



**Liverpool**citycouncil  
creating our future together

Our Ref: 151856.2015  
Contact: Graham Matthews 9821 9156

22 June 2015

**Ms Rachel Cumming**  
**Regional Director Sydney West**  
**NSW Planning and Environment**  
**GPO Box 39**  
**SYDNEY NSW 2001**

Dear Ms Cumming

**Re: Liverpool Local Environmental Plan (Draft Amendment No. 31)**  
**Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 – Enterprise**  
**Corridor to B2 – Local Centre**

At its ordinary meeting of 17 June 2015, Council resolved to write to the Minister pursuant to Clause 58(4) of the Environmental Planning and Assessment Act 1979, to request that the matter not proceed.

Pursuant to consideration of a report to Council considering submissions on the proposed rezoning, Council resolved to seek the refusal of the proposal for the following reasons:

- The adverse impact of the proposal on the existing local centre at Prestons Shopping Village may threaten the viability of the centre;
- The adverse economic impact of the proposal on the future Edmondson Park Town Centre may delay the development of the site and impact the overall development of Edmondson Park;
- There is appropriately zoned land available at both Carnes Hill and Edmondson Park where a supermarket would be better situated;
- It is considered the local community has adequate access to existing and future full line supermarkets, including Carnes Hill, Edmondson Park and Casula;
- The proposal is for an out-of-centre development which, if approved, would have the potential to undermine achievement of the Council's and State's planning strategies;
- Approval of this centre in such close proximity to an established centre is contrary to good planning principles;
- The proposal contradicts the Liverpool Retail Centres Hierarchy.

For your reference I have attached a copy of the Council report and resolution.

Should you have any questions or require any further information, please contact Graham Matthews, Senior Strategic Planner, on 9821 9156.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'B Macnee', written in a cursive style.

**Bruce Macnee**  
Manager Strategic Planning

Encl.



- 4.2 The adverse economic impact of the proposal on the future Edmondson Park Town Centre may delay the development of the site and impact the overall development of Edmondson Park.
- 4.3 There is appropriately zoned land available at both Carnes Hill and Edmondson Park where a supermarket would be better situated.
- 4.4 It is considered the local community has adequate access to existing and future full line supermarkets, including Carnes Hill, Edmondson Park and Casula.
- 4.5 The proposal is out-of-centre development which, if approved, would have the potential to undermine achievement of the Council's and the State's planning strategies.
- 4.6 Approval of this centre in such close proximity to an established centre is contrary to good planning principles.
- 4.7 The proponent's Economic Impact Assessment understates the Primary Trade Area, the level of trading and the impacts of the proposed centre.
- 4.8 The existing proposal goes against our retail hierarchy.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

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|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DPG 02</b> | <b>Draft Amendment 31 to Liverpool Local Environmental Plan 2008 - Proposal to rezone 1975-1985 Camden Valley Way, Prestons from B6 Enterprise Corridor to B2 Local Centre</b> |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|----------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>Strategic Direction</b> | Liveable Safe City<br>Deliver an efficient planning system which embraces sustainable urban renewal and development |
| <b>Key Policy</b>          | Urban Development Plans                                                                                             |
| <b>File Ref</b>            | 136598.2015                                                                                                         |
| <b>Report By</b>           | Ash Chand - Executive Planner                                                                                       |
| <b>Approved By</b>         | Toni Averay - Director Planning & Growth                                                                            |

## **EXECUTIVE SUMMARY**

At its meeting on 29 May 2013 Council resolved to prepare a planning proposal (Draft Liverpool Local Environmental Plan 2008 Amendment No. 31) for the rezoning of 1975-1985 Camden Valley Way Prestons from B6 – Enterprise Corridor to B2 – Local Centre and to forward the proposal to the Department of Planning and Environment (then known as Department of Planning and Infrastructure) requesting Gateway determination. Council also resolved to commission a peer review of the proponent's Economic Impact Assessment (EIA).

A Gateway determination issued on 22 August 2013 required the planning proposal be updated to address the impacts of the proposal on the planned Edmondson Park Town Centre, Prestons Village Shopping Centre and other nearby centres. The Gateway determination also required the planning proposal to be updated to demonstrate that the proposed development could not be accommodated in existing or planned centres.

Following public exhibition of the draft amendment, assessment of the submissions received and the peer review, it is concluded the planning proposal should be supported by Council for the reasons detailed below:

- The proposal will not adversely impact the viability of existing centres including the Prestons Village Shopping Centre, or delay the development of the planned Edmondson Park Town Centre.

- The proponent has demonstrated that the proposed development cannot be accommodated within the existing available floor space within the Prestons area, and that it would not be appropriate to locate in an existing or planned centre outside the Prestons area.
- The proposed development on the subject site within Prestons meets the existing market demand of the Prestons local area catchment for a full line convenience supermarket.

