

# Planning Proposal New Brighton Golf Course

Liverpool Local Environmental Plan 2008  
Draft Amendment No. 25

***September 2011***

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## Background

Council has received an application to rezone part of the New Brighton Golf Course (NBGC) land at Moorebank from RE2 Private Recreation to R2 Low Density residential. The rezoning seeks to facilitate the future subdivision of 310 dwellings. The rezoning requires the reconfiguration of the golf course by relocating a number of the fairways to land located south of the M5 Motorway, some of which is Council owned land.

The proposed reconfiguration of the golf course requires land swaps between the golf club and Council which is to be facilitated through a Voluntary Planning Agreement (VPA). Further, the proposed residential development would be guided via a site specific chapter in the Liverpool Development Control Plan 2008 (DCP).

The NBGC landholdings comprise of 87.5 hectares of land located on the western side of the Georges River on both the northern and southern sides of the M5 Motorway (Refer to Figure 1).

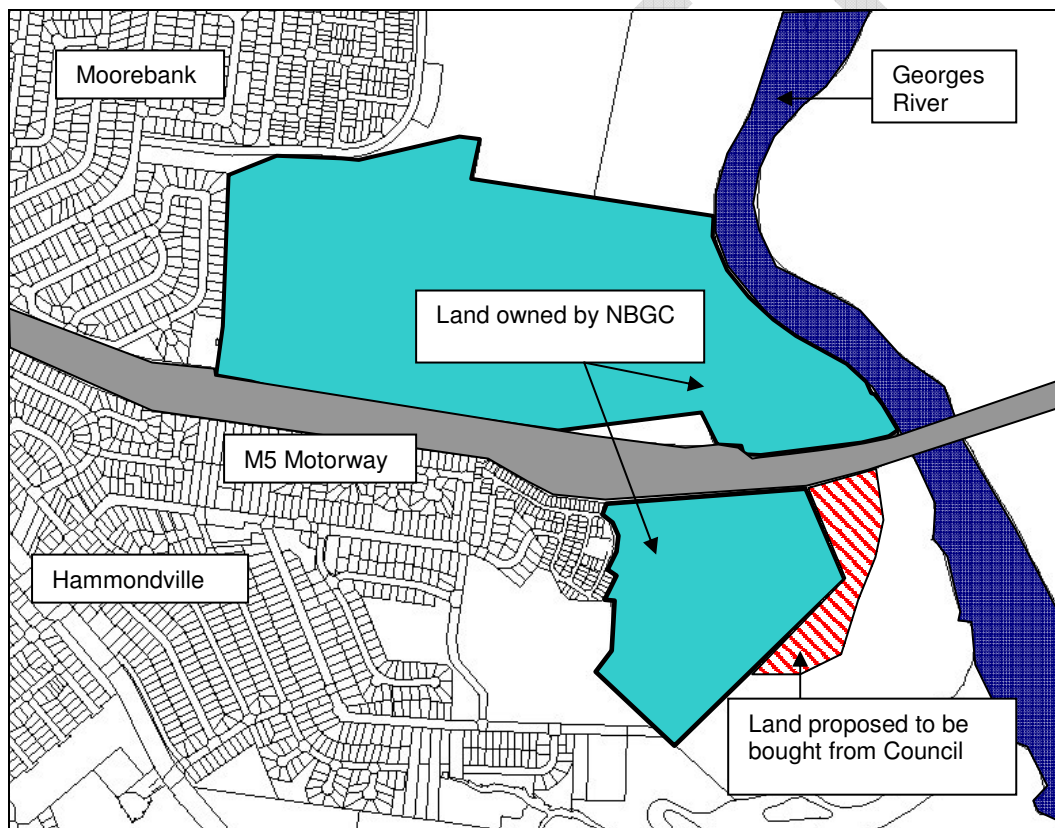


Figure 1 – Land to which this amendment applies

## Part 1 – Objectives

The purpose of the proposed amendment to the Liverpool Local Environmental Plan 2008 will facilitate the development of western portion of the existing golf course for residential development. The existing golf holes 'lost' by the proposed rezoning will be relocated on land owned by NBGC and Council south of the M5 Motorway.

New Brighton Golf Course has also offered to enter into a Voluntary Planning Agreement, which lists the items (under a Heads of Agreement) that the

owner/developer must provide as part of developing the subject lands. Most of the works to be facilitated through the VPA will be subject to a future Development Application. A draft schedule of works is attached (Attachment 1).

## Part 2 - Explanation of provisions

The Planning Proposal has been prepared to facilitate the rezoning of parts of the NBGC landholdings and a portion of Lt Cantello Reserve (owned by Council) for the following purposes (Refer to Figure 2):

- Residential development on the elevated western part of the existing golf course, north of the M5 Motorway in Moorebank. This requires land to be rezoned from RE2 Private Recreation to R2 Low Density Residential;
- The re-establishment of the fairways associated with the disused Greenwood Golf Course on the southern side of the M5 Motorway in Hammondville. This requires this land to be reclassified from community to operational and the rezoning of that land from RE1 Public Recreation to RE2 Private Recreation;
- The creation of a new public reserve along the Georges River frontage and link to Council land to the north. This requires the rezoning of that land from RE2 Private Recreation to RE1 Public Recreation;
- Rezone a portion of land on the southern side of the M5 (currently owned by NBGC) from RE2 Private Recreation to RE1 – Public Recreation, (for consolidation of open space and vegetation communities); and
- Rezone a portion of land on the northern side of the M5 (currently owned by NBGC) from RE2 Private Recreation to E2 Environmental Conservation (for consolidation of open space and vegetation communities).
- Amend Schedule 1 Additional Permitted Uses of the LLEP 2008 to allow for “Multi Dwelling Housing” within the proposed R2 Low Density Residential Zone. After considering a number of options, it was deemed that the most appropriate method to facilitate “studio apartments” (fonzie flats) was to permit “Multi Dwelling Housing”.

