

# **AGENDA ITEMS FOR LIVERPOOL LOCAL PLANNING PANEL MEETING**

**Monday 27<sup>th</sup> May 2019**

To be held at the  
**“Gold Room, Liverpool Library”**  
170 George Street  
Liverpool

Doors open at **1:45 PM** to commence at **2:00 PM**

Note: Submissions by the applicant and concerned parties will be considered at the hearing. A concerned party is deemed to be a person who has made a written submission in respect to the application. The Panel shall, upon request, hear submissions from persons who identify prior to a hearing that they wish to make a submission to be considered by the Panel. Presentations to the Panel by the applicant and concerned parties shall be restricted to **3 minutes each**. The Panel Chairperson has the discretion to extend the period if considered appropriate.

Should you wish to address the Panel, please advise Danielle Hijazi, Panel Support Officer on 8711 7627 or 1300 36 2170, by 4pm, Friday, 24<sup>th</sup> May 2019.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

<b>ITEM No.</b>	<b>SUBJECT</b>	<b>PAGE No.</b>
<b>1</b>	<b>Development Application DA-745/2018</b>  <b>Demolition of existing dwelling and construction of a multi dwelling housing development including six (6) dwellings with strata subdivision</b>  <b>Lot 8 &amp; 9</b> <b>DP 230270</b> <b>5-7 Craig Avenue, Moorebank</b>	<b>3-58</b>

<b>ITEM No.</b>	<b>SUBJECT</b>	<b>PAGE No.</b>
<b>2</b>	<b>Rezoning Application RZ-7/2018</b>  <b>Planning proposal to rezone site from B5 (Business Development) to B4 (Mixed-Use) and R4 (High Density Residential)</b>  <b>Lot 1 DP1162276</b> <b>240 Governor Macquarie Drive, Warwick Farm</b>	<b>59-122</b>

<b>ITEM No.</b>	<b>SUBJECT</b>	<b>PAGE No.</b>
<b>3</b>	<b>Rezoning Application RZ-2/2019</b>  <b>Planning proposal to rezone and amend development standards for certain land subject to Basin 14 and Bernera Road, Edmondson Park.</b>  <b>Basin 14 and Bernera Road, Edmondson Park.</b>	<b>123-195</b>

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

<b>ITEM No.</b>	<b>SUBJECT</b>	<b>PAGE No.</b>
<b>4</b>	<b>Rezoning Application RZ-4/2019</b>  <b>Planning proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to allow car parking as a land use permitted with consent at Collimore Park.</b>  <b>Lot 1 &amp; 2 DP 1089398, Lot 400 DP 1185131, Lot 7009 DP 1027995</b>  <b>The previous creek corridor that traverses through the centre of the site</b>	<b>196-247</b>

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

<b>Item no:</b>	1
<b>Application Number:</b>	DA-745/2018
<b>Proposed Development:</b>	Demolition of existing dwelling and construction of a multi dwelling housing development including six (6) dwellings with strata subdivision
<b>Property Address</b>	5-7 Craig Avenue, Moorebank
<b>Legal Description:</b>	Lot 8 and 9, DP 230270
<b>Applicant:</b>	Absolute Design Group
<b>Land Owner:</b>	Kaled Elassaad
<b>Cost of Works:</b>	\$1,735,135.60
<b>Recommendation:</b>	Approval, subject to conditions of consent
<b>Assessing Officer:</b>	Gorana Dubroja

## **1. EXECUTIVE SUMMARY**

Council has received a development application (DA-745/2018) seeking consent for the demolition of the existing dwelling and construction of a multi dwelling housing development including six (6) dwellings with strata subdivision at Lot 8 and 9, DP 230270, No. 5-7 Craig Avenue, Moorebank.

The site is zoned R3 – Medium Density Residential pursuant to *Liverpool Local Environmental Plan 2008* with the proposed development being permissible with consent.

The development application was notified for a period of 15 days from 8 October 2018 to 23 October 2018 in accordance with *Liverpool Development Control Plan 2008*, Part 1. Eleven (11) submissions were received during the public consultation period objecting to the proposal. The issues of concern raised in the submissions can be summarised as follows:

- Impact of development on community and infrastructure;
- Solar access and overshadowing;
- Increased traffic and parking, and congestion;
- Impacts of privacy to neighbouring properties;
- Safety in particular to children;
- Noise generation; and
- Development not meeting the present character of the community/location.

The key issues associated with the assessment of the development application relate to the matters raised in the submissions received during the notification period. Notwithstanding this, it is recommended that the application be approved subject to conditions of consent as the objections raised can be adequately addressed and would not warrant the refusal of the application.

The application is referred to the *Liverpool Local Planning Panel* (LLPP) in accordance with its referral criteria and procedural requirements in that the development falls into the category of contentious development.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

The application has been assessed pursuant to the provisions of *the Environmental Planning and Assessment (EP&A) Act 1979*. Based on the assessment of the application, it is recommended that the application be approved, subject to the imposition of conditions.

## **2. SITE DESCRIPTION AND LOCALITY**

### **2.1 The locality**

The area is characterised by low density residential development with single or double storey dwellings constructed of fibro, weatherboard, brick veneer and brick with open space located to the front and rear of each property. Although the locality is currently characterised by low density single and double storey dwellings, the immediate locality is zoned R3 – Medium Density Residential and is undergoing transition.



**Figure 1:** Locality Surrounding the 5-7 Craig Avenue, Moorebank (Source: Nearmap)

The adjoining properties to the development site are detailed as follows:

<b>Orientation</b>	<b>Description of Site</b>
North (front)	6 Craig Avenue, Moorebank and 8 Craig Avenue, Moorebank
South (rear)	12 Selway Avenue, Moorebank and 14 Selway Avenue, Moorebank
East (side)	9 Craig Avenue, Moorebank
West (side)	3 Craig Avenue, Moorebank

Each of these sites feature detached dwelling houses.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

## **2.2 The site**

The subject site is identified as Lot 8 and 9, DP 230270, and is known as 5 and 7 Craig Avenue, Moorebank. With the amalgamation of the two sites, the site becomes a square allotment with an overall area of 1327.8sqm. The site has a primary frontage to Craig Avenue of 36.58m, and a total depth of 36.58. Lot 8 contains a single storey brick dwelling, brick and fibro garage and awning. Lot 9 contains a single storey brick dwelling, fibro garage, shed and awning.



**Figure 2:** Aerial view of 5 and 7 Craig Avenue, Moorebank (Source: Nearmap)

## **3. BACKGROUND/HISTORY**

- A pre-lodgement meeting was held with Council on 4 April 2018 with an original design consisting of eight (8) units.
- The subject DA was lodged with Council on 26 September 2018, originally proposing seven (7) units.
- Application deferred regarding numerous planning considerations relating to private open space, solar access, setbacks, living room sizes and streetscape orientation. An additional information letter was sent on 1 February 2019.
- Amended plans were received on 4 February 2019.
- A meeting was held with the applicant on 25 March 2019 to redesign dwellings and comply with Council controls.
- Amended plans were submitted to Council on 5 April 2019 proposing six (6) units.
- The latest set of plans were submitted to Council on 1 May 2019.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**4. DETAILS OF THE PROPOSAL**

The proposed development application seeks approval for the demolition of the existing dwelling and construction of a multi dwelling housing development including six (6) dwellings with strata subdivision. The proposal will consist specifically of the following:

**Lot Consolidation**

- Lot 8: site area of 663.9sqm. frontage of 18.288m
- Lot 9: site area of 663.9sqm, frontage of 18.288m

**Multi Dwelling Development – 6 Units**

**Unit 1, 2, 5 and 6**

**Ground Floor**

- Lounge, dining, kitchen, laundry, powder room, staircase access and double garage.

**First Floor**

- Four (4) bedrooms, two (2) robes, two (2) walk-in robes, ensuite, bathroom and staircase access.

**Unit 3 and 4**

**Ground Floor**

- Lounge, dining, kitchen, laundry, powder room, staircase access and tandem garage.

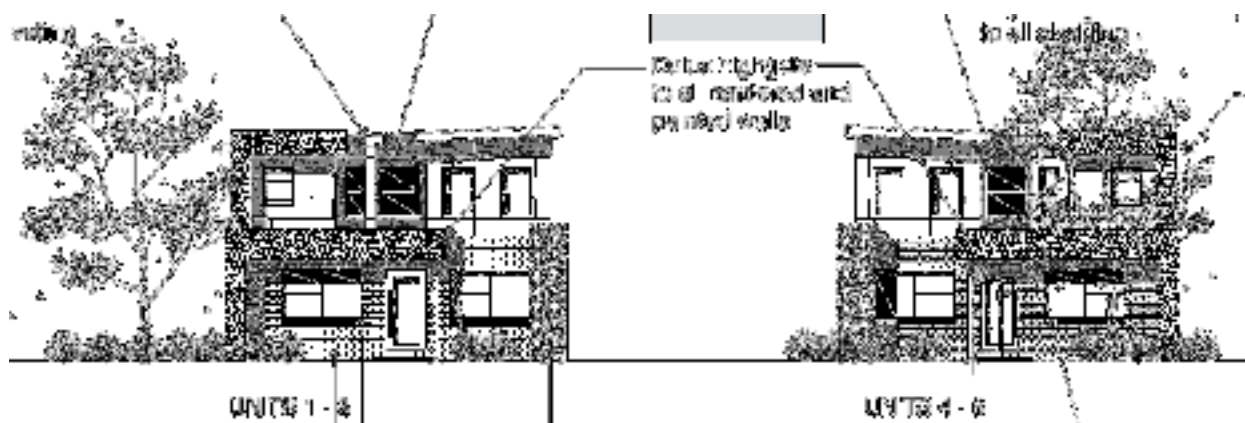
**First Floor**

- Four (4) bedrooms, four (4) robes, ensuite, bathroom and staircase access.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**



**Figure 3:** Streetscape of Development (5 and 7 Craig Avenue, Moorebank – *Streetscape Plan*)

## **5. STATUTORY CONSIDERATIONS**

### **5.1 Relevant matters for consideration**

The relevant planning instruments/policies applicable to the proposed development are:

- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (now deemed SEPP);
- Liverpool Local Environmental Plan (LLEP) 2008;
- Liverpool Development Control Plan (LDCP) 2008;
  - Part 1: General Controls for All Development; and
  - Part 3.6: Multi Dwelling Housing (Terraces, Townhouses and Villas) in the R3 and R4 Zones

### **Contributions Plans**

- Liverpool Contributions Plan 2009 applies to all development pursuant to Section 7.11 of the EP&A Act.

## **6. ASSESSMENT**

The development application has been assessed in accordance with the relevant matters of consideration prescribed by Section 4.15 of the EP&A Act and the Environmental Planning and Assessment Regulation 2000, as follows:

### **6.1 Section 4.15(1)(a)(i) – Any Environmental Planning Instrument**

#### **(a) State Environmental Planning Policy No. 55 – Remediation of Land**

Pursuant to Clause 7 of SEPP 55, a consent authority is unable to grant development consent unless it has considered whether the land is contaminated and, if so, whether the consent authority is satisfied that the land is suitable in its contaminated state, or can be

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

remediated to be made suitable for the purposes for which the development is proposed to be carried out.

Although it is unlikely that the land would be contaminated, given its previous residential use, Council must consider this and the likelihood of any contamination on-site and the possible impacts which may arise from any works associated with this proposal.

The objectives of SEPP 55 are:

- *to provide for a state wide planning approach to the remediation of contaminated land.*
- *to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.*

<b>Clause 7 - Contamination and remediation to be considered in determining development application</b>	<b>Comment</b>
(1) A consent authority must not consent to the carrying out of any development on land unless:	
(a) it has considered whether the land is contaminated, and	It is unlikely the land is contaminated as it is an existing residentially zoned allotment with dwellings currently on site.
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and	The land is suitable for the proposed works and as it is unlikely that the land is contaminated, based on Council records.
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	The land does not require remediation.

Based on the above assessment, the proposal is considered to satisfy the relevant objectives and provisions of SEPP 55, therefore, it is considered that the subject site is suitable for the proposed development in that regard.

**(b) State Environmental Planning Policy (BASIX) 2004**

In accordance with this policy, all new residential dwellings and those seeking alterations and additions as identified under this policy require a BASIX certificate that measures the Building Sustainability Index to ensure dwellings are designed to use less portable water and are responsible for fewer greenhouse gas emissions by setting energy and water reduction targets for houses and units.

A BASIX Certificate has been submitted for the proposed development. A condition of consent will be imposed requiring the applicant to provide an updated BASIX Certificate prior to the release of any Construction Certificate.

The proposal is considered to be satisfactory with regard to water and energy efficiency targets.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**(c) Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (Deemed SEPP)**

The subject land is located within the Georges River Catchment and as such the Greater Metropolitan Regional Environmental Plan No. 2 – Georges River applies to the application. The Greater Metropolitan Regional Environmental Plan No. 2 – Georges River catchment generally aims to maintain and improve the water quality and river flows of the Georges River and its tributaries.

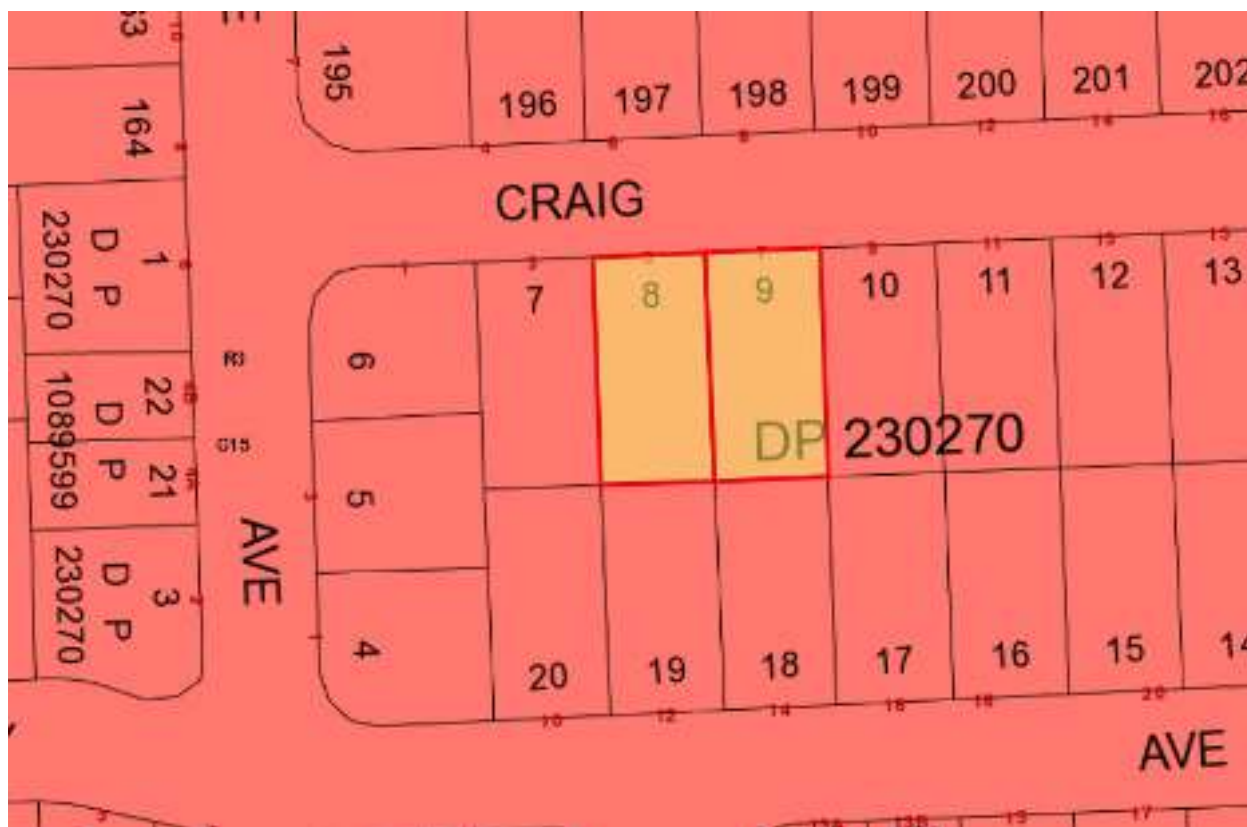
The development application was referred to Council's land development engineers who reviewed the stormwater management and drainage plans associated with the proposal. They were supportive of the proposed development, subject to conditions of consent. Accordingly, the proposed development is considered to meet the objectives of the SEPP and is unlikely to have a negative impact on the environmental quality of the Georges River catchment.

Furthermore, it is considered that the proposal satisfies the provisions of the GMREP No.2 subject to appropriate sedimentation and erosion controls being implemented during construction.

**(d) Liverpool Local Environmental Plan 2008**

**(i) Zoning**

The subject site is zoned R3 – Medium Density Residential pursuant to the LLEP 2008. An extract of the zoning map is provided in Figure 3 below.



**Figure 3:** Zoning Map of 5-7 Craig Avenue, Moorebank (Source: Geocortex Mapping System)

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**(ii) Permissibility**

The proposed development is *multi dwelling housing* and is a permitted land use with consent within the R3 – Medium Density Residential zone under LEP. Multi dwelling housing is defined as:

***Multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.***

The proposal meets with the above definition of multi dwelling housing.

**(iii) Objectives of the zone**

The objectives of the R3 – Medium Density Residential Zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a concentration of housing with access to services and facilities.*
- *To provide for a suitable visual transition between high density residential areas and lower density areas.*
- *To ensure that a high level of residential amenity is achieved and maintained.*

The proposed development would provide housing that meets the housing needs of the community, offering a variety of housing types which have access to services and facilities. The development also provides for a visual transition between lower residential densities to medium residential densities and allows for high level residential amenity through site and building design.

**(iv) Principal Development Standards**

LLEP 2008 contains a number of principal development standards which are relevant to the proposal, as detailed below.

Development Provision	Requirement	Comment
<b>Part 4 Principal Development Standards</b>		
2.7 Demolition	The demolition of a building or work may be carried out only with development consent.	Demolition of existing dwellings and ancillary structures is proposed as part of this application. Conditions of consent to be imposed.
4.1 Minimum subdivision lot size	300sqm	Consolidation of lots sought. The proposed lots will meet the minimum lot size.
4.3 Height of Buildings	8.5m	The maximum proposed height is 7.7m.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

		Complies
4.4 Floor Space Ratio	Permitted: 0.55:1 as per Clause 4.4 of the LLEP 2008.	The proposed FSR is 0.55:1.  Complies
6.5 Public Utility Infrastructure	Public utility infrastructure must be available.	The site has access to existing public utility infrastructure.
7.7 Acid sulfate soils	Class 1 2, 3 4 or 5	The site is not affected by Acid Sulfate Soils.
7.31 Earthworks	Council to consider matters listed (a)-(g)	Sediment control details have been provided and minimal cut has been proposed. Matters considered by Councils land development engineers, who have supported the earthworks onsite, subject to conditions of consent.

As demonstrated in the above compliance table, the proposed development is consistent with the relevant development standards of LLEP 2008.

## **6.2 Section 4.15(1)(a)(ii) - Any Draft Environmental Planning Instrument**

There are no draft Environmental Planning Instruments which apply to the development.

## **6.3 Section 4.15(1)(a)(iii) - Any Development Control Plan**

### **(a) Liverpool Development Control Plan (LDCP) 2008**

The application has also been assessed against the relevant controls of the LDCP 2008, particularly *Part 1 General Controls for all Development* and *Part 3.6 Multi Dwelling Housing (Terraces, Townhouses and Villas) in the R3 and R4 Zones*.

The development generally complies with the provisions of the LDCP 2008 except in relation to the rear setback and side setback controls for Units 3 and 4. This is further addressed in this report.

<b>LDCP 2008 Part 1 – General Controls for all Development</b>			
<b>Control</b>	<b>Required</b>	<b>Proposal</b>	<b>Compliance</b>
<b>Section 2 – Tree Preservation</b>	Consider impact of development on existing vegetation	The trees on site are proposed to be removed. Conditions of consent to be imposed requiring the addition of trees which have a mature height of 8m.	Conditions to be imposed
<b>Section 3 – Landscaping and Incorporation of Existing</b>	Incorporation of existing trees into development where appropriate	The existing trees on site are proposed to be removed.	Conditions to be imposed



<b>Trees</b>			
<b>Section 4 – Bushland and Habitat Preservation</b>	Consider impact of development on bushland and habitats	No impact on bushland and habitats considering the location of the development.	N/A
<b>Section 5 – Bushfire Risk</b>	Land on or adjacent to bushfire prone land to comply with RFS requirements	Site is not classified as bushfire prone land.	N/A
<b>Section 6 – Water Cycle Management</b>	Consideration of stormwater and drainage	Stormwater will be collected through the proposed downpipes and discharged to the Council kerb.	Complies
<b>Section 7 – Development Near a Watercourse</b>	Consideration of impact to riparian corridors	Development is located more than 300m from George's River.	N/A
<b>Section 8 – Erosion and Sediment Control</b>	Sediment Control Plan or Soil and Water Management Plan required	Sediment control details have been submitted as part of this application. Condition imposed to ensure adequate sediment and erosion controls undertaken at the site during construction and works.	Complies
<b>Section 9 – Flooding Risk</b>	Flood affection of property to considered	The site is not identified as being located on flood prone land.	Complies
<b>Section 10 – Contaminated Land Risk</b>	Previous use to be considered in assessing risk	The site inspection revealed no obvious uses that may lend themselves to the requirement for a land contamination assessment / report. Therefore considered acceptable in this instance.	N/A
<b>Section 11 – Salinity Risk</b>	Salinity Management response required for affected properties	The site is not affected by Salinity.	N/A
<b>Section 12 – Acid Sulfate Soils Risk</b>	Affected properties to consider impact of development on soils	Site is not affected by Acid Sulfate Soils.	N/A
<b>Section 13 – Weeds</b>	Noxious weeds to be removed as part of development where applicable	The submitted site analysis does not identify any noxious weeds on site. A site inspection confirmed no presence of noxious weeds on site.	N/A
<b>Section 14 –</b>	Must comply with AS	The existing dwelling and	Complies

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

<b>Demolition of Existing Development</b>	2601-2001	ancillary structures are proposed to be demolished. Conditions of consent to be imposed.	Condition of consent to be imposed
<b>Section 15 – Onsite Sewage Disposal</b>	S68 Application required where connection to sewer not available	Site is connected to sewer.	N/A
<b>Section 16 – Aboriginal Archaeology</b>	AHIA required where items of aboriginal archaeology exist	No known items of aboriginal archaeology are present on the subject property.	N/A
<b>Section 17 – Heritage and Archaeology</b>	Consideration of the impact on the heritage significance on any heritage buildings, sites, streetscapes or areas.	Site is not associated with any heritage items.	N/A
<b>Section 18 – Notification of Application</b>	Multi dwellings are to be notified to adjoining properties which are located up to 75m from the subject land.	The proposal was notified to adjoining properties from 8 October 2019 to 23 October 2019. Eleven (11) submissions have been received during the notification period which raise objections to the proposal. These submissions have been taken into consideration during the assessment process and are discussed in within this report.	Complies
<b>Section 19 – Used Clothing Bins</b>	Applies to any charity bins located on either private or Council land.	No charity bins located on site.	N/A
<b>Section 20 – Car Parking and Access</b>	1 space per small dwelling (< 65sqm) or 1 bedroom  1.5 spaces per medium dwelling (65 - 110sqm) or 2 bedrooms  2 spaces per large dwelling (> 110sqm) or 3 or more bedrooms  1 visitor car space for every 4 dwellings or part thereof	The proposed development provides for twelve (12) car parking spaces and two (2) visitor spaces. The application has been referred to Council Traffic Engineers who have had no objection to the proposal, subject to conditions of consent.	Complies

## Liverpool Development Control Plan 2008 Part 3.6

LDCP 2008 Part 3.6 – Multi Dwelling Hosing (Terraces, Townhouses and Villas) in the R3 and R4 Zones			
Control	Required	Proposal	Comment
<b>Subdivision, Frontage and Lot Size</b>	<p>The minimum lot size for multi dwelling housing is 1,000m<sup>2</sup>. Where development pursuant to section 4 is proposed, the minimum lot size shall be 650sqm.</p> <p>The minimum lot width for multi dwelling housing is 22m. Where development pursuant to section 4 is proposed, the minimum lot width shall be 18m.</p>	The proposed development has consolidated two lots to form one lot with a total site area of 1327.8sqm.	Complies
<b>Site Planning</b>	<p>Site layout should consider, and as far as possible minimise overshadowing, acoustic and visual intrusion on neighbouring and on site dwellings.</p> <p>There must be a direct link from at least one living area to the principal private open space.</p> <p>The siting of windows of habitable rooms on the first floor shall minimise overlooking to the principal private open space of neighbouring properties.</p>	<p>The proposed development is considered to have minimal impacts on overshadowing, and acoustic and visual privacy to adjoining properties.</p> <p>All units have direct access from either the living room or dining room to their private open spaces.</p> <p>The proposed first floor windows are considered to have minimal potential to cause privacy concerns to the adjoining properties.</p>	<p>Complies</p> <p>Conditions of consent to be imposed</p>

	<p>Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate. Refer to Water cycle management in Part 1.</p> <p>The siting of dwellings shall be orientated to maximise solar access to both external courtyards and internal living areas.</p> <p>Where possible all existing substantial vegetation on site shall be retained.</p> <p>Multi Dwelling Housing is not permitted on cul-de-sac heads or streets with a carriageway width of less than 6.5m.</p>	<p>Stormwater is to be collected through the proposed downpipes and discharged to the Council kerb.</p> <p>The site frontage is orientated to the north taking advantage of northern aspects.</p> <p>The existing trees on site are proposed to be removed, with one (1) tree to be retained within the site area. A condition of consent will be imposed requiring trees with a mature height of 8m to be incorporated into the Landscape Plan.</p> <p>The proposed multi dwelling development is not situated on a cul-de-sac or street with a carriageway width less than 6.5m.</p>	
<b>Front Setback</b>	A front setback of	The proposed front setback is	Complies

	4.5m is required for both the ground floor and the first floor.	4.5m to the front building line.	
<b>Garage Setback</b>	<p>A garage setback of 5.5m is required for the development.</p> <p>The garage is to be set 1m behind the main building line.</p>	<p>The proposed garage setback for Units 1, 2, 3, 4 and 6 is not setback 1m behind the main building line. These garages are all located within the internal driveway and are not orientated towards the streetscape. This is considered to have minimal effects on the streetscape and is considered acceptable in this instance.</p>	Considered acceptable
<b>Side Setback</b>	<p>Ground floor without windows to habitable rooms – 0.9m.</p> <p>A ground floor with windows – 4m.</p> <p>First floor without windows to habitable rooms – 1.2m.</p> <p>First floor windows to habitable rooms and neighbouring private open space – 4m.</p>	<p>The minimum proposed ground floor setback with windows for Units 1, 2, 5 and 6 is 4.218m. Units 3 and 4 have a ground floor side setback with windows of 1.52m. These windows to the side setback belong to a powder room which is considered to have minimal privacy concerns.</p> <p>The minimum proposed first floor side setback with windows for Units 1, 2, 5 and 6 is 4.368m. Units 3 and 4 have a first floor side setback with windows of 2.02m. These windows to the first floor side setback belong to bathrooms. This is considered to have minimal privacy concerns.</p>	Considered Acceptable
<b>Secondary Setback</b>	A secondary setback of 2.5m is required.	The site is not a corner allotment and has no secondary setback.	N/A
<b>Rear Setback</b>	<p>Ground floor without windows to habitable rooms – 4m</p> <p>Ground floor with windows to habitable rooms – 4m</p> <p>First floor without windows to habitable rooms – 4.5m</p>	<p>The proposed ground floor rear setback with windows for Units 3 and 4 is 4.001m.</p> <p>The proposed first floor rear setback with windows for Units 3 and 4 is 4.151m. This is below the required 6m. The proposed first floor windows are highlight windows which are considered to have minimal privacy concerns to the adjoining</p>	Considered Acceptable

	First floor with windows to habitable rooms and neighbouring private open space – 6m	properties. This is considered acceptable in this instance.  It should be noted that the reduced rear setback will not negatively impact solar access to living areas or private open space within the development or to adjoining properties. The current design of the rear elevation is considered to be aesthetically pleasing and provides a breakup of the façade.	
<b>Landscaped Area</b>	A minimum of 20% of the site area shall consist of a Landscape Area, this may include lawn, deep rooted trees, garden beds and mulched areas.  A minimum unincumbered area of 4 x 5m shall be provided in rear setback to accommodate deep rooted trees.	The proposed landscape area for the site is approximately 33%.  There is a 4m x 5m unencumbered area within the rear setback for deep rooted trees.	Complies
<b>Private Open Space</b>	Dwelling size of <65sqm – 30sqm  Dwelling size of 65-100sqm – 40sqm  Dwelling size of >100sqm – 50sqm  A minimum of 50% of the Private Open Space area must receive 3 hours of sunlight between 9:00am and 5:00pm on 21 June.	Each unit has Private Open Space which exceeds 50sqm.      A minimum of 50% (or 25sqm) of the Private Open Space for each units receives 3 hours of sunlight between 9:00am to 5:00pm on 21 June.	Complies
<b>Cut and Fill</b>	The maximum cut on site cannot exceed 500mm.	The maximum proposed cut does not exceed 500mm. The maximum proposed fill does not	Complies

	The maximum fill on site cannot exceed 1m.	exceed 1m.	
<b>Building Design and Appearance</b>	<p>Unit/s with a street frontage shall orientate the main entrance and where possible at least one living area towards the street.</p> <p>Entry points shall be enhanced/emphasised to all dwellings especially those facing the street.</p> <p>The first floor of the townhouse developments must be no greater than two thirds of the ground floor area.</p> <p>Building facades shall be articulated and roof form is to be varied to provide visual variety.</p> <p>Walls shall be a mix of masonry, rendered and or bagged, and painted, lightweight clad and painted and/or flush face brick. Justification will be required for 100% face brick facades or 100% rendered and painted brick and will</p>	<p>Units 1 and 6 have a primary frontage towards Craig Avenue, with the main entrance, lounge room and dining room being orientated towards the street.</p> <p>The entry points of Units 1 and 6, which have a primary frontage towards Craig Avenue, are emphasised through the entry, changes in colours and finishes and architectural articulation.</p> <p>The proposed first floor of all six (6) units exceeds two thirds of the ground floor area. This will still allow for the units to enhance the streetscape through suitable built form and design. The proposed first storey of all six (6) units is considered to have minimal privacy concerns and overshadowing impacts on adjoining properties.</p> <p>The proposed building facades of all six (6) units is articulated through roof form, changes in colours and finishes and architectural articulation.</p> <p>The proposed walls of the six (6) units ranges from a mix of brick, render, clad, metal, aluminium and timber.</p>	Complies

	<p>be assessed on merit.</p> <p>Facades can be articulated by: - The use of different materials and detailing and / or Liverpool Development Control Plan 2008 Cut and Fill, Building Design, Streetscape and Layout Part 3.6 16 - The inclusion of balconies, varandahs, pergolas and landscaped beds.</p> <p>A sidewall must be articulated if the wall has a continuous length of over 10 m.</p> <p>The entrance of each dwelling shall be emphasised.</p> <p>Units built at the rear of the allotment must take into consideration privacy of neighbouring properties. The use of windows with high sill heights should be used to avoid potential privacy issues.</p> <p>Driveways should avoid a 'gun barrel'</p>	<p>The proposed facades of all six (6) units are articulated through the building design, changes in colours and finishes, architectural articulation and roof form.</p> <p>The proposed sidewalls have a continuous length which exceeds 10m. The proposed design of the sidewalls is however articulated through windows and door openings. This will still allow for the building design, detailing, colour and finish to add visual interest and compliment the street.</p> <p>The entrance to all six (6) units is emphasised through architectural articulation, and colours and finishes.</p> <p>The proposed units to the rear have highlight windows on the first floor which is considered to have minimal privacy concerns to adjoining properties.</p>	
--	---	--	--



	<p>effect by curving and siting of buildings, which create a driveway form with the divided carriageway separated by soft landscaping.</p> <p>Attic floor space may be used when it is contained wholly within the roof pitch and will not be counted as a storey provided that the attic space is part of the dwelling unit.</p> <p>Space used for car parking shall be included as a storey if the ceiling of the car parking level exceeds more than 1m above the natural ground level.</p> <p>Townhouses built on steep or sloping blocks should be built of split-level construction.</p> <p>Balconies are not permitted on the first floor of the side and / or rear portion of the dwelling. Balconies may be considered if they address public open space, communal open space and/or private driveways.</p>	<p>The proposed driveway is articulated through building placement and landscaping.</p> <p>The proposed development does not include an attic.</p> <p>Not applicable as no basement is proposed as part of this application.</p> <p>The subject site is relatively flat. Split level construction is not required.</p> <p>No balconies proposed as part of this application.</p> <p>No proposed blank walls which address the street frontage are</p>	
--	--	---	--

	Blank walls in general that address street frontages or public open space are discouraged. Where they are unavoidable building elements or landscaping must be used to break up large expanses of walls. In some cases an anti-graffiti coating will need to be applied to the wall to a height of 2 metres.	proposed.	
<b>Internal Design</b>	<p>Multi Dwelling Housing located on street boundaries shall have habitable rooms located to the front of the dwelling for security and surveillance to the street.</p> <p>Living rooms should take advantage of northern aspects where possible.</p> <p>Access to private open space must be from at least one living room.</p> <p>The internal layout of the dwelling must incorporate cross ventilation.</p> <p>Bathrooms, ensuites, laundries and walk in wardrobes should be located to the side and the rear of the development.</p>	<p>Proposed Units 1 and 6 which are orientated towards Craig Street have the lounge room, living room and bedrooms orientated towards the street for surveillance.</p> <p>Units 1 and 6 have their living rooms orientated north taking advantage of northern aspects.</p> <p>All six (6) units have either their dining room or living room directly accessing the private open space.</p> <p>Cross ventilation is incorporated through the use of windows and doors dispersed around the units.</p> <p>Proposed ensuites, laundries and walk-in-robos are located to the rear and side of the units.</p>	Complies

	<p>Locate active use rooms or habitable rooms with windows overlooking communal/public areas (e.g. playgrounds, gardens).</p>	<p>The subject site does not overlook communal or public areas.</p>	
<p><b>Car Parking and Access</b></p>	<p><b>Internal Driveway and Car Parking Layout</b></p> <p>Refer to Part 1 for requirements for minimum widths for Internal Driveways.</p> <p>The extent of paved area for driveways shall be kept to a minimum. Driveways abutting dwellings shall be kept to a minimum.</p> <p>Avoid large expanses of driveways, including concentrating double garages adjacent to each other.</p> <p>Land that is unlikely to be used for manoeuvring shall be used for landscaping.</p> <p><b>Access Driveways</b></p> <p>Driveways to the street shall be kept to a minimum.</p> <p>Driveways may be permitted to individual dwellings provided that the streetscape is not adversely affected and the application complies elsewhere</p>	<p>The proposed development provides for fourteen (14) car parking spaces. The application has been referred to Council Traffic Engineers who have raised no objection to the proposal, subject to conditions of consent.</p> <p>The extent of the paved area for the driveway is considered to be minimal, with proposed areas of landscaping included throughout the driveway length.</p> <p>The proposed development is facilitated through a single driveway which services all six (6) units.</p> <p>The proposed driveway includes landscaping strips to the sides.</p> <p>The proposed development has one (1) driveway which services all six (6) units.</p> <p>No proposed driveways to individual units.</p>	<p>Complies</p>

	<p>with the DCP.</p> <p>Kerbs shall be provided along the edge of all internal driveways. All traffic must be able to enter and exit the site in a forward direction.</p>	<p>The proposed driveway is 6m in length and allows for two way traffic. There is also a turning bay located to the rear of the site ensuring vehicles can enter and exit the site in a forward direction.</p>	
<b>Landscaping</b>	<p>The setback areas of development are to be utilised for canopy tree planting. The landscape design for all development must include canopy trees that will achieve a minimum 8m height at maturity within front and rear setback areas.</p> <p>Landscape planting should be principally comprised of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. Species selected in environmentally sensitive areas should be indigenous to the locality. However, Council will consider the use of deciduous trees in small private open space areas such as courtyards for control of local microclimate and to improve solar access.</p> <p>The landscaping shall contain an appropriate mix of canopy trees, shrubs and groundcovers. Avoid</p>	<p>The submitted Landscape Plan does not indicate canopy trees which will achieve a minimum of height of 8m. A condition of consent will be imposed requiring sufficient trees to be provided onsite.</p>	<p>Complies by Condition</p>

	<p>medium height shrubs (600 – 1800mm) especially along paths and close to windows and doors.</p> <p>Landscaping in the vicinity of a driveway entrance should not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.</p> <p>Tree and shrub planting alongside and rear boundaries should assist in providing effective screening to adjoining properties. The minimum height of screening to be provided is 2.5 to 3m at maturity.</p> <p>Landscaping on any podium level or planter box shall be appropriately designed and irrigated. Landscaping on podium levels and planter boxes should be accessible from habitable areas of dwellings or elsewhere as appropriate for gardener access in other forms of development.</p> <p>A 2m wide landscaped area shall be provided between an internal driveway and a property boundary to provide privacy to the</p>	<p>The proposed landscaping in the vicinity of the driveway is not considered to obstruct visibility of vehicles and pedestrians.</p> <p>The proposed landscaping located on the internal driveway is appropriately designed around the site.</p> <p>Landscaping is provided to the</p>	
--	---	---	--

	<p>adjoining property and to soften the appearance of the internal driveway.</p> <p>Landscaping shall be provided along the side and rear boundaries to provide privacy for adjoining residents.</p> <p>A maximum of 30% of the front setback is to be paved or sealed, unless the area is used for direct access to a garage, carport or dwelling entry</p> <p>Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry.</p> <p>Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.</p> <p>Areas between a driveway and the windows of a dwelling shall be landscaped to provide privacy for the dwelling.</p>	<p>sides and rear of the site.</p> <p>Areas located between the driveway and windows of a dwelling are landscaped to provide privacy for the dwelling.</p>	
<b>Overshadowing</b>	<p>Adjoining properties must receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least; - One living,</p>	<p>The proposed development will still allow for adjoining properties to receive a minimum of three hours of sunlight between 9am and 5pm on 21 June.</p>	Complies

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

	rumpus room or the like; and - 50% of the private open space.		
<b>Privacy</b>	<p>Building siting, window location, balconies and fencing should take account of the importance of the privacy of on site and adjoining buildings and outdoor spaces.</p> <p>Windows to habitable rooms should be located so they do not overlook such windows in adjoining properties, other dwellings within the development or areas of private open space.</p> <p>Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties.</p>	The existing dwellings to the eastern, western and southern boundaries are single storey. The proposed windows on the first floor are considered to have minimal privacy concerns to adjoining properties.	Complies

**6.4 Section 4.15(1)(a)(iiia) - Planning Agreements**

There are no Planning Agreements which apply to the development.

**6.5 Section 4.15(1)(a)(iv) - The Regulations**

The Environmental Planning and Assessment Regulation 2000 requires the consent authority to consider the provisions of the BCA and the Safety standards for demolition (AS 2601 – 2001). Accordingly, appropriate conditions of consent will be imposed.

**6.6 Section 4.15(1)(b) - The Likely Impacts of the Development**

**Natural and Built Environment**

The proposed development is unlikely to create a detrimental impact on the natural environment surrounding the subject site, subject to the imposition of appropriate conditions of consent.

The proposed development is unlikely to create any adverse impacts on the surrounding built environment. The proposed development is considered to be of an appropriate scale and is unlikely to create any negative impacts on the adjoining properties or the locality as a whole. The proposal will facilitate residential

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

development which is not considered to be an over-development and is consistent with the desired future built character of the locality.

It is considered that the proposed development has been designed with sufficient regard to surrounding properties and any future occupants of the site to ensure that any adverse amenity impact is minimised, particularly in terms of visual and acoustic privacy and overshadowing.

**Social Impacts and Economic Impacts**

The proposal would result in a positive economic impact in the locality through the capital investment value of the development and is unlikely to generate any identifiable detrimental social impacts, being consistent with the desired development type in the locality.

**6.7 Section 4.15(1)(c) - The Suitability of the Site for the Development**

The proposal generally complies with the relevant planning controls and therefore the site is considered to be suitable for the proposed development.

**6.8 Section 4.15(1)(d) - Any submissions made in accordance with the Act or the Regulations**

**(a) Internal Referrals**

The following comments have been received from Council's Internal Departments:

DEPARTMENT	COMMENTS
Land Engineering	Approval, subject to conditions of consent
Traffic	Approval, subject to conditions of consent
Natural Environment	Approval, subject to conditions of consent

**(b) External Referrals**

No external referrals were required as part of this application.

**(c) Community Consultation**

The proposal was notified for a period of 15 days from 8 to 23 October 2019 in accordance with LDCP 2008. Eleven (11) submissions were received in response to the public consultation process objecting to the proposal. The key issues raised in the submissions relate to:

- Impact of development on community and infrastructure;
- Solar access and overshadowing;
- Increased traffic and parking, congestion on the overburdened roads;
- Impacts of privacy to neighbouring properties;
- Safety in particular to children;
- Noise generation; and
- Development not meeting the present character of the community/location.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

The following discussion has been provided in respect to the concerns raised by the objectors:

**Issue 1:** The proposal will cause additional burden on the community and on the current infrastructure. Moorebank is already overpopulated with no plans for additional infrastructure.

**Comment:** The proposed development is permitted in the R3 – Medium Density Residential zone and is therefore consistent with the desired future character of the locality. All aspects of planning and infrastructure have been taken into consideration when the locality was rezoned. The proposed development is subject to a contribution plan which will aid in ongoing infrastructure upgrades.

**Issue 2:** The proposed development will cause negative impacts regarding solar access and overshadowing. It will limit access to the sun.

**Comment:** As part of the assessment process the applicant is required to submit Shadow Diagrams demonstrating compliance with Council's solar access controls. The submitted Shadow Diagrams show limited overshadowing impacts to the adjoining properties with no adjoining private open space area or living spaces being unreasonably overshadowed for more than 3 hours during mid-winter. It should be noted that the development is underneath the maximum height requirement.

**Issue 3:** The proposed development will contribute to increased traffic and congestions, causing limited parking and overburdened roads.

**Comment:** The proposed development has been reviewed by Council's Traffic Engineers, who have raised no objections to the impact the development will have on Craig Avenue. The proposed development incorporates compliant onsite car parking, with each dwelling proposing a double garage with two visitor car spaces on the site.

**Issue 4:** The proposed units will have a negative impact on the privacy of adjoining properties.

**Comment:** The proposed development has been amended to reduce the number of dwellings from seven (7) dwelling to six (6) dwellings. The development is generally consistent with the setback controls, and where it is not consistent measures have been put into place to ensure that visual privacy is maintained to adjoining properties. This includes the use of highlight windows to rear Units 3 and 4. While it is likely that privacy will be impacted beyond the existing development on site, the level of impact is considered to be commensurate with development in an R3 Zone.

**Issue 5:** The development will decrease the safety of the community, especially for children and pedestrians who travel to nearby schools. Craig Avenue is a pedestrian thoroughfare for small children and mothers with prams.

**Comment:** The proposed development is a type of residential development which is permitted in the R3 – Medium Density Residential zone and is consistent with the nature of the existing locality. There is no evidence to suggest that such a development will decrease the safety of the community. The proposed development includes a driveway which is wide enough to accommodate two way traffic and a turning bay at the rear of the site. This ensures that all vehicles are capable of exiting the site in a forward direction and contributes to the visibility of pedestrians and children who use Craig Avenue to travel.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

It is worth noting that the application has been reviewed by Council's Traffic Engineers who have raised no concerns over unacceptable impacts to road safety as a result of the proposal.

**Issue 6 and 7:** The proposed development will increase the noise of the street. Craig Avenue is a quiet street and is not designed for a structure like this. The proposed development does not meet the present character of the community. Craig Avenue is a quiet street with numerous households comprised of young families with children and elderly couples in retirement. This density construction does not fit the current housing landscape in the street.

**Comment:** The proposed multi-dwelling development is permitted in the R3 – Medium Density Residential Zone and is therefore consistent with the desired future character of the locality. While it is noted that the current character of Craig Avenue is predominantly low density, comprising of single and some double storey dwellings, the proposed development is a medium density development, it is consistent with the zoning of the site and the definition of multi dwellings as per the LLEP 2008.

Accordingly, the impacts of the proposal are considered commensurate with the desired future character of the locality.

It is worth noting that the proposed development has been reduced from seven (7) units to six (6) units, further reducing any potential impacts to the public domain and locality from what was originally notified.

#### **6.9 Section 4.15(1)(e) - The Public Interest**

The proposed development is considered to be in the public interest.

### **7. DEVELOPMENT CONTRIBUTIONS**

A Section 7.11 Development Contributions is applicable to the proposed development in accordance with Liverpool Contributions Plan 2009 and will be imposed as a condition of consent of any approval for the proposed development. The development attracts a total contribution of **\$19,019**, which will be adjusted at the time of payment as per the contribution plan.

### **8. CONCLUSION**

The application has been assessed having regard to the provisions of Section 4.15 of the EP&A Act 1979, and the Environmental Planning Instruments, including the applicable State Environmental Planning Policies, Liverpool LEP 2008, LDCP 2008, and the relevant codes and policies of Council.

The proposed development is unlikely to result in any adverse impact upon neighbouring properties and the locality. Based on the assessment of the application, it is recommended that the application be approved subject to the imposition of conditions.