For the reasons outlined above, this report recommends Council writes to the Minister of Planning to request that Draft Liverpool Local Environmental Plan 2008 Amendment No. 31 be made.

The applicant has also proposed to enter into a Voluntary Planning Agreement (VPA) to contribute to a community benefit for the local area. Accordingly, this report also provides a framework for the proposed VPA to facilitate a contribution towards the development of Macleod Park for the benefit of the local community.

## **RECOMMENDATION**

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That Council:

1. Supports the Planning Proposal and writes to the Minister of Planning pursuant to clause 59(1) of the Environmental Planning and Assessment Act 1979 to request that the Minister determine that Draft Liverpool Local Environmental Plan 2008 Amendment No. 31 be made.
2. Writes to the proponents informing them of Council's decision.
3. Writes to the parties that made a submission informing them of Council's decision.
4. Provides in principle support for and delegates the CEO the authority to enter into a Voluntary Planning Agreement to facilitate additional community benefits for the Prestons local area prior to the determination of a Development Application for the proposal.

## **REPORT**

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### **Background and Site Identification**

The legal description of subject site is Lot 50, DP1082416 and Lot 1, DP661177, otherwise known as 1975-1985 Camden Valley Way, Prestons. Located at the north-west corner of Camden Valley Way and Corfield Road, the site covers approximately 1.7 hectares and has street frontages on Camden Valley Way and Corfield Road.

The current use of the site consists of a landscape supplies and garden centre. The site also has an approved Development Application for a service station, car wash, fast food premises and retail shops (DA-1517/2010 and DA-1517/2010A, approved 10 May 2011), for which retail floor space equates to 2,855sqm.

### **Council Resolution and Gateway Determination**

The potential rezoning of the site was originally considered as a submission to the Liverpool Retail Hierarchy Review 2012, which was adopted by Council on the 28 November 2012. Council resolved at that time to consider a planning proposal for the subject site.

The application to rezone the site was lodged with Council on 14 January 2013. At its meeting on 29 May 2013, Council resolved the following:

*That Council:*

1. *Prepares a planning proposal which seeks to rezone 1975-1985 Camden Valley Way Prestons from B6 Enterprise Corridor to B2 Local Centre under Liverpool Local Environmental Plan 2008, and forward this proposal to the Department of Planning and Infrastructure seeking gateway determination.*
2. *Recommends that Gateway Determination require the following further reporting to be provided and considered in the assessment of the proposal.*
  - a. *Updated Economic Impact Assessment that reflects the economic impact of the proposed development on the planned Edmondson Park Town Centre, based on a timeline for its development being provided by Urban Growth and the proposed ALDI supermarket on Camden Valley way Edmondson Park.*
  - b. *Sequential test demonstrating site suitability as outlined in The Right Place for Business and Services – Planning Policy.*
3. *Undertakes a peer review of the applicant's updated Economic Impact Assessment to be considered in the assessment of the planning proposal.*

Gateway determination was issued by the Department on 22 August 2013. Along with the standard conditions of Gateway, as the request of Council, the following specific conditions were noted by the Department requiring attention for the matter to proceed:

*Prior to undertaking public exhibition, the Economic Impact Assessment (EIA) prepared by MacroPlan Dimasi (March 2013) is to be updated to address the impacts of the proposal on the Edmondson Park Town Centre, Prestons Village Shopping Centre and other nearby centres. The planning proposal is also to be updated to demonstrate that the proposed development cannot be accommodated in existing or planned centres. This additional information and any submissions received prior to public exhibition, regarding the proposal for a supermarket at the subject site, are to be placed on public exhibition with the planning proposal.*

The proponent submitted an updated EIA and Sequential Test in February 2014 addressing the aforementioned conditions. Subsequently, the proposal was publicly exhibited from Wednesday 24 September to Wednesday 22 October 2014 with DA-1163/2013 pursuant to the requirements of Section 72K of the Environmental Planning and Assessment Act, 1979 and the conditions as specified in the Gateway determination.

### **Public Authority Consultation**

#### ***Submissions***

Council received submissions from the RMS (no objection), Urban Growth, Camden Council and Fairfield City Council (refer to Attachment 1). Both Camden Council and Fairfield City Council raised concerns about the proposal regarding the impact on the viability of approved centres within local and regional plans, and that the proposal constituted a stand-alone centre that was outside any local, metropolitan or subregional strategy.

Urban Growth NSW commissioned Urbacity to prepare their submission, presenting a number of issues in objection to the proposed amendment, but largely concerning the viability and vibrancy of the planned Edmondson Park Town Centre (EPTC), and the potential impact of the proposed development in Prestons in delaying the development of Stage 1 of EPTC.