As stated earlier the rezoning seeks to facilitate the provision of 310 dwellings. One of the mechanisms available to Council is to limit the maximum number of lots to be created under Clause 7.12 of Liverpool LEP 2008.

*Please note: The proponent seeks to develop studio apartments above shared garages. As this type of residential dwelling is not specifically defined, the developer seeks to define the proposal as multi dwelling housing and deliver the product in the following way; construct two dwelling with detached garages above which the studio will be located. The dwellings, garages and studio would be strata subdivided. (Refer to Attachment 3 for an indicative layout)*

- Amend Part 2 of Schedule 4 of LLEP 2008 “Classification and Reclassification of Public Land” to include the property shown in the Figure 2 below as “Area C”. The inclusion of the site under Part 2 of Schedule 4 will indicate that the land has been reclassified to operational and that the interest of the land has changed. Detailed information can be found under Attachment 2. Council is reclassifying this parcel of land to remove restrictions associated with a community classification.

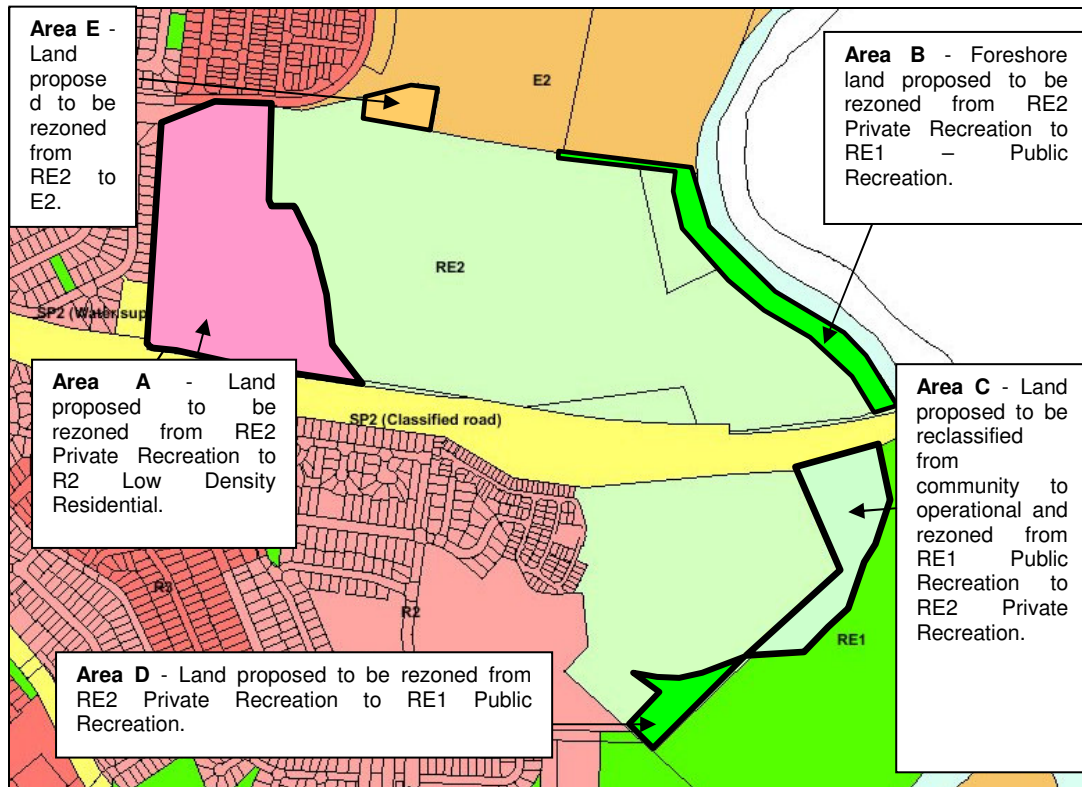


Figure 2 – Proposed Zoning Map

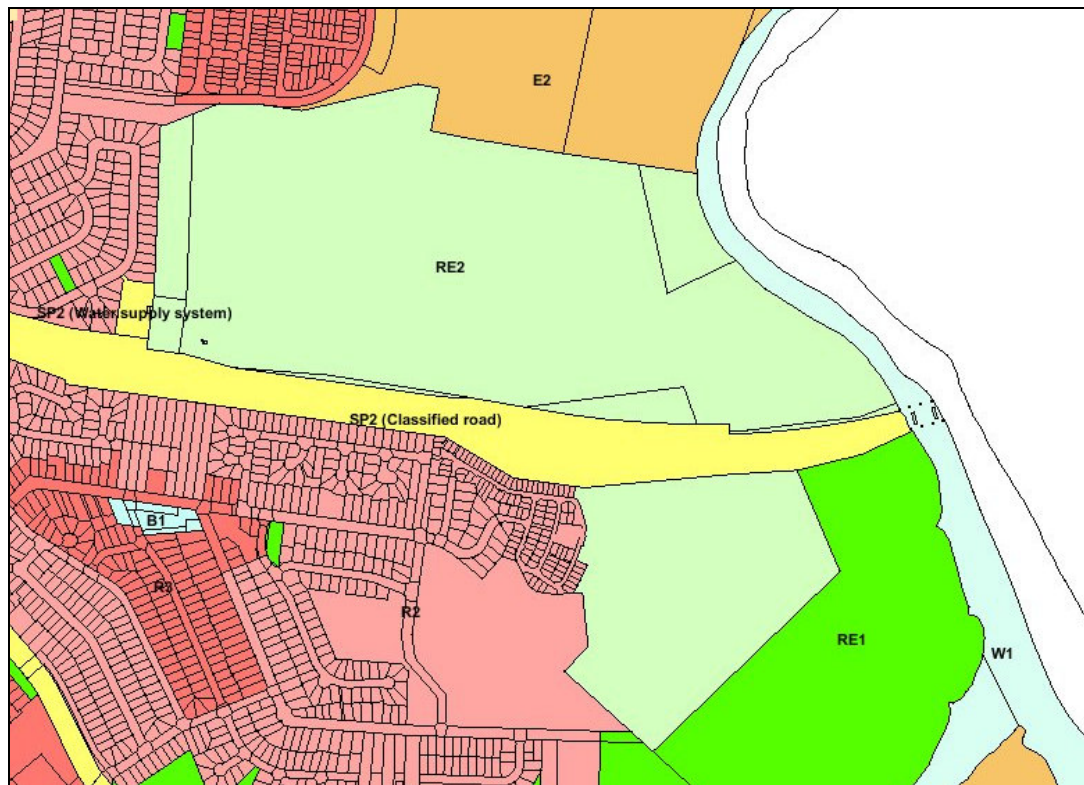


Figure 3 – Existing Zoning Map

## Part 3 – Justification

### A. Need for the planning proposal

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

The potential rezoning of the site to permit infill residential development is not currently part of Council's adopted Residential Strategy. However, the NBGC has been consulting with Council regarding the matters to be addressed and scope of studies to support the rezoning of the land for at least five years. To this end, the NBGC has completed a number of studies aimed at demonstrating the urban capability of the land identified for residential development and a range of environmental studies to support the re-establishment and re-modelling of the golf course. These studies have been update to reflect the most recent master plan and include:-

- Contamination Assessment
- Geotechnical Assessment
- Flora Assessment
- Fauna Assessment
- Aboriginal and European Heritage
- Water Sensitive Urban Design
- Acoustic Assessment
- Traffic Assessment

Notwithstanding that there is not a specific reference to a local Strategic Study or report, the proposed rezoning is consistent with a number of Actions in the Draft

South West Sub Region Planning Strategy in terms of helping to meet Liverpool's new dwelling requirements in infill locations and delivery of foreshore open space along the Georges River for public use, which will be discussed in the following sections.

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

Whilst some components of the development are permissible under the existing zonings, the Planning Proposal seeks amendments to the Liverpool LEP 2008 to facilitate continued operations of the Golf Course while providing for residential

The Planning Proposal will also deliver an important open space link along the Georges River foreshore.

It is considered that an amendment to Liverpool LEP 2008 through the Gateway Planning Process and preparation of this Planning Proposal is the only method to achieve the vision and intended outcomes.

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

The rezoning of land within an established urban area is consistent with the Draft South West Sub Region Planning Strategy which identifies the need for Councils within the Region to identify opportunities for 'infill' residential opportunities. The site has reasonable accessibility to a bus service and the commercial centre at Stockton Avenue, Moorebank to justify a low density residential zone.

