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PLANNING PROPOSAL

60-80 Southern Cross Avenue & 45-65 Hall Circuit, Middleton Grange



Prepared for Manta Group Pty Ltd
Submitted to Liverpool City Council

Post Exhibition Revision
October 2019

Contact

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APPENDICES

APPENDICES	TITLE
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Appendix B	Visualisation Report
Appendix C	Development Control Plan
Appendix D	Traffic Impact Assessment
Appendix E	Social Impact Response
Appendix F	Economic Impact Response
Appendix G	Landscape Plan
Appendix H	Flood Impact Assessment

Introduction

This planning proposal is submitted in accordance with Section 3.33 of the Environmental Planning and Assessment (EP&A) Act 1979 and provides an outline and justification for the proposed amendments to the development controls at 60-80 Southern Cross Avenue and 45-65 Hall Circuit, Middleton Grange (“the site”). The proposal amends Liverpool Local Environmental Plan (LEP) 2008.

The Planning Proposal was originally lodged with Liverpool City Council in June 2015. The matter was considered by Council at its meeting of 16 December 2015, where Council supported the progression of the Planning Proposal to the next stage in the Part 3 Plan Making process. A Gateway determination was issued by the delegate of the Greater Sydney Commission on 15 August 2016. The Gateway endorsed the Planning Proposal subject to conditions that would need to be addressed and approved prior to the progression of the proposal to the next stage being consultation and exhibition.

A revised traffic assessment was submitted to Council in October 2017, an updated flood impact assessment in December 2017 and revised Planning Proposal in July 2018. The revised planning proposal was endorsed by the Department of Planning and Environment in accordance with the Gateway conditions and the planning proposal was publicly exhibited from 29 August to 26 October 2018.

The Planning Proposal was subsequently progressed to a meeting of Council on 12 December 2018. At the meeting Council resolved *“Withdraws support for the planning proposal pursuant to Section 3.35 of the Environmental Planning & Assessment Act 1979”*. However, on 31 July 2019 in respect to Notice of Motion (NOMR 01), Council resolved among other things to *‘clarify the range of residential units under the current zoning controls’* in a report back to the September 2019 Council Meeting, and *‘commit that if any amendments were to be made by the proponent for the Middleton Grange Town Centre planning proposal an exhibition/community consultation period of 28 days would be undertaken’*.

A further report was considered on 25 September 2019. At the meeting Council resolved, among other things that *‘should the proponent submit a revised proposal, delegates to the CEO to allocate appropriate council resources to progress a preliminary assessment and place on exhibition the revised planning proposal in order to deliver a Town Centre for the people of Middleton Grange in the most timely manner possible’*.

This amended planning proposal is submitted to address the previous concerns raised by constituents for the purposes of exhibition, with the objective of facilitating a town centre for the people of Middleton Grange in a timely manner.

In accordance with relevant NSW Department of Planning and Environment guidelines, including *‘A Guide to Preparing Local Environmental Plans’* (2016) and *‘A Guide to Preparing Planning Proposals’* (2016), this planning proposal comprises the following parts:

Part 1	A statement of the objectives or intended outcomes of the proposed instrument
Part 2	An explanation of the provisions that are to be included in the proposed instrument
Part 3	The justification for those objectives, outcomes and the process for their implementation based on technical studies
Part 4	The existing controls that apply to the site based on the Councils LEP Maps
Part 5	Details of the community consultation to be undertaken on the planning proposal

This planning proposal forms part of a package of supporting documents. The Planning Proposal application is supported by the following specialist studies appended to this report:

- Urban Design Report prepared by Pacific Planning and Christiansen O’Brien Architects
- Traffic Impact Assessment, prepared by Lyle Marshall & Partners Pty Ltd
- Social Impact Assessment – Response to submissions prepared by Judith Stubbs & Associates
- Economic Impact Assessment – Response to submissions prepared by PPM Consulting Pty Ltd
- Landscape Concept Plan prepared by Habit8
- Development Control Plan prepared by Christiansen O’Brien Architects
- Stormwater Management Strategy prepared by J. Wyndham Prince

This planning proposal will facilitate the development of the Middleton Grange town centre. The proposal realigns the zones boundaries to ensure a more logical road layout and more permeable pedestrian movements. The town centre will incorporate mixed use buildings, providing opportunities for retail and commercial investment within the Middleton Grange Town Centre.

It will incorporate retail uses such as a supermarket, specialty retail, cafes and coffee shops and restaurants. It will also attract health and community services and over approximately 7,600sq.m of open space across large public areas. The town centre will support new residents and generate new jobs for the region.

The Middleton Grange Town Centre is located 7 km west of Liverpool CBD, 5 km north-east of Leppington Station, and 7.5km from the future Western Sydney Aerotropolis. It is bound by Southern Cross Avenue to the north, Bravo Road and the Middleton Grange Public School to the east, Flynn Avenue & Hall Circuit to the south with existing residential development to the west. The town centre is 350 metres to the north of the future Fifteenth Avenue rapid transport system, connecting Liverpool to the Aerotropolis via Middleton Grange



Figure 1: Aerial view of the subject site

Background

The development of the Middleton Grange Town Centre has a long and complex history. Therefore, it is important to consider the background to the planning and development of the site that has led to this planning proposal.

[Middleton Grange town centre controls](#)

The suburb of Middleton Grange was created in 2005 when the land was rezoned. This included the land at the Middleton Grange town centre, which incorporated land zoned B2 Local Centre, R1 General Residential, RE1 Public Recreation and SP2 Infrastructure (Drainage).

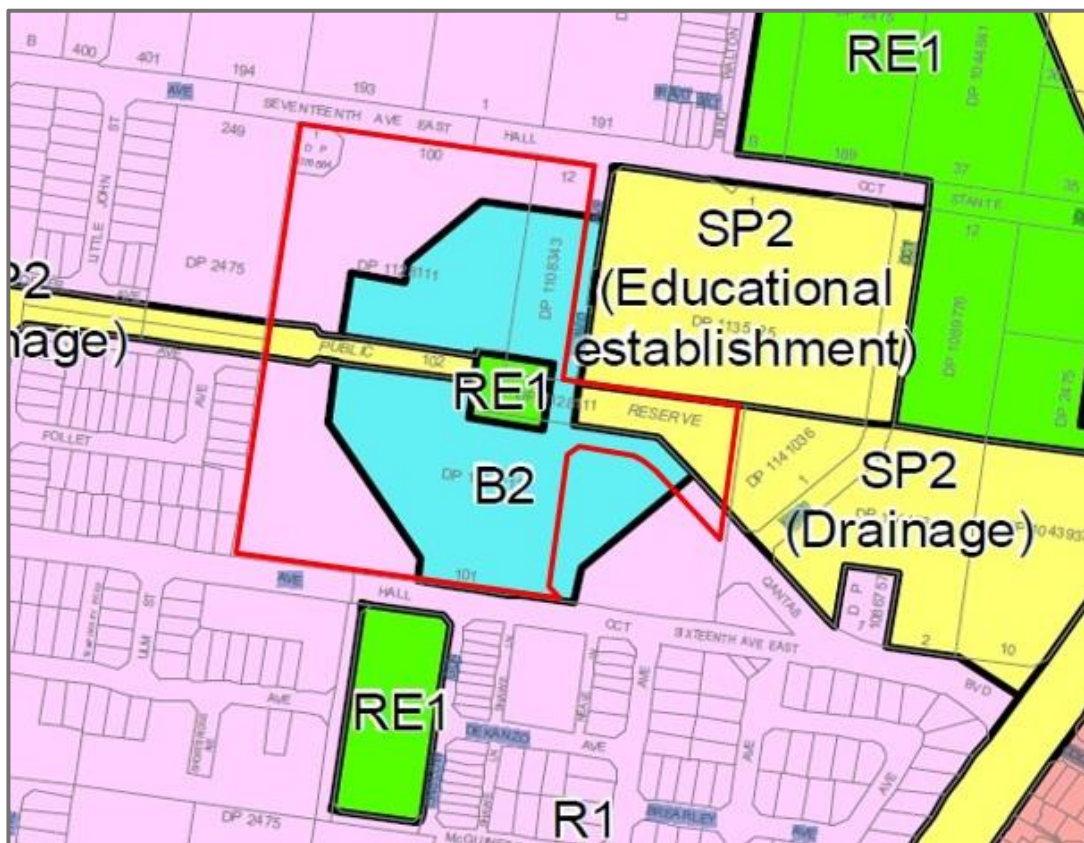


Figure 2: Land use zoning under Liverpool LEP 2008

With regard to the areas of the site in the respective R1 and B2 zones, and the applicable development standards for each, the site can accommodate a density of up to approximately 626 dwellings and 15,800sqm² of commercial space under the current controls. The basis of this is presented in Table 1 below.

The Middleton Grange town centre includes the following:

Zone	Area (m ²)	FSR	Height (m)	Approx potential GFA (m ²)	Approx no. of dwellings	Approx no. of dwellings with cl.5.3 applied	Commercial space (m ²) (cl.5.3)
R1 – General Residential	26,189	0.75:1	8.5	20,000	209	122	0
B2 – Local Centre	32,1278	1.5:1 (Area 4)	18	47,000	374	504	11,730 (15,808)
RE1 – Public Recreation	751	N/A	N/A	N/A			
			Total	66,600	583	626	11,730 (15,808)

Table 1: Existing controls and development potential under Liverpool LEP 2008

The site is also affected by the Land Reservation Acquisition Map to facilitate future community uses. This can be viewed in the below extract at Figure 3.

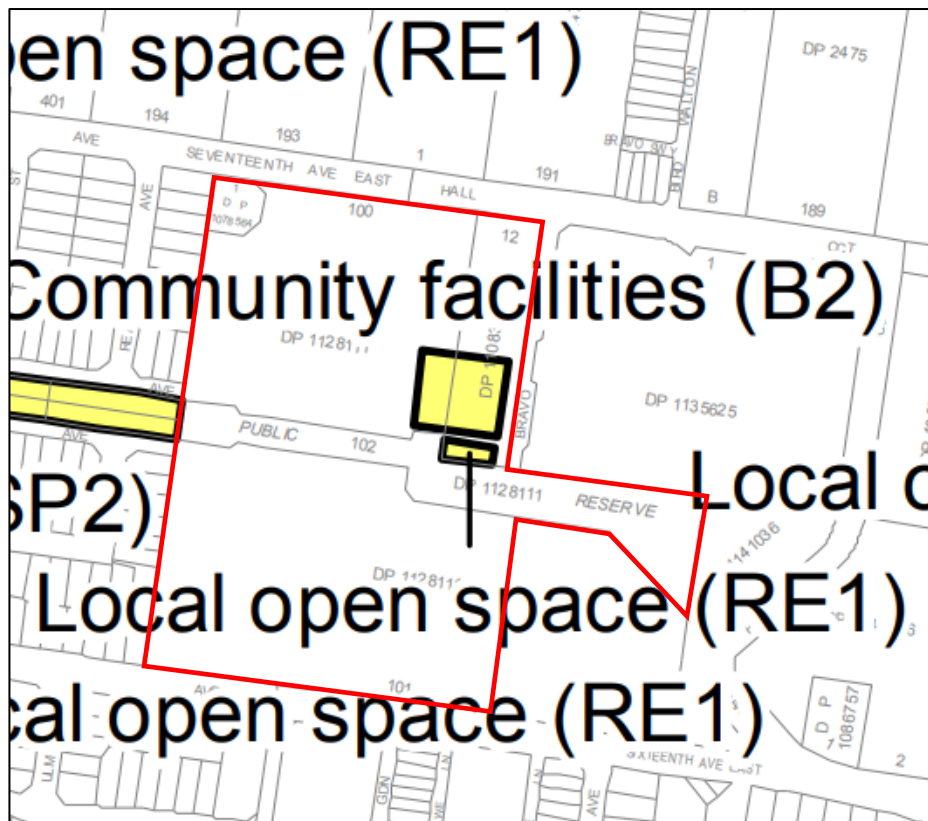


Figure 3: Land Reservation Acquisition Map under Liverpool LEP 2008

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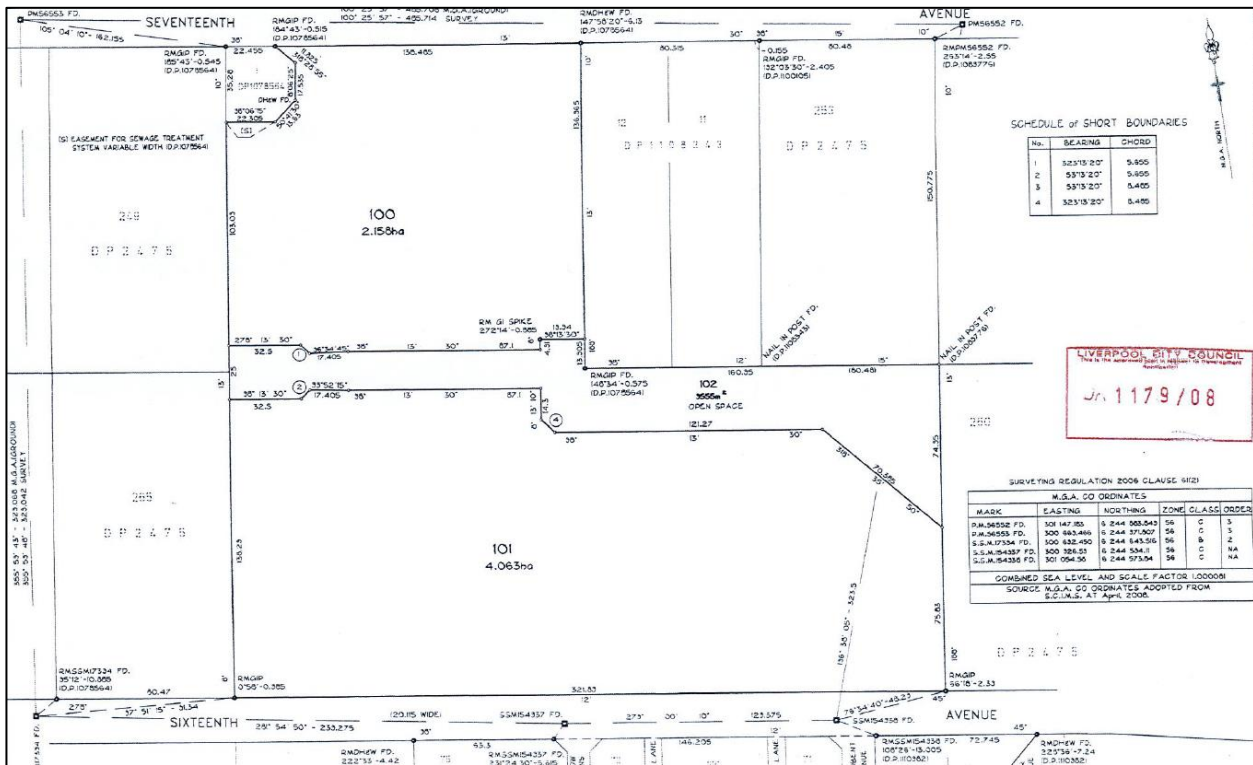


