

Planning Proposal

Elizabeth Hill

Proposed amendment to Liverpool Local Environmental Plan 2008

Submitted to
Liverpool City Council
On Behalf of Mirvac Homes (NSW) Pty Limited

October 2011 ■ 11105

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Executive Summary

This Planning Proposal has been prepared by JBA Planning on behalf of Mirvac Homes (NSW) Pty Limited in regard to land at Elizabeth Hills.

This Planning Proposal is submitted to Liverpool City Council (Council) to support a request by Mirvac Homes (NSW) Pty Limited to initiate the preparation of a site specific Local Environmental Plan (LEP) relating to the site in accordance with Section 55 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). In particular the following amendments are proposed to Liverpool Local Environmental Plan 2008:

- Decrease the amount of land zoned SP2 Infrastructure;
- Increase the area of land zoned B1 Neighbourhood Centre;
- Relocate the detention basin spill way (land zoned SP2 Infrastructure) between the B1 Neighbourhood Centre zone and the R3 Medium Density Residential zone;
- increase in the size of the R3 and R2 zones;
- amend the land acquisition map such the area to be acquired reflects the revised basin design; and
- amend the Floor Space Ratio, Height and minimum lot size maps so as to reflect the reconfigured zoning of the site.

The site is located approximately 6.5km west of the Liverpool CBD on Cowpasture Road within the new suburb of Elizabeth Hill (Formerly known as the Hoxton Park Aerodrome).

The above amendments are sought as a result of the surplus of land zoned SP2 Infrastructure which are no longer required for drainage purposes following the more detailed and revised design of detention basin 6. When the land was originally zoned under the Liverpool LEP, only a conceptual design of the northern detention basin had been prepared and consequently a generous portion of the site was zoned SP2 Infrastructure so as to ensure that the future design of the basin could be easily accommodated on the site. During the detailed design of the basin it was established that the basin did not require as much of the site that had been allocated for that purpose and consequently it is proposed to adjust the zoning of the land areas adjoining detention basin 6.

As detailed throughout this report, the Planning Proposal will have a number of positive impacts, including the development of a better buffer between the industrial zoned land and residentially zoned land, whilst not resulting in any material (significant adverse) environmental impacts. Consideration has also been given to the consistency of the proposed rezoning and land use activity with all the applicable state, regional and local planning policies.

The assessment has found that the proposed amendment is supportable on environmental grounds and it is requested that Council consider this application favourably and proceed with the process of amending the LEP.

1.0 Introduction

This Planning Proposal has been prepared by JBA Planning on behalf of Mirvac Homes (NSW) Pty Limited in regard to land at Elizabeth Hills.

This Planning Proposal is submitted to Liverpool City Council (Council) to support a request by Mirvac Homes (NSW) Pty Limited to initiate the preparation of a site specific Local Environmental Plan (LEP) relating to the site in accordance with Section 55 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

The purpose of the site specific LEP is to identify specific development that may be carried out with consent on the site through an amendment to the zoning map (Sheet 7) of *Liverpool Local Environmental Plan 2008* (Liverpool LEP 2008).

As required by Section 55 of the EP&A Act, this Planning Proposal includes the following:

- a statement of the objectives or intended outcomes of the proposed instrument;
- an explanation of the provisions that are to be included in the proposed instrument;
- the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directors under section 117);
- plans showing the proposed amendments to the zoning, height, FSR and lot size maps to indicate the effect of the proposal; and
- details of the community consultation that would be expected to be undertaken by Mirvac Homes (NSW) Pty Ltd before consideration is given to making of the proposed instrument.

The Planning Proposal has been prepared having regard to *A guide to preparing local environmental plans* and *A guide to preparing planning proposals* published by the Department of Planning (DoP) in July 2009. It has also been prepared following preliminary discussions with planning officers at Council and also the Department of Planning.

The objective outcome of the Planning Proposal and LEP amendment is to enable the:

- rezone surplus land that is zoned SP2 Infrastructure to make more efficient use of the site;
- reconfigure of building height, FSR and lot size controls so as to correspond with the revised zoning; and
- amend the land acquisition map such that it reflects the amended basin design.

It is requested that the Council forward the Planning Proposal to the Minister for Planning for Gateway determination in accordance with Section 56 of the EP&A Act. The Gateway determination by the Minister will decide:

- whether the matter should proceed (with or without variation);
- whether the matter should be resubmitted for any reason (including for further studies or other information, or for the revision of the Planning Proposal);
- the community consultation required before consideration is given to the making of the proposed instrument;

- any consultation required with State or Commonwealth public authorities that will or may be adversely affected by the proposed instrument;
- whether a public hearing is to be held into the matter by the Planning Assessment Commission or other specified person or body; and
- the times within which the various stages of the procedure for the making of the proposed instrument are to be completed.

2.0 Site Analysis

2.1 Site Location and Context

The site is located approximately 6.5km west of the Liverpool CBD on Cowpasture Road within the suburb of Elizabeth Hills (Formerly known as the Hoxton Park Aerodrome). The site is bounded by the M7 Motorway to the west, Len Waters Industrial Estate and Cowpasture Road to the south, Hinchinbrook Creek to the east and the proposed residential suburb of Elizabeth Hills to the north (Figure 1). The site is located within the Liverpool LGA.



 The Site

Figure 1 – The Site

2.2 Site Description

The site to the south has been cleared of all former airport structures and construction has commenced on the two Woolworths warehouse buildings which were approved under Concept Plan Approval MP10_0007 and Project Applications MP10_0009 (Big W) and MP10_0010 (Dick Smith). A photo of the subject site in the foreground with the warehouse buildings located to the south can be seen in **Figure 2**.