#### ***Officer assessment***

Council officers have assessed these submissions and reviewed the Economic Impact Assessment provided by the applicant. It is considered that the Prestons area catchment generates a demand that is currently unmet in approved centres and justifies the proposal. Given the increased population that has occurred in this catchment since the LLEP was prepared, it is appropriate to support the provision of this additional local centre.

### **Public Exhibition**

#### ***Submissions***

Council received nine submissions, all of which objected to the proposal. In addition, Council received three duplicate objections from owners of businesses located at the Prestons Village Shopping centre in February 2015, after the exhibition had closed (refer to Attachment 1). The key issues regarding the proposed rezoning are detailed below.

#### ***Prestons Village Shopping Centre***

Wakefield Planning, representing the IGA supermarket at Prestons Village, noted the Primary Trade Area of the proposal incorporates the entire trade area for the Prestons Village, and estimated the impacts of the proposal would result in a 30% loss of trade to Prestons Village, given the proposed development would replace at least a third of the present Prestons Village catchment as the most convenient location for top-up shopping.

GAT and Associates, representing the Prestons Village Shopping Centre, utilised a review of the proponent's EIA conducted by Leyshon Consulting, and concluded that the approval of



the proposal would change the performance of the existing and planned centres and would fundamentally undermine Prestons Village, a successful localised centre.

**Officer assessment**

Council officers have assessed these submissions and reviewed the Economic Impact Assessment provided by the applicant. It is considered that the proposed new supermarket will not detrimentally impact on the Prestons Village, and that the two offerings do not directly compete with each other. The Prestons Village shopping centre does not satisfy the market demand currently generated by the Prestons area catchment. Currently the Village meets only 4% of the retail demand for this catchment.

MacroPlan estimates the impact of the proposal on the Prestons Village would be -\$0.8M, or -8.6%, that the proposed 4100sqm supermarket will not compete on a 'like for like' basis with the 460sqm IGA that anchors the Prestons Village. The IGA is a large convenience outlet, oriented for top-up shopping, and not comparable to the full-line supermarket that is proposed for the subject site. The two formats trade differently and therefore do not compete directly with each other with their respective offering.

The peer review undertaken by Hill PDA estimates the trading level for the Prestons Village at \$9.3 million, or an average of \$6,200/sqm in 2016, on the assumption that the proposed supermarket development does not proceed, which is significantly lower than the estimated levels for other centres in the peer review. By contrast, the review adopts an average turnover level of \$11,000/sqm for the proposed supermarket. This would imply Preston Village provides an exceptionally limited offer to the local catchment.

The EIA equates this to a market share for the centre of approximately 4% of the total available retail expenditure generated by the main trade area population. Given the Prestons Village attracts such a low market share prior to the proposed supermarket being developed, it would be unlikely to experience a significant impact as a result of the proposed development, primarily due to the fact that overwhelmingly the main trade area expenditure is already spent elsewhere.

The peer review's estimated impact is -\$1.6 million or -16.7% on Prestons Village Centre is therefore overstated, having regard to the above and because it is not a like-for-like shopping facility. The modelled impacts in the peer review assume that the 460sqm IGA at Prestons Village and the proposed Woolworths supermarket are directly substitutable. As evidenced by the absence of shopping trolleys, Prestons Village does not cater to the full needs of the Prestons catchment area which is primarily made of young families. The IGA which anchors the centre is too small to compete on a 'like-for-like' basis with the proposed full-line supermarket for the reasons outlined above.

Additionally, the likely impact on Prestons Village Centre will be diminished as ancillary retail floorspace for the proposed supermarket development on the subject site has been reduced by 440sqm. This reduction in specialty retailing further mitigates the forecasted impacts on the Prestons Village which consists of approximately 1500sqm of retail floor area, the IGA

making up 460sqm of the total, thereby presenting Prestons Village with a more diverse retail mix than the proposed development on the subject site.

***Edmondson Park Town Centre***

Wakefield Planning raised concerns that the proposed development would contribute to an oversupply of retail floorspace, which together with the recently developed Aldi, would delay the establishment of an appropriately anchored town centre at Edmondson Park, resulting in EPTC not achieving its planned floorspace target due to a potential oversupply of retail development in the area.

Urban Growth (Urbacity), as discussed above raised concerns that the proposal being in close proximity to EPTC was counter-intuitive to the intent of local and regional planning and would negatively impact retail trade at EPTC. Urbacity also submitted that a vibrant street environment was critical for the delivery of mixed use development and encouraging private investment in EPTC, and the approval of the proposal would reduce the level of trade in EPTC, impacting its vibrancy and investment feasibility.

Referring to recent out-of-centre developments, Urban Growth claimed the impact on the supermarket for Stage 1 of EPTC would be -\$10.8M or 50% of trade in 2016, thereby delaying provision of the supermarket at EPTC. Urban growth further commented that the potential failure of the EPTC risks \$3.2 billion of public money invested in the South west Rail Link, and a further \$20 million invested by Urban Growth in Edmondson Park.