Figure 5: DA-1179/08

DA-74/2015

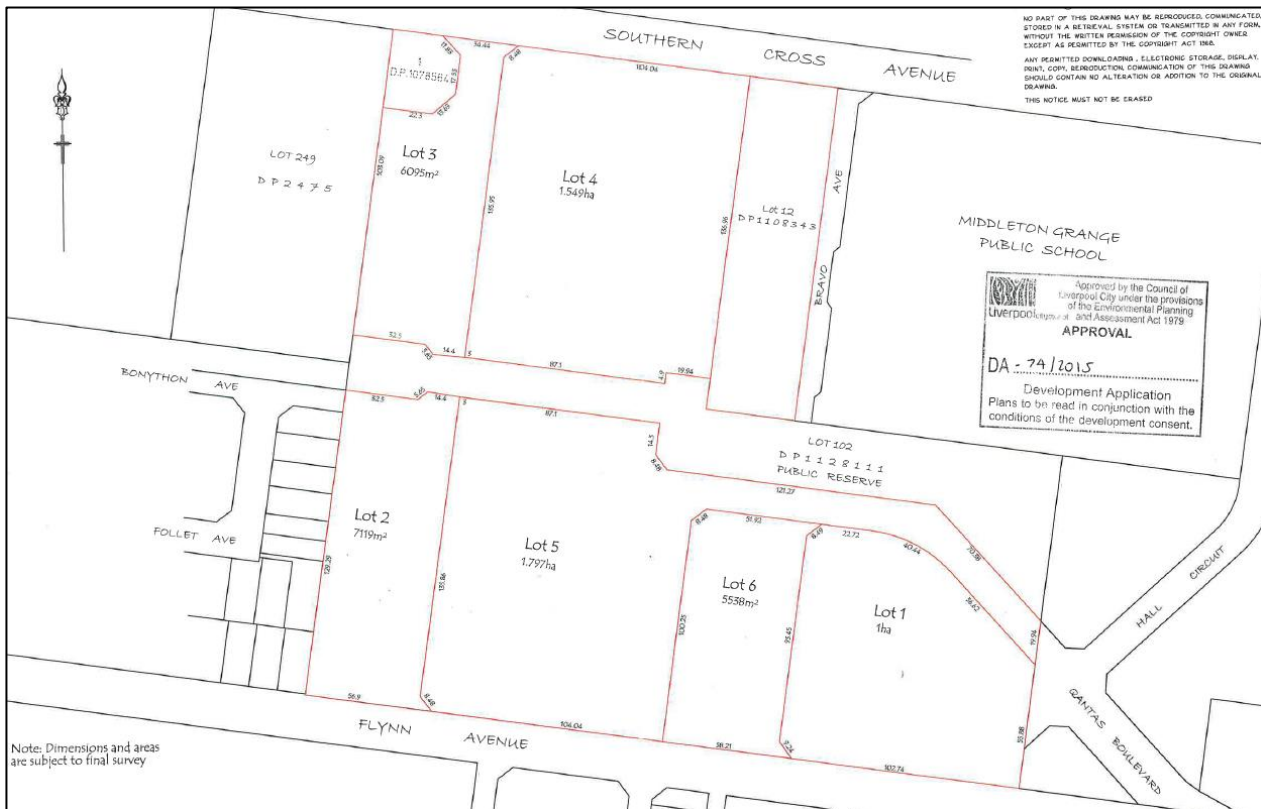


Figure 6: DA-74/2015

Over the subsequent years the development of the site did not progress as more detailed site layout, road network and building footprints were considered and preferred. A revised layout was progressed and a new DA for the subdivision of the site was advanced in accordance with the revised site layout. This was lodged in January 2015 and approved on 1 April 2015. The approved and still current subdivision plan is visible in Figure 6 above.

DA-64/2007/B

On 27 September 2018, a further modification application was lodged with Council in relation to the road layout and drainage reserve. The modification amends the approval DA-64/2007 and is known as DA-64/2007/B. The road layout reflects the approved lot layout discussed above under DA-74/2015, and the zone boundary and alignment being proposed under the planning proposal discussed in this planning proposal.

Major Project Application

On 14 March 2019, a request for the Secretary's Environmental Assessment Requirements (SEARs) for the approval of a medical centre containing a general practice facility with associated medical and health related activities and ancillary retail suites and cafes was made to the Department of Planning and Environment. The project also includes the creation of new public roads and urban park.

As the proposal is for a 'medical centre' with a capital investment value of more than \$30 million, it is State Significant Development (SSD) under State Environmental Planning Policy (State and Regional Development) 2011.

The proposal applies to land within Lots 12 and 4 of the Middleton Grange town centre, which includes multiple zones and development controls. The SEARs was issued on 19 June 2019 to inform the preparation of the environmental impact statement and progression towards public exhibition of the development.

The initial proposed plans are included below and illustrate the indicative land uses, elevations and massing.

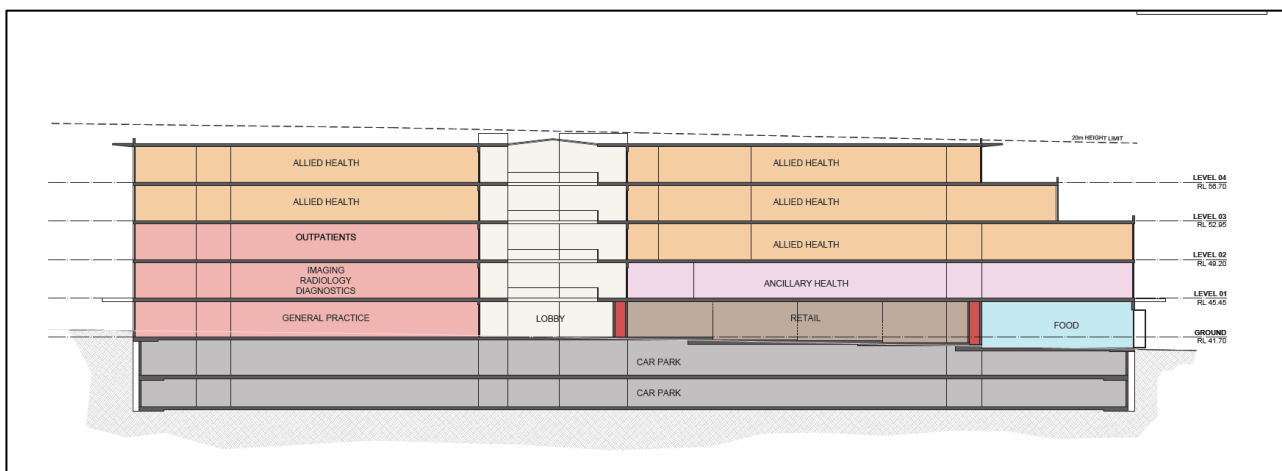


Figure 7: Indicative section



Figure 8: Indicative western elevation



Figure 9: Middleton Grange town centre indicative massing- SSD application location.

Planning Proposal

The Planning Proposal was originally lodged with Liverpool City Council on 25 June 2015. The planning proposal, as stated in the Council report sought the following amendments:

- Realign the boundary of the B2 Local Centre and R1 General Residential zoned lands respectively to align with the cadastre boundaries of the approved super-lot subdivision, reducing the number of lots which have split zonings and to facilitate rationale building and development boundaries;
- Rezone part of the site from RE1 Public Recreation to B2 Local Centre to accommodate a future publicly accessible through site link within the Town Centre;
- Rezone part of the site from B2 Local Centre to RE1 Public Recreation to provide a consolidated area of public open space within the north-eastern portion of the site (the quantum of RE1 Public Recreation zoned land remains unchanged);

- Amend Schedule 1 – ‘Additional Permitted Uses’ to enable the use of the R1 General Residential zoned land for business premises, hotel or motel accommodation, health services facility, and restaurant or café;
- Amend Schedule 1 – ‘Additional Permitted Uses’ to enable the use of land zoned B2 Local Centre within the Middleton Grange Town Centre for hotel or motel accommodation; and
- Amend the Liverpool Development Control Plan 2008 – Middleton Grange Road Network to support the Planning Proposal objectives.
- To increase the FSR from 1.5:1 for land zoned B2 Local Centre and from 0.75:1 for land zoned R1 General Residential to 2.5:1.
- To amend the maximum building height of 18m for land zoned B2 Local Centre and 8.5m for land zoned R1 General Residential to a range of heights including 14m within the western and south-east corner of the site to 28m and 35m within the central portion of the site.

The Council report, in considering the merits and justification for the planning proposal noted the following:

“Prior to lodgement of the Planning Proposal, and subsequently, the proponents have held a number of discussions with Council Officers for the development and refinement of the proposal. These discussions addressed the key considerations for the proposal and necessary technical requirements and studies for its support”.

“The objective of the Planning Proposal is to enable a broader range of permissible uses within the planned town centre. This will provide opportunities for retail and commercial investment to support the residential catchment for Middleton Grange and accommodate an improved configuration of public open space”.

“A further objective of the proposal is to rationalise the zoning boundary between the B2 Local Centre and R1 General Residential zoned portions of the site to reflect cadastre boundaries and reduce the number of lots that have split zoning, which is also supported by a more rational and efficient road network within the Town Centre. The intended outcome of the Planning Proposal is to facilitate development of the site in a coordinated fashion and, in doing so, achieve the site’s highest and best use”.

“The degree of intensification is desirable to create a viable and vibrant town centre. This intensification of the subject site as a mixed-use town centre holds merit as it would provide a unique offer in Liverpool. The proposal embodies a level of compactness for a town centre which will be able to provide higher uses and amenities for the local catchment of Middleton Grange”.

The matter was considered by Council at its meeting of 16 December 2015, where Council in supporting the progression of the Planning Proposal to the next stage in the Part 3 Plan Making process, resolved to:

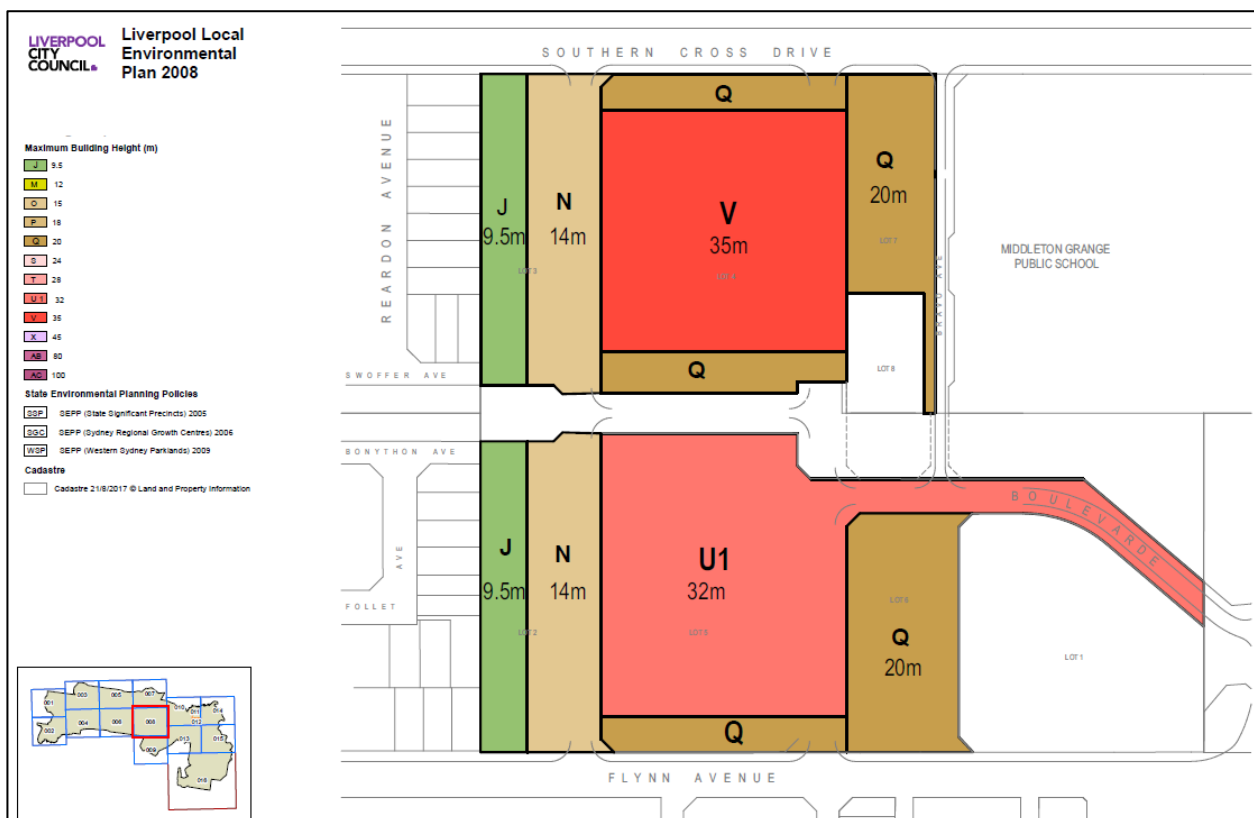
1. Endorse, in principle, the Planning Proposal to rezone land at 60-80 Southern Cross Avenue and 45-65 Hall Circuit, Middleton Grange.
2. Delegate to the CEO to negotiate with the proponent regarding increased open space to support the increased residential density, including the completion of a comprehensive Social Impact Assessment.
3. Delegate to the CEO the authority to approve the final Planning Proposal to administer this rezoning, for submission to the Department of Planning and Environment for Gateway.

A Gateway determination was issued by the delegate of the Greater Sydney Commission on 15 August 2016. The Gateway in supporting the progression of the Planning Proposal included a number of conditions that would need to be addressed and approved prior to the progression of the proposal to consultation and exhibition.