Figure 2 – Elizabeth Hills in the foreground and warehouse buildings being constructed as viewed looking towards the south

Source: Mirvac Homes Pty Limited



Figure 3 – Subject site Elizabeth Hills as viewed looking east

Source: Mirvac Homes Pty Limited

3.0 Planning Controls

3.1 Liverpool Local Environmental Plan 2008

3.1.1 Existing and Proposed Zoning

The *Liverpool Local Environmental Plan 2008* (Liverpool LEP) currently provides the planning framework for future development within the Liverpool Local Government Area and the site. It identifies land use zones within which certain land uses are permissible or prohibited. It also includes a number of clauses containing provisions that must be considered in determining development applications.

On 29 August 2008, the *Liverpool Local Environmental Plan 2008* (Liverpool LEP) came into force. Under the Liverpool LEP, the subject site was zoned a mix of IN 1 General Industrial, IN2 Light Industrial, RE1 Public Recreation, SP2 Infrastructure and E3 Environmental Management. However, the current zoning was delayed until such time that airport operations had ceased on the land.

The airport ceased operating in December 2008 and a Voluntary Planning Agreement relating to the dedication and regeneration of the riparian lands, installation of stormwater infrastructure and construction of a new road / bridge crossing was signed between the landowner and Liverpool City Council.

The relevant zones that currently apply to the site are shown in Figure 3 and are set out in **Table 1** below.

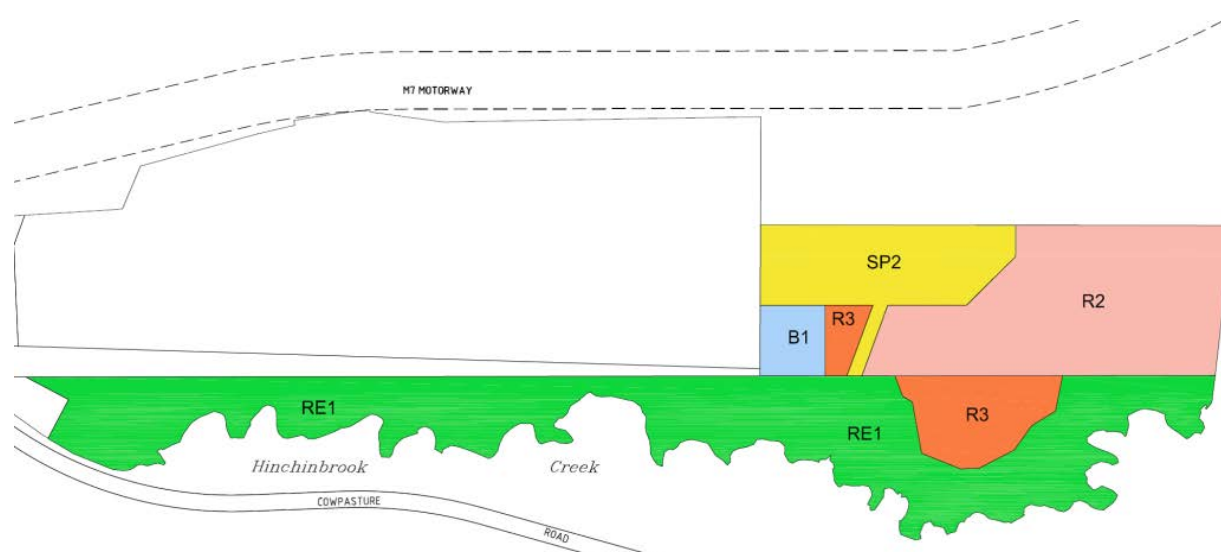


Figure 4 - Current Zoning Liverpool LEP 2008

Table 1 – Relevant Zones under Liverpool LEP2008

Issue	Standard
Zone	■ B1 – Neighbourhood Centre; ■ R2 – Low Density Residential; ■ R3 – Medium Density Residential ; ■ RE1 – Public Recreation; and ■ SP2 – Infrastructure.

When the land was originally zoned under the Liverpool LEP, only a conceptual design of the northern detention basin had been prepared and consequently a generous portion of the site was zoned SP2 Infrastructure so as to ensure that the future design of the basin could be easily accommodated on the site. This design philosophy was further reinforced in provisions of the VPA whereby Council has an obligation to consider in good faith, any information by the developer in relation to whether that part of the land zoned SP2 infrastructure (drainage) is in excess of the land reasonably required for drainage and detention in the locality. Should Council form the view that the land is so zoned in excess of the land required, the Council is to use its best endeavours to have such of the land zoned SP2 infrastructure (drainage) rezoned for an appropriate land use (refer clause 3.10 of the VPA at **Appendix C**).

Mirvac commissioned ADW Johnson to undertake a review of the basin design, prepared by J. Wyndham Prince which identified a number of inefficiencies and impractical items that were associated with the original design Council had in principally agreed with HPAL (owner of the site at the time).

Since the review by J. Wyndham Prince, ADW Johnson has progressed the detailed design of the basin which has now been approved (see Notice of Determination at **Appendix B**) and construction has commenced. The approved design of Basin 6 provides for a peak storage of 136,827m³ which is sufficient to meet Council's requirements for the 1:100 year ARI, as opposed to the original concept which require 136,330m³ storage.

In light of the revised basin design and extent, in accordance with Councils obligations under the VPA, it is proposed to adjust the zoning of the land areas adjoining the proposed new northern basin 6. These amendments include, adjusting the B1 area so as to provide a larger buffer between the industrial warehouse uses and residentially zoned land, swapping the locations of R3 zone and the spillway for the detention basin in accordance with the design of the basin and an increase in the size of the R3 and R2 zones as a result of the reduced basin area.

It is also proposed to amend the Floor Space Ratio, height and lot size maps to reflect the revised zoning of the site.