Further, the redevelopment of the golf course will deliver a 40m wide strip of public open space along the Georges River foreshore and a linkage under the M5 Motorway to Lt. Cantello Reserve. The new foreshore public open space will be revegetated with locally occurring species and will contain a public pathway/cycleway. The foreshore reserve is part of an important link providing a connection back to Liverpool Centre as identified Draft South West Sub Region Planning Strategy.

***B. Relationship to strategic planning framework***

**4. *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)?***

**Metropolitan Plan for Sydney 2036**

The Metropolitan Plan for Sydney 2036 is the State Government's plan for managing the growth of Sydney through to 2036. The Strategy plans for population growth, new housing, new jobs, increases in industrial land and commercial and retail floor space over a 25 year period.

The Metropolitan Strategy identifies seven key strategies comprising Economy and Employment, Centres and Corridors; Housing, Transport, Environment and resources, Parks and Public Places and Governance and Implementation.

The Metropolitan Plan for Sydney 2036 has a number of subregions including the South West Sub Region Planning Strategy. The Subregional Strategy sets out a vision for the management and development of this subregion. The Draft South West Sub Region Planning Strategy (hereafter called the Strategy) sets draft housing targets for the 10 metropolitan subregions. For the South West, a subregional dwelling target of 155,000 additional dwellings was set for 2004 to 2031, increasing the number of dwellings from 128,570 to 283,570. This represents approximately 25 per cent of the total dwelling target for the Sydney metropolitan region and would see the subregions share of total dwelling stock in Sydney increase substantially from 8 to 13 per cent.

Liverpool has the second highest target within the region behind Campbelltown for infill housing of 9,458 dwellings. The Strategy states that:-

*Higher density and most medium forms of residential development are expected to be located in centres with good public transport and will contribute to improving the mix of housing choice to accommodate changing demands of existing residents.*

Direction C1.3 Plan - Increased Housing Capacity Targets in Existing Areas states that:

The metropolitan target of 60–70 per cent of new housing will be accommodated in existing urban areas, especially focused around centres and corridors which take advantage of existing services such as shops and public transport while reducing development pressures in other parts of Sydney. The proposal accords with the directive.

Key Directions contained within the Parks, Public Places and Culture Section of the Strategy includes:-

Direction F1.3 - Improve access to waterways and links between bushland parks and centres, states that:

Enhance and establish natural corridors including river systems and significant creeklines (as mentioned in Action F1.2), in particular Georges River regional open space corridor.

The Planning Proposal will secure foreshore land that otherwise would be kept in private ownership.

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

The planning proposal is in keeping with Liverpool Directions, Council's strategic planning blueprint for 2006-2016. Council officers have been aware of the Planning Proposal and have provided advice to ensure the future development adequately addresses Council's issues.

