative approach to the demand for additional bulky-goods retailing. It allows a small expansion of the Taren Point precinct and provides the permissibility for a few new small clusters to develop in areas with good transport access.

In response to the objectives, we note that for over 25 years, the subject site has contributed to meeting the strong regional demand for bulky goods. The subject request does not seek to increase the supply of bulky goods floor space but rather maintain existing supply through formalisation of permissibility. The request will not result in structural change in use of land for different employment sectors and therefore will not offend the general aim to retain sites that can be used for higher-skill, higher employment-generating businesses in the Shire.

With regard to the Strategy for supporting growth in bulky goods retailing, we note that Council's approach is to expand permissibility of such uses to the strip along the eastern side of Taren Point Road between Parraweena Road and Toorak Avenue. Whilst we agree that it is necessary to increase the area in which bulky goods premises are permitted, it is our view that the land that has been added in the Draft LEP is much less suitable for bulky goods premises than our client's land, and surrounding lands. The land along Taren Point Road comprises many relatively small, narrow allotments, with fragmented ownership, in many cases with difficult vehicular access and significant challenges to providing on-site car parking and truck access. The promotion of bulky goods use on these lands will effectively promote a continuous strip of such use as opposed to a more concentrated cluster such as the street block within which our client's property is located.

In contrast, our client's site is large, has good immediate access to Parraweena Road and provides large areas for car parking. Over its 25 years of operation for bulky goods premises, it has been demonstrated that the site is ideal for its use and there are no impediments to such use continuing in the long term. The subject site is also located within a street block that is opposite the largest area of land zoned to allow bulky goods use in the Sutherland Shire.

Accordingly, to meet the objectives of Council's *Employment Strategy*, it makes town planning sense to protect existing holdings (or "clusters") of bulky goods use that have contributed to meeting the strong and persistent demand for such facilities over nearly three decades, even before seeking to expand permissibility of such use to less appropriate land to form new "clusters" for such use.

3. Draft LEP 2013

The subject site is located within the IN1 – General Industrial Zone pursuant to Draft Sutherland LEP 2013.

The zone objectives and permissible uses are stated as follows:

“ Zone IN1 General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.*
- To encourage employment opportunities.*
- To minimise any adverse effect of industry on other land uses.*

- *To support and protect industrial land for industrial uses.*
- *To enhance the visual appearance of the employment area by ensuring new development achieves a high architectural and landscape standard.*
- *To minimise the impact of development within the zone on areas of environmental significance.*

2 Permitted without consent

Nil

3 Permitted with consent

Animal boarding or training establishments; Aquaculture; Building identification signs; Business identification signs; Car parks; Crematoria; Depots; Environmental protection works; Flood mitigation works; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Industries; Kiosks; Landscaping material supplies; Light Industries; Mortuaries; Neighbourhood shops; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Research stations; Roads; Service stations; Sex services Premises, Storage premises; Take away food and drink premises; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres.

Any other development not specified in item 2 or 4

4 Prohibited

Advertising structure; Agriculture; Air transport facilities; Airstrip; Amusement centres; Boat building and repair facilities; Boat launching ramps; Boat sheds; Business premises; Camping grounds; Caravan parks; Cemeteries; Charter & tourism boating facilities; Child care centres; Community facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Office premises; Open cut mining; Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Tourist and visitor accommodation; Water supply systems; Wharf or boating facilities; Wholesale supplies."

Whilst "bulky goods premises" are not permitted on the site, several uses that cannot be considered to be traditional industrial uses are permitted. For example, garden centres, hardware and building supplies, places of public worship, recreation facilities and veterinary facilities. We do not suggest that these uses are not suitable for the zone, but rather that the prohibition of bulky goods premises cannot be simply attributed to the fact that the availability of industrial lands may be reduced. In the current case, there will be no impact on existing "industrial lands" and therefore the zone objectives of supporting and protecting industrial lands are met. The objective of promoting employment opportunities is also most definitely met.

We are however of the view that the B5 – Business Development zoning is generally more reflective of the land uses that make up the subject site and surrounding locality. To the north of the site is a service station, lighting retailer, hotel and motel, bulky goods premises (BCF) and a supermarket. Immediately to the west is land subject to a development application for gymnasium and child care centre, land subject to approval for a child care centre and children's play centre and a hardware and building supplies use. To the east is Cronulla carpets and to the south are factory units, incorporating a number of different uses including bulky goods premises.

The B5 zone maintains permissibility of industrial uses however also allows child care centres, hardware and building supplies, service stations, bulky goods premises, restaurants

or cafes all of which are uses featured in the surrounding locality. The B5 zone would therefore be suitable for the subject site.

If the recommendation that the B5 zone be applied to the site is not accepted by Council, given the land use context of the site which in our view can be described as a “transitional locality”, at the very least the formalisation of permissibility of bulky goods premises on the subject site through an “additional use clause” will not be inconsistent with surrounding uses or in conflict with the zone objectives.

CONCLUSION

We thank you for the opportunity to comment on Council's Draft LEP. For the reasons outlined in this submission, it is our view that the Draft LEP in its current form does not appropriately respond to Council's Employment Strategy. The Strategy highlights the need for expansion of the area in which bulky goods premises are permitted however fails to acknowledge a significant land holding that has been used in this manner for over 25 years that does and can continue to contribute to this need.

The subject request can be implemented through inclusion of the subject site in the B5 zone or through amendment to Schedule 1 – Additional Permitted Uses to specifically allow for “bulky goods premises” on the subject site. The subject request will have no impact on the land use make up of the locality in that it will merely formalise the permissibility of a use that has occupied the site for many years. In this sense, the proposal will not erode industrial lands and will have no bearing on the retail hierarchy of the local area. The subject site is and has been in economic use for many years for bulky goods premises and support of this continuing is considered to be in the public interest.