### **9. RECOMMENDATION**

That Development Application DA-745/2018 seeking approval for the demolition of existing dwelling and construction of a multi dwelling housing development including six (6) dwellings with strata subdivision, be approved subject to conditions of consent.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

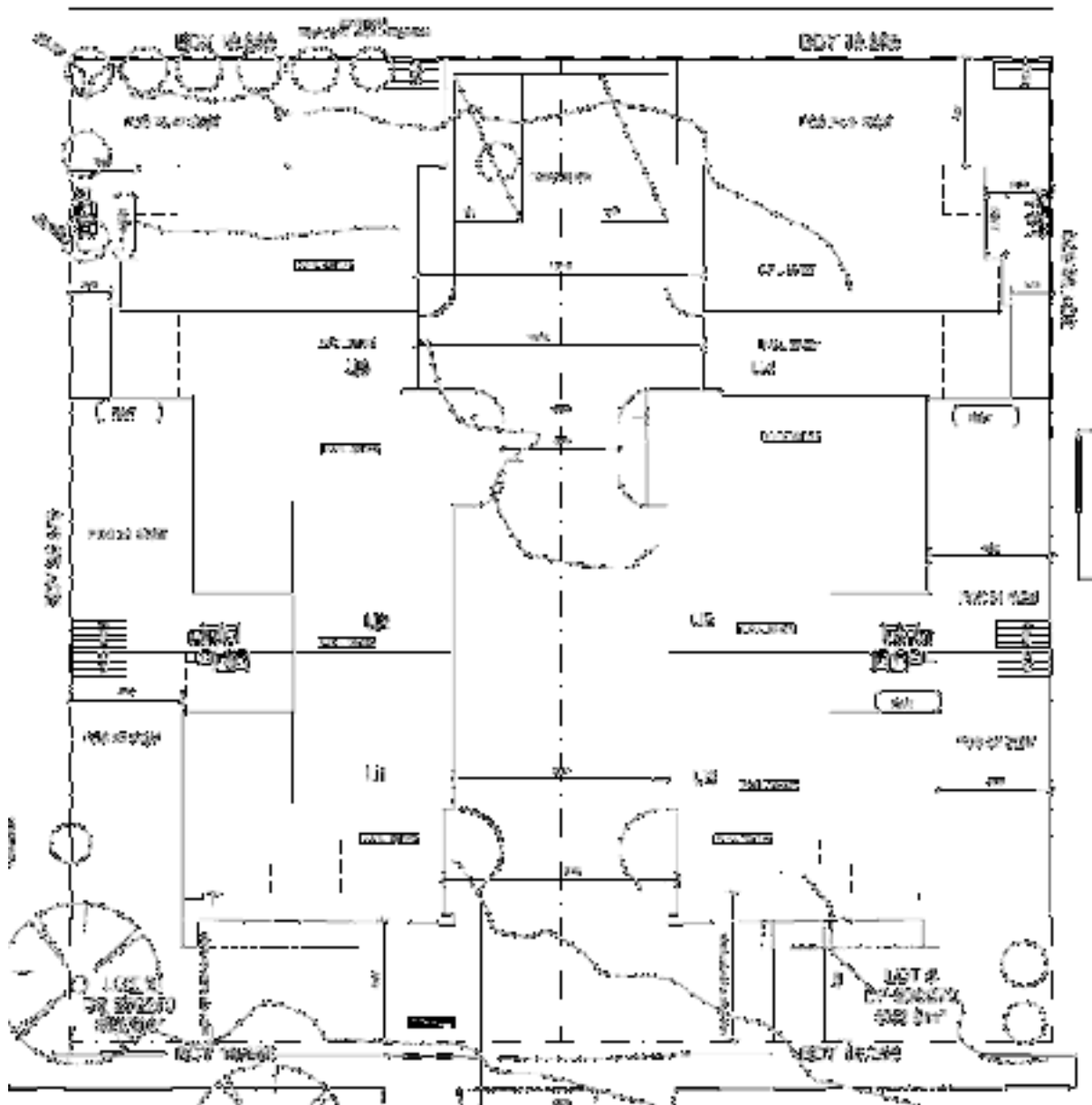
**10. ATTACHMENTS**

- 1. PLANS OF THE PROPOSAL**
- 2. CONDITIONS OF APPROVAL**

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

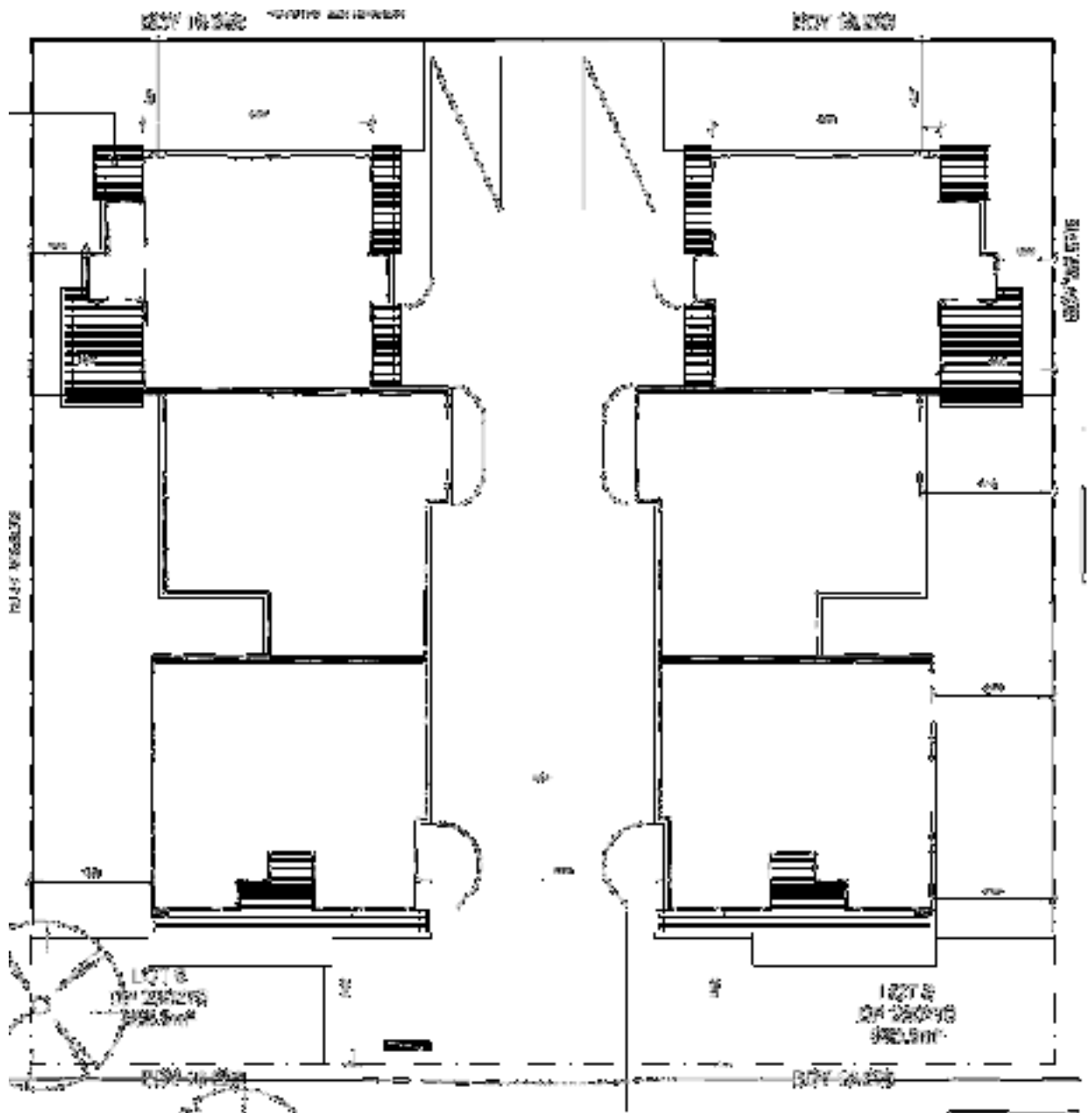
**ATTACHMENT 1: PLANS OF THE PROPOSAL**



**Ground Floor Plan**

LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

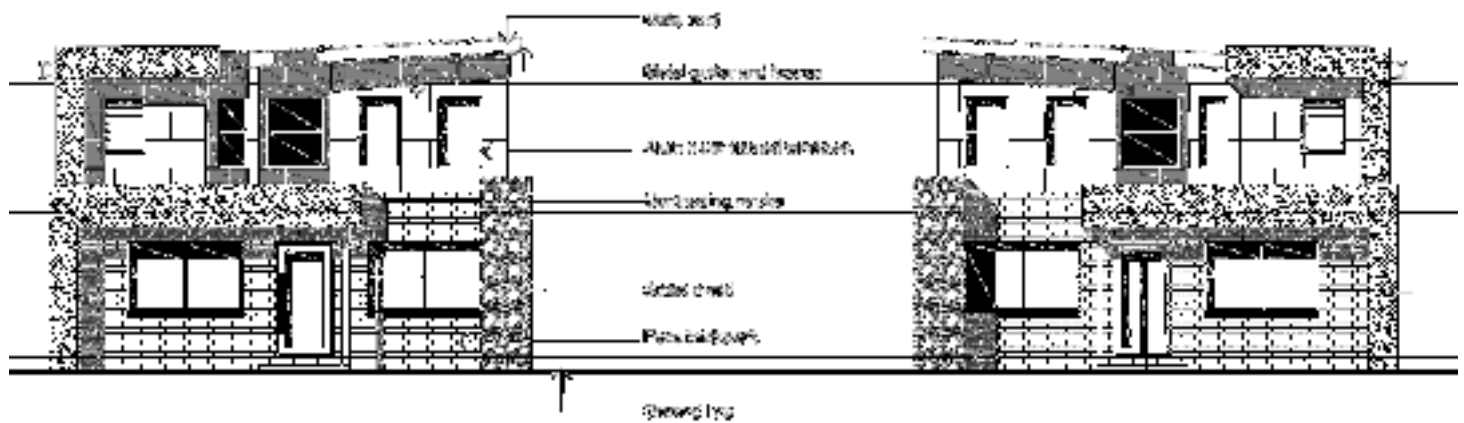
27<sup>th</sup> May 2019



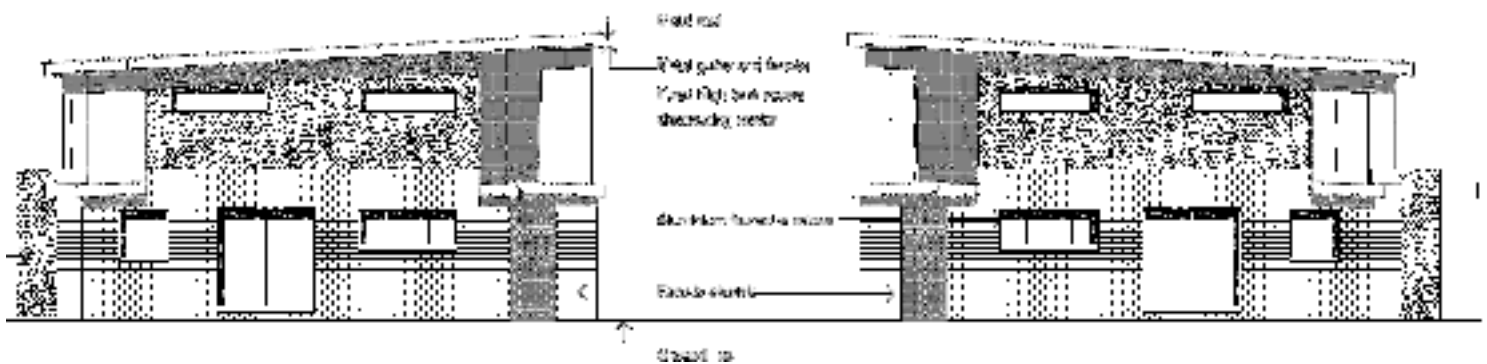
First Floor Plan

LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

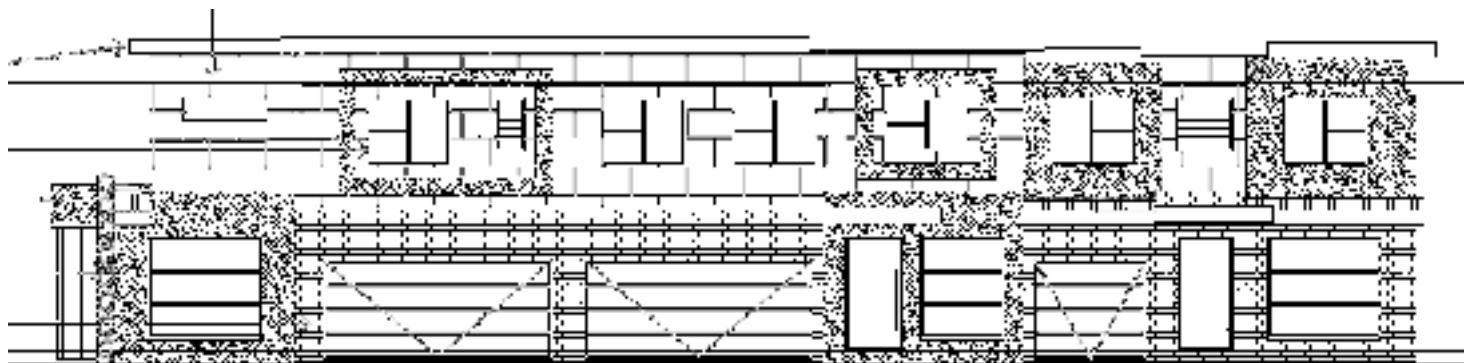
27<sup>th</sup> May 2019



**Northern Elevation**



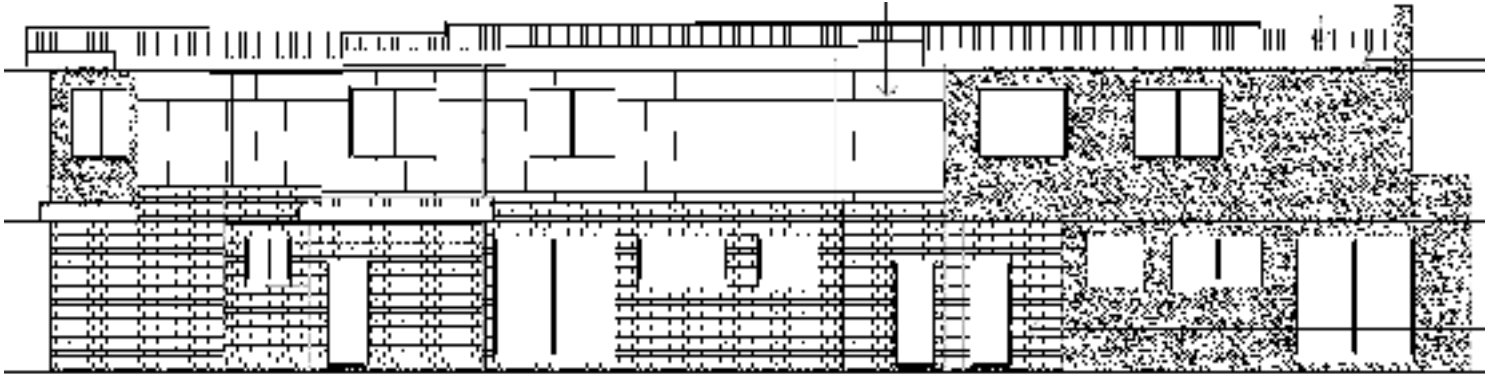
**Southern Elevation**



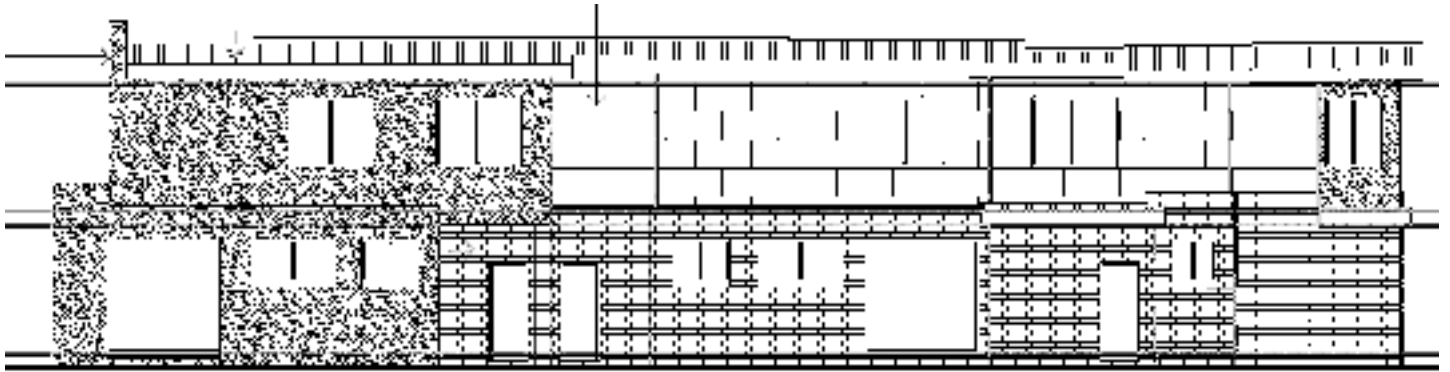
**Eastern Elevation – Units 1, 2 & 3**

LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

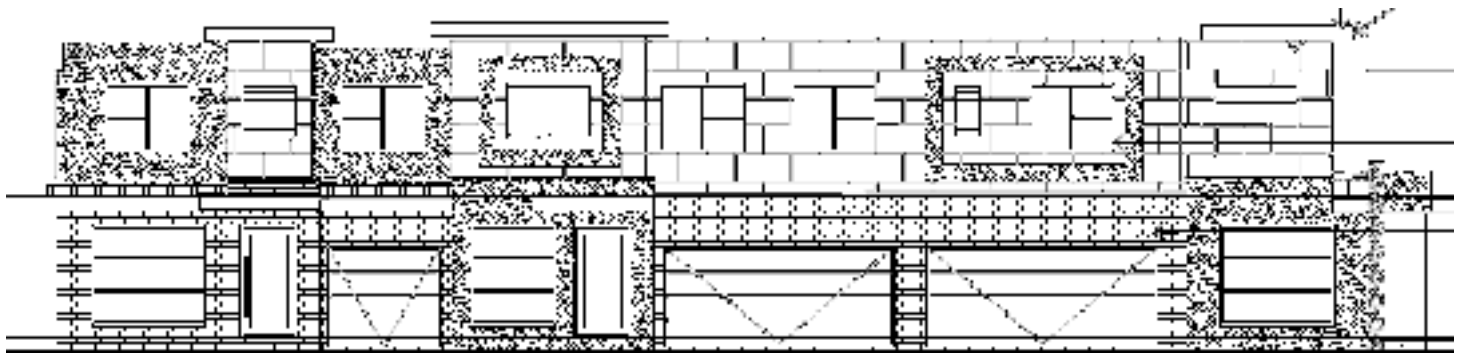
27<sup>th</sup> May 2019



**Western Elevations – Units 1, 2 & 3**



**Eastern Elevation – Units 4, 5 & 6**



**Western Elevation – Units 4, 5 & 6**

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**ATTACHMENT 2 – CONDITIONS OF APPROVAL**

Council has imposed the following conditions under the relevant planning instruments and policies.

**A. THE DEVELOPMENT**

**1. Approved Plans**

Development the subject of this determination notice must be carried out generally in accordance with the following plans/reports marked as follows, except where modified by the undermentioned conditions.

a) Architectural Plans Prepared By: Absolute Design Group Pty Ltd, Job No: 1802, Issue: E, Dated: May 2019:

- i. Ground Floor Site Plan with no Internals, Sheet: 01/19;
- ii. Demolition Plan, Sheet: 02/19;
- iii. Cut and Fill Plan, Sheet: 03/19;
- iv. Strata Plan, Sheet: 05/19;
- v. Construction Management Plan and Sediment Control Plan, Sheet: 06/19;
- vi. Ground Floor Plan, Sheet: 07/19;
- vii. First Floor Plans, Sheet: 08/19;
- viii. Floor Plans Units 1-3, Sheet: 09/19;
- ix. Floor Plans Units 4-6, Sheet: 10/19;
- x. Elevations, Sheet: 11/19;
- xi. Sections A-A and B-B, Sheet: 12/19;
- xii. Landscape Plan, Letter Box Detail and Retaining Detail, Sheet: 14/19;
- xiii. Streetscape Elevation, Sheet: 15/19;

b) Waste Management Plan Prepared By: Absolute Design Group Pty Ltd, Dated: 1/7/18 submitted with DA- 745/2018.

**2. Amended Plans**

Prior to the issue of a CC the approved landscape plan, prepared by Absolute Design Group Pty Ltd, Issue E, dated May 2019, shall be amended to replace the trees indicated by “SS” *Melaleuca Linearifolia* (Common name: Snow in Summer) with any of the following trees:

- *Melaleuca bracteata*;
- *Melaleuca decora*;
- *Melia azedarch*;
- *Brachychiton acerifolium*;
- *Hymenosporum flavum*;
- *Melaleuca quinquenervia*;
- *Eucalyptus scoparia*;
- *Angophora bakeri*;or
- *Brachychiton populneus*.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

This shall be done to the satisfaction of the PCA

**3. Works at no cost to Council**

All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Liverpool City Council.

**B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**

**The following conditions are to be complied with or addressed prior to the issue of a Construction Certificate by the Principal Certifying Authority.**

**4. Section 7.11 Payment (Liverpool Contributions Plan 2009)**

As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment is imposed in accordance with Liverpool Contributions Plan 2009 as amended.

The total contribution is **\$19,019** and will be adjusted at the time of payment in accordance with the contribution plan.

A breakdown of the contributions payable is provided in the attached payment form.

Estimated Land Acquisition Cost per square metre published by the Council at the time of granting the development consent.

The Contributions Plan may be inspected online at [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au)

Payment must be accompanied by the attached form.

**5. Comply with EP&A Act**

The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000, must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of 'on-the-spot' penalty infringements or service of a notice and order by Council.

**6. Fee Payments – Land Development**

Unless otherwise prescribed by this consent, all relevant fees or charges must be paid. Where Council does not collect these payments, copies of receipts must be provided. For the calculation of payments such as Long Service Levy, the payment must be based on the value specified with the Development Application/Construction Certificate.

The following fees are applicable and payable:

- a) Damage Inspection Fee – relevant where the cost of building work is

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- \$20,000 or more, or a swimming pool is to be excavated by machinery,
- b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve, and
- c) Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works. The required Long Service Levy payment, under the Building and Construction Industry Long Service Payments Act 1986, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 6.8 of the Environmental Planning & Assessment Act 1979.

These fees are reviewed annually and will be calculated accordingly.

**7. Retaining Walls on Boundary**

All retaining walls shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures.

Where a retaining wall exceeds 600mm in height, the wall shall be designed by a practicing structural engineer and a construction certificate must be obtained prior to commencement of works on the retaining wall.

**8. National Construction Code**

All aspects of construction shall comply with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:

- (a) Complying with the Deemed to Satisfy Provisions; or
- (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

**9. Notification**

The certifying authority must advise Council, in writing of:

- a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or
- b) The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

**10. S138 Roads Act – roadworks requiring approval of civil drawings**

Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

Liverpool City Council (being the Roads Authority under the Roads Act), for provision of vehicular crossing and stormwater connection to existing drainage system in Craig Avenue.

Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, Austroad Guidelines and best engineering practice.

Note: Where Liverpool City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.

**11. On-Site Detention**

On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by: Smart Structures Australia, reference number: 180163, revision: B, dated: 12-07-2018.

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Liverpool City Council's Design Guidelines and Liverpool City Council's On-Site Stormwater Detention policy and Technical Specification.

**12. Water Quality**

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that details of a stormwater pre-treatment system have been provided on the stormwater plans and that the design meets pollutant retention criteria in accordance Council's Development Control Plan.

The Construction Certificate must be supported by:

- a) Specification & installation details of the stormwater pre-treatment system
- b) The approval of an operation and maintenance manual/ schedule for the stormwater pre-treatment system

A copy of the approved operation and maintenance manual/ schedule shall be submitted to Liverpool City Council with notification of the Construction Certificate issue.

**13. Dilapidation Report**

A dilapidation report of all infrastructure fronting the development in Craig

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

Avenue is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.

**14. Cladding**

Prior to issue of a construction certificate the certifier must be satisfied that all proposed attachments, cladding material and systems forming part of external walls comply with the NCC BCA and relevant Australian Standards. The certifier must be able to demonstrate compliance with evidence of suitability as per clause A2.2 of the BCA for all products/systems proposed.

**15. Driveway/Services – Location**

Driveways entry points must be located clear of all utility services. It is recommended that discussion be held with the relevant authorities before construction works commence. Council does not accept any responsibility towards these services.

**16. Driveway/Services – Design**

Driveways are to conform to Council standard requirements for vehicle crossings as detailed in Council's Design and Construction Specifications for Subdivisions (as amended) and as per the requirements in Council's DCP.

**17. Driveway/Services – Service Network**

The applicant is to arrange with the appropriate service provider for any above ground service riser or access point to be constructed clear of any proposed or existing pedestrian footways, and if possible, located in recessed unobtrusive locations. Should any service provider require and/or insist the applicant/developer build a service riser that would create an obstruction and pose a potential safety hazard, then the applicant/developer should refer the request to Council for negotiation directly with the Service Network Authority.

**18. Garbage Services**

The developer/owner of the site is to contact Liverpool Council's Waste Management Section to determine the required number of waste and recycle bins for the residential component of the development as well as servicing requirements. These waste and recycle bins are to be kept at all times within the residential waste storage rooms except before and after collection days. Waste and Recycle bins are to be returned to the storage rooms within 24 hours of collection.

**19. BASIX**

Prior to the release of any Construction Certificate, the applicant is to provide an updated BASIX Certificate to the satisfaction of the PCA.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**20. Access Car Parking and Manoeuvring – General**

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Liverpool City Council's Development Control Plan.

**21. Provision of Services – Sydney Water**

An application to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994, must be lodged with Sydney Water. To facilitate this, an application must be made through an authorised Water Servicing Coordinator. Please refer to the "building and developing" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au), or telephone 13 20 92.

Following receipt of the application, a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of the 'Notice of Requirements' must be submitted to the PCA.

**22. Provision of Services – Endeavour Energy**

Written clearance from Endeavour Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development must be submitted to the PCA.

**23. Provision of Services – Telecommunications**

Prior to the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following requirements of the Telecommunications Act 1997:

- a) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and
- b) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

**24. Access**

Access must be provided to the building for people with a disability in accordance with the relevant requirements of the Building Code of Australia, Disability (Access to Premises – Buildings) Standard 2010 and Australian Standard – AS1428.1 (2009), Design for Access and Mobility – General

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

requirements for new building work, to the satisfaction of the Certifying Authority.

**C. PRIOR TO WORKS COMMENCING**

**The following conditions are to be complied with or addressed prior to works commencing on the subject site/s:**

**25. Construction Certificates**

Any CC that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.

**26. Construction Certificates**

Prior to the commencement of any building works, the following requirements must be complied with:

- a) Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*,
- b) Where a Construction Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Act,
- c) A copy of the Construction Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment,
- d) A Principal Certifying Authority (PCA) must be appointed to carry out the necessary building inspections and to issue an occupation certificate, and

The PCA must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given.

**27. Notification**

Written notice of intention shall be given to the owner of the adjoining allotments of land, outlining the particulars of the proposed work, which involves:

- a) Any excavation, below the base of the footings of a building on an adjoining allotment of land, and
- b) The notice shall be given seven (7) days prior to the commencement of work.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**28. Demolition Works**

Demolition works shall be carried out in accordance with the following:

- a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials,
- b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council, and
- c) The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.

**29. Excavation**

In the event the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the following is to be undertaken at full cost to the developer:

- Protect and support the adjoining premises from possible damage from the excavation, and
- Where necessary, underpin the adjoining premises to prevent any such damage.

**30. Construction Requirements**

Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer. Retaining walls on any boundary are to be of masonry construction.

**31. “DIAL BEFORE YOU DIG”**

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

property via contacting the Dial before you dig service in advance of any construction or planning activities.

**32. Site Facilities**

Adequate refuse disposal methods and builder's storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.

**33. Residential Building Work**

Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be commenced unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the name and licence number of the principal contractor; and the name of the insurer by which the work is insured under Part 6 of that Act.

**34. Sydney Water**

Development plans must be processed and approved by Sydney Water.

**35. Waste Classification and Disposal of Contaminated Soil and Material**

All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and certified consultant, in accordance with the *Protection of the Environment (Waste) Regulation 2014* and related guidelines, in particular the *NSW EPA Waste Classification Guidelines*, prior to off-site disposal.

All Waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to the Principal Certifying Authority with 30 days of the waste being disposed.

All waste must be transported by a contractor licenced to transport the specific waste, and in vehicles capable of carting the waste without spillage, and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

**36. Sediment and Erosion Control**

Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the *Protection of the Environment Operations Act 1997* and Landcom's publication "*Managing Urban Stormwater – Soils and Construction (2004)*" – also known as "The Blue Book".

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**37. Traffic Control Plan**

Prior to commencement of works, a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "*Traffic Control Devices for Works on Roads*" and the Roads and Traffic Authority's publication "*Traffic Control at Worksites*" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council.

## **D. DURING CONSTRUCTION**

**The following conditions are to be complied with or addressed during construction:**

**38. Building Work**

The building works must be inspected by the Principal Certifying Authority, in accordance with Sections 6.5 (3) of the Environmental Planning & Assessment Act 1979 and Clause 162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

**39. Building Work**

The Principal Certifying Authority (PCA) must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the PCA, prior to proceeding to the subsequent stages of construction or finalisation of the works.

**40. Excavation**

In the event the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

1. protect and support the adjoining premises from possible damage from the excavation,
2. where necessary, underpin the adjoining premises to prevent any such damage, and
3. a and b above does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer.

**41. Refuse Disposal**

Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.

**42. Notification of Damage**

The applicant/builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.

**43. Disabled Access**

Access, parking and facilities for persons with disabilities to be provided in accordance with the provisions of the National Construction Code.

**44. Aboriginal Relics/Artefacts**

If any Aboriginal relics/artefacts are uncovered during the course of any construction works including demolition, work is to cease immediately. Government agencies shall be contacted and no further work shall be undertaken until relevant assessments/approvals/ salvage excavation has been undertaken and permission is given by the relevant authorities to re commence works.

**45. Vegetation – Existing Vegetation**

All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.

**46. Unidentified Contamination**

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be immediately notified to Council and the Principal Certifying Authority in writing.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

A Section 4.55 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

**47. Waste Management Plan**

The Waste Management Plan submitted to and approved by Council must be adhered to at all times throughout all stages of the development. Supporting documentation (receipts/dockets) of waste/recycling/disposal methods carried out, is to be kept and must be produced upon the request of Council or any other authorised officer.

Note: Any non-compliance with this requirement will result in penalties being issued.

**48. Air Quality – Dust Screens**

Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.

**49. Air Quality – Vehicle Movement**

All vehicles involved in the delivery, demolition or construction process departing from the property shall have their loads fully covered before entering the public roadway.

**50. Termite Protection**

To protect the buildings from subterranean termite, termite barriers must be installed in accordance with AS 3660.1 to the underside and penetrations of the concrete slab floor. In addition a durable notice must be permanently fixed inside the metre box indicating:

1. the method of protection,
2. the date of installation of the system,
3. where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label, and
4. the need to maintain and inspect the system on a regular basis.

Certification from a licensed pest controller shall be submitted to the PCA certifying that the termite protection system installed complies with AS3660.1.

**51. Erosion Control – Measures**

Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

**52. Car Parking Areas**

Car parking spaces and driveways must be constructed of a minimum of two coat finish seal or better. The spaces must be clear of obstructions and

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

columns, permanently line marked and provided with adequate manoeuvring facilities. The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off Street Car Parking.

All car parking areas to be appropriately line marked and sign posted in accordance with the approved plans. All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.

The on-site parking spaces shown in the approved plans must be identified in accordance with A.S.2890.1 Parking Facilities – Off-Street Car Parking.

Directional signage indicating the location of customer parking, "in" and "out" crossings and directional arrows are to be provided in accordance with the approved plans.

**53. Drainage Connection**

Prior to the connection of private drainage to Council's drainage system, an inspection is to be carried out by Liverpool City Council's Development Engineering Unit. A fee will be charged in accordance with Council's adopted Fees and Charges, and is to be paid prior to the inspection.

**54. Toilet Facilities**

Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:

- a) be a standard flushing toilet connected to a public sewer, or
- b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- c) be a temporary chemical closet approved under the *Local Government Act 1993*.

**55. Site Notice Board**

A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign is to be maintained during work, and removed at the completion of work. The sign must state:

- a) the name, address and telephone number of the principal certifying authority for the work,
- b) the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) Unauthorised entry to the premises is prohibited.

**56. Building Work**

The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PCA has been supplied with an identification

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels and setbacks to boundary/boundaries. The slab shall not be poured, nor do works continue, until the PCA has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.

- a) In the event that Council is not the PCA, a copy of the survey shall be provided to Council within three (3) working days.

**57. Demolition Inspections**

The following inspections are required to be undertaken by Council in relation to approved demolition works:

- a) Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos. The applicant shall also notify the occupants of the adjoining premises and WorkCover NSW prior to the commencement of any works,

*Please note that demolition works are not permitted to commence on site until such time as a satisfactory inspection result is obtained from Council, and*

- b) Immediately following completion of the demolition. Please note that proof of appropriate disposal of demolition materials (including asbestos) may be required at this time in accordance with the approved Waste Management Plan.

To book an inspection with Council, please call 1300 362 170.

**58. Removal of Dangerous and/or Hazardous Waste**

All dangerous and/or hazardous material shall be removed by a suitably qualified and experienced contractor, licensed by SafeWork NSW. The removal of such material shall be carried out in accordance with the requirements of SafeWork NSW. The material shall be transported and disposed of in accordance with NSW Environment Protection Authority requirements.

**59. Identification Survey Report**

The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PCA has been supplied with an identification survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels and setbacks to boundary/boundaries. The slab shall not be poured, nor do works continue, until the PCA has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.

In the event that Council is not the PCA, a copy of the survey shall be provided to Council within three (3) working days.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**60. Security Fence**

A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.

Note. Fencing is not to be located on Council's reserve area.

**61. Hours of Construction, Work and Deliveries**

Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

**62. Car Parking Areas**

Car parking spaces and driveways must be constructed of a minimum of two coat finish seal or better. The spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities. The design of these spaces must comply with *Council's DCP 2008*, and *Australian Standard 2890.1 Parking Facilities – Off Street Car Parking*.

All car parking areas to be appropriately line marked and sign posted in accordance with the approved plans. All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.

The on-site parking spaces shown in the approved plans must be identified in accordance with *A.S.2890.1 Parking Facilities – Off-Street Car Parking*.

**63. Traffic Management**

Construction activities affecting adjoining road reserves require submission of a road occupancy application to Council along with traffic control plan/s and public liability insurance. The traffic control plan/s must be prepared by a qualified professional and to be in accordance with the *RMS Traffic Control at Worksites Manual*, the *Austroads Guide to Traffic Management*, the *RMS Supplements for Austroads Guide to Traffic Management* and *Australian Standard 1742*.

If a Works Zone is required, an application is to be made to Council's Traffic & Transport Section for approval. The application form can be found at <http://www.liverpool.nsw.gov.au/council/Fees-Forms-Policies-and-Enforcement/forms>

**64. General Site Works – Surface Contours**

Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**65. General Site Works – Roofwater**

All roofwater is to be connected to the existing stormwater system.

**66. General Site Works – Stormwater Connection**

Stormwater pipeline connections to the street kerb shall be constructed in the following manner:

- a) the kerb shall be saw cut on both sides of the proposed pipe outlet,
- b) an approved rectangular kerb adaptor shall be installed with the base matching the invert level of the gutter, and
- c) The kerb shall be reinstated to its original profile using a cement mortar containing an epoxy additive for adherence to the existing kerb.

**67. General Site Works – Existing Hydrology**

Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site.

**68. General Site Works – Runoff**

Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and of a similar rate of flow to present levels.

**69. General Site Works – Sediment**

The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.

**70. Contamination**

The development, including all civil works and demolition, must comply with the requirements of the *Contaminated Land Management Act, 1997*, *State Environmental Planning Policy No. 55 – Remediation of Land*, and *Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998)*.

**71. Imported Fill Material**

Filling material must be limited to the following:

- a) Virgin excavated natural material (VENM)
- b) Excavated natural material (ENM) certified as such in accordance with Protection of the Environment (Waste) Regulation 2014; and/or
- c) Material subject to a Waste Exemption under Clause 91 and 92 Protection of the Environment Operations (Waste) Regulation 2014 and recognised by the NSW Environment Protection Authority as being “fit for purpose” with respect to the development subject of this application.

Certificates proving that the material imported is ENM or VENM must be provided to the Principal Certifying Authority prior to filling. Certificates are to be provided to Council officers if and when requested.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

Fill imported on to the site must be compatible with the existing soil characteristic for site drainage purposes.

**72. Record Keeping of Imported Fill**

Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works:

- a) the course (including the address and owner of the source site), nature and quantity of all incoming loads including the date, the name of the carrier, and the vehicle registration,
- b) the results of a preliminary contamination assessment carried out on any fill material used in the development, and
- c) the results of any chemical testing of fill material.

**E. PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

**The following conditions are to be complied with or addressed prior to issue of either an Interim or Final Occupation Certificate by the Principal Certifier (PC):**

**73. Occupation Certificate**

The premises must not be utilised until an Occupation Certificate is issued by the principal certifier.

**74. Liverpool City Council Clearance – Roads Act/Local Government Act**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Liverpool City Council.

**75. Works as Executed – General**

Prior to the issue of an Occupation Certificate, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Liverpool City Council's *Design Guidelines and Construction Specification for Civil Works*.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Liverpool City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

**76. Stormwater Compliance**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the:

- a) On-site detention system/s,
- b) Stormwater pre-treatment system/s,



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings.

**77. Rectification of Damage**

Prior to the issue of an Occupation Certificate, any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be rectified at no cost to Liverpool City Council.

Any rectification works within Craig Avenue will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

**78. Restriction as to User and Positive Covenant**

Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the following shall be registered on the title of the property:

- a) On-site detention system/s,
- b) Stormwater pre-treatment system/s,

The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed in Liverpool City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

**79. Footpaths**

Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on one side of all residential access roads and both sides of all collector and distributor roads. Path paving will not be required in minor cul-de-sac with less than fifteen lots.

**80. Display of Street Numbers**

Street numbers must be prominently displayed at the front of the development in a contrasting colour to the building materials and at the front of each individual unit to comply with the Local Government Act 1973, Section 124(8). The number should be a minimum height of 120mm and be visible at night

**81. Certificates**

A single and complete Fire Safety Certificate, certifying the installation and operation of all of the fire safety measures within the building must be submitted to Council with the Occupation Certificate.

**82. Certificates**

The Principal Certifying Authority shall ensure that all compliance certificates required by this development consent are referenced to the condition consent number. The Compliance Certificate is to state that the works as constructed comply fully with the required condition of consent being acted on by the certifier.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**83. Landscape**

Upon completion of the approved landscape works associated with the development and prior to the issue of any OC, an Implementation Report is to be submitted to the PCA attesting to the satisfactory completion of the landscape works in accordance with the approved landscape plan. The report is to be prepared by a suitably qualified person.

**84. Liverpool City Council Clearance – Roads Act/Local Government Act**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Liverpool City Council.

**85. Works as Executed - General**

Prior to the issue of an Occupation Certificate, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Liverpool City Council's *Design Guidelines and Construction Specification for Civil Works*.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Liverpool City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

**86. Section 73 Sydney Water Certificate**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained for submission to the PCA prior to issue of Occupation certificate.

**87. BASIX**

Supporting documentation issued by a suitable qualified person who has installed or carried out the works associated with the BASIX commitments shall be submitted to Council.

**88. Road Works**

All redundant vehicular crossings shall be removed and replaced with Council's standard kerb and gutter at no cost to Council. The removal and replacement of a driveway with standard integral kerb and gutter shall be the subject of a driveway application to Council and works supervised by that driveway inspection process.

**89. Cladding**

Prior to issuing an occupation certificate the principal certifier must be satisfied that suitable evidence has been provided to demonstrate that the external wall cladding material and system is consistent with the consent documentation, NCC and relevant Australian Standards.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**F. PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**

**The following conditions are to be complied with or addressed prior to issue of a Subdivision Certificate by Council:**

**90. Completion of Subdivision Works**

Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Liverpool City Council for any outstanding works.

**91. Linen Plans and 88B Instruments**

In order to enable a Subdivision Certificate to be issued for submission to the LPI Service, the applicant is required to lodge a separate application along with one (1) original and ten (10) copies of the proposed plan of subdivision and one (1) original and two (2) copies of the proposed 88b instrument (where proposed).

**92. Linen Plans and 88B Instruments**

The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.

**93. Linen Plans and 88B Instruments**

The final plan of subdivision must be supported by an 88B instrument to the approval of Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the plans forming part of the consent, and Council's standards, codes and policy's. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council.

**94. Service Providers**

The following documentation is to be provided prior to the release of the subdivision certificate:

- a) Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development is to be submitted to the PCA prior to the issue of a Subdivision Certificate.

Council will not issue a Subdivision Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. Council will not accept any temporary facilities to service the site, including pump-out wet-wells.

- b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- c) Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:
- i. The requirements of the Telecommunications Act 1997;
  - ii. For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
  - iii. For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connections of optic fibre technology telecommunications.

**95. Kerb and Gutter Restoration**

The redundant laybacks are to be removed and the kerb and gutter restored to Council's standard.

**G. CONDITIONS RELATING TO USE**

**The following conditions relate to the ongoing use of the premises:**

**96. Car Parking**

A total of fourteen (14) car parking spaces, inclusive of two (2) visitor spaces must be provided at the site at all times.

**97. Car Parking**

All parking areas shown on the approved plans must be used solely for this purpose.

**98. Landscaping**

Landscaping shall be maintained in accordance with the approved plan, in a healthy state and in perpetuity by the existing or future owners and occupiers of the development.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed.

An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained.

**99. Graffiti**

Any graffiti carried out on the property shall be removed, within 48 hours, at full cost to the owner/occupier of the site.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**H. ADVISORY**

- a) Section 8.2, 8.3, 8.4 & 8.5 allows Council to reconsider your proposal. Should you wish to have the matter reconsidered you should make an application under that section with the appropriate fee.
- b) Under Section 8.7 & 8.10 of the Act applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within six (6) months from the date of this notice. The Court's Office is situated at Level 1, 225 Macquarie Street, Sydney (Telephone 9228 8388), and the appropriate form of appeal is available from the Clerk of your Local Court.
- c) In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five years of the date of this notice.
- d) To confirm the date upon which this consent becomes effective, refer to Section 4.20 of the Environmental Planning and Assessment Act, 1979. Generally the consent becomes effective from the determination date shown on the front of this notice. However if unsure applicants should rely on their own enquiries.
- e) To confirm the likelihood of consent lapsing, refer to Section 4.53 of the Act. Generally consent lapses if the development is not commenced within five years of the date of approval. However if a lesser period is stated in the conditions of consent, the lesser period applies. If unsure applicants should rely on their own enquiries.
- f) In accordance with Section 8.8 and 8.10 of the Environmental Planning and Assessment Act 1979, an objector who is dissatisfied with the determination of a consent authority to grant consent to a development application for designated development (including designated development that is integrated development), may, within 28 days after the date on which the application is taken to have been determined, appeal to the Land and Environment Court.
- g) The approval of this application does not imply or infer compliance with the Disability Discrimination Act and that the developer should investigate their liability under the Act.
- h) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regards to the operation of the building.
- i) "DIAL BEFORE YOU DIG"

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

j) **TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- k) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential affect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.
- l) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.
- m) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
- n) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

27<sup>th</sup> May 2019

**ATTACHMENT 2 – SECTION 7.11 PAYMENT FORM**

**CONTRIBUTIONS PURSUANT TO SECTION 7.11 OF THE ENVIRONMENTAL  
PLANNING & ASSESSMENT ACT, 1979**

**Liverpool Contribution Plan 2009**

**Note to the applicant:**

When remitting payment as specified in the Conditions of Consent to the approval, this Form must be submitted with your payment.

**These figures have been calculated to the current March 2019 CPI quarter and will be adjusted at the time of payment in accordance with the conditions of consent.**

**APPLICATION NO.:**

**DA-745/2018**

**APPLICANT:**

**ABSOLUTE DESIGN GROUP P/L**

**PROPERTY:**

**5-7 CRAIG AVENUE, MOOREBANK NSW 2170**

**Lot 8 & 9, DP 230270**

**PROPOSAL:**

**Proposed demolition of existing dwelling and proposed medium density development approval including six (6) dwellings and strata subdivision**

<b>195.</b>	<b><u>Amount (\$)</u></b>	<b><u>Job No.</u></b>
<b>Liverpool Contributions Plan 2009</b>		
Whitlam Centre Extensions	\$935	GL.10000001869.10110
Central Library Extensions	\$635	GL.10000001870.10112
Powerhouse	\$541	GL.10000001870.10114
District Community Facilities		
Eastern	\$853	GL.10000001870.10098
District Recreation		
Eastern	\$3,165	GL.10000001869.10092
Local Recreation		
Moorebank	\$12,659	GL.10000001869.10100
Administration	\$229	GL.10000001872.10104
<b><u>TOTAL</u></b>	<b><u>\$19,017</u></b>	

----- **OFFICE USE ONLY** -----

**RECORD OF PAYMENT**

**Total Amount paid:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Receipt No.:** \_\_\_\_\_ **Cashier**

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

Item No:	2
Application Number:	RZ-7/2018
Proposal:	Planning proposal to rezone site from B5 (Business Development) to B4 (Mixed-Use) And R4 (High Density Residential)
Property Address	240 Governor Macquarie Drive, Warwick Farm
Legal Description:	Lot 1 DP1162276
Applicant:	WFC Projects Pty Ltd
Land Owner:	Warwick Farm Central Pty Ltd
Recommendation:	Not Proceed To Gateway
Assessing Officer:	Stephen Kerr, City Plan Strategy and Development

## **2. EXECUTIVE SUMMARY**

This report details the planning proposal submitted by Warwick Farm Central for Lot 1 Governor Macquarie Drive, Warwick Farm (Lot 1 DP 1162276).

The planning proposal as submitted seeks to amend the Liverpool Local Environmental Plan (LLEP) 2008 to rezone the site from B5 Business Development to part B4 Mixed Use and part R4 High Density Residential. The planning proposal seeks to amend the floor space ratio (FSR) development standard from 0.75:1 to 3:1 and the height of building (HOB) development standard from 15 metres to 50 metres. The planning proposal also seeks an amendment to the minimum subdivision lot size from 2 hectares to 1,000m<sup>2</sup>.

The planning proposal would facilitate development of the subject site to accommodate approximately 830 residential units in residential flat buildings varying from 4 to 15 storeys in height. The development would include up to 5,000m<sup>2</sup> of commercial retail space and 7,000m<sup>2</sup> of open space.

This planning proposal presents an amended version of a planning proposal (PGR\_2017\_LPOOL\_001\_00) previously submitted by Warwick Farm Village Pty Ltd for the site. This planning proposal sought to similarly rezone the site to B4 Mixed Use and R4 High Density Residential with modifications to the FSR development standard from 0.75:1 to 3.5:1 and HOB development standard from 15 metres to part 45 metres and part 100 metres. The previous planning proposal was considered by the Sydney Western City Planning Panel on 5 February 2018 and was considered to demonstrate strategic merit, but not site specific merit.

Specifically, the panel determined,

“The proposal did not demonstrate adequate site specific merit because of the proposed excessive height and scale which is inappropriate in this location, and would be contradictory to the scale of residential development planned and emerging closer to the Liverpool CBD”. The panel further agrees that issues arising from the current heavy vehicular traffic on Munday Road [sic] and the flood affectation of the area are significant issues that would need to be resolved before any future rezoning”.

Section 3.8 of the Environmental Planning and Assessment Act 1979 (EP&A Act) requires



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

that in preparing a planning proposal, the planning proposal authority is to give effect to any district strategic plan (District Plan) applying to the local government area (LGA).

Since the determination of that planning proposal, the Greater Sydney Regional Plan 'A Metropolis of Three Cities' (Regional Plan) and the Western City District Plan (District Plan) have been finalised and published. The Liverpool Collaboration Area Place Strategy (Place Strategy) has also been finalised. The Place Strategy establishes a vision for the Liverpool Collaboration Area (Collaboration Area), which is designated in the District Plan. It identifies impediments and opportunities, sets priorities and identifies actions to deliver the vision. The Place Strategy's objectives and actions will be included in a future update to the District Plan giving them a statutory basis.

Section 3.8(2) of the EP&A Act requires planning proposals give effect to district strategic plans (i.e. the District Plan). It is considered that the amended planning proposal does not give effect to the District Plan and does not demonstrate strategic merit. There is a strong focus within both the Regional Plan and District Plan for the protection of 'urban services' land, including land zoned for B5 Business Development. Both the Regional Plan and District Plan safeguard urban services land against land use conflicts with non-compatible uses, such as residential use.

The provision of services and jobs close to businesses and where people live are considered critical to greater Sydney's productivity according to the District Plan. While the site is currently vacant, the current zoning of the site would facilitate urban services land. Both plans reaffirm maintaining a sufficient supply of employment land, particularly in areas such as Liverpool, where the projected long-term population of the area and future wider employment activities will increase demand for local industrial and urban services land.

Actions 51, 52 and 53 of the District Plan require that industrial and urban service land is retained, reviewed, planned and managed by Liverpool City Council to ensure there is sufficient land to service the growing population. The change of land use zoning from B5 Business Development to B4 Mixed Use and R4 High Density Residential would result in a loss of urban services land. The rezoning would undermine the requirement to plan and manage urban services land in Liverpool and will not respond to the identified need to retain these lands in response to long-term projected population and development growth.

Further, the Place Strategy recommends the site is suitable for innovation/ research/ health and advanced manufacturing activities. The Place Strategy identifies the site within the Munday Street precinct which is suitable as a high-tech, transit-orientated, advanced manufacturing business park that leverages growth of the health, education and equine sectors. Importantly, the Place Strategy stipulates the precinct should exclude residential development.

The planning proposal is considered to be inconsistent with the objectives and actions of the Regional Plan, District Plan and Place Strategy, specifically in relation to the loss of urban services land.

With regard to site-specific merit, the reasons for the refusal of the previous planning proposal have not been addressed and remain unresolved. In the absence of a broader integrated transport strategy and comprehensive flood studies, it is considered the planning proposal cannot be supported.

Action 1 of the Place Strategy identifies the preparation of an integrated transport strategy to establish the capacity and viability of land and infrastructure to support future growth within

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

the Collaboration Area. The Place Strategy states that existing transport constraints need to be addressed before further growth can occur. In this respect, the planning proposal is considered to be premature given the transport strategy, being led by Transport for NSW (TfNSW), is not due for completion until the end of 2019.

With regards to flooding, the Place Strategy indicates that future development close to Georges River must address flooding challenges. The Place Strategy requires a review and update of existing plans affecting the entire Collaboration Area to deliver confidence that flood risk is appropriately addressed. This requirement is captured in Actions 23 and 24 of the Place Strategy, requiring Council, alongside NSW State Emergency Service (NSWSES) and the Office of Environment and Heritage (OEH) to work together to prepare comprehensive flood studies, floodplain risk management plans, a floodplain constraints categorisation study and a flood evacuation study. It is understood these studies will be finalised in 2019.

Given the significant flood constraints within the Collaboration Area, accurate flood mapping information and the production of the identified suite of flood reports is critical to make informed decisions about future development in the Collaboration Area. At this current time there is insufficient information with regards to flooding. Even if the planning proposal was deemed to have strategic merit, it would be considered to be premature given flooding investigations have not yet been undertaken and is not due for completion for at least 12 months.

On the basis that the planning proposal does not demonstrate strategic or site-specific merit, this report recommends the planning proposal does not proceed to Gateway Determination.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**2. SITE DESCRIPTION AND LOCALITY**

**The Site**

The site is a 2.93 hectare triangular shaped allotment located on Governor Macquarie Drive in Warwick Farm, approximately 1.5 kilometres north-east of the Liverpool city centre. The site is bound by Governor Macquarie Drive to the east, Munday Street to the south, Manning Street to the west and Warwick Street and the Hume Highway to the north. The site is located approximately 20 metres south of the Hume Highway and the entire site falls within 350 metres of Warwick Farm railway station, which is to the west.

The site is currently vacant but contains substantial tree cover. The western part of the site formerly contained eight residential properties, however these have been demolished and this part of the site is largely cleared.



**Figure 1: aerial image of subject site**

The subject site is surrounded by a variety of different land uses. The area immediately to the south of the site is zoned R2 Low Density Residential and contains horse stables and training facilities, interspersed with homes. Further to the south is an industrial area zoned IN1 General Industrial which contains the Sydney Water Sewerage Treatment Facility, Hannanprint NSW Printing Facility, Visy Warehouse and Distribution Centre and Liverpool Hospital's bulk distribution facilities. To the west of the site lies a small cluster of residential development, with Warwick Farm railway station beyond. The Hume Highway lies directly north of the site, with the Sappho Road sub precinct, an industrial area, beyond. Governor Macquarie Drive is located to the east of the site, with Warwick Farm racecourse beyond.



**Figure 2: Location Plan**

### **3. DETAILS OF THE PROPOSAL**

#### **Background**

The subject site was previously part of the Australian Turf Club (ATC) Warwick Farm Racecourse landholding. To improve the racecourse facilities, the ATC underwent a rationalisation of their landholdings and disposed of residual land to assist in consolidating and financing upgrades to the racecourse and thoroughbred horse facilities.

Liverpool Local Environmental Plan (LLEP) 2008 (Amendment 18) was gazetted on 9 December 2011 and rezoned the subject site from part RE2 Private Recreation and part R2 Low Density Residential to B5 Business Development. A VPA applying to the site (between the ATC and Council) required upgrades to the intersection of Governor Macquarie Drive and Munday Street, including traffic lights to accommodate additional traffic volumes. The amendment was supported by Council on the grounds that there was a local and regional level demand for bulky goods retailing.

Following LLEP 2008 (Amendment 18), development consent was granted in February 2013 (DA-1321/2011) for a home improvement centre (a Masters home improvement outlet). However, the development consent has not been acted upon.

In November 2015, a planning proposal was lodged with Council by Warwick Farm Village Pty Ltd which sought a 4.5:1 FSR accommodating approximately 1400 residential units and 2,500m<sup>2</sup> of retail floor space with maximum building heights up to 100m or up to 30 storeys in height. Identified adverse impacts included the scale of the proposal, shadowing, traffic conflicts, existing land use conflicts and flooding constraints. The applicant subsequently revised the planning proposal and resubmitted to Council in October 2016.

The revised Planning Proposal sought the following amendments:

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- Rezone the site from B5 Business Development to Part R4 High Density Residential and Part B4 Mixed Use.
- Amend the maximum HOB Control for the site from 15m to part 45m and part 100m;
- Increase the maximum FSR for the site from 0.75:1 to 3.5:1 (to facilitate approximately 950 residential units); and
- Insert an additional use clause, allowing for up to 5,000sqm of retail floor space.

On 22 February 2017, Council resolved to defer consideration of the planning proposal until Council adopted a broader precinct-wide strategy for the Warwick Farm Precinct. The Draft Warwick Farm Precinct strategy was prepared in July 2017 and recommended Council do not support the planning proposal. The draft strategy (which has not been adopted by Council) concludes the most appropriate land use for the subject site and the entire precinct is for employment purposes.

At its Ordinary Meeting of 26 July 2017, Council resolved to support a modified proposal having a maximum FSR of 2:1 equating to approximately 500 residential dwellings.

However, at the Ordinary Meeting of 30 August 2017, a rescission motion was successfully carried, withdrawing Council's previous decision to support a modified proposal. Later in the same meeting, Council resolved the following:

That Council endorses a vision for mixed use development comprising employment, housing and retail for the Warwick Farm Precinct.

Nevertheless, as a result of the success of the rescission motion, there was no resolution from Council as to how to proceed with the planning proposal. Consequently, the applicant submitted a Rezoning Review as Council did not indicate its support for the proposal within 90 days of the applicant submitting its initial request with Council.

On 5 February 2018 the Sydney Western City Planning Panel determined the planning proposal should not proceed for a Gateway Determination because it has demonstrated strategic merit (at the time) but not site specific merit. Specifically, the panel considered the proposed height and scale was excessive and inappropriate in this location and would be contradictory to the scale of residential development planned and emerging closer to the Liverpool CBD. The Panel further agreed that issues arising from the current heavy vehicular traffic on Munday Street and the flood affectation of the area would need to be resolved before any future rezoning.

### **The Proposal**

This planning proposal seeks to amend the LLEP to facilitate a mixed-use development comprising residential development, commercial development and open space. It is envisaged that the development could support approximately 830 dwellings, 5000m<sup>2</sup> of retail commercial floor space and 7,000m<sup>2</sup> of open space.