Conditions 1 and 2 of the Gateway were relevant as follows:

1. *In relation to s117 Direction 4.3 Flood Prone Land, prior to exhibition, Council is required to:*
 - a. *Undertake and provide relevant flood studies that demonstrate consistency with this Direction; and*
 - b. *Include a Flood Planning Area map in the proposal.*
2. *Prior to public exhibition, Council must revise the planning proposal to include the flooding information and to provide additional information regarding:*
 - a. *Transition of proposed heights to existing neighbouring zones and overshadowing impacts,*
 - b. *Proposed controls for proposed commercial uses in residential zones, for example, this may include proposed controls to limit, or encourage certain commercial floor areas, or controls to ensure a proportion of residential uses, and*
 - c. *Provide the revised planning proposal to the Department for review.*

Subsequently detailed urban design work and economic viability analysis was undertaken to adequately address the matters raised in the Gateway determination, particularly the issue related to transition of height to neighbouring zones and overshadowing impacts. A revised Planning Proposal and Urban Design Report were prepared in June 2018 and was forwarded to the Department of Planning and Environment on 20 June 2018, which included the following controls:



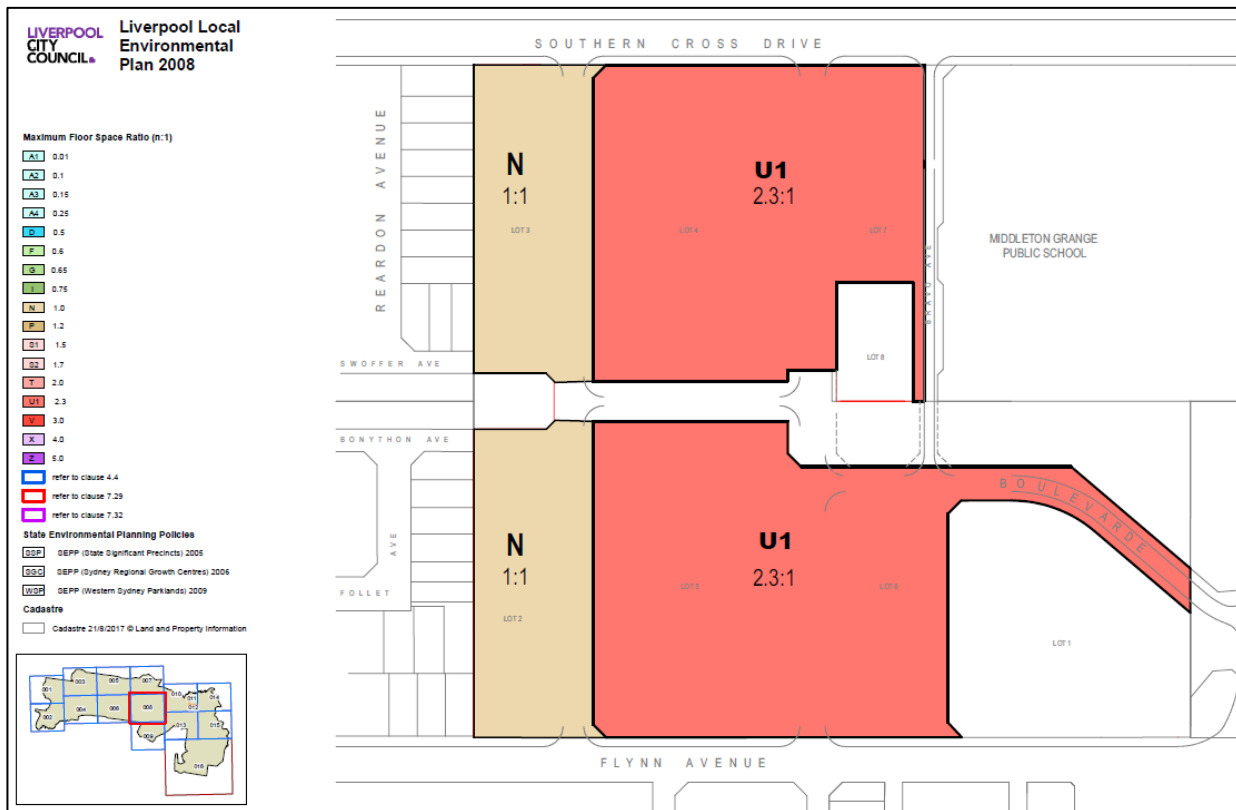


Figure 11: Proposed Maximum FSR map (for exhibition)

The Department confirmed on 28 June 2018 that the Gateway conditions had been adequately addressed and that the proposal could proceed to public exhibition, on the condition that the proposal was updated to reflect the Greater Sydney Plan and the Western City District Plan. This planning proposal was revised (July 2018) for the purposes of public exhibition.

Public Exhibition

The Planning Proposal was exhibited from Wednesday 29 August 2018 to Friday 26 October 2018 in accordance with the Gateway.

The existing capacity of the site was a critical issue that affected the negative reception from the community to the Planning Proposal.

The notice of exhibition clearly states that:

Under the current controls, the site is capable of supporting within the planned Town Centre:

- *Approximately 176 dwellings (medium density and low rise shop-top housing), and*
- *Approximately 5,000m² of retail development.*

As previously discussed, the site, under the existing controls has the capacity to accommodate between approximately **583 to 626 dwellings and 12,200m² to 15,800 of commercial/retail floorspace.**

Further, a community forum was held on Monday 17 September 2018. Some practical concerns were raised by the community. Of particular interest was:

1. The maximum heights being proposed (i.e. 12 storeys);
2. The amount of apartments;
3. The amount of open space;
4. The lack of investment in public infrastructure over a number of years in the suburb of Middleton Grange and the impact that the development of the town centre may have on the road network.
5. The erroneous claim that the proposal was to be mainly a social housing development.

Council Meeting – 12 December 2018

The Planning Proposal was subsequently progressed to a meeting of Council on 12 December 2018.

At the meeting, Council resolved amongst other things to:

- “5. Withdraws support for the planning proposal pursuant to Section 3.35 of the Environmental Planning & Assessment Act 1979;”*

However, on 31 July 2019 in respect to Notice of Motion (NOMR 01), Council resolved among other things to *‘clarify the range of residential units under the current zoning controls’* in a report back to the September 2019 Council Meeting, and *‘commit that if any amendments were to be made by the proponent for the Middleton Grange Town Centre planning proposal an exhibition/community consultation period of 28 days would be undertaken’*.

A further report was considered on 25 September 2019.

At the meeting Council resolved considered the clarification on the range of residential units under the current zoning controls, which ranged up to an assumed potential of **647 dwellings** under the current controls.

That Council:

1. *Receives and notes the report;*
2. *Notes that the proponent seeks to lodge a revised planning proposal that offers to address all the previous concerns raised by constituents;*
3. *Supports in principle the development of a Town Centre;*
4. *Should the proponent submit a revised proposal, delegates to the CEO to allocate appropriate council resources to progress a preliminary assessment and place on exhibition the revised planning proposal in order to deliver a Town Centre for the people of Middleton Grange in the most timely manner possible;*
5. *Support the principle of the grid road layout in Middleton Grange; and*
6. *Undertake community consultation in conjunction with the assessment of an application and that the community consultation to not overlap the December/January holiday period.*

This amended planning proposal is submitted to address the previous concerns raised by constituents for the purposes of exhibition, with the objective of facilitating a town centre for the people of Middleton Grange in a timely manner.

Site Identification

The site is shown below in Figure 12 edged in heavy red.

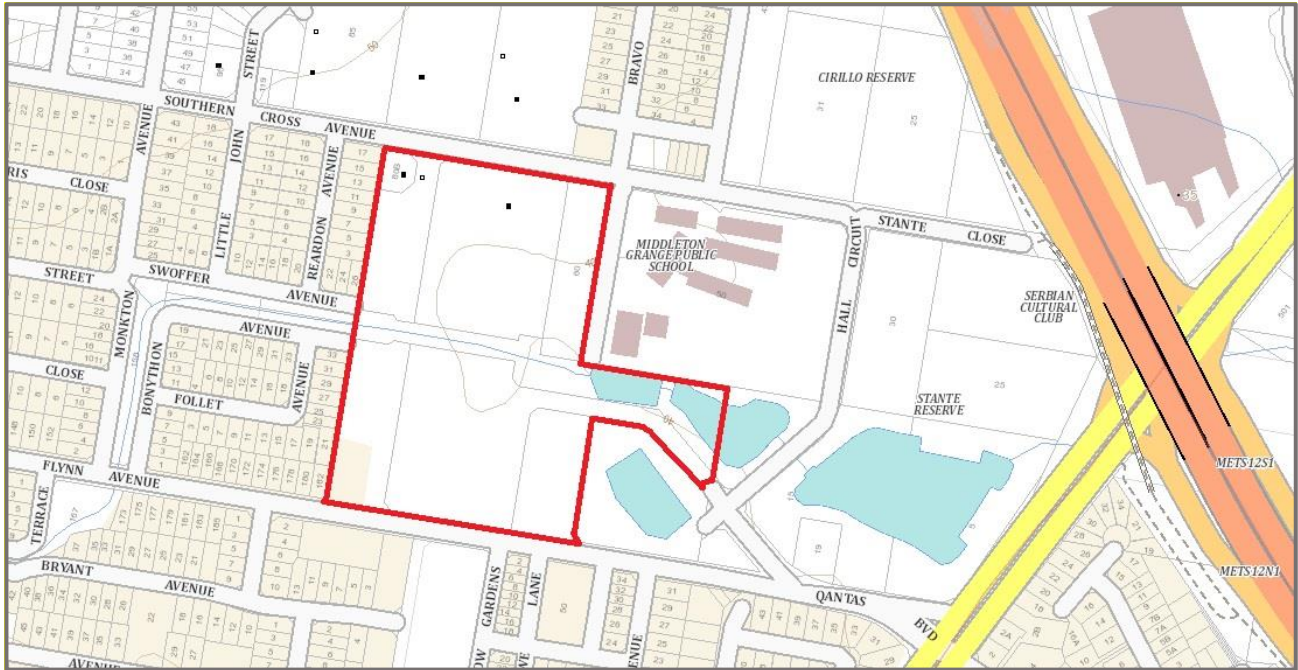


Figure 12: Site plan (Source: Six Maps)

The site currently comprises eight (8) lots and is legally described as:

- Lots 2, 3, 4, 5, and 6 in DP 1207518;
- Lot 1 in DP 1078564;
- Lot 12 in DP 1108343; and
- Lot 102 in DP 1128111

The site is an irregular in shape and has an area of approximately 69,000sq.m. It has a 200m northern frontage to Southern Cross Avenue and a 220m southern frontage to Flynn Avenue. Bravo Avenue bounds part of the site along the eastern side while residential blocks adjoin to the west. The site is generally known as 60 - 80 Southern Cross Avenue and 45-65 Hall Circuit, Middleton Grange.

Principle Development Standards

Table 2 below summarises the principle standards that currently apply to the subject site as set out in Liverpool LEP 2008. Figure 13 below shows the zoning map that covers the site.

Land Zoning	Maximum Building Height	Maximum Floor Space Ratio (FSR)	Other
B2 – Local Centre	18m ("P")	1.5:1 ("S1" - Area 4)	Flood Planning
R1 – General Residential	8.5m ("I")	0.75:1 ("I")	Dwelling Density
RE1 – Public Recreation			
SP2 - Drainage			