As demonstrated in this submission, the subject request is not inconsistent with the Sydney Metropolitan Strategy or Council's Employment Strategy and will meet the overall economic and social objectives of the Environmental Planning & Assessment Act, 1979. We therefore respectfully request that the Draft LEP be amended as detailed in this submission. We trust that this submission is self explanatory, however, should you require any further clarification, please do not hesitate to contact our office.

Yours faithfully,
Planning Ingenuity Pty Ltd



Jeff Mead
DIRECTOR

**ANNEXURE 2: SUBMISSION IN RELATION TO SECOND ROUND
DRAFT SSLEP EXHIBITION**

Our Ref: 0016/13lt1
Your Ref: LP/03/79340

9 September 2013

Environmental Planning Unit
Sutherland Shire Council
Locked Bag 17
SUTHERLAND NSW 1499

Dear Sir/Madam,

**SUBMISSION ON THE DRAFT SUTHERLAND LEP 2013
NO. 100 PARRAWEENA ROAD, CARINGBAH**

We refer to the *Draft Sutherland Shire LEP (SSLEP) 2013* which is currently being re-exhibited until 17 September, 2013. We act on behalf of the owner of the above property and write to support amendments made to the previously exhibited Draft LEP in relation to land use on the their property.

The re-exhibited draft includes an "additional use clause" to allow use of the site for bulky goods premises. This amendment will effectively formalise permissibility of the current use on the site (Cronulla Furniture) which has existed for over 25 years and allow similar bulky goods premises on the site in the future.

The purpose of our submission is to respond to the Mayoral Minute No. 07/13-14, dated 5 August 2013, which specifically related to the subject site and the request for bulky goods retailing to be made a permissible use under the Draft LEP. The Mayoral Minute supported the request that bulky goods retailing be permitted on the site. However, it also included reference to further assessment needing to be undertaken in relation to the ability of the existing building to meet Council's applicable flooding standards.

We have obtained advice from hydraulic experts, Kozarovski and Partners, who have undertaken extensive flood modelling and analysis on the subject site, surrounding sites and generally within the "Gwawley Bay Flood Study" area (refer to Attachment 1). Responding to our brief that they determine whether the site was capable of meeting Council's flooding requirements as they would apply to a bulky goods retailing use, their advice concluded as follows:

- The existing building on the subject site and car parking area are at levels and have measures in place that present no impediment to use for bulky goods purposes;
- Any additional requirements could be achieved through the DA process and should be no reason to not permit bulky goods retailing.

The advice noted that the existing floor level of the building is above the flood levels in front of the site during the 100 year flood event and the existing driveway and car park, whilst affected by the overland flow, can be used for car parking because of low velocities and depths

We note that any future proposal for use of the site for bulky goods retailing would require a development application. Pursuant to Clause 6.5 of the Draft LEP, Council would need to be satisfied that flood requirements were met prior to granting consent to any such use and therefore the opportunity would be available to Council to impose any conditions for detailed design requirements at

that time. Therefore, beyond the conclusions reached by Kozarovski Partners in relation to the site conditions, adequate safeguards are available to Council to ensure that flooding standards are met during the development application process. The success of this style of development assessment process is exemplified by the development at 119-121 Parraweena for bulky goods use.

Accordingly, it is our strong view that the objectives of Council's Employment Strategy, which promotes expansion of the Taren Point Bulky Goods Area, can be fostered through endorsement of the Draft LEP as re-exhibited. The re-exhibited draft acknowledges a significant land holding that has been used in this manner for over 25 years that does and can continue to contribute to this need.

We therefore strongly support the Draft LEP in its re-exhibited form in relation to the subject site and consider that the one remaining issue referred to in the Mayoral Minute of 5 August 2013 relating to flooding is now resolved by the advice of Kozarovski Partners.

We trust that this submission is self explanatory, however, should you require any further clarification, please do not hesitate to contact our office.

Yours faithfully,
Planning Ingenuity Pty Ltd



Jeff Mead
DIRECTOR

ATTACHMENT 1 – FLOOD ADVICE – KOZAROVSKI PARTNERS

Kozarovski and Partners
14/52-54 Kingsway
Cronulla NSW 2218
Ph (02) 8544 8720
Mobile: 0412 997767
Date: 9 September 2013

To whom it may concern

**Flood affectation and the land use of
No. 100 Parraweena Road, Taren Point**

The area along Parraweena Road is affected by the overland flow during large storm events. The flood levels in front of the site are around RL 2.7 m AHD during the 100 year flood event (Kozarovski and Partners flood study July 2008 and Bewsher Consulting Gwawley Bay Flood Study July 2009). The existing floor level is at RL 3.25 m AHD.

The existing driveway and carpark are affected by the overland flow. The western side of the driveway can be used for carparking because of low velocities and depths, while the eastern side can be dedicated to overland flow and some carparking subject to detailed design that considers flood constraints .

The existing mezzanine (Floor level > 6.5 m AHD) can be used as a safe refuge point during extreme floods such as PMF because it is well above the PMF level of 3.5 m AHD. The building is constructed from solid materials such as concrete and steel and it appears to be capable to withstand the forces of flowing water and debris during extreme floods (subject to an assessment of a structural engineer).

It can be concluded that:

- The existing building on the subject site and car parking area are at levels and have measures in place that present no impediment to use for bulky goods purposes;
- Any additional requirements could be achieved through the DA process and should be no reason to not permit bulky goods retailing.



Pavel Kozarovski, MIEAust, CPEng, NPER-3