The proposal is to be achieved by the following amendments to the LLEP:

- An amendment to the Land Zoning Map to rezone the site from B5 Business Development to part B4 Mixed Use and part R4 High Density Residential (Shown in Figure 3);
- An amendment to the FSR Map from 0.75:1 to 3:1;
- An amendment to the HOB Map from 15 Metres to 50 Metres; and
- An amendment to the Lot Size Map from 2 Hectares to 1,000m<sup>2</sup>



Figure 3: Proposed Land Zoning Map submitted by the applicant

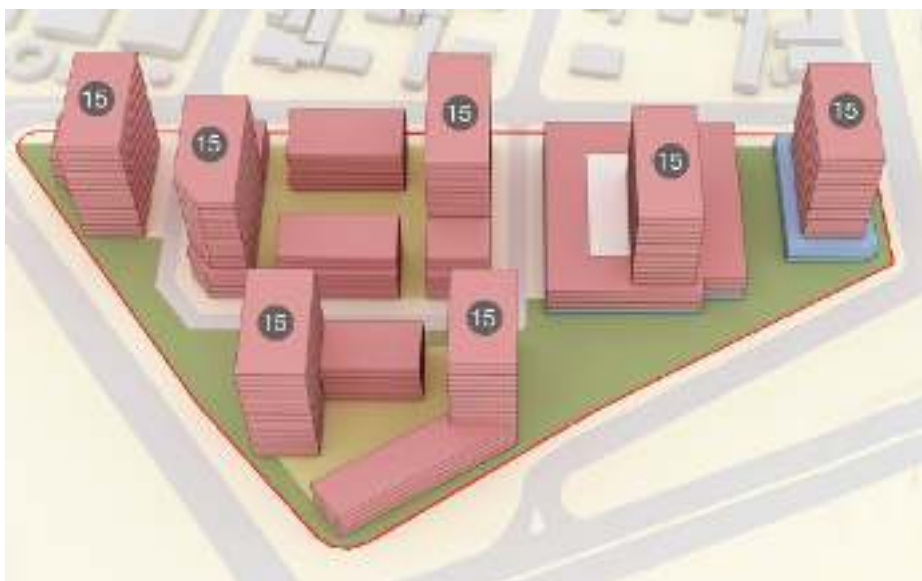


Figure 4: Proposed Massing

#### 4. CONSIDERATIONS FOR STRATEGIC MERIT

##### Section A – Need for the planning proposal

The Department's A guide to preparing planning proposals includes the following questions to justify the proposal (section A, q1 and q2).

**1. Is the planning proposal a result of any strategic study or report?**

The planning proposal is not the result of any strategic study.



**LIVERPOOL CITY COUNCIL**

**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The proposed range of uses and modifications to development standards would require amendment to LLEP 2008. The planning proposal would be required to achieve these objectives.

**Section B – Relationship to strategic planning framework**

The Department's A guide to preparing planning proposals includes the following question to delineate consistency with the NSW Strategic Planning Framework (Section B, Q3).

**3. Is the planning proposal consistent with the objectives and actions of the applicable regional, subregional or District Plan or strategy (including any exhibited draft plans or strategies)?**

Greater Sydney Regional Plan - A Metropolis of Three Cities

The Greater Sydney Regional Plan - A Metropolis of Three Cities (Regional Plan) was released in March 2018 and is the first Regional Plan prepared by the Greater Sydney Commission (GSC). The plan encompasses a global metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City. It is envisioned that people of greater Sydney will live within 30 minutes of their jobs, education and health facilities, services and great places. Liverpool is located within the Western Parkland City and is identified as a metropolitan cluster and health and education precinct.

Consistency with the relevant parts of the Regional Plan is assessed below.

**Table 1: Consistency with The Regional Plan**

<i>Objective 7 – Communities are healthy, resilient and socially connected</i>	Warwick Farm has limited social infrastructure and does not contain any supporting shops or services required for a high density residential population. Whilst the proposal would provide 5,000m <sup>2</sup> of commercial retail floorspace, there would remain an inadequate supply of social and physical infrastructure including education, healthcare and recreation facilities to sustain the level of density as proposed. The planning proposal would not support a well-planned neighbourhood which contains a variety of infrastructure and services for socially connected communities.
<b>Housing the city</b>	
<i>Objective 10 – Greater housing supply</i>	The planning proposal would lead to the provision of additional housing supply and choice within Liverpool, in a location within close proximity to a railway station.
<i>Objective 11 – Housing is more diverse and affordable</i>	The planning proposal includes 5% affordable housing equating to approximately 41 dwellings.
<b>A city of great places</b>	
<i>Objective 12 – Great places that bring people together</i>	The planning proposal proposes 7,000m <sup>2</sup> of open space which equates to approximately 23.8% of the site area. Any future development on the site would require approximately 7,325m <sup>2</sup> (25% of the site area) to be provided as communal open space in accordance with the Apartment Design Guide (ADG). However, this does not take into account open space which could be provided as additional public open space. In this

	<p>respect, the amount of open space proposed is considered insufficient.</p> <p>Further, there is currently no social infrastructure within the vicinity of the site and there is poor accessibility to public open spaces from the subject site, particularly to the public open spaces which are located on the north side of Hume Highway and west of Warwick Farm railway station.</p> <p>The inadequate provision of open space and the proximity to social infrastructure is inconsistent with this objective.</p>
A well-connected city	
<i>Objective 14 - A Metropolis of Three Cities – Integrated Land Use and Transport creates walkable and 30-minute cities</i>	Within 30 minutes of the site, major employment destinations including Liverpool, Parramatta and Bankstown can be reached by train and bus connections. Equally, within a 30-minute catchment, a large residential population can access Warwick Farm and its employment uses.
Jobs and skills for the city	
<i>Objective 23 – Industrial and urban services land is planned, retained and managed</i>	<p>The Regional Plan identifies B5 Business Development zoned land as 'urban services' land. Urban services land is used to describe a wide range of industries that locate in cities and enable the city to develop and its businesses and residents to operate. The Regional Plan safeguards urban services land against land use conflicts with non-compatible uses, such as residential use.</p> <p>The provision of services and jobs close to businesses and where people live are considered critical to greater Sydney's productivity. While the site is currently vacant, the current B5 zoning of the site has the ability to facilitate urban services development. The Regional Plan reaffirms maintaining a sufficient supply of land, particularly in areas such as Liverpool, where the likely long-term population of the area and future wider employment activities will increase demand for local industrial and urban services land. The site with its current B5 Business Development zoning is capable of meeting future need for urban services land in Liverpool.</p> <p>Further, the site's location adjacent to Warwick Farm railway station and close proximity to the health and education precinct and the Liverpool CBD is important in fostering and enabling the development of the 30-minute city. The location of the site will provide a commensurate, integral role within the clustered metropolitan city structure envisaged for Liverpool.</p> <p>It is considered the change of zoning to B4 Mixed Use and R4 High Density Residential is inconsistent with Objective 23 of the Regional Plan.</p>

### Western City District Plan

Section 3.8 of the EP&A Act requires that the planning proposal authority gives effect to any district strategic plan applying to the LGA to which the planning proposal relates. The Western City District Plan provides a series of priorities and actions to guide development and accommodate the expected growth across the district the planning priorities and corresponding actions that are relevant to the planning proposal are provided in the table below:



Table 2: Consistency with the Western District Plan	
A city supported by infrastructure	
<i>Planning Priority W1 – Planning for a city supported by infrastructure</i>	The subject site is well positioned in relation to public transport, with Warwick Farm railway station located within approximately 350 metres, which provides access to employment, education and health services in Liverpool and the wider region. The proposal is generally consistent with the objectives and actions for this priority.
<i>Planning Priority W2 – Working through collaboration</i>	<p>The District Plan identifies the Liverpool Collaboration Area which includes Liverpool's CBD, the adjacent health and education precinct and nearby residential and industrial land areas. It considers the Warwick Farm Precinct, the Moorebank Intermodal Terminal, and the draft Georges River Masterplan.</p> <p>Collaboration Areas support land use and infrastructure planning and delivery in a place-based process led by the GSC. This place-based process includes:</p> <ul style="list-style-type: none"> <li>• identification and resolution of impediments to deliver the Regional and District Plans;</li> <li>• strategy drivers: productivity, liveability and sustainability;</li> <li>• coordinated investment and infrastructure alignment;</li> <li>• whole-of-government considerations; and</li> <li>• issue-specific demonstration focus.</li> </ul> <p>The Place Strategy has been collectively designed by the stakeholders involved in planning for the future of the Collaboration Area. The Place Strategy establishes a vision for the Collaboration Area and identifies impediments and opportunities, sets priorities and identifies actions to deliver the vision. The Place Strategy's objectives and actions will be included in future updates to the Western City District Plan giving them a statutory basis.</p> <p>An assessment of this planning proposal against the priorities, outcomes and actions of the Place Strategy is provided in <b>Table 3</b>.</p>
A city for people	
<i>Planning Priority W3 – Providing services and social infrastructure to meet people's changing needs</i>	<p>The site benefits from good accessibility to Warwick Farm railway station which provides onwards connections to key employment, education and services destinations.</p> <p>There is currently limited social infrastructure and no retail facilities for the community in Warwick Farm. The proposed future supermarket and smaller retail offerings would make a contribution in supporting the needs of future residents and the wider Warwick Farm community. However, the lack of wider social infrastructure and local services within the vicinity of the site would not support the needs of an additional 830 dwellings proposed as part of this planning proposal.</p>
<i>Planning Priority W4 – Fostering healthy, creative, culturally rich</i>	The planning proposal offers public open space as well as a through-site link from Warwick Farm railway station to

<i>and socially connected communities</i>	<p>Warwick Farm Racecourse with a shared pedestrian and cycle path.</p> <p>However, there is limited social infrastructure within the vicinity of the site and the existing street network does not provide direct, accessible and safe pedestrian and cycling connections from the site to schools, recreation facilities and shops and services.</p> <p>Due to the location of the site and the limited infrastructure within Warwick Farm, the planning proposal would be unable to foster a healthy, creative, culturally rich and socially connected community as envisaged by the District Plan.</p>
<b>Housing the city</b>	
<i>Planning Priority W5 - Providing housing supply, choice and affordability, with access to jobs, services and public transport</i>	<p>The planning proposal would support additional housing supply and housing choice, in a location which is close to existing transport, employment and education facilities.</p> <p>The planning proposal would deliver approximately 830 dwellings which would assist in meeting Liverpool City Council's five-year housing supply target identified as 8,250 additional dwellings. The delivery of 830 additional dwellings would represent a significant contribution to the dwelling target in a location which is appropriate for residential development.</p> <p>Building on Objectives 10 and 11 in the Regional Plan, the District Plan reaffirms the importance of providing a diversity of housing across the housing continuum. The proposal is supported by an offer to provide 5% of the dwelling yield as affordable rental housing. The provision is consistent with the intent of the Priority to provide housing for very low to low-income households.</p> <p>The Place Strategy identifies adequate opportunities to provide housing elsewhere in the Collaboration Area. High density residential development and mixed use development is considered suitable to the immediate north and south of the Liverpool CBD, with lower density residential development located to the north of Hume Highway. The Place Strategy identifies that the site is not suitable for residential development, but should be provided for employment use.</p>
<b>Jobs and skills for the city</b>	
<i>Planning Priority W9 – Growing and strengthening the metropolitan cluster</i>	<p>Liverpool forms part of the metropolitan cluster identified to provide concentrations of higher order jobs and a wide range of goods and services. The District Plan seeks to increase jobs within the Liverpool Collaboration Area and develop smart jobs around the health and education precinct. The Place Strategy aims to improve and coordinate transport and other infrastructure to support jobs growth. The proposal is inconsistent with the Place Strategy which envisages more intensive employment generating activity on the site and does not support residential development in this location.</p>

<p><i>Planning Priority W10 – Maximising freight and logistics opportunities and planning and managing industrial and urban services land</i></p>	<p>Building on Objective 23 of the Regional Plan, the District Plan reaffirms the importance of urban services land, such as the B5 zoning of the subject site, to serve local communities and businesses. The District Plan recognises that existing sites face pressure to rezone to residential uses, especially near Liverpool. However, the District Plan identifies that within the Liverpool LGA, industrial land should be planned and managed and additional industrial and urban services land should be provided in response to long-term projected population and development growth. The Place Strategy proposes this is achieved by Action 21 which protects employment land on the western side of Georges River (including the subject site) to support health-related advanced manufacturing, med-tech and educational facilities.</p> <p>The planning proposal is inconsistent with this planning priority. The change of land use zoning from B5 Business Development to B4 Mixed Use and R4 High Density Residential will result in a loss of employment urban services land. The rezoning will undermine the requirement to plan and manage urban services land in Liverpool and will not respond to the identified need to retain these lands in response to long-term projected population and development growth.</p> <p>In addition, the site is suitably located for urban services land and benefits from good local access to services which will reduce the need for people to travel to other areas and minimise congestion on the transport system.</p> <p>The planning proposal is inconsistent with this planning priority.</p>
---	--

### Liverpool Collaboration Area Place Strategy

The Place Strategy addresses strategic as well as site-specific issues. It was prepared by the Greater Sydney Commission in collaboration with Liverpool City Council, the Department of Planning & Environment, Transport for NSW and 15 other government and institutional stakeholders. An assessment against the relevant priorities and actions is undertaken below.

Table 3: Consistency with the Place Strategy	
Connectivity	
Priority 1: Plan for movement and place functions in Liverpool city centre, improve accessibility and walkability, and reduce congestion in and around the centre.	
<p><i>Action 1: develop an integrated transport strategy that applies movement and place and addresses the transport challenges associated with delivering the vision, shared objectives and growth profile.</i></p>	<p>The Place Strategy identifies that a lack of sequencing and coordination associated with planning proposals is making it difficult for infrastructure to respond effectively for growth in the Collaboration Area. The Place Strategy identifies the rail and bus network requires higher frequency and speed of service to meet the needs of a metropolitan city and that the constrained road network is limiting amenity and future growth.</p> <p>Action 1 is noted as an immediate imperative which is to be completed prior to understanding the potential capacity</p>

	<p>and viability of different future land uses. The transport strategy is being led by TfNSW/ Roads and Maritime Services (RMS) and supported by Council and is expected to be completed in 2019.</p> <p>The integrated transport strategy will potentially resolve Munday Street conflicts or confirm that Munday Street will continue to be used as a main freight route.</p> <p>The outcome of the transport strategy is fundamental to establish the capacity and viability of land and infrastructure to support the future growth within the Collaboration Area. The Place Strategy states that existing transport constraints need to be addressed before further growth can occur.</p>
Liveability	
Priority 4: Create and renew great places for people	
<i>Action 8: deliver great places by prioritising a people-friendly public realm and open spaces; providing fine grain and diverse urban form; a diverse land use and housing mix, high amenity and walkability; and recognizing and celebrating the character of the place and its people.</i>	<p>The planning proposal would provide a mixed-use development incorporating approximately 7,000m<sup>2</sup> of open space. As discussed earlier in this report, the ADG requires approximately 7,325m<sup>2</sup> (25% of the site area) to be provided as communal open space in addition to any proposed additional public open space. The insufficient lack of open space would undermine this priority.</p> <p>The introduction of commercial retail uses including a supermarket and smaller retail offerings would provide a social benefit for the community as currently there are no retail facilities for the local community.</p>
<i>Action 9: only support planning proposals that are consistent with sequencing of infrastructure delivery.</i>	<p>The sequencing of infrastructure delivery will be established following the completion of the integrated transport strategy and flooding strategies (Actions 23 and 24). Given these strategies are not due for completion until the end of 2019, the planning proposal will be inconsistent with the sequencing of infrastructure delivery. The planning proposal is inconsistent with this action.</p>
Productivity	
Priority 7: Support the role and function of employment and urban services land	
<i>Action 21: protect employment land on the western side of the Georges River (Scrivener Street and Munday Street)) to support health related advanced manufacturing, medtech and educational facilities.</i>	<p>The site and wider precinct are identified as being suitable for innovation/ research/ health/ advanced manufacturing activities within the Place Strategy (refer Figure 5). The Place Strategy identifies the precinct is suitable as a high-tech, transit-orientated, advanced manufacturing business park that leverages growth of the health, education and equine sectors. Importantly, the Place Strategy stipulates the precinct should exclude residential development.</p>

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**



**Figure 5: A Place Strategy for Liverpool, approximate location of site highlighted by red star (Source: Place Strategy)**

The site is currently zoned B5 Business Development and is therefore identified as employment land. The proposed change of land use zoning to B4 Mixed Use and R4 High Density Residential will result in a loss of employment land and will undermine the intended future use of the site for employment uses.

**Sustainability**

**Priority 8: Develop a network of high quality open space linked by the Greater Sydney Green Grid and invest in improvements to Georges River and its foreshores**

*Action 23: Update and complete the Georges River, Brickmakers Creek and Liverpool CBD overland flood studies and prepare floodplain risk management plans.*

*Action 24: Prepare floodplain constraints categorisation study and a flood evacuation study*

The Place Strategy identifies that future development close to Georges River must address flooding challenges. The current flood risk management plans in the Collaboration Area are based on information and assumptions that are 10 to 15 years old. The extent of flooding and feasible solutions that support new development are not yet fully understood.

Any future design and planning works for the Collaboration Area's is to be underpinned by detailed, validated flooding investigations. In addition, the Place Strategy requires a review and update of existing plans affecting the entire Collaboration Area to deliver confidence that flood risk is appropriately addressed.

Action 23 is to be completed by Council, with the OEH supporting stakeholder. Action 24 is to be completed by Council and NSWSES, with the OEH to be the supporting stakeholder. Based on discussions with Council, it is understood that the flood reports will not be finalised for at least 12 months.

Given the significant flood constraints within the Collaboration Area, accurate flood mapping information

**LIVERPOOL CITY COUNCIL**

**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

	and the production of the identified suite of flood reports is critical to make informed decisions about future development in the Collaboration Area. At this current time there is insufficient information with regards to flooding and as a result, the planning proposal is considered to be inconsistent with Actions 23 and 24.
--	--

**4. *Is the planning proposal consistent with Council's Local Strategy or other local strategic plan?***

A current or draft local strategy is not in place. Council is yet to consider the draft Local Strategic Planning Statement (LSPS) which remains in working draft at this time.

**5. *Is the planning proposal consistent with the applicable State Environmental Planning Policies?***

The following State Environmental Planning Policies (SEPPs) are of relevance to the site.

Table 4: Consistency with the applicable SEPPs	
State Environmental Planning Policy	Consistency
SEPP No 55 – Remediation of Land	<p>Clause 6(1) of the SEPP requires that in preparing an environmental planning instrument, a planning authority is not to include in a particular zone any land specified in subclause (4) (which includes development for residential purposes on land to which there is no knowledge or incomplete knowledge of whether the land is contaminated) if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p><i>(a) the planning authority has considered whether the land is contaminated, and</i></p> <p><i>(b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</i></p> <p><i>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.</i></p> <p>The planning proposal is not accompanied by a preliminary investigation of the land and therefore consideration of this SEPP cannot be undertaken.</p>
SEPP (Affordable Rental Housing) 2009	Yes – Future affordable housing may be proposed on the subject site. Any such potential future development will be required to comply with the provisions of the SEPP. However, the proposal itself does not present any inconsistency.
SEPP (State and Regional Development) 2011	The planning proposal will not affect the application of the SEPP.
SEPP (Vegetation in Non-Rural	The planning proposal will not affect the application of the

Areas) 2017	SEPP.
Greater Metropolitan Regional Environmental Plan No 2— Georges River Catchment	The planning proposal will not affect the application of the SEPP.

**6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)**

The Planning Proposal addresses the following Directions, pursuant to Section 9.1 of the EP&A Act 1979:

Table 5: Consistency with the relevant Ministerial Directions

Section	Comment	Compliance
1. Employment and Resources		
Direction 1.1 – Business and Industrial Zones	<p>The objectives of this direction are to:</p> <p><i>(a) encourage employment growth in suitable locations,</i></p> <p><i>(b) protect employment land in business and industrial zones, and</i></p> <p><i>(c) support the viability of identified centres.</i></p> <p>Direction 1.1 stipulates that a planning proposal must:</p> <p><i>(b) retain the areas and locations of existing business and industrial zones,</i></p> <p><i>(c) not reduce the total potential floor space area for employment uses and related public services in business zones</i></p> <p>The current B5 zoning of the site safeguards the land for urban services uses. Urban services lands are critical to the efficient function of the city, typically servicing nearby residential populations and having a stronger direct relationship with local businesses. Urban services land support the growth, functioning and liveability of cities and include a diverse mix of uses such as building construction, warehouses, specialised retail premises, storage, garden centres, timber yards, environmental facilities, motor vehicle sales and hire premises and can also be new economy or creative uses.</p> <p>The planning proposal seeks to rezone the site from B5 Business Development Zone to a part B4 Mixed Use and part R4 High Density Zone. This proposed amendment, along with the proposed changes to the floor space and height controls will result in additional residential development and will reduce the potential floor space area for employment uses.</p> <p>Based on the site area of 2.93 hectares and the current planning controls applicable to the site, approximately 22,000m<sup>2</sup> of floor space could be created for employment uses. However, this planning proposal proposes approximately 5,000m<sup>2</sup> of commercial floorspace which represents a loss of approximately 17,000 m<sup>2</sup> of floor area</p>	No

Section	Comment	Compliance
	<p>for employment uses.</p> <p>The planning proposal will reduce the quantum of employment generating floor space and is inconsistent with Direction 1.1. The planning proposal is not supported by a study which gives consideration to the objective of this direction and concludes otherwise.</p>	
2. Environment and Heritage		
Direction 2.3 – Heritage Conservation	Not applicable. The planning proposal does not apply to land that contains a heritage item, located in the vicinity of a heritage item or located within a heritage conservation area.	N/A
3. Housing, Infrastructure and Urban Development		
Direction 3.1 – Residential Zones	<p>The objectives of this direction are:</p> <p><i>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</i></p> <p><i>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i></p> <p><i>(c) to minimise the impact of residential development on the environment and resource lands.</i></p> <p>Rezoning the land from B5 Business Development to B4 Mixed Use and R4 High Density Residential will, in part, facilitate the redevelopment of the site for the purpose of a mixed-use development containing approximately 830 residential dwellings above retail and commercial floorspace.</p> <p>Warwick Farm has limited social infrastructure and does not contain any supporting shops or services required for a high-density residential population. Whilst the proposal would provide 5,000m<sup>2</sup> of commercial retail floorspace, there would remain an inadequate supply of social and physical infrastructure including education, healthcare and recreation facilities to sustain the level of density as proposed. Any new housing would not have appropriate access to infrastructure and services.</p> <p>The rezoning will facilitate the redevelopment of the site and will deliver new and additional housing and diversify the local housing type within Warwick Farm which is predominantly detached and semi-detached dwellings.</p> <p>As the planning proposal applies to land in an established urban area it will not consume land at the urban fringe.</p>	Partial
Direction 3.4 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p><i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i></p> <p><i>(b) increasing the choice of available transport and reducing dependence on cars, and</i></p> <p><i>(c) reducing travel demand including the number of trips generated by development and the distances travelled,</i></p>	Yes



Section	Comment	Compliance
	<p><i>especially by car, and</i></p> <p><i>(d) supporting the efficient and viable operation of public transport services, and</i></p> <p><i>(e) providing for the efficient movement of freight.</i></p> <p>The subject site is well positioned in relation to public transport, with Warwick Farm railway station located within approximately 350 metres, which provides access to employment, education and health services in Liverpool and the wider region. The proximity to the railway station will encourage public transport use and discourage private transport use.</p>	
<b>4. Hazard and Risk</b>		
Direction 4.1 – Acid Sulfate Soils	<p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>The planning proposal applies to land identified as Class 5 on Council's Acid Sulfate Soils Planning Map. This is the lowest risk category. Existing acid sulfate soils provisions will not be altered by the planning proposal and will apply to any future development which might intensify the use of the land.</p>	Yes
Direction 4.3 – Flood Prone Land	<p>The site is located on the floodplain of Georges River and is wholly affected by flooding under the 1% Annual Exceedance Probability (AEP) event.</p> <p>As discussed above, future development close to Georges River must address flooding challenges. The current flood risk management plans in the Collaboration Area are based on information and assumptions that are 10 to 15 years old. The extent of flooding and feasible solutions that support new development are not yet fully understood. Any future design and planning works for the Collaboration Area's is to be underpinned by detailed, validated flooding investigations. In addition, the Place Strategy requires a review and update of existing plans affecting the entire Collaboration Area to deliver confidence that flood risk is appropriately addressed. Action 23 is to be completed by Council, with the OEH supporting stakeholder. Action 24 is to be completed by Council and NSWSES, with the OEH to be the supporting stakeholder. Based on discussions with Council, it is understood that the flood reports will not be finalised for at least 12 months. Given the significant flood constraints within the Collaboration Area, accurate flood mapping information and the production of the identified suite of flood reports is critical to make informed decisions about future development in the Collaboration Area. At this current time there is insufficient information with regards to flooding and as a result, the planning proposal is considered to be inconsistent with Actions 23 and 24. The Council and SES Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required</p>	No

Section	Comment	Compliance
	to ensure compliance with Council's water management controls.	
6. Local Plan Making		
Direction 6.1 – Approval and referral requirements	The planning proposal does not include provisions that require development applications to be referred externally and is not related to designated development.	Yes
Direction 6.3 – Site specific provisions	The planning proposal does include provisions to allow a Site-specific development to be carried out on the site.	Yes

## 5. CONSIDERATIONS FOR SITE SPECIFIC MERIT

### Section C – Environmental, social and economic impact

#### 7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The site is largely cleared but does include a number of trees and mature vegetation. It is highly unlikely that the site would contain any critical habitat for threatened species, populations or ecological communities, or their habitats and it is not expected that any threatened species, populations or ecological communities will be adversely affected as a result of the proposal.

#### 8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

##### Flooding

The site is located on the floodplain of Georges River and is wholly affected by flooding under the 1% Annual Exceedance Probability (AEP) event. The planning proposal is accompanied by a Flood Impact Assessment (FIA) by FloodMit which confirms the proposal seeks to fill the majority of the site to the 1% AEP level. The FIA confirms that the impact of the proposed filling is not significant and provides alternative mitigation options to mitigate against any adverse impacts of flooding. The applicant has considered filling part of the site and providing compensatory excavation on-site.

The Place Strategy requires that a Georges River flood study is prepared (Action 23 of the Place Strategy), alongside a floodplain constraints categorization study and a flood evacuation study (Action 24 of the Place Strategy). These reports will provide accurate flood mapping information to ensure informed decisions about future development in the Collaboration Area can be made and infrastructure required to provide flood management and evacuation is identified. Council has identified these studies will not be completed until 2020. Given this work has not yet commenced and the implications of this work are unknown, the planning proposal is not considered to be supportable on flooding grounds.

### **Traffic and Transport Impacts**

#### Integrated Transport Strategy

Action 1 of the Place Strategy requires an integrated transport strategy to be prepared that

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

applies movement and place and addresses the transport challenges associated with delivering the vision, shared objectives and growth profile. The outcome of the transport strategy is fundamental to establish the capacity and viability of land and infrastructure to support the future growth within the Collaboration Area. The transport strategy will be led by TfNSW / RMS and supported by Council. While the Place Strategy identifies the strategy will be completed by mid-2019, TfNSW has confirmed it is expected to take a year (i.e. mid-2020) to complete.

Specific to the site, Council has previously identified the need for a Munday Street bypass road to address the existing conflicting land uses arising from the horse stabling facilities and residential development to the north of the sub-precinct and the industrial development to the south. Currently Munday Street provides the only vehicular access road into the precinct and experiences heavy vehicle movements.

Council has prepared a strategic road design for the Munday Street bypass road which will permit heavy vehicles to access Governor Macquarie Drive without needing to travel through Manning Street or Munday Street. The total cost is identified as c\$14 million and is unfunded. Development and funding of the Munday Street bypass will be considered as part of the integrated transport strategy.

The proposed development would exacerbate vehicle, horse and pedestrian conflicts. Further, heavy vehicles along Munday Street will have an impact on future residential amenity.

Until the transport strategy has been completed and the outcomes have been identified, including the details for the Munday Street bypass road, it is considered this planning proposal would be premature.

Even if the planning proposal was able to demonstrate strategic merit, additional matters of detail have been identified by Council and RMS and are set out as follows:

#### Traffic Generation

The traffic generation potential of the planning proposal has been estimated using traffic generation rates of 0.15 and 0.21 per hour per apartment for high density during weekday morning and afternoon peak hours respectively. Based on the travel model splits data for Warwick Farm from TfNSW Journey to Work (JTW) datasets, a trip generation rate of 0.29 vehicles per hour per apartment is considered the appropriate rate. Based on this traffic generation rate, the development site will generate a much higher traffic volume.

#### Parking

Due to its proximity to Warwick Farm railway station, the streets in front of the development site experience significant on street parking utilised by commuters accessing Warwick Farm railway station and businesses in the precinct. The proposed development will result in additional road users, residents, visitors and on street car parking. The developer is to propose measures to manage on-street parking.

#### Proposed Access Arrangements

The access arrangement consists of a loop road off Munday Street, opposite the existing Bull and Stroud Streets. The proposed basement parking and access is via a new four-way intersection connected to the existing T-junction of Munday Street and Bull Street. This proposed access is to accommodate indented on-street parking spaces and service vehicles.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

In regards to the proposed access driveways, the planning proposal should undertake a SIDRA Traffic Modelling Analysis addressing the post-development 'Level of Service' in terms of queue lengths, delays, storage bays and the traffic management in terms of turning movements at the proposed access(s) off Munday Street. Intersection treatments should be provided at the access(s).

Detailed intersection layouts, performance analysis and treatments including parking control should also be provided by the applicant at the proposed access(s) on Munday Street and Warwick Street. A second access via the intersection of Munday Street and Stroud Street should be verified.

Land dedication to intersection upgrade

Council and RMS have identified the need for the existing Hume Highway and Governor Macquarie drive intersection to be upgraded. The intersection upgrade is to facilitate future developments in the local area including the subject site. The upgrade requires a strip of land approximately 2.5 m wide.

The section of Governor Macquarie Drive fronting the development site does not currently have a paved footpath. The proposed mixed-use development will generate pedestrian movements.

As such, a 2.5 metre wide shared path along Governor Macquarie Drive between Hume Highway and Munday Street should be provided in accordance with Council's design plan for the Hume Highway/Governor Macquarie Drive Intersection upgrade.

Bicycle and Pedestrian Facilities

The following bicycle facilities are to be provided to meet the expected demand:

- A 2.5 metre wide shared path along the following road sections fronting the development site and land dedication:
  - Governor Macquarie Drive between Munday Street and the Hume Highway
  - Warwick Street to Warwick Farm railway station
- A bicycle phase in the traffic signals at the intersection of Munday Street and Governor Macquarie Drive.

RMS comments

The traffic report utilises traffic volumes from the planning proposal report prepared for the previous rezoning application on the site (October 2015) for Munday Street. RMS provided preliminary comment on that proposal. RMS had concerns with the traffic generation rates used in the Traffic Impact Assessment by Colston Budd Rogers & Kafes and consider the rates to be lower than what is likely to be the actual traffic generation rate.

Due to the additional traffic generation which will result from the planning proposal, RMS expressed concerns regarding the potential impacts on the traffic control signals at the intersection of Hume Highway and Governor Macquarie Drive due to queue spill back from the right turn bay on Governor Macquarie Drive and Munday Street intersection.

Any proposal would require updated corridor modelling incorporating all the proposed signalised intersections and the intersection of Hume Highway and Governor Macquarie Drive for review prior to finalising concept design for the proposed traffic control signals.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

Proposed Voluntary Planning Agreement (VPA)

The applicant has submitted a public benefit offer to Council. The developer will enter into a VPA in association with the planning proposal and will also make required Section 7.11 development contributions in accordance with Council's Liverpool Contributions Plan 2009 as part of future DA approvals.

Through the VPA, the applicant proposes 5% of the dwelling yield to be provided as affordable rental housing. This would represent approximately 41 dwellings based on the concepts that have been prepared in support of the planning proposal. The dwellings would remain in the ownership of the applicant but would be managed as affordable housing by a housing provider to be agreed with Council for the life of the development.

Considering the existing economic disadvantage in the locality and uplift intended to be achieved by the applicant, Council considers that a minimum of 10% affordable housing would help achieve the optimum benefit for the community. With regards to relevant affordable housing policy, it is understood that the GSC are developing Affordable Rental Housing Targets and that Council will establish affordable housing demand as part and local housing strategy which is due for exhibition in July 2019. Until the targets and demand have been established, it is considered a 5% provision is acceptable at this time.

The second element of the VPA is for landscape embellishment of the land between Warwick Street and the Hume Highway broadly between Manning Street to the west and Governor Macquarie Drive to the east.

The third element of the VPA offer is to provide a retail/commercial space for a period of 5-10 years at a reduced commercial rent for a community organisation/s.

Urban Design

The properties adjoining the site to the west and south are predominantly low-density one to two storey residential dwellings, with a substantial number supporting equine-related activities. The shadow diagrams submitted with the planning proposal will result in significant overshadowing of the properties to the south. Moreover, having regard to Part 3.7 of the Liverpool Development Control Plan 2008, it is unlikely that the adjoining residential properties to the south would receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least one living, rumpus room or the like and 50% of the private open space.

In the absence of any plan or strategy to redevelop this adjoining area at a similar urban form and density, the proposed scale of the proposal is considered to be inappropriate.

Any future proposal will need to address SEPP 65 Design Quality of Residential Apartment Development. Detailed testing of the FSR relative to the proposed height and building efficiency should be provided.

**9. *How has the planning proposal adequately addressed any social and economic effects?***

Social Impacts

The planning proposal is accompanied by a Community Benefits Report prepared by Cred Consulting. The report identifies there is a need for community facilities to meet the needs of

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

a growing population, including in key growth precincts and major transport nodes such as Warwick Farm.

The Community Benefits Report identifies there is a need for high quality multi-purpose recreation and open spaces that meet the needs and consider the barriers faced by the area's highly diverse population. The proposal provides 0.7 hectares of open space on the site and does not meet the communal open space requirements stipulated in the ADG. Further, there is currently no social infrastructure, including shops and services, within the vicinity of the site. There is poor accessibility to public open spaces from the subject site particularly to the public open spaces which are located on the north side of Hume Highway and west of Warwick Farm railway station.

Warwick Farm is not supported by an adequate level of social infrastructure to provide services and amenities required to sustain an additional 830 residential dwellings. On these grounds, the planning proposal is not supported.

#### Economic Impacts

The site is currently zoned B5 Business Development and a bulky goods development has been approved on the site. It is understood the owner has determined not to proceed with the proposed bulky goods hardware development on economic grounds. The planning proposal is not supported by any economic justification which addresses the proposed change to the B5 zoning of the site and the loss of employment land. The subject site could support approximately 21,980m<sup>2</sup> of employment floorspace under the 0.75:1 FSR currently applicable to the site. While it is acknowledged that the site is currently vacant, the site could be provided as employment land to meet future needs.

The site's current location is appropriate for employment lands, situated next to Warwick Farm railway station and is in close proximity to arterial roads including the Hume Highway and Governor Macquarie Drive. Further, the proximate location of the site to the industrial precinct and Liverpool Hospital to the south and the Sappho Road precinct to the north, provides important agglomeration benefits for future employment uses on the site.

The rezoning of the site from B5 Business Development to B4 Mixed Use Development and R4 High Density Residential will enable residential development to infiltrate land that would otherwise be zoned as employment land. The planning proposal will undermine the retention of employment uses and would undermine the affordability and development capacity of the site for business and, in turn, the productivity of the Collaboration Area.

### **Section D – State and Commonwealth Interests**

#### **10. *Is there adequate public infrastructure for the planning proposal?***

No. There is inadequate public infrastructure for the planning proposal, specifically in relation to social infrastructure, transport infrastructure and flooding infrastructure. This is discussed below.

#### Social Infrastructure

Warwick Farm has limited social infrastructure and does not contain any supporting shops or services required for a high-density residential population. Whilst the proposal would provide 5,000m<sup>2</sup> of commercial retail floorspace, there would remain an inadequate supply of social and physical infrastructure including education, healthcare and recreation facilities to sustain

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

the level of density as proposed. Any new housing would not have appropriate access to infrastructure and services.

Transport Infrastructure

As identified and required by the Place Strategy, a transport strategy is being prepared to establish the capacity and viability of land and infrastructure to support the future growth within the Collaboration Area. While the Place Strategy identifies the strategy will be completed by mid-2019, TfNSW has confirmed it is expected to take a year to complete.

Specific to the site, Council has previously identified the need for a Munday Street bypass road to address the existing conflicting land uses arising from the horse stabling facilities and residential development to the north of the sub-precinct and the industrial development to the south. Currently Munday Street provides the only vehicular access road into the precinct and experiences heavy vehicle movements. Council has prepared a strategic road design for the Munday Street bypass road which will permit heavy vehicles to access Governor Macquarie Drive without needing to travel through Manning Street or Munday Street. The total cost is identified as \$14 million and is unfunded. Development and funding of the Munday Street bypass will be considered as part of the integrated transport strategy.

Until the transport strategy has been prepared, there is no clear indication of what transport infrastructure is required within the Collaboration Area to support future growth, including the development of the subject site.

Flooding Infrastructure

As identified and required by the Place Strategy, a Georges River flood study, a floodplain constraints categorization study and a flood evacuation study are to be prepared. These reports will provide accurate flood mapping information to ensure informed decisions about future development in the Collaboration Area can be made and infrastructure required to provide flood management and evacuation is identified. Council has identified these studies will not be completed for at least 12 months. Given this work has not yet commenced and the implications of this work are unknown, the inadequate flooding infrastructure is considered to be in place to support the planning proposal.

**11. *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?***

No consultation has been undertaken at this stage. The views of State and Commonwealth public authorities will be obtained after the planning proposal has been considered by the Department of Planning and Environment's Gateway Determination process. It is not expected that there will be any significant Commonwealth and State interests in the planning proposal other than providing a simplified planning framework and development outcome on the site. Relevant public authorities will be consulted during the post Gateway Determination process.

Next Steps

The usual process for planning proposal applications, following a review of the application, is for Council officers to finalise the proposal detailing the proposed changes to LLEP 2008 (this report). The planning proposal would then be reported to Council for endorsement and subsequently forwarded to the Department of Planning and Environment seeking Gateway.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

However, this assessment finds that the proposal has neither strategic nor site merit. It is therefore recommended that the proposal does not proceed to a Gateway Determination.

Should the planning proposal proceed to a Gateway Determination there would be public authority community consultation, a public exhibition period and a further report to Council prior to proceeding with the making of any amendment to LLEP 2008.

## **6. CONCLUSION**

The planning proposal for Lot 1 Governor Macquarie Drive, Warwick Farm seeks to amend the LLEP 2008 to rezone the site from B5 Business Development to part B4 Mixed Use and R4 High Density Residential, with increases to the FSR from 0.75:1 to 3:1 and HOB from 15 metres to 50 metres. The planning proposal also seeks to decrease the lot size from 2 hectares to 1,000m<sup>2</sup>. The planning proposal as submitted by the applicant would facilitate development of the subject site on a scale of approximately 830 residential units in apartment buildings varying from 9 to 15 storeys in height. The development would include up to 5,000m<sup>2</sup> of commercial retail space and 7,000m<sup>2</sup> of open space.

In relation to strategic merit, there is a strong focus within the Regional Plan, District Plan and Place Strategy for the protection of urban services land, including land zoned for B5 Business Development. Section 3.8(2) of the EP&A Act requires planning proposals give effect to district strategic plans (i.e. the District Plan). Both the Regional Plan and District Plan safeguard urban services land against land use conflicts with non-compatible uses, such as residential use. The planning proposal is therefore contrary to Section 3.8(2) of the EP&A Act. Further, the Place Strategy identifies the site as suitable for innovation/ research/ health/ advanced manufacturing activities and explicitly states the precinct should exclude residential development.

While the site is currently vacant, the current zoning of the site has the ability to facilitate urban services land. The Regional Plan and District Plan reaffirm maintaining a sufficient supply of land, particularly in areas such as Liverpool, where the likely long-term population of the area and future wider employment activities will increase demand for local industrial and urban services land. The change of land use zoning from B5 Business Development to B4 Mixed Use and R4 High Density Residential will result in a loss of urban services land. The rezoning will undermine the requirement to plan and manage urban services land in Liverpool and will not respond to the identified need to retain these lands in response to long-term projected population and development growth.

With regard to site-specific merit, the fundamental reasons for the refusal of the previous planning proposal have not been addressed and remain unresolved in this current planning proposal. In the absence of a broader integrated transport strategy and comprehensive flooding studies, it is considered the planning proposal cannot be supported.

The Place Strategy requires that an integrated transport strategy is required to establish the capacity and viability of land and infrastructure to support future growth within the Collaboration Area. The Place Strategy states that existing transport constraints need to be addressed before further growth can occur. In this respect, the planning proposal is considered to be premature given the transport strategy being led by TfNSW is not due for completion until the end of 2019.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

With regards to flooding, the Place Strategy identifies that future development close to Georges River must address flooding challenges. The Place Strategy requires a review and update of existing plans affecting the entire Collaboration Area to deliver confidence that flood risk is appropriately addressed.

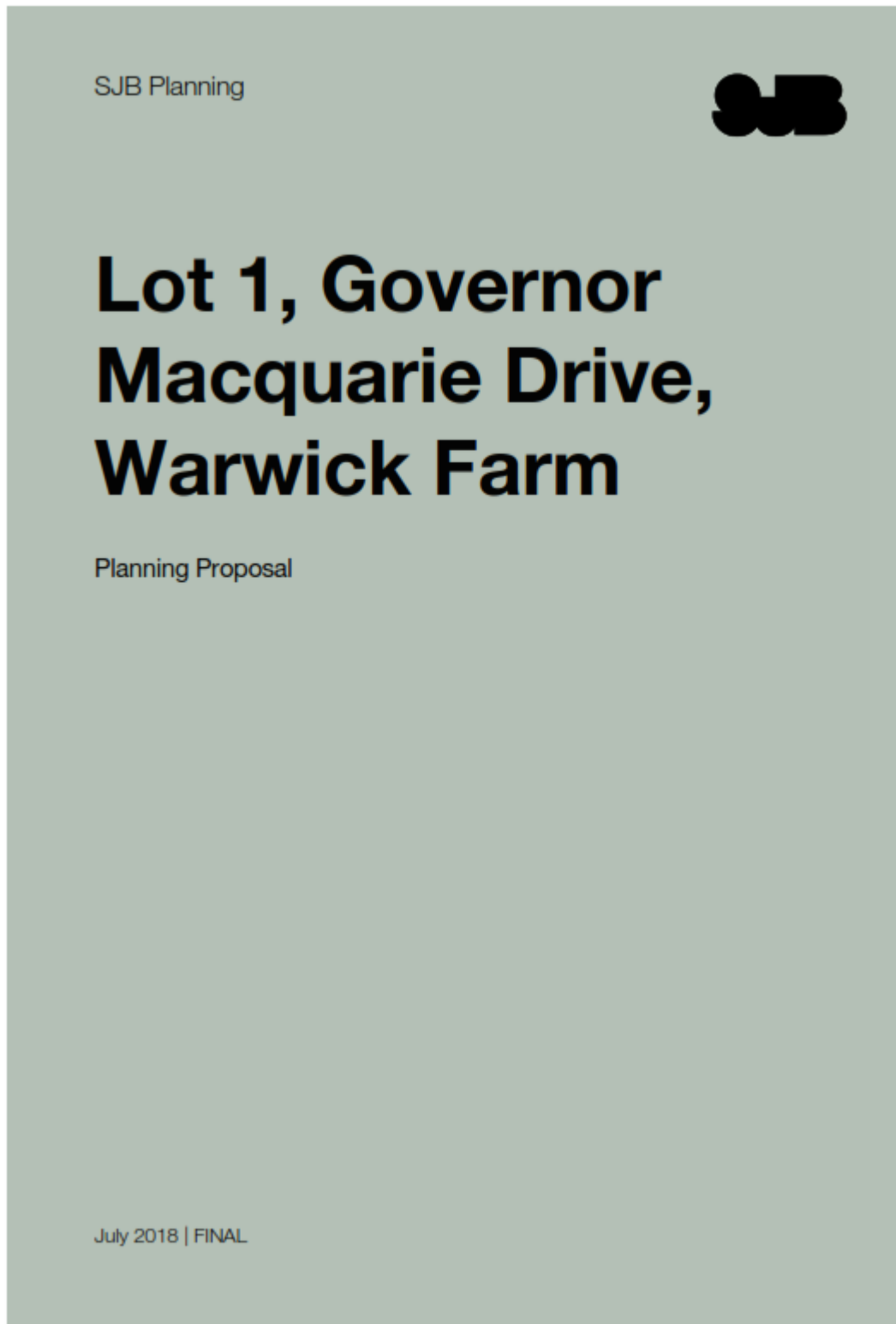
Given the significant flood constraints within the Collaboration Area, accurate flood mapping information and the production of the identified suite of flood reports is critical to make informed decisions about future development in the Collaboration Area. At this current time there is insufficient information with regards to flooding. The planning proposal is considered to be premature given the flood work has not yet been undertaken and is not due for completion for at least 12 months.

This report concludes that the planning proposal cannot be supported as the planning proposal does not satisfy the strategic and site specific merit tests.

**7. ATTACHMENTS**

**1. Planning proposal**

Attachment 1: Planning Proposal



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

Contact Details:

SJB Planning  
Level 2, 490 Crown Street  
Surry Hills NSW 2010  
Australia

T: 61 2 9380 9911  
[planning@sjb.com.au](mailto:planning@sjb.com.au)  
[www.sjb.com.au](http://www.sjb.com.au)

SJB Planning (NSW) Pty Ltd  
ABN 47 927 618 527  
ACN 112 509 501

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**Table of Contents**



	Executive Summary	5
1.0	Introduction	7
1.1	Overview	7
1.2	Scope and Format of the Planning Proposal	8
1.3	Supporting Plans and Documentation	8
2.0	Site Description and Context	9
2.4	Surrounding Land Uses and Built Form	10
3.0	Statutory Framework	12
3.1	Liverpool Local Environmental Plan (LLEP) 2008	12
3.2	Liverpool Development Control Plan (LDCP) 2008	17
4.0	The Planning Proposal	18
4.1	Overview	18
4.2	Objectives and Intended Outcomes	18
4.3	Explanations of Provisions	19
4.5	Part 4 – Mapping	34
4.6	Part 5 – Community Consultation	36
4.7	Part 6 – Project Timeline	36
5.0	Conclusion and Recommendations	37

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**Table of Contents**



---

**List of Figures**

- Figure 1: Site location regional context (Source: Google Maps)
- Figure 2: Strategic context diagram (Source: SJB Urban)
- Figure 3: Aerial view of the site and surrounds (Source: Six Map)
- Figure 4: Extract from LLEP 2008 Land Zoning Map
- Figure 5: Extract from LLEP 2008 Minimum Lot Size Map
- Figure 6: Extract from LLEP 2008 Height of Buildings Map
- Figure 7: Extract from LLEP 2008 Floor Space Ratio Map
- Figure 8: Extract from LLEP 2008 Heritage Map
- Figure 9: Extract from LLEP 2008 Acid Sulfate Soils Map
- Figure 10: Extract from LLEP 2008 Flood Planning Area Map
- Figure 11: Extract from proposed amended LLEP 2008 Zoning Map
- Figure 12: Extract from proposed amended LLEP 2008 Floor Space Ratio Map
- Figure 13: Extract from proposed amended LLEP 2008 Height of Buildings Map
- Figure 14: Extract from proposed amended LLEP 2008 Minimum Lot Size Map
- Figure 15: Extract from Western Parkland City Vision A Metropolis of Three Cities
- Figure 16: Extract from proposed amended LLEP 2008 Zoning Map
- Figure 17: Extract from proposed amended LLEP 2008 Floor Space Ratio Map
- Figure 18: Extract from proposed amended LLEP 2008 Height of Buildings Map
- Figure 19: Extract from proposed amended LLEP 2008 Minimum Lot Size Map

---

**List of Tables**

- Table 1: Plans and Documents Prepared to Accompany this Planning Proposal
- Table 2: Consistency of the Planning Proposal with SEPP titles
- Table 3: Consistency of the Planning Proposal with Ministerial Directions

---

**List of Attachments**

- Attachment 1: SJB Urban – Urban Design Report
- Attachment 2: CRED Consulting Community Benefits Analysis
- Attachment 3: CBRK – Traffic Assessment
- Attachment 4: FloodMit – Preliminary Flood Assessment

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

## Executive Summary

This Planning Proposal has been prepared for Warwick Farm Central, the owners of the land known as Lot 1 Governor Macquarie Drive, Warwick Farm ('the site'). The site has a legal description of Lot 1 in DP 1162276.

The holding has an area of approximately 2.93ha. The site is bordered by Governor Macquarie Drive, Munday Street, Manning Street, the Hume Highway and Warwick Street, and is located within the locality of Warwick Farm.

The site is currently unoccupied.

A Planning Proposal request (PGR\_2017\_LPOOL\_001\_00) was considered by the Sydney City Western Planning Panel (SWCPP) on 5 February 2018. That proposal sought to rezone the site from B5 Business Development to part R4 High Density Residential and part B4 Mixed Use.

That proposal sought a floor space ratio (FSR) of 3.5:1 and height of 45m and 100m. The concept anticipated achieving approximately 950 dwellings.

The SCWPP did not endorse the Planning Proposal request to proceed to Gateway Determination.

The panel determined that the proposal had strategic merit to pursue a part R4 High Density Residential and part B4 Mixed Use zone. The basis for not proceeding was that the proposal did not demonstrate adequate site specific merit due to the excessive scale of development that would arise from the 100m height proposed being towers of up to 28 storeys in height.

The site owner has engaged an urban design review, which forms the basis of this new Planning Proposal request.

The revised approach to the site planning has simplified the vehicle access to a single internal loop road off Munday Street. The entry and exit points correlate to Bull Street and Stroud Avenue to the south of Munday Street, creating four (4) way intersections. The approach allows for perimeter open space to the Warwick Street and Governor Macquarie Drive frontages.

The amended concept proposes providing the B4 Mixed Use and retail space to the west of the site fronting Manning Street and Munday Street. This location accommodates a potential retail offering at the closest point of the site to Warwick Farm Station, and activates the south-western corner of the site.

The concept provides for a podium treatment for a supermarket retail offering and supporting specialist retail space that could frame a public plaza area.

In response to the concern of excessive scale of the previous scheme, the proposal contemplates buildings to 15 storeys, which are consistent with the scale of development contemplated and being delivered to the west, along the Hume Highway.

The scale proposed ranges between four (4) and 15 storeys. These heights do not challenge the primacy of the Liverpool CBD, and the contemplated building heights of up to 100m.

This Planning Proposal seeks to amend the Liverpool Local Environmental Plan (LLEP) 2008, in the following manner:

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- Rezone the land to part R4 High Density Residential and part B4 Mixed Use; and
- Amend the FSR from 0.75:1 to 3:1;
- Amend the Height of Building map applying to the land from 15m to 50m; and
- Amend the Lot Size Map to apply a minimum lot size of 1,000m<sup>2</sup>.

This Planning Proposal provides an analysis of the physical and strategic planning constraints and the opportunities of the site, and considers the relevant environmental, social, and economic impacts of the proposal and its strategic merit.

Support for this Planning Proposal is based on the following merits:

- The proposal provides residential accommodation in a well served and suitable urban location
- The redevelopment of the site including retail and service space provides convenience amenity to the locality
- The mixed-use concept would create a neighbourhood focus including a variety of open space opportunities associated with the retail offering as well as casual publicly accessible open spaces
- The concepts demonstrate the ability for the building envelopes to achieve consistency with Apartment Design Guideline (ADG) requirements for residential flat development
- The concepts improve the urban interface for pedestrians traversing between the Warwick Farm rail station and Warwick Farm racecourse; and
- The proposal is supported by an offer to deliver 5% of the dwelling yield achieved as affordable rental housing

The proposal is consistent with the broad strategic planning goals for the West District as:

- Housing and employment opportunities are provided on the fringe of the Metropolitan cluster of Liverpool
- The site has excellent public transport and walkable connections to employment health and education opportunities
- The site is highly accessible to Greater Parramatta and the future western Sydney airport
- The proposal does not undermine the primacy of the Liverpool CBD or core employment areas; and
- The site in its vacant state is making no positive economic or social contribution to the locality

The Planning Proposal is supported by an offer to enter into a Voluntary Planning Agreement (VPA) with Council that would deliver 5% of the quantum of housing achieved as affordable rental housing.

