

Planning Proposal Report

93-145 Hoxton Park Road, 51 Maryvale Avenue &
260 Memorial Avenue, Liverpool NSW

On behalf of
ABA Estate Pty Ltd
Updated 22 March 2023







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1 Introduction

This planning proposal has been prepared by Mecone NSW Pty Ltd (Mecone) on behalf of ABA Estate Pty Ltd (the applicant), in support of the request to Liverpool City Council for amendment to the LEP in relation to the land known as 93-145 Hoxton Park Road, 51 Maryvale Avenue and 260 Memorial Avenue, Liverpool NSW. These properties form the main part of a development site, which also includes 20 and 48 Dale Avenue, Liverpool.

The planning proposal is intended to support the redevelopment of the site for the purposes of mid-rise residential flat buildings, specifically seeking an increase to the permissible building height and floor space ratio appropriate to the site location.

1.1 The Proposal

In order to achieve the envisioned outcome for the site, this planning proposal seeks to amend the Liverpool Local Environmental Plan 2008 (LLEP) for the part of the subject site along Hoxton Park Road, between Maryvale Avenue and Memorial Avenue in Liverpool, as follows:

- Amend the maximum height of buildings from 15m to 20.5m
- Amend the floor space ratio control from 1:1 to 1.75:1.



Figure 1. Existing and Proposed Height of Buildings

Source: Tony Owen Partners



Figure 2. Existing and Proposed Floor Space Ratio

Source: Tony Owen Partners

The proposal is a site-specific response to the particular circumstances of the site's position, attributes and context. No change is proposed to the underlying R4 High Density Residential zoning of the land, nor the planned and intended future use (residential flat buildings and neighbourhood shops) which are permissible with development consent.

The Planning Proposal has been prepared in accordance with:

- Section 3.33 of the Environmental Planning and Assessment Act 1979 (the Act).
- The NSW Department of Planning and Environment's '*Local Environmental Plan Making Guideline*' (December 2021).
- Relevant Section 9.1 Local Planning Directions.

This planning proposal provides the following information:

- A description of the site in its local and regional context.
- Part 1: A statement of the objectives and intended outcomes of the proposed instrument (for changes to the LLEP 2008).
- Part 2: An explanation of the provisions that are to be proposed to be included in the instrument (to change the LLEP 2008).
- Part 3: The justification of strategic and site-specific merit for the proposed provisions (changes) and the process for their implementation including:
 - The suitable need for the planning proposal
 - The relationship and alignment to the strategic planning framework
 - Consideration of environmental, social and economic impacts
 - Adequacy of infrastructure
 - Relevant State and Commonwealth interests
- Part 4: Proposed maps (with changes).
- Part 5: Community consultation to be undertaken and considered.
- Part 6: Project timeline.

1.2 The Concept

The planning proposal is supported by a concept design for the site prepared by Tony Owen Partners. The concept design envisions the following outcomes:

- 6 x 6 storey residential flat buildings
- Ground floor neighbourhood shop tenancies and approximately 312 residential apartments, including a mix of 1, 2 and 3 bedroom apartments
- Vehicular and pedestrian site access via no 20 and 48 Dale Avenue
- The creation of pedestrian links through the site, which connect residents from the high and medium density residential area on Dale Avenue and streets to the north, through to high frequency bus services on Hoxton Park Road
- The opportunity for high quality landscaped areas and deep soil planting in semi-public spaces as well as communal open spaces

The urban design report provides concept designs for the purpose of evidencing the site suitability of the planning proposal for increasing height of buildings to 20.5m (for 6 storeys) and an FSR of 1.75:1 along the main (Hoxton Park Road) part of the site. Future residential apartment buildings, dwelling yield and the specific built form would be subject to more detailed architectural plans and rigorous assessment during a future development application (DA) process.

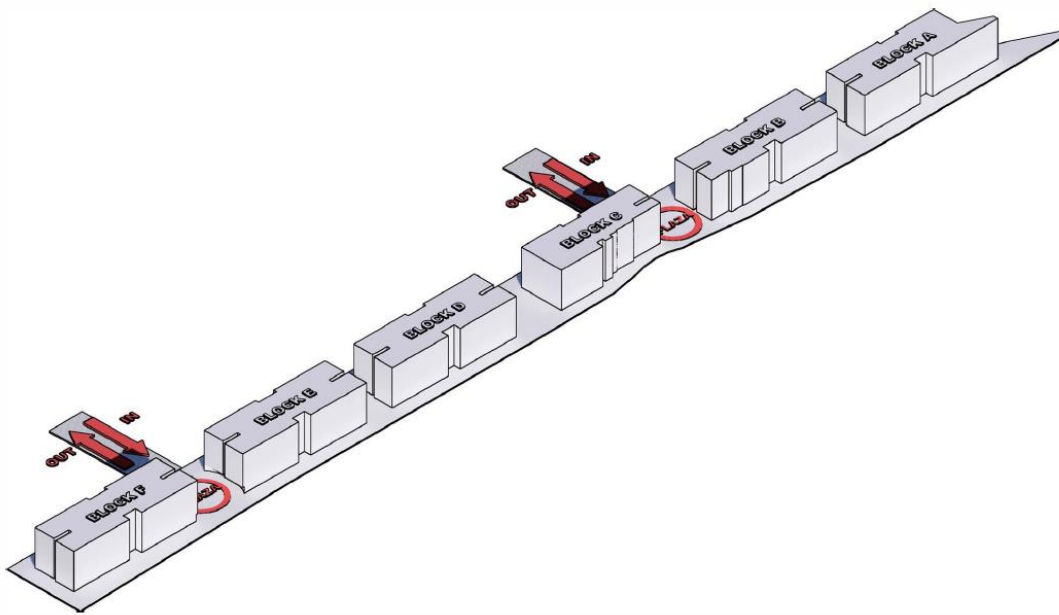


Figure 3. Concept Design Massing Diagram
Source: Tony Owen Partners

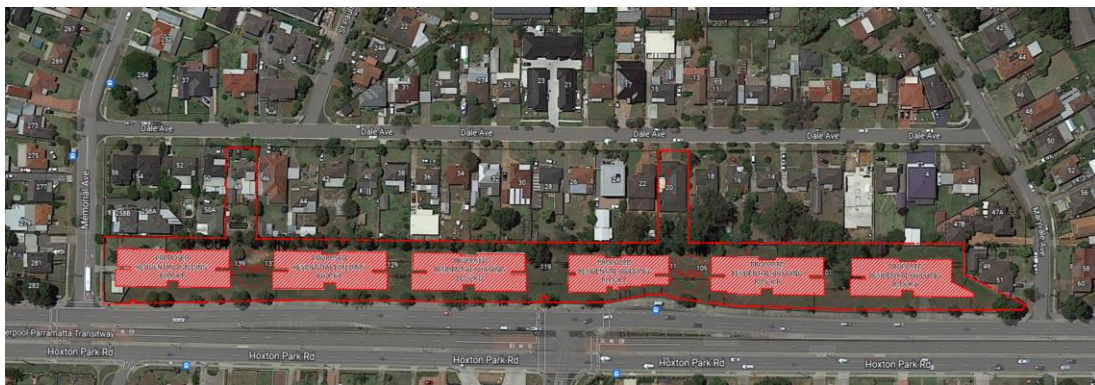


Figure 4. Concept Design Layout Plan
Source: Tony Owen Partners

1.3 Proponent and Project Team

The planning proposal has been informed by the following accompanying reports prepared by the project team:

| Table 1. Project Team | |
|---|--------------------|
| Concept Design | Tony Owen Partners |
| Landscape Design | Site Image |
| Traffic Impact Assessment and Green Travel Plan | Traffix |
| Acoustic Impact Assessment | Acouras |
| Desktop Flood Study | SGC |
| Social Impact Assessment | Hill PDA |
| Operational Waste Management Plan | Elephant's Foot |
| Geotech | El Australia |
| Contamination | El Australia |
| Planning Proposal | Mecone |

2 The Site

2.1 Site Context

The subject site is located at 93-145 Hoxton Park Road, 51 Maryvale Avenue, 260 Memorial Avenue, 20 and 48 Dale Avenue, Liverpool NSW, within the Liverpool Local Environmental Area. Liverpool sits within the Western City District Plan, as shown in Figure 3 below.

The site comprises a total of 31 lots, with a total area of approximately 14,945.4m². The site is approximately 450m wide and 34m deep, and benefits from street frontages to Hoxton Park Road, Memorial Avenue and Dale Avenue. The part of the site subject to the proposed planning includes only the 29 lots fronting Hoxton Park Road, which is approximately 13,549.3m².

The site is strategically positioned within close proximity to the M7 Motorway (3.5km west), South-Western M5 Motorway (1.5km South) and Liverpool CBD and Train Station (2.5km east). Hoxton Park Road is a major thoroughfare public transport corridor with multiple bus services providing frequent services into the Liverpool CBD, including the rapid bus T-Way service.

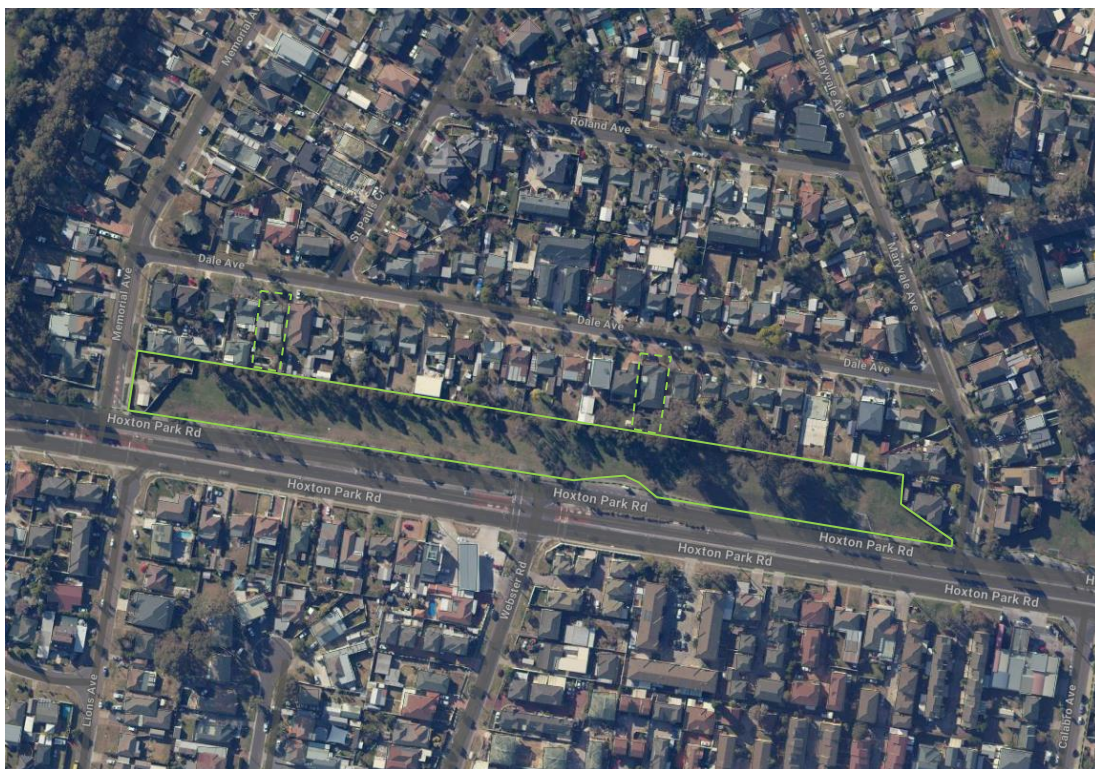


Figure 5. Subject Site Aerial
Source: Mecone Mosaic



Figure 6. Location of the Site in the Western Parkland City
Source: Greater Sydney Commission

2.2 Site Description

The total development site includes 93-145 Hoxton Park Road, 51 Maryvale Avenue, 260 Memorial Avenue, 20 and 48 Dale Avenue, Liverpool. The part of the site, subject to proposed changes to the maximum Height of Buildings and FSR comprises 93-145 Hoxton Park Road, 51 Maryvale Avenue and 260 Memorial Avenue, Liverpool.

