



File no: SSD 5175 Mod 5; SSD 8858

2 June 2020

Mr Stephen Barry
Planning Director
Office of the Independent Planning Commission NSW
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

email: : heather.warton@ipc.nsw.gov.au

Attention: Ms Heather Warton

Dear Ms Warton,

Eastern Creek Business Hub Concept Proposal SSD 5175 Mod 5 and SSD 8858

Thank you for your letter in relation to the abovementioned proposals.

The strategic planning matters raised in relation to the current proposal are the same issues that have been raised since the original proposal for the Eastern Creek Business Hub (ECBD) was considered for the site. In essence, the concerns relate to the detrimental impact the unplanned out-of-centre retail proposal has on existing planned centres in the Blacktown LGA.

IPC Q1. Can you give us some more detail on why you are objecting to the development on competition grounds?

Council response:

The HillPDA report states that:

“Based on the modelling above Doonside Station is expected to experience a 5.1% loss in trade from the Eastern Creek Business Hub but is expected to enjoy some modest growth over time and would return to its current trading levels over 3 years. The centre lacks a strong anchor retailer and the addition of say a 1,500sqm to 3,000sqm supermarket would improve its trading performance considerably. Currently there are 5,000 to 6,000 residents in Doonside, north of the railway line that would immediately fall in the primary trade area which is a sufficient number to support a 1,500 to 2,000sqm supermarket. Also most of the zoning around the train station is R2 Low Density Residential. Longer term, rezoning to higher density within the 800 walking distance from the train station would result in further increases in population which would further support the viability of the Doonside centre.”

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It is agreed that the Doonside centre lacks a strong anchor tenant and that there is competition from the IGA on Rosenthal Street to the south. However, our concern is that as the ECBH proceeds there may be no incentive for a supermarket to locate in Doonside or for redevelopment to occur as the trade is already lost.

Further, there is an assumption that rezoning to higher density residential around the Doonside centre may occur and would support the viability of the centre. Such rezoning may not occur and the report needs to address that alternate scenario. We should not be needing to increase residential density to compensate for a development which has had a negative impact on an existing planned centre. At some stage in the future residential densities may increase, however this is dependent upon market feasibility and should be the result of a comprehensive study including matters such as the overall capacity of the area to sustain additional population.

Similarly, the report notes that Rooty Hill, which is the closest "town centre" to the ECBH, has currently around 7,000sqm of vacant land in the B2 zoned area, most of which is north of the railway line. The report states:

*"It is very secondary retail location rather than prime location. There is an open car park with an area of around 4,700sqm in a better location immediately to the north of the train station fronting Station Street. Based on the modelling above Rooty Hill is expected to experience an 8.8% loss in trade as a result of the Eastern Creek Business Hub. **Without any changes in the retail landscape it will take around 4 years for the centre to return to its current trading level. However, similar to Doonside Station, Rooty Hill lacks a strong anchor tenant.** The existing IGA is around 800sqm but a larger Supa-IGA, Woolworths or Coles supermarket would strengthen the centre and improve its performance and there are a couple of opportunities with the above mentioned sites. Hence there are opportunities for Rooty Hill to respond to added competition. Rooty Hill has a population of around 15,000 which would more than support a full-line supermarket. Both State Government and Council expect a further 2,000 residents over the next decade. There is some 19 hectares of R3 and R4 zoned land to the south of the station with considerable potential for redevelopment to higher residential densities. There is also considerable areas of low-density housing within 800m walking distance to the train station that remain R2 Low Density Residential zoning. Longer term there is potential for much of this area to be rezoned providing further opportunities for population growth which would support the vitality of the Rooty Hill centre."*

It is agreed that Rooty Hill also lacks a strong anchor tenant, however we are concerned with the statement that "**without any changes in the retail landscape it will take around 4 years for the centre to return to its current trading level**".

There is no detail as to what "other changes in the retail landscape" would further affect Rooty Hill and to what extent. While it notes that there are potential opportunities for a larger Supa-IGA, Woolworths or Coles supermarket, it does not address the fact that as the ECBH proceeds there may be no incentive for a supermarket to locate in Rooty Hill or for redevelopment to occur as the trade is already lost.

Further, while it is noted that there is land in south Rooty Hill zoned for higher density residential development, our concern is if that redevelopment occurs after the ECBH is

trading then trade might be lost from Rooty Hill permanently particularly if the redevelopment occurs before existing trade levels are re-established. It may be very difficult for the centre to change the shopping habits of residents and there are no guarantees that the existing trade levels could in any case be re-established.

IPC Q2. Given the different character and nature of each of the local shopping centres, has the Council carried out any studies on the specific effects of the development on competition for each centre?

