

LIVERPOOL CITY COUNCIL

CITY PLANNING REPORT

ORDINARY MEETING

25/07/2011

ITEM NO:	PLAN 02	FILE NO:	RZ-8/2011
SUBJECT:	DRAFT AMENDMENT NO. 24 TO LIVERPOOL LOCAL ENVIRONMENTAL PLAN - AIRFIELD DRIVE LEN WATERS ESTATE		
COMMUNITY STRATEGIC PLAN REFERENCE:	LIVERPOOL HAS A RANGE OF BUSINESS AND EMPLOYMENT OPPORTUNITIES		

EXECUTIVE SUMMARY:

Council is in receipt of an application seeking to amend the Liverpool Local Environmental Plan 2008 by rezoning proposed Lot 1 in Lot 5054 DP 1161757 from IN1 - General Industrial, IN2 - Light Industrial and SP2 - Drainage to B5 - Business Development at Len Waters Estate.

The site is bounded by the M7 Motorway, Cowpasture Road as is part of the 41 hectare industrial precinct known as Len Waters Estate. The subject site measures 3.47 hectares which is part of the 5.9 hectares that remains undeveloped in the industrial precinct.

The applicant seeks to rezone the site to B5 - Business Development in order to facilitate the construction of a home improvement bulky goods centre with a floor space of approximately 13,500 sqm.

It is recommended that Council resolves to proceed with the making of this plan by seeking Gateway Determination from the Department of Planning and Infrastructure.

DETAILED REPORT:

The Proposal

Council is in receipt of an application seeking to amend the Liverpool Local Environmental Plan 2008 (LLEP 2008) by rezoning proposed Lot 1 in Lot 5054 DP 1161757 in Len Waters Estate. This site is located adjacent to Cowpasture Road, Airfield Drive and the M7 Motorway and forms part of the 41 hectare industrial precinct known as Len Waters Estate. A locality map is provided in Figure 1 below.



Figure 1: Locality Map

The applicant seeks to rezone the site to B5 - Business Development in order to facilitate the construction of a home improvement centre with a floor space of approximately 13,500 sqm. The proposed development is considered as a combination of hardware and building supplies, landscaping and garden supplies and homewares and will consist of the following components;

- General sales area of approximately 7,837sqm
- Garden nursery of 2,176sqm
- Trade sales area of 2,175sqm
- Loading and servicing area of 860sqm
- Office space and administrative functions of 342sqm

The Department of Planning and Infrastructure have defined the use a bulky goods premises.

The proposal would be subject to a future development application and associated assessment against the relevant heads of consideration under the Environmental Planning and Assessment Act 1979.

Current land use zoning and constraints

The SP2 - Infrastructure (Drainage) zone was applied to the western portion of the site as it was subject to overland drainage flows from Middleton Grange and the M7 Motorway. The developer of Len Waters Estate have subsequently constructed underground drainage piping and created the necessary drainage easements. Subsequently, the SP2 Infrastructure zone is not required and its rezoning is considered as part of this proposal.

The site in its present format is a cleared vacant lot with vehicular access off Airfield Drive.