Properties at 48 and 20 Dale Avenue, Liverpool are associated with the main part of the site subject to proposed change, but are not proposed for any increase in height or FSR. These properties have been considered as integral to the proposal in the supporting Urban Design study and technical reports for the purposes of vehicular access, through-site pedestrian links, landscaping and resident amenity.

The site is within an existing R4 High Density Residential zone, which is observed along the Hoxton Park Road corridor on the outskirts of the Liverpool CBD. For residential uses along the Hoxton Park Road corridor, floor space ratio (FSR) controls generally range from 1:1 to a maximum of 6:1 further east on the corner of Hoxton Park Road and the Hume Highway.

This site is unique as it is a large, consolidated and largely vacant land holding substantially free of significant environmental constraints and adjacent to major arterial road with public transport. As such, it has the capacity to facilitate orderly development and accommodate additional yield than originally intended in the 1:1 FSR control.

The table below provides a description of the subject site.

| Table 2. Site Description | |
|---------------------------|--|
| Item | Detail |
| Legal description | Planning Proposal site lots proposed for change: Lots 53-80 DP 1154816 Lot 2 DP 1050030 Development site associated lots: Lots 126 and 140 DP 25952 |
| Total site area | Development site – 14,945.35m ² Planning Proposal site proposed for change – 13,549.30m ² |
| Shape | Approximately 450m length x 25m-34m depth (75m depth at Dale St accesses) |
| Frontage | Approximately 450m to Hoxton Park Road, 34m to Memorial Avenue and with 2 x 15m frontages to Dale Avenue |
| Topography | There are modest level changes across the site. As it is a large site, these vary in different places. Generally, the site is one level higher at the eastern end and there is generally a fall from north to south. |

Table 2. Site Description

| | |
|------------------------------------|---|
| Existing buildings/ structures | Primarily vacant land, with existing single dwellings on 260 Memorial Avenue, 20 and 48 Dale Avenue. |
| Access to transport infrastructure | <p>The site is strategically located immediately adjacent to the 'Memorial' Bus T-way (Transitway) station which is serviced by high frequency rapid bus into Liverpool CBD to the east and industrial employment lands, Miller TAFE and Parramatta CBD to the west.</p> <p>The site is positioned within close proximity to the M7 Motorway (3.5km west), South-Western M5 Motorway (1.5km South) and Liverpool CBD and Train Station (2.5km east). Hoxton Park Road is a major transport thoroughfare to the wider District.</p> |
| Surrounding development | <p>The site is currently surrounded by generally low-medium density development with typical lot sizes ranging from 500m²-700m². However, the site and its immediate surrounds along Hoxton Park Road and the southern side of Dale Avenue are zoned R4 high density. The area further to the north is zoned for R3 Medium Density Residential.</p> <p>This area around the 'Memorial' Bus Transitway Station was rezoned for high and medium density residential housing as part of the introduction of the new Liverpool LEP in 2008. It can take time for the character of an area to transition to higher density uses, though the minimal 'take-up' of development under these zones over the past 14 years is particularly notable.</p> |
| Access to schools and open space | The site is located within close proximity and a short walk to Liverpool Public Schools (150m east) and Eloura Nature Reserve and Ireland Park (100m west). |
| Vehicular access and parking | Formalised driveway access is available to those lots with single dwellings (260 Memorial Avenue, 20 and 48 Dale Avenue). Driveway access is also available off Hoxton Park Road, near no 95 Hoxton Park Road. |
| Flooding | The site is not identified as flood prone land, with the exception of a small portion of 260 Memorial Avenue which is impacted by the PMF. The hypothetical development footprint is entirely clear of flood impact and flood free ingress and egress can be achieved. |
| Heritage | The site is not heritage listed or in the immediate vicinity of a heritage item. |
| Consent History | Council's online DA tracker indicates no recent consents for the site. Aerial photos confirm that dwelling houses were previously present on site and demolished to make way for the widening of Hoxton Park Road and creation of Bus T-way lanes and stations. |

The photos below further depict the site and surrounding environment.



Figure 7. Site viewed from Hoxton Park Road looking west

Source: Google Maps



Figure 8. Site viewed from Hoxton Park Road looking east

Source: Google Maps



Figure 9. Site viewed from Dale Avenue at proposed site entry point (no 20)

Source: Google Maps



Figure 10. Site viewed from Dale Avenue at proposed site entry point (no 48)

Source: Google Maps

2.3 Planning Background

2.3.1 Planning History

There are existing dwelling houses on 3 of the 31 lots: 260 Memorial Avenue, and 20 and 48 Dale Avenue. The remainder of the site is currently vacant, underutilised residential land, residual from the widening of Hoxton Park Road for the Bus T-way.

The site was zoned R4 High Density Residential as part of the comprehensive Liverpool LEP 2008 in response to the introduction of the rapid bus transport infrastructure, implementing a residential development strategy and the findings of the T-way corridor land use study. Due to the current limited building height and FSR, along with the unique characteristics as a long and shallow site, the property has not been developed for its intended purpose as a result of the rezoning.

2.3.2 Current Zoning, Uses and Provisions

A summary of the current planning provisions that apply to the subject site under LLEP is provided in Table 3.

Table 3. Current Provisions Liverpool LEP 2008


| Item | Detail |
|---|---|
| Part 2 – Permitted and prohibited development | <p>The land is zoned R4 High Density Residential</p>  <p>Figure 11. Zoning Map (Source: Mecone Mosaic)</p> |
| | <p>R4 High Density Residential</p> <p>1. Objectives of the zone</p> <ul style="list-style-type: none"> To provide for the housing needs of the community within a high density residential environment. To provide a variety of housing types within a high 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 high concentration of housing with good access to transport, services and facilities. To minimise the fragmentation of land that would prevent the achievement of high density residential development. |

Table 3. Current Provisions Liverpool LEP 2008

| | |
|---|--|
| | <p>2. Permitted without Consent</p> <p>Home-based child care; Home occupations</p> <p>3. Permitted with Consent</p> <p>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Multi dwelling housing; <u>Neighbourhood shops</u>; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Residential care facilities; <u>Residential flat buildings</u>; Respite day care centres; Roads; Secondary dwellings; Serviced apartments; Shop top housing</p> <p>4. Prohibited</p> <p>Any (other) development not specified in item 2 or 3 (above)</p> |
| Clause 4.1 – Minimum Subdivision Lot Size | A minimum lot size of 1000m² applies to the site. |
| Clause 4.3 – Height of Buildings | A maximum height of 15m currently applies to the site. |
| Clause 4.4 – Floor Space Ratio | An FSR of 1:1 currently applies to the site. |

The intended site use (residential flat buildings and neighbourhood shops) is currently permitted in the zone and consistent with the objectives of the zone for a variety of housing types within a high density residential environment that provides for a variety of housing to meet the housing needs of the community, as well as uses that provide facilities or services to meet the day to day needs of residents.

Due to the main road location of the site immediately adjacent to multiple bus stops and the T-way public transport corridor, as well as the scale and consolidated ownership of the land holding and the, there is potential to provide greater contribution towards housing supply in line with the intention of the R4 zone, with suitable and appropriate increases to the permissible FSR and building height.

The proposed FSR and building heights are the result of an urban design study, including a contextual analysis of the site and built form testing.

The strategic and site specific merit of the proposed LEP changes are outlined in detail in the following sections of this report.

3 The Planning Proposal

Section 3.33 of the EP& Act 1979 outlines the required contents of a planning proposal. The NSW Department of Planning and Environment's *A Guide to Preparing Planning Proposals* (December 2021) provides further guidance and separates the requirements into six components or parts. These parts are addressed in proceeding subsections of this report as follows:

- Part 1 – A statement of the objectives and intended outcomes of the proposed instrument (for changes to the Liverpool LEP 2008).
- Part 2 – An explanation of the provisions that are to be included in the proposed instrument (to change the Liverpool LEP 2008).
- Part 3 – The justification of strategic and potential site-specific merit for the proposed outcomes, provisions (changes) and the process for their implementation including:
 - The suitable need for the planning proposal
 - The relationship and alignment to the strategic planning framework
 - Consideration of environmental, social and economic impacts
 - Adequacy of infrastructure
 - Relevant State and Commonwealth interests
- Part 4 – Maps (existing and with proposed changes) to identify the intent of the planning proposal and the area to which it applies.
- Part 5 – Community consultation details and government agency consultation to be undertaken on the planning proposal post Gateway.
- Part 6 – Project timeline anticipated for the process

3.1 Part 1- Objectives and Intended Outcomes

The planning proposal will enable the viable development of the subject site 93-145 Hoxton Park Road, 51 Maryvale Avenue, 260 Memorial Avenue, and 20 and 48 Dale Avenue for the purposes of residential flat buildings, a permissible land use within the R4 High Density Residential zone.

Due to the location and context of the site, there is opportunity for increased building heights and floor space ratio which would ultimately enable a development which aligns with the R4 zone objectives and contributes towards housing supply in Liverpool Local Government Area. The proposed increase in building height and FSR for additional housing is able to be accommodated on the site without any significant additional impacts on the surrounding area.