***Officer assessment***

The extent to which the Primary Trade Area for the proposed development extends south of Camden Valley Way is debatable. The peer review and submissions received have argued the northern portions of Edmondson Park, the first of the release area to be developed, should be incorporated into the Primary Trade Area of the proposal. The implications of this would be a greater impact on the expected turnover of Stage 1 of EPTC. The peer review argues that on this basis, the proposed development may impact and, or delay the point at which the trading levels for the planned EPTC become viable.

The proponent has acknowledged that the proposal would be an attractive shopping destination for residents in the northern portions of Edmondson Park, but states that the estimate of trade for the Secondary Trade Area of the proposal (i.e. Edmondson Park) is an average, which accounts for higher sales from the northern portions. As EPTC is developed, the impacts from the Secondary Trade Area (i.e. Edmondson Park) will be reduced as EPTC will provide more convenience and accessibility for these new residents.

MacroPlan estimates the impact on Stage 1 of EPTC at -\$5M, or -9.6% of the overall turnover if the proposed full-line supermarket development is approved on the subject site. The peer review counters that the proponent has overestimated the level of spending on food and packaged liquor items and therefore overstates the demand for supermarket floorspace in the trade area. The peer review quantifies the likely impact of the proposal on EPTC Stage 1 at -7.6M or -14.5%, sufficient to delay the development of the planned centre.

Urban Growth (Urbacity) stress that the impact of the proposal must be understood in the context of existing approvals for other out-of-centre retailing in the surrounding area including the Aldi at Village Square, the Costco warehouse development at Casula and the rezoning of land at the former Tree Valley Golf Course, to allowing another. The contention is that the cumulative impact of the approvals on EPTC, including this proposal, would be either to delay the development of Stage 1 of EPTC by up to five years, or else it would significantly reduce visitation to EPTC, impacting the required vibrancy of the EPTC and further slowing the development of planned higher-density housing in and around the town centre.

The proponent has countered that cumulative impacts of the rezoning, including the proposal for the subject site, will not delay the development of EPTC. The timing of Stage 1 of EPTC will be determined by the rate of residential growth of Edmondson Park itself, and the demand generated from this growth will primarily influence the timing for the delivery of Stage 1 of EPTC. Additionally, the impact of the proposed development on the EPTC by the peer review is overstated. Analyses presented in the review and in submissions do not substantively demonstrate this impact would be likely to delay the development of the Stage 1 EPTC or reduce the vibrancy of the planned town centre as a result of increasing retail floorspace on the subject site in Prestons.

The sales estimates for the Edmondson Park Town Centre in the peer review have been called into question. The peer review initially estimated sales at \$47.4M by 2016 for Stage 1 assuming the proposed Prestons supermarket was not developed. This is a sales level which peer review considered sufficient for the Stage 1 EPTC to proceed at the time. The review since then has revised the estimate for Edmondson Park Town Centre to \$44.5M (after allowing for the impact of the proposed Prestons supermarket). This is only 6% less than that original estimate, and is equivalent to an average trading level of \$7,400/sqm, which is considered reasonable and viable first year trading level.

In this context, the analyses presented confirms that the proposed supermarket will not have significant impact on the timing of any potential development of Stage 1 of EPTC by showing that such a Stage 1 can trade successfully despite the proposed supermarket being developed at Prestons.

***Potential of accommodating proposal in existing or planned centres***

Wakefield Planning argued that the Sequential Test has failed to demonstrate why an additional supermarket may not be developed at either Carnes Hill or EPTC. Charter Hall, operators of the Carnes Hill Marketplace, argued that there was sufficient land zoned B2 – Local Centre available at Carnes Hill for the development of an additional full-line supermarket. Charter Hall further claimed that the rezoning of the subject site in Prestons would delay the development of vacant B2 zoned land at Carnes Hill. GAT and Associates similarly argued the proposal could be accommodated at Carnes Hill.

***Officer assessment***

On the matter of whether a 4100sqm supermarket could be located in an existing or planned centre, the subject site is zoned B6 – Enterprise Corridor, which permits the development of

shops up to an individual size of 1600sqm. The only portion of the proposal that is not permissible on the site is the proposed supermarket. The nearest sites that could accommodate the proposal are Carnes Hill Marketplace or the planned EPTC. A number of submissions argue that the rezoning of the subject site to enable the development of a 4100sqm supermarket would simply relocate the supermarket from a planned centre (Carnes Hill to EPTC) to an unplanned location, to the detriment of both centres.