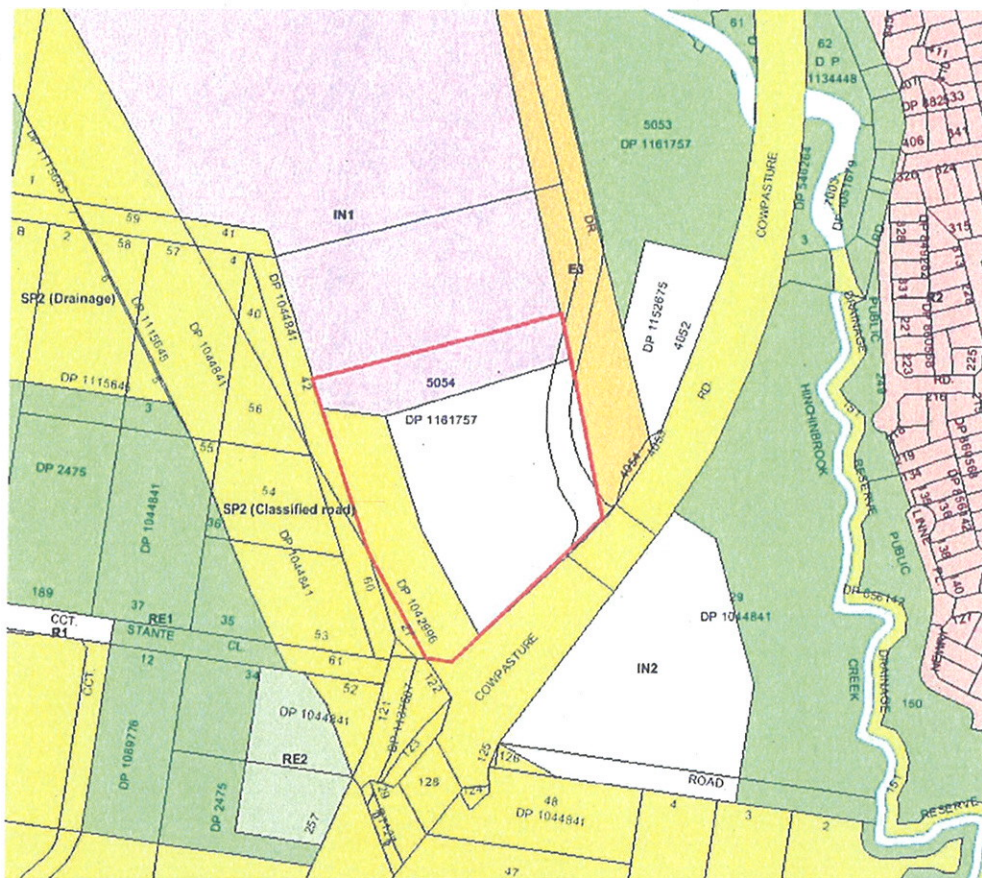


Figure 2: Current Land Use Zoning; LLEP 2008

Application of the B5 - Business Development zone

The B5 – Business Development and B3 Commercial Core are the only land use zones within the LLEP 2008 that permit unrestricted bulky goods premises. The B6 – Enterprise Corridor permits bulky goods premises up to 2,500sqm in gross floor area. The B5 zone is preferred to the B3 zone as the site and surrounding precinct does not exhibit the characteristics of a commercial core.

The Department of Planning and Infrastructure have informed Council on occasions that introducing permissible uses through the Schedule 1 of the LEP is not preferred,

particularly in instances where a suitable zoning option exist, and associated permissible uses are considered appropriate. In this instance the B5 zone is considered appropriate as the site is located on main arterial road does not directly adjoin any residential areas.

While the intent of the rezoning is to facilitate the development of a bulky goods premises it should be noted that the following additional land uses are permitted (with development consent) in a B5 Business Development zone compared to the existing IN2 Light Industry zone;

- Bulky goods premises
- Food and drink premises
- Office premises
- Vehicle sales or hire premises

It should be noted that certain components of the proposed development are currently permissible under the current land use zone of IN2 Light Industry in that 70% of the proposed development fits within the definition of 'timber and building supplies' and 14% fits within the definition of 'landscape and garden supplies'. However the proposal also incorporates homewares such as whitegoods and thus the overall use is determined as bulky goods retailing.

Demand for Bulky goods retailing

Councils Retail Centres Hierarchy Review 2007 was used to underpin the commercial zoning decision within the LLEP 2008. The Hierarchy Review recommends that no additional bulky goods nodes should be developed, recommending that the existing bulky goods nodes at Sappho Road Warwick Farm, Orange Grove Road Warwick Farm and the Cross Roads Casula should be consolidated. The report does however outline that there would be scope for a new bulky goods node in the upcoming release of the South West Growth Centre.