Further, the increased activity generated and the form of development envisioned for the site, with through site pedestrian links to the T-way station, public plaza spaces and small neighbourhood convenience shops and cafes, would make streets to the north more attractive for housing and encourage further urban renewal in the area. The concept design includes small neighbourhood shops, which are permitted within the R4 High density residential zone. While these are not critical to the planning proposal,

they are beneficial to the amenity of the site and surrounding area, and as such have been considered in relation to car parking and building heights.

The Planning Proposal does not propose any changes to the R4 High density residential zoning or permitted uses.

The specific objectives and intended outcomes of the planning proposal are outlined below.

Objectives:

1. To amend the Liverpool LEP 2008 to increase building height and FSR standards to enable the redevelopment of the site for 6 storey residential flat buildings, generally in accordance with the urban design concept and consistent with the Liverpool Local Housing Strategy locational requirements for new housing and residential uplift.
2. To introduce changes to the planning provisions under the Liverpool LEP 2008 in such a way that enables the specific outcomes suitable to the particular:
 - a. site circumstances, involving an efficient site depth and lots which connect through from Dale Avenue to the public transport node on Hoxton Park Road, and
 - b. context, being on the northern side of a main road environment and surrounded by an area planned for change and additional housing.

Intended Outcomes:

- **Enable the redevelopment of an underutilised site into a mid-rise residential development** that is appropriate to the site's location and unique characteristics as an efficient (long, but shallow) large land holding adjacent to a public transport node on the main road corridor between Liverpool CBD and the Western Sydney Airport.
- **Facilitate the delivery of a high quality residential design outcome** which prioritises pedestrian connectivity, community amenity and convenience and residential amenity including communal open space and landscaping.
- **Facilitate a transition of the Hoxton Park Road corridor to a transit-oriented higher density residential environment** around the public transport nodes, as envisaged by rezoning of the area in the 2008 LEP.
- **Contribute to the diversity of housing types available within the City of Liverpool** by enabling provision of affordable apartment choices in a suitable location.
- **Contribute to the local economy by providing additional worker housing and employment** opportunities for the local community in the short term through construction employment, and in the long term by the provision of ancillary retail uses which supplement and compliment nearby existing centres.
- **Provide pedestrian links and meeting places for the local community** which encourage social interaction in an evolving residential environment, utilising the two accesses to Dale Avenue for the benefit of the wider surrounding community.

- **Facilitate the suitable development of a highly accessible site** that aligns with local and State strategic objectives for the Liverpool LGA and Western City District in relation to:
 - **Providing high quality social meeting spaces and local convenience services** to meet the communities' changing needs, and contributing to a higher provision of community facilities that aligns with the growth intended for this area (PPW3 Objective 6 and LLSPS PP 6).
 - **Creating physical and social connections and a renewed place** that would improve walking access through the suburb and catalyse the establishment of a diverse inclusive neighbourhood that enriches community life and improves wellbeing (PPW4 Objectives 7 and 8 and LLSPS PP3 and PP 9).
 - **Providing greater housing supply, housing choice and affordability** with more concentrated density in a suitable location on a public transport node, with neighbourhood centre convenience and fast 10 minute access to jobs, services and facilities in the Liverpool CBD (PPW5 Objectives 10 and 11 and LLSPS PP 7).
 - **Creating a great place and small local activity nodes** that would bring people together and support the nearby Liverpool metropolitan centre to become a vibrant, mixed-use and walkable 24-hour City Centre (PPW6 Objectives 10 and 11 and LLSPS PP 5).
 - **Contributing toward a more walkable rapid transit oriented neighbourhood** consistent with the 30-minute city goal, providing a resident population and active transport improvements that support existing and future rapid transit infrastructure along the corridor linking the Liverpool CBD and Western Sydney Aerotropolis (PPW7 Objective 14 and LLSPS PP 1 and PP 2).
 - **Supporting the Western Parkland City metropolitan cluster, providing additional student and worker housing** for people studying and working in Liverpool's health and innovation precinct and customers for growing investment in Liverpool CBD business activity and visitor economy (PPW9 Objectives 21 and 22 and LLSPS PP 8 and PP 9).

3.2 Part 2 - Explanation of Provisions

This planning proposal seeks to amend Liverpool LEP 2008 in relation to the height of building and floor space ratio development standards.

In order to achieve the desired objectives and intended outcomes for the site, the following amendments to the LLEP 2008 are proposed:

1. Amend the Liverpool LEP 2008 **Height of Buildings Map** (Sheet HOB_010) from 15 metres to a maximum building height of 20.5 metres.
2. Amend the Liverpool LEP 2008 **Floor Space Ratio Map** (Sheet FSR_10) from 1:1 to a maximum of 1.75:1 for the site.

The proposed LEP mapping changes apply only to 93-145 Hoxton Park Road, 51 Maryvale Avenue and 260 Memorial Avenue. No changes to provisions are proposed for 20 or 48 Dale Avenue.

3.2.1 Design Rationale

The proposed built form controls of 1.75:1 FSR and 20.5m (6 storeys) maximum building height are the result of the Urban Design Study (analysis and testing) by Tony Owen Partners.

The proposed building heights are the result of an analysis of the site in relation to the accessibility of the site to transport, services and open space, the site opportunities and constraints and the visual context of the site in relation to the planned outcomes for the surrounding area (including impacts such as sunlight access, visual privacy and visual appearance).

The urban design study evidences that the buildings heights can be increased to 20.5 metres (6 storeys maximum) along Hoxton Park Road without significant adverse impacts on the surrounding neighbourhood. Considering the urban context, this would provide for a suitable transition from 6 storeys, down to 3 or 4 storeys and then to 2 storeys further to the north in the R3 Medium Density Residential zone.

The built form testing in the Urban Design Study confirms that the potential gross floor area associated with a 1.75:1 FSR can be feasibility achieved within 20.5m high (6 storey maximum), Apartment Design Guideline (ADG) compliant building envelopes.

Under the current planning controls, (1:1 FSR) a maximum of 13,549.3m² GFA could be accommodated on the part of the site subject to the planning proposal (based on a site size of 13,549.3m²). With consideration for the 15m height control (approximately 4 storeys) and the scale of the site, this would result in underutilisation of this site. Assuming a modest 50% site coverage and a 75%-80% building envelope efficiency, this requires only 3 storeys to achieve the maximum permitted FSR.

The maximum building height standard currently provides for only 4 storeys along this highly accessible transport corridor location. Mid-rise building heights of 6 storeys along the Hoxton Park, transitioning down to 4 storeys on Dale Avenue and then down to 2 storeys further north, is considered to be a suitable built form outcome in this location. Based on the built form feasibility testing in the Urban Design study, a gross floor area equivalent to 1.75:1 FSR can be achieved along the Hoxton Park Road part of the site, with efficient lot depths with ADG compliant building separations and setbacks.

Design Principles

The concept design for the site layout and building envelopes have been developed in response to the design principles for the site:

- Responsive massing – Higher form which transitions to the surrounding area and preference to increase height rather than footprint for separation, deep soil planting and landscaping
- Visual legibility - The creation of gateway features and nodes at key access points and viewpoints
- Pedestrian permeability - The creation of a permeable and pedestrian friendly environment
- Building separation - Break up building mass into taller but separated buildings, rather than one long continuous wall for visual relief along Hoxton Park Road
- Green spaces - Create a green buffer along the rear and Hoxton Park Road to soften the built form, provide residential amenity and improve the streetscape

Feasibility Testing

The proposed maximum Floor Space Ratio of 1.75:1 and 20.5m building height is based on built form feasibility testing of the concept design.

A benchmark scheme has been prepared within the Urban Design Study by Tony Owen Partners, which includes:

- 6 x 6 storey residential flat buildings
- 20.5m maximum building height
- Internal building separation ranging from 15m-21m
- 6m minimum front, side and rear setbacks, with the exception of Block C which offers a marginally reduced front setback and step in building form to respond to the curve in Hoxton Park Road
- 2 new site entry points from Dale avenue which include a 2 way carriageway, visitor parking and landscape buffer to adjoining sites

The feasibility of the proposed gross floor area is evident in the following Gross Floor Area Summary Table breakdown of the concept design within the building envelopes. The concept testing suggest a hypothetical development yield of 312 residential apartments, with an additional 7 neighbourhood shop tenancies. The concept scheme is indicative only and would be subject to design development at DA stage.

| TOTAL | | | |
|--|----------------|----------------|------------|
| | TOT. | | UNITS |
| BLDG_A | 4252.4 | m ² | 53 |
| BLDG_B | 4499.3 | m ² | 56 |
| BLDG_C | 3653.8 | m ² | 42 |
| BLDG_D | 4595.1 | m ² | 56 |
| BLDG_E | 4560.2 | m ² | 56 |
| BLDG_F | 4592.9 | m ² | 56 |
| TOTAL | 26153.7 | m ² | 319 |
| Floor Space Ratio (Hoxton Park Rd Lots) | | 1.75 :1 | |

Figure 12. GFA Summary Table (Source: Tony Owen Partners)

The benchmark scheme demonstrates that ADG compliance can be readily achieved, subject to detailed design development. The findings of the concept design testing are that the combination of floor space ratio of 1.75:1 and a maximum building height of 19m are suitable for the site given:

1. The efficiency of large, consolidated land holding
2. Strategic context and immediate access to public transport
3. Ability to mitigate any negative environmental impacts, such as overshadowing which will be limited to the Hoxton Park Road Corridor
4. A quality design approach and considered landscape response

3.3 Part 3 – Justification of Strategic and Site Specific Merit

3.3.1 Section A – Need for the Proposal

1. Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

The planning proposal is a site-specific response to the particular circumstances of the site, being a large, consolidated land holding on a prominent transport corridor, in an existing R4 high density zone.

The planning proposal has arisen as a result of a massing analysis for the site, which identified the opportunity to enable the urban development of a currently underutilised site which has the benefit of convenient access to public transport, local jobs and services.

The proposed amendment to the Liverpool LEP for increasing building height and FSR is not a specific action identified in the Liverpool Local Strategic Planning Statement, nor a specific strategic study or report by Council. However, the proposal enables housing delivery consistent with Regional and Local objectives, aligning with the following key documents:

- Greater Sydney Regional Plan 2036
- Western City District Plan 2036
- Liverpool Local Strategic Planning Statement
- Liverpool Local Housing Strategy

The planning proposal for the site is generally consistent with the objectives of the Regional Plan and strategic directions of the Western City District Plan and aligns with the priorities of the Liverpool LSPS. The strategic merit of the proposal is discussed further in Section B – Relationship to the strategic planning framework.

The proposal represents a strategic opportunity to enable housing supply in an appropriate location with convenient access to transport and proximity to local employment and services.

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

The planning proposal is the best means of facilitating the identified objectives and intended outcomes for the specific circumstances of the site.

