

Planning Proposal

Draft Liverpool LEP 2008 Amendment No. 47

***115, 125, 135 and 215 Croatia Avenue,
Edmondson Park***

***Rezoning of part Lot 481 & Lot 482 DP 1173668 and
Part Lots 45 & 47 DP 228850 from SP2 (Educational
Establishment) to R1 General Residential***

March 2014

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Background and Site Identification

The NSW Department of Education & Communities (DEC) has notified Liverpool City Council that the site known as 115-135 Croatia Avenue (Part Lot 481 & Lot 482 DP 1173668 and Part Lot 45 & Lot 47 DP 228850) Edmondson Park and zoned SP2 (Educational Establishment) under the Liverpool LEP 2008 will not be required for a future public school. In a letter to Council dated 18 February 2014 the DEC has requested that Liverpool City Council rezone the site and remove the Land Reservation Acquisition over the land.

The DEC also on 24 February 2014 provided Council with updated planning and demographic evidence in support of their request to rezone the subject site from SP2 (Educational establishment) to R1 – General Residential and to remove the Land Reservation Acquisition mapping on the site.

This planning proposal seeks to rezone the subject site from SP2 (Educational Establishment) to R1 – General Residential and to remove the application of Land Reservation Acquisition mapping from the site. It is to be noted that Draft LLEP 2008 (Amendment 32) proposes to rezone the existing SP2 (Educational establishment) zoned site at Part of Lots 20-22 (inclusive), DP 29317, Jardine Drive, Edmondson Park to R1 – General Residential, and has received a Gateway Determination from Planning and Infrastructure (P&I).

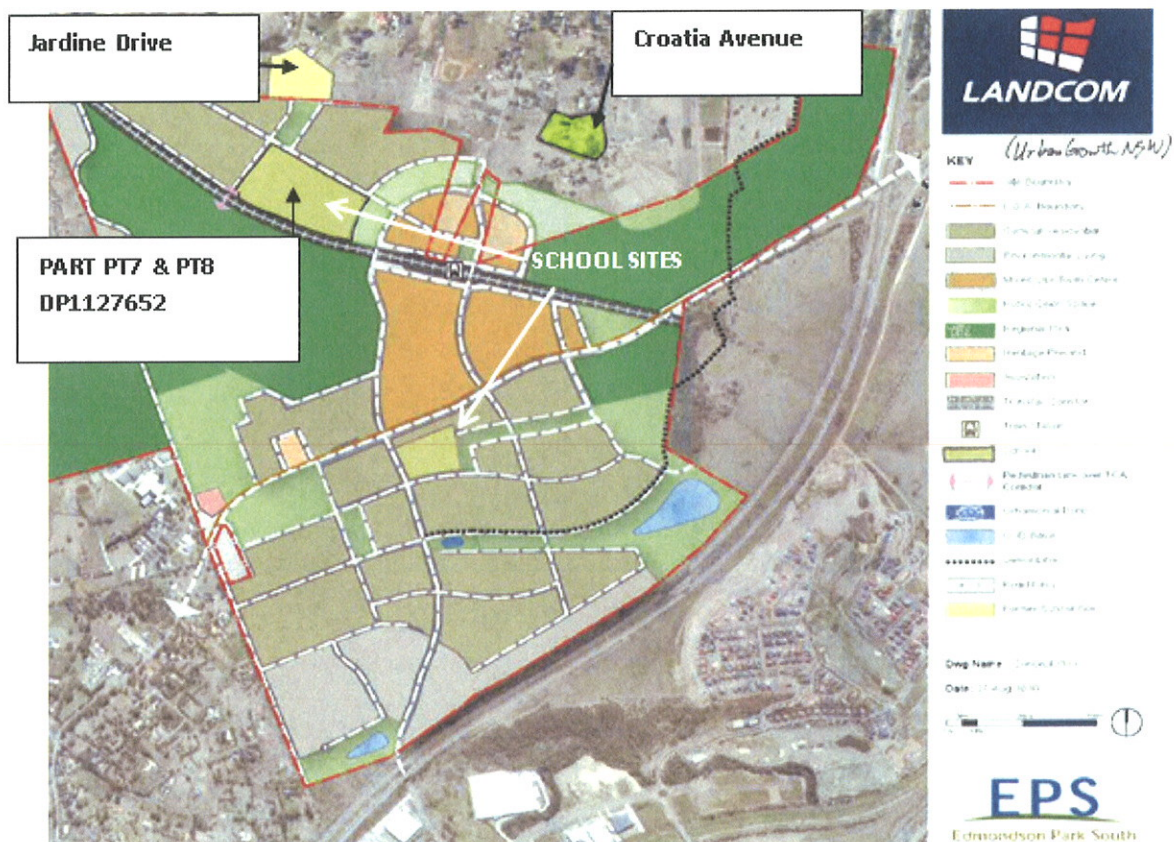


Figure 1: School sites nominated by Edmondson Park South DCP 2012 and sites zoned SP2 (Educational establishment) by LLEP 2008 in Edmondson Park