Table 2: Site Development Standards

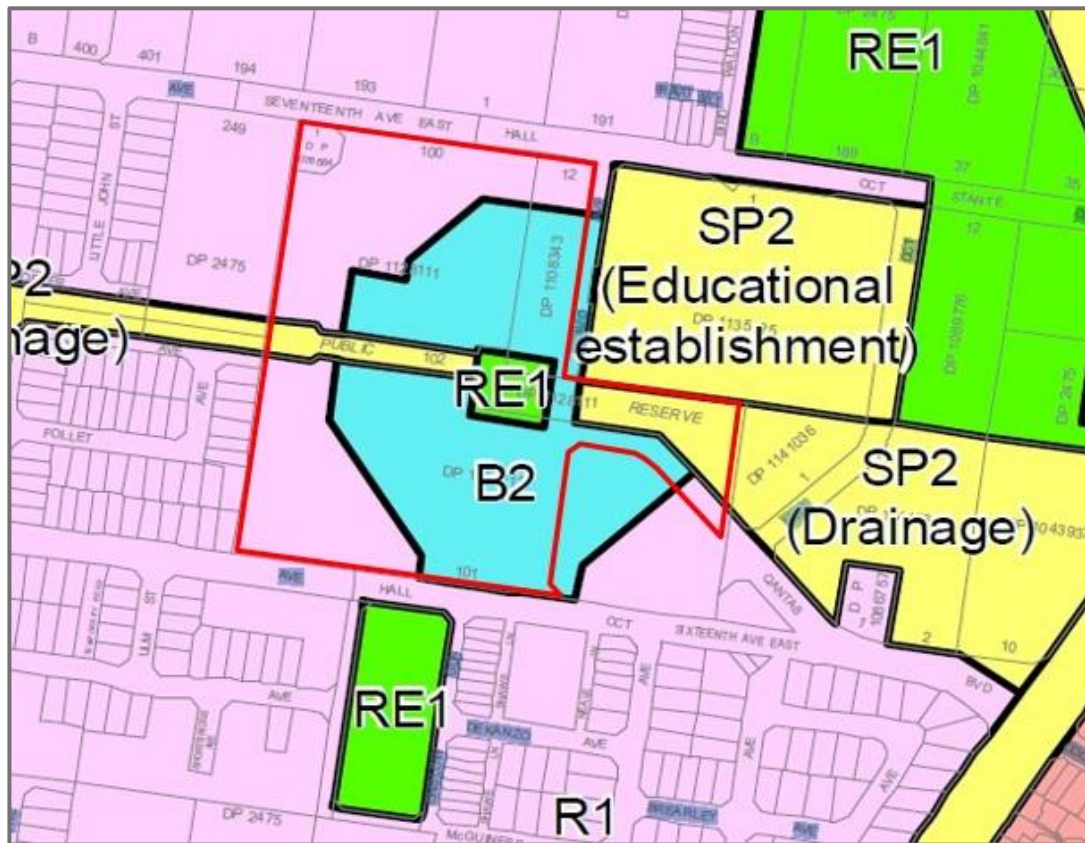


Figure 13: Zoning Map

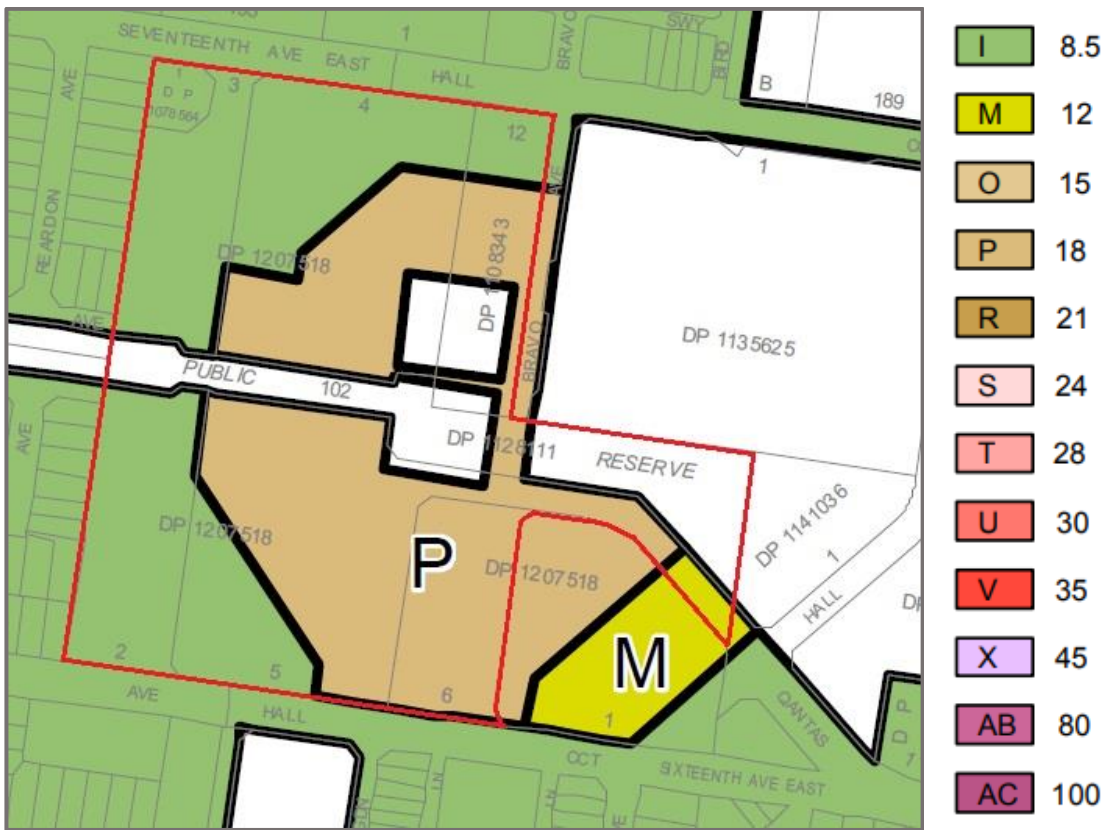


Figure 14: Maximum Building Height Map

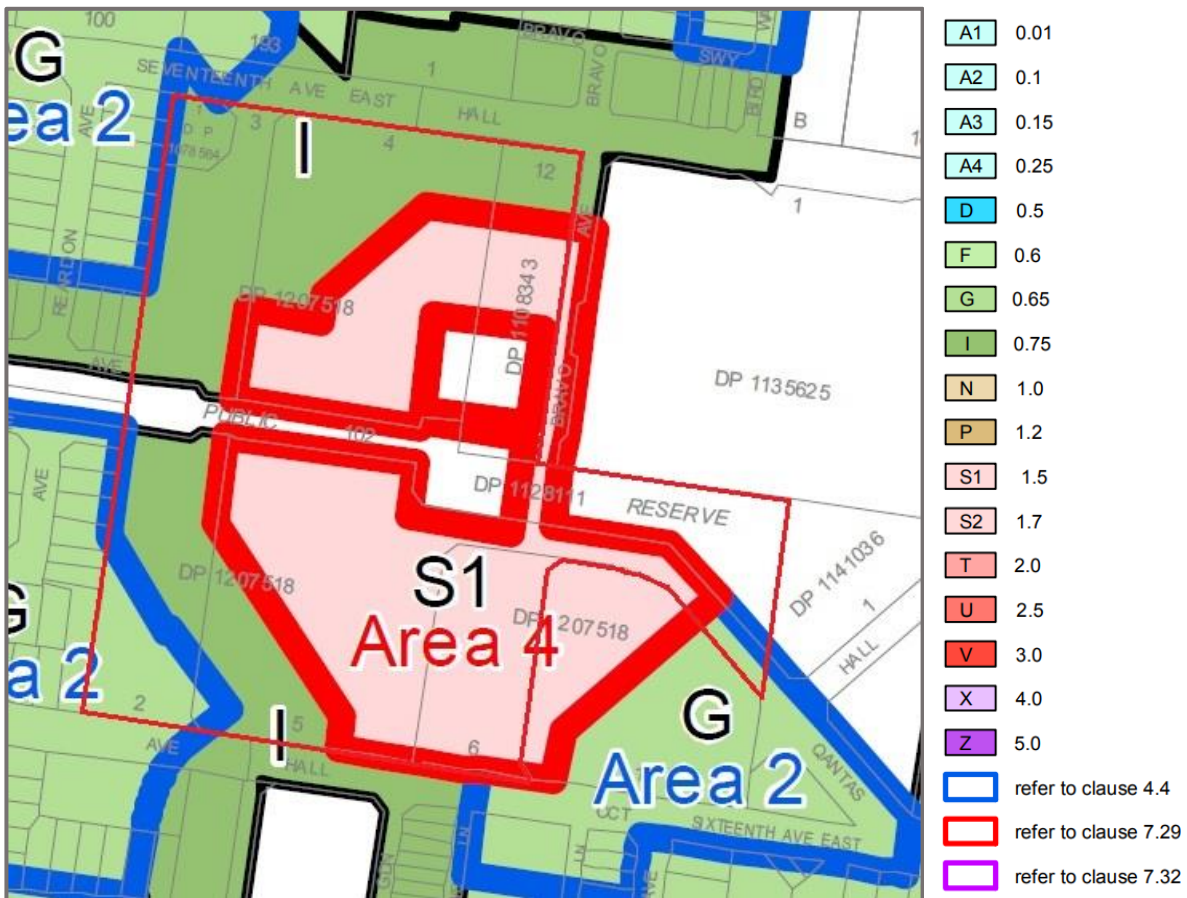


Figure 15: Maximum Floor Space Ratio Map

Response to Submissions

As previously discussed, a number of concerns were raised by the community during the public exhibition period. Some practical concerns were raised, of particular interest was:

1. The maximum heights being proposed (i.e. 12 storeys);
2. The amount of apartments;
3. The amount of open space;
4. The lack of investment in public infrastructure over a number of years in the suburb of Middleton Grange and the impact that the development of the town centre may have on the road network.
5. The erroneous claim that the proposal was to be mainly a social housing development.

The development concept has subsequently been further refined to address the concerns and matters raised by the community. In particular the issue of 12 storeys was considered too high. While the planning proposal demonstrated that there was no overshadowing impacts and the heights created a transition to lower density development, the heights and transitions in the concept have been revisited. Key amendments have been made to address the community's concerns regarding height and other matters as follows:

1. **Maximum Building Height**

- The maximum height within the town centre is now only 8 storeys and this is only for part of the central portion of the development.
- The split height across the western Lots 2 and 3 is retained to provide for an appropriate transition from 8.5 metres on neighbouring land to 9.5 metres (2 storeys) immediately adjoining, and up to 14 metres (4 storeys) along the frontage to Main Street.
- The additional 3,000sq.m of open space within the central portion has opened up the town centre, creating a feeling of breathability, not crowded by buildings, filled with light and space for people to play, linger and sit with passive and active recreational opportunities.
- The reductions in height have also been complemented by internal building heights transitions with laneways and through links further reducing building bulk and long street frontages. The creation of laneways also creates additional pedestrian interface and active frontages, creating a more welcoming and vibrant centre fostering a sense of place and community pride.

2. **Road Layout**

A modification to Middleton Drive and subsequently the local road network has been made in the revised concept.

As more detailed planning has occurred for the key retail centre at the southern part of the town centre, it was identified that larger footprints were required to accommodate future retail tenants. This has resulted in the removal of the bottom half of Middleton Drive and replaced with a single level retail use, that also creates a through link connecting the centre of the site to Flynn Avenue. This has been advanced in consultation with the Council staff and the proponents traffic consultant to ensure the traffic movement and access is acceptable.

The main street has been relocated to the west (i.e. 21.4 metres) and Middleton Drive becomes a local access street (i.e. 17.4 metres), connecting through to Qantas Blvd. In doing so, the connection between the two public open spaces is strengthened given the lower volume street which is further enhanced by traffic calming measures and shared spaces.

In conjunction with the removal of the bottom half of Middleton Drive, the northern block (Lot 4) has been broken up to create new pedestrian laneways with activated frontages to improve moveability and create diverse and innovative spaces for residents of Middleton Grange.

3. Open Space

The area of public open space within the town centre has been doubled as a result of the widening of the space between northern Lot 4 and southern Lot 5.

It was considered that this provided the opportunity for variety in use of public spaces and creates a focal point for the community. Locating additional open space in this location draws people towards the centre of the town, combining with the east west pedestrian links and the new northern laneway/through link. The Landscape Concept identifies this space as a village green, where activity spills out from adjoining buildings, with dining, kiosks, performance space, water features and public art – creating a safe and desirable space for people to gather.

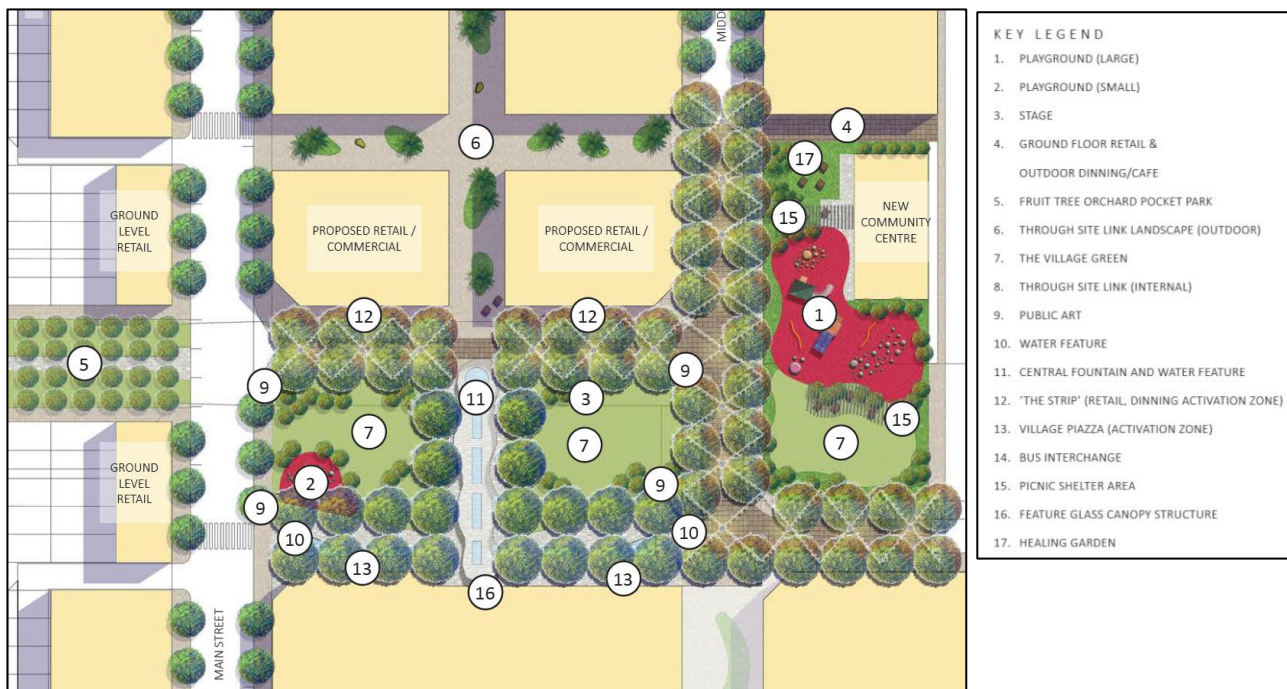


Figure 16: Town centre open space and landscape plan

It is important to note the now considerable increase in open space and publicly accessible areas since the town centre was originally zoned in 2005. Under the existing controls, 751sq.m is zoned for public recreation with a further 1,249sq.m of area owned by Council or was to be acquired.

The exhibited Planning Proposal (August – October 2018) refined the location of open space, creating approximately 2,500sq.m of public open space and space for a community centre facility within it. While this

reflected a significant increase in the amount of open space, the concept plan was reviewed to ascertain whether even more open space could be provided to support the existing and future residents of Middleton Grange and create a people friendly environment and foster a strong sense of place.

As can be seen in the below figures, a significant amount of open space has now been provided through the centre of the town centre. 7,632sq.m of land, including the large park areas, the public forecourt and the community facility. Further, new public laneways have also been created to support connectivity and through links within the centre.