The existing and proposed zoning is shown in **Figures 4** and **5** respectively. The areas of the different zones are provided in **Table 2**. Please note as a result of not being able to obtain a CAD drawing from LCC these areas are approximate only and defined from a PDF version of LCC's LEP. It would be appreciated if Council could make available a CAD drawing of their LEP zoning map in order for an accurate measurement to be undertaken. Copies of the existing and proposed zoning plans in addition to the existing and proposed building height, floor space ratio and lot size maps are included at **Appendix A**.

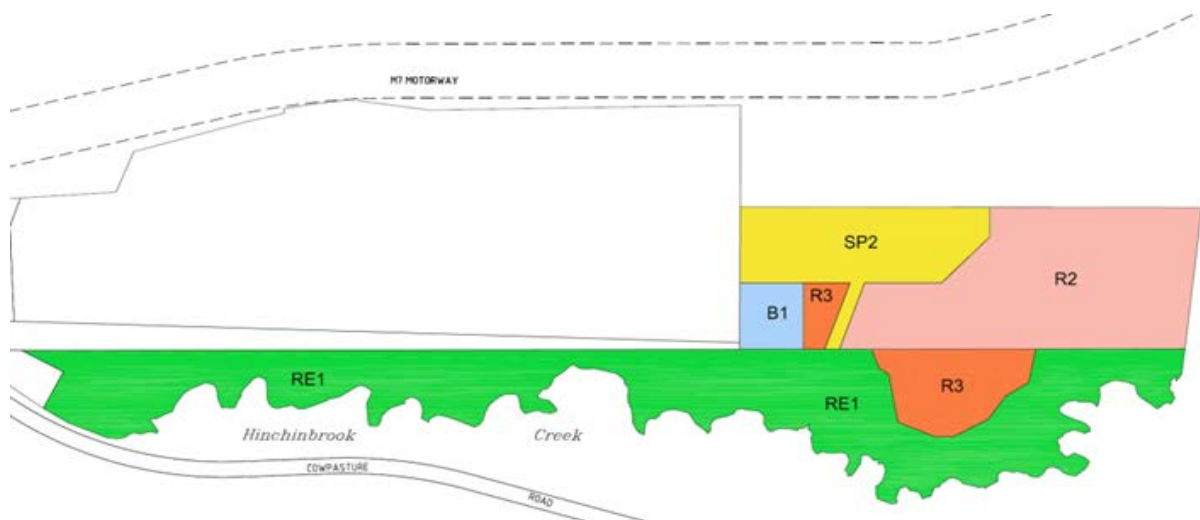


Figure 5 - Existing zoning

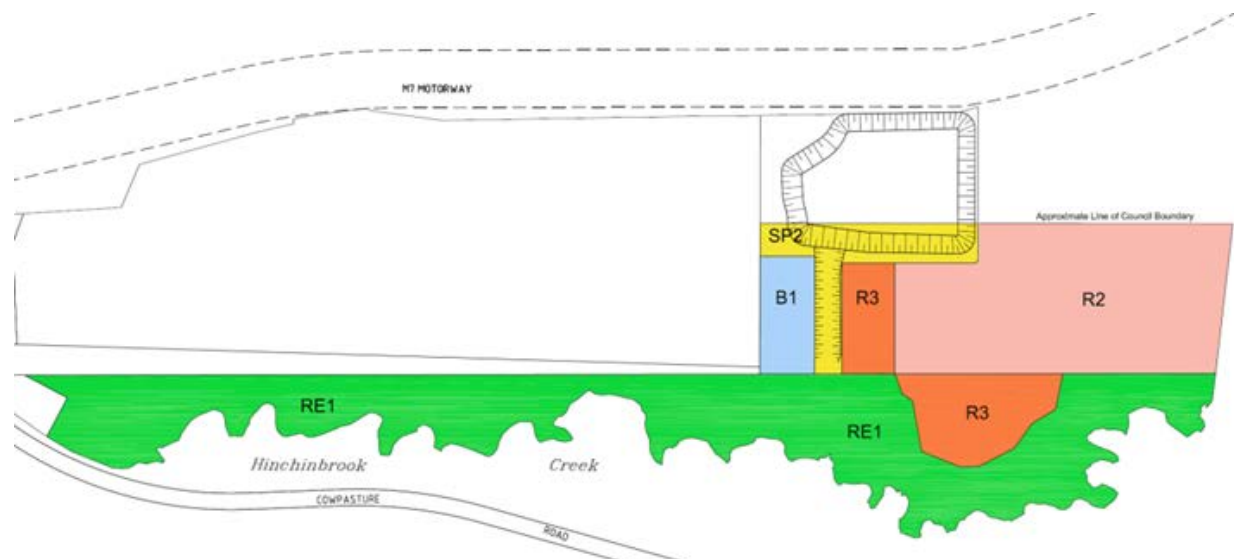


Figure 6 – Proposed zoning

Table 2 – Approximate areas of proposed zoning amendments

Zone	Current (m ²)	Proposed (m ²)	Difference (m ²)
SP2	46,770	25,992	-20,778
B1	10,518	14,778	+4,260
R2	97,347	106,044	+8,697
R3	30,871	38,700	+7,829

Source: Mirvac Homes (NSW) Pty Limited

3.1.2 Existing and Proposed Height, Floor Space Ratio and Lot Size

As a result of the proposed revised zoning, and as a matter of procedure, it is also proposed to amend the Height, Floor Space Ratio (FSR) and Lot Size controls such that they reflect the proposed zoning of the site. The existing and proposed height controls are provided in **Figures 7** and **8** respectively. The existing and proposed FSR controls are provided in **Figures 9** and **10** respectively and the proposed lot size figures are shown in **Figures 11** and **12**.