Source: from Edmondson Park South DCP 2012 and LLEP 2008

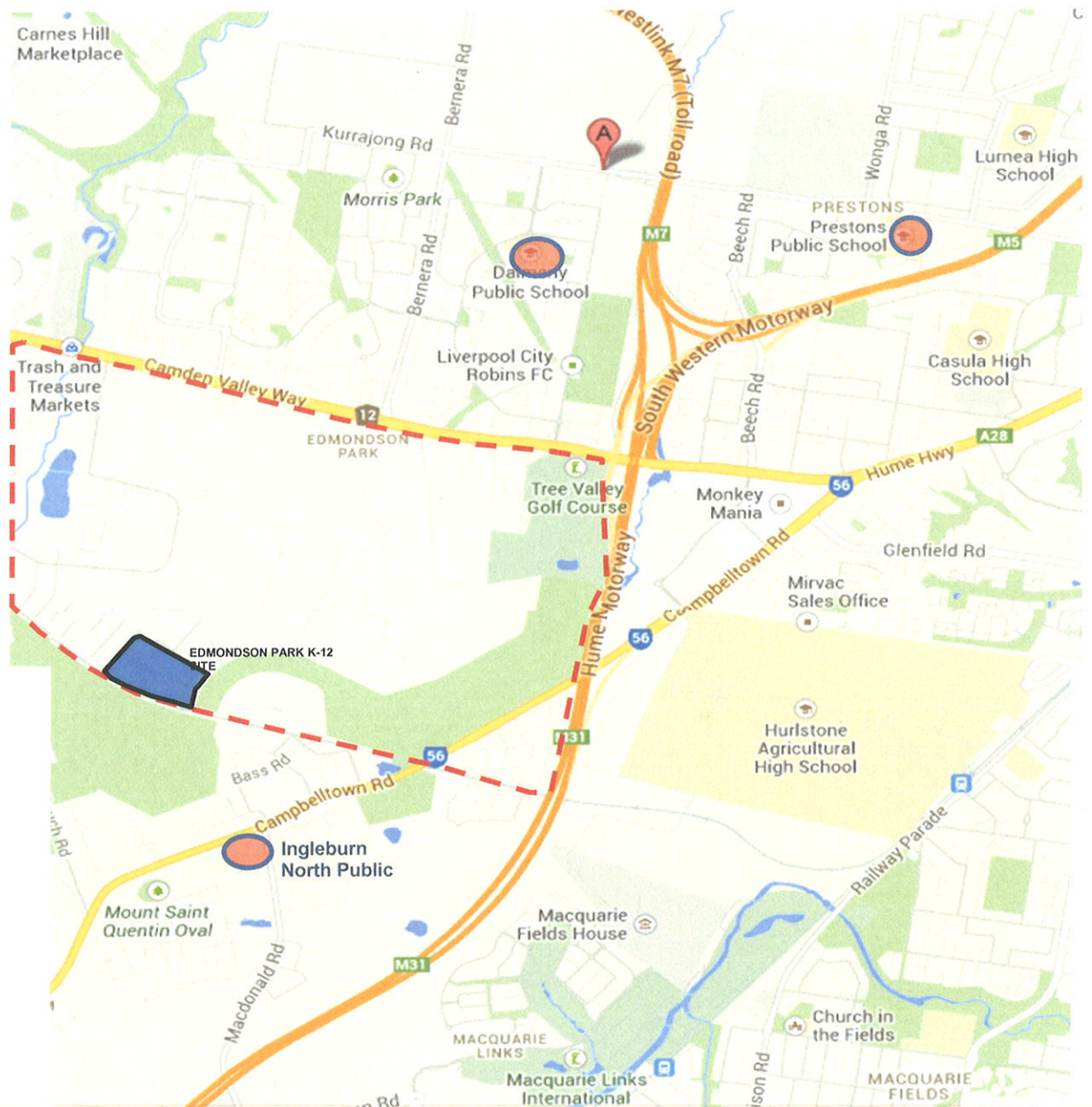


Figure 2: Location of existing and proposed public schools in the Edmondson Park Release Area