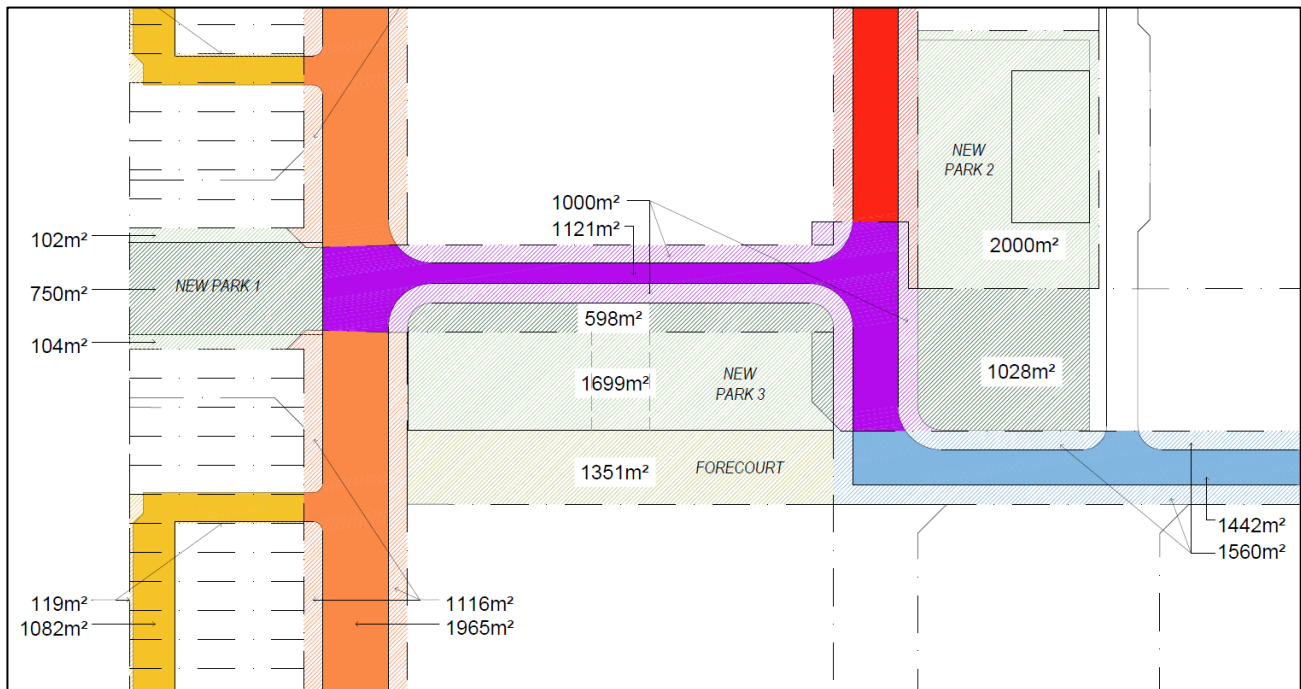


Figure 17: Open Space Structure Plan








LEGEND & AREAS		
OPEN SPACE		
	DESCRIPTION	AREA (m²)
	NEW PARK 01 ON PROPOSED SITE	206
	NEW PARK 02 ON PROPOSED SITE	2000
	NEW PARK 03 ON PROPOSED SITE	1699
	NEW PUBLIC FORECOURT	1351
	SUB-TOTAL	5256
	NEW PARK 01 ON COUNCIL LAND	750
	NEW PARK 02 ON COUNCIL LAND	1028
	NEW PARK 03 ON COUNCIL LAND	598
	SUB-TOTAL	2376
	TOTAL	7632

Figure 18: Open space area breakdown

4. Medical Centre

As previously discussed, following feedback from the community and an identified need for medical facilities that are accessible to the Middleton Grange community, an application was lodged for a medical centre containing a general practice facility with associated medical and health related activities and ancillary retail suites and cafes was made to the Department of Planning, Industry and Environment. The project also includes the creation of new public roads and urban park.

The medical centre is 5 storeys in height with activated ground floor main streets. The building transitions in height towards the open space to protect and ensure solar access.

The medical centre and ancillary ground floor uses accommodates approximately 15,000sq.m of floorspace.

5. Number of Apartments

Following concerns raised by the community during public exhibition and as indicated in the yield table below, there has been a reduction in the town centre gross floor area (GFA) from that endorsed by Council in 2015, and a further reduction in apartments from the planning proposal exhibited.

The exhibited planning proposal contemplated up to 912 apartments within the town centre. However, with the introduction of the medical centre and ancillary medical commercial uses, the larger footprint of the shopping centre, and the reduction in height (which is effectively the removal of upper level apartments, the number of apartments within the town centre has reduced to approximately 671.

The average FSR across the site is 1.98:1, reduced from 2.5:1 from that initially endorsed by Council. This constitutes only an overall increase across the town centre from 1.16:1/1.3:1 to 1.98:1, but provides for significant public benefits for the broader community including double the amount of open space, state infrastructure contribution of \$2.5m for regional road upgrades, and local contribution of approximately \$24m.

Scheme Description	Dwellings	Residential GFA (sq.m)	Change to residential GFA (sq.m)
Existing controls under Liverpool LEP 2008	583	54,829	
Existing controls under Liverpool LEP 2008 with CI 5.3 applied to B2	626	58,909	4,079
Planning Proposal – endorsed by Council 2015	924	86,733	31,903
Planning Proposal - exhibited	912	86,031	-702
Planning Proposal – Proposed 2019	671	63,703	-22,546

Table 3: Apartment analysis

Amended Development Scenario

While the planning proposal only seeks to amend the Liverpool LEP 2008 by way of revisions to the zone boundaries, and amendments to the height and FSR controls, detailed design has been undertaken to demonstrate the development outcomes for the site and to ensure the revisions as a consequence of feedback from the community can be accommodated. A revised Urban Design Report has been prepared in support of the Planning Proposal and is attached. This illustrates how the amendments to the development outcome for the Middleton Grange town centre have been incorporated.

Figure 19 below illustrates the revised Concept Plan for the Middleton Grange town centre, and Figure 20 illustrates the town centre cross section looking north, with the new laneway through the centre of the site, and the medical facility to the right (east). Further sections are included in the urban design report.



Figure 19: Middleton Grange town centre Concept Plan

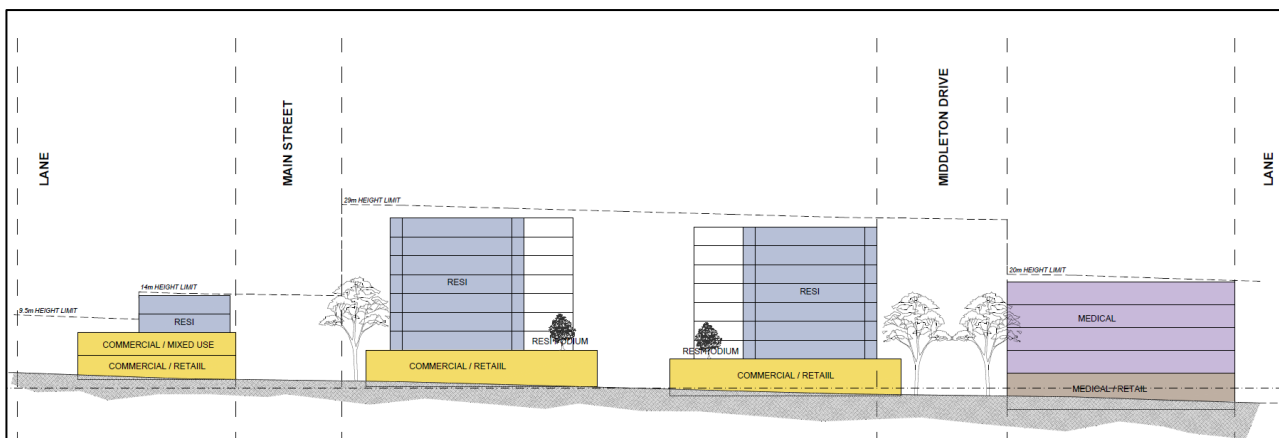


Figure 20: Town centre cross section looking north

Figures 21 and 22 below also illustrates the revised heights for the northern and southern sections of the town centre in site plan form. The maximum height anywhere in the town centre is 8 storeys (29 metres) and this is only a small section in the context of the full scheme and is now complemented by new pedestrian thoroughfares and laneways.

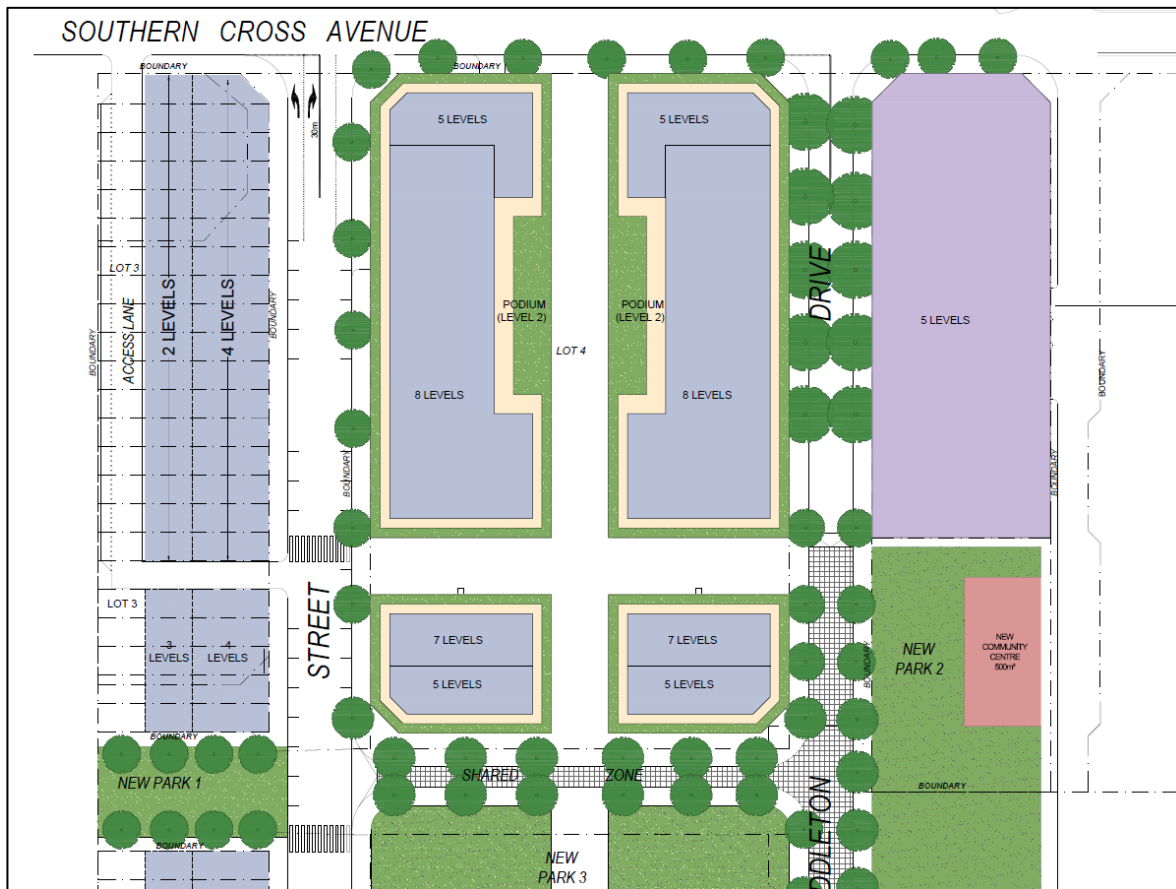


Figure 21: Northern section site plan

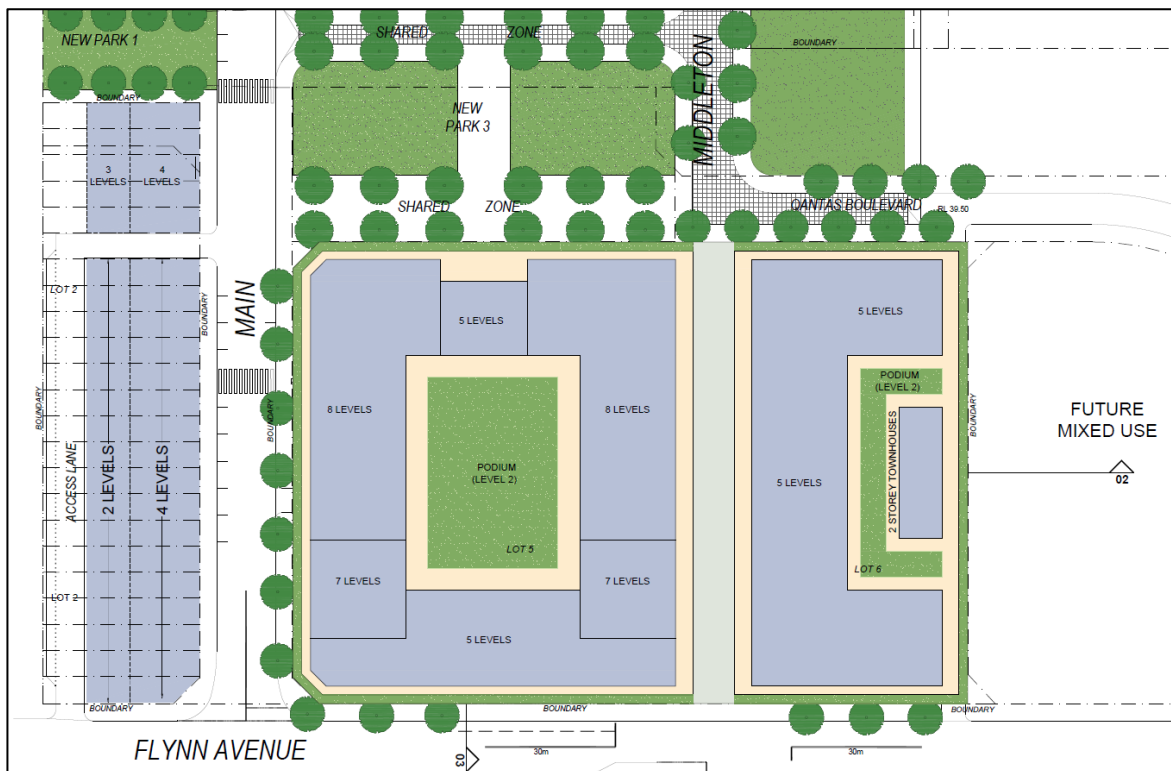


Figure 22: Southern section site plan

PLANNING PROPOSAL

Part 1 – Statement of Objectives

The main objectives of this Planning Proposal are:

- To facilitate the development of the Middleton Grange town centre.
- To realign the zone boundaries between the R1 General Residential and B2 Local Centre, to create a more logical and permeable site layout.
- To provide for a maximum height of 8 storeys in the town centre.
- To minimise over shadowing ensuring adjoining land is not impacted and town centre open space and pedestrian areas receive significant solar access.
- To transition heights at sensitive edges, such as near adjoining residential land and open spaces.
- To relocate and more than double the amount of open space available under the existing controls including the addition of open space provision at no cost to Council as per the offer issued to Council on 18 September 2019.
- To create a vibrant town centre for local existing and new residents.
- To ensure strong north south and east west connections through the site for pedestrians, cyclists and vehicles, as well as ensuring access to the future rapid transit route at Fifteenth Avenue.

