



## Planning Services

### Planning Report

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**Local Government Area:** Liverpool

**PP Number:** PP\_2013\_LPOOL\_002\_00

#### NAME OF DRAFT PLAN

Liverpool Local Environmental Plan 2008 (Amendment No. 31) (the draft Plan). The draft written instrument is at Tab LEP.

#### SUBJECT LAND DESCRIPTION

The draft Plan applies to land at 1975 and 1985 Camden Valley Way (Lot 50 DP1082416 and Lot 1 DP 661177) Prestons. The site is located on the northern side of Camden Valley Way on the corner of Corfield Road, as shown in the attached location map. The site area is approximately 1.7 hectares and the street frontage is approximately 124 metres to Camden Valley Way and 119 metres to Corfield Road. The site is currently used for a landscape supplies and garden centre.

#### PURPOSE OF PLAN

The planning proposal is to rezone land at 1975 and 1985 Camden Valley Way, Prestons from B6 Enterprise Corridor to B2 Local Centre to facilitate a 4,300 sqm Woolworths supermarket development.

#### STATE ELECTORATE AND LOCAL MEMBER

The local member for Liverpool is the Hon. Paul Gerard Lynch, MP. The Hon. Paul Gerard Lynch, MP, has made no direct representations on the draft Plan to date.

#### CURRENT POSITION

- The planning proposal is to rezone land at 1975 and 1985 Camden Valley Way, Prestons from B6 Enterprise Corridor to B2 Local Centre to facilitate a 4,300 sqm Woolworths supermarket development (see location map at Tab D).
- The Gateway determination was issued on 22 August, 2013 (Tab C).
- On 17 June 2015, Council resolved not to proceed with the planning proposal (Tab H1) as per section 58(4) of the *Environmental Planning & Assessment Act 1979*.
- On 18 December 2015, after consideration of a detailed Planning Report, the Deputy Secretary wrote to Liverpool Council requesting Council reconsider its position as the Department considered that on balance the proposal demonstrated merit (Tab G).

- On 14 March 2016 Liverpool Council reconsidered the matter (see attached, Tab H) and resolved to reaffirm its opposition to the proposal citing that none of the facts has changed since Council made its original decision in June 2015 (Tab H1).
- Council was verbally consulted on the draft LEP. Council has advised it does not wish to make further comments.

## **ASSESSMENT**

### Council's position

- Council reasons for not supporting the proposal and the Department's response is summarised below.
1. The adverse impact of the proposal on the existing local centre at Prestons Shopping Village which may threaten the viability of the centre.  
Response: The revised Economic Impact Assessment (EIA) (Tab G) supporting the planning proposal demonstrates there is a significant population driven market demand within the area that is presently being met by supermarkets located beyond the study area and that there is a lack of conveniently located supermarket options around the subject site. The EIA states impacts on the Preston Small Village centre to be about \$0.8million, as it will continue to draw strongly from within its localised trading area. The EIA predicts only moderate impacts due to different markets served by the Village centre as opposed to the proposed centre. The Department considers that impacts on the existing Village Centre will be moderate as the centres will cater for different markets. Current trading figures estimate that the Village Centre currently attracts a low market share which indicates that main supermarket spend currently occurs elsewhere in the retail catchment, which will result in minor impacts once the development is constructed.
  2. The adverse economic impact of the proposal on the future Edmondson Park Town Centre which may delay the development of the site and impact the overall development of Edmondson Park.  
Response: The revised EIA states that the Edmondson Town Centre will not be impeded in terms of its potential staging and ultimate scale. The first stage of the Edmondson Town Centre is dependent on the size of the population within its own trade area, with the proposed surrounding centres having a small influence on the likely timing of Edmondson.
  3. There is appropriately zoned land at Carnes Hill and Edmondson Park where a supermarket would be better situated.  
Response: Even with the construction of the Kurrajong Road extension, which increases accessibility to Carnes Hill, the Council planning report indicates that this under – provision of supermarket facilities identified around Prestons will remain. In relation to Edmondson Park it will be several years before super market facilities will be provided. The proposed super market is targeted to serve the immediate catchment or existing market demand.
  4. It is considered the local community has adequate access to existing and future full line supermarkets, including Carnes Hills, Edmondson Park and Casula.  
Response: The gap analysis undertaken in the EIA indicates a significant gap in supermarket floor space in the Prestons area.

5. The proposal is an out-of-centre development which, if approved, would have the potential to undermine the achievement of the Council's and State's planning strategies.

Response: It is recognised that the site is not identified as a centre in the *Liverpool Retail Centre Hierarchy Review* or a strategic centre within *A Plan for Growing Sydney*, however, it is considered that the proposal will encourage investment on a site that would otherwise continue to accommodate lower order uses, facilitate and support local retail needs and generate local employment.

6. Approval of this centre in such close proximity to an established centre is contrary to good planning principles;

Response: Independent specialist analysis and detailed assessment have indicated that the likely economic impact of the proposal on existing and planned centres is considered to be insignificant in a competitive retail environment.

7. The proponent's Economic Impact Assessment understates the primary trade area, the level of trading and the impacts of the proposed centre.

Response: The EIA identifies a gap in the floor space in the Prestons region. Justification of the additional shopping centre relies on filling this identified gap, the difference in the target market and the projected growth in population within the catchment of the Edmondson Shopping Centre.