Figure 3: Location within Edmondson Park
Source: Liverpool City Council GIS

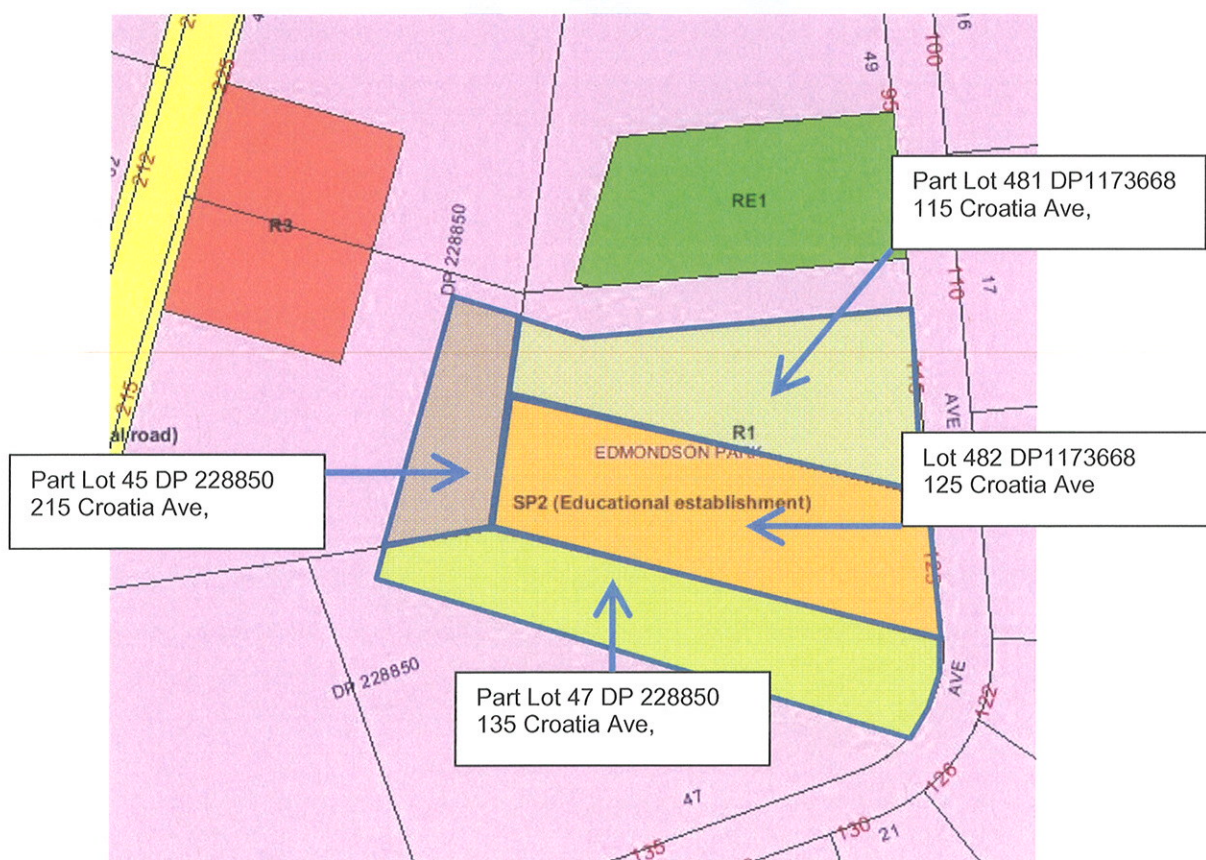


Figure 4: Lots and part lots within the subject site
Source: Liverpool City Council GIS

Delegation:

Council is seeking an Authorisation to make the plan.

Part 1- Objectives

The objective of the Planning Proposal is to rezone the subject site (identified as 115, 125, 135 and 215 Croatia Avenue, Edmondson Park) from SP2 (Educational establishment) to R1 – General Residential, on the basis that the DEC no longer requires the site for a future public school. This rezoning necessitates further amendment of measures mapped in relation to the lot size, dwelling density, and land reservation acquisition.