The proposed use is already permissible with the R4 High Density Zoning. However, the unique layout of the site as a long and shallow parcel means that the current FSR and height controls do not lend themselves to a feasible development outcome. Conservative increases to height and FSR are sought to enable a viable residential outcome on the site.

3.3.2 Section B – Relationship to Strategic Planning Framework

Q3. 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 relevant directions, planning priorities and actions of the Greater Sydney Region Plan and Western City District have been considered in the preparation of the planning proposal. The relevant plans and strategies applicable to the subject site are addressed below.

Greater Sydney Region Plan 2036

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* ("the GSRP") a 20-year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions that each contain potential indicators and, generally, a suite of objectives supported by a strategy response.

The planning proposal is generally consistent with the relevant strategic directions and objectives of the Region Plan, as shown in Table 3 below.

Few of the 15 specific actions in the Regional Plan are considered directly relevant to the site or planning proposal. However, the proposal directly aligns and gives effect to relevant actions under Objective 10 as follows:

Objective 10 Greater Housing Supply and Actions 3 and 4: Prepare housing strategies and develop 6–10 year housing targets

Objective 10 provides housing targets of 725,000 new dwellings for greater Sydney by 2036, of which 184,500 will be accommodated within the Western City District.

In response to Actions 3 and 4, the Liverpool City Council's Local Housing Strategy was prepared and adopted by Council in 2020. Liverpool centre and its immediate surrounds are identified as a major housing growth area for 2016-2036, which will accommodate 10,000-20,000 new dwellings. The Housing Study suggests a total overall demand of an additional 43,452 dwellings from 2016 to 2036. The estimates suggest the average demand for additional dwellings could be in the range of 2,100 to 2,200 a year, which is higher than recent development rates.

The housing study also included modelling which breaks down the housing types required. The base case assumes past growth trends and housing preferences geared at detached dwellings, while adjusted demand modelling assumes a shift towards higher density dwellings, similar to trends observed in the Central River City including Parramatta LGA. The adjusted modelling suggests an inflated demand figure of 44,106.

It is clear from the commentary within the housing strategy that although there is sufficient capacity within current planning controls to accommodate housing growth across the LGA, the development rate is somewhat behind to meet the long term housing projections. Focus shall be placed on those areas identified as housing investigation areas, which includes Liverpool City Centre and Innovation precinct. This

planning proposal will result in built form controls which enable the feasible development of a prominent site which is well serviced by public transport within close proximity to the Liverpool CBD.

Table 12 Dwelling type demand – base case and adjusted

| Dwelling type | Change 2016-2036 | |
|------------------------|------------------|-----------------|
| | Base Case | Adjusted demand |
| Separate house | 30,222 | 22,319 |
| Semi-detached dwelling | 9,364 | 12,969 |
| Apartment | 3,727 | 8,818 |
| Total | 43,313 | 44,106 |

Figure 13. Dwelling Demand Trends (Source: Liverpool Housing Strategy)

| Table 4. Greater Sydney Region Plan | | |
|---|---|--|
| Direction | Relevant Objective | Comment |
| Infrastructure and Collaboration | | |
| A city supported by infrastructure | O1: Infrastructure supports the three cities | The proposal for increased residential housing in this location supports the existing and future infrastructure associated with the Liverpool Metropolitan Cluster centre and contributes to ensuring this infrastructure is optimised. |
| | O2: Infrastructure aligns with forecast growth – growth infrastructure compact | |
| | O3: Infrastructure adapts to meet future need | |
| | O4: Infrastructure use is optimised | <p>The proposal allows for an appropriate density in a convenient location which has direct access to a T-Way bus station. Liverpool is identified as a key collaboration area within the Regional Plan, and a centre for jobs, healthcare and education. Appropriate scale residential development in this location will contribute to optimising the use of transport infrastructure and connecting people to jobs, healthcare and services in the Liverpool CBD.</p> <p>The proposed scale of development in this location will reduce reliance on private vehicles for essential travel.</p> |

| Livability | | |
|------------------------|--|--|
| A city for people | O6: Services and infrastructure meet communities' changing needs | <p>Liverpool is Metropolitan Cluster which has a major public hospital, health precinct and a range of social infrastructure to service the needs of a growing community.</p> <p>The Social Impact Assessment submitted with this planning proposal confirms the suitability of surrounding infrastructure and highlights the positive social impacts of the proposal, including appropriately located housing, the provision of quality communal open space and through site connections and local employment generation.</p> |
| | O7: Communities are healthy, resilient and socially connected | |
| Housing the city | O10: Greater housing supply | <p>By increasing the permissible FSR on the site, the proposal directly results in scope for greater housing supply which aligns with objective 10 of the plan (outlined above). The proposal, in this location, satisfies the Council's strategic objectives and locational criteria for increased housing.</p> <p>Residential flat buildings, being the highest and best use of the site will contribute to diverse and affordable housing options in the LGA. There is scope for a range of unit sizes and layouts to meet the needs of different household types, including some larger units suitable for families and those spending more time at home, including working from home in a post pandemic setting.</p> <p>With the increased heights, lifts will be necessary, increasing general accessibility to apartments and the potential percentage of the proposed dwellings that could incorporate universal design principles to suit potential residents who may have accessibility needs.</p> |
| | O11: Housing is more diverse and affordable | |
| A city of great places | O12: Great places that bring people together | <p>As a large and consolidated development site, there is opportunity for high quality communal open space, landscaping and residential amenities which bring people together and encourage social interaction amongst residents.</p> |
| | O13: Environmental heritage is identified, conserved and enhanced | |

| Livability | | |
|------------------------------|---|--|
| | | <p>The site spans some 450m across Hoxton Park Road. To the rear of the site is a residential neighborhood zoned R4 and R3, which will transition to medium and higher density uses over time. Residents from the north can pass through the site through the proposed pedestrian links to gain access to the T1 bus stop on Hoxton Park Road.</p> <p>The site is not heritage listed and is not within the immediate vicinity of any heritage items. It provides an appropriate location for infill development and urban renewal.</p> |
| Productivity | | |
| A well connected city | O14: The plan integrates land use and transport creates walkable and 30 minute cities | <p>The site is located directly on a convergence of multiple bus services, including the T-way, which provides a high frequency service to Liverpool CBD and Train Station. Liverpool is an employment and services hub. In addition to Liverpool CBD (10-12 mins by bus) train connections is available from Liverpool to Parramatta CBD (approx. 24 min. trip).</p> <p>The proposal will enhance the walkability of the neighbourhood by providing formalised and landscaped pedestrian connections through the site for residents to the north to access Hoxton Park Road.</p> <p>Future Transport 2056 also identifies a new city shaping transport corridor, which will connect Liverpool to the new Western Sydney Airport. This corridor generally follows the alignment of Hoxton Park Road.</p> |
| Jobs and skills for the city | O20: Western Sydney Airport and Badgery's Creek are an Economic Catalyst for Western Parkland City | <p>The site is strategically positioned between the future Western Sydney Airport and the existing Liverpool City Centre.</p> <p>Liverpool CBD and its health and education precinct provides</p> |

| Livability | | |
|-------------------------|--|--|
| | O21: Internationally competitive health, education, research and innovation precincts | significant employment to local residents. Liverpool CBD is home to the Western Sydney University Liverpool campus, as well as several primary and secondary schools which service the local population. Liverpool will continue to grow as a metropolitan cluster and leverage off the proximity to the Western Sydney Airport as Sydney's third CBD. The future Western Sydney Airport and Aerotropolis will also provide jobs of the future, specifically in advanced manufacturing, logistics and trade. |
| | O22: Investment and business activity in centres | Locating housing within areas which have direct access and convenient transport to local employment opportunities will enhance the economic prosperity of the Western Sydney region. |
| Sustainability | | |
| A city in its landscape | O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced | Although the site is not identified as having any particular biodiversity values, there is existing vegetation on the site including some large established trees. Efforts will be made in the detailed design process to retain and where appropriate, replant trees to improve urban tree canopy cover. As well as within the site, there is opportunity for planting along the Hoxton Park Road corridor, which will soften and enhance the urban environment. |
| | O30: Urban tree canopy cover is increased O31: Public open space is accessible, protected and enhanced. | <p>The proximity and availability of high quality public open space is a key consideration by consent authorities in any proposal to increase density. The site is conveniently located within walking distance of Ireland Park and Eloura Nature Reserve. This large, consolidated parcel of Public Open Space follows the Cabramatta Creek and provides over 100 hectares of greenspace for residents.</p> <p>As well as providing access to quality public open space, any future development will also provide quality communal open space on site to meet the needs of the residents.</p> |

Western City District Plan

In March 2018, the NSW Government released *Western City District Plan* which outlines a 20 year plan for the Western City District which comprises Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly local government areas.

Taking its lead from the GSRP, the *Western City District Plan* ("WCDP") is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities that are each supported by corresponding Actions. The alignment of the planning proposal to relevant Planning Priorities is discussed in Table 4 below.

The subject site is located on the major Hoxton Park Road transport corridor entry to Liverpool City Centre. Five bus routes converge on this section of Hoxton Park Road heading into Liverpool CBD, including the rapid T80 regional bus service. All parts of the subject site are located within 200m of five bus stops providing a high frequency of service approximately every 10 minutes into Liverpool, and involving a trip of 10-12 minutes to the City Centre and 13-15 minutes to the station. A bus stop is located immediately adjacent to the site on Hoxton Park Road, and the 'Maxwells' T-way station is located 200m west of the site, making the location a public transport node.

The location is highly suitable for increased housing supply and diversity and the subject site is highly suitable for increased building heights in a form which will improve active transport access for the site and the surrounding area to the immediate north.