**6. Is the planning proposal consistent with the applicable state environmental planning policies?**

| SEPP                              | Relevance                                                                                                                                                                               | Consistency and Implications                                                         |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>SEPP (Infrastructure) 2007</b> | Provides a consistent approach for infrastructure and the provision of services across NSW, and to support greater efficiency in the location of infrastructure and service facilities. | Nothing in this planning proposal affects with the aims and provisions of this SEPP. |
| <b>SEPP No. 55 -</b>              | Provides statewide planning controls for                                                                                                                                                | Investigations have been carried out                                                 |

| SEPP                                 | Relevance                                                                                                                                                                                                                                                                                                                                                                                                                             | Consistency and Implications                                                                                                                                                                  |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Remediation of Land                  | the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.                                                                                                                                                                                       | regarding the potential for contamination of the site. There is nothing in the proposed residential parts of the site that identify contamination would be an issue on this part of the site. |
| SEPP No 19 – Bushland in Urban Areas | Protects and preserves bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. The policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.                                                        | Investigations have been carried out to address the bushland on the site and in the adjacent Cantello Reserve. The VPA will secure vegetation land through VMP and land dedication.           |
| REP No. 2 – Georges River Catchment  | Aims to protect the water quality of the Georges River and its tributaries and the environmental quality of the whole catchment. The objectives of the plan are to be achieved through coordinated land use planning and development control. The plan establishes the framework within which local, State and Federal agencies will consult so that there is a consistent approach to planning and development within the catchment. | The proposal does not impact upon the water quality of Georges River.                                                                                                                         |

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

| Ministerial Direction                                | Aim of the Direction                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Consistency and Implications                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ENVIRONMENT and HERITAGE</b>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                          |
| 3.4 Integrating Land Use and Transport               | This Direction requires consistency with the objectives relating to the location of urban land and its proximity to public transport infrastructure, road networks and to improve access to housing, jobs and services by methods other than private transport.                                                                                                                                                                                                                                               | The land is well located to benefit from high levels of accessibility to existing networks and improved access to road and public transport networks. The NBGC provides an important local community facility and meeting place reducing the need for travel to other centres for the range of services it offers.                                                                                       |
| <b>HOUSING, INFRASTRUCTURE and URBAN DEVELOPMENT</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                          |
| 3.1 Residential Zones                                | This Direction requires that a Planning Proposal must include provisions that encourage the provision of housing that will: <ul style="list-style-type: none"> <li>(a) broaden the choice of building types and locations available in the housing market, and</li> <li>(b) make more efficient use of existing infrastructure and services, and</li> <li>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</li> <li>(d) be of good design.</li> </ul> | <p>The residential land on the site represents an infill housing opportunity capable of utilising existing service infrastructure already provided in the area and will deliver a range of dwelling choices including attached, detached and studio type housing.</p> <p>The proposed LEP and DCP planning controls are to ensure good urban design and orientation of future dwellings on the site.</p> |

| <b>HAZARD and RISK</b>                                      |                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.3 Flood Prone Land                                        | Directions aims to reduce the risk of flood and to ensure that the development of flood prone land is consistent with NSW Flood Prone land policy.                           | The land subject to residential rezoning is not considered within the flood planning level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>REGIONAL PLANNING</b>                                    |                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 5.1 Implementation of Regional Strategies                   | Direction requires a draft amendment to be consistent with relevant state strategies that apply to the LGA                                                                   | As outlined in this report, this planning proposal is consistent with the vision and objectives of the Draft South West Sydney Sub Regional Planning Strategy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>LOCAL PLAN MAKING</b>                                    |                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 6.2 Reserving Land for Public Purposes                      | to facilitate the provision of public services and facilities by reserving land for public purposes                                                                          | <p>Clause 4 of the Direction 6.2 states that a planning proposal must not reduce existing zonings or reservations of land for public purposes without the consent of the Director-General.</p> <p>As part of the planning proposal land south of the M5 Motorway will be rezoned from RE1 Public Recreation to RE2 Private Recreation. The land to be rezoned to RE1 will be dedicated to Council and will be embellished and dedicated at no cost to Council which will be administered as part of the Voluntary Planning Agreement. The land that will be dedicated to Council will facilitate future public open space links along the Georges River foreshore.</p> <p>The reclassification of the land will result in the funds being generated by the disposal of the land being redirected to other community amenities within the LGA.</p> |
| <b>METROPOLITAN PLANNING</b>                                |                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 7.1 Implementation of the Metropolitan Plan for Sydney 2036 | The direction requires the relevant planning authority when preparing a planning proposal to ensure it is consistent with the Metropolitan Plan for Sydney 2036 for the LGA. | The site proposes infill development of up to 310 dwellings which will assist in meeting councils infill housing target by 2036 (Objective D1 of plan). A mix of housing is proposed including affordable housing (Objective D2 and D3 of the plan). The site is in close proximity open space and cycle ways. The golf club will promote recreational facilities and provide employment options to western Sydney (Objective E4) The proposal is consistent with the objectives set out in the metropolitan plan.                                                                                                                                                                                                                                                                                                                                |

### ***C. Environmental, social and economic impact***

#### ***8. 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 proposal will include the development of the western elevated part of the golf course (currently containing about 6 fairways) for residential purposes and the re-modelling of the disused holes on the southern side of the M5 Motorway.

On the land proposed for residential purposes, the removal of vegetation adjacent to fairways will be required to enable residential development. It is noted that the Environmentally Sensitive Lands Map accompanying Liverpool LEP 2008 identifies all the areas between fairways on the NBGC course and former Greenwood Golf Course as being environmentally sensitive lands. The existing and former fairways are generally excluded from the mapping. NBGC engaged Anne Clements and Associates Pty Ltd and Ambrose Ecological Services Pty Ltd to review flora and fauna constraints on the site, respectively and concluded as follows:

*“The upper slopes in the western (proposed residential) section of the New Brighton Golf Course has little or no remnant vegetation between fairway vegetation generally consisting of planted trees” (p 92)*

*“All predominantly native vegetation occurring on original soils on the low lying land is an endangered ecological community...meeting...the final determination for River-Flat Eucalypt Forest” (p 92)*

The vegetation on “original soils” on the low lying land is limited having “been modified by filling, construction of dams and former and present golf course activities’...‘failed to meet criteria of any of the listed endangered ecological communities of the coastal floodplain” (p 92)