Part 2- Explanation of provisions

Rezone part Lot 481 & Lot 482 DP 1173668 and Part Lots 45 & 47 DP 228850. All relevant maps should provide for the following changes:

Liverpool Environmental Plan 2008 Map		Local 2008	From maps (current)	To (proposed) maps
Zoning	LZN-009 (10/02/2009)		SP2 (Educational Establishment)	R1 General Residential
Lot Size	LSZ-009 (04/08/2010)		Lot size = blank	"D" (Area 3 as per Cl. 4.1)
Dwelling Density	DWD-009 (13/10/2009)		Dwelling density = blank	17 dw/ha
Land Reservation Acquisition	LRA-009 (30/07/2012)		Site marked yellow and labelled "Educational Establishment SP2"	Removal of yellow and "Educational Establishment SP2" label

Table 1: LLEP 2008 maps to be amended to give effect to the proposed rezoning of the subject site.

Part 3- Justification**A. Need for the planning proposal**

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

The LEP amendment proposal is not the result of any specific strategic study or report. It is based on a request from the DEC to rezone the site as it is surplus to their needs. The rationale for this planning proposal is addressed in the next section.

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

The application to rezone the subject site from SP2 (Educational Establishment) to R1 – General Residential, is based on the DEC. On 25 July 2013 the DEC notification to Council that it had relinquished its interest in establishing a primary school at the subject site.

The explanation of the DEC's request is expressed in its letter to Council dated 23 January 2014, wherein it states:

The Department of Education and Communities (the Department) has reviewed Edmondson park over the last six months and can confirm that given the expected future population for the area and given that there are three existing schools in the area (Ingleburn North, Prestons and Dalmeny public schools), 115 Croatia Avenue will not be required for a future school. The Department of Education and Communities has therefore relinquished any future claim over the site.

The Department has an existing school in the Edmondson Park development area, Ingleburn North Public School, and has secured other land in the area for new schools to meet the future education needs of the Edmondson Park community. The Department confirms Edmondson Park will be well serviced for public education.

On 24 February 2014 the DEC made a formal request to Council to rezone the site and provided Council with updated planning and demographic evidence in support of their request to rezone the subject site from SP2 (Educational Establishment) to R1 – General Residential and to remove the land reservation acquisition mapping from the site. The planning and demographic analysis provided by the DEC was supplied to councillors on a confidential basis.

Will the net community benefit outweigh the cost of implementing and administering the planning proposal?

The Planning Proposal provides a community benefit by continuing to support public school provision for the future residents of Edmondson Park and rezoning land considered excess capacity by the DEC for residential development.

B. Relationship to strategic planning framework.

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The DEC has stated that the Edmondson Park release area will be “well serviced for public education” in the future, despite the DEC’s decision to relinquish its interest in the subject site. Given this context, the planning proposal will continue to support the “Housing” key direction of the Draft South-West Subregional Strategy to “support population growth within the subregion”, by zoning land for residential development in the Edmondson Park release area.

The Planning Proposal is consistent with the Draft Metropolitan Strategy for Sydney, which has been publicly exhibited but not finalised. The proposal is supported by the “Metropolitan Priorities for the South West”, which, in relation to the South West Growth Centre states, “plan for at least 64,000 of the estimated 110,000 new dwellings over the next 20 years that will be well integrated into neighbouring suburbs”. By virtue of the fact that the proposal will release additional land for residential uses, this is consistent with the strategy. Based on a dwelling density of 17 dwellings/hectare this equates to an additional 49 dwellings.

Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Planning Proposal is consistent with Direction 2a of the *Growing Liverpool 2023 Community Strategic Plan* to, "Deliver an efficient planning system which embraces sustainable urban renewal and development".

Is the planning proposal consistent with the applicable state environmental planning policies?

The Planning Proposal is consistent with State Environmental Planning Policies.

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with applicable Ministerial Directions (s.117 directions), in particular No. 3.1 *Residential Zones*, which requires that:

A draft LEP shall include provisions that encourage the provision of housing that will: (b) make more efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services

C. Environmental, social and economic impact.

The planning proposal to rezone the subject site from SP2 (Educational Establishment) to R1 – General Residential will increase the supply of residential zoned land within the Sydney Metropolitan Area consistent with the NSW State Plan 2021 and the Draft Metropolitan Plan for Sydney 2031. As noted above, R1 – General Residential zoned land is also a prescribed zone pursuant to clause 28 of the State Environmental Planning Policy (Infrastructure) 2007. The development of a school is permissible with consent on land within a prescribed zone.