The key District planning priorities and objectives that will be given effect by the planning proposal for increased height, FSR, residential dwellings and residential diversity in this highly accessible location are as follows:

- **Planning Priority W1, Objective 4** - Planning for a city supported by infrastructure and Infrastructure use is optimised
- **Planning Priority W4, Objective 7** - Fostering healthy, creative, culturally rich and socially connected communities - Communities are healthy, resilient and socially connected
- **Planning Priority W5, Objective 10** - Providing housing supply, choice and affordability, with access to jobs, services and public transport
- **Planning Priority W5, Objective 11** - Providing housing supply, choice and affordability - housing is more diverse and affordable
- **Planning Priority W6, Objective 12** - Creating and renewing great places and local centres - Great places that bring people together
- **Planning Priority W7, Objective 14** - Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City - integrated land use and transport creates walkable and 30-minute cities

Table 5. Western City District Plan

| Direction | Planning Priorities | Comment |
|--|--|---|
| Planning Priority | Objective | Planning Proposal Alignment |
| Infrastructure and collaboration | | |
| W1: Planning for a city supported by infrastructure | O4: Infrastructure use is optimised | <p>The proposal for increased residential housing in this location supports the existing and future infrastructure associated with the Liverpool Metropolitan Cluster centre and contributes to ensuring this infrastructure is optimised.</p> <p>The proposal allows for an appropriate density in a convenient location which has direct access to a T-Way bus station. Liverpool is identified as a key collaboration area within the Regional plan, and a centre for jobs, healthcare and education. Appropriate scale residential development in this location will contribute to optimising the use of transport infrastructure and connecting people to jobs, healthcare and services in the Liverpool CBD.</p> <p>The proposed scale of development in this location will reduce reliance on private vehicles for essential travel. The site is, nevertheless, strategically positioned adjacent between the M7 motorway and M5 motorway.</p> |
| W2: Working through collaboration | O5: Benefits of growth realised by collaboration of governments, community and business | <p>Liverpool, including the nearby residential and industrial land areas, has been identified for greater collaboration between the State and Council to deliver significant regional and district liveability, productivity and sustainability outcomes (refer to Planning Priority W9).</p> <p>The proposal is located just south of the Liverpool Collaboration area which is subject to the Liverpool Place Strategy 2018. The vision for the Liverpool Collaboration area is as follows:</p> <p><i>By 2036, Liverpool is a rejuvenated river city, offering diverse and growing residential and employment opportunities. Major health, education and retail precincts, and a network of open spaces and parklands alongside the Georges River, create a rich mix of jobs and workplaces, public spaces, shops and entertainment.</i></p> <p>Due to its location and existing public transport service, the subject site will</p> |

Table 5. Western City District Plan

| | | |
|---|--|--|
| | | benefit from the government and private investment forecasted to occur in the Liverpool Collaboration area in the next 15 years. |
| Liveability, people, housing and great places | | |
| W3: Providing services and social infrastructure to meet people's changing needs | O6: Services and infrastructure meet communities' changing needs | <p>Liverpool is Metropolitan Cluster which has a major public hospital, health precinct and a range of social infrastructure to service the needs of a growing community.</p> <p>The Social Impact Assessment submitted with this planning proposal confirms the suitability of surrounding infrastructure and highlights the positive social impacts of the proposal, including appropriately located housing, the provision of quality communal open space and through site connections and local employment generation.</p> |
| W4: Fostering healthy, creative, culturally rich and socially connected communities | O7: Communities are healthy, resilient and socially connected | <p>The proposal would enable a modest increase in residential density, in a location which has convenient access to social infrastructure, local shops, services and healthcare in Liverpool CBD.</p> <p>Within the site itself, high quality communal open space, landscaping and residential amenities which bring people together and encourage social interaction amongst residents.</p> |
| | O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods. | |
| W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport | O10: Greater housing supply | By increasing the permissible FSR on the site, the proposal directly results in scope for greater housing supply which aligns with objective 10 of the plan. |
| | O11: Housing is more diverse and affordable | Residential flat buildings, being the highest and best use of the site will contribute to diverse and affordable housing options in the LGA. There is scope for a range of unit sizes and layouts to meet the needs of different household types, including some larger units suitable for families and those spending more time at home, including working from home in a post pandemic setting. |

Table 5. Western City District Plan

| | | |
|--|---|---|
| W6: Creating and renewing great places and local centres, and respecting the District's heritage | O12: Great places that bring people together | This planning priority notes the function of streets as places and how functional and walkable neighborhoods support activity and safety. The redevelopment of this site provides opportunity to improve the streetscape on Hoxton Park Road, by including street trees and a front landscape setback which will soften the urban environment. Within the site, pedestrian links will be provided to enable north-south pedestrian movement from the adjoining neighbourhood to Hoxton Park Road. |
| Productivity, connectivity, jobs and skills | | |
| W7: Establishing a land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City | O14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities | The planning proposal generally aligns with the productivity focused planning priorities, as it seeks to locate housing in a location which has convenient access to Liverpool CBD, as well as the future Western Sydney Airport which provide employment opportunities for local residents. Significant government and private sector investment into these areas will contribute to the economic prosperity in coming years. |
| | O17: Regional connectivity is enhanced | |
| W9: Growing and strengthening the metropolitan cluster | O20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City | The site is strategically positioned between the future Western Sydney Airport and the existing Liverpool City Centre. Liverpool CBD and its health and education precinct provides significant employment to local residents. Liverpool CBD is home to the Western Sydney University Liverpool campus, as well as several primary and secondary schools which service the local population. Liverpool will continue to grow as a metropolitan cluster and leverage off the proximity to the Western Sydney Airport as Sydney's third CBD. The future Western Sydney Airport and Aerotropolis will also provide jobs of the future, specifically in advanced manufacturing, logistics and trade. Locating housing within areas which have direct access and convenient transport to local employment opportunities will enhance the economic prosperity of the Western Sydney region. |
| | O21: Internationally competitive health, education, research and innovation precincts | |
| | O22: Investment and business activity in centres. | |
| Sustainability, landscape, efficiency and resilience | | |

Table 5. Western City District Plan

| | | |
|---|---|--|
| <p>W15: Increasing tree canopy and delivering green grid connections</p> | <p>O30: Urban tree canopy cover is increased</p> | <p>The site is not identified as having any particular biodiversity values. The urban design concept, deep soil analysis and conceptual landscape plans confirm that the planning proposal would provide opportunity for improved large tree planting along the rear of the site and Hoxton Park Road frontage.</p> <p>Existing trees are retained where possible, however the basement car parking footprint on this site may impact the viability for retention of several trees, regardless of the height and density of residential apartment buildings on the site. Tree canopy would nevertheless be able to be increased with new large tree plantings.</p> <p>Tree planting along the Hoxton Park Road corridor will soften the proposed mid-rise buildings and enhance the urban environment.</p> |
| <p>W18: Delivering high quality open space</p> | <p>O31: Public open space is accessible, protected and enhanced</p> | <p>The proximity and availability of high quality public open space is a key consideration in the proposal to increase density in this location. The site is conveniently located within walking distance of Ireland Park and Eloura Nature Reserve. This large, consolidated parcel of Public Open Space follows the Cabramatta Creek and provides over 100 hectares of greenspace for residents.</p> |
| <p>W19: Reducing carbon emissions and managing energy, water and waste efficiently</p> | <p>O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> | <p>The proposal will enable transit oriented development which leverages an existing frequent bus service. While some parking will be accommodated on site, the convenience of the existing public transport service will reduce reliance on private car ownership.</p> <p>There is scope to adopt modern building technologies to meet the relevant sustainability targets at construction stage. Future development will be subject to BASIX provisions and other local sustainability provisions set by Liverpool City Council.</p> |
| <p>W20: Adapting to the impacts of urban and natural hazards and climate change</p> | <p>O37: Exposure to natural and urban hazards is reduced</p> | <p>The subject site is partially bushfire prone on the western edge of the site, however the majority of the site and propose site entry points are not bushfire prone. It is proposed that a bushfire impact assessment be prepared at DA stage.</p> |

Table 5. Western City District Plan

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|--|--|---|
| | | <p>The site is clear of flooding impact, with the exception of a small portion of no 260 Memorial Avenue. The concept scheme has been sited to avoid any flood prone land and flood free ingress and egress can be readily achieved.</p> <p>It is not anticipated that the proposal would result in any increased exposure to natural hazards or any unacceptable climate outcomes.</p> |
|--|--|---|

Q4. Is the planning proposal consistent with a council Local Strategic Planning Statement (LSPS) that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

The relationship between the planning proposal and applicable local plans and strategies has been considered in relation to whether the planning proposal has strategic merit.

Connected Liverpool 2040: Liverpool Local Strategic Planning Statement

The Connected Liverpool 2040 Local Strategic Plan (LSPS) provides for a land use vision that will guide the future growth and development across the Region to 2040.

Notably, the proposed directly responds to planning priority 7, which aims to provide housing choice for different needs, with density focussed in the city centre and centres well serviced by public transport. It supports productivity planning priorities 10 and 11 for Liverpool innovation precinct and local business and tourism growth (providing accessible workforce and customers) and supports other planning priorities in that it does not undermine the objectives for employment lands, the airport, or environmental priorities.

The table below demonstrates that the proposal is consistent and aligns with many of Liverpool's planning priorities and actions identified within the LSPS. The proposal supports all the priorities, either directly or indirectly, and does not undermine any.

Table 6. Liverpool LSPS Consistency

| Action | Response of the Planning Proposal |
|---|-----------------------------------|
| <p>Vision: 'A vibrant place for people that is community focused, walkable, public transport-oriented, sustainable, resilient and connected to its landscape. A place that celebrates local diversity and history, and is connected to other Sydney centres. A jobs-rich city that harnesses health, research, education, innovation and growth opportunities to establish an inclusive and fair place for all'</p> | |
| <p>Response: The proposal will give effect to the vision of the LSPS as it leverages an opportunity to provide a housing for the community in a location along a key transport corridor. Walkability will be improved for site users and the broader neighbourhood by the provision of through site connections. Residents will benefit from the services on offer, jobs, healthcare and opportunities within the existing Liverpool Centre and future Western Sydney Aerotropolis.</p> | |

Table 6. Liverpool LSPS Consistency

| Connectivity – Our Connections | |
|--|--|
| Planning Priority 1: Active and public transport reflecting Liverpool's strategic significance | <p>The proposal for increased housing in this location is consistent with the planning priority for active and public transport. It will increase the proportion of housing within short walking distance or multiple public transport services, close to the Liverpool CBD and therefore result more non-car travel.</p> <p>As shown in the urban design concept plan the proposal will also facilitate two new through-site pedestrian links through the long street block, improving active transport movement from the surrounding areas to bus services and neighbourhood shops and services.</p> |
| Planning Priority 2: A rapid smart transit link between Liverpool and Western Sydney International Airport /Aerotropolis | <p>The proposal, involving increased population in this location, immediately adjacent to the Hoxton Park Road transport corridor, would contribute to improved viability for a rapid transit link between Liverpool CBD and the Western Sydney Airport, consistent with the planning priority.</p> |
| Planning Priority 3: Accessible and connected suburbs | <p>The site is highly accessible to multiple public transport services providing fast access into the Liverpool CBD. Consistent with his planning priority the proposal will facilitate two new through-site pedestrian links through the 460m long street block, improving accessibility in the local area and contributing to a more connected suburb.</p> |
| Planning Priority 4: Liverpool is a leader in innovation and collaboration | <p>The proposal for increased building height and density in this location, close to the Liverpool CBD will provide for more housing for people working, researching, meeting and innovating in the Liverpool CBD and Innovation Precinct. The proposal provides for additional housing in location that supports, but does not undermine innovation and enterprise precincts, and as such is consistent with and supports this planning priority.</p> |
| Liveability – Our Home | |
| Planning Priority 5: A vibrant, mixed-use and walkable 24-hour City Centre with the Georges River at its heart | <p>The proposal is consistent with this planning priority. The proposed increases in building height and residential density in this location will increase the resident population that frequent Liverpool City Centre by public transport, contributing to its vibrancy and activity as a walkable 24 hour city, without being reliant upon cars to access the centre.</p> |
| Planning Priority 6: High-quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth | <p>The proposal is consistent with this planning priority for improved facilities and spaces. The site is located within short walking distance of two local parks and the Maxwell Creek green corridor. The proposal improves the viability and attractiveness for the site and the surrounding area to the north to be developed (as intended by the 2008 LEP land zoning) for high density and medium density residential, providing funding for</p> |