Council response:

We have not undertaken a specific study on the effects of the development on competition for each centre. It is the responsibility of the applicant of an unplanned out-of-centre development to consider and address the impact of its proposal on the future development of our existing centres.

We are committed to ensuring the viability of centres in Blacktown, now and in the future. We are currently undertaking a review of our commercial centres study for all centres zoned under Blacktown Local Environmental Plan 2015, as well as preparing masterplans for our urban renewal precincts which include which Rooty Hill and Doonside to consider that will consider if there is any feasibility for increasing development potential on these centres. That work is scheduled to be finished in draft by the end of 2020.

IPC Q3. Council's letter identifies that the Minchin Drive centre was rezoned to Residential. What is the implication of this in terms of the Commission's determination of the DA, particularly as it still appears to be a centre that is currently trading?

Council response:

There are 2 'centres' on Minchin Drive. One is zoned B1 Neighbourhood Centre, located on the corner of Minchin Drive and McFarlane Drive and is trading as a centre. The other is a former heritage listed Minchinbury Winery located on the corner of Minchin Drive and Barossa Drive. It was rezoned to R2 Low Density Residential to enable residential development to be built to incentivise the refurbishment of the heritage buildings. It currently trades a restaurant/café.

IPC Q4. The Council also mentions concerns with works that in Council's view were not addressed in Mod 4 (since determined in July 2019). Were these issues resolved and what is Council's concern in terms of the implications for the subject Applications?

We have reviewed the available material that was previously outstanding. Based on some amended plans and modelling submitted earlier this year these have largely been addressed. The issues around the rainwater tank can be resolved with the following conditions.

PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

1. The Rainwater Tank Reuse Plan Drawing 18-576-SKC011 (P1) prepared by at&I is to be modified by:
 - i. Increasing the size of rainwater tank 1 to a minimum of 36 kL below overflow.

- ii. Ensuring a minimum roof area of 4240 to rainwater tank 1.
 - iii. Increasing the size of rainwater tank 3 to a minimum of 7 kL below overflow.
2. An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for each of the three rainwater tanks for all non-potable water uses on the site including all toilet/urinal flushing and landscape watering. Each plan is to match the relevant toilets and landscape usage detailed on the Rainwater Tank Reuse Plan Drawing 18-576-SKC011 (P1) prepared by at&I, except where amended by this consent. The plan is to show the rainwater pipe and tank arrangement including:
- i) a first flush or pre-treatment system (typically 0.2 litres / m² of roof area going to the tank for a first flush),
 - ii) a pump with isolation valves;
 - iii) a solenoid controlled mains water bypass;
 - iv) **flow meters** on the solenoid controlled mains water bypass line and the pump outflow line, to determine non-potable usage and actual percentage reuse;
 - v) an inline filter;
 - vi) a control panel with warning light to indicate pump failure;
 - vii) a timer and control box for landscape watering
 - viii) an irrigation watering plan allowing for a minimum of 60 kL/week per tree and 0.4 kL/m/year for any landscape beds. The irrigation plan is to account for seasonal variations where the rate of watering increases by a minimum of 50% during summer and decreases in winter;
 - ix) providing a minimum tank size of 36 kL for rainwater tank 1, 5 kL for rainwater tank 2 and 7 kL for rainwater tank 3;
 - x) ensuring all the rainwater reuse pipes and taps are coloured purple.
 - xi) fitting rainwater warning signs to all external taps using rainwater.
 - xii) that all Sydney Water requirements have been satisfied.

PRIOR TO OCCUPATION

3. A plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that:
- a. All the non-potable water uses are being supplied by rainwater;
 - b. All the requirements of the detailed Non-Potable Water Supply & Irrigation Plan have been installed to the required locations.
 - c. a minimum tank size of 36 kL was provided for rainwater tank 1, a minimum tank size 5 kL was provided for rainwater tank 2 and a minimum tank size 7 kL was provided for rainwater tank 3.
 - d. The flow meters have been installed on the pump outflow and the solenoid controlled mains water bypass to determine non-potable usage and actual percentage of reuse for each of the three rainwater tank configurations;

- e. The initial flow meter readings are detailed in the certificate;
- f. The pumps, alarms and all other systems are working correctly; and
- g. The water from at least one garden tap (or landscape outlet) and one toilet from each tank configuration have been tested to show no chlorine residual.
- h. All external reuse taps accessible by children are lockable or have removable handles
- i. Rainwater warning signs are fitted to all external taps using rainwater.
- j. A signed, works-as-executed Non-Potable Water Supply & Irrigation Plan is to be provided to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au

If you would like to discuss this matter further, contact our Assistant Team Leader, Kelly Coyne on 9839 6222.

Yours faithfully



Judith Portelli
Manager Development Assessment