The proposed amendment will facilitate the creation of a new town centre comprising a mix of uses in buildings ranging from 2 storeys to 8 storeys. The new Town Centre will comprise the following approximate uses:

- Approximately 671 new dwellings;
- Shops and office space;
- A medical and health centre;
- New roads and infrastructure;
- Over 7,500q.m of open space and publicly accessible areas;
- A new community facility;
- Child play areas;

Further indicative concept and massing diagrams are included in the attached urban design report.

Part 2 – Explanation of Provisions

This Planning Proposal seeks to amend the Liverpool LEP 2008 to achieve the objectives outlined in Part 1, as follows:

1. Amend the Liverpool Local Environmental Plan 2008 Zoning Map by making internal boundary adjustments to the R1 General Residential and B2 Local Centre boundaries.
2. Amend the Liverpool Local Environmental Plan 2008 Floor Space Ratio Map to part 1:1 and part 2.3:1 as shown on the proposed map.
3. Amend the Liverpool Local Environmental Plan 2008 Height of Building Map to part 9.5 metres, 14 metres, 20 metres, and 29 metres as shown on the proposed map.
4. Amend the Liverpool Local Environmental Plan 2008 Land Reservation Acquisition Map as it relates to RE1 zoned land on the site, as shown on the proposed map.
5. Amendment of the Liverpool Local Environmental Plan 2008 to include “restaurant or café” as an additional permitted use in the R1 General Residential zoned land. As restaurants and cafés are not permitted in the R1 zone, this will allow them to be included in a future development subject to appropriate development consent. This amendment will assist with activating the street edge as per the desired future character for the town centre.

Liverpool Local Environmental Plan 2008 defines “restaurant or café” as follows:

“Restaurant or café” means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

The above amendments will facilitate the future development of the Middleton Grange town centre in accordance with the zone and permissible land uses, with the consent of Liverpool City Council.

SUMMARY OF PROPOSED CHANGES TO LEP CONTROLS		
	Current (LLEP 2008)	Proposed
Zoning	B2 – Local Centre R1 – General Residential RE1 – Public Recreation SP2 - Drainage	No changes other than internal boundary adjustments
Floor Space Ratio	1.5:1 (“S1” - Area 4) 0.75:1 (“I”)	2.3:1 (“T1”) for B2 land 1:1 (“N”) for R1 land
Height of Buildings	18m (“P”) 8.5m (“I”)	9.5m (“J”) 14m (“N”) 20m (“Q”) 29m (“T1”)

Table 4: Proposed Development Controls

Part 3 – Justification

Section A - Need for the Planning Proposal

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

The Planning Proposal facilitates the future redevelopment of the site for the purposes of the Middleton Grange town centre.

The suburb of Middleton Grange was created in 2005 when the land was rezoned. This included the land at the Middleton Grange town centre, which incorporated land zoned B2 Local Centre, R1 General Residential, RE1 Public Recreation and SP2 Infrastructure (Drainage). The site has therefore always been identified for the purposes, capable of supporting between 580 and 630 dwellings and approximately 12,000sq.m of commercial and retail floor space.

The site has not redeveloped since this time under the current controls and zone layout. The Planning Proposal amends the zone boundary layout, to facilitate a more logical town centre layout and road and pedestrian network and support the redevelopment of the Middleton Grange town centre.

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

The planning proposal is the appropriate means of achieving the stated objectives and intended outcomes.

Section B – Relationship to the strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

Greater Sydney Region Plan: A Metropolis of Three Cities

In March 2018, the Greater Sydney Commission released The Greater Sydney Region Plan: A Metropolis of Three Cities, the new strategic document to bring to life the vision of Greater Sydney as a vibrant and sustainable metropolis of the Eastern Harbour City, Central River City and Western Parkland City.

The Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The three cities include:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City.

The subject site is within the Western Parkland City. The population of the Western Parkland City is projected to grow from 740,000 in 2016 to 1.1 million by 2036, and to well over 1.5 million by 2056.

The Middleton Grange town centre forms the focal point of the new and evolving community at Middleton Grange. It is 7km to the west of the Liverpool Metropolitan Cluster, 5km north of the Leppington strategic and transit orientated centre, and 7.5km from the new Western Sydney Aerotropolis. The Middleton Grange town centre is also 700 metres from the M7 Motorway connecting the area to the Western Economic Corridor, and 350 metres from the new Fifteenth Avenue rapid transit route that will connect Liverpool City Centre to the new Western Sydney Aerotropolis.



Figure 23: Structure Plan for Metropolis of Three Cities

The Greater Sydney Plan identifies ten directions for the three cities to deliver and monitor the objectives to create a liveable, productive and sustainable City. These include:

1. A city supported by infrastructure
2. A collaborative city
3. A city of people
4. Housing the city
5. A city of great places
6. A well-connected city
7. Jobs and skills for the city
8. A city in its landscape
9. An efficient city
10. A resilient city

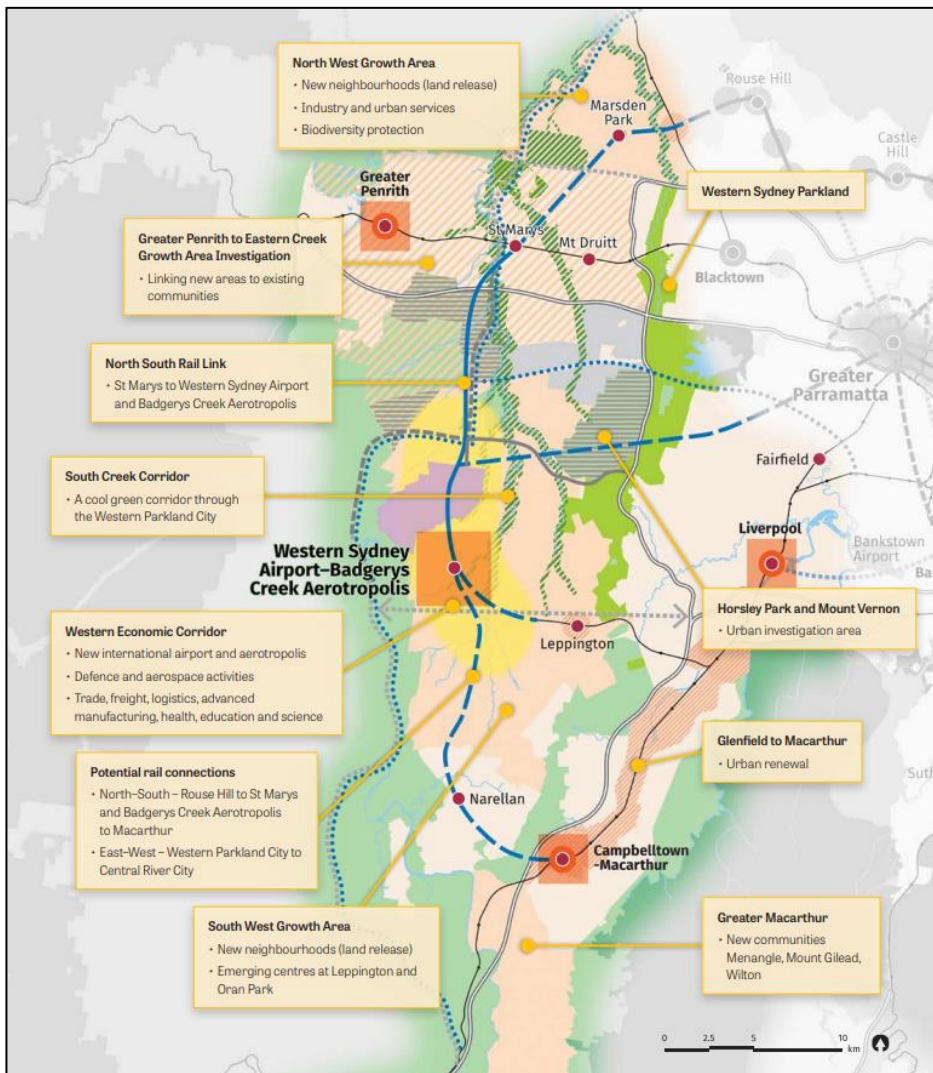


Figure 24: Western Parkland City Structure Plan

The Planning Proposal is considered against the direction of the Greater Sydney Plan in Table 5 below:

PART 3 INFRASTRUCTURE AND COLLABORATION		
A CITY SUPPORTED BY INFRASTRUCTURE		
1. INFRASTRUCTURE SUPPORTS THE THREE CITIES		
1.1	Prioritise infrastructure investments to support the vision of A Metropolis of Three Cities.	N/A
1.2	Sequence growth across the three cities to promote north-south and east-west connections	<p>Consistent</p> <p>The Planning Proposal will facilitate housing, jobs and employment opportunities in the Western Parkland City. The Middletown Grange town centre is also well connected to public and private transport infrastructure connecting future residents and jobs to Greater Sydney and the other Cities.</p>

		The site is 700 metres from the M7 Motorway connecting the area to the Western Economic Corridor and north-south connections, and 350 metres from the new Fifteenth Avenue rapid transit route that will connect Liverpool City Centre to the new Western Sydney Aerotropolis and east-west connections.
2. INFRASTRUCTURE ALIGNS WITH FORECAST GROWTH – GROWTH INFRASTRUCTURE COMPACT		
2.1	Align forecast growth with infrastructure	Consistent The Middleton Grange town centre is an area identified for growth and change to support the growing community in the area. The M7 Motorway opened in 2003 and formed a major piece of transport infrastructure in western Sydney. Further, the Leppington train station, 5 km to the south, forms the terminus of the South West Rail link, which opened in 2015. The Inner West and Leppington Line connects the area to the City and the Cumberland Line connects the area to Parramatta and Blacktown.
2.2	Sequence infrastructure provision across Greater Sydney using a place-based approach	Consistent Place based priorities will continue to be considered as growth and change is experienced in this area of the Western Parkland City. This includes upgrades to the road network, such as Elizabeth Drive to the north and Bringelly Road, new schools, and a focus on growth in the Liverpool Metropolitan Cluster, improving access to employment, health and education. Further, the South West Rail line will connect to the Western Sydney Aerotropolis and the Fifteenth Avenue rapid transit route will connect Middleton Grange to Liverpool and the aerotropolis. These investments in infrastructure are aligned to the forecast in population growth in the south west.
3. INFRASTRUCTURE ADAPTS TO MEET FUTURE NEEDS		
3.1	Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans.	N/A
4. INFRASTRUCTURE USE IS OPTIMISED		
4.1	Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptive and flexible regulations to allow decentralised utilities	N/A
A COLLABORATIVE CITY		

5. BENEFITS OF GROWTH REALISED BY COLLABORATION OF GOVERNMENTS, COMMUNITY AND BUSINESS		
A1	Identify, prioritise and deliver Collaboration Areas.	The suburb of Middleton Grange has been developing since 2004. Its growth and development has been carefully planned between Council, State agencies, industry and community input. This has included how the area is planned and the location of green spaces, amenities, education and services. The Planning Proposal seeks to facilitate the delivery of the Middleton Grange town centre and the planning of the centre has involved a collaborative approach between Council, State agencies and the proponent. Further, consultation with the community has assisted understand the needs, requirements and concerns of the community. This has directly informed the amended planning proposal.
A2	Coordinate land use and infrastructure for the Western City District	Consistent It is noted that <i>“the implementation and governance commitments of the Western Sydney City Deal identify that the Greater Sydney Commission will coordinate land use and infrastructure for the Western City District”</i> . The Middleton Grange town centre will benefit from the six priority domains of the Western Sydney City Deal including connectivity, jobs, skills and education, planning and housing, liveability and environment and governance.
PART 4 LIVABILITY		
A CITY FOR PEOPLE		
6. SERVICES AND INFRASTRUCTURE MEET COMMUNITIES CHANGING NEEDS		
6.1	Deliver social infrastructure that reflects the needs of the community now and in the future.	Consistent. The Middleton Grange town centre seeks to improve physical, social and spatial accessibility for the local community. While the Planning Proposal only seeks to amend the planning controls to facilitate future development applications, the town centre will be designed to be a place accessible by all people including older people and people with a disability. The concentration of people living within the town centre will also ensure passive surveillance ensuring the principles of Crime Prevention Through Environmental Design creates a safer and more accessible place for all people. While the exhibited planning proposal facilitated an increase in the amount of public open space, the concept has been revisited to ascertain whether further open space could be provided. The revised concept further increases the amount that was exhibited to provide more open areas for the

		community. This was considered a very important need for the people of Middleton Grange and the planning proposal could both support a reduction in height and increase the amount of open space to the benefit of the people of Middleton Grange.
6.2	Optimise the use of available public land for social infrastructure.	While the Planning Proposal applies to land in private ownership, the Middleton Grange town centre includes land to be zoned RE1 Public Recreation to create a public space at the heart of the community. Further, other forms of social infrastructure including medical, health, convenience and services will be provided within the town centre.
7. COMMUNITIES ARE HEALTHY, RESILIENT AND SOCIALLY CONNECTED		
7.1	<p>Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by:</p> <ul style="list-style-type: none">• providing walkable places at a human scale with active street life• prioritising opportunities for people to walk, cycle and use public transport• co-locating schools, health, aged care, sporting and cultural facilities promoting local access to healthy fresh food and supporting local fresh food production.	<p>Consistent.</p> <p>The mixed-use Middleton Grange town centre will be a community hub and focal point for future residents. The location of the town centre in proximity to the Middleton Grange suburb supports the concept of 20-minute walkable neighbourhoods to improve people’s health and well-being. The town centre is also well located in proximity to open space and public places creating an active and more socially connected community which will be healthier and better able to adapt to change.</p> <p>The concept plan for the town centre seeks to provide permeability through the site and active street frontages, with activity and social interaction spilling out on to the streets creating spontaneity and community cultural life at a human walkable scale.</p>
8. GREATER SYDNEY’S COMMUNITIES ARE CULTURALLY RICH WITH DIVERSE NEIGHBOURHOODS		
8.1	Incorporate cultural and linguistic diversity in strategic planning and engagement.	<p>Middleton Grange is a newly forming community which has been growing and evolving since 2004. The town centre will now form the focal point for this community. As the planning and development of the town centre progresses a place-based planning approach will be able to be applied to ensure cultural diversity in the community is recognised and future land uses respond to the different ways in which people of all cultures and linguistic backgrounds engage and contribute to the community.</p>
8.2	Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations.	
9. GREATER SYDNEY CELEBRATES THE ARTS AND SUPPORTS CREATIVE INDUSTRIES AND INNOVATION		
9.1	Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden, including:	<p>Consistent.</p> <p>The proposed land use controls and zoning provide flexibility to achieve this objective.</p>