Charter Hall, the owners of the Carnes Hill Marketplace argue in their submission that there is appropriately zoned land available for the development of an additional supermarket and parking at Carnes Hill Marketplace, and that approving the rezoning proposal would delay the development of the Carnes Hill Town Centre. It is considered that while there appears to be potential for the Carnes Hill Marketplace to expand, and the planned extension of Kurrajong Road from the Prestons area will make Carnes Hill more accessible, the provision of additional supermarket facilities in Carnes Hill will not address the under-provision identified around Prestons.

Regarding Stage 1 of EPTC, the proponent acknowledges that, sites are available for retail development in the centre. However, it will be several years before supermarket facilities will be provided in EPTC. Moreover, the proposed development of the supermarket at Prestons will not delay the timing of a supermarket at EPTC as this would be driven by the population growth within Edmondson Park itself. Stage 1 of EPTC is likely to be developed when the population within the Edmondson Park area reaches a sufficient scale for a supermarket operator to consider the location. Conversely, the proposed supermarket at Prestons would primarily service the residents of the Prestons catchment, where there is already an existing gap or market demand.

The assessment has considered the fact that the planned extension to Kurrajong Road will increase access to Carnes Hill town Centre for the Prestons catchment. The Prestons development will meet market demand within the Prestons catchment whereas the Carnes Hill Centre services a much broader catchment. Locating a full-line supermarket on the subject site will service the local area population (primarily made up of young families) by providing increased local shopping options and convenience. This will also reduce the travel distance required to meet those needs to less than 1.5km as opposed to the 2-5km currently required to travel outside the trade area.

There is compelling evidence that the proposal cannot be developed in either the existing Carnes Hill Marketplace or the planned EPTC. There is sufficient demand for these centres in their fully developed catchments as distinct from the demand arising from the Prestons area.

**Conclusion**

There is significant population driven market demand within the main trade area of Prestons that is presently being met by supermarkets located beyond the local area. The proposal has demonstrated that there is a lack of convenience-based supermarket options in this region, in particular around the subject site. The provision of the proposed supermarket at Prestons will assist in reducing the size of the supermarket floor space gap in the Prestons local area.

The EIA and Sequential Test sufficiently account for the economic impacts of the extension of Kurrajong Road on the Prestons Village Shopping Centre. In addition, the sequential test verifies that while there is sufficient land zoned B2 – Local Centre (on which the development of a 4100sqm supermarket is permissible) available for development at both Carnes Hill and the proposed Edmondson Park Town Centre, these are not suitable in providing convenience orientated supermarket facilities to service the primary trade area of Prestons.

The assessment of this proposal demonstrates that there will be an insignificant impact on existing and planned centres. There is sufficient demand for these centres in their fully developed catchments as distinct from the demand arising from the Prestons area.

It is therefore recommended that Council writes to the Minister of Planning pursuant to clause 59(1) of the Environmental Planning and Assessment Act 1979 to request that the plan be made.

#### **Options for Voluntary Planning Agreement**

Council officers have considered a framework for the proponent and Council to enter into a Voluntary Planning Agreement to contribute to community benefits for the Prestons area. The applicant has proposed a contribution towards embellishments in Macleod Park in the order of \$50,000 as a consequence of the planning proposal being made. This framework will be further developed should Council resolve to proceed with the amendment for the rezoning of the subject site.

#### **CONSIDERATIONS**

|                                         |                                                               |
|-----------------------------------------|---------------------------------------------------------------|
| <b>Economic and Financial</b>           | Facilitate economic development.                              |
| <b>Environmental and Sustainability</b> | There are no environmental and sustainability considerations. |
| <b>Social and Cultural</b>              | There are no social and cultural considerations.              |
| <b>Civic Leadership and Governance</b>  | There are no civic leadership and governance considerations.  |