8. The proposal contradicts the Liverpool Retail Centres Hierarchy.

Response: The site is not identified as a centre in the *Liverpool Retail Centre Hierarchy Review* or a strategic centre within *A Plan for Growing Sydney*. However, it is considered that the proposal will encourage investment on a site that would otherwise continue to accommodate lower order uses. It will facilitate and support local retail needs and will generate local employment.

- The Department considered that the proposal demonstrates merit, to service the needs of the existing and new residents to the locality and the additional jobs that would be brought to the area. The Deputy Secretary, on 18 December 2015, wrote to Council requesting Council reconsider its position on the rezoning proposal (Tab G).

#### Consultation

- Council conducted agency consultation from 19 February 2014 until 13 March 2014, and received submissions from Urban Growth NSW (Tab I), Roads and Maritime Services (RMS), and Camden and Fairfield Councils.
- Camden and Fairfield Councils raised concerns regarding the impact of the proposal on the viability of approved centres within local and draft regional plans, and the stand-alone nature of the proposal. UrbanGrowth NSW also raised concerns about the impact of the proposed rezoning on Edmondson Park Town Centre and the viability of future retail within the centre. No objection was raised by the RMS.
- The proposal was publicly exhibited from 24 September to 22 October 2014. Council received nine submissions objecting to the proposal, including submissions from owners of businesses located at Prestons Village Shopping Centre and Cames Hill.

### The Department's Position

- The Department's review of the revised EIA prepared on behalf of the proponent, and the independent Hill PDA peer review (Tab F) commissioned by Council, supports the Council officer's conclusion that the proposal should proceed.
- The key issues associated with the proposal relate to the economic impact of the proposal on existing and planned centres surrounding this location including Edmondson Park.
- The site is located opposite a new local retail and service centre comprising service station, gym, Aldi supermarket, liquor store and fast food outlets. Further, the current planning controls for the site permit shop top housing on the site which could include a supermarket. Restrictions on the size of retail premises (1,600 sqm) however would not support the delivery of a full line supermarket.
- The proposed rezoning and subsequent development would support delivery of the new local centre opposite the site on Camden Valley Way where retail uses have recently been constructed. The proposal does not seek any change to height or density at the site and would therefore not raise amenity impacts on surrounding residential uses.
- Independent specialist analyses and detailed assessment have indicated that the likely economic impact of the proposal on existing and planned centres is considered to be insignificant in a competitive retail environment.
- The Department's views on the planning proposal have not changed since the previous planning report supporting the planning proposal (Tab G) was endorsed by the Deputy Secretary (qA383154). It is considered the making of the draft plan is supported for the same reasons as:
  - the need for a supermarket in this location has been demonstrated by independent specialists;
  - the Liverpool local government area is forecast to grow by 100,000 new residents by 2031 across renewal sites, growth corridors and greenfield areas including Leppington and Edmondson Park, the need for convenience retail opportunities will continue to escalate in this area;
  - the proposal would generate approximately 170 local jobs and private sector investment;
  - the use would be an augmentation of existing local retail and services across Camden Valley Way;
  - the proposal is consistent with that initially supported by Council and has not been amended since exhibition;
  - the use is currently permissible on the site as part of a mixed use development;
  - the proposal does not seek any change to the scale of development permissible on site; and
  - the site offers a choice of transport options, including public transport and direct access off a major arterial roadway.

### Consistency with relevant planning documents

- Council has met all the conditions in the Gateway determination and has satisfactorily addressed the key planning issues (Tab C).
- The relevant section 117 Directions were identified and have been addressed in Council's Planning Proposal (Tab B). It is considered that the proposal is either consistent or justifiably inconsistent with the relevant section 117 Directions.
- The PC Opinion was issued on 27 June 2016 (Tab PC) that the LEP can legally be made.

### Conclusion

- On balance, the proposal does demonstrate merit and will be located within a growth area within Western Sydney where demand for such retail facilities will continue to grow into the future. The Liverpool Local Government Area is expected to grow by over 100,000 persons to 2031 based on the Department's population projections.
- The planning proposal is consistent with the Livability and Productivity objectives of the Draft South West District Plan (P1: Establish the Western Sydney Deal) to increase in total jobs. The South West District will accommodate additional population of 373,000 and 143,000 dwellings by 2036. The planning proposal will create additional employment opportunities and retail services for future residential growth across the district.
- Under Section 59(2) of the *Environmental Planning and Assessment Act 1979*, it is recommended that the planning proposal should proceed to finalisation.

### **BACKGROUND**

- A meeting was conducted on 19 February 2016 with representatives from the existing Preston Village Shopping Centre with Department Staff. At their meeting the representatives confirmed their objection based on the potential adverse impact on economic viability of the existing shopping centre.
- UrbanGrowth NSW also met with the Department Officers, on two occasions, pre-gateway stage and on 29 March 2016, and reiterated its concerns over the proposed amendment being in close proximity to Edmondson Park Town Centre and would negatively impact on the feasibility, viability and vibrancy which are critical for the delivery of mixed use development in the planned town centre.

 13 December 2013  
**Stephen Murray**  
Executive Director, Regions

**Marcus Ray**  
**Deputy Secretary**  
**Planning Services**  
**Delegate of the Greater Sydney Commission**

 . 05/10/16  
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