	<ul style="list-style-type: none"> arts enterprises and facilities and creative industries interim and temporary uses appropriate development of the night-time economy. 	<p>Cafes and restaurants seek to enliven the town centre through the day and support the night-time economy.</p> <p>Commercial and business spaces are adaptable to support creative uses and facilities in conjunction with the community uses associated with the public park.</p> <p>Further refinement will be progressed during the development application process.</p>
HOUSING THE CITY		
10. GREATER HOUSING SUPPLY		
A3	Prepare housing strategies	<p>The Planning Proposal will facilitate approximately 671 dwellings. Under the existing controls, the town centre would have accommodated between 583 to 626 dwellings, so this is a minor increase to that currently permissible. This will only make a minor difference to Council's housing growth.</p> <p>The suburb of Middleton Grange was rezoned in 2005 for urban renewal and future growth. The Planning Proposal supports the identification of Middleton Grange for future housing and the town centre as a focal point for the community: a place with access to public transport and jobs, connecting homes with work; a place that is safe and attractive and is characterised by quality urban design and architecture.</p>
A4	Develop 6–10 year housing targets	<p>The Greater Sydney Commission will work with Council and public agencies to prepare 6-10 year housing targets.</p> <p>The NSW Government has identified that 725,000 additional homes will be needed by 2036 to meet demand based on current population projections.</p> <p>The Western City, within which Middleton Grange is located, has a housing supply target of 39,850 from 2016-2021 and 184,500 to 2036.</p> <p>The Planning Proposal will facilitate the future town centre for Middleton Grange and also support housing growth and supply within the Western City.</p>
11. HOUSING IS MORE DIVERSE AND AFFORDABLE		
11.1	Prepare Affordable Rental Housing Target Schemes, following development of implementation arrangements.	N/A
11.2	State agencies, when disposing or developing surplus land for residential or mixed-use projects include, where viable, a range of initiatives to address housing diversity and/or affordable rental housing.	N/A

A5	Implement Affordable Rental Housing Targets	N/A
A CITY OF GREAT PLACES		
12. GREAT PLACES THAT BRING PEOPLE TOGETHER		
12.1	<p>Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by:</p> <ul style="list-style-type: none"> • prioritising a people-friendly public realm and open spaces as a central organising design principle • recognising and balancing the dual function of streets as places for people and movement • providing fine grain urban form, diverse land use mix, high amenity and walkability in and within a 10-minute walk of centres • integrating social infrastructure to support social connections and provide a community hub • recognising and celebrating the character of a place and its people. 	<p>The Planning Proposal while not seeking development consent will facilitate future development applications. This stage in the planning will set the future land use controls and zoning to allow for the design of future buildings, streets and considerable open landscaped spaces.</p> <p>The Middleton Grange town centre will be a place in its own right, somewhere that fosters pride in the new and evolving community within Middleton Grange.</p> <p>The principles of 'Great places that bring people together' will be invaluable to achieving a vibrant pedestrian orientated hub, that is accessible and easy to move within.</p> <p>The commercial and retail component along with restaurants and cafes will ensure a vibrant and interesting public realm that is safe and inviting for all members of the community.</p>
12.2	<p>In Collaboration Areas, Planned Precincts and planning for centres:</p> <ul style="list-style-type: none"> • investigate opportunities for precinct-based provision of adaptable car parking and infrastructure in lieu of private provision of car parking • ensure parking availability takes into account the level of access by public transport • consider the capacity for places to change and evolve, and accommodate diverse activities over time • incorporate facilities to encourage the use of car sharing, electric and hybrid vehicles including charging stations. 	<p>Consistent. While not a metropolitan or strategic centre, the Middleton Grange town centre provides a significant role for the community. The town centre will need to be adaptable and responsive to diverse activities over time. Further, parking innovations and access to the nearby train stations and the Fifteenth Avenue rapid transit should be considered to reduce reliance on the motor vehicle and promote sustainable practices and forms of transport.</p>
13. ENVIRONMENTAL HERITAGE IS IDENTIFIED, CONSERVED AND ENHANCED		
13.1	<p>Identify, conserve and enhance environmental heritage by:</p> <ul style="list-style-type: none"> • engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place • applying adaptive re-use and interpreting heritage to foster distinctive local places 	<p>N/A</p> <p>The site is part of a growth area being the suburb of Middleton Grange. There is no known environmental heritage. The exhibition of the Planning Proposal did not raise any heritage concerns by the community and further consultation will allow further consideration of this.</p>

	<ul style="list-style-type: none"> managing and monitoring the cumulative impact of development on the heritage values and character of places. 	
PART 5 PRODUCTIVITY		
A WELL CONNECTED CITY		
14.	A METROPOLIS OF THREE CITIES – INTEGRATED LAND USE AND TRANSPORT CREATES WALKABLE AND 30-MINUTE CITIES	
14.1	Integrate land use and transport plans to deliver the 30-minute city.	<p><i>“A 30 – minute city is where most people can travel to their nearest metropolitan centre or cluster by public transport within 30 minutes; and where everyone can travel to their nearest strategic centre by public transport seven days a week to access jobs, shops and services”.</i></p> <p>Middleton Grange is currently served by bus route 853. This service links Carnes Hill and Liverpool via Middleton Grange and Hoxton Park Road. It operates along Flynn Avenue, immediately south of the site. This bus route takes less than 30mins to reach to Liverpool metropolitan cluster.</p> <p>Further, the proposed Fifteenth Avenue rapid transit route that connects Liverpool to the Western Sydney Aerotropolis is less than 350 metres away. This transit route was not identified when the site was originally zoned in 2005 for up to 630 dwellings. The context for the site has therefore changed and will connect future residents to opportunities in Liverpool and the Aerotropolis, while also providing opportunities from elsewhere with Middleton Grange.</p>
14.2	Investigate, plan and protect future transport and infrastructure corridors.	<p>The subject site is 5km north of Leppington train station. The Greater Sydney Region Plan identifies future investigation of a mass transit rail link between Leppington and the Western Sydney Aerotropolis. This would have significant implications for an area like Middleton Grange, opening up access to significant job and employment opportunities associated with the Economic Corridor.</p> <p>Further, the Fifteenth Avenue rapid transit is less than 350 metres to the south of the site and will also support access via new transport and infrastructure corridors to and from the site.</p> <p>Further upgrades to road infrastructure is also being considered and investigated, including Bringelly Road, and the Northern Road, which will improve private transport to the Economic Corridor to the west.</p>

14.3	Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network.	N/A
15. THE EASTERN, GOP AND WESTERN ECONOMIC CORRIDORS ARE BETTER CONNECTED AND MORE COMPETITIVE		
A6	Collaborate to deliver the Greater Parramatta and the Olympic Peninsula (GOP) vision	N/A
A7	Develop a growth infrastructure compact for GOP	N/A
15.1	Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the economic corridors.	The Fifteenth Avenue Smart Transit Corridor is identified to travel through Middleton Grange connecting Liverpool City to the Western Sydney Aerotropolis. Fifteenth Avenue is less than 350 metres from the town centre. This major piece of transport infrastructure will enhance access to and from the economic corridor and the Liverpool Metropolitan Centre. This directly achieves these objectives including the 30-minute city objective.
15.2	Prioritise transport investments that enhance access to the economic corridors and between centres within the corridors.	



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15.3	Co-locate health, education, social and community facilities in strategic centres along the economic corridors.	The location of the Middleton Grange town centre will benefit from new health, education, social and community facilities in strategic centres along the economic corridor.
16. FREIGHT AND LOGISTICS NETWORK IS COMPETITIVE AND EFFICIENT		
16.1	Manage the interfaces of industrial areas, trade gateways and intermodal facilities	N/A
16.2	Optimise the efficiency and effectiveness of the freight handling and logistics network by:	N/A

	<ul style="list-style-type: none"> • protecting current and future freight corridors and shared freight corridors • balancing the need to minimise negative impacts of freight movements on urban amenity with the need to support efficient freight movements and deliveries • identifying and protecting key freight routes • limiting incompatible uses in areas expected to have intense freight activity. 	
17. REGIONAL CONNECTIVITY IS ENHANCED		
17.1	Investigate and plan for the land use implications of potential long-term regional transport connections.	The Middleton Grange town centre is well located to take advantage initially of the opportunities of connectivity within the Western City, and from existing connections to the Central and Eastern cities. In the longer term further growth opportunities will arise from north-south connections to the Illawarra, the Central Coast/Greater Newcastle regions and Canberra and environs.
JOBS AND SKILLS FOR THE CITY		
18. HARBOUR CBD IS STRONGER AND MORE COMPETITIVE		
18.1	<p>Prioritise:</p> <ul style="list-style-type: none"> • public transport projects to the harbour CBD to improve business-to-business connections and support the 30-minute city • infrastructure investments, particularly those focused on access to the transport network, which enhance walkability within 2 kilometres of metropolitan or strategic centres or 10 minutes walking distance of a local centre • infrastructure investments, particularly those focused on access to the transport network, which enhance cycling connectivity within 5 kilometres of strategic centres or 10 kilometres of the Harbour CBD. 	N/A
18.2	<p>Develop and implement land use and infrastructure plans which strengthen the international competitiveness of the Harbour CBD and grow its vibrancy by:</p> <ul style="list-style-type: none"> • further growing an internationally competitive commercial sector to support an innovation economy 	N/A

	<ul style="list-style-type: none"> • providing residential development without compromising commercial development • providing a wide range of cultural, entertainment, arts and leisure activities • providing a diverse and vibrant night-time economy, in a way that responds to potential negative impacts. 	
19. GREATER PARRAMATTA IS STRONGER AND BETTER CONNECTED		
19.1	Prioritise noted infrastructure investments	N/A
19.2	<p>Develop and implement land use and infrastructure plans which strengthen the economic competitiveness and grow its vibrancy by:</p> <ul style="list-style-type: none"> • enabling the development of an internationally competitive health and education precinct at Westmead • creating opportunities for an expanded office market • balancing residential development with the needs of commercial development, including if required, a commercial core • providing for a wide range of cultural, entertainment, arts and leisure activities • improving the quality of Parramatta Park and Parramatta River and their walking and cycling connections to Westmead and the Parramatta CBD • providing for a diverse and vibrant night-time economy in a way that responds to potential negative impacts. 	N/A
20. WESTERN SYDNEY AIRPORT AND BADGERYS CREEK AEROTROPOLIS ARE ECONOMIC CATALYSTS FOR WESTERN PARKLAND CITY		
20.1	<p>Prioritise:</p> <ul style="list-style-type: none"> • public transport investments to improve north-south and east-west connections to the metropolitan cluster • infrastructure investments, particularly those focused on access to the transport network, which enhance walkability within 2 kilometres of the metropolitan cluster of strategic centres or 10 minute walking distance of a local centre • infrastructure investments, particularly those focused on access to the transport network, which enhance cycling connectivity within 5 kilometres of 	<p>Over the life of the plan the pattern of the Western City will be based on the integration of land use, transport and other infrastructure. The proximity of the site to the Liverpool and Leppington train stations and the M7 motorway connects the site immediately to the rail and road networks and the benefits of accessibility to these economic corridors and metropolitan centres and clusters. Therefore, the suburb of Middleton Grange and its town centre is well located to take advantage of infrastructure and economic growth in western Economic corridors.</p> <p>The Middleton Grange town centre itself, the subject of this Planning Proposal is designed to meet the needs of the new establishing Middleton Grange</p>

	<p>strategic centres or 10 kilometres of the metropolitan cluster.</p>	<p>community. It will deliver walkable streets to ensure a pedestrian friendly neighbourhood and support cycling connectivity.</p> <p>Since the Planning Proposal was lodged the strategic planning framework has changed and evolved in accordance with the Government's strategic plan. The evolving Western Sydney Aerotropolis is now 7.5km away from the town centre offering access to jobs and the economic corridor. Further, the proposed Fifteenth Avenue Smart Transit Corridor has been identified less than 350 metres away. Therefore, the strategic context of the site has significantly changed since the original/existing controls were set, and the proposed controls establish a centre for the existing strategic context. Further decisions on the alignment of roads and mass transit will be progressed by State agencies and the Greater Sydney Commission, while the development of the Middleton Grange town centre will provide the goods, services, recreation and jobs to support the local community.</p>
20.2	<p>Develop and implement land use and infrastructure plans for the Western Sydney Airport, the metropolitan cluster, the Western Sydney Employment Area and strategic centres in the Western Sydney Parkland City by:</p> <ul style="list-style-type: none"> • Supporting commercial development, aerospace and defence industries and the innovation economy • Supporting internationally competitive freight and logistics sectors • Planning vibrant strategic centres and attracting health and education facilities, cultural entertainment, arts and leisure activities • Creating high quality places with a focus on walking and cycling • Improving transport connections across the Western Parkland City 	<p>The strategic planning principles identified for the Western Parkland City will be incorporated in to the detailed design and development applications stages for the town centre.</p>
21. INTERNATIONALLY COMPETITIVE HEALTH, EDUCATION, RESEARCH AND INNOVATION PRECINCTS		
21.1	<p>Develop and implement land use and infrastructure plans for health and education precincts that:</p> <ul style="list-style-type: none"> • create the conditions for the continued co-location of health and education facilities, and services to support the precinct and growth of the precincts • have high levels of accessibility 	<p>Liverpool is identified by the Greater Sydney Region Plan as a metropolitan cluster and Health and Education Precinct. The Middleton Grange town centre is 7km from the Liverpool CBD or less than a 30 minute bus journey.</p>