It is requested that arising from the consideration of this Planning Proposal, Liverpool City Council resolve to support the changes to LLEP 2008 as detailed in this Planning Proposal, and forward the Planning Proposal for a Gateway Determination to undertake the following:

- Amend the land zoning map to zone the site part R4 High Density Residential and Part B4 Mixed Use
- Amend the Height of Buildings Map to apply a maximum height of buildings development standard of 50.0m to the site
- Amend the FSR map to apply an FSR of 3:1 across the site; and
- Amend the Lot Size Map to apply a minimum lot size of 1,000m<sup>2</sup>.



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

### 1.0 Introduction

#### 1.1 Overview

This Planning Proposal has been prepared for Warwick Farm Village, the owners of the site. The proposal seeks an amendment to the zoning and development applying to the site to facilitate a mixed-use redevelopment of the site, that could include approximately 830 dwellings, approximately 5,000m<sup>2</sup> of commercial floor space, and approximately 7000m<sup>2</sup> of open space. The amendments sought relate to:

- Amendment of the land zoning from B5 Business Development to part R4 High Density Residential and part B4 Mixed Use;
- Amendment of the FSR from 0.75:1 to 3:1; and
- Amendment of the height of buildings development standard from 15m to 50m.

This Planning Proposal applies to the land described as Lot 1 in DP1162276, shown at Figure 1 below.



Figure 1: Site location regional context (Source: Google Maps)

The holding is an irregular shaped allotment with an area of approximately 2.93ha. The site has frontages to Governor Macquarie Drive to the north east, Warwick Street and the Hume Highway (A22) to the north west, Manning Street to the east, and Munday Street to the south.

The Planning Proposal is supported by detailed urban design analysis and architectural mass modelling plans that show development configuration outcomes for the site, including shadow impact testing and traffic analysis. A social needs assessment has been prepared that identifies the potential social contribution of the development to the needs of the locality. The inclusion of convenience retailing underpins the ability of the site to establish a local focal point for existing and future residential uses as



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

well as delivering positive economic impact through the provision of employment and business opportunities.

The Planning Proposal has been prepared in consistent with the Department of Planning and Environment's (DP&E) *Planning Proposals - A Guide to Preparing Planning Proposals*, dated August 2016.

## **1.2 Scope and Format of the Planning Proposal**

The Planning Proposal details the merits of the proposed changes to RLEP 2014 and has been structured in the following manner:

- Section 1.0 provides an introduction to the Planning Proposal;
- Section 2.0 provides a description of the site, its context and existing development, including identification of the land to which the changes are proposed;
- Section 3.0 addresses the current Statutory Framework;
- Section 4.0 is the Planning Proposal and is provided consistent with the matters to be considered in the Department of Planning's *A Guide to Preparing Planning Proposals*; and
- Section 5.0 provides the conclusions and recommendations to proceed with the Planning Proposal to Gateway Determination to amend LLEP 2008.

## **1.3 Supporting Plans and Documentation**

This Proposal has been prepared with input from a number of technical and design documents which have been prepared to accompany the application. These documents are included as Attachments to this report and are identified in Table 1.

Document name	Prepared by
Urban Design Report	SJB Urban
Community Benefits Analysis	CRED consulting
Traffic assessment	Colston Budd Rodgers and Kafes Pty Ltd
Preliminary Flood Assessment	FloodMit

Table 1: Plans and Documents Prepared to Accompany this Planning Proposal

LIVERPOOL CITY COUNCIL

LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

## 2.0 Site Description and Context

### 2.1 Overview

This section describes the location of the site, existing development on the land, the current planning framework and State Government and Liverpool City Council plans applying to the location.

### 2.2 Site Context and Locality

The subject site is located in the suburb of Warwick Farm located approximately 1.5km to the east of the Liverpool City Centre, and 100m from Warwick Farm Station. The Liverpool City Centre plays a major commercial and cultural role in the local area and includes Liverpool Hospital, Westfield Liverpool, and Macquarie Street Mall.



Figure 2: Strategic context diagram (Source: SJB Urban)

The site is well serviced by several bus routes which service the Hume Highway.

### 2.3 Site Description

The eastern two-thirds of the site is scattered with trees of varying type and density, but limited significance. The western third of the site was previously occupied by eight (8) residential properties erected by the

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Australian Jockey Club in the late 1940s, however these buildings were recently demolished and this portion of the site is currently vacant with the exception of some scattered trees in the south western corner of the site. An aerial photo of the site is provided at Figure 3.



Figure 3: Aerial view of the site and surrounds (Source: Six Map)

The site has the following street frontages:

- Northern frontage to Warwick Street and the Hume Highway of approximately 195m;
- Eastern frontage to Governor Macquarie Drive of approximately 190m;
- Southern frontage to Munday Street of approximately 290m;
- Western frontage to Manning Street of approximately 55m;

The topography of the site generally slopes from north to south, with the highest point at the junction of the Hume Highway and Warwick Street, and the lowest point near the corner of Munday Street and Governor Macquarie Drive.

### 2.4 Surrounding Land Uses and Built Form

The site is located in a precinct supporting a range of uses including automotive, bulky goods retailing, and low and medium density residential uses, as well as the Warwick Farm Racecourse and ancillary horse stabling and training facilities. The Hume Highway adjoining the northern boundary of the site is the main east-west vehicle access route through Warwick Farm and a main transport route through the Liverpool local government area (LGA), which supports several major regional bus routes.

The Warwick Farm Rail Station on the T2, T3, and T5 suburban lines is located to the immediate west of the site.

#### 2.4.1 North

- The Hume Highway is directly north of the site, and includes a T-intersection with Governor Macquarie Drive at the northern corner of the site, the intersection includes a dedicated right-turn lane and traffic signals;

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- Land to the north of Hume Highway is commonly referred to as the Sappho Road Precinct and is primarily utilised for vehicle sales and related uses, and bulky good retailing. This area contains a large car sales centre, an exhibition home centre, a bulky goods retail centre and associated parking; and
- Further north of the Sappho Road precinct is a large recreational area including Stroud Park and Jacqui Osmond Reserve, which occupy the Cabramatta Creek floodplain.

**2.4.2 South**

- Munday Street is directly to the south of the site, and is a designated B-Double transport route servicing the mixed industrial area located further south of the site bound by the rail line, Priddle Street, and Scrivener Street;
- The properties immediately south of the site are zoned R2 Residential Low Density. These properties are occupied by horse stables and training facilities associated with the Warwick Farm Racecourse and are interspersed with some residential uses;
- Rosedale Oval is located to the south east, bound by Stroud Avenue and National Street;
- Land zoned IN1 General Industrial is located further to south, which abuts the Georges River, and includes the Liverpool Water Recycling Plant, and the eastern portion of Liverpool Hospital; and
- Liverpool Central City is located approximately 1.5km to the south west of the site.

**2.4.3 East**

- Governor Macquarie Drive is directly to the east of the site with Warwick Farm Racecourse occupying the eastern side of the road. The racecourse is bound by Governor Macquarie Drive, the Hume Highway, and the Georges River.

**2.4.4 West**

- Manning Street is directly to the west of the site and a two (2) storey townhouse style development is located on the western side of Manning Street;
- Warwick Farm Railway Station is located behind this residential development on Manning Street; and
- To the west of the rail line are areas zoned R4 High Density Residential. These areas include older style residential flat buildings of three (3) to four (4) storeys. Further to the west are newer residential flat buildings up to 15 storeys in height.



### 3.0 Statutory Framework

#### 3.1 Liverpool Local Environmental Plan (LLEP) 2008

##### 3.1.1 Zoning

The site is currently zoned B5 Business Development under LLEP 2008 (refer to Figure 4 below).

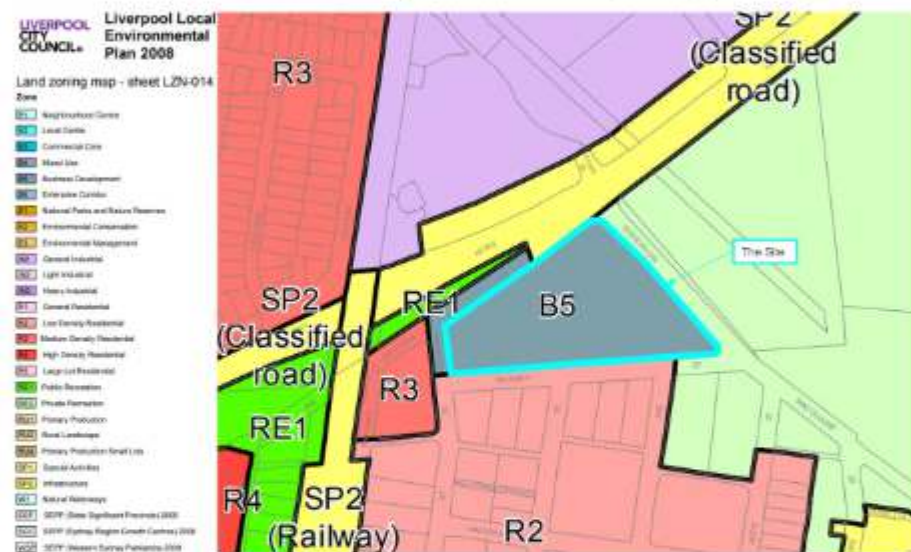


Figure 4: Extract from LLEP 2008 Land Zoning Map

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**3.1.2 Minimum Lot Size (Clause 4.1)**

The site is currently subject to a minimum lot size of 2.0ha under LLEP 2008 (refer to Figure 5 below).



Figure 5: Extract from LLEP 2008 Minimum Lot Size Map

**3.1.3 Height of Buildings (Clause 4.3)**

The site is subject to a height of buildings development standard of 15m (refer to Figure 5).



Figure 6: Extract from LLEP 2008 Height of Buildings Map

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

### 3.1.4 Floor Space Ratio (Clause 4.4)

The site is subject to a maximum FSR of 0.75:1 (refer to Figure 6 below).



Figure 7: Extract from LLEP 2008 Floor Space Ratio Map

### 3.1.5 Heritage Conservation (Clause 5.10)

The site is not identified as a heritage item, or as being located in a conservation area. Directly opposite the site, on the corner of the Hume Highway and Governor Macquarie Drive, is the Warwick Farm Racecourse, which is identified as a Local Heritage Item 66 under LLEP 2008.



Figure 8: Extract from LLEP 2008 Heritage Map

While the site is not a heritage item, it is in the vicinity of a heritage item, Warwick Farm Racecourse. Clause 5.10(5) requires that development in the vicinity of a heritage item have consideration of the impact of the development on the heritage significance of the Warwick Farm Racecourse, being the heritage item.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

This will be a matter for consideration with any Development Application (DA). It is unlikely that the development of the site consistent with the this PP request would impact upon the setting of the racecourse or its continued use for equine related uses.

**3.1.6 Acid Sulfate Soils (Clause 7.7)**

The site is identified as being potentially affected by Class 5 acid sulfate soils under LLEP 2008.



Figure 9: Extract from LLEP 2008 Acid Sulfate Soils Map

**3.1.7 Flood Planning (Clause 7.8) and Floodplain Risk Management (Clause 7.8A)**

The site is mapped as flood prone land, and as being within a flood planning area.



Figure 10: Extract from LLEP 2008 Flood Planning Area Map



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

As a consequence, Clauses 7.8 and 7.8A will be applicable to the assessment of future DAs.

The PP is supported by a Preliminary Flood Assessment (refer Attachment 4), which has identified the potential flood extent for the site, and broad strategies on how the flood impacts could be managed in a future development of the site. The flood report was prepared for a previous Planning Proposal; however, the principles remain valid and have been incorporated into the urban design concepts. The flood assessment could be revised and updated should Gateway Determination be received.

The report concludes:

It is proposed to fill the majority of the site to the 100-year flood level, and to develop a number of high rise residential apartments. It is considered that the development of the site can comply with the requirements of Liverpool DCP 2008, Chapter 9 – Flooding Risk, subject to the following recommendations:

- i) The feasibility of providing compensatory excavation, either within the site or off-site, is further evaluated;
- ii) The final development footprint and associated earthworks are included in the Warwick Farm TUFLOW model to verify that the proposal has no adverse impacts on flood behaviour. This would include verifying boundary conditions in the model using the new Georges River Flood Study, should these results be available at the time;
- iii) All building floor levels are a minimum of 0.5m above the 100 year flood level, and preferably higher;
- iv) All basement parking areas are protected from inundation up to a minimum of the 100 year flood level plus 0.1m freeboard, and preferably higher;
- v) Access to the site is amended to include access from the north of the site to Warwick Street and the Hume Highway, with minor modification of this intersection to raise it above the 100 year flood level. All internal roads to proposed buildings could then be filled to the 100 year flood level to provide flood free access (to Liverpool) in such an event.

The concepts prepared in support of the Planning Proposal request include the ability to provide accommodation above the nominated flood planning levels and emergency egress to the north towards Warwick Street. Various options are available to explore to ensure compensatory flood storage are possible including plenum storage areas in basements. These matters would be resolved in detail with future Development Applications or post Gateway determination once agreement on the strategic merit of the proposal has been determined.

### **3.1.8 Minimum building street frontage (Clause 7.14)**

The application proposes to zone part of the land R4 High Density Residential. The provisions of this clause would be applicable to future development. The minimum frontage requirement of 24m would be readily justified.

### **3.1.9 Airspace operations (Clause 7.17)**

The Warwick Farm site is located in an area impacted by the operational requirements for Bankstown Airport.

Two (2) assessment measures apply from the Bankstown Airport Masterplan and were addressed in previous planning proposals for the site. These are the conical obstacle limitation surface (Conical OLS), and the Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) surface height. The OLS across the site varies between RL55m and RL 75m Australian Height Datum (AHD). The PANS-OPS surface height is RL112.57m AHD.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

The PP proposes building to 15 storeys in height, or approximately 60m AHD, which is substantially below the limitations previously identified for the site.

Regardless, consultation with the Civil Aviation Safety Authority (CASA) is anticipated as part of the consultation phase, should the PP proceed to gateway determination.

### **3.2 Liverpool Development Control Plan (LDCP) 2008**

Development on the site will be subject to the provisions of LDCP 2008.

Should the Planning Proposal be finalised, and a part B4 Mixed Use and part R4 High Density Residential zone be applied, future development would be assessed against the provisions of the DCP.

Future development will be required to address and respond to:

- Part 1 – General Controls for All Development;
- Part 3.7: Residential Flat Buildings in the R4 Zone; and
- Part 6: Development in Business Zones (Except Liverpool City Centre).

These would be matter to be addressed in future DAs for the site.

## 4.0 The Planning Proposal

### 4.1 Overview

This section addresses the DP&E publication *Planning Proposals – A Guide to Preparing Planning Proposals* (August 2016). This section provides:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification;
- Mapping;
- Community consultation; and
- Project timeline.

### 4.2 Objectives and Intended Outcomes

The subject site is currently unoccupied by any buildings or active land uses.

The site has previously benefitted from land use consent for the development of a Masters Hardware Store. This approval was not completed due to the exit from the market of that operator.

This proposal seeks to rezone the land from the current B5 zone to part B4 Mixed Use and part R4 High Density residential.

The PP responds to a recent PP which sought to rezone the land to facilitate towers to 100m in height. The Sydney Planning Panel considered that the previous proposal had strategic merit for conversion to residential uses, but not site specific merit. A fundamental issue with the proposal not satisfying the site specific merit test was the excessive height and scale.

Arising from the determination of the panel, the site owner has engaged SJB Urban to undertake a review of the urban approach to the site. This has led to the preparation of a scheme for midrise buildings, and the inclusion of retail uses which provide convenient services to the locality, as well as employment opportunities.

The objectives and intended outcomes are to facilitate the development of the site for approximately 830 dwellings, and provision of approximately 5,000m<sup>2</sup> of retail commercial space.

The concept plan contemplates the provision of affordable rental housing as part of the future delivery of housing on the site, as well as publicly accessible open space areas.

The concept prepared by SJB Urban proposes the development of a mixed use community in buildings ranging between four (4) and 15 storeys.

The Concept Plan provides for a ground floor retail offering to the western portion of the site, including a supermarket. The concept provides for this retail offering, sleeved by smaller retail offerings, activating a north-south active plaza. The active plaza blends to be publicly accessible open space, and a passive open space offering suitable for a children's playground which is visible and accessible directly from Warwick Street.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

Similar accessible open space opportunities are provided to Governor Macquarie Drive.

The concept includes internalised communal open spaces as internal courtyard areas.

The site planning proposes a simple loop road accessed off Munday Street. This loop road provides basement access to the residential dwellings as well as servicing for the commercial/retail space to the western portion of the site.

The revised approach has responded to the previous consideration by the Sydney Western City Planning Panel with a significantly reduced building scale, inclusion of employment and service opportunities, and improved pedestrian connectivity to the Warwick Farm Rail Station transport node.

#### **4.3 Explanations of Provisions**

This Planning Proposal seeks to amend LLEP 2008 in the following manner:

- Apply the B4 Mixed Use zone and R4 High Density Residential zone to the site;
- Apply an FSR of 3:1 across the site;
- Apply a height of buildings development standard of 50m across the site; and
- Apply a minimum lot size of 1,000m<sup>2</sup> to the site.

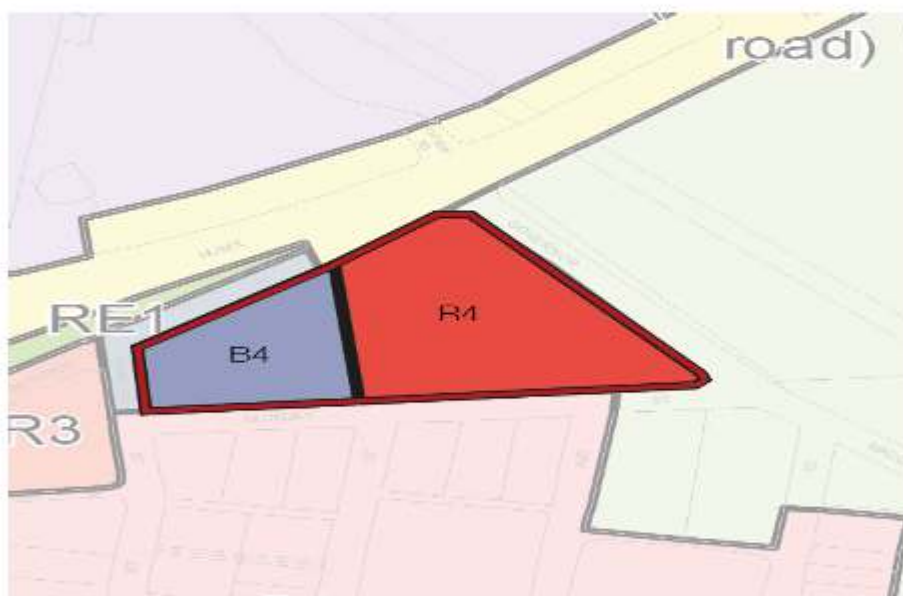


Figure 11: Extract from proposed amended LLEP 2008 Zoning Map

LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

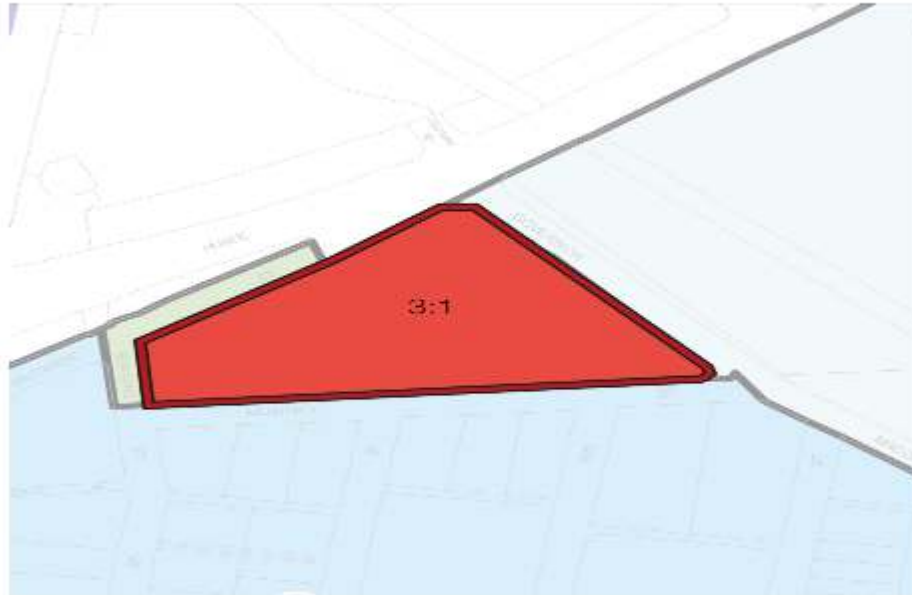


Figure 12: Extract from proposed amended LLEP 2008 Floor Space Ratio Map



Figure 13: Extract from proposed amended LLEP 2008 Height of Buildings Map



LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

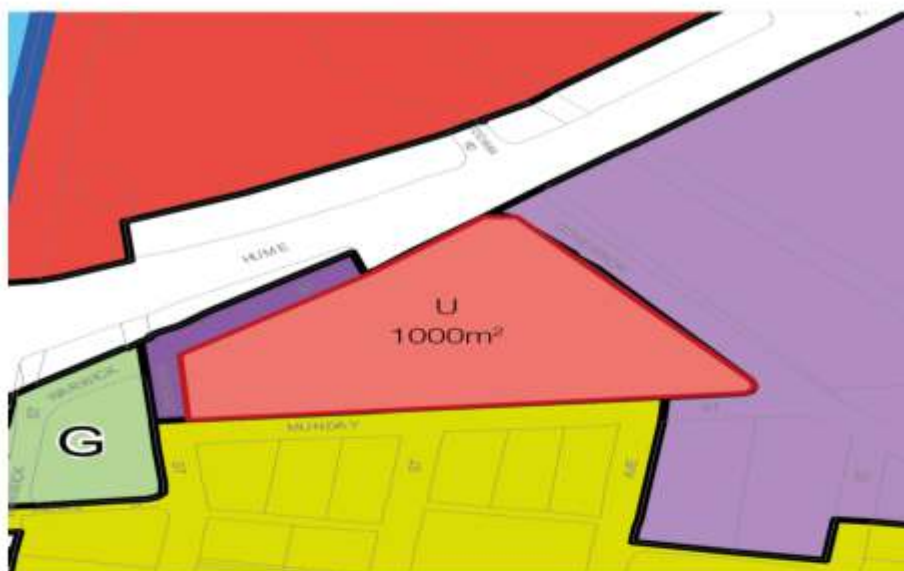


Figure 14: Extract from proposed amended LLEP 2008 Minimum Lot Size Map

#### 4.4 Justification

This section addresses the need for the rezoning, identifies the background studies undertaken, why the Planning Proposal is the best approach, and what the community benefits will be.

##### 4.4.1 Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of any strategic study or report?

The PP is supported by:

- An Urban Design Report;
- A Traffic Impact Assessment Report;
- A Community Benefits Assessment Report; and
- Preliminary Flood Assessment Report.

The proposal relies upon a previous Flood Impact Assessment Report which could, if required, be further augmented should the proposal proceed to Gateway Determination as a required assessment to be updated. The preparation of the concept has had regards to previous assessment regarding design, floor levels, emergency egress paths, and flood storage compensation.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The PP is the only practical way to facilitate a redevelopment of the site to include residential accommodation as part of a redevelopment. The B5 Business development land use zone currently applying to the land does not permit residential accommodation.

The PP seeks to apply an appropriate B4 Mixed Use zone to part of the site to maintain employment and service land use options, and R4 High Density Residential to the balance of the site. The zones are supported by a FSR and height of buildings provision to accommodate development to a maximum of 15 storeys.

#### 4.4.2 Section B – Relationship to Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional strategy, or district plan or strategy (including any exhibited draft plans or strategies)?

##### Greater Sydney Region Plan – A Metropolis of Three Cities

The subject site is located within the Liverpool Metropolitan Cluster, identified in A Metropolis of Three Cities as a Strategic Centre and a Health and Education Precinct.

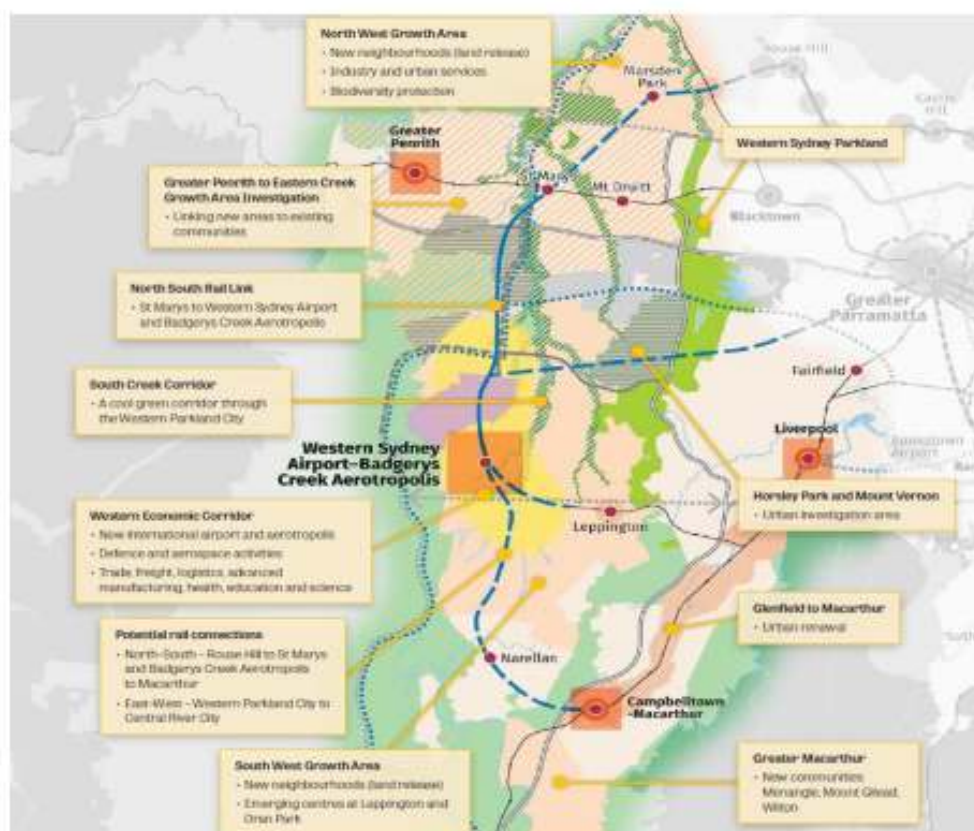


Figure 15: Extract from Western Parkland City Vision A Metropolis of Three Cities

The Liverpool Metropolitan Cluster is already a significant health provider to South Western Sydney, and an emerging education centre. The Metropolitan Cluster seeks to build upon these existing service and employment strengths which will also support the Western Sydney Airport Aerotropolis.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

Liverpool and Warwick Farm will be on the transport network linking the Western Sydney Airport and Greater Parramatta, providing an ideal location for employment to Liverpool, Greater Parramatta, and the future airport.

The proposal is consistent with the broad directions of A Metropolis of Three Cities through:

- The provision of additional residential floor space within the Liverpool Metropolitan Cluster outside any identified core employment areas;
- Assisting the state government in achieving its target of an additional 725,000 new dwellings for the metropolitan region by 2036, in an area well connected to employment and transport;
- Facilitating development of a site which is highly accessible by public transport;
- Improving resident access to jobs, services and recreation opportunities;
- Accelerating housing supply, choice and affordability and building great places to live; and
- Supporting the role of Liverpool as an area to continue to provide services and employment opportunities for the Western Parkland City.

The pursuit of the alternate zone, height, and FSR at the site is consistent with the following Directions and Objectives of the plan:

*Direction 1 – A city supported by Infrastructure*  
*“Infrastructure supporting new developments”*

Objective 4: Infrastructure use is optimised

Warwick Farm is served by heavy rail and Sydney Bus Services. The provision of residential accommodation is consistent with the form and scale of development to the west of Warwick Farm Rail Station. The inclusion of retail options provides convenience service retail potential for the existing population, as well as providing employment opportunities. The PP is consistent with this action and is entirely consistent with current FSR and height controls in the locality for sites fronting the Hume Highway.

*Direction 2 – A collaborative city*  
*“Working together to grow a Greater Sydney”*

Objective 5: Benefits of growth realised by collaboration with governments, community and business

The PP is supported by an offer to enter into a VPA with Liverpool City Council. The VPA will deliver affordable housing and directly provides accessible open space on the site. The VPA also offers to embellish existing open space landscape buffers in the vicinity of the site. The proponent has previously delivered traffic infrastructure upgrades, with an expenditure in excess of \$800, 000 for development that has not proceeded.

*Direction 3 – A city for people*  
*“Celebrating diversity and putting people at the heart of planning”*

Objective 7: Communities are healthy, resilient and socially connected

The site is located in a highly accessible area with easy walkable access to a wide range of employment, education, health, entertainment and service facilities. The location fosters ready access to these services and facilities by means other than the private vehicle as well as ready access to Greater Parramatta and the future Western Sydney Airport.



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

### *Direction 4 – Housing the city* *"Giving people housing choices"*

#### Objective 10: Greater housing supply

The proposal has the potential to provide approximately 930 dwellings, in a well serviced location, close to jobs and support facilities. The proposal provides the additional housing opportunities outside of the retail and commercial core of the Liverpool CBD.

The residential opportunities are on the periphery of the Liverpool Metropolitan Cluster and will assist in creating diverse activity hubs and support of the transport investment in the area. It also provides additional open space and employment opportunities within the locality.

The additional housing capacity is within the established area of Warwick Farm, including the provision of affordable housing as part of the overall development. The site is vacant and ready to proceed to the development phase.

#### Objective 11 – Housing is more diverse and affordable

The proposal includes the provision of 5% of the total uplift as affordable housing, equating to approximately 46 dwellings in a well serviced location. It will also provide a large number of apartments in close proximity to transport, employment, education, health and retail facilities promoting active travel and reducing cost of living on future residents.

### *Direction 6 – A well-connected city* *"Developing a more accessible and walkable city"*

#### Objective 14 – A Metropolis of Three Cities – integrated land use & transport creates walkable & 30-min cities

The site is highly accessible to a range of public transport options including rail and bus future connections to the Western Sydney Airport. This transport accessibility in conjunction with ready walkable access to a diverse range of education, health and employment services supports ready accessibility to many facilities well under 30 minutes. The transport access provides ready connectivity to Greater Parramatta, and Liverpool CBD.

The site is located in an area suitable to encourage walking and cycling as alternate modes of transport. The site planning also proposes to accommodate a central open space link that improve connectivity for residential areas to the south.

#### **Western City District Plan**

Liverpool City Council is located within the Western City District identified under the District Plans prepared by the Greater Sydney Commission. The plans include a number of Planning Priorities that are to be considered by planning authorities in making strategic planning decisions.

Warwick Farm is identified in the District Plan as part of the Liverpool Metropolitan Cluster.

The relevant Planning Priorities to the proposal are addressed below.

### *Planning Priority W1* *"Planning for a city supported by infrastructure"*

The opportunity to increase the housing density is in a location well serviced public transport infrastructure which will be enhanced by future connections to the Western Sydney Airport. In addition to the transport

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

infrastructure, Warwick Farm is extremely well served with tertiary education and health services in Liverpool, affording employment and support facilities.

**Planning Priority W3**

*"Providing services and social infrastructure to meet people's changing needs"*

The PP includes an offer to enter into a VPA for the provision of affordable rental housing.

The proposal includes retail services to provide convenience for the existing and future residential population in an environment that with a range of open spaces foster varying levels of social interaction.

**Planning Priority W4**

*"Fostering healthy, creative, culturally rich and socially connected communities"*

The addition of residential housing supply in Warwick Farm will assist in diversifying land uses in the area, as well as expanding upon the provision and utilisation of services and facilities that support a more diverse population in a well-connected, readily walkable area. The retail offering provides employment and convenience services as well as informal meeting and gathering opportunities.

**Planning Priority W5**

*"Providing housing supply, choice and affordability with access to jobs, services and public transport"*

The proposal has the capacity to deliver high quality, high density living, in conjunction with the provision of affordable housing as part of the mix. The dwelling mix will be weighted towards two (2) and three (3) bedroom apartments to provide more family and mixed household stock in this well located site.

The concepts include the provision of through-site open space links and retail services on the site. This will complement the sites proximity to transport, education, health and employment services.

The proposal is supported by an offer to provide 5% of the dwelling yield as affordable rental housing. This provision is consistent with the underlying intent of the Priority to increase the level of affordable housing available within the Sydney Metropolitan area. The proposed provision of Affordable Rental Housing is consistent to the targets in the Western City District Plan.

The City of Liverpool has a minimum five (5) year housing target of 8,250 dwellings. The concept proposed in support of the proposal identifies a potential dwelling yield of approximately 930 dwellings, which could be delivered in the next two (2) to seven (7) years. The 930 potential additional dwellings represent a significant contribution to the dwelling target in an ideal urban location. Given the transport, employment, education and urban support facilities that are readily accessible from the site, it is prudent urban management to ensure that the best use of the available capacity is utilised for the mixed use development proposed.

**Planning Priority W6**

*"Creating and renewing great places and local centres, and respecting the District's heritage"*

The Liverpool Metropolitan Cluster is a strategic centre and identified as a health and education precinct. The proposal seeks to maximise the residential potential of the site to support the services and facilities in the area, as well as accommodating the delivery of affordable housing as part of the ultimate development.

The proposal to maintain employment potential on the site respects the current zoning while adding residential potential for the site. The proposal does not detract from the health and education capacity and potential of the Liverpool CBD. The proposal aligns with the Planning Priority by providing accommodation in the vicinity of these employment and education opportunities.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

*Planning Priority W9*  
*"Strengthening the Metropolitan Cluster"*

The land is currently vacant, and delivering no economic contribution to the Liverpool Metropolitan Cluster. The PP seeks to rezone the land to include retail services which provide support services to the locality, as well as employment opportunities.

The proposal is located to take advantage of the employment and transport advantages of the cluster, as well as linkages to areas such as Greater Parramatta and the future Western Sydney Airport.

*Planning Priority W15*  
*"Increasing urban tree canopy cover and delivering green grid connections"*

The concepts propose the delivery of deep soil zones and landscaping opportunities that could augment the urban tree canopy.

*Q3(a). Does the proposal have strategic merit? Is it:*

- Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
- Consistent with a relevant local council strategy that has been endorsed by the Department; or
- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls?

In considering the strategic merit, the alignment of the proposal with the Regional Plan and District Plan supports the proposal. The proposal will assist in creating a neighbourhood focus the Warwick Farm area adjacent to transport options. The provision of retail and employment opportunities in conjunction with the delivery of open space and housing will be a positive outcome for the locality. These benefits are further supported by an offer for the provision of affordable housing as part of any future development.

The PP has addressed the concerns of the Sydney Western City Planning Panel with a substantially reduced scale of development proposed for the site. The maximum 15 storey building typology does not challenge the primacy of the Liverpool CBD, and is consistent with the urban form to the north of the site fronting the Hume Highway.

*Q3(b). Does the proposal have site specific merit, having regard to the following:*

- The natural environment (including known significant environmental values, resources or hazards):

**Flooding**

The site is identified as being liable to flooding from the Georges River. The site is not affected by the 20 year flood, but would be inundated by the 100 year flood. Previous flood studies for the site suggest the site would be classified as being a "medium flood risk" with inundation depth between 0.2m and 0.6m.

Previous flood studies in support of larger development identified the ability of the site to be capable of managing flood risk. This conclusion is further supported by previous consents issued for the site that have demonstrated the ability for flood risk to be managed.

The concepts prepared are able to achieve flood planning design levels and protection of basement openings.

The concept layout includes an evacuation route to the north.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

A further flood study and modelling could readily be a requirement to be undertaken post Gateway determination, should the strategic and site specific merit be supported.

#### **Traffic**

The proposal is supported by an assessment of the potential traffic impacts of a redevelopment of the site as contemplated.

The assessment concludes that there will be no further impact from this development from the previously approved development on the land.

The report also notes that all traffic upgrade works in association with the previous Masters Hardware development application have been completed at a cost of \$880,000 including GST to the proponent of this Planning Proposal.

#### **Residential Amenity**

The establishment of the building envelopes and layout has been prepared having regards to future assessment against the Apartment Design Guide (ADG). This includes the orientation for future solar access and building footprints that facilitate natural cross flow ventilation, avoiding adverse shadow impacts on surrounding land, and building separation for visual and acoustic privacy.

Future applications would be required to address the impacts of road and rail noise as required by the provisions of State Environmental Planning Policy (Infrastructure) (SEPP) 2007. Given the nature of the site and the separation of the noise and vibration sources, these are likely to be matters that are readily able to be addressed.

It can be concluded that the site does not present insurmountable obstacles to future development, and does not impact upon significant environmental value for the site. The flood risk is a hazard which will require detailed resolution which would be appropriate for a post Gateway study.

#### **Community Benefits**

The Community Benefits Analysis undertaken by CRED Consulting has identified a range of potential community benefits that could be delivered by a redevelopment of the site.

The concepts and basis of the potential benefits have been addressed as follows:

Potential Benefit	Response
Early and temporary social enterprise/site activation	This outcome could be achieved through the Development Application process and through standard development considerations from the proponent.
Ongoing opportunities for employment and skills development	The concepts includes employment generating floor space on the site which could be utilised and configured in a variety of ways for a variety of uses including social enterprises and could be refined at Development Application stage.
High quality child care centre	The direct delivery of a child care centre is not proposed, however child care is a potential use to



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Potential Benefit	Response
	be included within the non-residential floor space contemplated for the site.
A medical centre on site	The first floor commercial space proposed would be readily able to accommodate or include a medical centre in a future Development Application for the site.
50m <sup>2</sup> to 200m <sup>2</sup> of indoor communal space per residential tower	The proposition of communal open space would be provided through the detailed design development phase for a Development Application. Future development Applications would also be required to address the provision of the Apartment Design Guide (ADG) for communal amenities.
Publicly accessible local park of at least 0.7ha	The concepts demonstrate the provision of 0.7ha of publicly accessible open space on the site including opportunities for children's play spaces and informal gathering areas.
5%-10 of dwellings as affordable housing	The proposal is supported by an offer to provide 5% of the dwelling yield as affordable housing for the life of the development.
Use by Council of contributions generated by future development towards the physical improvement of the Warwick Farm Community Hub	The potential redevelopment of the site will generate development contributions that could be directed by Council towards the improvement of local facilities such as the Community Hub.
Pedestrian and cycling connections	Previous proposals for the site have delivered upgrades in the vicinity of the site which have included intersection upgrades and improvements to pedestrian cycleways in the vicinity of the site.
A diverse mix of shops including affordable options	The retail mix would be a matter appropriately addressed at Development Application stage.
Open spaces that supports informal and unstructured recreation	The concepts for the site provide for a variety of open spaces suitable for a range of social interactions and recreation uses.

• The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal: and

The site is currently vacant and undeveloped. The site presents no obstacles to redevelopment of the land.

Uses in the vicinity include lower density dwellings, medium density housing, and a major sports venue in Warwick Farm Racecourse.

To the north of the Hume Highway are automotive retailing and bulky good retailing uses.

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

The proposed residential mixed use redevelopment would not be adversely impacted upon by surrounding land uses. Any potential impacts to surrounding lands would be matters that could be readily considered under an assessment required by Section 4.15 for a future DA.

*The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision?*

The proponents have previously implemented via a VPA upgrade to road infrastructure in the vicinity to support the approved hardware/bulky goods retail development of the site. The use has not proceeded, but the network capacity has been improved. The proposed development seeks to utilise this improved capacity.

In addition, the proposal includes an offer to enter into a VPA for the provision of affordable housing payment of Section 7.11 Development Contributions, and provision of accessible open space areas.

*Q4. Is the planning proposal consistent a local council's Local Strategy, or other local strategic plan?*

A current or draft local strategy is not in place.

The previous Liverpool Residential Development Strategy 2008 is over 10 years old, and pre-dates the Regional Plan and District Plan. therefore, this previous plan has not been considered.

*Q.5. Is the planning proposal consistent with applicable state environmental planning policies?*

The consideration of these State Environmental Planning Policies and deemed SEPPs has identified that the Planning Proposal does not conflict with any of these relevant policies:

SEPP Title	Consistency	Comment
19. Bushland in Urban Areas	Yes	The site is already zoned for urban purposes and subject to a previous consent authorising clearing of the site. The vegetation on the site is not representative of the structure and floristic characteristics of native vegetation. The PP does not conflict with this EPI.
55. Remediation of Land	Yes	The site has a history of residential use prior to the demolition of the dwellings. There are no known uses of the land that would indicate that the site could be contaminated and require further investigation.
64. Advertising and Signage	Yes	The provisions of SEPP 54 would continue to apply to any future development applications that include signage to which the SEPP applies.
65. Design Quality of Residential Flat Development	Yes	The provisions of SEPP 65 and the ADG will apply to development anticipated to be facilitated by the PP.  The provision of the ADG relating to building separation, solar access, ventilation, and open space provision have been taken into account in the development of the concept plan for the site. The envelopes are readily capable of accommodating buildings able to satisfy the amenity requirements of the ADG.

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

SEPP (Building Sustainability Index: BASIX) 2004	Yes	The provisions of SEPP (BASIX) will apply to any future residential development and would be demonstrated in any DA.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	The SEPP would apply to the land if rezoned and seniors housing would be a permissible land use. The PP as proposed does not conflict with the provisions of intent of the policy.
SEPP (Infrastructure) 2007	Yes	The Provisions of ISEPP 2007 will continue to apply to the site. The PP does not derogate from the continued application of this SEPP to the land.
Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment	Yes	<p>The Georges River REP is a deemed SEPP, and applies to the land. The provisions of the SEPP require that the general and specific planning principles of the EPI are to be taken into account in the preparation of an LEP.</p> <p>The LLEP 2008 is a standard template LEP, which was prepared having regard to the requirements of the SEPP. The existing LLEP 2008 provisions relating to flooding, acid sulfate soils, and environmentally sensitive land will remain unchanged, and continue to apply where relevant to any future DA.</p>

Table 2: Consistency of the Planning Proposal with SEPP titles

*Q.6 Is the planning proposal consistent with applicable Ministerial Directions (S9.1 Directions)?*

The PP would be consistent with all relevant Directions as detailed below:

S117 Direction Title	Consistency	Comment
<b>1.0 Employment and Resources</b>		
1.1 Business and Industrial Zones	Yes	<p>The site is currently zoned B5 Business Development, with an FSR of 0.75:1.</p> <p>The land is vacant and had never been developed for business purposes.</p> <p>The PP proposes to apply a B4 Mixed Use zone to the western portion of the site, and an R4 High Density Residential zone to the eastern portion of the site.</p> <p>The PP proposes to apply an FSR of 3:1 across the site.</p> <p>The proposed zoning regime includes the ability to develop a local scale retail offering, including a supermarket and support retail of approximately 6,500m<sup>2</sup>.</p> <p>The proposal reduces the total land area zoned for business purposes. However, the proposal is considered appropriate as the land is not within an</p>

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

		existing identified centre, maintains the capacity for employment and service uses in the B4 mixed use zone, and would be of minor significance.
1.2 Rural Zones	N/A	
1.3 Mining, Petroleum Production and Extractive Industries	N/A	
1.4 Oyster Aquaculture	N/A	
1.5 Rural Lands	N/A	
<b>2.0 Environment and Heritage</b>		
2.1 Environment Protection Zones	Yes	The PP does not propose the introduction of an Environmental Protection zone.
2.2 Coastal Protection	N/A	
2.3 Heritage Conservation	Yes	There are no known matters of heritage significance required to be considered for the site and there are no heritage items located on the site.
2.4 Recreation Vehicle Areas	N/A	
<b>3.0 Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	Yes	The proposal is considered to be consistent with the direction, including the potential to broaden housing choice and provision in a location able to make efficient use of existing infrastructure and services. The range of housing includes 5% of the uplift as Affordable Rental Housing that would be dedicated to the Council.
3.2 Caravan Parks and Manufactured Home Estates	NA	
3.3 Home Occupations	Yes	Home occupations will continue to be permitted, to be carried out in dwelling houses without the need for development consent.
3.4 Integrating Land Use and Transport this Ministerial Direction	Yes	The PP is considered to be consistent with this Direction as: <ul style="list-style-type: none"> <li>• The Proposal will provide housing in a location that will be well serviced by public transport and in a location able to support cycling and walking in close proximity to employment lands, on the periphery of a Metropolitan Cluster;</li> <li>• The provision of housing in a location that is adjacent to a rail node and readily accessible to the Liverpool CBD which contains retail, commercial, education, and community facilities;</li> <li>• The site enjoys pedestrian and cycleway connections through the site;</li> <li>• The proposal will facilitate further pedestrian and cycleway connections through the site;</li> <li>• Providing an opportunity for residential development that improves opportunities for travel by means other than by car; and</li> <li>• Supports the efficient and viable operation of public transport services.</li> </ul>

68437\_E Planning Proposal\_Final\_180706

SJB Planning

Planning Proposal

31 / 38



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

3.5 Development Near Licensed Aerodromes	Yes	The proposal has taken into account the Bankstown Airport. The building heights are well below the relevant OLS, and the site is not impacted by potential aircraft noise.
<b>4.0 Hazard and Risk</b>		
4.1 Acid Sulphate Soils	Yes	The site is within an existing Class 5 Acid Sulfate Soils area. The relevant provision of LLEP 2008 will continue to apply.
4.2 Mine Subsidence and Unstable Land	N/A	
4.3 Flood Prone Land	Yes	The PP will be consistent with this Ministerial Direction. The site is subject to flooding. The PP request is supported by a flood report confirming these impacts can be managed on the site.
4.4 Planning for Bushfire Protection	N/A	
<b>5.0 Regional Planning</b>		
5.2 Sydney Drinking Water Catchments	N/A	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	
5.8 Second Sydney Airport: Badgerys Creek	N/A	
5.9 North West Rail Link Corridor Strategy	N/A	
5.10 Implementation of Regional Plans	Yes	The PP is consistent with the Regional Plan – A Metropolis of Three Cities, and has been specifically addressed in the PP request.
<b>6.0 Local Plan Making</b>		
6.1 Approval and Referral Requirements	Yes	The PP is consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	The PP is consistent with this Ministerial Direction.
6.3 Site Specific Provisions	Yes	The PP includes a site specific provision to facilitate the delivery of high quality architectural development with the requirement for a design competition in certain circumstances.
<b>7.0 Metropolitan Plan Making</b>		
7.1 Implementation of the Metropolitan Strategy	N/A	No site specific provision is proposed.

Table 3: Consistency of the Planning Proposal with Ministerial Directions

### 4.4.3 Section C – Environmental, Social and Economic Impact

*Q7: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The request for a Planning Proposal is for existing developed urban land and is not considered to have any adverse impacts upon threatened species, population or ecological communities.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

*Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The PP is supported by a Flood Impact Assessment confirming the ability for the flood impacts to be managed.

The proposal is also supported by a Transport Assessment which concludes that the transport network can accommodate the projected increase in housing provision that would be facilitated. The assessment has addressed the testing of the additional traffic generation. The assessment identifies that the testing of the small additional trip generation is not suitable to be tested under the AIMSUN Model. That is the scope of the AIMSUN model is large that the sensitivities of the model would not deduce reliable results for the additional 52 additional peak hour trips that would be generated by the additional development capacity. The traffic assessment identifies that the SIDRA modelling that was undertaken remains the most appropriate tool and assessment modelling for the analysis of the traffic impacts. This assessment has concluded that the additional development capacity would not have a detrimental impact upon the performance of the local road network.

The proposed built form has been tested for its impacts on surrounding land in relation to solar access. The sites location is such that the proposal does not result in unacceptable solar access impacts to residential properties or public open space areas.

*Q9. How has the planning proposal adequately addressed any social and economic effects?*

Social Effects

The site does not contain any items of known heritage significance and is disturbed from previous development which has been demolished.

The site proposes the provision housing on land outside the core employment lands of Liverpool CBD. The site has location attributes that make it highly desirable to pursue higher density residential housing. It is a large site within 100m of a Railway Station, and walking distance to educational and medical facilities. The Railway provides access to Greater Parramatta and the Sydney CBD, making it an appropriate location for maximising residential density.

The proposal includes the provision of 5% of dwellings as Affordable Rental Housing. The massing studies identify a potential dwelling yield of 930 dwellings. The provision of this potential quantum of Affordable Rental Housing dwellings in conjunction with the private dwellings in a location that is highly accessible to employment, services, education and transport is a highly desirable outcome, and consistent with all key strategic planning policies.

The site planning that is facilitated by the mid-rise approach to the site has afforded the opportunity to provide perimeter, publicly accessible open space and internalised private communal open space. This deep soil landscape opportunity provides a potential publicly accessible landscaped open space for the site.

The inclusion of a neighbourhood retail focus provides the opportunity to establish a community focus for Warwick Farm which does not currently exist augmented by a range of casual open space recreation opportunities.

The PP is not considered to present any adverse social impacts and facilitates positive outcomes of:

- Affordable Rental Housing dedicated to Council;
- Accessible open space;
- Employment opportunities on-site; and

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- Service retail facilities for the existing community.

Economic Effects

The proposal has the potential to deliver a range of positive economic impacts with the provision of retail and commercial space for service retail uses. These uses provide a range of employment opportunities in the vicinity of the existing and future residential population. These employment opportunities as well as the provision of Affordable Rental Housing that is well located to suit a range of potential key worker groups are considered to have positive economic outcomes. The potential to provide affordable rental accommodation closer to employment opportunities and transport improves the prospect of reducing commute times with the consequent social benefits that can provide.

Q10 Is there adequate public infrastructure for the planning proposal?

The locality is a highly urbanised area that is accessed by the full range of urban services and utilities. The maximisation of the residential capacity, the planning amendment and potential future redevelopment supports sound principles for utilising existing community investment in infrastructure and services in the locality. Any augmentation of utility services will be undertaken as required.

Q11 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

This section will be completed following consultation with any State and Commonwealth Public Authorities identified in the Gateway Determination. However, the PP is consistent with the latest strategic planning policies and Government approach to increase housing supply in appropriate locations.