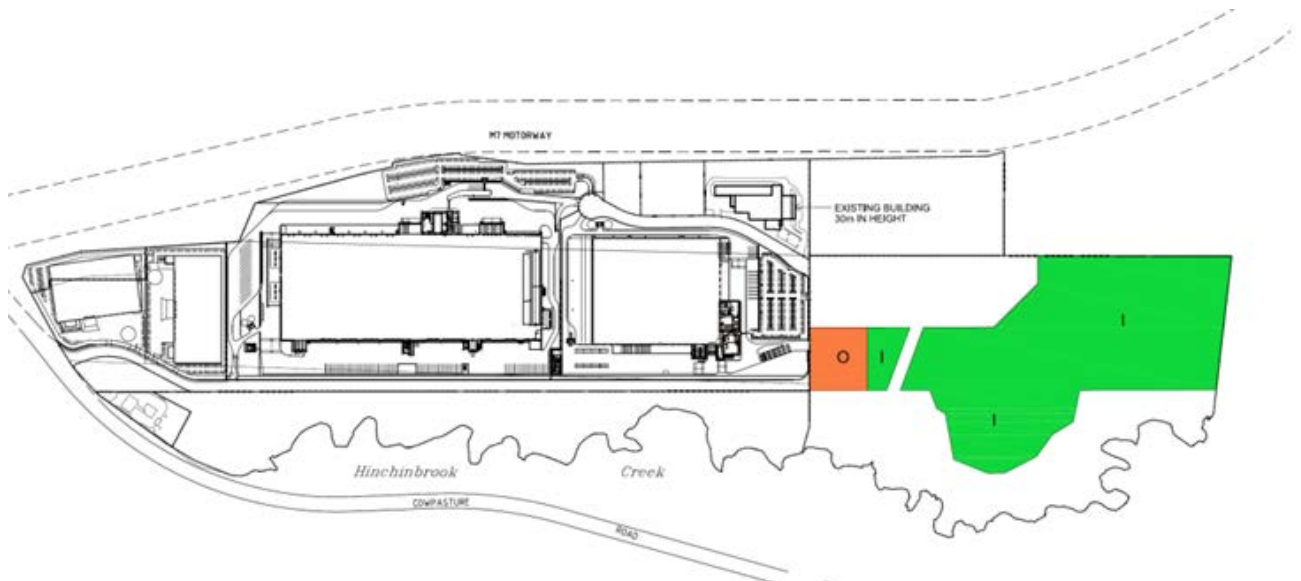


Figure 7 – Existing height controls

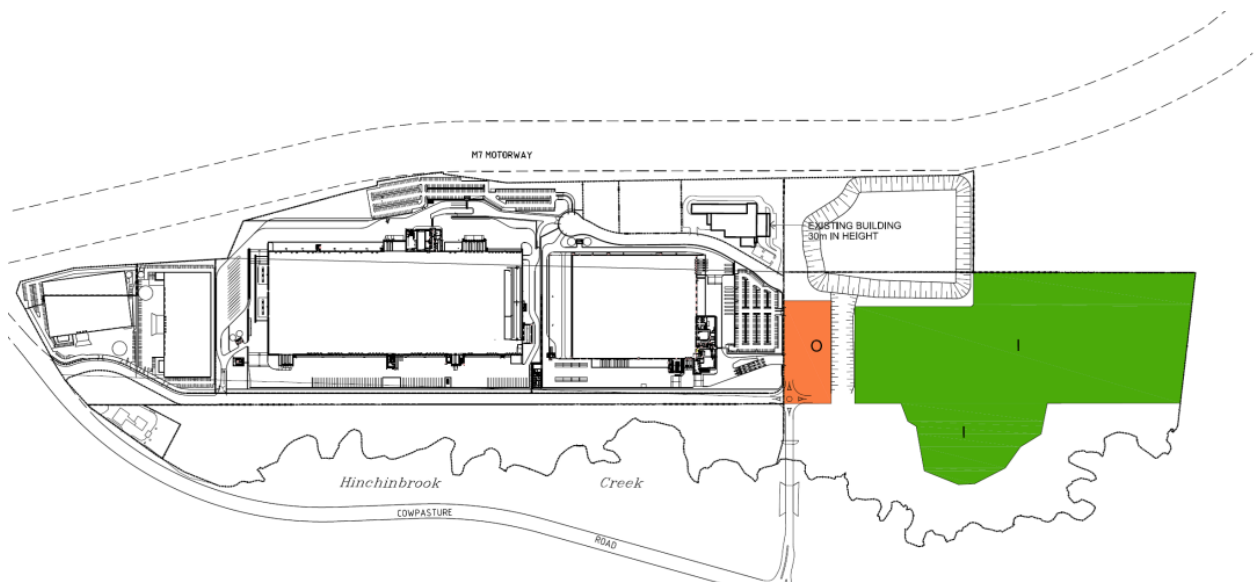


Figure 8 – Proposed height controls

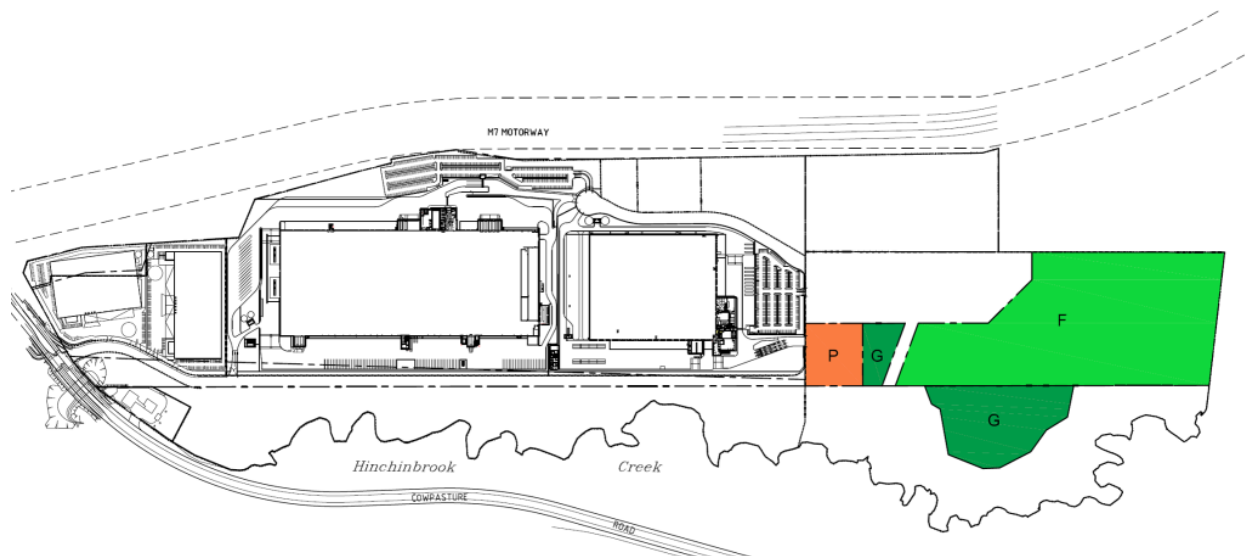


Figure 9 – Existing FSR controls

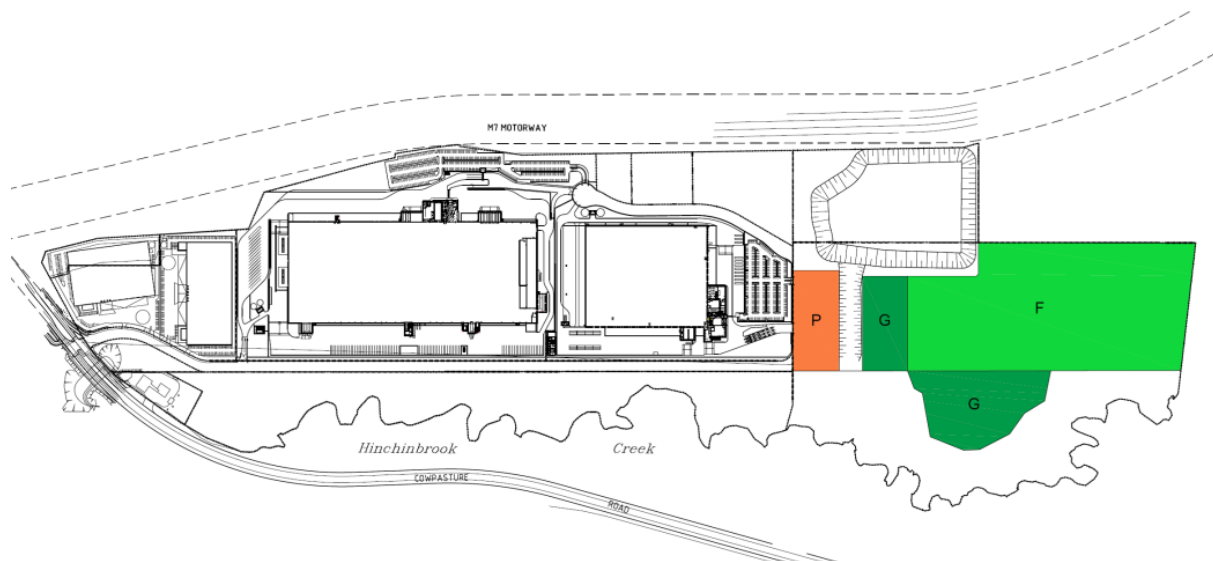


Figure 10 – Proposed FSR controls

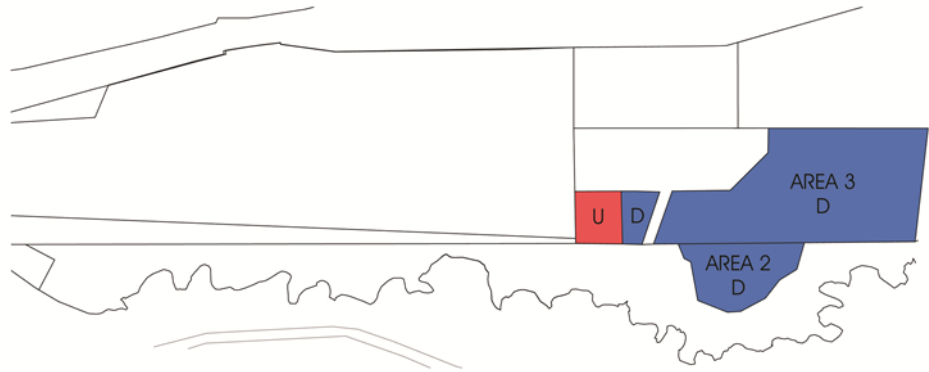


Figure 11 – Existing Lot Size Map

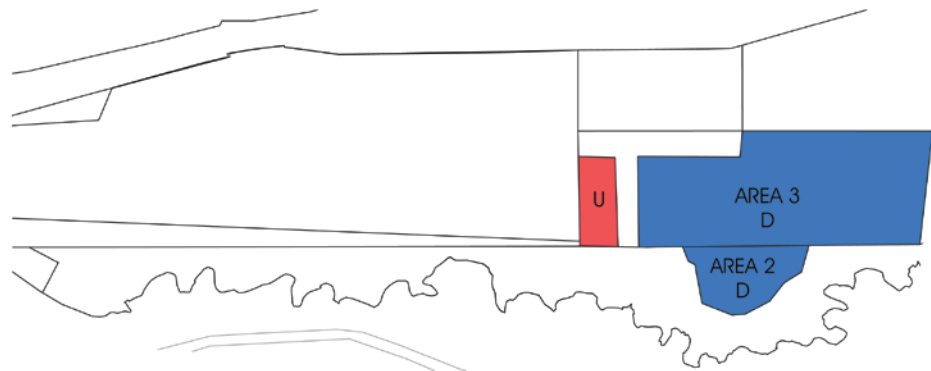


Figure 12 – Proposed Lot Size Map

3.1.3 Land Acquisition Map

As the amount of land required for drainage / infrastructure purposes has reduced, it is proposed to amend the land acquisition map such that it reflects the revised basin design. The proposed change will result in the amount of land to be acquired being reduced from 46,770m² down to 25,992m². As shown in **Figures 13** and **14**.