Table 6. Liverpool LSPS Consistency

| | |
|--|--|
| | <p>planned local community facilities and local park embellishments.</p> <p>The proposal will also facilitate through-site pedestrian links and the urban design concept plan envisions small neighbourhood shops and cafes lining public spaces at these points. These privately provided and maintained, but publicly accessible spaces, will complement the local open spaces, social and recreation facilities in the local area.</p> |
| <p>Planning Priority 7: Housing choice for different needs, with density focused in the City Centre and centres well serviced by public transport</p> | <p>The proposal is consistent with this planning priority for housing choice and meeting housing needs. The proposal will increase housing density in a transport-centered location that is highly serviced by public transport and highly accessible to the Liverpool City Centre.</p> <p>Locally, it will enable housing diversity in an area which is currently substantially low density residential housing. The proposed increase in apartment type housing is consistent with the planning intention the LEP 2008 for a range of high and medium density housing types within the T-way station catchments.</p> <p>The proposal will ensure viability to provide an affordable alternative to the Liverpool CBD for apartment housing, in a form that is appropriate to the context and without significant adverse effect on the surrounding area. It improves the provision of lift access to dwellings and enables greater flexibility for a mixture of one, two and three bedroom apartments within ADG parameters.</p> |
| <p>Planning Priority 8: Community-focused low-scale suburbs where our unique local character and heritage are respected</p> | <p>The proposal supports (and does not undermine) this planning priority. There are no heritage items or conservation areas within the immediate vicinity of the site. The subject site is currently zoned for high density housing in a low-mid-rise form of up to 15m (4 storeys). The proposal is consistent with the approach of consolidating apartment housing in suitable locations focused on public transport, which in turn, enables suburbs with unique character or heritage value to be maintained as low rise.</p> <p>The form and layout envisioned by the urban design concept plan for the mid-rise buildings, with neighbourhood retail convenience, cafes and meeting spaces will create new community-focused living for residents within the site and the surrounding area.</p> |
| <p>Planning Priority 9: Safe, healthy and inclusive places shaping the wellbeing of the Liverpool community</p> | <p>The proposal will enable development of a large vacant site and facilitate through-site pedestrian links and public spaces in a manner that would improve community wellbeing. The urban design concept plan proposes inclusive pedestrian paths in wide spaces that encourage walking around the neighborhood, with the safety of surveillance provided by balconies and neighbourhood shopfronts overlooking shared spaces. The proposal facilitates an outcome more consistent with this priority than under the current controls.</p> |

Table 6. Liverpool LSPS Consistency

| Productivity – Our Jobs | |
|---|--|
| Planning Priority 10: A world-class health, education, research and innovation precinct | The proposal supports this planning priority in so far that it provides for additional housing for health workers, researchers and students in close proximity to the Liverpool Innovation Precinct. Increasing housing in this existing residential location complements and does not undermine innovation and enterprise precincts. |
| Planning Priority 11: An attractive environment for local jobs, business, tourism and investment | The proposal supports this planning priority in so far that it provides for additional population to be housed within close proximity and convenient access to the Liverpool City Centre, providing workers and customers for a thriving CBD that contributes to the attractiveness of investment in Liverpool. Increasing housing in this existing residential location improves and does not undermine the value of providing retail, commercial and cultural spaces within the Liverpool CBD. |
| Planning Priority 12: Industrial and employment lands meet Liverpool's future needs | The proposal supports the role of Liverpool's employment lands for industrial and enterprise. It provides for additional housing for workers and small business starters close to the large Prestons Precinct. Providing for increased residential housing concentrated in suitable locations such as the subject site assists in reducing pressure on employment lands. The site is an existing residential zoned area and the proposal does not undermine employment lands objectives. |
| Planning Priority 13: A viable 24-hour Western Sydney International Airport growing to reach its potential | The site is approximately 15km from the Western Sydney Airport. In this location the proposal does not undermine the planning priority for the Aerotropolis, which is accessible within 20 to 25 minutes by car. The site is located immediately adjacent to the Hoxton Park Road transport corridor, and increasing residential density would contribute to improved viability for a rapid transit link between Liverpool CBD and the Western Sydney Airport, which in turn would make living in this location highly suitable for people working in the Aerotropolis as well as Liverpool CBD and Prestons. |
| Liveability – Our Home | |
| Planning Priority 14: Bushland and waterways are celebrated, connected, protected and enhanced | The site does not contain remnant bushland, waterways or riparian vegetation and as such the proposal does not undermine this planning priority. The urban design concept plan provides for a substantial number of the existing trees to be retained, noting that any viable basement carpark footprint will potentially necessitate the removal of some trees, regardless of the increased density and whether the buildings are three stories or six storeys. Increased people in this location would increase the active use of the nearby Maxwells Creek open space corridor and the value of this green space to a larger community. |

Table 6. Liverpool LSPS Consistency

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|---|---|
| Planning Priority 15: A green, sustainable, resilient and water-sensitive city | The proposal is consistent with this planning priority, increasing housing in a highly accessible location within short walking distance or multiple public transport services, close to the Liverpool CBD. It is consistent with the principles of Transport Oriented Development that reduces reliance on car travel and Vehicle Kilometers Travelled, reducing carbon and energy use and improving sustainability. The trees proposed to be retained and planted will assist in mitigating urban heat from the buildings and Hoxton Park Road. |
| Planning Priority 16: Rural lands are protected and enhanced | The site is an existing residential zoned area and the proposal does not undermine the protection of rural lands. Increasing housing in suitable locations, such as the subject site, assists in reducing pressure on rural lands and in this regard the proposal supports this planning priority. |

Liverpool Local Housing Strategy 2020

The Liverpool Local Housing Strategy includes opportunities and constraints mapping, which overlays cadastral information to analyse the most suitable locations for new housing. The results reveal that the greatest opportunities for housing are in the southern part of the Liverpool City Centre and land immediately south.

The strategy sets four key housing priorities for the Liverpool LGA over the next 20 years: diversity, affordability, location and quality/sustainability. The proposal strongly aligns with these four priorities and provides the opportunity to facilitate some of the recommendations outlined in the strategy. This is summarised in the table below.

Table 7. Liverpool Local Housing Strategy 2020 Consistency

| Priority | Response of the Planning Proposal |
|---|--|
| Diversity Ensuring there is a sufficient range of diverse housing types to meet the changing needs of its residents | Consistent The planning proposal will facilitate a mid-rise mixed-use residential apartment built form outcome, with opportunity to provide a range of apartment sizes to suit a diverse range of user groups. There is opportunity to provide larger apartment formats to suit families or dual key apartments, should there be market demand at the time of development. The proposal will accommodate a minimum of 10% adaptable dwellings, however, may also target other liveable housing standards at DA stage. Given the proximity to transport and the Liverpool CBD, the site also provides the opportunity to house students and key workers. |
| Affordability Encouraging greater housing affordability in the LGA to ensure existing community | Consistent The proposal is for built form controls, appropriate to the location, which will enable the feasible uptake of the R4 High Density zone and delivery of housing products |

Table 7. Liverpool Local Housing Strategy 2020 Consistency

| | |
|--|---|
| members can remain within their community and that essential workers in the locality can access appropriate housing | <p>which meets the intention of the zone. Ultimately, this planning proposal will enable the orderly, economic and sustainable use and development of land.</p> <p>Apartment developments provide an efficient land use which is inherently more affordable than detached housing products. This proposal does not preclude opportunities for future affordable housing developments or the application of the State Environmental Planning Policy (Housing) 2021.</p> |
| Location Providing opportunities for increased housing densities in close proximity to transport and services whilst enhancing amenity through retaining local character, activating the CBD and creating high-quality, inclusive urban environments | Consistent The proposal puts forward an appropriate density in a location which is well serviced by existing public transport. The site is approximately 1.5km and a 10-12 minute bus trip to the Liverpool City Centre which provides excellent amenity in terms of jobs, services, retail and cultural activity. |
| Quality and Sustainability Encouraging good built form outcomes and sustainability in housing and neighbourhood design | Consistent The urban design study and concept plan demonstrate that the proposal is capable of achieving compliance with the objectives and controls of the NSW Apartment Design Guideline, which is a key indicator of quality urban design. The proposal will result in an improved urban environment through the landscaping embellishment along Hoxton Park Road, which will be integrated with through site pedestrian connections. A future development application will be subject to BASIX provisions and the Liverpool DCP sustainability provisions. There are several opportunities to explore site specific sustainability initiatives at DA stage |

The Local Housing Strategy recognises that it is appropriate to consider planning proposals for residential uplift in appropriate locations and provides locational criteria for the consideration of additional new housing. The subject site location satisfies the criteria for the proposal to increase housing density, through increased building height and FSR standards) as follows:

Table 8. Satisfaction of Locational Criteria for Increased Housing

| Criteria | Comment |
|---|--|
| 1. Areas rezoned for increased housing density should be located within 800m of major transport nodes | The site satisfies this criterion. It is located within 200m of the 'Maxwells' T-way station, on the section the major Hoxton Park Road transport corridor where five bus routes converge heading into Liverpool CBD, including the rapid T80 regional bus service. |

Table 8. Satisfaction of Locational Criteria for Increased Housing

| | |
|---|--|
| | <p>All parts of the site are within 200m of five bus stops providing a high frequency of service approximately every 10 minutes into Liverpool, and involving a trip of 10-12 minutes to the City Centre.</p> |
| <p>2. New housing should have good access (within 400m) of open space, employment opportunities and retail facilities</p> | <p>The site satisfies this criterion. It is located within 400m walk to two local parks to the north and south and within 100m of the large Maxwell Creek open space corridor to the west.</p> <p>The site is within a short walk, less than 400m to the Maryvale Avenue neighbourhood shops and medical centre, and less than 400m to the Flowerdale Road Local Centre and Aldi Supermarket.</p> <p>In addition to the fast access to employment in the Liverpool CBD, the site is within 400m walk of the Hoxton Park Road B6 Enterprise Corridor Zone (the eastern end of Prestons employment precinct).</p> |
| <p>3. New housing should be located and designed to preserve the character of existing local neighbourhoods, areas of high ecological value and existing heritage</p> | <p>The proposal satisfies this criterion. The urban design study demonstrates that the site is positioned and capable of the increased FSR and building heights in such a way that ADG amenity and separation criteria is satisfied and there is no additional shadow impact on surrounding residential properties.</p> <p>The site and immediate surrounding area are currently zoned for a planned change in character. The proposal would not change the character of any existing neighbourhoods that are planned to retain their existing character, nor would it erode any areas of high ecological or heritage value.</p> <p>The proposal provides for a suitable transition in height from 6 storeys along Hoxton Park Road, down to 3-4 storeys on Dale Avenue and then 2 storeys further north.</p> |
| <p>4. New housing must be supported by infrastructure improvements including the provision of affordable housing where appropriate</p> | <p>The proposal satisfies this criterion. The existing urban land is highly serviced by public transport and road access, as well as essential infrastructure. The proposal would enable the viable development of the site and funding towards augmentation and upgrade of social infrastructure, open space and recreation facilities. Increased housing in this location would assist with general housing affordability.</p> |

Q5. Is the planning proposal consistent with any other applicable State or Regional studies or strategies?