The provision of R1 – General Residential zoned land in the Edmondson Park Release Area will have a positive social and economic impact, on the condition that the provision of public schooling is maintained. As noted above, the DEC has confirmed that, "Edmondson Park will be well serviced for public education", despite of the decision not to develop the subject site for a public primary school. This is consistent with principles of the *Education Act 1990*, that:

*(a) every child has the right to receive an education, [and]
(d) the principal responsibility of the State in the education of children is the provision of public education.*

D. State and Commonwealth interests.

Is there adequate public infrastructure for the planning proposal?

The DEC has confirmed that sufficient provision has been made for public school places for future growth of the Edmondson Park catchment. Adequate trunk infrastructure will be provided to the Edmondson Park release area to permit residential subdivision.

What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

Relevant State and Commonwealth Public Authorities will be consulted with regard to proposed LEP amendment in accordance with any Gateway Determination that may be issued by NSW Planning and Infrastructure.

Part 4- Mapping

Four LLEP 2008 maps would require amendment in association with the rezoning for the subject site. Details of the amendments to the four LLEP 2008 maps necessary to give effect to the proposed rezoning (LZN-009, LSZ-009, DWD-009 and LRA-009) are noted in Table 1 above. The changes to be made for each map are illustrated in Figures 5-8 below:

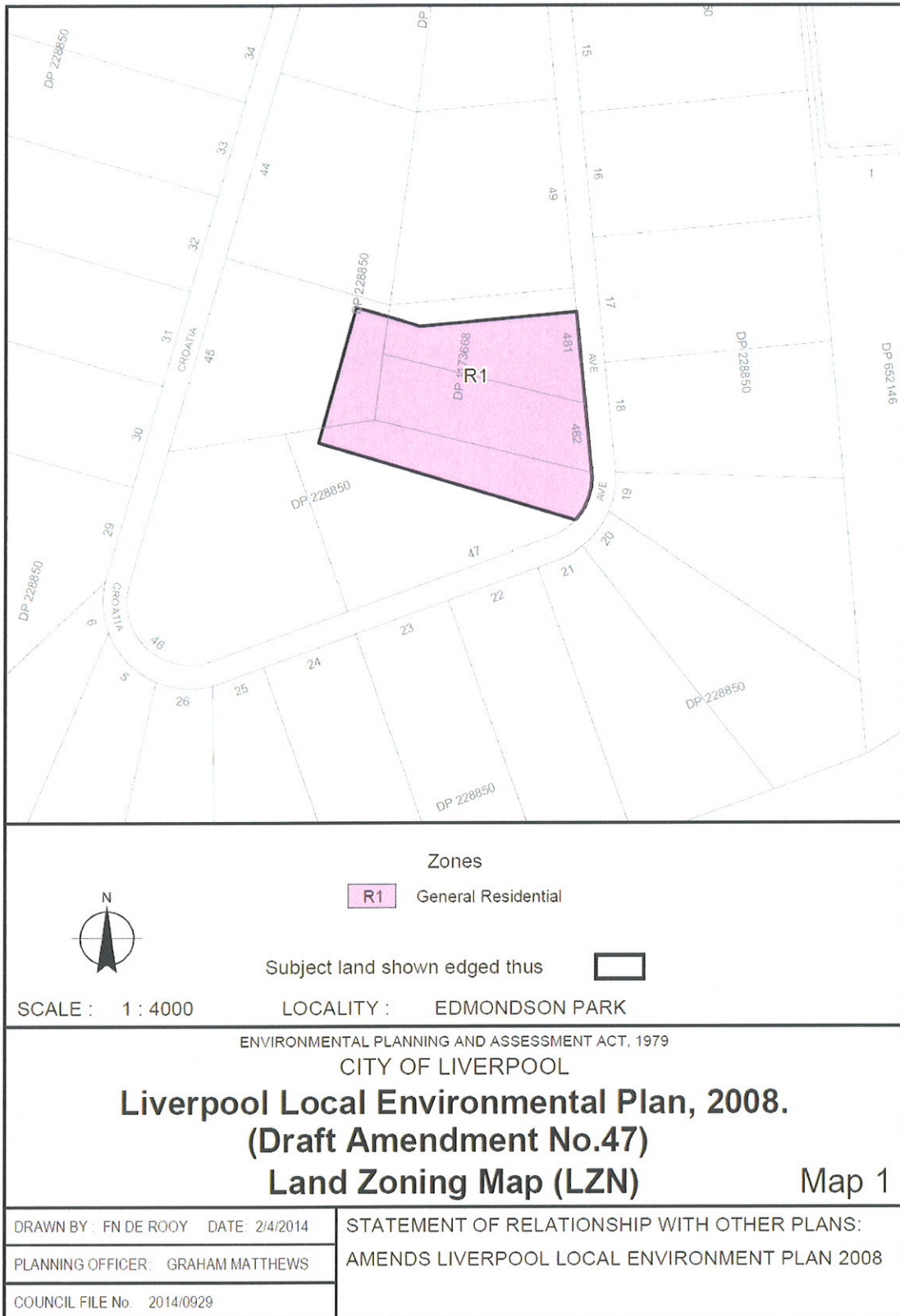


Figure 5: Proposed amendment to LZN-009

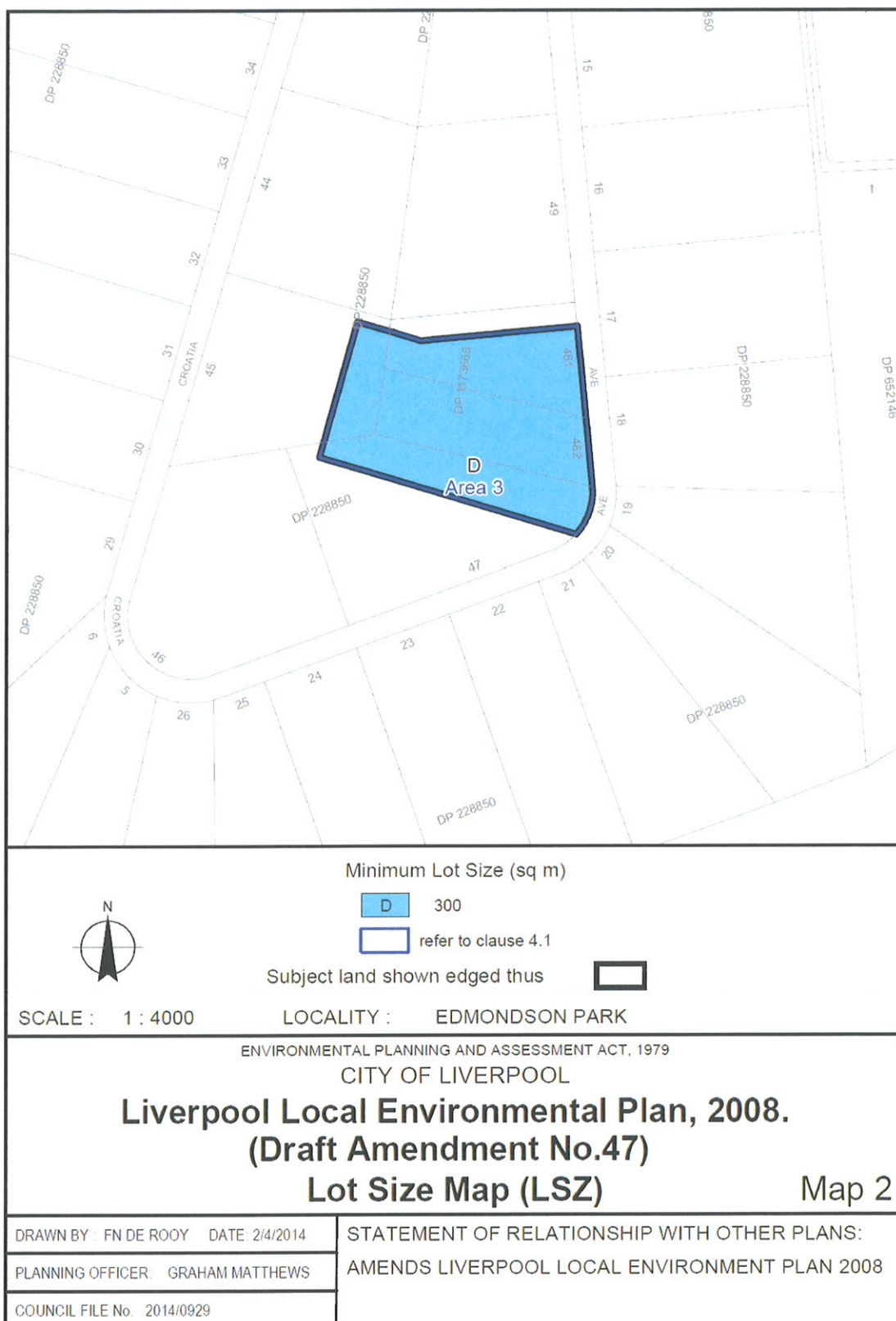


Figure 6: Proposed amendment to LSZ-09

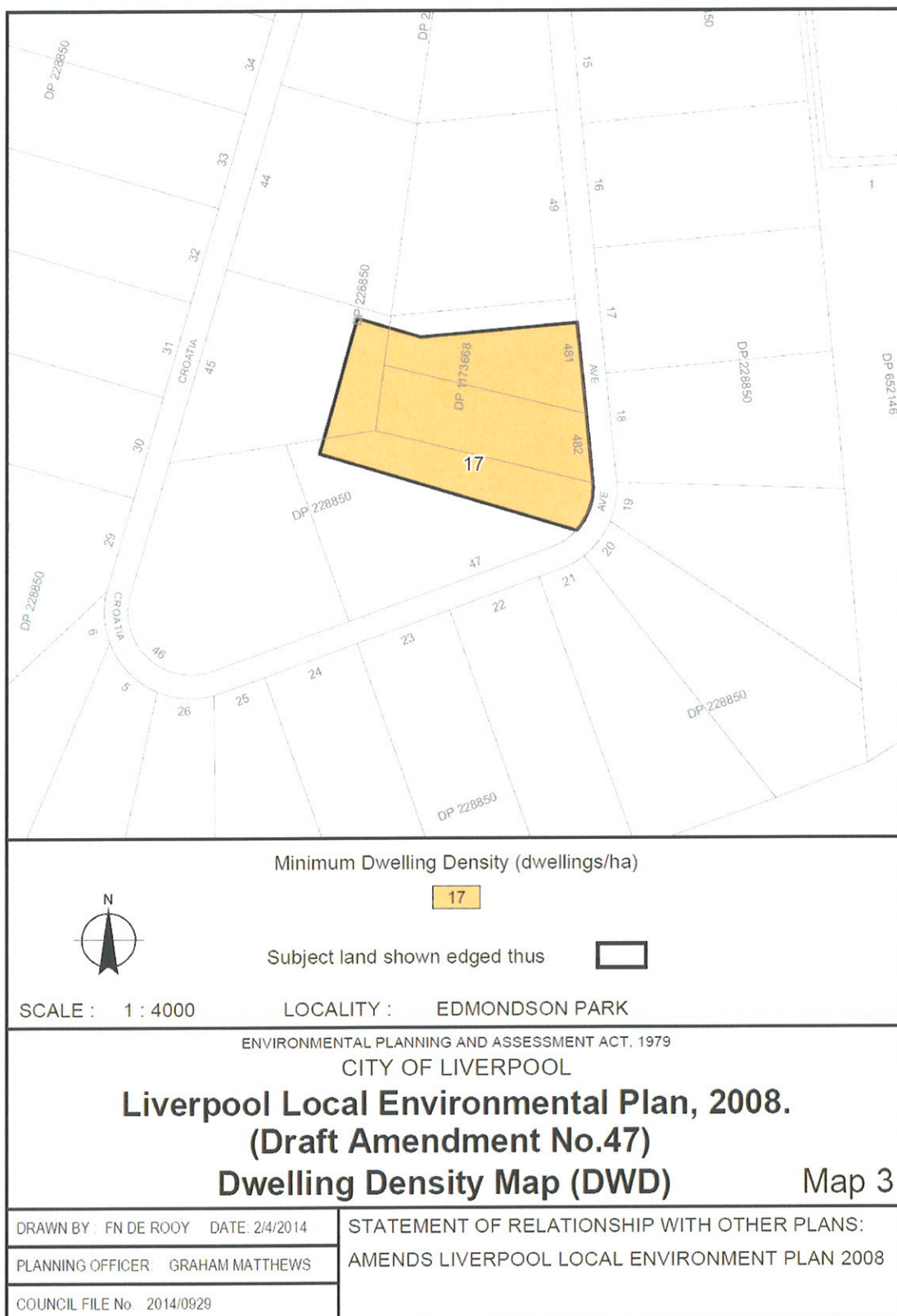


Figure 7: Proposed amendment to DWD-09

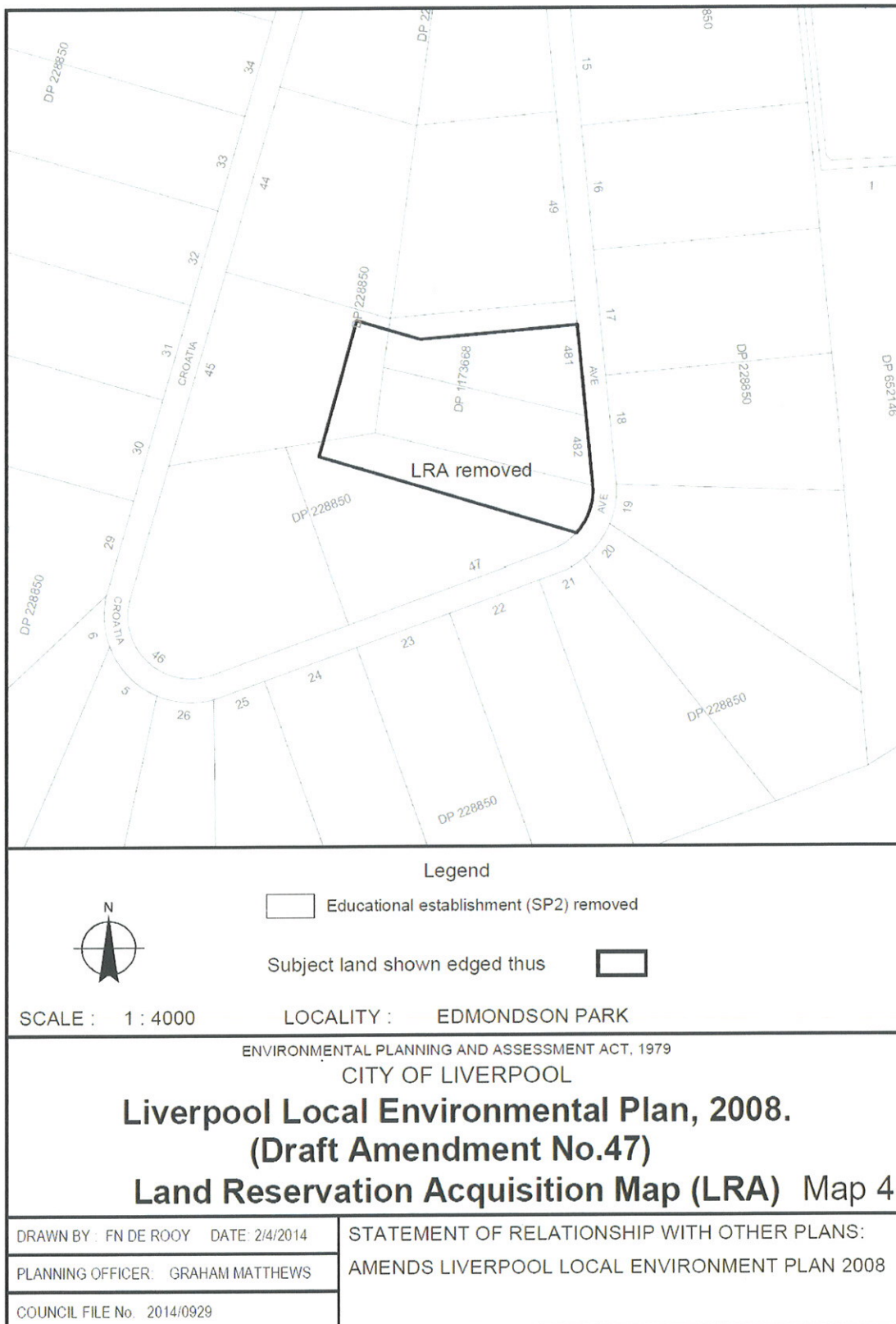


Figure 8: Proposed amendment to LRA-09

Part 5- Public Consultation

Public consultation is to be consistent with Clause 57 of the Environmental Planning and Assessment Act 1979. The scope of public consultation required would be detailed in the Gateway Determination.

Part 6-Project Timeline

Section 2.6 of *NSW – A Guide to preparing planning proposals (2012)* requires that all Planning Proposals include a proposed timeframe for delivery of the Planning Proposal. Pending any time limit that would be provided by the Gateway Determination, the draft project timetable is presented below:

26 March 2014	First Report to Council
28 March 2014	Planning Proposal sent to NSW P&I requesting Gateway Determination
28 April 2014*	Agency Consultation to commence
19 May 2014*	Agency Consultation to conclude
4 June 2014*	Community Consultation to commence
18 June 2014*	Community Consultation to conclude
30 July 2014*	Second Council Report

*Pending Gateway Determination