#### **ATTACHMENTS**

1. Draft Amendment 31 - Submissions TableView
2. Prestons Catchment Area - Market Demand

Amendment 31 Submission Table

| Submission No. | Name                       | Issues                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1              | Ahmad Merhi & Rakime Elmir | <ul style="list-style-type: none"> <li>Adverse impact on property value</li> <li>Change the character of the locality creating a business activity environment therefore create a disturbance to a peaceful residential area</li> <li>Increase of traffic noise</li> <li>Too many shopping centres in the vicinity</li> <li>Change in the skyline due to the tall building</li> <li>Too noisy</li> <li>Excessive height of the building</li> </ul>                                                                          | <ul style="list-style-type: none"> <li>The subject land is currently zoned for commercial uses. The rezoning would permit the development of larger (individual) premises (i.e. a full-line supermarket) but not alter the character of permissible development. The submission offers no evidence that the rezoning would impact property values.</li> <li>The site is currently zoned to permit commercial development. Redevelopment under the current zoning would be likely to increase traffic.</li> <li>The planning proposal does not seek to increase the existing height of buildings control for the site.</li> <li>Mitigation of noise is a matter for consideration in assessing the development application for a specific development, and not relevant to the rezoning.</li> </ul> |
| 2              | AMP Capital                | <ul style="list-style-type: none"> <li>Proposal contradicts the intention of concentrating commercial and retail development in existing centres as per Metropolitan Plan for Sydney 2036</li> <li>Proposal will erode existing centres such as Casula Mall and Prestons Village Shopping Centre</li> <li>Proposal will undermine the adopted Retail Hierarchy.</li> <li>Rezoning will facilitate large scale retail when the key objective of original zoning was to limit retailing in out of centre locations</li> </ul> | <ul style="list-style-type: none"> <li>The Plan for Growing Sydney 2031 permits councils to determine the need and location for the new centres that may be required.</li> <li>Modelling of economic impacts on nearby centres shows that Casula Mall will not be significantly impacted.</li> <li>The peer review of the proponent's EIA makes a definitive measure of the likely impacts on the Prestons Village Shopping but the validity of the review method has been called into question by the proponent.</li> <li>At its meeting of 28 November 2012, Council adopted the Liverpool Retail Centres Hierarchy Review but also resolved to consider a planning</li> </ul>                                                                                                                   |

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|                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>proposal to rezone the subject site from B6 – Enterprise Corridor to B2 – Local Centre.</li> <li>The Gateway determination confirms Council's intention to rezone the subject site from B6 to B2. The impact assessment on existing/planned centres indicated the proposal could not be located in a nearby existing/planned centre.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>3</p> <p>UrbanGrowth<br/>NSW</p> | <ul style="list-style-type: none"> <li>Edmondson Park Town Centre (EPTC) has been masterplanned as a transit oriented town centre since 2008. Spot rezoning an area within close proximity to the town centre contradicts the intent of local and regional planning.</li> <li>As a planned town centre, the result of considerable government expenditure, the success and vibrancy of EPTC is more important than the development of a single use shopping centre.</li> <li>The proposed development would be highly car dominant and would threaten the viability of EPTC.</li> <li>Government has made substantial investment in the EPTC. The proposed development would simply draw income from the EPTC catchment without compensation for the wider benefits provided by EPTC.</li> <li>EPTC should be a vibrant town centre according to the Edmondson Park South DCP. Vibrancy requires retail to thrive and be highly successful. A lack of vibrancy will delay the development of EPTC.</li> <li>The proposed development is located on the edge of the primary trading area of EPTC. With potential market share being diluted by additional retail competition (in and out of</li> </ul> | <ul style="list-style-type: none"> <li>The Gateway determination confirms Council's intention to rezone the subject site from B6 to B2. The impact assessment on existing/planned centres indicated the proposal could not be located in a nearby existing/planned centre.</li> <li>As noted above, the Gateway determination confirms Council's intention to rezone the subject site from B6 to B2, pending an assessment of impacts on existing/planned centres and evidence that the proposal could not be located in a nearby existing/planned centre.</li> <li>Delaying the development of EPTC was considered as a factor in assessing the impact of the proposed development on the EPTC. The proposal has demonstrated EPTC will not be delayed.</li> <li>Same as above.</li> <li>Same as above.</li> <li>The impact of the proposed development on individual businesses is not a planning consideration.</li> <li>The peer review of the proponent's EIA makes a definitive measure of the likely impacts on the planned centre as a whole but the validity of the review method has been called into question by the proponent.</li> </ul> |

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|   |               | <ul style="list-style-type: none"> <li>centre) there is a risk that the development of EPTC could be delayed.</li> <li>The impact on the planned supermarket to be developed in Stage 1 of EPTC could be up to 50% of forecast turnover in 2016.</li> </ul> <p><b>Concerns with the revised EIA provided by the proponent</b></p> <ul style="list-style-type: none"> <li>The extent of the primary trade area of the proposed development has been underestimated and as such that the impacts on EPTC have been understated.</li> <li>The EIA overstates the demand for the scale of retailing proposed. Prestons residents will have access to sufficient supermarket floorspace with existing and planned supermarkets.</li> <li>Cumulative impacts on EPTC have not been adequately addressed. Economic impacts of 10% or greater may affect the long-term viability.</li> <li>The EIA is deficient in its consideration of broader economic effects, including impacts on government investment in EPTC.</li> </ul> | <ul style="list-style-type: none"> <li>The peer review of the proponent's EIA makes a definitive measure of the likely impacts on the planned centre as a whole but the validity of the review method has been called into question by the proponent.</li> <li>Demand models provided are considered only inasmuch as they demonstrate the likely impacts of the proposed development on planned/existing centres for the purpose of considering rezoning.</li> <li>The market determines the development of any specific site according to zoning controls.</li> <li>There is a market gap for the proposal in the Prestons local catchment area.</li> <li>The peer review of the proponent's EIA makes a definitive measure of the likely impacts on the EPTC as a whole but the review has been called into question by the proponent.</li> <li>Consideration of broader impacts on the development of EPTC as part of overall assessment for the proposal noted above.</li> </ul> |
| 4 | Alvin Chandra | <ul style="list-style-type: none"> <li>Heating, Ventilation and Air Conditioning systems will impact on noise, especially at night</li> <li>Fence should be a noise wall of suitable height to eliminate noise</li> <li>Fence should be flush to the floor to prevent vermin entering adjoining property</li> <li>Building is 11 metres higher than home and will prevent clear view of the sky and surrounding natural environment</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <ul style="list-style-type: none"> <li>Noise and vermin issues would be considered in the assessment of a DA for the proposed development and are not a relevant rezoning concern.</li> <li>The planning proposal does not seek to increase the existing Height of Building control pertaining to the land.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