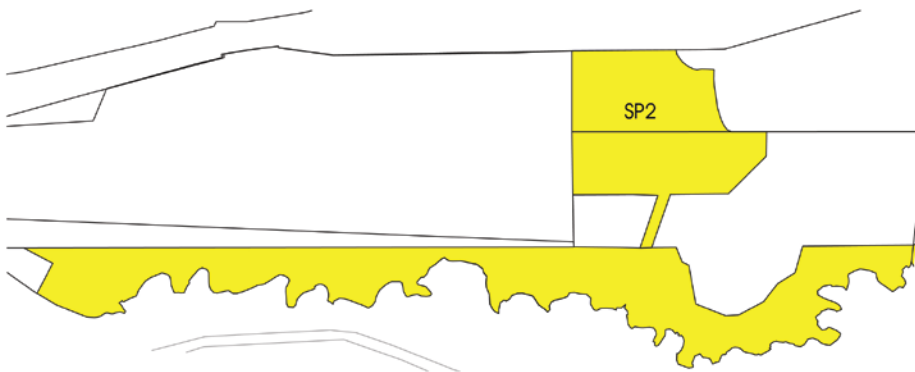


Figure 13 – Existing Land Acquisition Map

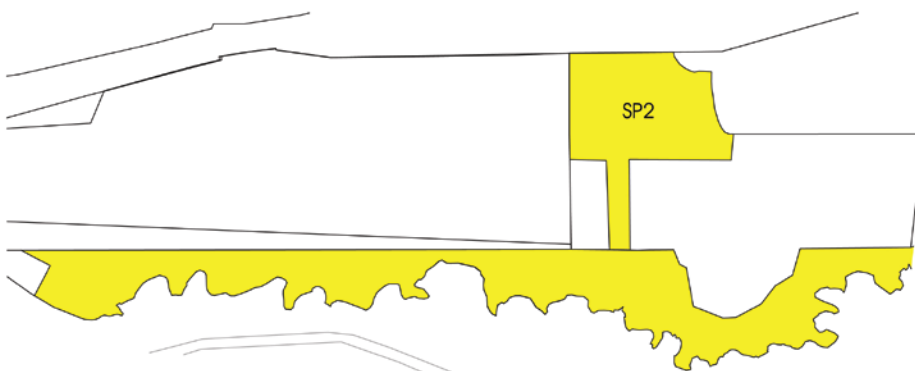


Figure 14 – Proposed Land Acquisition Map

4.0 Planning Proposal

The following section is structured generally in accordance with *A guide to preparing Planning Proposals* (DoP, 2009) as follows:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification;
 - Need for the Planning Proposal;
 - Relationship to strategic planning framework;
 - Environmental, social and economic impact;
 - State and Commonwealth interests; and
- Community consultation.

4.1 Objectives and Intended Outcomes

The primary objective of this Planning Proposal is to rezone excess land as a result of the revised design of the northern detention basin.

The outcome of the Planning Proposal will result in:

- the effective use of the land;
- sustainable development; and
- better residential amenity due to greater buffer between the industrial and residential zones.

To achieve this, the Planning Proposal seeks to:

- rezone the land immediately north of the industrial zone to reduce the size of the SP2 Infrastructure Zone and as a result of the revised layout of the northern basin 6, and revise the B1 Neighbourhood Centre Zone and R2 & R3 Residential Zones; and
- reconfigure of building height, FSR and lot size controls so as to correspond with the revised zoning.

4.2 Explanation of Provisions

This section provides an explanation of the proposed provisions of the LEP amendment. Terms used in this description have the same meaning as in the EP&A Act and the *Liverpool City LEP 2008*. The equivalent definitions from the Standard Instrument have been noted.

In particular, the planning proposal seeks to amend the following LLEP Maps:

- Land Zoning Map Sheet LZN-007
- Floor Space Ratio Map Sheet FSR-007
- Height of Building Map Sheet HOB-007
- Lot Size Map Sheet LSZ-007

Land to which the Plan will apply

The land proposed to be rezoned is legally described as Lot 5050 in DP1161757.

Savings Provisions

It is not necessary to include savings provisions

Relationship to existing Local Planning Instruments

It is proposed that the Liverpool LEP 2008, which is the current LEP applying to the site, will continue to apply and will be amended by the Planning Proposal.

It is considered appropriate that the Gateway determination by the Minister consider and direct on this as a matter of statutory drafting.

4.3 Justification

4.3.1 Need for the Planning Proposal

Is the Planning Proposal a result of any strategic study or report?

The planning proposal is not a result of any strategic study or report by Government. Rather, the Planning Proposal is a result of the revised design of the detention basin 6 and discussions with Council. Mirvac Homes and its consultants have successfully demonstrated that the land zoned for infrastructure purposes is in excess of that actually required. The revised design of the basin has been approved by the DoPI and it is now proposed to amend the zoning to reflect that approval.

Is the planning proposal the best means of achieving the objectives?

The planning proposal is the best means of achieving the objectives for the subject sites. Under instruction from both the Department of Planning and Liverpool Council a Planning Proposal was required to be submitted to rezone the land after the final design of the detention basin was approved and construction had begun.