**4.5 Part 4 – Mapping**

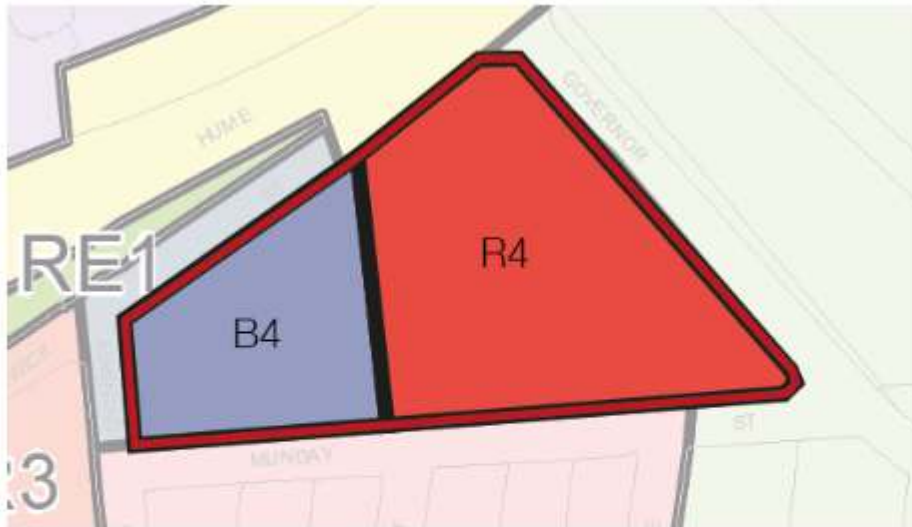


Figure 16: Extract from proposed amended LLEP 2008 Zoning Map

LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

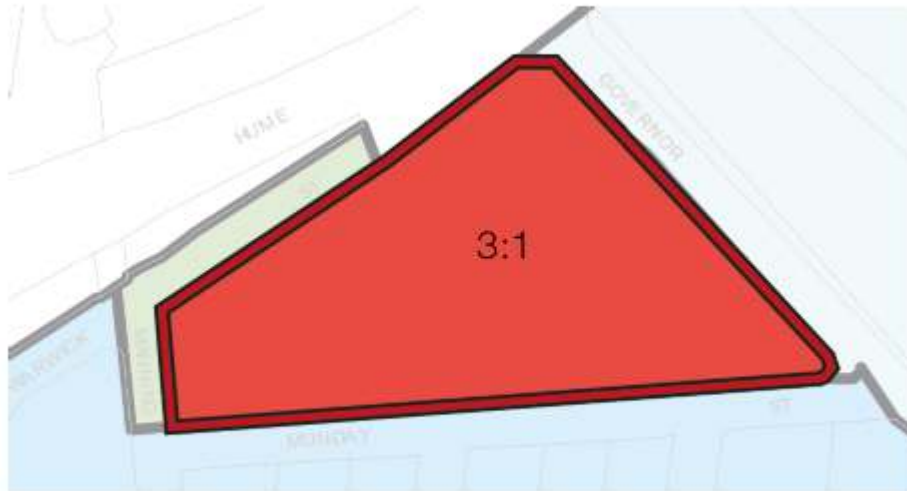


Figure 17: Extract from proposed amended LLEP 2008 Floor Space Ratio Map

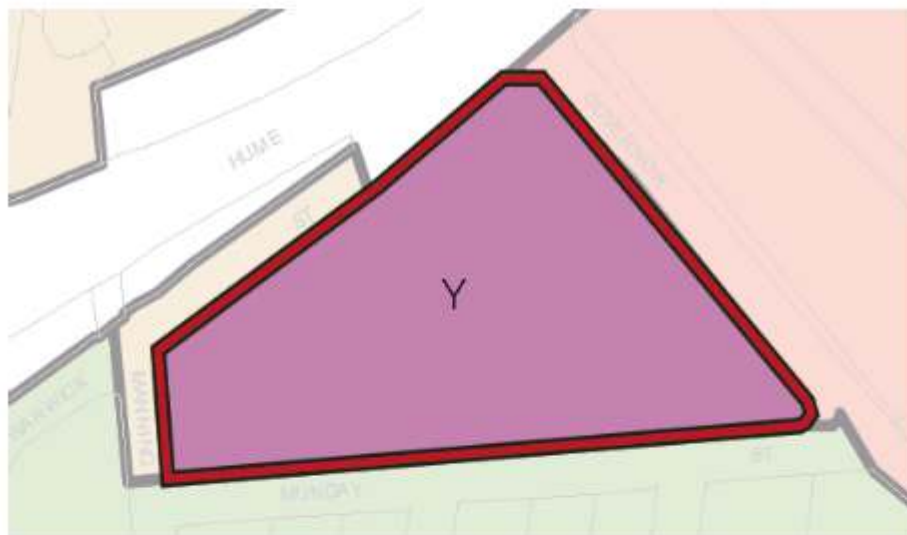


Figure 18: Extract from proposed amended LLEP 2008 Height of Buildings Map

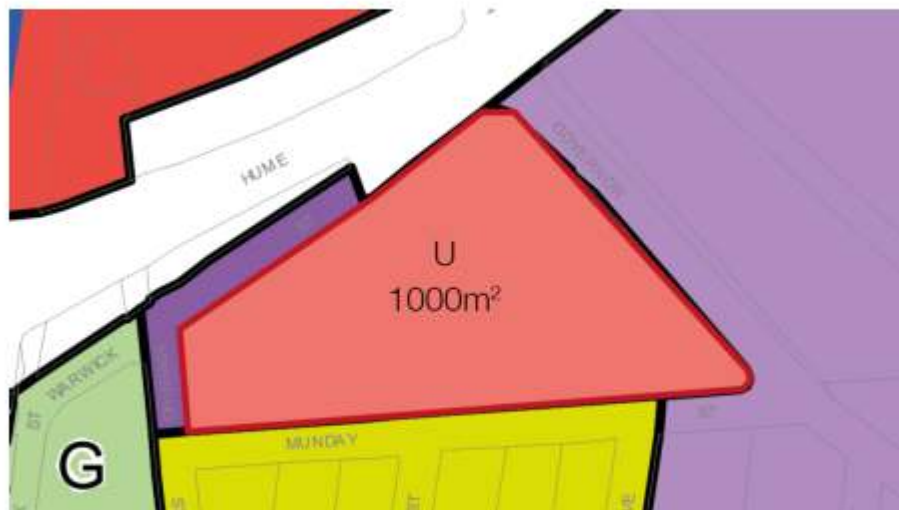


Figure 19: Extract from proposed amended LLEP 2008 Minimum Lot Size Map

The amended mapping proposes a new FSR of 3:1 across the site, and a height of 50.0m along with a minimum lot size of 1,000m<sup>2</sup>. The zones applying to the site would be part B4 Mixed Use and part R4 High Density Residential.

#### 4.6 Part 5 – Community Consultation

It is expected that community consultation will be pursued consistent with standard practice of:

- Notification of surrounding land owners;
- Public notification in local newspapers; and
- Notification on Council's website.

Should further consultation be required, this can be managed through the Gateway Process.

#### 4.7 Part 6 – Project Timeline

The project timeline would be established by Council upon resolution to resolve to proceed to Gateway determination.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

## 5.0 Conclusion and Recommendations

This PP for Lot 1 Governor Macquarie Drive, Warwick Farm, seeks to remove the B5 Business Development zone from applying to the land and impose a Part B4 Mixed Use and part R4 High Density Residential zone. To facilitate a mixed-use development consistent with the concepts prepared the height of Buildings map and the FSR maps would also be amended. These would be amended to impose and FSR of 3:1 across the site and a maximum height of buildings of 50.0m. This height facilitates the required floor to floor heights of the ADG as well as required internal clearances for ground floor retail land uses. Council could resolve to prepare a site specific DCP to provide future design guidance to deliver the concept plan that has been prepared in support of the Planning Proposal request. However as clearly demonstrated the height and FSR facilitate the delivery of development ranging between 4 and 15 storeys and low to mid-rise buildings with high amenity and positive urban design integration to the locality.

The PP will facilitate the redevelopment of this large vacant site to provide a mix of residential and employment land uses. In addition to these land uses the urban design concepts have identified a number of community benefits including:

- Affordable rental housing
- Publicly accessible open space
- Reinforcement of a sense of place for Warwick Farm in the vicinity of the rail station
- Creation of a central node and gathering spaces
- Publicly accessible open space area in landscape and urban plaza form; and
- Improved pedestrian connectivity and amenity through and across the site

The PP request ensures that the potential of the site is best realised to maximise the benefit of the sites proximity to public transport, employment, education, and urban services and announced investment in the Liverpool Hospital and medical precinct.

The pursuit of low to mid-rise buildings ensure a consistency and compatibility with higher density residential development to the west along the Hume Highway and ensure that the primacy of the Liverpool CBD remains unchallenged in the urban hierarchy of Liverpool and the Metropolitan Cluster.

The supporting studies identify that potential flood impacts on the site can be managed. The urban design study and Community Benefits report identify that arising from a redevelopment of the land numerous positive urban and social outcomes could be achieved and delivered to the benefit of Warwick Farm and the greater Liverpool locality.

The traffic consideration identifies that previous intersection upgrade works have been undertaken to support the rezoning and development of the site for a hardware bulky goods retailing development. The proposal utilises the network capacity that have been delivered by the site that have yet to be utilised.

In summary, the site is ideally located to provide the low to mid-rise mixed use development on the periphery of the Liverpool Metropolitan cluster. The site has excellent public transport access to Greater Parramatta and the Sydney CBD as well as the future Western Sydney Airport. The site enjoys excellent pedestrian and cycle connectivity to the Liverpool CBD and the Liverpool South Western health complex.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

The proposal has been demonstrated to align with the objectives of A Metropolis of Three Cities and the Western City District Plan.

Importantly the PP has responded positively to the determination of the Sydney Western City Planning Panel on a previous proposal which was found to have strategic merit but not site specific merit.

The amendments to the planning proposal deliver a low to mid-rise built form that respects the primacy of the Liverpool CDB, better integrates with the surrounding land uses and building scales and provides a superior allocation of land uses with the retail hub to the west of the site providing a clear marker from the Warwick Farm rail station.

The proposal supports the existing public investment in infrastructure in the locality as well as intended infrastructure upgrades to support the future western Sydney airport. The proposal would support the creation of a diverse and vibrant community hub to reinforce the identity of Warwick Farm.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

<b>Item no</b>	3
<b>Application Number</b>	RZ-2/2019
<b>Proposal</b>	Planning proposal to rezone and amend development standards for certain land subject to Basin 14 and Bernera Road, Edmondson Park.
<b>Recommendation</b>	Proceed to Gateway determination
<b>Planning Officer</b>	Nancy Norris – Strategic Planner Masud Hasan – Senior Strategic Planner

## **1. EXECUTIVE SUMMARY**

A planning proposal (RZ-2/2019) has been prepared to rezone and amend development standards for certain land subject to Basin 14 and Bernera Road, Edmondson Park.

Land subject to this planning proposal contains an area known as 'Basin 14', which is to be acquired by Liverpool City Council for the purposes of stormwater infrastructure and flood mitigation measures. The area will also have a secondary function of providing land for open space and recreation purposes. Consultation with Storm Consultants for the development of a basin design began in December 2017 and the detailed basin design is to be finalised in 2019.

The *Liverpool Local Environmental Plan 2008* (LLEP 2008) zoning and development standards currently reflect Council's preliminary conceptual design for the basin. The basin is no longer to be constructed in accordance with the preliminary concept design, as there is an access driveway to a house of worship bisecting the site. The arrangements and costs involved to move this access driveway are undesirable.

The planning proposal seeks to facilitate the development of the revised design for Basin 14, which will provide much needed stormwater infrastructure and public open space to the rapidly growing suburb of Edmondson Park. The planning proposal seeks to enable the appropriate acquisition of land by Council as well as assist in the orderly development of land adjacent to the basin. The following matters have been addressed in the planning proposal:

1. The revised design of Basin 14 extends the basin further south, resulting in additional land to be acquired by Council. This extension has resulted in a long narrow parcel of residential zoned land that is unfeasible to develop due to its current size;
2. The revised design has resulted in land currently zoned R3 Medium Density Residential identified as being required for the basin footprint;
3. The revised design has resulted in RE1 Public Recreation land identified as surplus to Council's initial requirements for the basin footprint. This land is no longer required for acquisition by Council and can be rezoned to assist in the orderly development of the area surrounding the basin;
4. The revised basin design has resulted in amendments to the indicative layout plan (ILP) within Part 2.11 of the Liverpool Development Control Plan 2008 (LDCP 2008). This is to reflect a new road layout and pedestrian access around the site. The

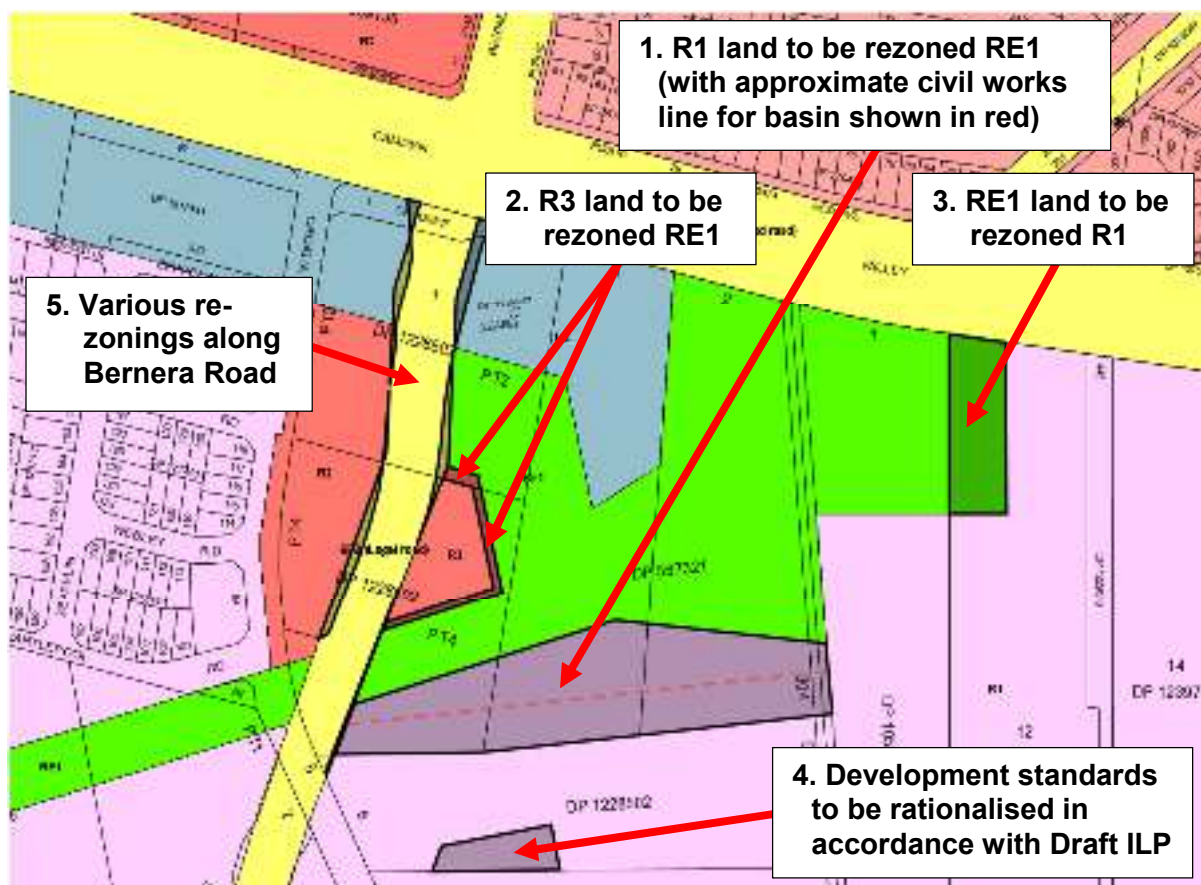


**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

development standards for a parcel of land south of the basin are to be altered to rationalise the boundaries of its standards in accordance with the amended road layout; and

5. The detailed design and construction of Bernera Road (adjacent to the basin), has resulted in inconsistencies between LEP mapping, the new road alignment and adjacent lot boundaries.



*Figure 6: Matters addressed within the planning proposal*

The planning proposal has strategic and site specific merit. The planning proposal is not inconsistent with the metropolitan plan, district plan, community strategic plan, ministerial directions and SEPPs.

The application is referred to the Liverpool Local Planning Panel (LLPP) in accordance with cl.2.19 of the *Environmental Planning and Assessment Act 1979* for advice. Council officers recommend that the planning proposal proceeds to Gateway subject to consideration by the elected Council.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

## **2. SITE AND LOCALITY DESCRIPTION**

### **The Site**

The planning proposal relates to ten lots accessible from Camden Valley Way, Bernera Road and Croatia Avenue, which contain a variety of land use zones and are largely undeveloped. One of these lots form part of the recently re-aligned Bernera Road and one lot is also accessible from Manchuria and Poziers Road.

The subject land contains a tributary of Maxwells Creek and also contains 'Maxwells Creek North Riparian Park', which is one of three riparian parks identified under Part 2.11 Edmondson Park of the Liverpool Development Control Plan 2008 (LDCP 2008). This park is forecasted to contain passive open space and a children's play area in accordance with Items 10 and 11 within Section 6.4 of the Edmondson Park Contributions Plan 2008 (the Contributions Plan). It is noted that a transmission easement for electrical lines runs through the site.

The addresses and legal descriptions of the subject lots are detailed within Table 1 below, and are identified in Figure 2. Note that the planning proposal does not intend on rezoning the entirety of all of the subject lands, rather part of some land parcels are proposed to be rezoned.

The parcels of land subject to the planning proposal are outlined in Figure 3. Land to be rezoned for the facilitation of Basin 14 include approximately 14,000m<sup>2</sup> of R1 General Residential zoned land, 3,200m<sup>2</sup> of RE1 Public Recreation zoned land and 400m<sup>2</sup> of R3 Medium Density Residential zoned land. Miscellaneous zonings along Bernera Road, and development standards for a portion of land south of the basin are to also be amended.

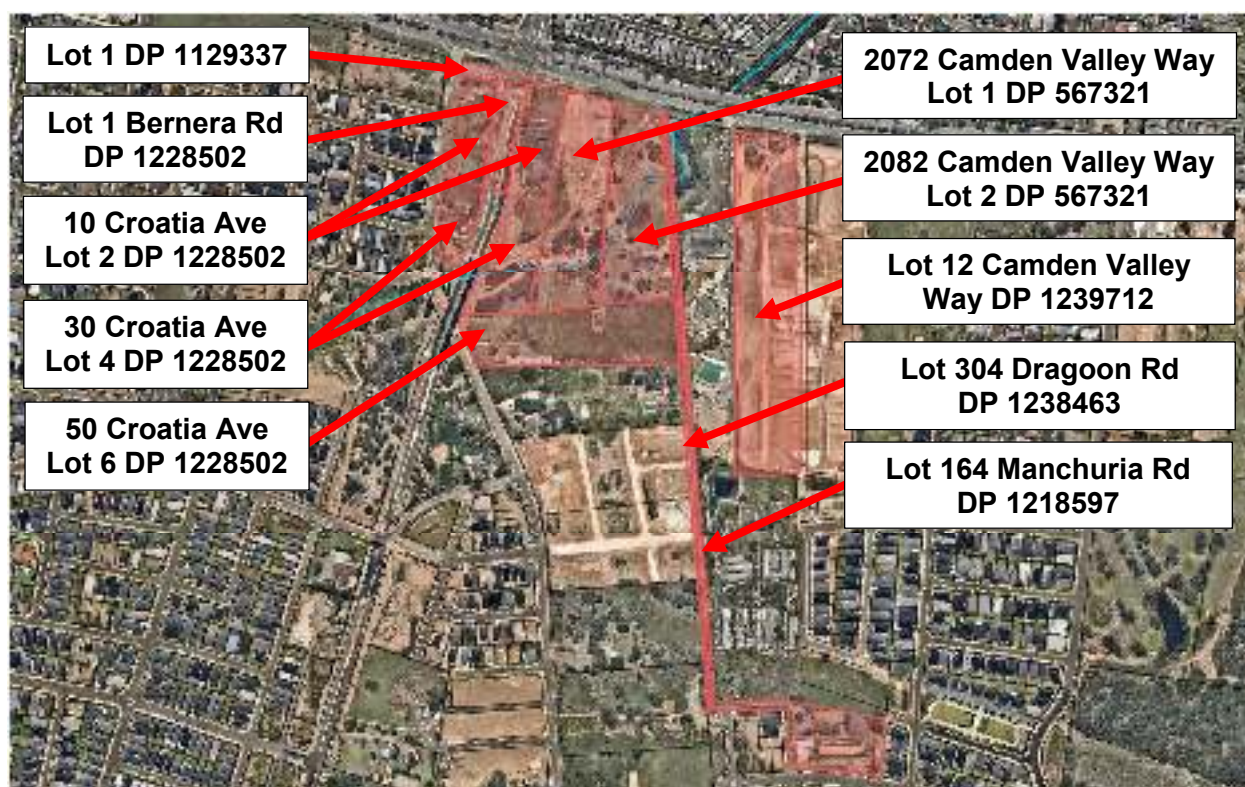
It is noted that one of the subject lots (Lot 12 DP 1239712) is currently subject to two development applications (DA-665/2018 and DA-561/2016/A), for the construction of a multi dwelling housing development comprising 11 dwellings and including strata subdivision, and for the modification of stormwater easements and lot sizes, respectively. The planning proposal is not required to support these developments, nor will this planning proposal alter any planning controls which will influence the development applications.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

27<sup>th</sup> May 2019

*Table 1: Subject lot addresses, legal descriptions and proposed changes*

Address	Legal Description	Current Zoning	Proposed Zoning
N/A	Lot 1 DP 1129337	B6	SP2
Lot 1 Bernera Road	Lot 1 DP 1228502	B6	SP2
		R3	SP2
No. 10 Croatia Avenue	Lot 2 DP 1228502	SP2	B6
		SP2	R3
		SP2	RE1
		R3	RE1
No. 30 Croatia Avenue	Lot 4 DP 1228502	R3	RE1
		SP2	R3
		SP2	RE1
		R1	RE1
		R3	RE1
No. 50 Croatia Avenue	Lot 6 DP 1228502	SP2	R1
No. 2072 Camden Valley Way	Lot 1 DP 567321	R1	RE1
No. 2082 Camden Valley Way	Lot 2 DP 567321	R1	RE1
Lot 12 Camden Valley Way	Lot 12 DP 1239712	RE1	R1
Lot 304 Dragoon Road	Lot 304 DP 1238463	R1	RE1
Lot 164 Manchuria Road	Lot 164 DP 1218597	R1	RE1

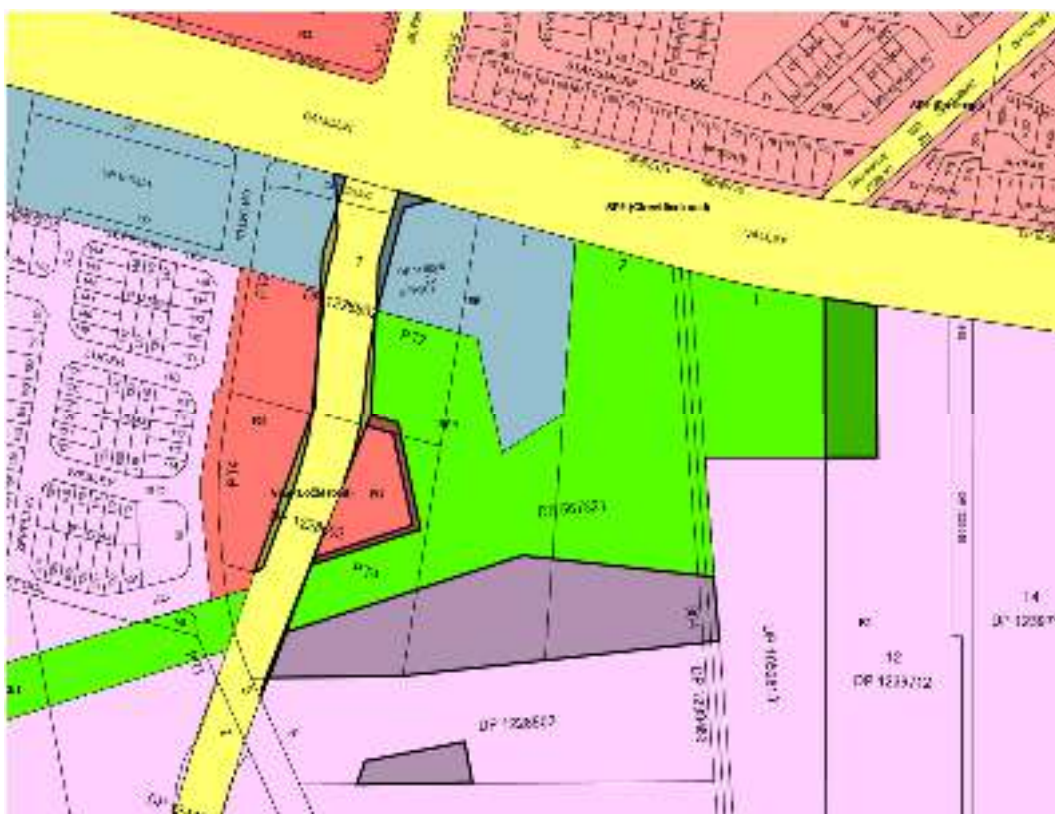


*Figure 2: Aerial view of subject lots*



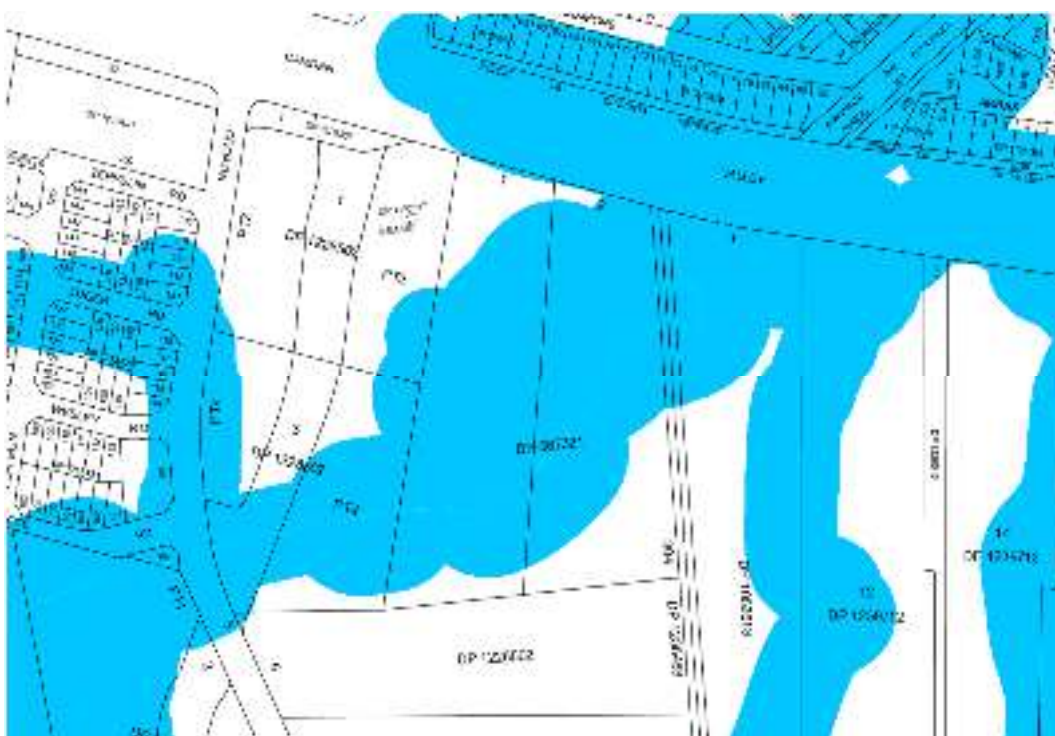
**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**



*Figure 3: Parcels of land subject to the planning proposal*

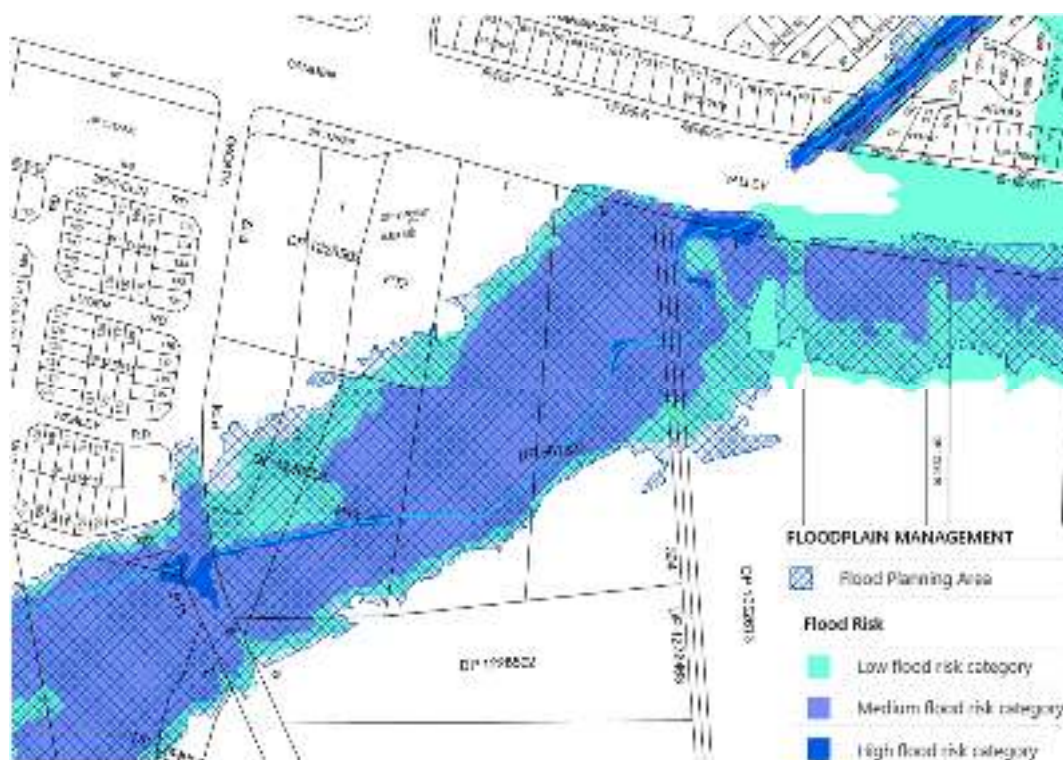
The site falls from the south towards Camden Valley Way, by approximately 12m. Majority of the site contains a riparian corridor and is identified as predominantly low to medium flood risk, due to the presence of a tributary of Maxwells Creek. Refer to Figures 4 and 5.



*Figure 4: Riparian Corridor*

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**



**Figure 5: Flood Planning Area and Flood Risk**

The site has been biodiversity certified under the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP)*. Land currently zoned R1 General Residential is identified as containing Forest Red Gum vegetation types in both good (canopy cover greater than 10%) and poor (scattered trees) condition. Refer to Figure 6 below.



**Figure 6: Vegetation Types**



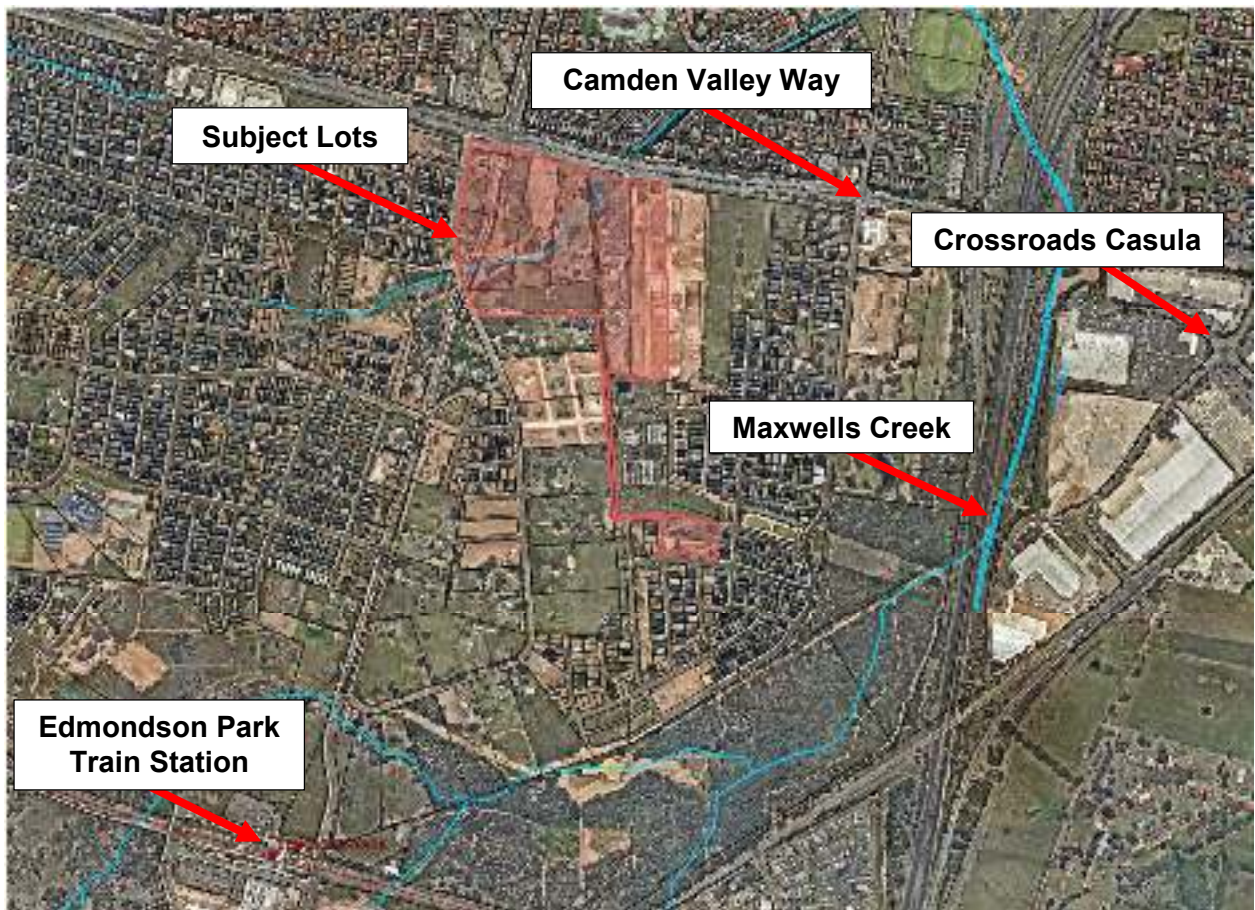
**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

### **The Locality**

The subject site is located within the South West Growth Centre within the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* and is identified in the Edmondson Park Structure Plan in Part 2.11 of LDCP 2008. The locality is predominantly characterised by recently subdivided land and low density residential areas. Established dwelling houses are situated north of Camden Valley Way within the R2 Low Density Residential zone, whilst new low density dwellings are being developed within the R1 General Residential zone to the east and west of the site. High density development is proposed to be concentrated to the south of the site near Edmondson Park station.

The site is adjacent to Camden Valley Way and is approximately 500m west of the M5 and M7 Motorways. Casula Crossroads Homemaker Centre is approximately 700m east and Edmondson Park shops (including ALDI and Woolworths) are approximately 600m west.



*Figure 7: Locality Map*

---

### **3. BACKGROUND/HISTORY**

The Edmondson Park precinct was rezoned from 1(e) Rural – Future Urban to 2(e) Residential – Developing Communities by Amendment 83 to the *Liverpool Local Environmental Plan 1997* on the 31<sup>st</sup> March 2006. Following the adoption of the *Liverpool Local Environmental Plan 2008* the precinct was primarily zoned R1 (General Residential). Since the initial rezoning, the precinct has been undergoing urbanisation. This rezoning formed part of an extensive planning exercise, which was informed by numerous investigations including a variety of flooding studies, as discussed below. Since this time, the forecasted growth for Edmondson Park has increased, particularly with the development of Edmondson Park South under the *State Environmental Planning Policy (State Significant Precincts) 2005*. This has placed increased pressure on existing and proposed infrastructure in Edmondson Park.

#### **Flood Studies and Strategies for Edmondson Park**

- The *Cabramatta Creek Basin Strategy* was developed in the 1980's to ensure forecasted development would not increase flooding impacts to the creek and locality. This strategy included 19 flood detention basins across urban release areas within the catchment area, with Basin 12 and Basin 14 situated in Edmondson Park;
- Edmondson Park is located in the upper reach of Cabramatta Creek and is traversed by Cabramatta Creek, Maxwells Creek and its tributaries. The rezoning of Edmondson Park for urban development in 2006 included the provision of Basin 12 (across Cabramatta Creek at Jardine Drive) and Basin 14 (across Maxwells Creek tributary, south of Camden Valley Way). These basins are consistent with Council's strategy for Cabramatta Creek;
- A number of flood studies were undertaken from early 2000 to 2008 to inform the rezoning of Edmondson Park for urban development. These studies included the *Water Cycle Management Study* (GHD 2003) and *Edmondson Park Flood Study* (Web McKeon 2007). Both of these studies prepared concept design proposals with different configurations for Basin 14;
- The *Cabramatta Creek Basin Strategy* has been assessed through a number of flood studies and reviews undertaken by Bewsher Consulting for Council in 2004, 2006 and 2011. These concluded that the strategy was performing effectively in achieving its flood mitigation objectives and confirmed the need for the construction of remaining basins identified in the strategy, including Basin 14;
- In 2014, FloodMit and Storm Consultants developed concept designs for Basin 12 and Basin 14. Flood behaviour was assessed through 2D TufLOW hydraulic modelling to ensure increased flows from new development in Edmondson Park would not adversely impact the area. Subsequently, the detailed design and construction of Basin 12 was completed;
- In December 2017, Council engaged Storm Consulting to undertake the detailed design of Basin 14. This design is currently being finalised and has incorporated water quality measures such as rain gardens, as well as recreational facilities such as foot paths and viewing platforms. The scope of works are as follows:
  - Stage 1: Feasibility Assessment
  - Stage 2: Preliminary Concept Design
  - Stage 3: Flood Impact Assessment

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- Stage 4: Detailed Concept Design of the basin
  - Stage 5: Detailed Design of the basin
  - Stage 6: Environmental Assessment and Management
- This planning proposal is required to facilitate the proposed changes to the existing basin footprint to accommodate the detailed design of Basin 14.

#### **4. DETAILS OF THE PROPOSAL**

The planning proposal seeks to facilitate the development of the revised design for Basin 14. As discussed, the LLEP 2008 zoning and development standards currently reflect Council's preliminary conceptual design for Basin 14. However, it is no longer desired to construct the basins as per the initial concept design as this would sever the access driveway to an existing house of worship, requiring a new access point which would induce additional traffic onto residential streets. Consequently, a new basin design was developed by Storm Consulting and is to be finalised in 2019. Refer to Attachment 2 for the detailed design for the basin.

This planning proposal seeks to amend the LLEP 2008 to facilitate the development of the revised basin design, as follows:

- The revised design extends Basin 14 further south, resulting in additional land to be acquired by Council. RE1 Public Recreation zone is to be extended to cover the new footprint of the basin. The extension of the basin has resulted in a long narrow parcel of residential zoned land that is unfeasible to develop due to its current size. As quality open space is in high demand in Edmondson Park due to rapid residential development, this land is to also be rezoned from R1 General Residential to RE1 Public Recreation and used as an area of public open space adjacent to the basin.
- The revised design has identified land currently zoned R3 Medium Density Residential as being required for the basin footprint. This land is to be rezoned to RE1 Public Recreation. This includes approximately 150m<sup>2</sup> of land at 10 Croatia Avenue (Lot 2 DP 1228502) which is too small to develop independently, and approximately 250m<sup>2</sup> of land at 30 Croatia Avenue (Lot 4 DP 1228502). This land has been removed from the outskirts of the R3 Medium Density Residential land and the remaining area is considered to contain an acceptable level of development yield.
- The revised design has resulted in RE1 Public Recreation zoned land at Lot 12 Camden Valley Way (DP 1239712) identified as surplus to Council's initial requirements for the basin footprint. As this land is no longer required for acquisition by Council, it is to be rezoned to R1 General Residential to assist in the orderly development of the area surrounding the basin.
- The revised basin design has resulted in amendments to the indicative layout plan (ILP) within Part 2.11 of the Liverpool Development Control Plan 2008 (LDCP 2008). This is to provide a new road layout and pedestrian access around the site. The amendment of development standards on a portion of land at 50 Croatia Avenue (Lot 6 DP 1228502) will rationalise standards in accordance with the Draft ILP. The height, floor space ratio and dwelling density standards are to be increased, and minimum lot size standards are to be reduced, to correspond with the current standards on the western part of this lot.

*Note:* The DCP amendment is not detailed within this report, as the Local Planning Panel does not have a statutory role in providing advice on the DCP under the *Environmental*



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

*Planning and Assessment Act 1979.* The Draft LDCP 2008 will be exhibited alongside the proposed changes to the LLEP 2008.

- The detailed design and construction of Bernera Road (adjacent to the basin), has resulted in inconsistencies between LEP mapping, the new road alignment and adjacent lot boundaries, which are to be corrected as part of this planning proposal.

The Land Use Zoning, Minimum Lot Size, Floor Space Ratio, Maximum Height of Buildings, Land Reservation for Acquisition and Minimum Dwelling Density LLEP 2008 maps are to be amended as part of this proposal.

## **5. CONSIDERATIONS FOR STRATEGIC MERIT**

- The Department's *A guide to preparing planning proposals* includes the following questions to justify the proposal (Section A, Q1 and Q2).

### *1. Is the planning proposal a result of any strategic study or report?*

The proposal has been driven by alterations to the design of the footprint for Basin 14. The basin is broadly identified within the Cabramatta Creek Basin Strategy which was developed in the 1980's to ensure forecasted development would not increase flooding impacts to the creek and locality. Storm Consultants were engaged by Council in 2015 to develop a plan for Basin 14. A report was prepared in 2018 which provided basin design options, with the preferred option being recommended based on hydrology, hydraulics and water quality principles. The preferred option has been drafted and is currently being finalised. Whilst the redesign results in the optimal configuration and performance of the basin, it also results in a required change to the land use zoning and acquisition standards to facilitate its development.

The alteration of development standards at 50 Croatia Avenue (Lot 6 DP 1228502) and rezoning of land to amend inconsistencies regarding zone boundaries along Bernera Road, is not the result of a strategic study or report. The planning proposal will facilitate the resulting changes in land zoning, land acquisition and planning standards.

### *2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The planning proposal is the best means of achieving the intended outcomes. The subject land is currently zoned in accordance with the concept basin footprint and concept road alignment. As the basin footprint has been extended south, the LLEP 2008 zoning and development standards maps are required to be amended to enable the development of this revised basin design.

Construction of the basin is considered necessary so that a number of temporary detention basins on privately owned land can be decommissioned and redeveloped for other uses, as per the zoning of those lands. Additionally, due to the reconfiguration of the basin footprint, land has been identified which is now surplus to requirements. As the land will not be required for drainage or open space purposes, the planning proposal will remove the land acquisition from Council and will allow the land to be developed in an orderly fashion. The quantum of open space land will be balanced by the gain of additional open space land towards the south of the basin area.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

Furthermore, the planning proposal is to alter development standards at 50 Croatia Avenue (Lot 6 DP 1228502) to rationalise standards in accordance with the Draft ILP within Part 2.11 of the LDCP 2008, as well as amend inconsistencies in LLEP 2008 mapping around the recently re-aligned Bernera Road. A planning proposal facilitating the necessary amendments to the LLEP 2008 is therefore the best means of achieving the objectives and intended outcomes.

- The Department's *A guide to preparing planning proposals* includes the following question to delineate consistency with the NSW strategic planning framework (Section B, Q3).

**12.** *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

The planning proposal is considered to be consistent with relevant regional, sub-regional or district plan or strategies. The objective of the planning proposal is not to increase residential, commercial or industrial development, rather it is to amend land use zones and relevant development standards to enable the provision of essential stormwater and community infrastructure, as well as to correct mapping errors. The infrastructure is necessary to accommodate the planned growth of the Edmondson Park area and will further assist in the provision of open space and recreational facilities to the community. The proposal rationalises land uses and development standards to enable the orderly development of surrounding land. Assessment against each of the relevant strategies is provided in the planning proposal attached.

- The Department's *A Guide to Preparing Planning Proposals* includes the following question (Section B, Q4)

**13.** *Is the planning proposal consistent with Council's local strategy or other local strategic plan?*

The Planning Proposal is generally consistent with Council's Community Strategic Plan: *Our Home, Liverpool 2027*. Council's strategy adopts a quadruple bottom line approach, being Creating Connection (Social), Strengthening and Protecting Our Environment (Environment), Generating Opportunity (Economic), and Leading through Collaboration (Civic Leadership).

The planning proposal is consistent with the following desires of the community:

- Creation of more green spaces
  - The planning proposal increases the extent of land to be zoned for public open space. Continued residential development within Edmondson Park has resulted in an increased demand for quality open space.
- Creation of well-planned, attractive and people-friendly urban environments
  - The planning proposal will enable the LLEP 2008 to facilitate the development of the redesigned basin. This will ensure that down-stream flooding impacts are mitigated, and that temporary detention basins can be decommissioned. The provision of a more regular shaped space for a basin and public open space allows Council to provide synergies between these two spaces. The basin footprint is to be embellished with footpaths and landscaping providing passive recreation opportunities.
- Well managed use of Council's resources

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- The planning proposal results in the well managed use of Council resources as it will facilitate the optimal design of the basin and public open space. The rezoning of land at Lot 12 Camden Valley Way (DP 1239712) to residential uses means that Council does not have to acquire land which is surplus to the requirements of the new basin design, thereby optimising Council resources. Although the revised basin design requires Council to acquire additional land, the new design ensures the optimal performance of the basin to best meet the stormwater and social infrastructure needs of Edmondson Park.

The planning proposal is consistent with the following actions for Council:

- Protect and enhance bushland, rivers and the visual landscape
  - The proposed rezoning to facilitate the development of Basin 14 will result in the provision of public open space surrounding the North Tributary of Maxwells Creek. The addition of land currently zoned for residential uses, to land dedicated for the basin, will result in the increased protection of the creek.
- Exercise planning controls to create high-quality, inclusive, urban environments
  - In addition to the facilitation of Basin 14, the planning proposal seeks to rationalise planning controls on the site to align development standards with the Draft ILP, amend mapping inconsistencies, ensure the orderly development of land and remove isolated land zonings resulting in undevelopable land.

#### Section 9.1 Directions

The planning proposal complies with all relevant directions, pursuant to Section 9.1 of the EP&A Act 1979. Full justification as to how the planning proposal is consistent with these directions is provided for in the planning proposal attached.

#### **6. CONSIDERATIONS FOR SITE SPECIFIC MERIT**

- The Department's *A guide to preparing planning proposals* includes the following site-specific merit questions (Section B, Q3b).

*Does the proposal have site-specific merit, having regard to the following:*

- *the natural environment (including known significant environmental values, resources or hazards) and*

The planning proposal will enable Council to acquire land for a stormwater detention basin, which will result in the protection of the existing and future built environment, as well as the enhancement of the natural environment and provision of passive recreation facilities. The proposal includes the rezoning of flood prone land, from residential uses to public recreation uses.

A portion of land at Lot 12 Camden Valley Way (DP 1239712) will be rezoned to enable residential development. This land is flood prone, however the remainder of Lot 12 Camden Valley Way is already zoned for residential uses. The DCP provides controls to ensure that the land can be made flood free appropriately, preventing harm to life and property in the event of a flood.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- *the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and*

The planning proposal is not drastically altering the existing or future uses of the precinct; rather the rezoning will rearrange these existing uses, which will facilitate the development of the basin, repurpose land zoned for public open space which Council is not seeking to acquire, rationalise development standards in accordance with the Draft ILP and amend the mapping inconsistencies along Bernera Road.

- *the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

The subject lands have all utility infrastructure available. Any additional yield from the development of Lot 12 Camden Valley Way (DP 1239712) or 50 Croatia Avenue (Lot 6 DP 1228502) will be captured by the existing contributions plan, which will ensure contributions for infrastructure and services are collected.

- The Department's *A guide to preparing planning proposals* includes the following questions regarding State Environmental Planning Policies (Section B, Q5).

*5. Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The planning proposal complies with, or is not inconsistent with any SEPPs that apply to the land. Further justification can be viewed in Section 3.5 of the Planning Proposal attached.

- The Department's *A guide to preparing planning proposals* (Section B) includes the following questions for consideration:

<i>Question</i>	<i>Comment</i>
7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	No. The planning proposal seeks to rezone land from predominately residential uses to public recreation uses to facilitate the development of the basin. This will result in an increase to the extent of land zoned for public open space. The RE1 Public Recreation zone objectives aim to enhance, maintain and protect the natural environment. Land subject to the planning proposal has been biodiversity certified and the LLEP 2008 and LDCP 2008 contain provisions in relation to native vegetation retention in these areas.
8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	No. The rezoning of certain lands and alterations of development standards is not likely to have any significant environmental impacts on the site or locality. Whilst the development of the basin will involve substantial earthworks and the removal of existing vegetation, it will result in an area where native vegetation can be established, grow to maturity and potentially provide habitat for native fauna. It is noted that the proposal results in a net

	<p>increase of land to be zoned for recreation uses.</p> <p>The rezoning of land to residential uses at Lot 12 Camden Valley Way (DP 1239712), is not likely to cause negative environmental effects, as the land has already been cleared and developed for the purpose of a temporary on-site detention basin.</p> <p>The rezoning of land adjacent to Bernera Road is to amend mapping inconsistencies, and land at 50 Croatia Avenue (Lot 6 DP 1228502) is already zoned for residential uses, therefore, the proposed changes will not result in any significant environmental effects.</p>
9. Has the planning proposal adequately addressed any social and economic effects?	<p>The intention of the planning proposal is not to uplift or downzone land, rather it is to facilitate flood mitigation infrastructure, which will serve to protect the existing and proposed built environment.</p> <p>Certain land is to be rezoned and development standards are to be amended to facilitate the basin. As detailed further in Section 3.9 of the planning proposal, the most likely economic effects would be to the owners of land being rezoned from R1 General Residential and R3 Medium Density Residential to RE1 Public Recreation. Council's acquisition of this land will be subject to the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>
10. Is there adequate public infrastructure for the planning proposal?	<p>The planning proposal is not considered to demand any additional public infrastructure. The planning proposal may result in a marginal increase in development yield for Lot 12 Camden Valley Way (DP1239712) due to a portion of land being rezoned to residential uses, and 50 Croatia Avenue (Lot 6 DP 1228502) due to amended development standards. It is considered that the extinguishment of development in land being rezoned to RE1 will offset this marginal increase.</p> <p>The proposal seeks to facilitate the delivery of flood mitigation infrastructure adjacent to an area of public open space. Given the current and forecasted growth of Edmondson Park, there is increased demand for both stormwater infrastructure and quality open space.</p>
11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?	<p>The views of State and Commonwealth public authorities will be considered following a Gateway determination. The following government agencies, or utility owners, have been identified as potentially interested parties for reasons given below:</p>

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

	<ul style="list-style-type: none"><li>• NSW Department of Primary Industries: A tributary of Maxwells Creek runs through the subject site;</li><li>• Endeavour Energy &amp; Transgrid: An easement for a transmission line runs through the subject site;</li><li>• Roads and Maritime Services: The subject site is adjacent to Camden Valley Way, which is a classified road;</li><li>• APA Gas &amp; Jemena: A gas pipeline is located under Camden Valley Way, which places the subject site within the asset notification zone; and</li><li>• NSW Office of Environment and Heritage: The subject site contains riparian land, flood-prone land and vegetation.</li></ul>
--	--

### **Next Steps**

Following the Panel's consideration, changes may be made to the planning proposal. The proposal would then be reported to Council for endorsement and subsequently forwarded to the Department of Planning and Environment seeking a Gateway determination.

Following a Gateway Determination in support of the planning proposal, there will be public authority and community consultation, a public exhibition period and a further report to Council, prior to proceeding with the making of any amendment to the LLEP 2008.

## **7. CONCLUSION**

The planning proposal has been prepared to facilitate the revised design of Basin 14 in Edmondson Park. Council considers the planning proposal has strategic and site specific merit, and complies with the broader planning framework, including the metropolitan plan, district plan, community strategic plan, Ministerial Directions and SEPPs. The planning proposal aims to promote positive social, environmental and economic outcomes.

The above discussions of strategic and site merit are presented to the Panel for consideration and advice.

## **8. RECOMMENDATION**

That the planning proposal is supported and be presented to Council at the next available meeting seeking a Gateway determination.