Future Transport 2056

The site is in a positive location for homes and jobs in terms of transport and accessibility, with existing high-frequency bus services accessible less than 200 metres from the site boundary.

The PP is consistent with the objectives of Future Transport 2056, as it facilitates an improved urban design outcome and provides increased residential density close to public transport, jobs and local services. This can help to promote the use of public transport and reduce reliance on private motor vehicles. Additionally, a Traffic Impact Assessment, prepared by Traffix concludes that the proposal would not result in a decreased level of service for intersections near the site.

Q6. Is the planning proposal consistent with applicable SEPPs?

The Planning Proposal would address and/or be consistent with all relevant State Environmental Planning Policies (SEPPs). Consideration of relevant SEPPs is provided below in the table.

| Table 9. State Environmental Planning Policies | | |
|---|-------------|--|
| SEPP | Consistency | Comments |
| SEPP (Biodiversity and Conservation) SEPP 2021 | Consistent. | The Planning Proposal does not inhibit the application of the Biodiversity and Conservation SEPP. The proposal is not located in an environmentally sensitive area. Any future tree removal would be supported by Arborist's advice as part of the DA process. |
| SEPP (Exempt and Complying Development Codes 2008 | Consistent. | This SEPP provides State-wide development controls and standards for 'exempt' and 'complying' development. This Planning Proposal does not inhibit the application of Exempt and Complying Development Codes SEPP. |
| SEPP (Resilience and Hazards) SEPP 2021 | Consistent. | The site is already zoned for residential uses and the proposal does not seek a change of use. A preliminary site investigation has been undertaken by EI Australia which confirms there is low to moderate potential for contamination to exist on site. More detailed investigations can be undertaken at the appropriate time to reduce any potential |

Table 9. State Environmental Planning Policies

| SEPP | Consistency | Comments |
|---|-------------|--|
| | | contamination risks during the construction phase. |
| SEPP (Housing) 2021 | Consistent. | This SEPP provides for development pathways and incentives to provide for diverse forms of housing, including affordable rental housing and seniors housing. The Planning Proposal does not inhibit the application of Housing SEPP. |
| SEPP (Industry and Employment) 2021 | Consistent. | This SEPP provides a State-wide framework for the assessment and consideration of advertising and signage proposals. The Planning Proposal does not inhibit the application of the Industry and Employment SEPP. |
| SEPP (Transport and Infrastructure) 2021 | Consistent. | <p>This SEPP identifies development for which State agency consultation or concurrence must be required, and also provides for development which can be undertaken by infrastructure agencies without development consent. This Planning Proposal does not inhibit the application of the Transport and Infrastructure SEPP.</p> <p>Access will be provided to the site via Dale Avenue. A Traffic Impact Assessment has been prepared to support this proposal. Further details are provided in Section C of this document.</p> |
| State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development | Consistent | The future DA will be subject to SEPP 65 provisions and the Apartment Design Guide. The concept plan has been tested against key ADG performance criteria. Subject to detailed design, the project can readily achieve ADG and SEPP 65 compliance. |
| State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 | Consistent | The future DA will be subject to SEPP (BASIX). A Basix certificate can be obtained as part of the future detailed design. |

Table 9. State Environmental Planning Policies

| SEPP | Consistency | Comments |
|---|-----------------|----------|
| SEPP (Primary Production) 2021 | Not Applicable. | |
| SEPP (Resources and Energy) 2021 | Not Applicable. | |
| SEPP (Planning Systems) 2021 | Not Applicable. | |
| SEPP (Precincts – Eastern Harbour City) 2021 | Not Applicable. | |
| SEPP (Precincts – Central River City) 2021 | Not Applicable | |
| SEPP (Precincts – Western Parkland City) 2021 | Not Applicable. | |
| SEPP (Precincts – Regional) 2021 | Not Applicable. | |

Based on the above, it is considered that the planning proposal is consistent with relevant State Environmental Planning Policies, where applicable.

Q7. Is the planning proposal consistent with applicable Ministerial Directions under 9.1 of the Act (previously referred to as s117 directions)?

The Planning Proposal is consistent with all relevant 9.1 Directions. The assessment of these is outlined in the table below.

Table 10. Section 9.1 Ministerial Directions

| Clause | Direction | Consistent | Comments |
|---------------------|------------------------------------|-------------|--|
| 1. Planning Systems | | | |
| 1.1 | Implementation of Regional Plans | Consistent. | Consistency with Greater Sydney Region Plan - A Metropolis of Three Cities is demonstrated in Section e of this report. |
| 1.4 | Approval and Referral Requirements | Consistent. | The proposal does not include consultation, referral or concurrence provisions, nor clarifies any development as designated development. |

Table 10. Section 9.1 Ministerial Directions

| Clause | Direction | Consistent | Comments |
|----------------------------------|------------------------------------|-------------|--|
| 1.5 | Site Specific Provisions | Consistent. | The Planning Proposal does not propose any unnecessarily restrictive site-specific planning controls, and will use standard built form controls to amend the LLEP 2008. |
| 3. Biodiversity and Conservation | | | |
| 3.2 | Heritage Conservation | N/A | The site is not heritage listed or in the immediate vicinity of a heritage item. |
| 4. Resilience and Hazards | | | |
| 4.3 | Planning for Bushfire Protection | Consistent. | The site is partially bushfire prone on the western edge of the site. The majority of the site and propose site entry points are not bushfire prone. However, due to the minor nature of the impact across the large site, it is proposed that a bushfire impact assessment be prepared at DA stage. |
| 4.4 | Remediation of Contaminated Land | Consistent. | The land is zoned for residential uses and a change of use is not sought. A preliminary site investigation (and further reporting/remedial action) can be undertaken at DA stage. |
| 4.5 | Acid Sulfate Soils | N/A | The site is not identified as being impacted by Acid Sulfate Soils. |
| 5. Transport and Infrastructure | | | |
| 5.1 | Integrating Land Use and Transport | Consistent. | The proposal will enhance access to jobs, and services through connections to the existing bus services. The increased intensity will strengthen the viability of existing public transport services in the area. |
| 5.2 | Reserving Land for Public Purposes | Consistent. | The proposal does not contain any land that has been reserved for a public purpose and no requests have been made to reserve such land. |
| 6. Housing | | | |
| 6.1 | Residential Zones | Consistent. | The site is considered suitable for residential uses as demonstrated by the existing R4 High Density zone adopted by Liverpool City Council. The proposal does not include a change of use and seeks to maintain the R4 zone. The proposal will make more efficient use of existing infrastructure and services. |

3.3.3 Section C – Environmental, Social and Economic Impact

Q8. 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 project site is largely vacant with the exception of three dwellings and scattered trees along the rear property boundary and adjoining sites. The site is not identified as having biodiversity value on the NSW Biodiversity Values Map and there is no evidence to suggest any critical habitat, threatened species or ecological communities are present on site. As an island block within an urban setting, the vegetation on site is detached from any natural areas.

Further investigations are expected to be limited to an arboricultural investigation at the DA phase to ensure the adjoining trees can be protected as the site is developed. Based on the above, critical habitat, threatened species or ecological communities are unlikely to be adversely affected as a result of the proposal.

Q9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Built Form and Massing

The proposed land use controls will provide for the desired development typology sensibly located in response to the various site constraints and opportunities.

The concept scheme prepared by Tony Owen Partners has been prepared with consideration for surrounding development and the intended future character of the area. The proposal establishes a height control which is appropriate along a key transport corridor. Although there has been limited uptake of the R4 high density zone in immediately surrounding properties, the area will transition over time to a higher density urban environment which has been observed in other areas along the Hoxton Park Road Corridor.

The massing has been tested to ensure a future scheme can be compliant with the ADG and consistent with the objectives of Liverpool Development Control Plan. This includes:

- Minimum front, side and rear setbacks of 6m
- Internal building separation ranging from 15m-21m
- Ability to provide generous deep soil planting and communal open space
- Ability to achieve adequate solar access and cross ventilation to apartments
- Minimal overshadowing impacts, with the majority of shadow being concentrated on Hoxton Park Road

The proposed built form offers amenity outcomes which extend beyond the users of the site. This includes through site pedestrian links which will connect people with the bus service. Ground floor retail uses and high quality communal open space within the site will provide a meeting place for residents and encourage social interaction, activation and passive surveillance. Landscape treatments, tree planting and greening along the Hoxton Park Road corridor will help soften the urban environment and enhance the pedestrian experience.

Traffic and Parking

A Traffic Impact Assessment (TIA) has been prepared by Traffix to review the proposed access arrangements and determine the impacts of the proposal on the surrounding road network. The TIA addresses existing and proposed traffic generation, trip distribution, intersection performance and public transport.

Parking

The report includes a calculation of parking requirements based on the proposed concept scheme of 312 dwellings and ground floor retail. It is noted this figure is indicative only and may be subject change following detailed design and DA submission, however it has been adopted as the base case for the purpose of this assessment. To meet the minimum parking rates set out in Liverpool DCP, a total of 561 parking spaces would be required.

An indicative basement layout has been provided within the concept plan set, however detailed basement design shall be resolved at DA stage. The site is capable of providing on site basement parking and any proposed departure from DCP parking rates would require merit based justification during a DA process. Accessible parking, bicycle parking and waste collection can also be accommodated on site. Parking requirements may be subject to change based on proposed development yield and apartment mix.

