

Cho Cho Myint
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Email: chocho.myint@planning.nsw.gov.au

Dear Ms Myint,

**Re: Draft Liverpool Local Environmental Plan 2008 (Amendment 81)
Planning proposal to rezone 240 Governor Macquarie Drive (Lot 1 DP
1162276), Warwick Farm from B5 Business Development to part B4 Mixed
Use and part R4 High Density Residential**

Pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Liverpool City Council submits the attached planning proposal seeking to amend Liverpool Local Environmental Plan (LLEP) 2008.

At its meeting of 11 December 2019, Council resolved to endorse in principle the planning proposal and submit it to the Department of Planning, Industry and Environment for a Gateway determination.

Council resolved the following:

That Council:

- 1. Note the advice provided by the Liverpool Local Planning Panel;*
- 2. Endorses in principle the planning proposal request for 240 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified request with a maximum floor space ratio (FSR) of 2:1 equating to approximately 58,600m² GFA or 500 dwellings with access to the bonus FSR provisions contained within Clause 4.4 (2B) of the Liverpool Local Environmental Plan (LEP) (up to 3:1), a maximum height of buildings of 50m and the preparation of a site specific Development Control Plan.*
- 3. Delegate to the CEO authority to negotiate a revised VPA offer with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;*

4. *Endorses in principle the potential public benefit contributions of the VPA, to be further negotiated, including:*

- *Monetary contributions towards the cost of local road improvements to include the bypass road which is a priority of Council;*
- *Funding appropriate road works including a 2.5m wide shared path, public domain improvements including street trees and landscaping along Governor Macquarie Drive between Hume Highway and Munday Street in accordance with Council's design plan for the Hume Highway/Governor Macquarie Drive intersection upgrade and Warwick Street between the Hume Highway and Manning Street;*
- *Improved pedestrian and bicycle access to and from the site and Warwick Farm railway station and north and south of the Hume Highway;*
- *Provision of 5% of the dwelling yield as affordable housing to be managed as affordable rental housing by a community housing provider; and*
- *Providing a retail/commercial space in the development for a period of 5 years at a reduced commercial rent for a community organisation/s to be agreed between the proponent and Council; and*

5. *Delegate authority to the CEO to finalise the above amendments to the planning proposal request and submit a planning proposal to the Department of Planning, Industry and Environment for a Gateway determination with a recommendation that detailed traffic modelling, an economic impact assessment, a noise mitigation strategy and a site specific DCP be included as Gateway conditions to be satisfied prior to public exhibition.*

6. *Note the legal advice provided to Councillors.*

The planning proposal seeks to make the following amendments to LLEP 2008 maps:

- Amend LZN-014 to rezone 240 Governor Macquarie Drive, (Lot 1 DP1162276), Warwick Farm from B5 Business Development to part B4 Mixed Use and part R4 High Density Residential;
- Amend FSR-014 to increase the maximum floor space ratio of the subject site from 0.75:1 to 2:1;
- Amend HOB-014 to increase the maximum height of building from 15 to 50m; and
- Amend LSZ-014 to reduce the minimum lot size from 2ha to 1000m².

Additionally, the planning proposal seeks to add a site-specific clause to LLEP 2008, which would enable development of the site to access bonus FSR provisions equivalent to clause 4.4 (2B) of LLEP 2008, as if it were in Liverpool city centre.

Noting point 5 of the Council resolution, it is requested that the Gateway determination include specific conditions requiring the submission of certain studies to the satisfaction of Council prior to public exhibition, as follows:

- Detailed traffic modelling;
- An economic impact assessment;
- A noise mitigation strategy; and
- A site specific DCP.

The relevant documentation has been uploaded to the Department's Planning Portal. Council requests Gateway determination in accordance with Section 3.34 of the Act.

Should you require further information, please contact Graham Matthews, Strategic Planner, on 8711 7886 or matthewsg@liverpool.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Smith', with a stylized flourish at the end.

David Smith
Manager Planning and Transport Strategy