## **9. ATTACHMENTS**

- 1. Planning Proposal**
- 2. Draft Basin 14 Civil Drawings**

Attachment 1: Draft Planning Proposal

## Planning Proposal

Draft Amendment to Liverpool Local Environmental Plan 2008 to rezone and amend development standards for certain land subject to Basin 14 and Bernera Road, Edmondson Park

April 2019

LIVERPOOL  
CITY  
COUNCIL



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**Table of Contents**

Background .....	3
Site Identification .....	5
Delegation of plan making functions .....	7
Part 1 – Objectives .....	8
Part 2 – Explanation of provisions .....	8
Part 3 – Justification.....	14
Section A – Need for the planning proposal .....	14
Section B – Relationship to strategic planning framework.....	15
Section C – Environmental, social, and economic impact .....	21
Section D – State and Commonwealth interests .....	22
Part 4 – Mapping.....	24
Part 5 – Community Consultation.....	30
Part 6 – Project Timeline.....	30

**List of tables**

Table 1: Subject lot addresses and legal descriptions .....	6
Table 2: Current and proposed standards for land zoned R1 General Residential .....	9
Table 3: Current and proposed standards for land zoned R3 Medium Density Residential .....	10
Table 4: Current and proposed standards for land zoned RE1 Public Recreation.....	11
Table 5: Current and proposed standards for land at 50 Croatia Avenue.....	12
Table 6: Current and proposed land use zones for land along Bernera Road.....	13
Table 7: Current and proposed development standards for land along Bernera Road .....	13
Table 8: Compliance with SEPPs .....	18
Table 9: Compliance with s.9.1 Directions.....	19
Table 10: Anticipated project timeline .....	30

**List of figures**

Figure 1: Matters addressed within the planning proposal.....	4
Figure 2: Aerial view of the subject lots.....	6
Figure 3: Parcels of land subject to the planning proposal.....	7
Figure 4: R1 General Residential land to be rezoned .....	9
Figure 5: R3 Medium Density Residential land to be rezoned.....	10

a



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

Figure 6: RE1 Public Recreation land to be rezoned .....	11
Figure 7: Parcel of land subject to amended development standards .....	12
Figure 8: Miscellaneous zoned land adjacent to Bernera Road to be rezoned .....	13
Figure 9: Existing land use zoning map for the subject site .....	24
Figure 10: Proposed land use zoning map for the subject site .....	24
Figure 11: Existing minimum lot size map for the subject site .....	25
Figure 12: Proposed minimum lot size map for the subject site .....	25
Figure 13: Existing floor space ratio map for the subject site .....	26
Figure 14: Proposed floor space ratio map for the subject site .....	26
Figure 15: Existing height of building map for the subject site .....	27
Figure 16: Proposed height of building map for the subject site .....	27
Figure 17: Existing land reservation acquisition map for the subject site .....	28
Figure 18: Proposed land reservation acquisition map for the subject site .....	28
Figure 19: Existing minimum dwelling density map for the subject site .....	29
Figure 20: Proposed minimum dwelling density map for the subject site .....	29

b

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

### **Background**

The Edmondson Park precinct was rezoned from 1(e) Rural – Future Urban to 2(e) Residential – Developing Communities by Amendment 83 to the *Liverpool Local Environmental Plan 1997* on the 31<sup>st</sup> March 2006. Following the adoption of the *Liverpool Local Environmental Plan 2008* (LLEP 2008) the precinct was primarily zoned R1 (General Residential). Since the initial rezoning, the precinct has been undergoing urbanisation. This rezoning formed part of an extensive planning exercise, which was informed by numerous investigations including a variety of flooding studies. Since this time, the forecasted growth for Edmondson Park has increased, particularly with the development of Edmondson Park South under the *State Environmental Planning Policy (State Significant Precincts) 2005*. It is anticipated that Edmondson Park will accommodate approximately 30,000 new residents living in approximately 8,200 homes over the next 10 to 15 years. This has placed increased pressure on existing and proposed infrastructure in Edmondson Park.

Land subject to this planning proposal contains an area known as 'Basin 14', which is to be acquired by Liverpool City Council for the purposes of stormwater infrastructure and flood mitigation measures. A basin is necessary to cater for the current and forecasted growth of this area. Quality open space is also in high demand in Edmondson Park due to rapid residential development, and the basin will have a secondary function of providing land for open space and recreation purposes. Consultation with Storm Consultants regarding the development of a basin design began in December 2017 and the detailed basin design is to be finalised in 2019. The LLEP 2008 zoning and development standards currently reflect Council's preliminary conceptual design for the basin. The basin is no longer being constructed in accordance with the preliminary concept design as there is an access driveway to a house of worship bisecting the site, and the arrangements and costs involved to move this access driveway are undesirable. Given that the detailed concept design has proposed a modified footprint, a planning proposal has been prepared to address the following matters:

1. The revised design of Basin 14 extends the basin further south, resulting in additional land to be acquired by Council. This extension has resulted in a long narrow parcel of residential zoned land that is unfeasible to develop due to its current size;
2. The revised design has resulted in land currently zoned R3 Medium Density Residential identified as being required for the basin footprint;
3. The revised design has resulted in RE1 Public Recreation land identified as surplus to Council's initial requirements for the basin footprint. This land is no longer required for acquisition by Council and can be rezoned to assist in the orderly development of the area surrounding the basin;
4. The revised basin design has resulted in amendments to the indicative layout plan (ILP) within Part 2.11 of the Liverpool Development Control Plan 2008 (LDCP 2008). This is to reflect a new road layout and pedestrian access around the site. The development standards for a parcel of land south of the basin are to be altered to rationalise the boundaries of its standards in accordance with the amended road layout; and

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

5. The detailed design and construction of Bernera Road (adjacent to the basin), has resulted in inconsistencies between LEP mapping, the new road alignment and adjacent lot boundaries.

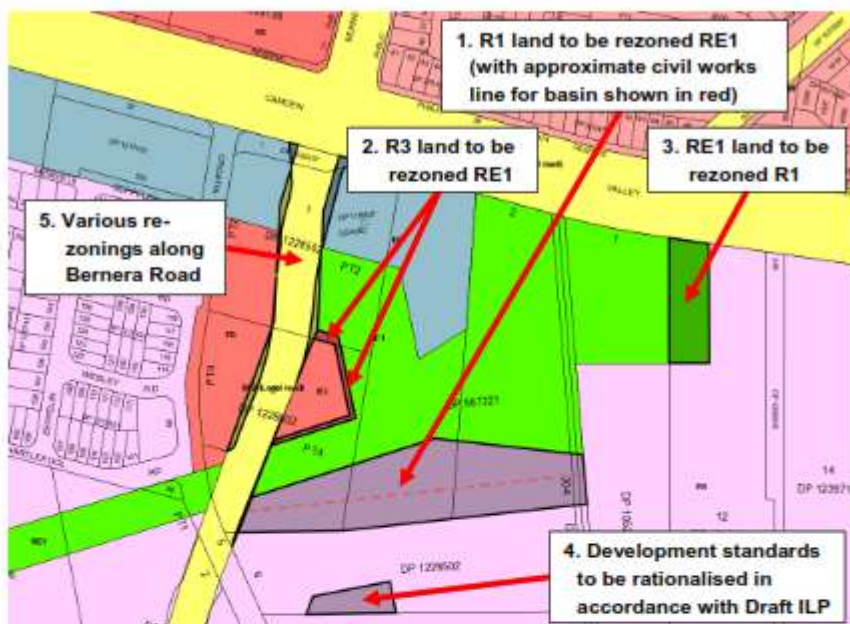


Figure 1: Matters addressed within the planning proposal

It is noted that one of the subject lots (Lot 12 DP 1239712) is currently subject to two development applications (DA-665/2018 and DA-561/2016/A), for the construction of a multi dwelling housing development comprising 11 dwellings and including strata subdivision, and for the modification of stormwater easements and lot sizes, respectively. The planning proposal is not required to support these developments, nor will this planning proposal alter any planning controls which will influence the development applications.

The proposal has been drafted in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* ('the Act') and the Department of Planning and Environment's 'A Guide to Preparing Planning Proposals'.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Site Identification**

The planning proposal relates to ten lots accessible from Camden Valley Way, Bernera Road and Croatia Avenue, which contain a variety of land use zones and are largely undeveloped. One of these lots form part of the recently re-aligned Bernera Road and one lot is also accessible from Manchuria and Poziers Road. The subject site is located within the South West Growth Centre within the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) and has been biodiversity certified.

Lot 12 DP 1239712 is subject to two development applications (DA-665/2018 and DA-561/2016/A) for the construction of a multi dwelling housing development, and for modifications to stormwater easements and lot sizes. Residential subdivision and the recent development of low density residential dwellings is occurring to the east, west and south of the site, whilst established residential areas are located north of Camden Valley Way. High density residential development is proposed to be concentrated further south of the site, near Edmondson Park station.

In addition to its stormwater infrastructure use, Basin 14 is to provide a public recreation function. The subject land contains a tributary of Maxwells Creek and also contains 'Maxwells Creek North Riparian Park', which is one of three riparian parks identified under Part 2.11 Edmondson Park of the Liverpool Development Control Plan 2008 (LDCP 2008). This park is forecasted to contain passive open space and a children's play area in accordance with Items 10 and 11 within Section 6.4 of the Edmondson Park Contributions Plan 2008 (the Contributions Plan). It is noted that a transmission easement for electrical lines runs through the site.

The addresses and legal descriptions of the subject lots are detailed within Table 1 below and identified in Figure 2. Note that the planning proposal does not intend on rezoning the entirety of all of the subject lands, rather part of some land parcels are proposed to be rezoned.



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Table 1: Subject lot addresses and legal descriptions

Address	Legal Description	Current Zoning	Proposed Zoning
N/A	Lot 1 DP 1129337	B6	SP2
Lot 1 Bernera Road	Lot 1 DP 1228502	B6	SP2
		R3	SP2
No. 10 Croatia Avenue	Lot 2 DP 1228502	SP2	B6
		SP2	R3
		SP2	RE1
		R3	RE1
No. 30 Croatia Avenue	Lot 4 DP 1228502	SP2	R3
		SP2	RE1
		R1	RE1
		R3	RE1
No. 50 Croatia Avenue	Lot 6 DP 1228502	SP2	R1
No. 2072 Camden Valley Way	Lot 1 DP 567321	R1	RE1
No. 2082 Camden Valley Way	Lot 2 DP 567321	R1	RE1
Lot 12 Camden Valley Way	Lot 12 DP 1239712	RE1	R1
Lot 304 Dagoon Road	Lot 304 DP 1238463	R1	RE1
Lot 164 Manchuria Road	Lot 164 DP 1218597	R1	RE1

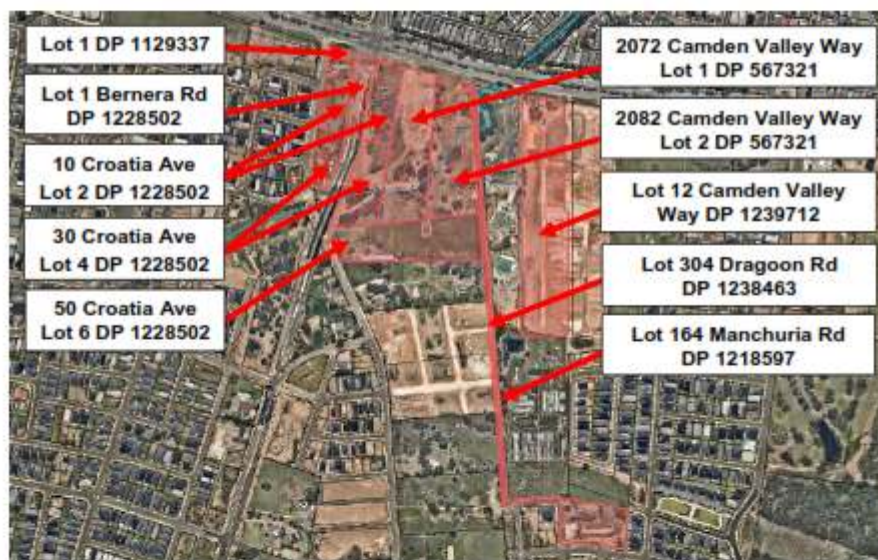


Figure 2: Aerial view of the subject lots

The portions of land subject to the planning proposal are outlined in Figure 3. Land to be rezoned for the facilitation of Basin 14 include approximately 14,000m<sup>2</sup> of R1 General Residential zoned land, 3,200m<sup>2</sup> of RE1 Public Recreation zoned land and 400m<sup>2</sup> of R3 Medium Density Residential zoned land. Miscellaneous zonings along Bernera Road, and development standards for a portion of land south of the basin are to also be amended.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**



Figure 3: Parcels of land subject to the planning proposal

### Delegation of plan making functions

This planning proposal seeks to amend the *Liverpool Local Environmental Plan 2008*. As such, Council is seeking authority of plan making functions pursuant to Section 3.36 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act").

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

### **Part 1 – Objectives**

The objective of this planning proposal is to facilitate the development of the revised design for Basin 14, which will provide much needed stormwater infrastructure and public open space to the rapidly growing suburb of Edmondson Park. The planning proposal seeks to enable the appropriate acquisition of land by Council, as well as the rationalisation of land use zones and development standards to reduce undevelopable parcels of land, and assist in the orderly development of land adjacent to the basin. Additionally, the planning proposal is to amend LLEP 2008 mapping inconsistencies along Bernera Road resulting from the re-alignment of the road.

### **Part 2 – Explanation of provisions**

The objectives of the planning proposal will be achieved through changes to land identified in Figures 4 to 8 and their corresponding planning controls listed in Tables 2 to 7. Draft maps are provided in Part 4.

To facilitate the proposed changes, the following LLEP 2008 maps are to be amended:

#### **Land Zoning**

- 4900\_COM\_LZN\_009\_020\_20160628

#### **Minimum Lot Size**

- 4900\_COM\_LSZ\_009\_020\_20160217

#### **Floor Space Ratio**

- 4900\_COM\_FSR\_009\_020\_20160217

#### **Maximum Height of Buildings**

- 4900\_COM\_HOB\_009\_020\_20160217

#### **Land Reservation for Acquisition**

- 4900\_COM\_LRA\_009\_020\_20160217

#### **Minimum Dwelling Density**

- 4900\_COM\_DWD\_009\_020\_20160217

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019



Figure 4: R1 General Residential land to be rezoned

Table 2: Current and proposed standards for land zoned R1 General Residential at: 30 Croatia Avenue (Lot 4 DP 1228502), 2072 Camden Valley Way (Lot 1 DP 567321), 2082 Camden Valley Way (Lot 2 DP 567321), Lot 304 Dragoon Road (DP 1238463) and Lot 164 Manchuria Road (DP 1218597)

Control	Current	Proposed
<b>Zoning (LZN)</b>	R1 General Residential	RE1 Public Recreation
<b>Minimum Lot Size (LSZ)</b>	240m <sup>2</sup> (Area 3), 450m <sup>2</sup> & no standard	No standard
<b>Floor Space Ratio (FSR)</b>	1.0:1, 0.65:1 & no standard	No standard
<b>Maximum Height of Buildings (HOB)</b>	15m, 8.5m & no standard	No standard
<b>Land Reservation Acquisition (LRA)</b>	No standard	RE1 Local Open Space
<b>Minimum Dwelling Density (RDN)</b>	17 and 14 dwellings/ha & no standard	No standard



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**



Figure 5: R3 Medium Density Residential land to be rezoned

Table 3: Current and proposed standards for land zoned R3 Medium Density Residential at: 10 Croatia Avenue (Lot 2 DP 1228502) and 30 Croatia Avenue (Lot 4 DP 1228502)

Control	Current	Proposed
<b>Zoning (LZN)</b>	R3 Medium Density Residential	RE1 Public Recreation
<b>Minimum Lot Size (LSZ)</b>	240m <sup>2</sup> (Area 3)	No standard
<b>Floor Space Ratio (FSR)</b>	1.0:1	No standard
<b>Maximum Height of Buildings (HOB)</b>	15m	No standard
<b>Land Reservation Acquisition (LRA)</b>	No standard	RE1 Local Open Space
<b>Minimum Dwelling Density (RDN)</b>	17 dwellings/ha	No standard

**27<sup>th</sup> May 2019**



Control	Current	Proposed
Zoning (LZN)	RE1 Public Recreation	R1 General Residential
Minimum Lot Size (LSZ)	No standard	450m <sup>2</sup>
Floor Space Ratio (FSR)	No standard	0.65:1
Maximum Height of Buildings (HOB)	No standard	8.5m
Land Reservation Acquisition (LRA)	RE1 Local Open Space	No standard
Minimum Dwelling Density (RDN)	No standard	14 dwellings/ha

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

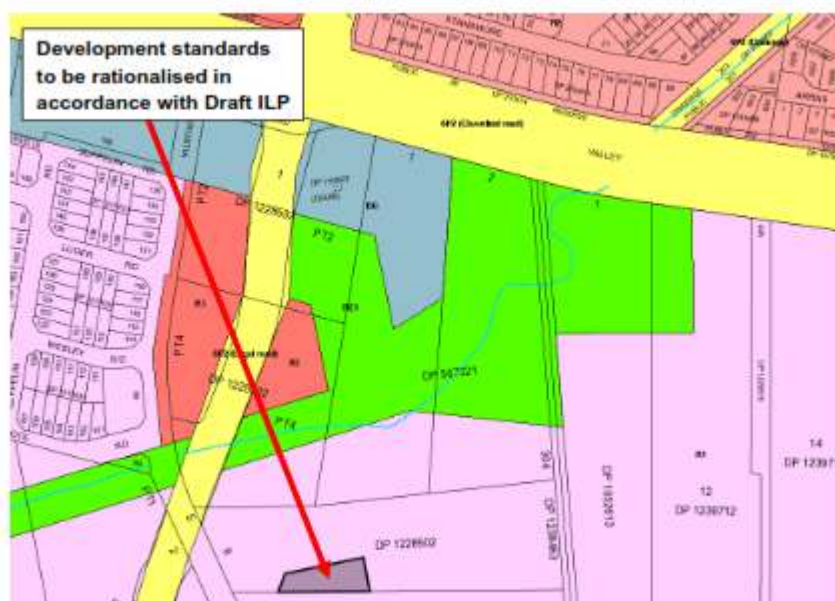


Figure 7: Parcel of land subject to amended development standards

Table 5: Current and proposed standards for land at: 50 Croatia Avenue (Lot 5 DP 1228502)

Control	Current	Proposed
<b>Zoning (LZN)</b>	R1 General Residential	No change
<b>Minimum Lot Size (LSZ)</b>	450m <sup>2</sup>	240m <sup>2</sup> (Area 3)
<b>Floor Space Ratio (FSR)</b>	0.65:1	1.0:1
<b>Maximum Height of Buildings (HOB)</b>	8.5m	15m
<b>Land Reservation Acquisition (LRA)</b>	No standard	No change
<b>Minimum Dwelling Density (RDN)</b>	14 dwellings/ha	17 dwellings/ha

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**



Figure 8: Miscellaneous zoned land adjacent to Bernera Road to be rezoned

Table 6: Current and proposed land use zones for land to be rezoned in accordance with their lot boundaries along Bernera Road, at: Lot 1 DP 1129337, Lot 1 Bernera Road (DP 1228502), 10 Croatia Avenue (Lot 2 DP 1228502), 30 Croatia Avenue (Lot 4 DP 1228502), 50 Croatia Avenue (Lot 6 DP 1228502)

Address	Legal Description	Current Zoning	Proposed Zoning
N/A	Lot 1 DP 1129337	B6	SP2
Lot 1 Bernera Road	Lot 1 DP 1228502	B6	SP2
		R3	SP2
No. 10 Croatia Avenue	Lot 2 DP 1228502	SP2	B6
		SP2	R3
		SP2	RE1
No. 30 Croatia Avenue	Lot 4 DP 1228502	SP2	R3
		SP2	RE1
No. 50 Croatia Avenue	Lot 6 DP 1228502	SP2	R1

Table 7: Current and proposed development standards for land to be rezoned in accordance with their lot boundaries along Bernera Road, at: Lot 1 DP 1129337, Lot 1 Bernera Road (DP 1228502), 10 Croatia Avenue (Lot 2 DP 1228502), 30 Croatia Avenue (Lot 4 DP 1228502), 50 Croatia Avenue (Lot 6 DP 1228502)

Control	Current	Proposed
Minimum Lot Size (LSZ)	Various	Alignment of lot size standards with their lot boundaries
Floor Space Ratio (FSR)	Various	Alignment of floor space ratio standards with their lot boundaries
Maximum Height of Buildings (HOB)	Various	Alignment of height of building standards with their lot boundaries



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

<b>Land Reservation Acquisition (LRA)</b>	Various	Alignment of acquisition requirements with their lot boundaries
<b>Minimum Dwelling Density (RDN)</b>	Various	Alignment of dwelling density standards with their lot boundaries

### **Part 3 – Justification**

#### **Section A – Need for the planning proposal**

##### *3.1 Is the planning proposal a result of any strategic study or report?*

No. The proposal has been driven by alterations to the design of the footprint for Basin 14. The basin is broadly identified within the Cabramatta Creek Basin Strategy which was developed in the 1980's to ensure forecasted development would not increase flooding impacts to the creek and locality. Storm Consultants were engaged by Council in 2015 to develop a plan for Basin 14. A report was prepared in 2018 which provided basin design options, with the preferred option being recommended based on hydrology, hydraulics and water quality principles. The preferred option has been drafted and is currently being finalised. Whilst the redesign results in the optimal configuration and performance of the basin, it also results in a required change to the land use zoning and acquisition standards to facilitate its development.

The alteration of development standards at 50 Croatia Avenue (Lot 6 DP 1228502) and rezoning of land to amend inconsistencies regarding zone boundaries along Bernera Road, is not the result of a strategic study or report. The planning proposal will facilitate the resulting changes in land zoning, land acquisition and planning standards.

##### *3.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The planning proposal is the best means of achieving the intended outcomes. The subject land is currently zoned in accordance with the concept basin footprint and concept road alignment. As the basin footprint has been extended south, the LLEP 2008 zoning and development standards maps are required to be amended to enable the development of this revised basin design.

If the land is not rezoned, the land-use zoning will not reflect the intended use of the site. This may hinder property acquisition should Council be forced to enter a compulsory acquisition process. Construction of the basin is considered necessary so that a number of temporary detention basins on privately owned land can be decommissioned and redeveloped for other uses, as per the zoning of those lands. Additionally, due to reconfiguration of the basin footprint, land has been identified which is now surplus to requirements. As the land will not be required for drainage or open space purposes, the planning proposal will remove the land acquisition from Council and will allow the land to be developed in an orderly fashion. The quantum of open space land will be balanced by the gain of additional open space land towards the south of the basin area.

Furthermore, the planning proposal is to amend development standards at 50 Croatia Avenue (Lot 6 DP 1228502) to rationalise standards in accordance with the Draft ILP within Part 2.11 of the LDCP 2008, as well as amend inconsistencies in LLEP 2008 mapping around the recently re-aligned Bernera Road. A planning proposal facilitating the necessary amendments to the LLEP 2008 is therefore the best means of achieving the objectives and intended outcomes.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**Section B – Relationship to strategic planning framework**

*3.3 Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

**a. Strategic Merit**

The planning proposal is considered to be consistent with relevant regional, sub-regional or district plan or strategies. The objective of the planning proposal is not to increase residential, commercial or industrial development, rather it is to amend land use zones and relevant development standards to enable the provision of essential stormwater and community infrastructure, as well as to correct mapping errors. The infrastructure is necessary to accommodate the planned growth of the Edmondson Park area and will further assist in the provision of open space and recreational facilities to the community. The proposal rationalises land uses and development standards to enable the orderly development of surrounding land.

Greater Sydney Region Plan – A Metropolis of Three Cities

The planning proposal is broadly consistent with Objective 6: Services and infrastructure meet communities' changing needs. The rezoning of R1 General Residential land to RE1 Public Recreation is in accordance with the revised design for Basin 14 to accommodate the forecasted growth of the area. This proposal will enable the provision of much needed recreation areas in the rapidly growing locality. It also creates the potential for passive recreation and a children's play area to be developed on non-flood affected land, thereby optimising the use of public land for social infrastructure.

The planning proposal is broadly consistent with Objective 7: Communities are healthy, resilient and socially connected. The revised basin design allows for the optimal development of public open space which can be designed to include recreation facilities such as walkways, seating, cycle ways and a children's play area. Although not part of this proposal, the planning proposal will result in amendment to Part 2.11 Edmondson Park of the LDCP 2008, to improve connectivity to the public open space.

The planning proposal is consistent with Objective 10: Greater housing supply. The planning proposal facilitates the best and most efficient use of land, as it provides stormwater infrastructure and public open space to cater for growth of housing supply in Edmondson Park. The planning proposal will enable the decommissioning of several temporary on-site detention basins scattered throughout the suburb that are currently withholding the development of residential zoned land. The planning proposal results in the following:

- Approximately 14,000m<sup>2</sup> of R1 General Residential land being rezoned to RE1 Public Recreation and in return, approximately 3,200m<sup>2</sup> of RE1 Public Recreation being rezoned to R1 General Residential. It is noted that significant portions of this land is identified as a Flood Planning Area under the LLEP 2008. Despite the proposal resulting in an approximate loss of 10,800m<sup>2</sup> R1 General Residential land, some of the land is restricted by flood constraints as well as a transmission easement for electrical lines limiting its development potential;
- The rezoning of R3 Medium Density Residential land to RE1 Public Recreation, to facilitate the footprint of the basin. This includes approximately 150m<sup>2</sup> of land at 10 Croatia Avenue (Lot 2 DP 1228502) which is too small to develop independently. Approximately 250m<sup>2</sup> of land has been removed from the outskirts of R3 Medium Density Residential land at 30 Croatia Avenue (Lot 4 DP 1228502) to facilitate the development of the basin. Despite this, the remaining area is considered to contain an acceptable level of development potential; and

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- The amendment of development standards on a portion of land at 50 Croatia Avenue (Lot 6 DP 1228502) will rationalise standards in accordance with the Draft ILP. This amendment will slightly improve development yield of the lot, as height, floor space ratio and dwelling density standards are increased, and minimum lot size standards are reduced, to correspond with the current development standards on the western part of this lot.

The planning proposal is broadly consistent with Objective 12: Great places that bring people together. The proposal will rezone residential land to allow for the implementation of a revised basin design. The basin will include public open space in its design, featuring walkways, seating, and a children's play area on non-flood affected land.

The planning proposal is broadly consistent with Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced. The proposal results in an approximate gain of 11,200m<sup>2</sup> of land for the use of the basin and public open space. The development of the basin will require substantial earthworks which will result in the removal of existing vegetation. Despite this, the basin and public open space will provide an area where native trees can be established and grow to maturity. The co-location of the basin with the open space will enhance the relationship between vegetation, habitat and riparian land.

The planning proposal is broadly consistent with Objective 30: Urban tree canopy is increased. As previously mentioned, the development of the basin will require the removal of existing vegetation. Despite this, the future use of this land as a basin and area of public open space will create potential for the establishment of urban tree canopy within Edmondson Park.

The planning proposal is broadly consistent with Objective 31: Public open space is accessible, protected and enhanced. The rezoning to facilitate the development of stormwater infrastructure, integrated with public recreation, is an innovative way to implement open space in conjunction with local waterways. Whilst not a part of this proposal, these amendments will result in changes to the indicative layout plan of the Edmondson Park locality in Part 2.11 of the LDCP 2008, improving accessibility and connectivity to the public open space.

The planning proposal is broadly consistent with Objective 37: Exposure to natural and urban hazards is reduced. The proposal ensures the stormwater infrastructure, as specified within the revised design of Basin 14, will meet the needs of the growing Edmondson Park area and will limit flooding impacts in the locality.

Western City District Plan

The planning proposal is to facilitate the development of the improved design for Basin 14. This will provide flood mitigation infrastructure to Edmondson Park and social infrastructure in the form of quality open space, including a children's play area. Despite requiring the removal of vegetation for the basins' development, the proposal will result in the protection of the tributary of Maxwells Creek which traverses through the site, and will provide an area for the establishment and growth of native vegetation. This is considered to be consistent with the following priorities:

- W1: Planning for a city supported by infrastructure;
- W3: Providing services and social infrastructure to meet people's changing needs;
- W12: Protecting and improving the health and enjoyment of the District's waterways;
- W15: Increasing urban tree canopy cover and delivering Green Grid connections;
- W18: Delivering high quality open space; and
- W20: Adapting to the impacts of urban and natural hazards and climate change.



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

### Local Strategy

Assessment of the proposal with regards to Council's Community Strategic Plan is detailed in Section 3.4.

#### *b. Site Specific Merit*

The planning proposal will enable Council to acquire land for a stormwater detention basin, which will result in the protection of the existing and future built environment, as well as the enhancement of the natural environment and provision of passive recreation facilities. The proposal includes the rezoning of flood prone land, from residential uses to public recreation uses.

A portion of land at Lot 12 Camden Valley Way (DP 1239712) will be rezoned to enable residential development. This land is flood prone, however the remainder of Lot 12 Camden Valley Way is already zoned for residential uses. The DCP provides controls to ensure that the land can be made flood free appropriately, preventing harm to life and property in the event of a flood.

The planning proposal is not drastically altering the existing or future uses of the precinct; rather the rezoning will rearrange these existing uses, which will facilitate the development of the basin, repurpose land zoned for public open space which Council is not seeking to acquire, rationalise development standards in accordance with the Draft ILP, and amend the mapping inconsistencies along Bernera Road. The subject lands have all utility infrastructure available. Any additional yield from the development of Lot 12 Camden Valley Way (DP 1239712) or 50 Croatia Avenue (Lot 6 DP 1228502) will be captured by the existing contributions plan, which will ensure contributions for infrastructure and services are collected.

#### *3.4 Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

The Planning Proposal is generally consistent with Council's Community Strategic Plan: *Our Home, Liverpool 2027*. Council's strategy adopts a quadruple bottom line approach, being Creating Connection (Social), Strengthening and Protecting Our Environment (Environment), Generating Opportunity (Economic), and Leading through Collaboration (Civic Leadership).

The planning proposal is consistent with the following desires of the community:

- Creation of more green spaces
  - o The planning proposal increases the extent of land to be zoned for public open space. Continued residential development within Edmondson Park has resulted in an increased demand for quality open space.
- Creation of well-planned, attractive and people-friendly urban environments
  - o The planning proposal will enable the LLEP 2008 to facilitate the development of the redesigned basin. This will ensure that down-stream flooding impacts are mitigated, and that temporary detention basins can be decommissioned. The provision of a more regular shaped space for the basin and public open space allows Council to provide synergies between these two spaces. The basin footprint is to be embellished with footpaths and landscaping providing passive recreation opportunities.
- Well managed use of their resources
  - o The planning proposal results in the well managed use of Council resources as it will facilitate the optimal design of the basin and public open space. The rezoning of land at Lot 12 Camden Valley Way (DP 1239712) to residential uses means that Council does not have to acquire land which is surplus to the requirements of the new basin design, thereby

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

optimising Council resources. Although the revised basin design requires Council to acquire additional land, the new design ensures the optimal performance of the basin to best meet the stormwater and social infrastructure needs of Edmondson Park.

The planning proposal is consistent with the following actions for Council:

- Protect and enhance bushland, rivers and the visual landscape
  - The proposed rezoning to facilitate the development of Basin 14 will result in the provision of public open space surrounding the North Tributary of Maxwells Creek. The addition of land currently zoned for residential uses, to land dedicated for the basin, will result in the increased protection of the creek.
- Exercise planning controls to create high-quality, inclusive, urban environments
  - In addition to the facilitation of Basin 14, the planning proposal seeks to rationalise planning controls on the site to align development standards with the Draft ILP, amend mapping inconsistencies, ensure the orderly development of land and remove isolated land zonings resulting in undevelopable land.

### 3.5 Is the planning proposal consistent with applicable State Environmental Planning Policies?

Compliance with any SEPP which applies to the land is given in Table 8 below. Note: any SEPP which does not apply to the land, or for which the planning proposal will not preclude the operation of, is not listed.

Table 8: Compliance with SEPPs

SEPP	Complies	Justification
<b>No 19 Bushland in Urban Areas</b>	Yes	The planning proposal is not inconsistent with the SEPP. The rezoning of land from residential uses to RE1 Public Recreation will facilitate the development of the basin. Whilst this will require the removal of existing vegetation, the completed development will result in an area where native vegetation can be established and grow to maturity.
<b>No 44 Koala Habitat Protection</b>	Yes	This planning proposal will not undermine any Koala Habitats to a greater extent than for which is already permitted. The rezoning results in the reduction of land zoned for residential purposes and increases land zoned for public open space. In the case of land to be rezoned at Lot 12 Camden Valley Way (DP 1239712), the remainder of the lot is already zoned for urban purposes.
<b>No 55 Remediation of Land</b>	Yes	This planning proposal will not undermine the need for any future development to undergo a Phase 1 Contamination Assessment.
<b>No 65 Design Quality of Residential Flat Development</b>	Yes	Land zoned for recreation uses at Lot 12 Camden Valley Way (DP 1239712) is to be rezoned to R1 General Residential, in accordance with the remainder of the lot. This zone allows for the development of Residential Flat Buildings. Where applicable, any amended or future Development Application on this lot will be assessed in accordance with this SEPP.
<b>Exempt and Complying Development Codes 2008</b>	Yes	It is proposed that the land reservation acquisition maps are amended in accordance with the revised land-use zoning maps to ensure exempt and complying development can be carried out in accordance with the zone objectives.

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

<b>Infrastructure 2007</b>	Yes	<p>The planning proposal seeks to enable flood mitigation works as part of Basin 14. This is classified as development permitted without consent under Part 3, Division 7 of the SEPP. Part 3, Division 12 contains provisions for development within parks and public reserves, and Part 3, Division 17, Subdivision 2 contains provisions for development adjacent a classified road. The proposal is not inconsistent with these clauses.</p> <p>The proposal also includes the change of the zoning of land adjacent to Bernera Road, both to and from SP2 Infrastructure. This is for the purposes of amending mapping inconsistencies only.</p> <p>The proposal does not seek to intensify or enable further development which would interfere with operation of, or delivery of infrastructure. Council expects a condition of Gateway would be to consult with public utility providers.</p>
<b>Sydney Region Growth Centres</b>	Yes	<p>The subject site is located within the South West Growth Centre and is biodiversity certified under this SEPP. Despite this, land-use zoning under the LLEP 2008 applies to the site. The proposal is consistent with the aims of the SEPP as it facilitates infrastructure for the orderly development of the growth centre.</p>
<b>Vegetation in Non-Rural Areas 2017</b>	Yes	<p>The planning proposal is not inconsistent with the SEPP. Whilst the development of the basin will result in the removal of existing vegetation, it will provide an area for vegetation to be established and grow to maturity. Additionally, Council's DCP provides controls for the removal of any vegetation.</p>

### 3.6 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The planning proposal seeks an amendment to the Liverpool Local Environmental Plan 2008. Compliance with Ministerial Directions is provided in Table 9 below. Note: any Direction which does not apply to the planning proposal is not listed.

Table 9: Compliance with s.9.1 Directions

S.9.1 Directions	Complies	Justification
<b>Employment and Resources</b>		
1.1 Business and Industrial Zones	Yes	<p>The proposal includes changes to land containing B6 Enterprise Corridor zoning. The proposed changes are to the zone realignment adjacent to Bernera Road and are not inconsistent with the objectives of this Direction. The proposed changes to and from the B6 zoning are minor in nature, are not considered to reduce the development potential of these zones and are to amend mapping inconsistencies only.</p>
<b>Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	Yes	<p>The inconsistency with the Direction is justified under Part (6)(d) of Direction 3.1, as the changes to residential land use zones are considered to be of minor significance.</p> <p>The proposal includes to the rezoning of approximately 14,400m<sup>2</sup> of residential land that is partially burdened with an easement for transmission lines. The revised design for the basin is extended south to envelop R1 General Residential land and also encroaches on R3 Medium Density Residential</p>



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

		<p>land. This will provide for the stormwater needs of the surrounding urban area, as well as allow for the provision of a children's play area on non-flood affected land. Despite the net loss of residential zoned land, the proposed use results in the optimal use of land for the site and locality.</p> <p>The proposal compensates for the loss of this residential zoned land by adding approximately 3,200m<sup>2</sup> of R1 land to Lot 12 Camden Valley Way (DP 1239712) and increasing development standards on a portion of land at 50 Croatia Avenue (Lot 6 DP 1228502).</p> <p>The addition and removal of residential land adjacent to Bernera Road is for the purposes of amending LLEP 2008 mapping inconsistencies.</p>
3.4 Integrating Land-Use and Transport	Yes	<p>This planning proposal amends the zoning and development standards of land zoned for residential and business purposes. The proposed changes are minor in nature, as the objective of the planning proposal is to facilitate the development of the revised basin design and is not for the uplift or downzoning of residential or urban uses. Whilst not part of this proposal, the planning proposal will result in amendments to the LDCP 2008 seeking to improve traffic and pedestrian access to and from the public open space. In turn, this has required the amendment of development standards at 50 Croatia Avenue (Lot 6 DP 1228502) as the current development standard boundaries do not align with the draft road layout.</p> <p>The proposal is also to amend mapping inconsistencies resulting from the re-alignment of Bernera Road.</p>
<b>Hazard and Risk</b>		
4.3 Flood Prone Land	Yes	<p>Land to be rezoned from RE1 Public Recreation to R1 General Residential is identified as being within a flood planning area under the LLEP 2008. However, the land can be made flood free if developed in accordance with controls within Council's DCP and the flood development manual, and therefore Council believes this change is of minor significance and satisfies Part (9)(b) of the Direction.</p> <p>The planning proposal is to facilitate the development of a basin for stormwater infrastructure. This will mitigate the effects of flooding on several downstream properties.</p> <p>Despite this minor inconsistency, the planning proposal is considered to result in positive changes to flood management within the subject site and the locality.</p>
<b>Regional Planning</b>		
5.10 Implementation of Regional Plan	Yes	<p>The regional strategy in effect is the Western City District Plan. Consistency with this plan is demonstrated in section 3.3 of this report.</p>
<b>Local Plan Making</b>		
6.1 Approval and Referral Requirements	Yes	<p>The planning proposal does not contain provisions requiring additional concurrence, consultation, or referral to a Minister or public authorities.</p>

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

6.2 Reserving Land for Public Purposes	Yes	<p>The proposal seeks to include the acquisition of certain land within the LLEP 2008 land reservation acquisition maps. The planning proposal seeks to remove the acquisition of land at Lot 12 Camden Valley Way (DP 1239712). The proposed inclusion and exclusion of land is in accordance with the redesign of the basin footprint and amendments to mapping inconsistencies adjacent to Bernera Road.</p> <p>The redesign of the basin footprint includes approximately 14,400m<sup>2</sup> of land to be zoned RE1 Public Recreation, and approximately 3,200m<sup>2</sup> of land to be zoned R1 General Residential, as it is surplus to the revised design requirements. The land acquisition maps are proposed to be amended to match the revised zoning extent.</p> <p>Council is nominated as the acquisition authority for any additional lands to be acquired as per the LLEP 2008. The proposed changes result in a net gain of land reserved for public purposes, which will result in a preferred outcome as the optimal basin design can be realised.</p>
--	-----	--

Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	Yes	Consistency with <i>Greater Sydney Region Plan – A Metropolis of Three Cities</i> is demonstrated in section 3.3 of this report.

### Section C – Environmental, social, and economic impact

*3.7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

No. The planning proposal seeks to rezone land from predominately residential uses to public recreation uses to facilitate the development of the basin, which will result in an increase to the extent of land zoned for public open space. The RE1 Public Recreation zone objectives aim to enhance, maintain and protect the natural environment. Land subject to the planning proposal has been biodiversity certified and the LLEP 2008 and LDCP 2008 contain provisions in relation to native vegetation retention in these areas.

As land at 50 Croatia Avenue (Lot 6 DP 1228502) is already zoned for residential uses, the alteration of development standards will not result in additional environmental impacts. Similarly, the realignment of zone boundaries adjacent to Bernera Road to amend the mapping inconsistencies, will not change or intensify the existing use of land, and therefore will not result in additional environmental impacts.

*3.8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

No. The rezoning of certain lands and alterations of development standards is not likely to have any significant environmental impacts on the site or locality. Whilst the development of the basin will involve substantial earthworks and the removal of existing vegetation, it will result in an area where native vegetation can be established, grow to maturity and potentially provide habitat for native fauna. The rezoning of land to recreation uses for the development of Basin 14 will reduce any impact upon existing vegetation and habitats. It is noted that the proposal results in a net increase of land to be zoned for recreation uses.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

In relation to Lot 12 Camden Valley Way (DP 1239712), the rezoning of land to residential uses is not likely to cause negative environmental effects, as the land has already been cleared and developed for the purpose of a temporary on-site detention basin. Additionally, land subject to flooding is addressed by the LLEP 2008 and the LDCP 2008. As the rezoning of land adjacent to Bernera Road is for the purposes of amending mapping inconsistencies, and land at 50 Croatia Avenue (Lot 6 DP 1228502) is already zoned for residential uses, the proposed changes will not result in any significant environmental effects.

*3.9 Has the planning proposal adequately addressed any social and economic effects?*

The most likely economic effects of the planning proposal would be to the owners of land being rezoned from R1 General Residential or R3 Medium Density Residential to RE1 Public Recreation. This is to facilitate the essential redesign of Basin 14, which will cater for the growth of Edmondson Park and also provide an area of non-flood affected land for the development of an area of open space, including a children's play area. Council's acquisition of this land will be subject to the *Land Acquisition (Just Terms Compensation) Act 1991*.

The rezoning will result in both positive social and economic effects to Edmondson Park as it will ensure the timely delivery of flood mitigation infrastructure, which will serve to protect the existing and proposed built environment. Additionally, the rezoning will result in an increased area of open space for the community, ensuring adequate recreational facilities are provided for current and future residents.

An objective of this proposal is to rationalise the development of land surrounding the basin. This includes the rezoning of land at Lot 12 Camden Valley Way (DP1239712) to R1 General Residential. As this land has been identified as surplus to the revised basin design requirements, the rezoning removes the obligation for Council to acquire this land. This will remove the economic burden for Council for acquisition, which can otherwise be focused on acquiring land required for the basin.

The planning proposal has resulted in amendments to the Edmondson Park ILP within the LDCP 2008. In turn, the development standards for a parcel of land at 50 Croatia Avenue (Lot 6 DP 1228502) are to be altered so the development standard boundaries align with the draft road layout. This change will increase the dwelling density, height and floor space ratio standards, whilst reducing the minimum lot size standard, resulting in a slight improvement in development potential for the lot.

The amendment of mapping inconsistencies along Bernera Road is likely to result in positive social and economic effects for Council and land owners. Rezoning these lots will allow land that is zoned SP2 Infrastructure, but is not needed for the road, to be rezoned for other purposes (R1, R3 and B6), whilst ensuring land that is needed for the road is zoned SP2 Infrastructure.

The overall zoning amendments will provide for the efficient use of the land for the stormwater network, public open space facilities and vehicular and pedestrian access, thereby having a positive impact to the economic activities in the business zoned land. Public exhibition of the planning proposal will provide an opportunity for Council to engage with property owners if they have any concerns as to what impact the proposal may have upon their property.

**Section D – State and Commonwealth interests**

*3.10 Is there adequate public infrastructure for the planning proposal?*

The planning proposal is not considered to demand any additional public infrastructure. The planning proposal may result in a marginal increase in development yield for Lot 12 Camden Valley Way (DP1239712) due to a portion of land being rezoned to residential uses, and 50 Croatia Avenue (Lot 6 DP 1228502) due to amended development standards. It is considered that the extinguishment of development



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

in land being rezoned to RE1 will off-set this marginal increase. The proposal seeks to facilitate the delivery of flood mitigation infrastructure adjacent to an area of public open space. Given the current and forecasted growth of Edmondson Park, there is increased demand for both stormwater infrastructure and quality open space.

*3.11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

The views of State and Commonwealth public authorities will be considered following a Gateway determination. The following government agencies, or utility owners, have been identified as potentially interested parties for reasons given below:

- NSW Department of Primary Industries: A tributary of Maxwells Creek runs through the subject site;
- Ausgrid & Transgrid: An easement for a transmission line runs through the subject site;
- Roads and Maritime Services: The subject site is adjacent to Camden Valley Way, which is a classified road;
- APA Gas & Jemena: A gas pipeline is located under Camden Valley Way, which places the subject site within the asset notification zone; and
- NSW Office of Environment and Heritage: The subject site contains riparian land, flood-prone land, and vegetation.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**Part 4 – Mapping**

The existing standards and the proposed changes to the LLEP 2008 are shown in the maps below.

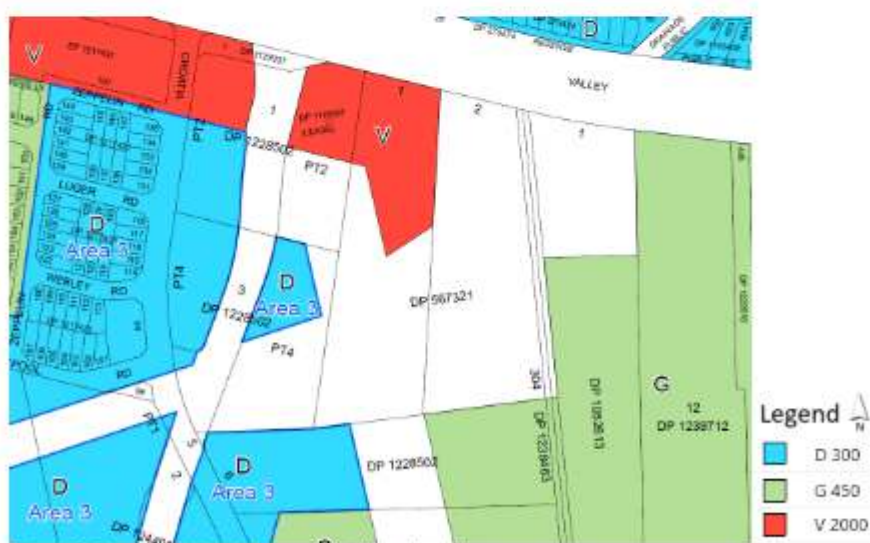
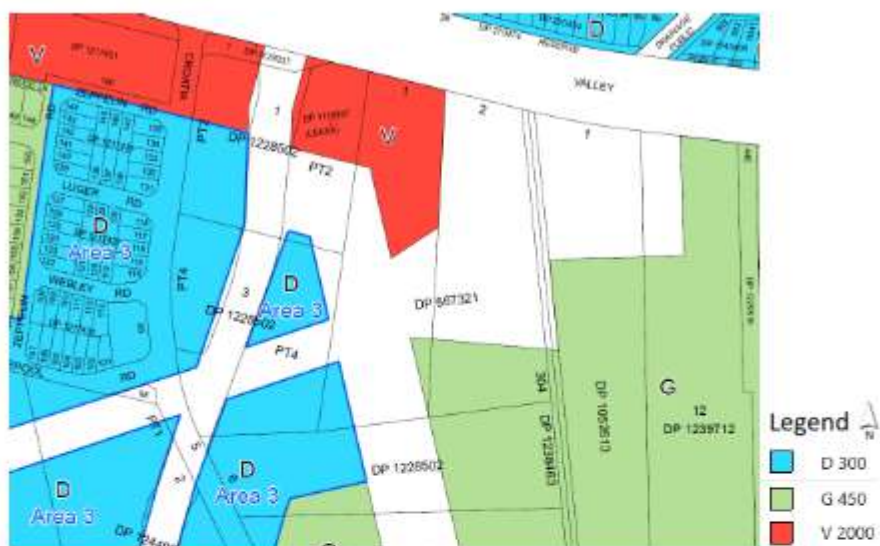
**Land Use Zoning Maps**



LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Minimum Lot Size Maps



LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Floor Space Ratio Maps



LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Height of Buildings Maps



Figure 15: Existing height of building map for the subject site



Figure 16: Proposed height of building map for the subject site



LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Land Reservation Acquisition Maps



Figure 17: Existing land reservation acquisition map for the subject site



Figure 18: Proposed land reservation acquisition map for the subject site

LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Minimum Dwelling Density Maps



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

### **Part 5 – Community Consultation**

Community consultation will be undertaken in accordance with the Gateway determination. It is anticipated that the proposal will be exhibited a period of at least 28 days through:

- Newspaper advertisements in the Liverpool Leader;
- Notification on Liverpool City Council's public exhibition website; and
- Letters to the affected landowners.

### **Part 6 – Project Timeline**

An anticipated project timeline is shown in Table 10 below.