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| 5 | Wakefield Planning | <ul style="list-style-type: none"> <li>Rezoning will create disruption to the established and planned retail hierarchy of the Liverpool area.</li> <li>Edmondson Park will not achieve its planned floorspace target due to a potential oversupply of retail development in the area</li> <li>The proposed development would have a 30% impact on the Prestons Village Centre</li> <li>Shortage of retail floorspace should occur in existing and planned centres</li> <li>Sequential test provided by the proponent does not demonstrate that the proposed development cannot be located in the planned EPTC. Three year delay is not sufficient reason. The proposal represents an effective relocation of supermarket floorspace from EPTC to an unplanned centre.</li> <li>Size of the submitted Primary Trade Area underestimated. Leads to underestimation the impact on EPTC. Will lead to a delay in the development of EPTC.</li> </ul> | <ul style="list-style-type: none"> <li>At its meeting of 28 November 2012, Council adopted the Liverpool Retail Centres Hierarchy Review but also resolved to consider a planning proposal to rezone the subject site from B6 – Enterprise Corridor to B2 – Local Centre.</li> <li>The peer review of the proponent's EIA makes a definitive measure of the likely impacts on the EPTC but the validity of the review method has been called into question by the proponent.</li> <li>The peer review of the proponent's EIA makes a definitive measure of the likely impacts on the Prestons Village Shopping Centre but the validity of the review method has been called into question by the proponent.</li> <li>Noted. It is a condition of the Gateway determination that the planning proposal must demonstrate that the proposed development cannot be located in nearby existing/planned centres. The proposal has met this threshold.</li> <li>The peer review of the proponent's EIA agrees that the Primary Trade Area is underestimated. In their response the proponent argues that this would have no material impact as the development EPTC is based on a substantially larger catchment area and will be realised over time as the catchment is develops.</li> </ul> |
| 6 | Scentre Group      | <ul style="list-style-type: none"> <li>The proposal represents a repudiation of the adopted Liverpool Retail Centres Review and fails to deliver certainty for investors.</li> <li>Net Community Benefit test included in the Planning Proposal was inconclusive.</li> <li>Proposal will undermine the role and purpose of the 2012 Retail Review Policy and may delay the orderly development of planned centres in proximity to the site and</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <ul style="list-style-type: none"> <li>At its meeting of 28 November 2012, Council adopted the Liverpool Retail Centres Hierarchy Review but also resolved to consider a planning proposal to rezone the subject site from B6 – Enterprise Corridor to B2 – Local Centre.</li> <li>Noted. As a result, Council commissioned a peer review of the proponent's EIA, which is considered in the assessment of the proposal.</li> <li>At its meeting of 28 November 2012, Council</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <ul style="list-style-type: none"> <li>undermine investment in existing and planned centres.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 7 | <p>Charter Hall</p> <ul style="list-style-type: none"> <li>There is sufficient vacant land zoned B2 – Local centre at the Carnes Hill Marketplace to accommodate an additional full-line supermarket and associated parking.</li> <li>The Council written report considered by Council on 29 May 2013 suggest that the proposed rezoning is not consistent with the finding of the Liverpool Retail Centre Hierarchy Review 2012 in that the Review does not predict significant need for additional supermarket facilities in the Prestons area.</li> <li>There is sufficient available vacant zoned land at Carnes Hill that is available to meet any potential undersupply of supermarket floor space at Prestons. Any rezoning of the land in question will only serve to delay the take up and development of vacant B2 zoned land at Carnes Hill.</li> </ul> | <ul style="list-style-type: none"> <li>adopted the Liverpool Retail Centres Hierarchy Review but also resolved to consider a planning proposal to rezone the subject site from B6 – Enterprise Corridor to B2 – Local Centre. The Gateway determination required that the impact of the proposal on existing and planned centres be considered. Modelling of impacts indicated no significant impact.</li> <li>The Gateway determination requires that the planning proposal demonstrate that the proposal cannot be located at a nearby centre. The proponent's response is that there is an existing Woolworths supermarket located at Carnes Hill, which is not a relevant consideration for rezoning.</li> <li>At its meeting of 28 November 2012, Council adopted the Liverpool Retail Centres Hierarchy Review but also resolved to consider a planning proposal to rezone the subject site from B6 – Enterprise Corridor to B2 – Local Centre. The Gateway determination required that the impact of the proposal on existing and planned centres be considered. Modelling of impacts indicated no significant impact.</li> <li>Noted. It is a condition of the Gateway determination that the planning proposal must demonstrate that the proposed development cannot be located in nearby existing/planned centres. Assessment of proposal supports proposed development could not be located in nearby existing or planned centres.</li> </ul> |