However, the report is clear in that the Liverpool Local Government Area has a significant shortfall in the supply of bulky goods retailing, particularly in Councils western fringe areas which is subject to significant population increases over the next 15-25 years. The study re-iterates that there is a shortfall of approximately 53,000sqm (by 2016) of bulky goods retailing within the Casula Cross Roads trade area alone, even with the assumption that the Cross Roads centre would be fully developed. The applicant's economic consultant states that the shortfall would far exceed Councils Hierarchy Review projection.

Although Councils Hierarchy Review recommends that existing bulky goods nodes should be reinforced, it is clear that there is sufficient capacity to support the development of the proposed home improvement centre. The large undersupply of bulky goods in the trade area would dictate the need for the development of bulky goods retailing in addition to that capable of being provided in the existing bulky goods nodes, particularly considering the upcoming release of the South-West Sector Growth Centre.

Suitability of the site

The Department of Planning and Infrastructure's Draft Centres Policy 2009 recommends that new retail and business development is located in strategic commercial centres. The subject site is considered as an out of centre location in that it is not co-located with additional bulky goods node or a general commercial centre.

There is limited scope for locating large format retailing such as the proposed home improvement development within the existing centres as these retailing formats require a significant land area to house the handling, display and storage of goods. Further extensive areas are required for the loading and unloading of goods and the provision of adequate customer parking, particularly considering the majority of trips are made by private vehicle, such is the nature and quantities of the goods purchased.

It is believed that this site is a good compromise location for large format bulky goods due to the following attributes:

- High commuter exposure from M7 and Cowpasture Road
- Excellent connectivity to the regional arterial road network
- Land is serviced and cleared with no known environmental constraints
- Site is in proximity to emerging suburbs where demand for home improvement goods are high
- Site is located five kilometres from the nearest bulky goods retail centre at Casula, thus maintaining a reasonable primary trade catchment areas in its own right.

The traffic assessment submitted with the proposal concludes that the surrounding road network and Airfield Road/Cowpasture Road intersection is capable of servicing the proposed development.

Loss of industrial land

The protection of industrial land in Liverpool and the South-West Sydney is required to ensure that Liverpool's residents have a range of employment opportunities close to where they live. This proposal seeks to rezone approximately 2% (3.47 hectares) of the vacant industrial land in the Liverpool Local Government Area to facilitate a bulky goods development.

In the context of the Len Waters Industrial Estate, the development of this parcel will leave 2.42 hectares of undeveloped land which is of a reasonable size and configuration to provide for industrial development.

Although the proposal results in the loss of industrial land the proposed development will provide for an equal if not increased number of employment opportunities due to the higher level of employees per square metre ratio of retail compared to most industrial uses.

Developer Contributions

During the rezoning of former Hoxton Park Airport; a Voluntary Planning Agreement (VPA) was executed that included the required physical and social infrastructure associated with the development. The infrastructure items which relate to this parcel of land have been completed and as such the VPA has been discharged from the subject lot. As the VPA incorporated all the required contributions, Council is not required to levy for further contributions for development of this parcel of land.

Conclusion

The applicant seeks to rezone 3.47 hectares of land within Len Waters Estate to B5 - Business Development with a view to develop a home improvement bulky goods centre.

Although the proposal is not located within an established bulky goods node or general retailing centre, it is recommended that Council proceed with the rezoning on the basis of the demonstrated shortfall for bulky goods retail floorspace in Councils urban fringe areas. Further, the development will provide for significant employment opportunities and the site is appropriately located in terms of the regional road network with limited potential impacts on nearby residential precincts.

FINANCIAL IMPLICATIONS:

There are no financial implications arising from this report.

RECOMMENDATION:

That Council:

1. Resolves to prepare and exhibit an amendment to the Liverpool Local Environmental Plan 2008 (Amendment No. 24) to rezone proposed lot 1 in Lot 5054 DP 1161757 to B5 - Business Development.
2. Forwards a copy of the Planning Proposal to the Department of Planning & Infrastructure seeking Gateway Determination and following that proceed with agency and public consultation.

SIGNED BY:

Milan Marecic
Director
City Planning

Attachment: Planning Proposal