A modification to the Concept Plan (10_0007) and Stage 1 Infrastructure Project (10_0008) was approved on 28 April 2010 for the northern detention basin and amended subdivision layout. Approval was sought for the rezoning of the site at that time, however it was found that the EP&A Act does not provide a mechanism to rezone land by modifying a Concept Plan under s.75W.

As such the DoPI and Council agreed the rezoning of the Site should be undertaken by Council through the Gateway Process. Council accepts that Mirvac Homes will lodge an application for the rezoning once construction of the basin had commenced.

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

The Planning Proposal will provide a positive net community benefit in that:

- The rezoning, reclassification and future development of the site accords with the agreed State, regional and local strategic direction for development in the area;
- The reclassification of the land generates a better function of the surplus land as a result of the revised design of the detention basin.
- By reconfiguring the layout of the site and increasing the size of the neighbourhood centre, a better buffer will be provided between the residential zone to the north and the industrial zone to the south.

- An increase to the land made available for residential development will provide additional housing supply.

Failure to proceed with the planning proposal will be detrimental to the site and will not make best use of the land. The reclassification of the surplus land and establishment of appropriating zonings generates a better function and use of the land.

4.3.2 Relationship to Strategic Planning Framework

A summary of the Planning Proposal's consistency with the objectives and actions contained within the applicable regional and local strategies, relevant SEPPs and S117 Directions follows:

Strategies

NSW State Plan 2010

By rezoning the subject site, some of the key objectives of the NSW State Plan can be achieved. In particular the areas of delivering better services and growing prosperity across NSW, as well as providing more jobs closer to home.

The Planning Proposal is in line with two key objectives of the State Plan:

- Increased business investment and support jobs.
- Increase the number of jobs closer to home.

Liverpool LGA is one of the fastest growing areas in Sydney. The subregion is expected to experience the highest rate of population growth of all subregions in the Metropolitan Strategy (113% growth between 2006 and 2031) and as such, the need to invest in business and job opportunities is critical.

By increasing the land available to be developed for residential and neighbourhood services as a result of the revised design of the detention basin will provide additional jobs and services in close proximity to a number of residents and conversely new dwellings within close proximity of employment opportunities. Therefore the Planning Proposal meets the two key objectives of the State Plan.

Sydney Metropolitan Strategy 2010

The proposal accords with two major directions within the Metropolitan Strategy and translates the objectives of the strategy at the subregional level. These being:

- To ensure an adequate supply of land for residential development
- To ensure adequate land supply for economic activity, investment and jobs

The proposed rezoning will facilitate future development with additional jobs and housing in the area as discussed in more detail below.

South West Subregional Strategy

The NSW Department of Planning's South West Subregional Strategy is the strategic land use planning framework to guide the sustainable growth of South West Sydney over the next 25 years.

It translates priorities of the Sydney Metropolitan Strategy to the local level. According to the Strategy, South West Sydney will experience growth in the vicinity of some 155,000 new dwellings, and employment creation in the region's major regional centres of 89,000 jobs over the next 25 years.

The reclassification of the identified excess land as a result of the revised detention basin design will go some way to achieving these targets. An additional 16,508m² of land made available for residential purposes and an additional 4260m² of land for neighbourhood services will lead to 35 new homes being built and 127 potential new jobs (assuming 1 job per 40sqm).

Liverpool Residential Lands Policy 2007

The purpose of this strategy is to establish the direction for housing Liverpool's population over the next 25 years and identify opportunities to accommodate residential development in the LGA. One of the main strategies recommended for Liverpool's residential land over the next 25 years includes consolidating residential zones to areas around activity centres and major transport nodes.

The Planning Proposal will facilitate residential development close to employment opportunities and a new local centre thus reducing the reliance on the private motor vehicle. Further new public transport links are proposed which will service the proposed development.

State Environmental Planning Policies

The following State Environmental Planning Policies are relevant to the Planning Proposal (**Table 3**):

Table 3 – Compliance with relevant SEPPs

SEPP	Requirement	Planning Proposal	Comply
SEPP 55 – Remediation of Land	When carrying out planning functions under the EP&A Act (including undertaking LEP amendments), SEPP 55 requires that a planning authority must consider the possibility that a previous land use has caused contamination of the Site as well as the potential risk to health or the environment from that contamination.	Prior to future development appropriate investigations will be undertaken to ensure that any contamination of the Site is identified and remediated.	Yes
SEPP 64	The aims of this Policy are to ensure that signage is compatible with the desired amenity of the area. Further where relevant matters are to be referred to the RTA.	The planning proposal will not contain provisions that will conflict or obstruct the application of the SEPP. Future development will need to be consistent with the relevant provisions.	Yes
SEPP (Infrastructure) 2007	The aim of this Policy is to facilitate the effective delivery of infrastructure across the State.	Future development of the site, will need to be consistent with the relevant provisions of this SEPP, with future development applications referred to the Roads and Traffic Authority where necessary.	Yes
Exempt and Complying Development Codes	This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by providing exempt and complying development codes that have State-wide application.	The planning proposal will not contain provisions that will conflict or obstruct the application of the SEPP.	Yes

Section 117 Directions

The section 117 Directions issued by the Minister for Planning for the preparation of local environmental plans that are relevant to Planning Proposals lodged under the LEP Gateway are addressed in the **Table 4** below.