*On the low-lying land, the between fairway vegetation included bands of degraded remnant bushland. The remnant bushland had been invaded by golf grasses’ .... ‘and other exotic species.” (p92)*

*“The mapping of “Environmentally Significant Land””,... ‘is not supported by the flora assessment. The higher land in the west of New Brighton golf course, existing and former fairways on raised fill on the low lying land and dams do not support predominantly local-native vegetation, hence are not bushland, wetland or wildlife corridors of high conservation value.” (p 93)*

*“There were no flora constraints on the higher land, nor on the fairways and former fairways on the low-lying land and dams.” (p93)*

The recommendations of Anne Clements and Associates include that:-

*The conservational constrained land including between fairway vegetation and adjoining land on the low-lying land should be conserved and carefully bush regenerated as part of a conservation management plan. The aims of the management plan should be to increase the natural resilience of the coastal floodplain vegetation;*

*Any loss of conservation constrained land should be offset in a ratio of 1:8, that is 1ha of constrained land cleared or modified resulting in rehabilitation of at least 8 ha of the existing degraded constrained land as part of the biodiversity off set strategy.”*

The proposed golf course modification and extension is predominantly limited to the existing and former fairways which largely contain re-established vegetation of limited conservation value. Should any conservation constrained land (ie any land that contains River Flat Eucalypt Forest) be affected by the proposal, an appropriate offset strategy will be implemented as a condition of the VPA.

**With regard to the fauna habitats** potentially impacted by the proposed development, it is noted from the assessment by Ambrose Ecological Services Pty Ltd that the potential impacts may be grouped into the following categories:

- loss of native fauna habitat;
- impacts on wildlife corridors;
- impacts on threatened and migratory species;
- disturbance to native wildlife (e.g. noise and human activity).

These are discussed below:-

### **Loss of Fauna Habitat**

With regard to the Biodiversity values, the assessment by Ambrose Ecological found:-

#### **(a) Biodiversity Values**

*The proposed development is unlikely to result in the loss of biodiversity at a local, regional, state or national level. This is because of the relatively small area to be developed, the degraded nature of habitats that presently occurs over much of the site, the unlikelihood of the status of threatened or regionally significant species being significantly placed at risk, and the broader distribution of other fauna and flora species.*

#### **(b) No Net Loss Policy**

*The proposed development will require the removal of some bushland on the subject site, notably the rezoning of higher land in the western part of the New Brighton Golf Course for residential development. The loss of this fauna habitat will be offset by the creation of a riparian zone along the western bank of the George's River on New Brighton Golf Course, and the protection and enhancement of remnant vegetation between fairways on New Brighton and Greenwood Golf Courses.*

### **Impacts on Wildlife Corridor**

With regard to the impact on wildlife corridors, the assessment by Ambrose Ecological found:-

*The subject site is part of a regional wildlife corridor that occurs along the western bank of the Georges River. Remnant vegetation within the subject site helps provide a continuous wildlife corridor link between fauna habitats to the north and south of the site, as well as local wildlife corridors through both golf courses.*

*These corridors will be retained and not fragmented by the proposed development. Their value as habitat for native fauna will be enhanced with the implementation of an appropriate Vegetation Management Plan, which will include landscaping these remnants with locally-native groundcover and shrub planting species, provision of boulders, logs and other fallen timber, and ongoing and effective weed control.*

### **Impacts on Threatened Species**

With regard to the impact on threatened species, the assessment by Ambrose Ecological found:-

*Two threatened fauna species, the Green and Golden Bell Frog (*Litoria aurea*) and Eastern Bentwing Bat (*Miniopterus schreibersii*) were recorded on the*

subject site. There is potential habitat for an additional 10 threatened species, three of which (Square-tailed Kite, Regent Honeyeater and Swift Parrot) are infrequent vagrants to the locality and would not be regular visitors to the subject site.

Seven-part tests in Appendix C (of the Ambrose Ecological Report) conclude that the proposed development would not significantly impact on the status of the Green and Golden Bell Frog (*Litoria aurea*), Glossy Black-Cockatoo (*Calyptrorhynchus lathami*), Barking Owl (*Ninox connivens*), Grey-headed Flying-fox (*Pteropus poliocephalus*), Eastern False Pipistrelle (*Falsistrellus tasmaniensis*), Eastern Bentwing Bat, Large-eared Mouse-eared Bat (*Myotis adversus*), Greater Broad-nosed Bat (*Scoteanax ruepelli*) and the Cumberland Plain Land Snail (*Meridolem corneovirens*) provided that the recommendations in Section 4.3 (of the Ambrose Ecological Report) are implemented.

One nationally vulnerable fauna species (the Grey-headed Flying-fox) may potentially occur within the forested areas of the subject site. Two nationally endangered fauna species (Swift Parrot, Regent Honeyeater) may very occasionally occur on the subject site as vagrants.

The Grey-headed Flying-fox is a highly mobile species and the proposed development of the subject site would not hinder the movement of this species to the extent that a population would be fragmented. In the Sydney region, this species congregates in areas where there is prolific flowering of Swamp Mahogany (*Eucalyptus robusta*) and/or Coast Banksia (*Banksia integrifolia*). Neither of these species occurs within the subject site.

The Swift Parrot and Regent Honeyeater may occasionally feed on the nectar of eucalypts and other trees when these trees are flowering within the subject site. However, there are no limiting resources for these two species on the subject site.