*Table 10: Anticipated project timeline*

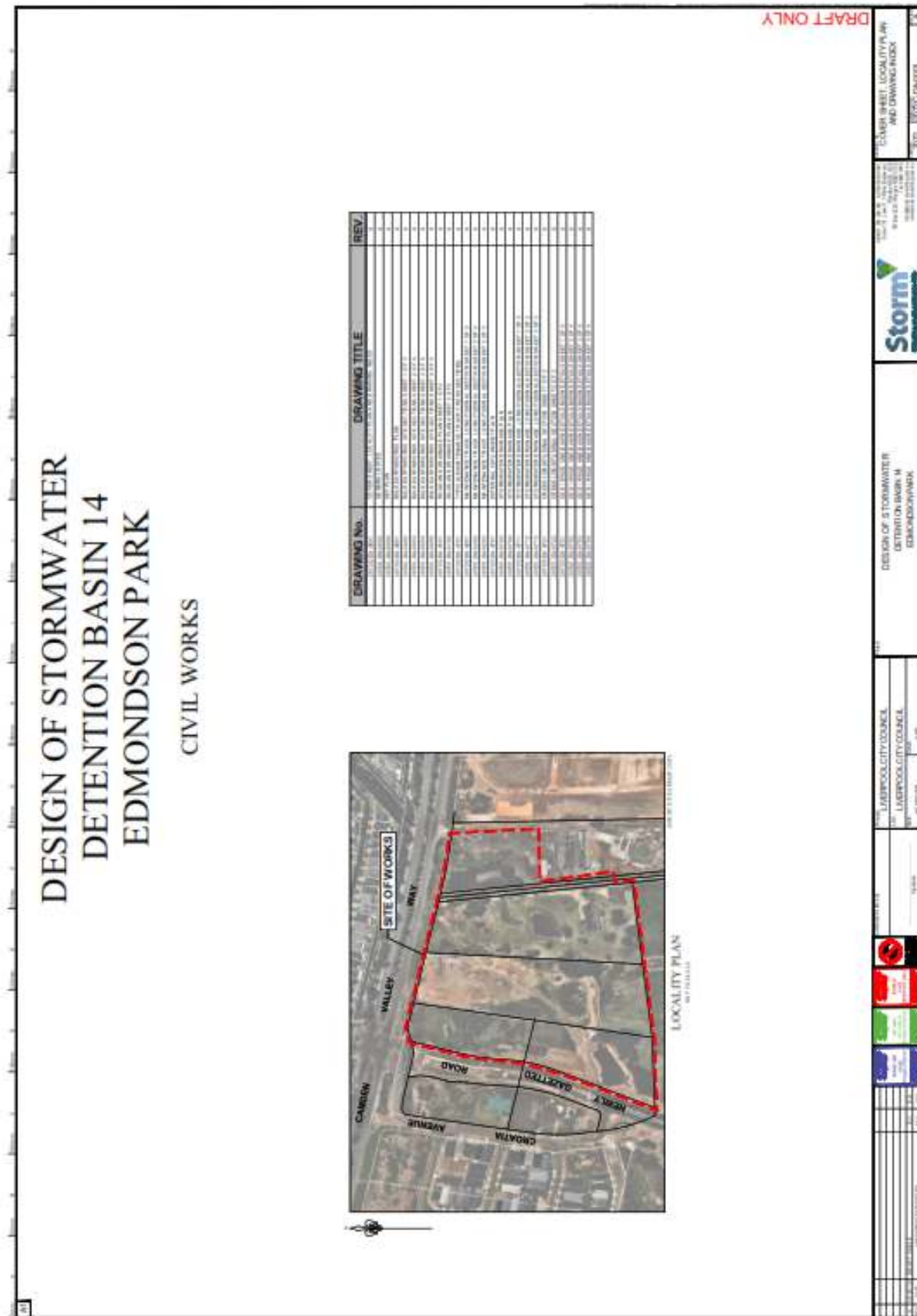
<b>Timeframe</b>	<b>Action</b>
<b>June 2019</b>	Submission of Planning Proposal to DP&E
<b>July 2019</b>	Gateway Determination issued
<b>August 2019</b>	Completion of required technical information
<b>September 2019</b>	State agency consultation
<b>October 2019</b>	Community consultation
<b>November 2019</b>	Public hearing if required
<b>December 2019</b>	Consideration of submissions and proposal post-exhibition
<b>January 2020</b>	Post-exhibition report to Council
<b>February 2020</b>	Drafting and making of the plan



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

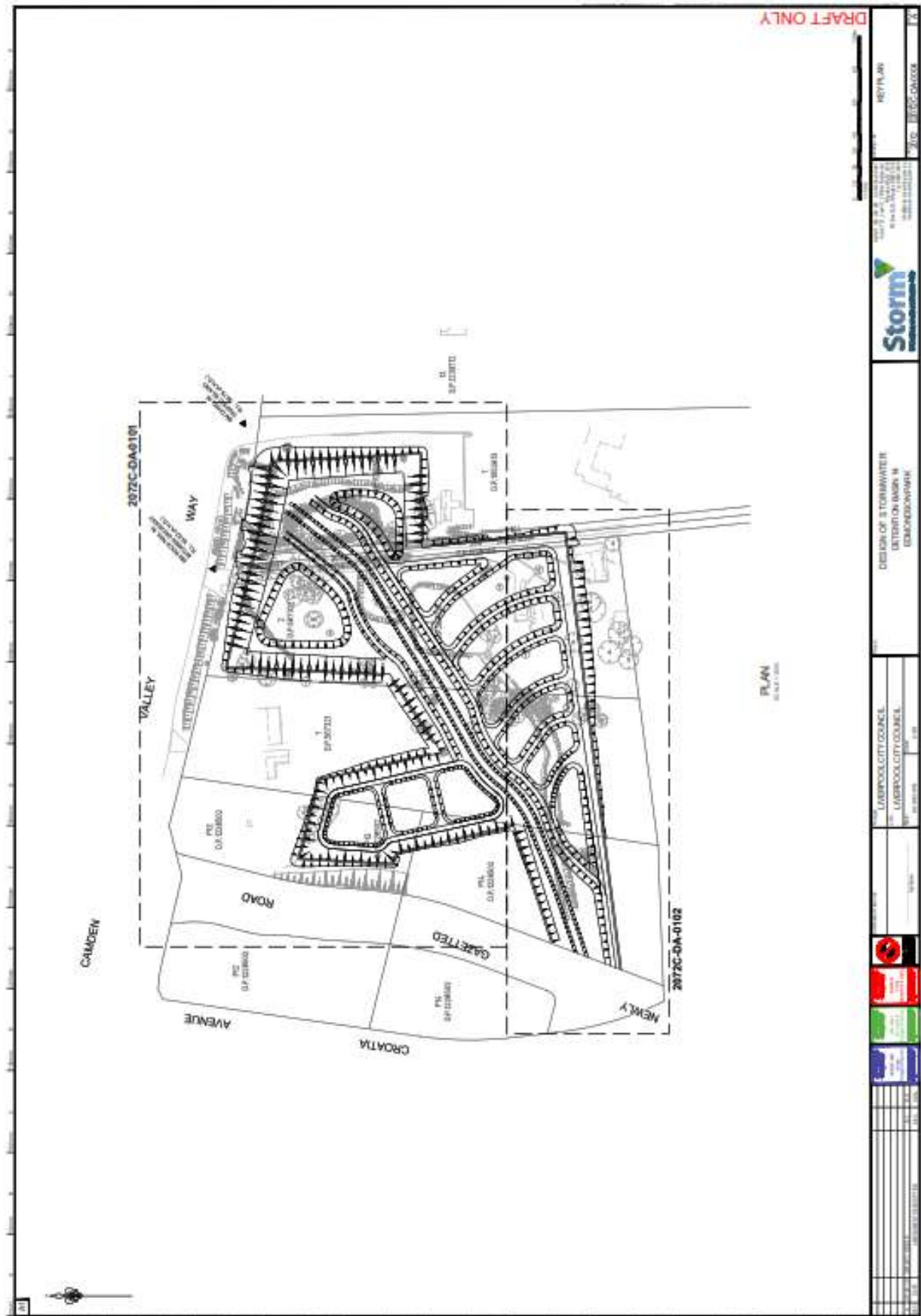
**27<sup>th</sup> May 2019**

**Attachment 2: Draft Basin 14 Civil Drawings**



[illegible]

**27<sup>th</sup> May 2019**







**27<sup>th</sup> May 2019**



**27<sup>th</sup> May 2019**

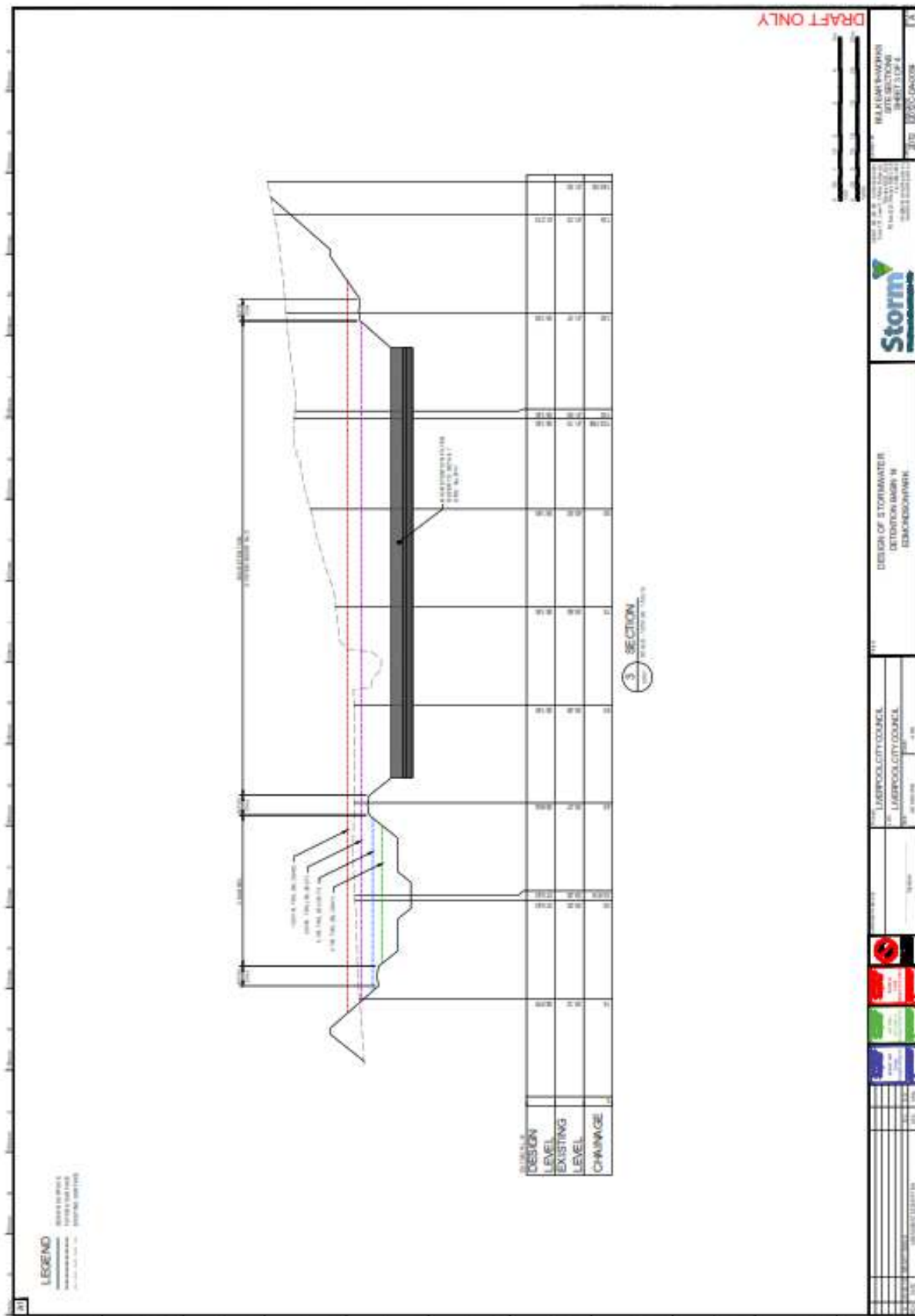




**27<sup>th</sup> May 2019**



**27<sup>th</sup> May 2019**



**27<sup>th</sup> May 2019**



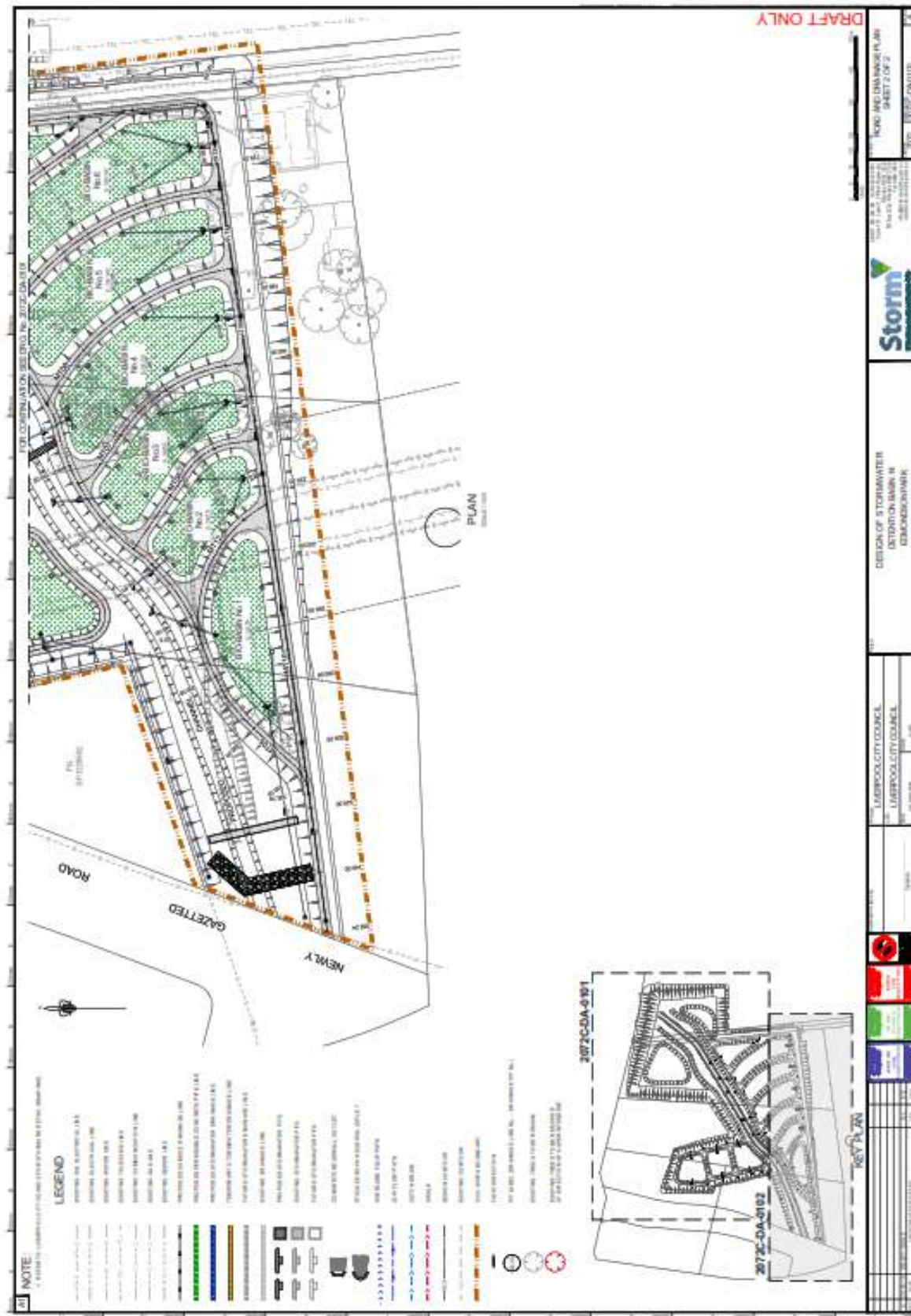
**27<sup>th</sup> May 2019**



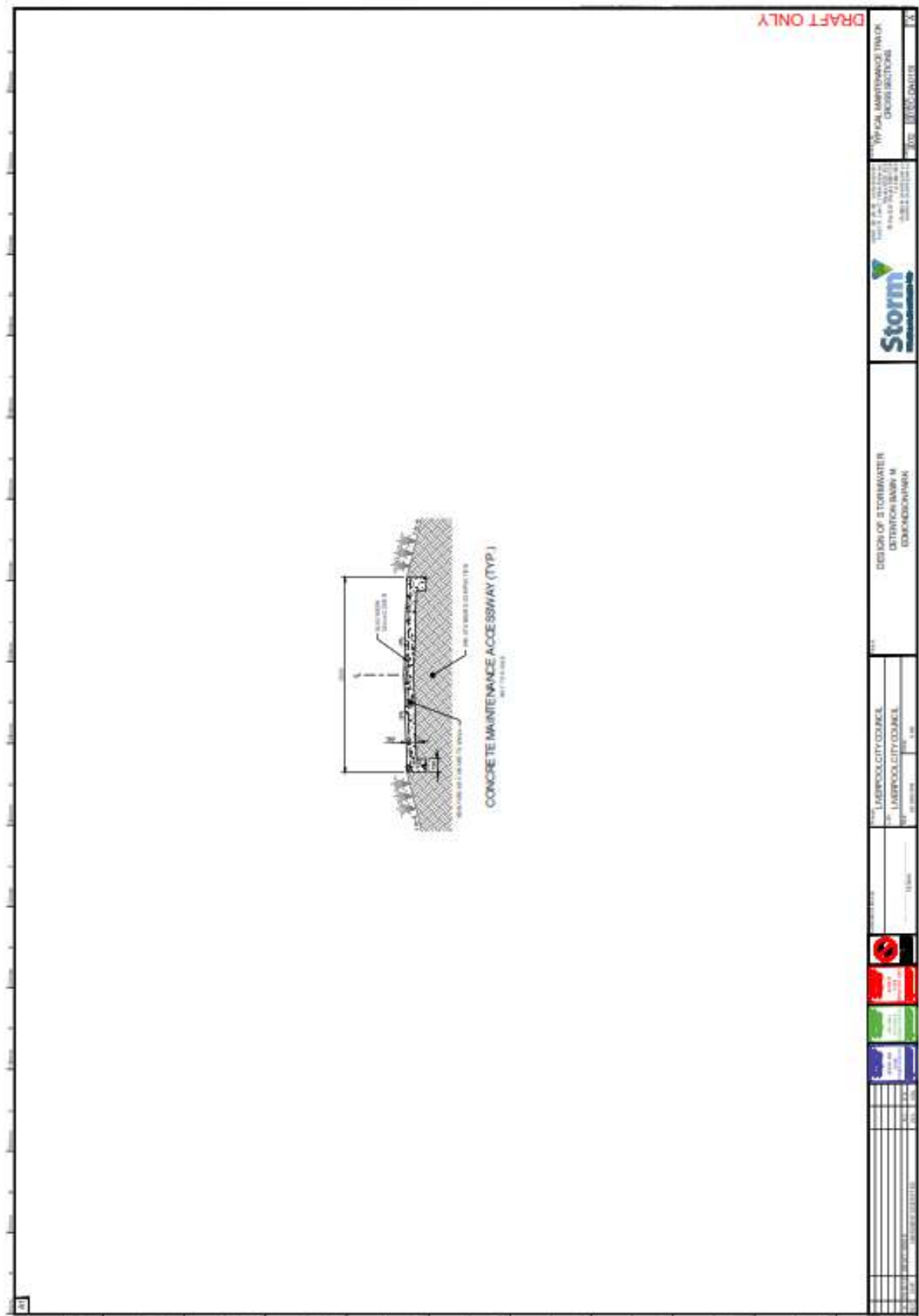


**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

27<sup>th</sup> May 2019



**27<sup>th</sup> May 2019**

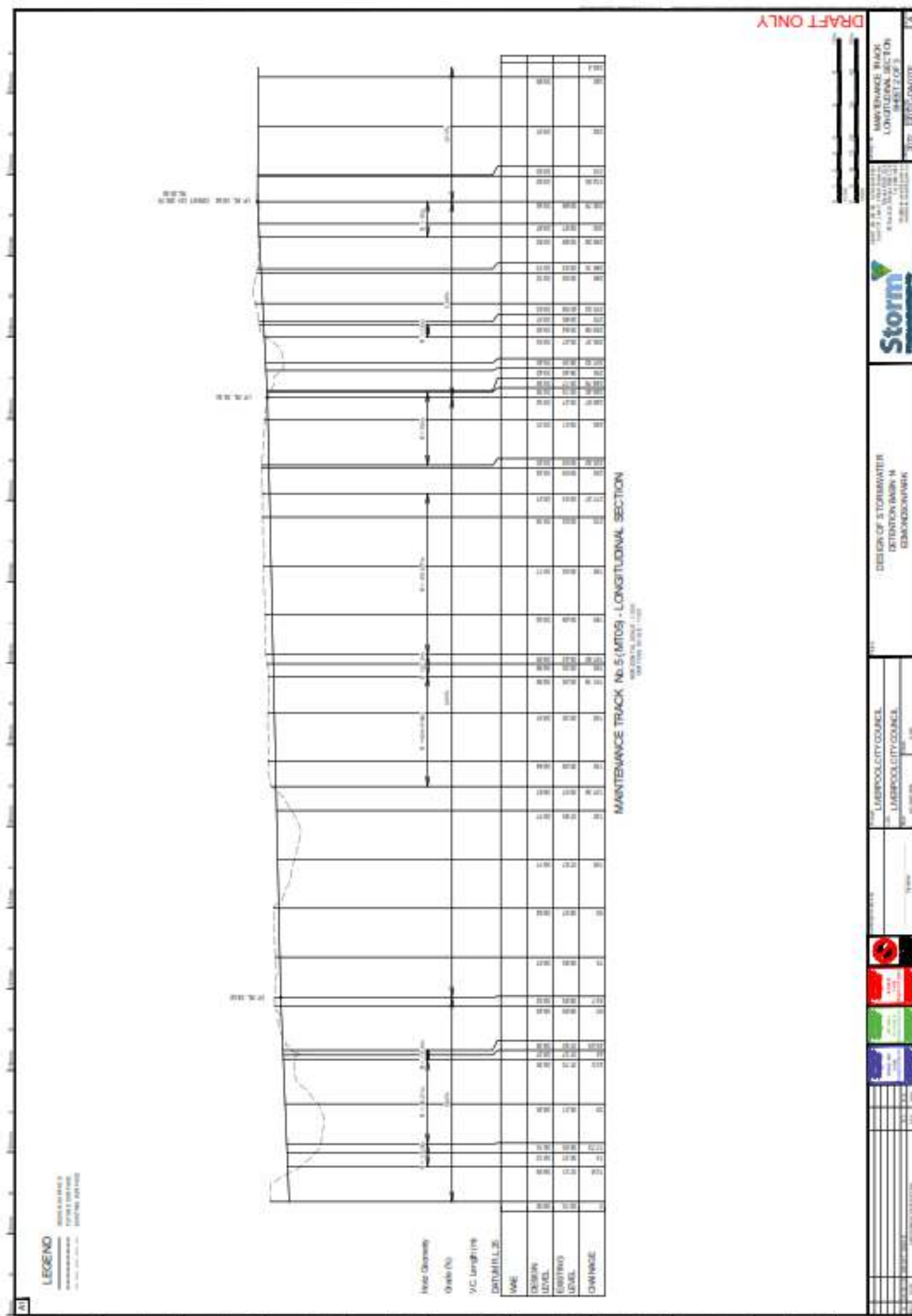




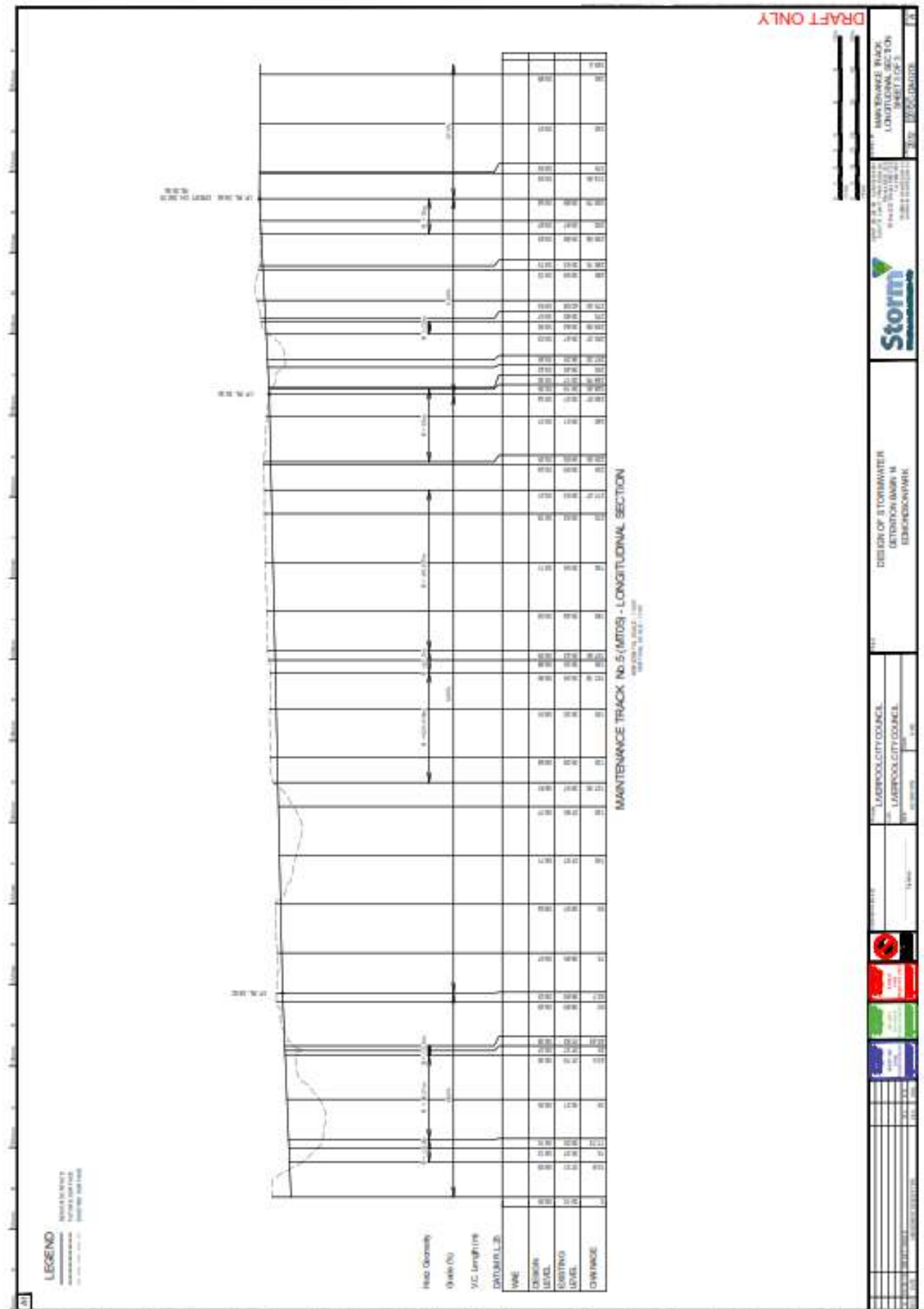
**27<sup>th</sup> May 2019**



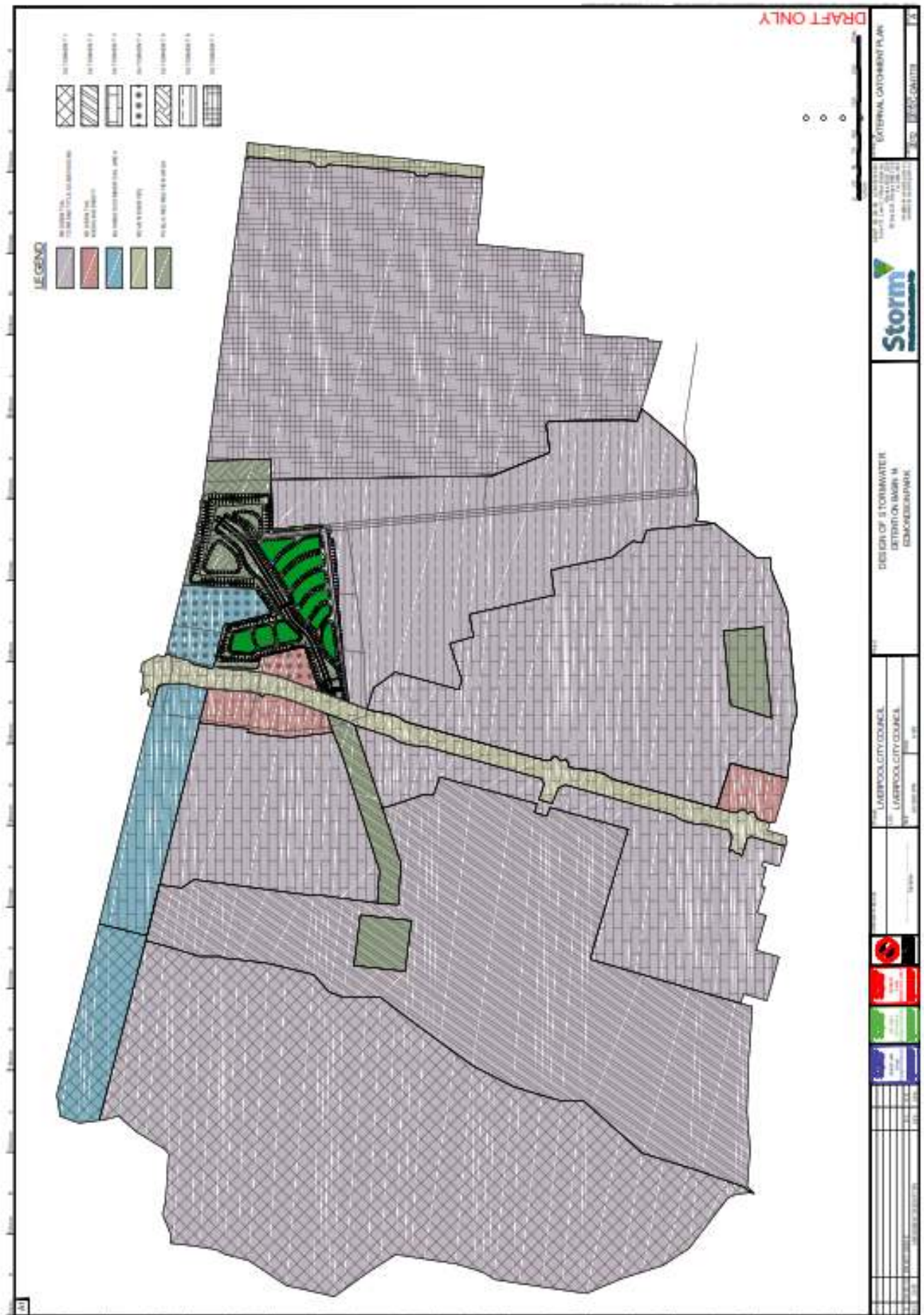
**27<sup>th</sup> May 2019**



**27<sup>th</sup> May 2019**



**27<sup>th</sup> May 2019**





**27<sup>th</sup> May 2019**



**27<sup>th</sup> May 2019**





**27<sup>th</sup> May 2019**



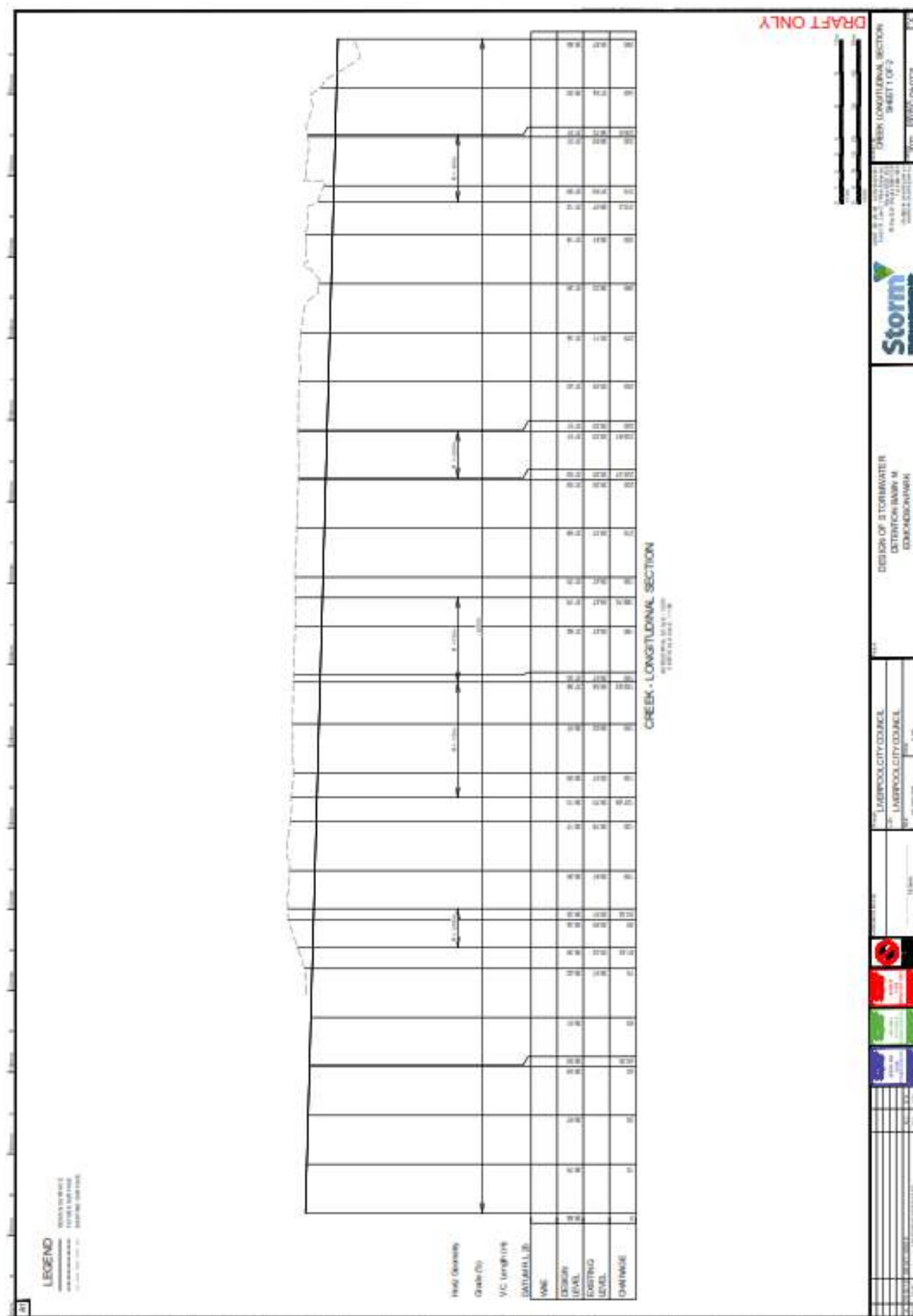
**27<sup>th</sup> May 2019**



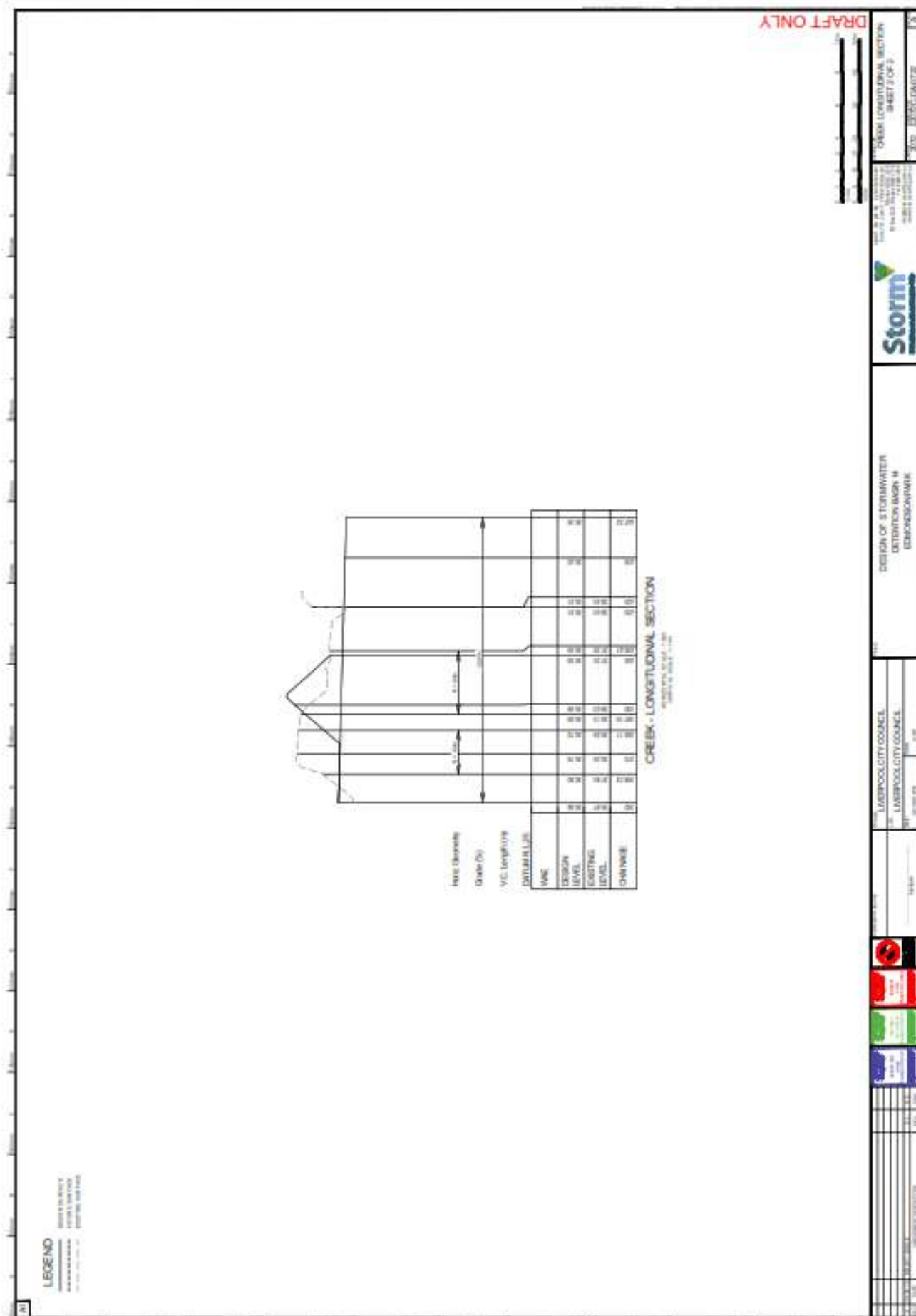
**27<sup>th</sup> May 2019**



**27<sup>th</sup> May 2019**

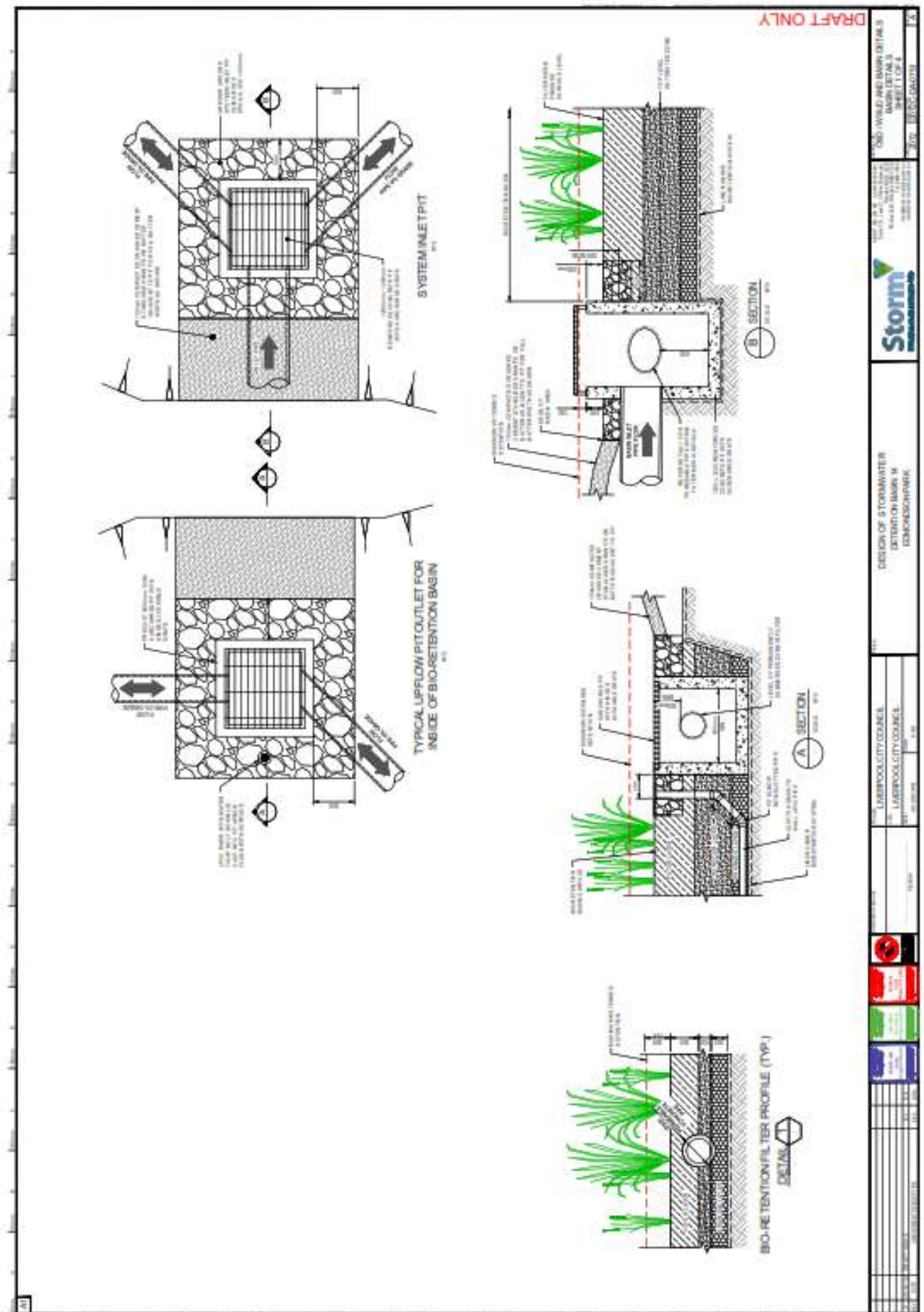


**27<sup>th</sup> May 2019**



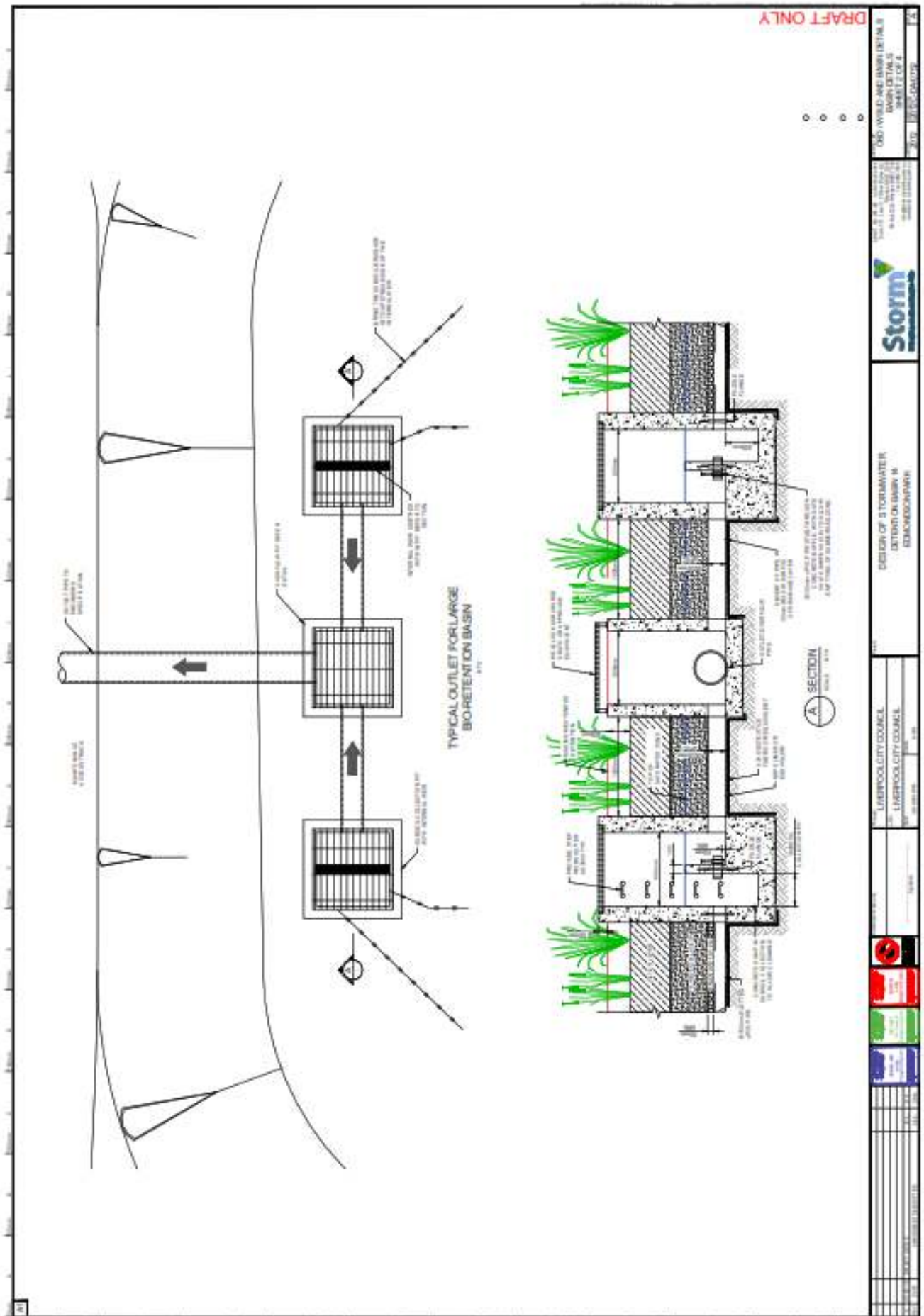


**27<sup>th</sup> May 2019**



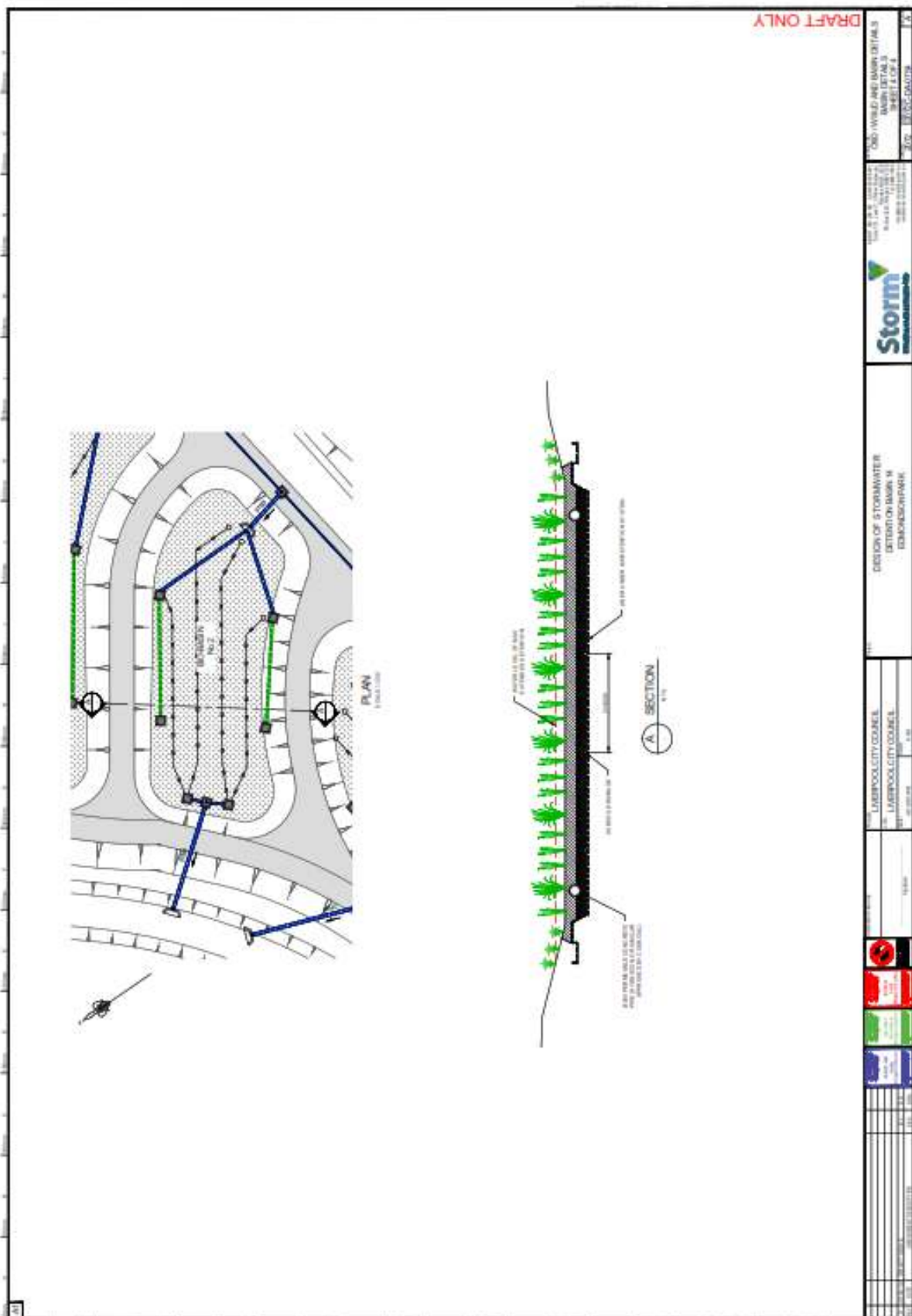


**27<sup>th</sup> May 2019**





**27<sup>th</sup> May 2019**



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

<b>Item no:</b>	4
<b>Application Number:</b>	RZ-4/2019
<b>Proposal:</b>	Planning proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to allow car parking as a land use permitted with consent at Collimore Park.
<b>Property Address</b>	Collimore Park, Moore St, Collimore Ave and Elizabeth Drive, Liverpool
<b>Legal Description:</b>	Lot 1 & 2 DP 1089398, Lot 400 DP 1185131, Lot 7009 DP 1027995 The previous creek corridor that traverses through the centre of the site
<b>Recommendation:</b>	Proceed to gateway review
<b>Assessing Officer:</b>	Luke Oste, Strategic Planner

## **1. EXECUTIVE SUMMARY**

The planning proposal amends Schedule 1 of LLEP 2008 to permit car parking as an additional permitted use with development consent at the subject site. The planning proposal has strategic and site specific merit. It is recommended that the planning proposal be submitted to the Department of Planning & Environment for a Gateway determination.

Collimore Park currently contains an expansive at-grade public car park that was constructed in 2011 as exempt development under State Environmental Planning Policy (Infrastructure) 2007. The site is currently zoned RE1 – Public Recreation and SP2 – Infrastructure (Electricity Transmission) under the *Liverpool Local Environmental Plan 2008* (LLEP 2008). Car parking is not a permissible landuse within these existing zones under the LEP.

Council prepared the *Liverpool City Centre Traffic Study 2017* and a subsequent draft scoping and implementation plan for a new car park at Collimore Park in 2017. This secondary scoping and implementation plan was considered at Council's ordinary meeting of 13 December 2017, where Council resolved:

*That Council:*

- 1. Notes the draft scoping and implementation plan;*
- 2. Directs the CEO to immediately allocate funding for design investigation for a multideck car park at the existing Collimore Car Park in the 2017/2018 budget;*
- 3. Continues to work with the RMS and TfNSW for design investigations, and upgrade of Hume Highway/Hoxton Park Road/Macquarie Street intersection, whilst seeking the support of the Member for Liverpool & Member for Holsworthy to lobby their respective parties;*
- 4. Continues representations to the State Government to improve regional traffic and transport infrastructure, parking and services in and around the Liverpool City Centre; and*
- 5. Move the construction of Collimore Park parking station to the 0-5 year category.*



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

The planning proposal has been drafted (see **Attachment 1**) as required by the above Council resolution, specifically point 2 and 5 (see **Attachment 2**). This planning proposal represents the first step in facilitating the future construction of a multi-storey car park on the site by enabling car parking as a permitted landuse on the site under the LLEP 2008. It is envisioned that the future development would be located where the existing car park is located, while retaining the valuable recreation infrastructure present within Collimore Park.

In accordance with the requirements of Section 2.19(1)(b) of the *Environmental Planning and Assessment Act 1979*, this proposal has been submitted to the Liverpool Local Planning Panel for advice.

## **2. SITE DESCRIPTION AND LOCALITY**

### **The Site**



**Figure 7 Location of subject site outlined in red (Nearmap 2019)**

The subject site is Collimore Park and is legally identified as follows:

- Lot 1 DP 1089398;
- Lot 2 DP 1089398;
- Lot 400 DP 1185131;

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- Lot 7009 DP 1027995; and
- The previous creek corridor that traverses through the centre of the site.

The total area of the subject site is approximately 38,500m<sup>2</sup>. The site is bound by Elizabeth Drive to the north, Collimore Avenue to the east, Moore Street to the south, and Brickmakers Creek to the west. The site currently contains the following:

- Outdoor Futsal Soccer field;
- Basketball courts;
- Children's play equipment;
- At-grade public carpark;
- Public, outdoor gym equipment; and
- Brickmakers Creek running along the western edge of the site.

The site is currently zoned RE1 – Public Recreation and SP2 – Infrastructure (Electricity Transmission). Refer to Figure 2 below for the zoning map extract of the subject site.



**Figure 8 Zoning Map Extract from LLEP 2008 (subject site outlined in black)**

### **The Locality**

The subject site is located on the western edge of the Liverpool CBD. Adjoining the site to the north is Elizabeth Drive and Waddell Brothers Park, with some low density residential dwellings located to the north-east. To the east of Collimore Avenue are a variety of low and medium density residential developments ranging from single storey dwellings to three storey residential flat buildings. A larger residential area is located to the south of Moore Street



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

consisting of a variety of 3-4 storey residential flat buildings. Finally, Brickmakers Creek runs along the western edge of the site, with further low and medium density residential developments located to the west ranging between one and two storeys in height.

