

25 March 2021

2200411

Mr David Smith
A/Director City Economy & Growth
Liverpool City Council
By email.

Dear David,

LOCAL PLANNING PANEL REPORT ORANGE GROVE PLANNING PROPOSAL – RZ-8/2020

We write on behalf of Gazcorp Pty Ltd, the owner of The Grove shopping Precinct and the applicant of Planning Proposal RZ- 8/2020 in response to the planning report which is on the agenda for the Local Planning Panel meeting to be held on Monday 29th March. In response to the recommendations made in that report, Gazcorp is proposing to amend the Planning Proposal Application as it applies to the Fashion Spree site, as set out and explained below.

No changes are proposed to the Planning Proposal as it applies to The Grove Shopping Centre where amendments are proposed to include Business Premises as an additional permitted use within the 21,000m² floorspace 'shops' cap as provided for under Schedule 1 Clause 24.

1.0 Original Proposed Amendments

The following amendments were originally proposed to Schedule 1 of Clause 21 for the Fashion Spree Site:

- Change the legal description;
- Add business premises as a permissible use within the 19,000m² retail premises cap;
- Add 2,000m² of shops/business premises; and
- Amend Schedule 1 such that the current 19,000m² cap on 'retail premises' would only apply to 'shops'.

2.0 Proposed Revised Amendments

The following revised amendments are now proposed:

- Change the legal description; and
- Add 2,000m² of retail premises which would be subject to the same restrictions as currently applies to the site in respect of tenancy size and use.

3.0 Justification and Commentary

Following a review of the SGS report and Council's assessment report to the Local Planning Panel we understand that the key concerns held by SGS and Council in respect of the Fashion Spree Proposal relate to the addition of business premises and the proposed removal of the restriction of food and drink premises. We understand the concern with these amendments / additions is the possibility of the factory outlet centres transitioning to a traditional retail centre. As has been outlined before by Gazcorp, it is not the intent of the proposed design and expansion of the site to transition it a traditional retail centre, nor create a dining precinct, and to date, nothing has been submitted to Council to suggest that this will occur. All Food and drink premises that are to be provided as amenity to customers of Fashion Spree will remain ancillary to and will not be the primary purpose for trips to the centre.

To reinforce that this is the case, it is now proposed to maintain the 'retail premises' restriction on the Fashion Spree site. This will mean that the proposed additional 2,000m² of retail floorspace will be subject to the same restrictions and merit assessment as the retail floor space already approved on the Fashion Spree site. This includes the restriction on the use as a discount fashion retail outlet, the 1,200m² limitation on the size of any retail premises as well as the quantum of food and drink premises. The Plan of Management which forms part of the Fashion Spree consent, DA 839/2014, will continue to apply to the development and could also be applied to cover the additional floorspace proposed. The assessment of the development application made in respect of the additional floorspace would also be subject to an assessment against the objectives of the B5 zone.

Deep End Services and SGS have both confirmed in their assessment of the proposed changes, that an additional 2,000m² of floorspace on the Fashion Spree site is unlikely to give rise to any economic impacts on any nearby centres, including Westfield and the Liverpool Plaza within the Liverpool CBD.

The additional 2000m² of floorspace and the retention of the 'retail premises' land use and the other controls on the Fashion Spree site (as listed above) will be beneficial to the entire site as it will:

- a) Increase in amount of floorspace, but ensure that food and drink retailing on the site continues to be provided in accordance with the centre hierarchy and role of the centre, and will not impact upon the outlet clothing retail focus; and
- b) Enable the sleeving of the northern side of Fashion Spree centre with additional tenancies, thereby activating the public domain and creating a better shopping experience for customers and workers.

On this point, we note that the Council Officers consider that the use of the additional 2,000m² to join the two sites together, may change the role and operation of the stand-alone centre.

In response, The Grove Liverpool, (referenced as Orange Grove in the Centres and Corridors Strategy), comprises both the Homemaker Centre and Fashion Spree, as well as other smaller stores, such as Dan Murphy's, Krispy Kreme and McDonalds. The two centres are already linked and joined by the shared access road Viscount Place and a pedestrian walkway. They are part of the same stand-alone centre. An additional 2,000m² of floorspace on the Fashion Spree site will not alter its role or operation in anyway other than to provide a better urban design outcome and customer environment, particularly in respect of pedestrian safety and amenity, that will be subject to further scrutiny during the DA process.

We thank Council for considering our revised proposal and would welcome the opportunity to discuss the proposed amendments to the Planning Proposal further.

Yours sincerely,



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