### **Impacts on Migratory Species**

With regard to the impact on migratory species, the assessment by Ambrose Ecological found:-

The Black-faced Monarch (*Monarcha melanopsis*), Satin Flycatcher (*Myiagra cyanoleuca*), Rufous Fantail (*Rhipidura rufifrons*) and Regent Honeyeater (*Xanthomyza phrygia*), may occasionally forage within the canopy in forested areas of the subject site. The Swift Parrot (*Lathamus discolor*) may occasionally forage within the canopy in woodland areas of the subject site, but this species is likely to be, at best, occasional vagrants to the site. Latham's Snipe (*Gallinago hardwickii*), Cattle Egrets (*Ardea ibis*) and Great Egrets (*Ardea alba*) may occasionally forage in the disturbed, cleared areas of the subject site. Fork-tailed Swifts (*Apus pacificus*) and White-throated Needletails (*Hirundapus caudacutus*) may occasionally fly high over the subject site. The area of habitat that would be cleared from the subject site is a negligible amount of area available to these species. Therefore, the proposed development will not destroy or isolate an area of important habitat of nationally-listed migratory species.

The proposed development will not disrupt the lifecycle of an ecologically significant proportion of migratory species populations because the subject site or adjoining areas do not support significant proportions of these populations.

### **Disturbance to Native Wildlife**

With regard to the impact on native wildlife species, the assessment by Ambrose Ecological found:-

*All the fauna species that were recorded on the subject site commonly occur in urban areas of metropolitan Sydney. These species are already subject to high levels of disturbance on and around the subject site, including those caused by golfing activities, use of motorised machinery in maintaining the golf course, motorised boat transport along Georges River, (both large and small) aeroplanes flying overhead, vehicular traffic travelling along the M5 Motorway, and artificial lighting and industrial development of the surrounding urban landscape. Yet, they still occur on the subject site, suggesting that they have habituated to such disturbances.*

*Species that are more sensitive to human disturbances, such as some nocturnal native mammals (e.g. glider species) have not been, and probably will not be, recorded on the subject site because of the current levels of disturbance and habitat loss in and around the subject site.*

Ambrose Ecological recommends the implementation of a Green and Gold Bell Frog Management Plan, restoration of the proposed foreshore reserve with riparian vegetation as well as other measures to be implemented during construction.

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

The environmental effects specifically reviewed for the residential component of the development include:-

- Acoustic investigations to ensure an economic and viable solution to treat dwellings. In this regard it is noted that traffic noise from the M5 Motorway will exceed noise maximums for dwellings in proximity to this road infrastructure. The report includes the results of modelling with and without a 4m high acoustic barrier.
- The approach to addressing road traffic noise with the subject proposal is to construct attached two storey dwellings (potentially in pairs) parallel to the boundary of the M5 Motorway. These will be specifically designed to incorporate suitable noise attenuation measures and internal design to achieve acoustic compliance. The attached dwellings will act as a secondary noise wall protecting the remainder of the subdivision from Motorway traffic noise. Additional noise barriers are required adjacent to the telecommunication tower and other gaps between dwellings adjacent to the boundary.
- Flooding and Water Sensitive Urban Design investigations confirm that the proposed residential development and site for the new golf clubhouse is located above flood level and that the proposed residential subdivision can utilise the existing golf course dams to retain and treat stormwater from the development prior to discharge through drainage lines within the golf course.
- A 'Stage One' Contamination Assessment (including discussion of acid sulphate soils) found that the site does not appear to have been subject to widespread development or excavation. Historic aerial photographs indicate that the site has remained as a golf course with some dams and minor associated buildings for a prolonged period. There have been areas of cut and fill predominantly associated with construction of tees and greens and for draining the fairways. An acid soil management plan will be prepared if existing surfaces are disturbed.
- A Preliminary Bushfire Constraints Report prepared by Australian Bushfire and Protection Planners Pty Ltd identifies that there is no requirement to provide asset protection zones between the golf course and residential development. The report also identifies access for fire fighting operations and water supply requirements.
- A Transport Assessment of the proposed residential zoning of the site found that the proposal would generate approximately 229 vehicles in the peak hour (based on worst case scenario modelling assuming no reduction of trips from public transport). The intersection of Nuwarra Road and Heathcote Road and Nuwarra Road with Newbridge Road are both operating at or near capacity.

The analysis shows that the impacts brought about by the development of the NBGC (including the Georges Fair estate to the north with 7432 vehicle trips in peak hour) would be negligible and not worsen the operational performance of the network beyond that to be experienced with the Georges Fair development.

Although the NBGC additional traffic generation is marginal, the assessment recognises that the combination of the Georges Fair and NBGC development will necessitate the need for modifications to key intersections. The assessment goes on to note that the RTA pinch point program can address the required upgrades however further assessment would be required to incorporate the proposed changes to land uses.

Opportunities exist to achieve mode shift from private car to public transport. It is assumed that the modifications to bus route M90 along Brickmakers Drive will attract potential users. Current initiatives to expand pedestrian and cycling in the vicinity of the site will also have benefits.

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

The proposed development will have a net social benefit in that locality considering it involves relocation and redevelopment of the existing club facilities. The potential inclusion of a childcare centre and gym will provide further facilities in the area for the local community. The benefit from this rezoning includes the long term viability of the club, the provision of housing choice and secures infrastructure eg shared cycleway to promote recreation activity.

The assessment of European heritage found there are no issues in relation to European heritage.

The Aboriginal archaeological assessment has identified 3 potentially sensitive areas based on proximity to natural water bodies. Two of these areas are adjacent to the Georges River, while one is at the eastern extent of the proposed residential area. The potentially sensitive area within the residential area has been identified on the basis that the line of dams traversing across the slope may have previously been a watercourse. Subsequent detailed inspection of this area, review of aerial photographs and discussions with and documents produced by the NBGC confirm that this was not a watercourse given the topography runs directly toward the river. The club has advised it constructed the dams across the base of the slope to capture hillside flows to then enable the collected water in dams to irrigate fairways by gravity means.

The two remaining sensitive sites are not within areas to be developed as they are located on the golf course and foreshore reserve. The golf course construction will occur with minor filling to raise tees and greens, leaving any artefacts in the topsoil undisturbed.