Access and circulation

Two separate entry and exit driveways are proposed from no 20 and 48 Dale Avenue. This approach has been subject to preliminary consultation with TfNSW. TfNSW has indicated this approach is preferred as it avoids additional access points from Hoxton Park Road and will help distribute traffic amongst the local road network. Both access driveways provide ingress and egress, allowing vehicles to enter and exit the site in a forward direction.

Proposed trip generation

Traffic generation from the proposal has been assessed by Traffix. The TIA identified that the proposal would generate the following vehicular trips per hour (VTPH) in the peak morning and evening periods

Residential:

- 59 VTPH during the morning peak (12 in, 47 out)
- 47 VTPH during the afternoon peak (37 in, 10 out)

Retail:

- 9 VTPH during the morning peak (7 in, 2 out)
- 7 VTPH during the afternoon peak (1 in, 6 out)

Traffix has assessed the impact of the additional trip generation on the surrounding intersections, the key intersections being Hoxton Park Road/Memorial Avenue to the west of the site and Hoxton Park Road/Maryvale Avenue to the east. With consideration for the proposed trip generation, intersection modelling reveals that both intersections will maintain an A grade level of service. Therefore, the additional traffic generation proposed is expected to have minimal impacts on the surrounding

road network, and as such, there are no road improvements or intersection upgrades required.

Green Travel

The proposal is supported by a Green Travel Plan, prepared by Traffix. The Plan outlines alternative green travel modes and strategies to encourage alternative transport modes which shifts away from a reliance on private vehicles. Recommendations include:

- Provision of bicycle parking and end-of-trip facilities.
- Develop a forum to facilitate car-pooling.
- Develop initiatives and incentives for the use of sustainable modes of transport.
- Maintain an open channel of communication with Council to maintain / improve existing sustainable infrastructure in the local area.
- Provide a copy of a Transport Access Guide at prominent locations on site.

These recommendations will be considered and incorporated at detailed design and DA stage.

Waste Collection

The proposal is supported by an Operational Waste Management Plan (OWMP), prepared by Elephant's Foot.

The report provides an analysis of the potential waste generation during the operational phase of the building, assuming a dwelling yield of 312 apartments and 7 retail tenancies. With consideration for the Liverpool Development Control Plan 2008, calculations have been undertaken to confirm the total waste generation and bin requirements and advice has been provided on potential waste collection procedures.

Residential

The residential component is forecasted to produce some 37,440L of general waste, 37,440L of recycling and 7800L of organic food waste per week. Each building core will be supplied with a dual chute system, comprising of a waste chute and a recycling chute with access provided on each residential level. Waste will discharge into 1100L bins to a chute discharge room. Bins will be collected weekly by Council in accordance with the collection schedule. Waste vehicles will collect waste from a bin holding room and enter and exit the site in a forward direction. Bulky waste storage areas are also to be provided.

Retail

The retail component is expected to generate some 4,720L general waste and 4971.5L recycling per week. The retail tenancies will be responsible for their back of house waste and recycling management during daily operations. A private waste collection contractor will be engaged to service the retail waste and recycling bins per an agreed schedule. Again, the waste vehicle will enter the site and collect waste from the retail holding room and exit the site in a forward direction.

The basement, access paths and clearances to the Residential Bin Holding Room must be able to accommodate a rear lift HRV per AS2890.2-2002 and a minimum head-height clearance of 3.9 metres. Detailed basement design, including vehicle swept paths and waste collection infrastructure to Council's DCP standards will be undertaken at DA stage. Waste generation and collection procedures will be impacted by the final dwelling yield and retail/residential mix, as such collection procedures and waste design will be undertaken in detail at DA stage.

Flooding

The proposal is supported by a Desktop Flood Study, prepared by SGC. The study confirms that the majority of the site is not flood affected except for a small corner of the site at 260 Memorial Avenue, which is only partially affected by the PMF event. This flood affectation does not impact on the planning proposal and is considered minor.

The concept plans show the proposed development footprint clear of any flood prone land. Indicative site access points (Dale Avenue) are also clear of any flooding risk and the road network provides several flood free evacuation routes, should a major flooding event occur.

The planning proposal does not propose a change of use and will not result in any detrimental effect to flood behaviour or increase the flood risk for the property or adjoining residents. Future development, subject to more detailed design development for a development application, is capable of satisfying Clause 5.21 Flood Planning in Liverpool Local Environmental Plan 2008 and relevant DCP flood related development controls.

Acoustic

The proposal is supported by an Acoustic Assessment, prepared by Acouras Consultancy. The report provides an assessment of existing noise conditions and future noise conditions as a result of the development, primarily from traffic. The report includes recommendations for construction materials to help mitigate noise impacts for future residents. With regard to proposed noise conditions as a result of the development, additional mitigation measures will need to be explored to help mitigate increased noise exposure to affected residents along Maryvale Ave (up to Dale Ave) and along Dale Ave for the types of acoustic treatment to the properties, which may include one or a combination of the following treatments:

- Upgrade acoustic insulation (50-75mm thick) in the cavity of external wall and roof.
- Upgrade existing façade glazing to a laminated glass.
- Provide fresh air ventilation and/or air-conditioning to allow windows to be closed during peak times.

As the nature and scale of the proposed development is indicative only at this stage, the acoustic impacts may vary once detailed design and DA preparation commence. As such, it is reasonable to explore noise mitigation measures at DA stage.

Notwithstanding, provided that acoustic measures are implemented as per the recommendations of a suitably qualified consultant, the noise from the proposed development is predicted to comply with acoustic requirements of the Liverpool City Council DCP, EPA noise limits, Department of Planning (SEPP), BCA Part F5 and relevant Australian standards.

Geotechnical

The proposal is supported by a Desktop Geotechnical Study, prepared by EI Australia. The report provides an overview of potential subsurface ground conditions which may be encountered as part of the development. Ground conditions may include fill, residual silty clay soils and low strength shale. Groundwater is anticipated to be encountered between 1 and 4m below existing ground level.

The report provides recommendation on measures which should be undertaken to facilitate the development. This includes dilapidation surveys, a preliminary excavation assessment, excavation monitoring, the use of appropriate retaining systems and groundwater wells during construction.

The report recommends detailed geotechnical subsurface investigation prior to final design to determine the site specific subsurface profile and geotechnical parameters for footing design. This can reasonably be undertaken at a later project stage when the preferred design is confirmed.

Contamination

The proposal is supported by a Preliminary Site Investigation, prepared by EI Australia. The report provides a review of historic site uses and confirms that the likelihood of site contamination is low-moderate.

95-145 Hoxton Park Road had been vacant up to 1947 (at least) and by 1965 had been partially developed for residential purposes. In the early 2000s, residential structures were demolished and the site was redeveloped as part of the Hoxton Park Road upgrade. Redevelopment activities included the stripping of fill soils followed by construction of the new road within the southern boundary of the site, and re-turfing across the remainder of the area.

The surrounding land was originally made up of rural residential and agricultural properties which transitioned to low density residential over the survey period. There is no evidence to suggest significant site contamination. As such, the report concludes that there is low potential for contamination to be present at 95-145 Hoxton Park Road and low to moderate potential for contamination to be present within 20 and 44 Dale Avenue (outside of the scope of the planning proposal).

Additional investigations may be undertaken as necessary, and an unexpected finds protocol adopted during the detailed design and construction phase of the project.

Q10. Has the planning proposal adequately addressed any social and economic effects?

Social Impacts

The proposal is supported by a Social Impact Assessment, prepared by Hill PDA. The assessment includes an analysis of the existing social environment. It aims to identify both positive and negative social impacts associated with the proposed development, while also suggesting mitigation measures to maximise social benefits and minimise negative impacts to the community.

When considering the increased demand for social infrastructure arising from the proposal, the increased demand for open space, community facilities, long day care and OSHC is negligible. This suggests there is significant capacity in adjoining infrastructure to accommodate the increased number of residents.

The assessment includes general recommendations around access, amenity and community health and safety which can reasonably be implemented at DA stage. The assessment notes that the proposal would make an important contribution to the delivery of housing in Liverpool and is consistent with the LSPS. The proposed bedroom mix would improve housing diversity in the Liverpool LGA and responds to the housing need of the LGA by increasing the supply of smaller, more affordable dwellings. There is also opportunity to create some 16 new jobs on site through the provision of commercial floor space.

The report concludes that the Planning Proposal would have an overall benefit to the socio-economic environment. Any negative impacts of the Planning Proposal can be successfully managed with the implementation of the mitigation measures outlined in sections 5.3 and 6.0 of the report, which can be reasonably implemented at DA stage.

3.3.4 Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the Planning Proposal?

The site is located in an existing urban area and is serviced by all relevant utilities. It is unlikely that there are significant capacity constraints in the existing network which would prevent the modest intensified use of the site for a multi-level hotel and restaurant.

The proposal will increase pedestrian movement along the front of the site and to the nearby T-way bus station and footpath infrastructure. Need for any upgrade to local utilities such as electricity, can be addressed at a future development stage.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

At this stage, the views of relevant State and Commonwealth authorities have not been obtained. This will occur following Gateway Determination.

5.1 Part 4 – Mapping

Appendix 1 of the planning proposal report provides details of the mapping files proposed.

5.2 Part 5 – Community Consultation

Normal consultation processes will occur following lodgement. It is expected that consultation will occur in line with DPE's Community Participation Plan, with the Planning Proposal to undergo 28 days public consultation period following gateway approval.

5.3 Part 6 – Project Timeline

The anticipated timeframe for the completion of the planning proposal, based on the benchmark timeframes for a standard planning proposal, is as follows:

| Table 11. Project Timeline | |
|--|----------------|
| Milestone | Date |
| Submission of revised Planning Proposal | December 2022 |
| Council decision | March 2023 |
| Gateway determination | May 2023 |
| Pre-exhibition | June-July 2023 |
| Commencement and completion of public exhibition | August 2023 |
| Consideration of submissions | September 2023 |
| Post-exhibition review | October 2023 |
| Submission to Department for finalisation | November 2023 |
| Gazettal of LEP amendment | December 2023 |

6 Conclusion

This planning proposal for land known as 93-145 Hoxton Park Road, 51 Maryvale Avenue and 260 Memorial Avenue, Liverpool NSW has been prepared in accordance with:

- Section 3.33 of the Environmental Planning and Assessment Act 1979 (the Act).
- The NSW Department of Planning and Environment's '*Local Environmental Plan Making Guideline*'.
- Relevant Section 9.1 Directions.

The proposal provides a full justification for the changes consistent with the guidelines and requirements for plan amendments. The justification demonstrates that the proposal intention to amend the Liverpool LEP (LLEP) 2008 to increase the maximum height of buildings from 15m to 20.5m and increase the FSR control from 1:1 to 1.75:1 has strategic merit and site-specific merit in the particular circumstances of this location.



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