Table 4 – Compliance with relevant Section 117 Directions

S.117 Direction No. and Title	Contents of S.117 Direction	Planning Proposal	Comply
1.1 Business and Industrial Zones	The objective of this direction is to encourage employment growth in suitable locations, protect employment land in business and industrial zones and support the viability of identified strategic centres.	The minor adjustment to the zoning which results in an increase to the neighbourhood service centre whilst also providing a better buffer between the zone and the adjacent residential zone and will encourage employment growth in a suitable location.	Yes
3.1 Residential Zones	The objective of this direction is to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services and to minimise the impact of residential development on the environment and resource lands.	By reconfiguring the layout of the site the rezoning results in an increase to the land made available for residential purposes thus helping meet future housing needs in the area. A range of residential zones are proposed. Thereby encouraging a diversity of housing stock.	Yes
3.4 Integrating land use and transport	Planning Proposal must be consistent with DUAP publications <i>"Improving Transport Choice"</i> and <i>"The Right Place for Business and Services"</i> .	The proposal seeks to deliver new jobs and housing in an already established area for such development with access to public transport	Yes
4.3 Flood Prone Land	This direction aims to ensure that LEPs consider potential flood impacts.	A flood management plan has been prepared for the site, and the current LEP contains provisions which require consideration of flood prone land. The design of the detention basin ensures the protection of all the land proposed to be rezoned for business and residential purposes.	Yes

S.117 Direction No. and Title	Contents of S.117 Direction	Planning Proposal	Comply
4.4 – Planning for Bushfire Protection	This direction aims to protect life, property and the environment from bush fire hazards, and to encourage sound management of bush fire prone areas. The direction requires that a Council shall consult with the Commissioner of the NSW Rural Fire Service during the preparation of the draft LEP, and take into account any comments made. It also requires that the draft local environmental plan shall have regard to <i>Planning for Bushfire Protection 2006</i>, and introduce controls that avoid placing inappropriate developments in hazardous areas.	The requirements for <i>Planning for Bushfire Protection 2006</i> will be complied with as part of any future development on Site.	Yes
5.1 – Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies. This direction requires that the rezoning proposal be consistent with the South West Subregional Strategy.	The Planning Proposal is in line with the relevant Regional Strategies. This is discussed in Section 4.3.2	Yes
6.2 – Reserving Land for Public Purposes	The aim of this objective is to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	This application seeks to amend the amount of land required to be acquired by Council such that it reflects the proposed basin design.	Yes
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive Site specific planning controls.	There are no new site specific directions.	N/A
7.0 Metropolitan Planning	Planning proposals shall be consistent with the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010.	The planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	Yes

4.3.3 Environmental, Social and Economic Impact

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

The planning proposal will not cause any detrimental impact on critical habitat or threatened species, populations or ecological communities. Any development

proposal arising from this LEP amendment will be subject to the current environmental considerations set out in the Liverpool LEP 2008 and relevant State and Federal Government legislation.

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

It is unlikely that any adverse environmental effects will arise as a result of this Planning Proposal as the proposed changes do not significantly alter development already approved on site. The Planning Proposal will generate a positive impact on the amenity of residential dwellings constructed on site with the widening of the buffer between the proposed residential and neighbourhood centre zone. This will also lead to less restrictions being placed on the operation of the industrially zoned land.

How has the planning proposal adequately addressed social and economic effects?

The Planning Proposal reduces the quantity of land set aside as SP2 Special Uses (Infrastructure), due to the revised design of the detention basin. This has allowed the site to be reclassified with the excess land now made available to be used for higher order purposes. From a social and economic perspective, the development of the surplus land will generate economic benefit to the community through the provision of additional housing and jobs in the area.

4.3.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

The amount of public infrastructure required to service the broader Elizabeth hills and Len Waters Estate was considered at the time of the original rezoning. Infrastructure required to be delivered to support the redevelopment of the estate was agreed and translated into a VPA (see **Appendix C**). The proposed reduction in size of the detention basin will result in the reduction of land required to be acquired by Council for public purposes.

Due to the relatively minor scale of land being rezoned, the planning proposal will not result in a substantial increase or demand for public infrastructure. Further, as the planning proposal will not result in any major intensification of the site, there is not likely to be any increase in demand for public infrastructure and the existing infrastructure which is considered adequate to service the site.

The provision of public transport was considered during the assessment of the Concept Plan with additional public transport facilities provided. The proposed amendments to the zoning are not expected to generate any further need for additional public transport services over and above what has already been approved as part of the Concept Plan.

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

State authorities were consulted during the initial rezoning of the Site and during the assessment of the Concept Plan applying to the Site. From our understanding of the issues raised during the above processes we do not believe the proposed amendments would give rise to any concerns or objection from such authorities.

4.4 Community Consultation

Mirvac has been involved in consultation with the DoPI and Liverpool City Council in relation to the proposed rezoning. As agreed with both the DoPI and Council a Planning Proposal was to be submitted for the rezoning of the surplus land once approval for the design of the detention basin had been approved and construction had begun.

No formal consultation has been undertaken with the community to date in relation to this Planning Proposal. It is expected that this Planning Proposal will be publicly exhibited, and that direction as to the nature and extent of the public exhibition will be given by the Minister as part of the LEP Gateway determination.

5.0 Summary and Recommendations

Having regarded the characteristics of the Site and its location under this Planning Proposal it is considered appropriate in that:

- The future development of the Site will be environmentally sustainable;
- The rezoning will not result in any material environmental impacts to the surrounding areas;
- The Site is well serviced and existing services can be extended to accommodate the demand generated by the future development
- The rezoning of the site is strongly aligned with the strategic priorities of both the NSW Government and Liverpool City Council.
- The Planning Proposal will facilitate planned growth which will benefit the local economy and NSW industry; and
- The Planning Proposal will facilitate the creation of additional houses and jobs.

As detailed throughout this report, the Planning Proposal will have a number of positive impacts whilst not resulting in any material (significant adverse) environmental impacts.

This Planning Proposal has been prepared following a process of technical investigation and Site analysis. In particular, consideration was given to methods to reduce likely impacts of the rezoning whilst facilitating the future development. Consideration has also been given to the consistency of the proposed rezoning and land use activity with all the applicable state, regional and local planning policies.

Favourable consideration to this submission is therefore requested.