The Planning Proposal will be accompanied by a draft Voluntary Planning Agreement (Draft Schedule of Works Attachment 1) to address social and economic impacts of the development which will include:-

- Compensation for the re-establishment for the fairways holes on the southern side of the M5 located on Liverpool Council land;
- The dedication of the foreshore reserve;
- The planting of the foreshore reserve with riparian vegetation (which will contribute to any off set required);
- Establishment of a walking/cycling trail through the foreshore reserve, adjacent to the northern boundary and along the residential frontage;
- The provision of local open space for the development and recreation facilities as part of the community title of the proposed subdivision.

The draft Voluntary Planning Agreement incorporates Staging to reflect the overall Delivery Strategy. That is the Golf Course reconstruction is earmarked to start by creating, in the first instance, new holes on the southern side of the M5 motorway enabling the existing golf course to continue to operate as normal. Once complete, the holes adjacent to the Georges River and within the residential area can be de-commissioned and the new holes (south of the M5 Motorway) incorporated as playable holes as part of the new golf course.

## **D. State and Commonwealth interests**

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

The applicant has provided a Servicing Report which states there are adequate services and utilities available for the proposed development.

### **12. 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?**

The applicant has previously discussed the proposal with Interlink (who has advised it represents the Roads and Traffic Authority for the purposes of securing an agreement under the Motorway) and Interlink valuations provided by the NBGC to establish a value. Interlink has advised that they agree “in principle” with the creation of access for golfers and the general public to be granted under the M5 Motorway, subject to compensation.

## **Part 4 - Community Consultation**

The Gateway Determination will stipulate the required community consultation. The public exhibition will be carried out in accordance with the document “A guide to preparing local environmental plans”.

A report on the public authority and community consultation outcomes will be presented to Council for its consideration following the public exhibition period.

**Attachment 1 – Draft Schedule of Works**

| Items of Work                                                                                                                                                                                                | Completion of Golf Course (south of M5) | Development Application for first residential Lot | First lot of Residential Area | Adjacent fronting lots in Residential Area | All lots in Residential Area |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------------|-------------------------------|--------------------------------------------|------------------------------|
| 2.5m wide pedestrian/bike path, being:<br>– Schedule 4 (along Georges River foreshore)<br>– Item of Work 1<br>– Description of Work (a).                                                                     |                                         |                                                   |                               |                                            | ✓                            |
| 2.5m wide pedestrian/bike path, being:<br>– Schedule 4 (linking Georges River foreshore and residential land adjacent to the northern boundary of the site<br>– Item of Work 1<br>– Description of Work (b). |                                         |                                                   |                               |                                            | ✓                            |
| 2.5m wide pedestrian/bike path (being:<br>– Schedule 4 (within the residential area in accordance with figure 5 of the DCP),<br>– Item of Work 1<br>– Description of Work (c).                               |                                         |                                                   |                               | ✓                                          |                              |
| Completion of a Vegetation Management Plan defining planting offsets required as a consequence of any possible clearing works, being:<br>– Schedule 4<br>– Item of Work 2<br>– Description of Work (a).      |                                         | ✓                                                 |                               |                                            |                              |
| Riparian and offset planting within the Public Recreation Land and golf course land, being:<br>– Schedule 4<br>– Item of Work 2<br>– Description of Work (b).                                                |                                         |                                                   |                               |                                            | ✓                            |
| Construction of perimeter fence around basin located on the southern boundary of Lot 2210 DP1090818, being:<br>– Schedule 4                                                                                  | ✓**                                     |                                                   |                               |                                            |                              |

|                                                                                                                                                                                                                                   |   |  |  |  |   |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|--|--|---|--|
| <ul style="list-style-type: none"> <li>Item of Work 2</li> <li>Description of Work (c).</li> </ul>                                                                                                                                |   |  |  |  |   |  |
| Landscaping and where nominated Community Facilities* within various parks on the residential land, being: <ul style="list-style-type: none"> <li>Schedule 4</li> <li>Item of Work 2</li> <li>Description of Work (d).</li> </ul> |   |  |  |  | ✓ |  |
| Street trees, being: <ul style="list-style-type: none"> <li>Schedule 4</li> <li>Item of Work 2</li> <li>Description of Work (e).</li> </ul>                                                                                       |   |  |  |  | ✓ |  |
| Reconstruction of Cantello Reserve Dog Park within Cantello Reserve, being: <ul style="list-style-type: none"> <li>Schedule 4</li> <li>Item of Work 2</li> <li>Description of Work (f).</li> </ul>                                | ✓ |  |  |  |   |  |
| Pedestrian access under the M5 Motorway, being: <ul style="list-style-type: none"> <li>Schedule 4</li> <li>Item of Work 3</li> <li>Description of Work (a).</li> </ul>                                                            | ✓ |  |  |  |   |  |
| Local drainage measures, being: <ul style="list-style-type: none"> <li>Schedule 4</li> <li>Item of Work 4</li> <li>Description of Work (a).</li> </ul>                                                                            |   |  |  |  | ✓ |  |

\*The Community Facilities will be provided by the Developer at its expense and placed in the Community ownership to reduce Council's ongoing maintenance

\*\* The permitter fencing shall be completed prior to the dedication of area A5 to council (refer to 'Land swap Plan' provided in annexure 5 for location of area 5). The final type of fencing shall permit species migration and must be approved by Liverpool Council prior to commencement of construction.