| 8 | <p>GAT &amp; Associates</p> <ul style="list-style-type: none"> <li>Proposal is in direct conflict with Council's adopted Retail Hierarchy Review.</li> <li>Approval of the rezoning would change the performance of the existing and planned centres and "collapse" the Prestons Village</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>At its meeting of 28 November 2012, Council adopted the Liverpool Retail Centres Hierarchy Review but also resolved to consider a planning proposal to rezone the subject site from B6 – Enterprise Corridor to B2 – Local Centre. The</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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| 9 | Janaka | <ul style="list-style-type: none"> <li>• Shopping Centre.</li> <li>• Car-oriented uses (e.g. service stations) are most suited development for arterial roads, hence the site should remain zoned B6 – enterprise corridor.</li> <li>• There is adequate availability of appropriately zoned land, which has not yet been developed which on which the proposal could be located.</li> <li>• Planning Proposal fails to account for the development of new centres in the South West Sydney Growth Centre.</li> <li>• Proposal threatens existing and planned centres and in particular the Prestons Shopping Village and will force its closure.</li> <li>• There is insufficient evidence that demand is high enough to justify the proposal.</li> <li>• Camden Council and Fairfield City Council have both opposed the proposal.</li> </ul> | <ul style="list-style-type: none"> <li>• Gateway determination required that the impact of the proposal on existing and planned centres be considered.</li> <li>• The peer review of the proponent's EIA makes a definitive measure of the likely impacts on the Prestons Village Shopping Centre but the validity of the review method has been called into question by the proponent. Modelling of impacts indicated no significant impact.</li> <li>• The Gateway determination confirms Council's intention to rezone the subject site from B6 to B2, pending an assessment of impacts on existing/planned centres and evidence that the proposal could not be located in a nearby existing/planned centre. Assessment of proposal supports proposed development could not be located in nearby existing or planned centres.</li> <li>• It is a condition of the Gateway determination that the planning proposal must demonstrate that the proposed development cannot be located in nearby existing/planned centres. Assessment of proposal supports proposed development could not be located in nearby existing or planned centres.</li> <li>• The peer review of the proponent's EIA considers the likely impacts of the proposal on existing and planned centres which are likely to be developed in the short-medium term.</li> <li>• Demand models provided are considered only inasmuch as they demonstrate the likely impacts of the proposed development on planned/existing centres for the purpose of considering rezoning.</li> <li>• The comments received from neighbouring councils have been addressed with regard to agency submissions.</li> <li>• The rezoning would permit the development of larger</li> </ul> |
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|    | <b>Seneviratne</b>                 | <ul style="list-style-type: none"> <li>developments" on the subject land causing the value of neighbour's property to fall</li> <li>Zonings near residential areas should be consistent.</li> <li>Possible disturbance to peaceful residential living setup for ever.</li> <li>Increase in traffic noise at the intersection</li> <li>There are more than enough shopping centres in close proximity</li> <li>Change the residential character of the locality and obstruct the skyline due to the proposed tall structure</li> <li>Adverse impacts to children who require quieter time at the evening and at night to do their studies after school or university.</li> </ul> | <ul style="list-style-type: none"> <li>individual business premises only, and would not permit an increase in the intensity of the development of the land (FSR and height of building controls will remain unchanged). No evidence has been provided indicating a fall in property prices.</li> <li>As noted above, the rezoning would not alter the intensity of development of the land that is currently permissible.</li> <li>The subject property is currently zoned for commercial purposes. The proposed rezoning will not affect its commercial zoning.</li> <li>Mitigation of noise is a matter for consideration in assessing the development application for a specific development, and not relevant to the rezoning.</li> <li>The planning proposal does not propose to increase the maximum permissible height of buildings on the site.</li> <li>Mitigation of noise is a matter for consideration in assessing the development application for a specific development, and not relevant to the rezoning.</li> </ul> |
| 10 | <b>Roads and Maritime Services</b> | <ul style="list-style-type: none"> <li>No Objection</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