### **3. DETAILS OF THE PROPOSAL**

At its ordinary meeting of 13 December 2017, Council resolved:

*That Council:*

1. *Notes the draft scoping and implementation plan;*
2. ***Directs the CEO to immediately allocate funding for design investigation for a multideck car park at the existing Collimore Car Park in the 2017/2018 budget;***
3. *Continues to work with the RMS and TfNSW for design investigations, and upgrade of Hume Highway/Hoxton Park Road/Macquarie Street intersection, whilst seeking the support of the Member for Liverpool & Member for Holsworthy to lobby their respective parties;*
4. *Continues representations to the State Government to improve regional traffic and transport infrastructure, parking and services in and around the Liverpool City Centre; and*
5. ***Move the construction of Collimore Park parking station to the 0-5 year category.***

The planning proposal has been drafted as required by the above Council resolution, specifically point 2 and 5 (see **Attachment 1**).

### **The Proposal**

The planning proposal amends Schedule 1 of LLEP 2008 to permit car parking as an additional permitted use with development consent at the subject site to facilitate the future development of a multi-storey car park where the existing commuter car park is located currently.

### **4. CONSIDERATIONS FOR STRATEGIC MERIT**

The Department's *A guide to preparing planning proposals* includes the following questions to justify the proposal (Section A, Q1 – 3).

3. *Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

No. The planning proposal is not the result of an endorsed local strategic planning statement, strategic study or report. However, it is the result of the Transport Strategy for Liverpool City Centre prepared for Council by GTA Consultants in 2017 and the *Liverpool City Centre Traffic Study 2017 – Draft Implementation Plan*.

Whilst the study and plan have not been endorsed by the Department of Planning & Environment, they have demonstrated the need for additional car parking provision

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

within the Liverpool CBD. Both the study and the plan identify the expansion of Collimore Car Park as a recommended improvement.

4. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. A planning proposal seeking car parking as an additional permitted use on the subject site is the most appropriate method of achieving Council's objective of providing an enlarged commuter car park on the site.

The Department's *A guide to preparing planning proposals* includes the following question to delineate consistency with the NSW strategic planning framework (Section B, Q3).

- 14.** *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

The planning proposal will give effect to the Greater Sydney Region Plan *A Metropolis of Three Cities*, particularly Objective 12: Great places that bring people together; and Objective 22: Investment and business activity in centres. Refer to the table below for an assessment against these identified objectives.

Objective	Strategy	Assessment
<b>Objective 12:</b> Great places that bring people together	<b>Strategy 12.2</b> In Collaboration Areas, Planned Precincts and planning for centres: <ul style="list-style-type: none"> <li>Investigate opportunities for precinct-based provision of adaptable car parking and infrastructure in lieu of private provision of car parking;</li> <li>Ensure parking availability takes into account the level of access by public transport;</li> <li>Consider the capacity for places to change and evolve, and accommodate diverse activities over time; and</li> <li>Incorporate facilities to encourage the use of car sharing, electric and hybrid vehicles including charging stations.</li> </ul>	The proposed amendment to permit car parking as an additional permitted use aligns with this strategy in providing public parking at a precinct scale. This public parking provision will be located on a central and accessible site that is serviced by public transport as well as a free shuttle bus for CBD workers. In regard to the adaptability and use of facilities such as charging stations, these elements could be included as part of a future development, however this will need to be considered at the Development Application stage.
<b>Objective 22:</b> Investment and business activity in centres	<b>Strategy 22.1</b> Provide access centres by: <ul style="list-style-type: none"> <li>Designing parking that can be adapted to future uses.</li> </ul>	A future design for a multi-level car park as facilitated by this planning proposal that is outside the core CBD area will reduce the need for parking within the CBD core. This has the potential

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

		to free up space for other commercial developments and improvements to the public domain.
--	--	---

The proposal also references the *Western City District Plan* (WCDP) Planning Priority W9: growing and strengthening the metropolitan cluster. Refer to the assessment in the table below.

Objective	Strategy	Assessment
<b>W9:</b> Growing and strengthening the metropolitan cluster	<p><b>Action 42</b> In addition to the Collaboration Area process outlined above, carry out the following:</p> <ul style="list-style-type: none"> <li>▪ protect and develop the commercial core</li> <li>▪ improve and coordinate transport and other infrastructure to support jobs growth</li> <li>▪ improve public domain including tree-lined, comfortable open spaces and outdoor dining</li> <li>▪ improve connectivity and links to the Georges River and prioritise pedestrian, cycle and public transport facilities</li> </ul>	Collimore Park provides an accessible and well-serviced site that adjoins the CBD of Liverpool. Car parking on this site ensures that parking infrastructure is reduced within the commercial core of Liverpool, improves the coordinated transport of the CBD at a precinct level and contributes to an improved public domain within the CBD due to the reduction in car parking infrastructure.

The Department's *A guide to preparing planning proposals* includes the following question to delineate consistency with the NSW strategic planning framework (Section B, Q4).

**15. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

Liverpool Community Strategic Plan – Our Home, Liverpool 2027

The proposal to enable car parking on the site aligns with Liverpool's Community Strategic Plan (CSP) – Our Home, Liverpool 2027, which states:

- Direction 3: Generating Opportunity
  - Council will: Advocate for, and develop, transport networks to create an accessible city.

The proposal will improve transport networks in relation to Liverpool's CBD, providing an accessible and well-serviced public car park that can contribute to the function and growth of Liverpool's commercial core.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

Section 9.1 Directions

The planning proposal addresses the following directions, pursuant to Section 9.1 of the EP&A Act 1979:

Section 9.1 Direction	Complies	Justification
<b>Environment and Heritage</b>		
2.1 Environment Protection Zones	Yes	The Brickmakers Creek riparian corridor that traverses the western boundary of the site is identified as Environmentally Sensitive Land. The proposed amendments will not reduce the environmental protection standards that apply to the land. The protection of this riparian corridor will be further ensured by provisions within the <i>Water Management Act 2000</i> that controls and limits development within 40m of the bank of the creek.
<b>Housing, Infrastructure and Urban Development</b>		
3.4 Integrating Land Use and Transport	Yes	The proposal seeks to facilitate a public car park development within the subject site. The site is serviced by public transport in the form of a bus route to enable access to the Liverpool city centre as well as other surrounding suburbs.
<b>Hazard and Risk</b>		
4.3 Flood Prone Land	No	<p>The subject site is identified as within the flood planning area and having medium to low flood risk. The location of the existing car park area is identified as low flood risk, and this is considered acceptable for a public car park development. It is deemed that this inconsistency is of minor significance. Furthermore, additional flood investigations will be undertaken if a Gateway determination is issued for the proposal.</p> <p>Council will ensure that the future development of the land is consistent with the principles of the Floodplain Development Manual 2005 and the relevant provisions of the LLEP 2008 and LDGP 2008.</p>
<b>Regional Planning</b>		
5.10 Implementation of Regional Plans	Yes	Consistency with <i>A Metropolis of Three Cities</i> is outlined in section 2 above.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

<b>Local Plan Making</b>		
6.1 Approval and Referral Requirements	Yes	The planning proposal does not contain provisions which require concurrence, consultation or referral to any minister or public authority and does not identify development as designated development.
6.3 Site Specific Provisions	Yes	<p>The proposal seeks to allow the car parking use to be carried out in the existing RE1 – Public Recreation and SP2 – Infrastructure zones applying to the site through a site specific schedule 1 amendment.</p> <p>No drawings or details are provided within this planning proposal detailing a possible future development proposal.</p>
<b>Metropolitan Planning</b>		
7.1 Implementation of A Plan for Growing Sydney	Yes	The proposal seeks to facilitate car parking on the subject site and is therefore consistent with <i>Direction 1.4: Transform the productivity of Western Sydney through growth and investment</i> , <i>Direction 1.9: Support priority economic sectors</i> , and <i>Direction 1.10: Plan for education and health services to meet Sydney's growing needs</i> .

Liverpool Local Environmental Plan (LLEP) 2008

The planning proposal addresses some of the aims of the LLEP 2008, being:

- (a) to encourage a range of housing, employment, recreation and services to meet the needs of existing and future residents of Liverpool,*
- (d) to strengthen the regional position of the Liverpool city centre as the service and employment centre for Sydney's south west region,*
- (f) to promote the efficient and equitable provision of public services, infrastructure and amenities.*

The zoning is to remain unchanged for the subject site. The objectives of the RE1 – Public Recreation zone are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- *To provide sufficient and equitable distribution of public open space to meet the needs of residents.*
- *To ensure the suitable preservation and maintenance of environmentally significant or environmentally sensitive land.*

The objectives of the SP2 – Infrastructure zone are as follows:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*
- *To reserve land for the provision of infrastructure.*

The proposal aims to enable car parking as a permissible use with consent within these existing zones. A future multi-level car park will help to improve and consolidate the existing car parking infrastructure on the site, whilst respecting the public recreation infrastructure and the Brickmakers Creek corridor. The intended future use of a portion of the site for public car parking allows for the community use of the site to continue as it supports the residents and visitors of Liverpool within and around the CBD.

## **5. CONSIDERATIONS FOR SITE SPECIFIC MERIT**

The Department's *A guide to preparing planning proposals* includes the following site-specific merit questions (Section B, Q3b).

*Does the proposal have site-specific merit, having regard to the following:*

- *the natural environment (including known significant environmental values, resources or hazards) and*
- *the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and*
- *the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

The subject site currently contains an expansive at-grade car park that was converted from netball courts. The proposal to permit car parking as an additional permitted use will allow for a future multi-storey public car park to be developed on the subject site. The Brickmakers Creek corridor that runs along the western edge of the site will remain protected, with any future works being required to comply with the *Water Management Act 2000* and be assessed as part of a Development Application. Furthermore, it is considered that the existing RE1 – Public Recreation zoning that is to remain will help to provide further protective measures in ensuring the natural elements of the site are protected and enhanced.

In terms of the existing use of the site, the current public car park use is considered appropriate. The characteristics of the site, its location in respect to the local road network and Liverpool CBD, and the public transport that services the site all contribute to the ongoing and potential future function of the car park.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

The Department's *A guide to preparing planning proposals* includes the following questions regarding State Environmental Planning Policies (Section B, Q5).

*5. Is the planning proposal consistent with applicable State Environmental Planning Policies?*

<b>State Environmental Planning Policy</b>	<b>Consistency</b>
State Environmental Planning Policy No 55—Remediation of Land	Yes – given the site is currently developed as a public car park, and recreational park and has been used for recreational purposes historically, no contamination is predicted to be present on the subject site.
State Environmental Planning Policy (Infrastructure) 2007	Yes. The scale of the development would not trigger a referral to the RMS pursuant to clause 104.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes.
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes
Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment	Yes

The Department's *A guide to preparing planning proposals* (Section B) includes the following questions for consideration:

<b>Question</b>	<b>Comment</b>
12. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	No.  The planning proposal will not impact critical habitat or threatened species, populations or ecological communities, or their habitats due to an absence of such environmental constraints within the site and in close proximity to the site.
13. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	No.  The site has been developed as a car park, and a recreational public park. Any proposed multi-storey car park would be located where the existing at-grade parking is, and be limited in terms of its scale appropriately through the existing planning

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

	provisions that apply to the site, including the RE1 – Public Recreation zoning that is to remain.
14. Has the planning proposal adequately addressed any social and economic effects?	Social impacts directly related to the proposed amendment would be minimal.  Should the proposal proceed, a site specific traffic impact assessment and flood report would need to be prepared subsequent to the issuing of a Gateway determination.
15. Is there adequate public infrastructure for the planning proposal?	Yes, the site is fully serviced with access to bus services, including a free commuter shuttle bus service to and from the Liverpool CBD.
16. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway Determination?	The views of state and Commonwealth public authorities will occur during consultation in accordance with the requirements of a Gateway determination issued for the proposal.

**Next Steps**

Following a review of the planning proposal by the Local Planning Panel, the usual process for planning proposals, is for Council officers to finalise the proposal detailing the proposed changes to LLEP 2008 (this report). The Planning Proposal would then be reported to Council for endorsement and subsequently forwarded to the Department of Planning and Environment seeking a Gateway determination.

Following a Gateway determination, in support of the Planning Proposal, there would be public authority and community consultation, a public exhibition period and a further report to Council prior to proceeding with the making of any amendment to LLEP 2008.

**6. CONCLUSION**

It is recommended that the planning proposal proceeds to a gateway determination as the proposal has demonstrated strategic and site specific merit and is consistent with the resolution of Council.

**7. ATTACHMENTS**

- 1. Planning Proposal**
- 2. Council Resolution**
- 3. Plan of Management**

Attachment 1: Planning Proposal

## Planning Proposal

**Amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to allow car parking as a land use permitted with consent at Collimore Park, Liverpool**

15 May 2019

LIVERPOOL  
CITY  
COUNCIL



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Table of Contents**

Introduction .....	2
Site description .....	2
Background .....	5
Part 1 – Objectives .....	6
Part 2 – Explanation of provisions .....	7
Part 3 – Justification .....	8
Section A – Need for the planning proposal .....	8
Section B – Relationship to strategic planning framework .....	8
Section C – Environmental, social, and economic impact .....	12
Section D – State and Commonwealth interests .....	13
Part 4 – Mapping .....	14
Part 5 – Community Consultation .....	15
Part 6 – Project Timeline .....	16

**List of tables**

Table 1 SEPP Consistency .....	11
Table 2 Section 9.1 Directions Consistency .....	11
Table 3: Anticipated project timeline .....	16

**List of figures**

Figure 1: Location of subject site outlined in red (Nearmap 2019) .....	2
Figure 2: Zoning Map from LLEP 2008 (Subject site outlined in black) .....	3
Figure 3 Looking at the subject site in a north-westerly direction from the corner of Moore St and Collimore Ave .....	4
Figure 4 Looking down the site in a northerly direction from the basketball courts .....	4
Figure 5 Looking at the subject site from Collimore Ave in a westerly direction .....	5
Figure 6: Proposed Key Sites Map .....	14

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

### Introduction

The planning proposal relates to a parcel of land known as Collimore Park that is located on the western edge of the Liverpool City Centre. The majority of the site is zoned RE1 – Public Recreation, with the south-eastern corner (Lot 1 DP 1089398) zoned SP2 – Infrastructure (Electricity Transmission). The proposal seeks an additional permitted use for the site specifically to allow for 'car parking' as permitted with consent under the Liverpool Local Environmental Plan 2008 (LLEP 2008).

The impetus for the planning proposal is to allow for a future multi-storey car parking development on the site despite the RE1 – Public Recreation and SP2 – Infrastructure (Electricity Transmission) zoning that applies. This future multi-storey car park is to be placed on the existing car park area, and retain the valuable recreational facilities on the site. It is noted that the RE1 – Public Recreation portions of the site are classified as community land.

### Site description



Figure 1: Location of subject site outlined in red (Nearmap 2019)

The subject site is located on the western edge of the Liverpool CBD area. The total area of the subject site is approximately 38,500m<sup>2</sup>. The site consists of the following lots, and are owned as follows:

- Lot 1 DP 1089398 (Privately owned, Liverpool City Council currently lease this land);
- Lot 2 DP 1089398 (Liverpool City Council);

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

- Lot 400 DP 1185131 (Liverpool City Council);
- Lot 7009 DP 1027995 (NSW land); and
- The previous creek corridor that traverses through the centre of the site (Crown Land).

The site is bound by Elizabeth Drive to the north, Collimore Avenue to the east, Moore Street to the south, and Brickmakers Creek to the west. The site currently contains the following:

- Outdoor Futsal Soccer field;
- Basketball courts;
- Children's play equipment;
- At-grade public carpark;
- Public, outdoor gym equipment; and
- Brickmakers Creek running along the western edge of the site.

Adjoining the site to the north is Elizabeth Drive and Waddell Brothers Park, with some low density residential dwelling located to the north-east. To the east of Collimore Avenue are a variety of low and medium density residential developments ranging from single storey dwellings to three storey residential flat buildings. A larger residential area is located to the south of Moore Street consisting of a variety of 3-4 storey residential flat buildings. Finally, Brickmakers Creek runs along the western edge of the site, with further low and medium density residential developments located to the west ranging between one and two storeys in height.



Figure 2: Zoning Map from LLEP 2008 (Subject site outlined in black)



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**



*Figure 3 Looking at the subject site in a north-westerly direction from the corner of Moore St and Collimore Ave*



*Figure 4 Looking down the site in a northerly direction from the basketball courts*

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**



*Figure 5 Looking at the subject site from Collimore Ave in a westerly direction*

## Background

In 2011, Collimore Park was redeveloped by Council where previous netball courts were converted into an at-grade public car park to provide additional car parking capacity for workers accessing the Liverpool City Centre. This development was completed under State Environmental Planning Policy (Infrastructure) 2007 which allows for the development of single storey car parks on a public reserve as exempt development. Since the completion of this work, additional recreational facilities have been provided in the form of sporting courts, children's play equipment, and outdoor gym equipment.

Following the preparation of the Liverpool City Centre Traffic Study 2017, Council resolved at the 26 July 2017 meeting to receive a further report on implementation plans of the recommended car parking strategies. This draft scoping and implementation plan was then considered at the December Council meeting that year (13 December 2017). Within this study, a recommended improvement identified was to provide additional commuter car parking spaces outside the city centre at the Collimore Car Park. Furthermore, a short-term (0-5 years) project was recommended for scoping, options and design investigation of a multi-storey car park at Collimore Car Park. Council resolved to allocate funding for design investigation for a multi-deck car park at the existing Collimore Car Park, and to move the construction of Collimore Park parking station to the 0-5 year category.

In satisfying these Council decisions and preparing for the future development of a multi-storey car park at Collimore Park, Council has prepared this planning proposal to permit such works in the future under the Liverpool Local Environmental Plan 2008.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Part 1 – Objectives**

The objective of this planning proposal is to amend the LLEP 2008 to permit the development of a multi-storey car park at Collimore Park with consent. This objective applies to the subject site only.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Part 2 – Explanation of provisions**

The objective of the planning proposal will be achieved through an amendment to Schedule 1 of the LLEP 2008 to allow "car parking" as a land use permitted with development consent at Collimore Park, which is legally defined as follows:

- Lot 1 and Lot 2 within DP 1089398;
- Lot 7009 within DP 1027995;
- Lot 400 within DP 1185131; and
- The Brickmakers Creek Corridor (Crown Land) that traverses through the centre of the site and is bound by Elizabeth Drive to the north and Moore Street to the south.

This amendment to Schedule 1 would require an additional clause that applies specifically to the subject site (Clause 27).

To facilitate the above changes, the following LLEP maps will be amended:

**Key Sites**

- 4900\_COM\_KYS\_010\_020\_20170606; and
- 4900\_COM\_KYS\_011\_005\_20180730.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Part 3 – Justification**

**Section A – Need for the planning proposal**

**3.1 *Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?***

No, the planning proposal is not the result of an endorsed local strategic planning statement, strategic study or report. However, it is the result of the Transport Strategy for Liverpool City Centre prepared for Council by GTA Consultants. This report was considered and noted by Council at the 26 July 2017 Council meeting. Additionally, the Liverpool City Centre Traffic Study 2017 – Draft Implementation Plan that was prepared by Council and reported to the Council meeting on 13 December 2017.

Whilst the study and plan have not been formally endorsed, they have been considered and noted by Council and informed the decisions made in regard to the future development of car parking at Collimore Park. Both the study and the plan have demonstrated the need for additional car parking provision within the Liverpool CBD and both identify the expansion of Collimore Car Park as a recommended improvement.

**3.2 *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

Yes. The alternative to the schedule 1 amendment proposed is a rezoning of the site to a zone that permits car parking with consent. It is recognised that this would achieve the intended outcome of enabling the development of a multi-storey car park on the subject site. However, this would also permit additional uses on the site that are not desired, or appropriate given the nature and use of Collimore Park.

The schedule 1 amendment proposed will allow for car parking on the site whilst avoiding any risk of losing the existing recreational uses on the site or introducing inappropriate or incompatible uses.

**Section B – Relationship to strategic planning framework.**

**3.3 *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?***

**A Metropolis of Three Cities**

The proposed amendment to schedule 1 of the LLEP 2008 facilitating car parking as a permitted use with development consent will contribute to the function and growth of Liverpool CBD as a Metropolitan Cluster as well as a Health and Education Precinct.

The planning proposal is consistent with the following objectives of the Greater Sydney Region Plan 2018, *A Metropolis of Three Cities*:

- **Objective 12:** Great places that bring people together
  - **Strategy 12.2:** In Collaboration Areas, Planned Precincts and planning for centres:
    - Investigate opportunities for precinct-based provision of adaptable car parking and infrastructure in lieu of private provision of car parking;
    - Ensure parking availability takes into account the level of access by public transport;
    - Consider the capacity for places to change and evolve, and accommodate diverse activities over time; and

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

- Incorporate facilities to encourage the use of car sharing, electric and hybrid vehicles including charging stations.

To this point, the planning proposal will facilitate the provision of public car parking infrastructure in a strategic location close to the Liverpool CBD and surrounding road network. Collimore Park has the following merits regarding future expansion for public car parking, as identified within the Transport Strategy for Liverpool City Centre:

- The site is located with convenient access to the arterial road network, however separated from the core CBD area.
- The site has convenient pedestrian access to the core CBD area. While walking distance exceeds that typically accepted by long stay users, pedestrian access is available for drivers not seeking to make use of the proposed shuttle service.
- The use of the site for car parking is consistent with its current use, being an at-grade car park. As such the development of a multi-level car park on the site would not be expected to significantly impact on the urban fabric and surrounds. Indeed, a quality car park structure may improve the urban design of the site.

A future design for a multi-level car park as facilitated by this planning proposal should consider and include adaptability in its design and sustainable vehicle infrastructure such as charging stations and car sharing spaces.

- **Objective 22** Investment and business activity in centres
  - **Strategy 22.1** Provide access centres by:
    - Designing parking that can be adapted to future uses.

A future design for a multi-level car park as facilitated by this planning proposal that is outside the core CBD area will reduce the need for parking within the CBD core. This has the potential to free up space for a more sustainable, safe, and human-scale public domain.

Western City District Plan

The planning proposal is also consistent with the following priority and action of the Western City District Plan:

- **Planning Priority W9 Growing and strengthening the metropolitan cluster**
  - **Action 42.** In addition to the Collaboration Area process outlined above, carry out the following:
    - protect and develop the commercial core
    - improve and coordinate transport and other infrastructure to support jobs growth
    - improve public domain including tree-lined, comfortable open spaces and outdoor dining
    - improve connectivity and links to the Georges River and prioritise pedestrian, cycle and public transport facilities



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Collimore Park provides an accessible and well-serviced site that adjoins the CBD of Liverpool. Car parking on this site ensures that parking infrastructure is reduced within the commercial core of Liverpool, improves the coordinated transport of the CBD at a precinct level and contributes to an improved public domain within the CBD due to the reduction in car parking infrastructure.

### 3.4 *Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

#### Liverpool Community Strategic Plan – Our Home, Liverpool 2027

The proposal to enable car parking on the site aligns with Liverpool's Community Strategic Plan (CSP) – Our Home, Liverpool 2027, which states:

- Direction 3: Generating Opportunity
  - Council will: Advocate for, and develop, transport networks to create an accessible city.

#### Liverpool Local Environmental Plan 2008

The planning proposal addresses one of the aims of the LLEP 2008, being:

- (a) *to encourage a range of housing, employment, recreation and services to meet the needs of existing and future residents of Liverpool,*
- (d) *to strengthen the regional position of the Liverpool city centre as the service and employment centre for Sydney's south west region,*
- (f) *to promote the efficient and equitable provision of public services, infrastructure and amenities.*

The zoning is to remain as existing for the subject site. The objectives of the RE1 – Public Recreation zone are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To provide sufficient and equitable distribution of public open space to meet the needs of residents.*
- *To ensure the suitable preservation and maintenance of environmentally significant or environmentally sensitive land.*

The objectives of the SP2 – Infrastructure zone are as follows:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*
- *To reserve land for the provision of infrastructure.*

# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

The proposal aims to enable car parking as a permissible use with consent within these existing zones. A future multi-level car park will help to improve and consolidate the existing car parking infrastructure on the site, whilst respecting the public recreation infrastructure and the Brickmakers Creek corridor.

### 3.5 Is the planning proposal consistent with applicable State Environmental Planning Policies?

Table 1 SEPP Consistency

State Environmental Planning Policy	Consistency
State Environmental Planning Policy No 55—Remediation of Land	Yes – given the site is currently developed as a public car park, and recreational park and has been used for recreational purposes historically, no contamination impacts are anticipated.
State Environmental Planning Policy (Infrastructure) 2007	Yes
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes
Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment	Yes

### 3.6 Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?

Table 2 Section 9.1 Directions Consistency

Section 9.1 Direction	Complies	Justification
<b>Environment and Heritage</b>		
2.1 Environment Protection Zones	Yes	The Brickmakers Creek riparian corridor that traverses the western border of the site is identified as Environmentally Sensitive Land. The proposed amendments will not reduce the environmental protection standards that apply to the land. The protection of this riparian corridor will be further ensured by provisions within the <i>Water Management Act 2000</i> that controls and limits development within 40m of the bank of the creek.
<b>Housing, Infrastructure and Urban Development</b>		
3.4 Integrating Land Use and Transport	Yes	The proposal seeks to facilitate a public car park development within the subject site. The site is serviced by public transport in the form of a bus route to enable access to the Liverpool city centre as well as other surrounding suburbs.
<b>Hazard and Risk</b>		
4.3 Flood Prone Land	No	The subject site is identified as within the flood planning area and having medium to low flood risk. The location of the

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

		<p>existing car park area is identified as low flood risk, and this is considered acceptable for a public car park development. It is deemed that this inconsistency is of minor significance. Furthermore, additional flood investigations will be undertaken if a Gateway determination is issued for the proposal.</p> <p>Council will ensure that the future development of the land is consistent with the principles of the Floodplain Development Manual 2005 and the relevant provisions of the LLEP 2008 and LDCP 2008.</p>
<b>Regional Planning</b>		
5.10 Implementation of Regional Plans	Yes	Consistency with <i>A Metropolis of Three Cities</i> is outlined in section 2 above.
<b>Local Plan Making</b>		
6.1 Approval and Referral Requirements	Yes	The planning proposal does not contain provisions which require concurrence, consultation or referral to any minister or public authority and does not identify development as designated development.
6.3 Site Specific Provisions	Yes	<p>The proposal seeks to allow the car parking use to be carried out in the existing RE1 – Public Recreation and SP2 – Infrastructure zones applying to the site through a site specific schedule 1 amendment.</p> <p>No drawings or details are provided within this planning proposal detailing a possible future development proposal.</p>
<b>Metropolitan Planning</b>		
7.1 Implementation of A Plan for Growing Sydney	Yes	The proposal seeks to facilitate car parking on the subject site and is therefore consistent with <i>Direction 1.4: Transform the productivity of Western Sydney through growth and investment</i> , <i>Direction 1.9: Support priority economic sectors</i> , and <i>Direction 1.10: Plan for education and health services to meet Sydney's growing needs</i> .

**Section C – Environmental, social, and economic impact**

**3.7** *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The planning proposal will not impact critical habitat or threatened species, populations or ecological communities, or their habitats due to an absence of such environmental constraints within the site and in close proximity to the site.

**3.8** *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The Brickmakers Creek corridor along the western edge of the site is identified as Environmentally Significant Land. It is deemed that the flooding constraints impacting this portion of the site will prevent any

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

inappropriate development from being located within or in close proximity to this Environmentally Significant Land.

No other likely environmental effects are identified. Where environmental impacts do exist, are deemed to be of minor significance.

*3.9 Has the planning proposal adequately addressed any social and economic effects?*

The subject site is currently utilised as an at-grade public car park by the community, and this proposed amendment seeks to enable the future development of further public parking in the form of a multi-storey car park. It is deemed that the increase in the intensity of this car park landuse is acceptable given the nature of the existing use and the location of the site. The proposed amendment will help to sustain the function of the Liverpool CBD as a Metropolitan Cluster that provides crucial employment opportunities.

The planning proposal will not create adverse social or economic impacts.

**Section D – State and Commonwealth interests**

*3.10 Is there adequate public infrastructure for the planning proposal?*

The planning proposal is of local significance and will itself enable additional public infrastructure provision in the form of a future multi-level public car park. It is noted that the site is currently occupied by a large at-grade public car park that is well serviced by public transport and has excellent access to the surrounding road network.

*3.11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

The views of state and Commonwealth public authorities will be considered following Gateway determination. The following government agencies should be considered:

- Roads and Maritime Services;
- Sydney Water;
- Office of Environment and Heritage;
- Department of Lands and Industry; and
- State Emergency Services.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**Part 4 – Mapping**



*Figure 6: Proposed Key Sites Map*

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Part 5 – Community Consultation**

Community consultation will be undertaken in accordance with the Gateway determination. It is anticipated that the proposal will be exhibited for 14 days through:

- Newspaper advertisements in the Liverpool Leader;
- Notification on Liverpool City Council's planning portal and Liverpool Listens website; and
- Letters to the adjoining landowners.



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Part 6 – Project Timeline**

An anticipated project timeline is shown in Table 3.

Table 3: Anticipated project timeline

Timeframe	Action
May 2019	Presented at the Local Planning Panel meeting
Jun 2019	Presented to Liverpool City Council
Jul 2019	Submission of Planning Proposal to DP&E
Aug 2019	Gateway Determination issued
Aug 2019 – Sep 2019	State agency consultation
Aug 2019 – Sep 2019	Community consultation
Sep 2019 – Oct 2019	Consideration of submissions and proposal post-exhibition
Nov 2019	Post-exhibition report to Council
Dec 2019 – Jan 2020	Legal drafting and making of the plan

**27<sup>th</sup> May 2019**

## 7

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

8

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

Councillors voted unanimously for this motion.

---

Minutes of the Ordinary Council Meeting held on Wednesday, 13 December 2017 and confirmed on Wednesday, 7 February 2018

.....  
Chairperson

---

**Attachment 3: Plan of Management**

**Collimore Park • Plan of Management**

**December 2000**

**COLLIMORE PARK PLAN OF MANAGEMENT**  
**adopted December 2000**

## **1.0 Introduction**

### **1.1 What is a plan of management?**

---

The Local Government Act 1993, requires that all public land owned by Council be classified as either community land or operational land. Furthermore, Council must have plans of management for all community land, to ensure that an endorsed framework guides the operation and development of these resources.

Plans of management are public documents, and as such require stakeholders to be involved in their formation. A process of research and community consultation provides opportunities for community participation and involvement, establishing a sense of ownership in stakeholders and contributing to the ongoing success of the plans.

Plans of management assist Council to budget and source funds for the future maintenance and improvement of community land. Each plan provides Council with a current survey of its resources and acts as a guideline for expenditure and development of open space.

### **1.2 Purpose of this plan**

---

This plan of management seeks to provide a framework for the development for the land resource. The park is Council owned land, and as such is required under the Local Government Act 1993 to have a plan of management.

- This plan of management will inform and guide decisions affecting the site on a day to day basis, as well as establishing a framework for consistent planning over a ten-year period.
- The process of writing the plan involves participation of all the stakeholders and users of the open space and its facilities.
- The plan of management will be consistent with Council's other policies and plans, ensuring a strategic vision and approach to open space across the Liverpool local government area.
- The plan will comply with the Local Government Act (1993) in relation to the preparation of plans of management.
- Additionally, this plan offers design suggestions and directions through the inclusion of a masterplan appearing on page 21 of this document.

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Collimore Park • Plan of Management**

**December 2000**

---

**1.3 Terms used in this report**

---

LCC	Liverpool City Council
LGA	Local Government Area
PoM	plan of management
the creek	Brickmakers Creek
The Act	the Local Government Act (1993)
ESL	Environmentally significant land
SEPP	State Environmental Planning Policy
DCP	Development Control Plan
LEP	Local Environmental Plan

---

**1.5 Land to which this plan applies**

---

The land to which this plan applies is identified as DP 217227, PT 26. The boundaries of the park are shown in the plan on page 4.



## SITE CONTEXT PLAN





LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Collimore Park • Plan of Management

December 2000

## SITE PLAN



 Liverpool City Council	DRAWING TITLE	SCALE	DATE	DRAWN	
	COLLIMORE PARK, Liverpool <i>Site plan</i>	 0 10 20 30 meters	February 2000	AL	

## **1.4 Categories and core objectives**

The park is zoned 6(a) and is reserved for public recreation. The park is classified as community land and is therefore subject to the Local Government Act 1993. The Act requires Council to categorise community land into different uses. This plan identified the park as containing two distinct categories of land. A plan on page 6 shows the location of each category on this site. The categories are:

- a sportsground, and
- a park

The Act prescribes for each category a set of core objectives for management of community land. The Council must manage land in accordance with the core objectives for that relevant category of land. Council has the responsibility for managing and developing the oval in accordance with the core objectives.

- The core objectives for community land categorised as sportsgrounds are:
  - (a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
  - (b) to ensure that such activities are managed having regard to any adverse impact on any nearby residences.
- The core objectives for community land categorised as a park are:
  - (a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities,
  - (b) to provide for passive recreational activities or pastimes and for the casual playing of games, and
  - (c) to improve land in such a way so as to promote and facilitate its use to achieve the other core objectives for its management.



*Looking south east over Collimore courts, from the club house*

LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT



27<sup>th</sup> May 2019

Collimore Park • Plan of Management

December 2000

## SITE CATEGORIES PLAN



 Liverpool City Council	DRAWING TITLE	SCALE	DATE	DRAWN	
	COLLIMORE PARK, Liverpool	1:1000	February 2000	AL	
	Categories				



**27<sup>th</sup> May 2019**

## December 2000

**27<sup>th</sup> May 2019**

## December 2000



## 2. Current status

### 2.1 History and context

The site known as Collimore Park has operated almost exclusively as a netball facility for many years. It was surfaced and developed as netball courts when local schools and players approached Council with a request for netball courts near schools and the CBD in Liverpool. Use of the Park as a netball facility has risen steadily, with current competition levels impacting heavily on the character of the site and the surrounding area.

Collimore Park is surrounded on three sides by medium to high density housing, typically three storey walk-ups. It is located next to Brickmakers Creek, which runs from Warwick Farm at the top of the LGA through Lurnea. A context plan appears on page 3. Council recently rehabilitated the section of Brickmakers Creek that runs alongside Collimore Park by improving the bank stability and water quality. The land is reserved for drainage, and is separated from the park by a fence.



*Toilet block on site*



*The view to Collimore Park along Beale Street*

### 2.2 Facilities and infrastructure

Collimore Park contains the following facilities:

- 24 Netball courts – asphalt surfaced, four courts on the north of the park have a green coloured 'tru flex' surface. Each court has two hoops (fixed).
- Kiosk – operated by the LCNA
- Male and female toilets
- 2 storey brick club house



# LIVERPOOL CITY COUNCIL

## LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Collimore Park • Plan of Management

December 2000

- Parking area – gravel surface, on the east of the park entered from Collimore Ave.
- Storage shed

### 2.2.1 Netball and active recreation

Collimore Park has long operated as the home ground of the Liverpool City Netball Association (LCNA) and provided a venue for not just local, but also for regional and state level competitions.

The numbers of players and spectators using the park has reached unprecedented levels in the recent years. Collimore Park is currently operating at optimum capacity, holding staggered games on site each Saturday. The popularity of Saturday netball games has had a huge impact upon the surrounding streets and residences to the park. Indeed, if membership continues to grow and demand for numbers of games increases any further, it would be advisable to look for additional local courts in other areas to hold netball training and competition.



*Netball hoops*

### 2.2.2 Casual play

Local children are another important user group of Collimore Park. The asphalt surface of the Courts provides an area ideal for playing ball games, cycling, roller-blading and other informal recreation and pastimes.

There is a demand for pleasant and safe play areas to be located nearby to the apartments and houses in the residential area. The park is easily accessed for local children, it does not require them to cross busy main roads like Elizabeth Drive, the Hume Highway or Memorial Avenue. Surveillance of the park for surrounding housing is high, which also contributes to making it a safe place for children to play.

In its current form, the Park offers little in the way of pleasant passive recreation opportunities for either children or adult users.

### 2.2.3 Schools

Three local school sports associations regularly use the park for sport lessons and competition: the Bernera School Zone (secondary schools), Liverpool PSS zone and Green Valley PSSA (both primary school associations). The schools usually arrive at the park by coach.

#### **2.2.4 Anti social behaviour**

Collimore Park has been a popular site for vandalism, graffiti, loitering after dark and other anti social behaviour. Residents and the sporting clubs complain of the dangers of broken glass on courts and the damage done to property. Reducing the amount and nature of anti social behaviour at the park requires the combined effort of residents, the police and Council. Increasing a sense of ownership for the park amongst residents may reduce the levels of loitering and petty crime that occur in the park. This philosophy is similar to 'Neighbourhood Watch' schemes that operate in many suburban streets.

In any case, in the current climate maintaining clear surveillance across the site is advisable.

#### **2.2.5 Conflict between uses and users**

Due to the high levels of use the Park is under, there are some conflicts that invariably occur when a facility is used as heavily as Collimore Park is. The most contentious issue is the lack of parking on the site.

Providing a drop off/pick up area, encouraging the use of public transport amongst netballers and accommodating bus bays will improve the situation to some degree. Increasing the efficiency of the carpark on site with line marking is unlikely to ease the situation, although it is recommended.

If demand on the park increases, Council would do well looking for alternative parks to accommodate netball in Liverpool.

### **2.3 Access and circulation**

#### **2.3.1 Pedestrian access**

Collimore Park has a strongly informal, sports focused character. It is separated from the streets and surrounding land by low cyclone wire fences, and logs that act as vehicle barriers. In order to promote the park as a regionally significant sports venue, access and entrances need to be upgraded.

At present, the park is recognised by the netball hoops, the dominant vertical feature on the site. Signage, vegetation and a sense of 'arrival' is lacking. This would be remedied by implementing the landscape masterplan (appearing on page 21 of this plan).

Safer, more inviting entrances to the park should be added. Pedestrians should be allowed a range of options for movement around the site, and not limited to using the single access gates that currently exist on Moore Street.

#### **2.3.2 Disabled access**

There is no adequate disabled access to the site at present. This can be remedied by establishing pathways compliant with the relevant Australian standards, and generous enough to cater for a number of users at once, this includes wheelchairs, prams and pedestrians.

### **2.4 Natural environment**

The Park has few natural qualities due to its conversion to a hard surfaced sportsground. Never the less, the opportunity exists to improve the environmental qualities and aesthetics of the site. Adding shade trees, soft surfaces and improving visual links to Brickmakers Creek on the east of the site are a means of furthering

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

**Collimore Park • Plan of Management**

**December 2000**

this. The drainage reserve adjacent to the park has been returned to a more natural creekline, and ducks now inhabit the area.

The entire park is located within the 1:100 year flood zone, land around the creek is actually in the flood hazard zone. The flooding plan on page 7 illustrates the extent of flooding in the park.

The park is very flat, contours rise a little towards Collimore Avenue and Elizabeth Drive.



*The existing fence along the creekline is a target for vandals, and is ineffective as a safety fence.*

## **2.9 Strategic importance**

Due to its proximity to the Liverpool CBD, the railway station and Elizabeth Drive, Collimore Park has been identified by the Olympic Roads and Transit Authority (ORTA) as a possible site for a 'Park and Ride Facility'.

Once a decision has been made within ORTA the park will operate as a transport node for the extent of the Sydney 2000 Olympic Games. Ticket holders to Olympic games events will be able to join buses here, shuttling them to events at Penrith and Homebush Bay.

SEPP# 38 'Olympic Games and Related Projects' is the piece of legislature that entitles the state government to use the land for this purpose. Council policy and planning is overridden by this document.



## **3.0 Core objectives**

The following section outlines how Council proposes to satisfy the core objectives for each category the site contains.

There are two additional objectives that Council is keen to satisfy in the development of the park: the fair provision of leases and licences and the strategic issue of managing the creeklines responsibly.

### **3.1 Sportsground**

Collimore Park will continue to function primarily as a netball facility and to a lesser degree as a park for recreation. In its capacity as a netball facility, it is categorised as a sports ground. By providing a flexible open space equipped with lighting, toilet facilities and car parking the park will satisfy the core objective:

- (a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games.

In relation to the next objective:

- (b) to ensure that such activities are managed having regard to any adverse impact on any nearby residences.

The current patterns of use are unlikely to alter as a result of implementing the landscape masterplan attached to this document. Whilst improved parking on site is proposed, little alleviation of the current over parking problems are likely. Considering its history of high use many residents are in fact accustomed to the demands on local streets at peak use times, and accept the situation. Council should consider reducing the burden on this neighbourhood caused the netball courts, and investigate alternative courts in the LGA for competition.

### **3.2 Park**

In its current state, and particularly after landscape improvements have been made to the site, the park will fulfil the core objectives for a park.

By providing an area of open space in the established urban environment nearby the Liverpool CBD, Council has achieved the core objectives:

- (a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, through the provision of open space
- (b) to provide for passive recreational activities or pastimes and for the casual playing of games

The landscape masterplan, developed from analysis of the site and consultation with stakeholders aims:

- (c) to improve land in such a way so as to promote and facilitate its use to achieve the other core objectives for its management.

### **3.3 Development of the creekline corridor**

Liverpool City Council staff have met with Fairfield City Council staff to discuss each Council's approach towards watercourse rehabilitation. This was undertaken on the advice of the Environment Protection Authority. The continued discussions and liaison between Councils has led to cooperation and commitment to undertake joint ventures aimed at improving the quality of our common creeklines, as well as sharing of information on best practice.

As the park is located on Brickmakers creek there is an opportunity to implement catchment wide initiatives. Ideally these measures will be continued along the creekline, which travels through the Liverpool LGA.

- < Promotion of a vegetated 40 metre buffer zone along the creek line,
- < Protection of the ESL which is on the site within the 7(a) zone under the LEP ( occurs along the creek line and is therefore located within the proposed buffer zone).
- < Regeneration and rehabilitation of Cumberland Woodplain bushland that is indigenous to the area, although none remains on site.
- < Establish wildlife corridors – possible through the provision of buffer zones and bushland rehabilitation of the Creek line generally.
- < Establish links along the Creek line for low impact recreational pursuits. These activities such as cycleways and walking paths should not compromise the environmental and ecological functions of the waterway or its surrounding land.
- < Community involvement through replanting schemes, clean up days, education campaigns and the formation of local action groups along the watercourse. The involvement of local residents and regular users will promote a sense of ownership for the park, also contributing to the health and maintenance of the creekline.

### **3.4 Leases, licences and hiring**

Leases and licences formalise the use of public land by groups such as recreation clubs, community organisations and special interest groups, or by commercial organisations and individuals providing facilities and services for public use.

No leases, licences or estates will be granted over the public land at Collimore Park, unless compliant with the provisions of Section 46 of the Local Government Act.

#### **3.4.1 Hire arrangements**

This plan shall authorise the hire of playing fields and facilities at the Reserve, so long as they comply with the LCC 'Hire of Playing Fields Policy'. The terms and conditions of any hiring agreements need to be negotiated and approved by Council and the Management Committee of the land (where one exists).

#### **3.4.2 Events exempt from leases, licences and other estates**

No formal arrangements will be required for the use of the Reserve where:

- < The activity is permissible under the objectives identified for that category of land,
- < The event/activity concerned does not run for more than three consecutive days,
- < No significant damage to the reserve is anticipated as a result of the proposed activity,

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Collimore Park • Plan of Management**

**December 2000**

- < There is no anticipated disruption to adjacent properties as a result of the activity or event,
- < The use or occupation does not involve the erection of any permanent buildings or structures,
- < There is no interference with other users,
- < Council obtains proof of suitable insurances,
- < The organisers, in consultation with Council, make arrangements for the provision of extra toilets, waste collection, traffic management, security or other requirements deemed necessary by Council.



## 4.0 Strategies and Action Plans

Explanation of acronyms used:

LCC Liverpool City Council  
DLWC Department of Land and Water Conservation  
NHT Natural Heritage Trust  
EPA Environmental Protection Authority  
DEETYA Department of Education, Employment, Training and Youth Affairs  
DSR Department of Sport and Recreation  
LCNA Liverpool City Netball Association

### 4.1 ACCESS AND CIRCULATION

ACTION	RESPONSIBILITY	PERFORMANCE INDICATOR	PRIORITY	FUND SOURCE	GRANTS	INITIAL COST	ONGOING COST
Establish paths around the site	LCC	<ul style="list-style-type: none"> <li>Accommodate a range of users including prams, cycles, pedestrians and disabled users.</li> <li>Increased use of open space by residents for passive recreation and exercise</li> <li>Upgrade the quality of the park as a regional sports venue</li> </ul>	high	Council revenue Grants	DSR		
Upgrade access into the park from surrounding streets	LCC	<ul style="list-style-type: none"> <li>Introduce a more inviting character to the park</li> <li>Reduce the sense of isolation for the street, this may help to discourage loitering and vandalism</li> <li>Introduce cohesive signage across the site and in the LGA</li> </ul>	high	Council revenue Grants	DSR		

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

27<sup>th</sup> May 2019

Coltmore Park • Plan of Management		December 2000				
Surface the existing car park with asphalt and line mark parking spaces	LCC LCNA	<ul style="list-style-type: none"> <li>Accommodate more cars on site</li> <li>Alleviate some of the parking burden on surrounding streets</li> <li>Upgrade the quality of the park as a regional sports venue</li> </ul>	high	Council revenue	—	
Introduce a drop off and pick up area for players	LCC	<ul style="list-style-type: none"> <li>Alleviate some of the parking burden on surrounding streets</li> <li>Upgrade the quality of the park as a regional sports venue</li> </ul>	high	Council revenue	—	
Introduce a bus bay	LCC	<ul style="list-style-type: none"> <li>Alleviate some of the parking burden on surrounding streets</li> <li>Upgrade the quality of the park as a regional sports venue</li> </ul>	high	Council revenue	—	
Retain clear views across the site	LCC	<ul style="list-style-type: none"> <li>Vegetation planted should have a high canopy, and quick growth period</li> <li>Planter beds should be avoided</li> <li>Surveillance of the site from housing opposite and the street should remain.</li> </ul>	high	Council revenue	—	
Replace existing fence Moore Street boundary with a consistent, durable alternative, such as a low wall	LCC	<ul style="list-style-type: none"> <li>Wall would act as informal seating and spectator area</li> <li>Surveillance of the site from housing opposite and the street should remain.</li> </ul>	moderate	Council revenue	—	
Plant vegetation along creekline, eventually replacing the fence.	LCC	<ul style="list-style-type: none"> <li>Vegetation planted should have a high canopy, and quick growth period</li> <li>Natural aesthetic to creekline</li> </ul>	low	Council revenue	—	

**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

27<sup>th</sup> May 2019

December 2000

Collimore Park • Plan of Management

#### 4.2 RECREATION OPPORTUNITIES

ACTION	RESPONSIBILITY	PERFORMANCE INDICATOR	PRIORITY	FUND SOURCE	GRANTS	INITIAL COST	ONGOING COST
To maximise the potential of the open space, accommodating and catering for a variety of users and activities, as indicated in the masterplan,	LCC	<ul style="list-style-type: none"> <li>Upgrading and improving the park land quality through design</li> <li>To transform the &gt;10% areas surrounding the courts into quality open space</li> <li>To improve access around and into the site</li> <li>To increase shade, seating and passive recreation opportunities</li> <li>No leases granted, retaining the land for public use</li> </ul>	moderate	Council revenue	—		
To continue seasonal hire arrangements at the park	LCC		moderate	—	—	—	—
To enhance the character of the park without introducing any major infrastructure	LCC	<ul style="list-style-type: none"> <li>Improving the aesthetic and functional qualities of the park without adding targets for vandalism and graffiti</li> <li>More vegetation and planting</li> </ul>	moderate	Council revenue	—	—	—
To resurface netball courts as required, and improve drainage from courts	LC LCNA	<ul style="list-style-type: none"> <li>Upgrade the quality of the park as a regional sports venue</li> </ul>	moderate	Council revenue Grants	DSR		

Liverpool City Council

18

## 5.0 Appendix

### 5.1 Funding and grant sources

#### 5.1.1 Environmental Trust Grants

The Environmental Trust is a State Government Trust established to support exceptional environmental projects. It is governed by the Environmental Trust Act 1998, and has been formed to make grants and supervise their expenditure.

After years of not offering grants to Local Government bodies, the Environmental Trust Grants, Councils are once again able to apply for the grants. A particular requirement of the Trust's programs is they generally encourage community involvement and input, making their purpose twofold: providing educational and environmental benefits.

There are two particular grants which Liverpool City Council will be eligible to apply for after 2000:

*The Environmental Education Program* – provides resources to increase environmental awareness amongst individuals, communities and special interest groups. This grant may be particularly suited to the establishment of an interpretive strategy and signage relating to the Cabramatta Creek Corridor.

*The Environmental Restoration and Rehabilitation Program* – this program funds projects which restore, protect, enhance and prevent further environmental degradation in natural environments. It requires applicants to include community involvement, cost efficiency and involve qualified people to achieve the restoration, and must broadly benefit the environment of NSW. It would enable Council to implement regeneration and revegetation of the Creek line at Hoxton Park, and potentially incorporate the extent of the Brickmakers Creek buffer zone.

#### 5.1.2 Australia Council for the Arts grants

The Australia Council is an arts advisory and funding body to the Commonwealth Government. It offers a diverse range of grants to individuals and organisations, through which it seeks to promote excellence in the arts and encourage cultural expression. Projects that are successful in achieving grants usually have a strong community focus in their aims and implementation.

In relation Collimore Park, the grants offered by the Australia Council would assist Council to promote physical artistic expression and design in the public domain. The opportunity exists to commission an artwork for the public domain, either by the local community or an artist. Specifically, the grant that Liverpool City Council might apply for is:

*Community, Environment, Art and Design Fund (CEAD)*

CEAD is another fund available to LCC, supporting one off projects between communities, artists and designers in the planning and design of public open space.

#### 5.1.3 NSW Department of Sport and Recreation

The Department of Sport and Recreation offer grants to local Council's – known as the *Capital Assistance Program*. These programs provide funding for recreational infrastructure – both indoor and outdoor. In the past it has funded schemes as diverse as floodlighting and turf resurfacing.

#### 5.1.4 Private Corporation Grants

A number of grants are available to local communities working in conjunction with Councils, and generally have an environmental focus. Two such grants are:



**LIVERPOOL CITY COUNCIL**  
**LOCAL PLANNING PANEL REPORT**

**27<sup>th</sup> May 2019**

---

**Cellimere Park Plan of Management December 2000**

*The BP Conservation Program*

*The Readers Digest Environmental Awards.*



Both grants would assist Council in implementing revegetation and regeneration of Brickmakers Creek, and Council's application for each would be lent considerable weight by involving local schools, action groups and special interest groups in the planning of and execution of the programs. The particular Corporations should be contacted to find out the status of the grants offered and eligibility.

LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Collimore Park Plan of Management December 2000



 Liverpool City Council	DRAWING TITLE	SCALE	DATE	DRAWN	
	COLLIMORE PARK, Liverpool	10 20 30	February 2000	AL	
	Landscape masterplan				



LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT

27<sup>th</sup> May 2019

Collimore Park Plan of Management

December 2000

## Table of contents

### 1.0 Introduction

1.1	What is a plan of management?	1
1.2	Purpose of this plan	1
1.3	Terms used in this report	2
1.4	Land to which this plan applies	2
	<i>Site context</i>	3
	<i>Site plan</i>	4
1.5	Categories and Core Objectives	5
	<i>Site categories plan</i>	6
	<i>Flooding plan</i>	7
	<i>Zoning plan</i>	8

### 2.0 Current Status

2.1	History and context	9
2.2	Facilities and infrastructure	9
2.3	Access and circulation	11
2.4	The natural environment	11
2.5	Strategic importance	12

### 3.0 Core objectives

3.1	Sportsground	13
3.2	Park	13
3.3	Development of the creekline corridor	14
3.4	Leases, licences and hiring	14

### 4.0 Strategies and Action Plans

4.1	Access and circulation	16
4.2	Recreation opportunities	18

### 5.0 Appendix

5.1	Funding and grant sources	27
	<i>Masterplan</i>	