## Attachment 2 – General Requirements for classification or reclassification of land through local environmental plans and planning proposals

| Lt Cantello Reserve                                                                                                                                                                    |  | Property Address                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposed Zone                                                                                                                                                                          |  | Rezone parcel from RE1 Public Recreation to RE2 Private Recreation.                                                                                                           |
| Council's proposed future use of the land                                                                                                                                              |  | The reclassification will allow council to sell the land to enable golf holes to be rebuilt in this area.                                                                     |
| Site Specific requirements                                                                                                                                                             |  | No changes proposed to development controls.                                                                                                                                  |
| The nature of council's interest in the land                                                                                                                                           |  | Council owns the subject property currently classified as community.                                                                                                          |
| How and when the interest was first acquired                                                                                                                                           |  | Dedication Dated: 5 November 1985                                                                                                                                             |
| Why council acquired an interest in the land                                                                                                                                           |  | Public Reserve (Lt Cantello Reserve)                                                                                                                                          |
| Any agreements over the land                                                                                                                                                           |  | None Known                                                                                                                                                                    |
| The magnitude of any financial gain or loss from the reclassification and the type of benefits the council wants, (how the council may or will benefit financially)                    |  | The net proceeds of the sale of the land to NBGC will be credited towards the Property Reserve.                                                                               |
| The asset management objectives being pursued, the manner in which they will be achieved and the type of benefits the council wants, (how the council may or will benefit financially) |  | The reclassification of the site will allow Council to sell the land and the finances generated by this process will go into a property reserve fund.                         |
| Is there an agreement for the sale or lease of the land? If yes, what are the details of this agreement and, if relevant, when council intends to realise its assets.                  |  | The Developer has offered to enter into a Voluntary Planning Agreement which will secure among other items of works the dedication of foreshore land along the Georges River. |
| Other relevant matters                                                                                                                                                                 |  | N/A                                                                                                                                                                           |

### **Attachment 3 –Indicative layout and How is a Studio created / subdivided?**

For the New Brighton Golf course development, it is intended that a community title lot of at least 600sqm is created. The developer would then seek approval for two detached dwellings with 5 garage parking spaces and studio floor space above. The two dwellings and studio flat would be strata subdivided in accordance with image 2 (sample Strata plan).

Please see images below.

- Image 1 (Lot 40100) would be the lot that would be created via subdivision
- Image 2 shows how lot 40100 is strata subdivided into three lots
- Image 3 shows the floor plan of ground floor and first floor or the studio.

DRAFT

Image 1 Community title plan



Image 2 Strata Plan

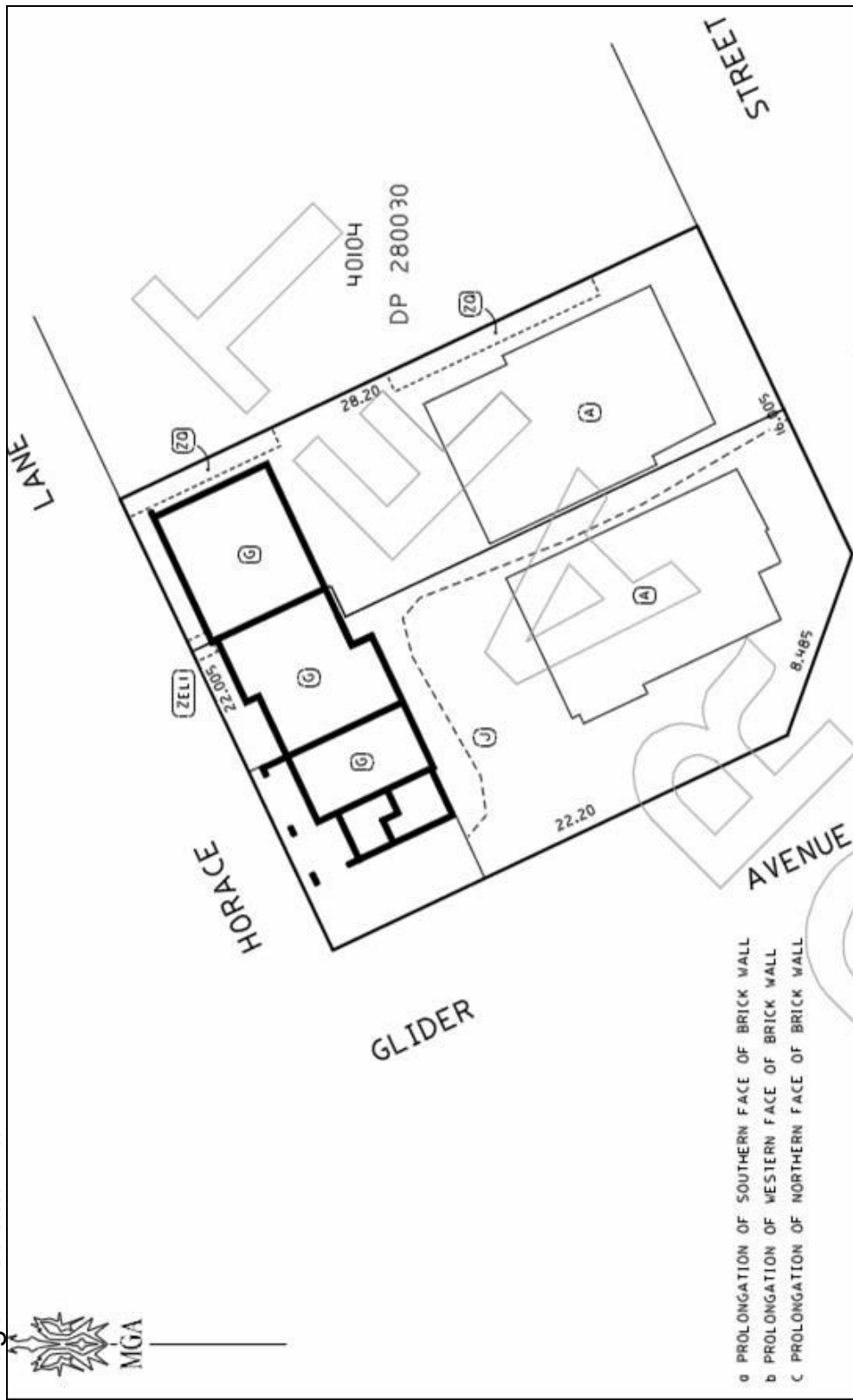


Image 3 – Shows floor plan of ground floor and first floor or the studio