	<ul style="list-style-type: none"> attract associated businesses, industries and commercialisation of research facilitate housing opportunities for students and workers within 30 minutes of the precinct. 	<p>Further, the Western Sydney Aerotropolis is 7.5 km away, and forms part of the very important Western Sydney Economic Corridor.</p> <p>The proposed Fifteenth Avenue Smart Transit Corridor make both strategically important areas easily accessible within 30 minutes.</p>
22. INVESTMENT AND BUSINESS ACTIVITY IN CENTRES		
22.1	<p>Provide access to jobs, goods and services in centres by:</p> <ul style="list-style-type: none"> attracting significant investment and business activity in strategic centres to provide jobs growth diversifying the range of activities in all centres creating vibrant, safe places and a quality public realm focusing on a human-scale public realm and locally accessible open space balancing the efficient movement of people and goods with supporting the liveability of places on the road network improving the walkability within and to centres completing and improving a safe and connected cycling network to and within centres improving public transport services to all strategic centres conserving and interpreting heritage significance designing parking that can be adapted to future uses providing for a diverse and vibrant night-time economy in a way that responds to potential negative impacts creating the conditions for residential development within strategic centres and within walking distance (up to 10 minutes), but not at the expense of the attraction and growth of jobs, retailing and services; where appropriate, strategic centres should define commercial cores informed by an assessment of their need. 	<p>Middleton Grange town centre is not a strategic centre but will serve as a focal point for the community and a destination that includes jobs, cafes and restaurants, retail and local business activity. It is of a scale that serves the evolving Middleton Grange suburb, and the emerging context close to the Western Sydney Economic Corridor. It is within 5km of Leppington, 7km of the Liverpool CBD, and 7.5 km of the Western Sydney Aerotropolis and Economic Corridor.</p> <p>Many of the principles for activity in Centres will be adopted in the development phase of the project to ensure vibrant and safe places, efficient movement of people and traffic, walkable neighbourhoods with good accessibility and permeability, and a diverse and vibrant night-time economy.</p>
22.2	Create new centres in accordance with the principles for Greater Sydney's centres.	<p>Consistent.</p> <p>The Middleton Grange town centre, while not developed and constructed is a long established centre by zoning and strategy. The centre is zoned to accommodate up to 630 dwellings and 12,000-</p>

		<p>16,000sq.m of commercial and retail space. The Planning Proposal further refines the layout and development of the centre, while noting the change to the strategic planning framework since 2005, that includes the Western Sydney Aerotropolis nearby (7.5km) and the proposed Fifteenth Avenue Smart Transit Corridor (350 metres).</p> <p>Further detailed assessment will be considered at the development application stage against the principles for Greater Sydney's centres.</p>
23. INDUSTRIAL AND URBAN SERVICES LAND IS PLANNED, RETAINED AND MANAGED		
23.1	Retain, review and plan industrial and urban services land in accordance with the principles for managing industrial and urban services land.	N/A
23.2	Consider office development in industrial zones where it does not compromise industrial or urban services activities in the South and Western City Districts.	N/A
24. ECONOMIC SECTORS ARE TARGETED FOR SUCCESS		
24.1	Consider the barriers to the growth of internationally competitive trade sectors including engaging with industry and assessing regulatory barriers.	N/A
24.2	<p>Consider the following issues when preparing plans for tourism and visitation:</p> <ul style="list-style-type: none"> • encouraging the development of a range of well-designed and located facilities • enhancing the amenity, vibrancy and safety of centres and township precincts • supporting the development of places for artistic and cultural activities • improving public facilities and access • protecting heritage and biodiversity to enhance cultural and eco-tourism • supporting appropriate growth of the night-time economy • developing industry skills critical to growing the visitor economy • incorporating transport planning to serve the transport access needs of tourists. 	Consistent
24.3	Protect and support agricultural production and mineral resources (in particular construction materials) by preventing inappropriately dispersed urban activities in rural areas.	N/A

24.4	Provide a regulatory environment that enables economic opportunities created by changing technologies.	N/A
PART 6 SUSTAINABILITY		
A CITY IN ITS LANDSCAPE		
25. THE COAST AND WATERWAYS ARE PROTECTED AND HEALTHIER		
25.1	Protect environmentally sensitive areas of waterways and the coastal environment area.	N/A
25.2	Enhance sustainability and liveability by improving and managing access to waterways, foreshores and the coast for recreation, tourism, cultural events and water-based transport.	N/A
25.3	Improve the health of catchments and waterways through a risk-based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes.	N/A
25.4	Reinstate more natural conditions in highly modified urban waterways.	N/A
26. A COOL AND GREEN PARKLAND CITY IN THE SOUTH CREEK CORRIDOR		
26.1	Implement the South Creek Corridor Project and use the design principles for South Creek to deliver a cool and green Western Parkland City.	While the site is not within the South Creek Corridor future residents will likely have access to it. Future development will also adopt design principles to provide for a green Western Parkland City.
27. BIODIVERSITY IS PROTECTED, URBAN BUSHLAND AND REMNANT VEGETATION IS ENHANCED		
27.1	Protect and enhance biodiversity by: <ul style="list-style-type: none"> • supporting landscape-scale biodiversity conservation and the restoration of bushland corridors • managing urban bushland and remnant vegetation as green infrastructure • managing urban development and urban bushland to reduce edge-effect impacts. 	Consistent
28. SCENIC AND CULTURAL LANDSCAPES ARE PROTECTED		
28.1	Identify and protect scenic and cultural landscapes.	Consistent
28.2	Enhance and protect views of scenic and cultural landscapes from the public realm.	Consistent
29. ENVIRONMENTAL, SOCIAL AND ECONOMIC VALUES IN RURAL AREAS ARE PROTECTED AND ENHANCED		
29.1	Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.	N/A The site is not located within the Metropolitan Urban Area as identified by Figure 49 of the Greater Sydney Region Plan.

29.1	Limit urban development to within the Urban Area, except for the investigation areas at Horsley Park, Orchard Hills, and east of The Northern Road, Luddenham.	N/A
30. URBAN TREE CANOPY COVER IS INCREASED		
30.1	Expand urban tree canopy in the public realm.	Opportunities for public planting have been identified in the attached Landscape Plan. The Landscape Plan includes a tree planting strategy which includes the types of trees and locations, to provides for an urban canopy along main streets, the open spaces, and through links.
31. PUBLIC OPEN SPACE IS ACCESSIBLE, PROTECTED AND ENHANCED		
31.1	Maximise the use of existing open space and protect, enhance and expand public open space.	<p>The Planning Proposal has been amended since the initial public exhibition (August-October 2018) to increase the amount of open space to approximately 7,632sq.m. This includes:</p> <ul style="list-style-type: none"> • 3,028sq.m public park including 500sq.m community centre on the east side of the town centre; • 3,648sq.m new park in centre of the town centre; and • 956sq.m new park to the west. <p>The open space will be designed to be attractive and define the character of the area. It will be a focal point for the community and will make the neighbourhood pleasant and welcoming. The attached Landscape Plan details the vision for open space and pedestrian areas throughout the town centre.</p> <p>The site is also close to other open spaces throughout the Middleton Grange suburb ensuring access to open space is enhanced and contributes to a healthier community.</p>
32. THE GREEN GRID LINKS PARKS, OPEN SPACES, BUSHLAND AND WALKING AND CYCLING PATHS		
32.1	<p>Progressively refine the detailed design and delivery of:</p> <ul style="list-style-type: none"> • Greater Sydney Green Grid priority corridors • opportunities for connections that form the long-term vision of the network • walking and cycling links for transport as well as leisure and recreational trips. 	Consistent.
AN EFFICIENT CITY		
33. A LOW-CARBON CITY CONTRIBUTES TO NET-ZERO EMISSIONS BY 2050 AND MITIGATES CLIMATE CHANGE		

33.1	Support initiatives that contribute to the aspirational objective of achieving net-zero emissions by 2050 especially through the establishment of low-carbon precincts in Planned Precincts, Growth Areas and Collaboration Areas.	Consistent. With good access to nearby existing and future public transport (including the Fifteenth Avenue Smart transit corridor) and proximity to metropolitan clusters and health and education precincts (including the Liverpool CBD and the Western Sydney Aerotropolis) the Middleton Grange town centre seeks to achieve the objective of reducing trip generation and car dependency by locating jobs and homes close together. This is also achieved through the commercial/retail component of the town centre which will provide job and employment opportunities and community and social infrastructure, further encouraging resident retention in the area and reducing car dependency.
34. ENERGY AND WATER FLOWS ARE CAPTURED, USED AND RE-USED		
34.1	Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency especially in Planned Precincts and Growth Areas, Collaboration Areas and State Significant Precincts.	Consistent The Planning Proposal does not consider energy efficiency and water flows, but during the detailed development application stage consideration will be given to opportunities to generate energy sustainably, and to store, distribute and use energy more efficiently. This also considers the way of using resources, so energy, water and waste are used efficiently and continually recycled and re-used.
35. MORE WASTE IS RE-USED AND RECYCLED TO SUPPORT THE DEVELOPMENT OF A CIRCULAR ECONOMY		
35.1	Protect existing, and identify new, locations for waste recycling and management.	N/A
35.2	Support innovative solutions to reduce the volume of waste and reduce waste transport requirements.	N/A
A RESILIENT CITY		
36. PEOPLE AND PLACES ADAPT TO CLIMATE CHANGE AND FUTURE SHOCKS AND STRESSES		
36.1	Support initiatives that respond to the impacts of climate change.	Consistent
37. EXPOSURE TO NATURAL AND URBAN HAZARDS IS REDUCED		
37.1	Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards.	Consistent
37.2	Respond to the direction for managing flood risk in the Hawkesbury-Nepean Valley as set out in Resilient Valley, Resilient Communities – Hawkesbury-Nepean Valley Flood Risk Management Strategy.	N/A

38. HEATWAVES AND EXTREME HEAT ARE MANAGED		
38.1	Mitigate the urban heat island effect and reduce vulnerability to extreme heat.	<p>Consistent</p> <p>The area for green open spaces in the town centre has been doubled. A new Landscape Plan prepared by Habit8 has been prepared and is attached at Appendix G and details the extensive mature tree planting throughout the town centre which is being advanced at this stage to create a green network within the town centre.</p> <p>Further design opportunities to mitigate the urban heat island effect should be explored at DA stage when detailed design of buildings and public spaces will be explored.</p>

Table 5: Consistency with the Greater Sydney Region Plan – A Metropolis of Three Cities

Western City District Plan

Greater Sydney's three cities identified in the Greater Sydney Region Plan – A Metropolis of Three Cities reach across five districts. The Western City District is framed by the region's Protected Natural Area and Metropolitan Rural Area and incorporates the local government areas of Blue Mountains; Hawkesbury; Penrith; Camden; Campbelltown; Fairfield; Liverpool; and Wollondilly. Its primary focus is the Western Parkland City.

The Western City District Plan was released in March 2018 to set the priorities and actions for improving the quality of life for residents as the district grows and changes.

“The vision for Greater Sydney as a metropolis of three cities means residents in the Western City District will have quicker and easier access to a wider range of jobs, housing types and activities. The vision will improve the District's lifestyle and environmental assets”.

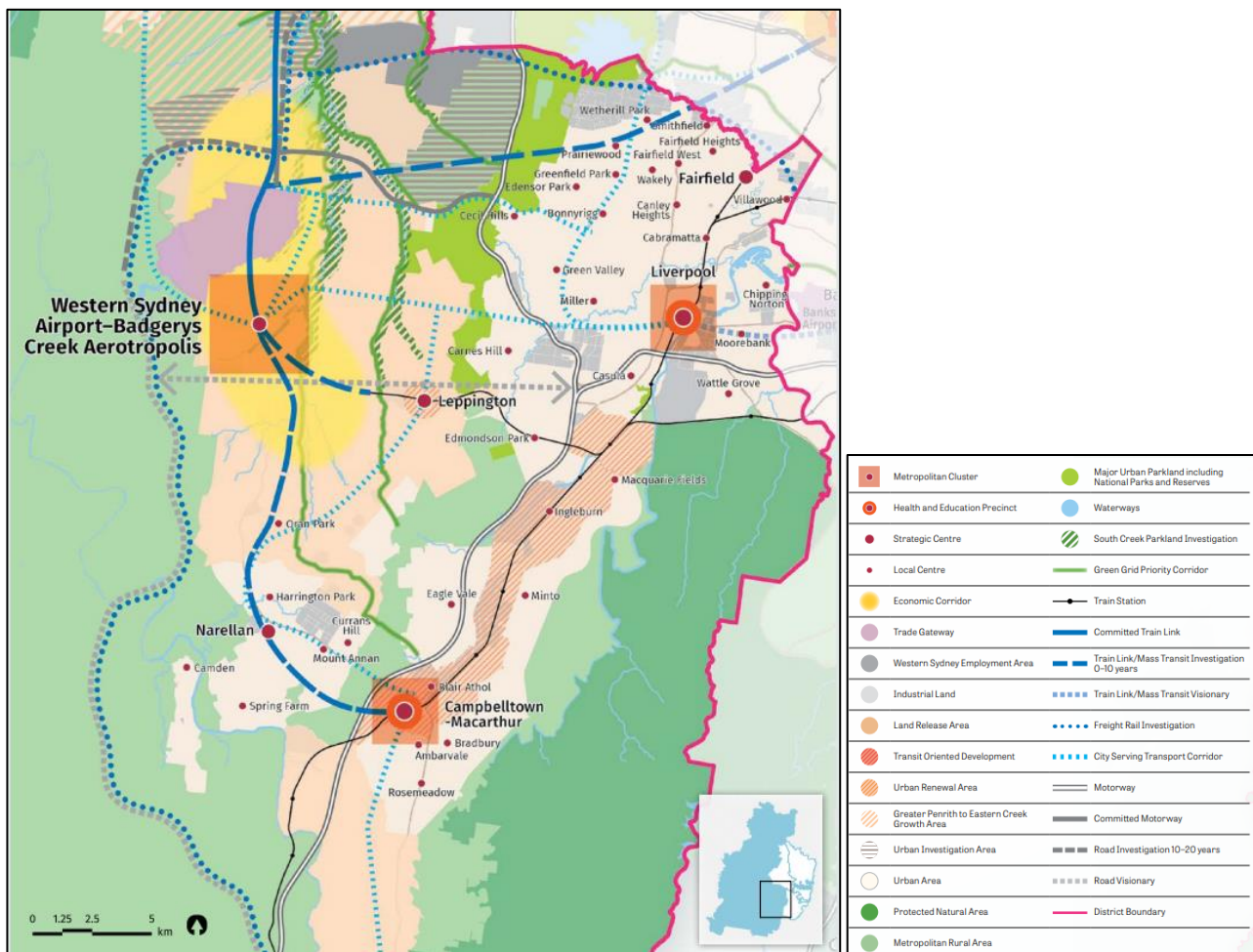
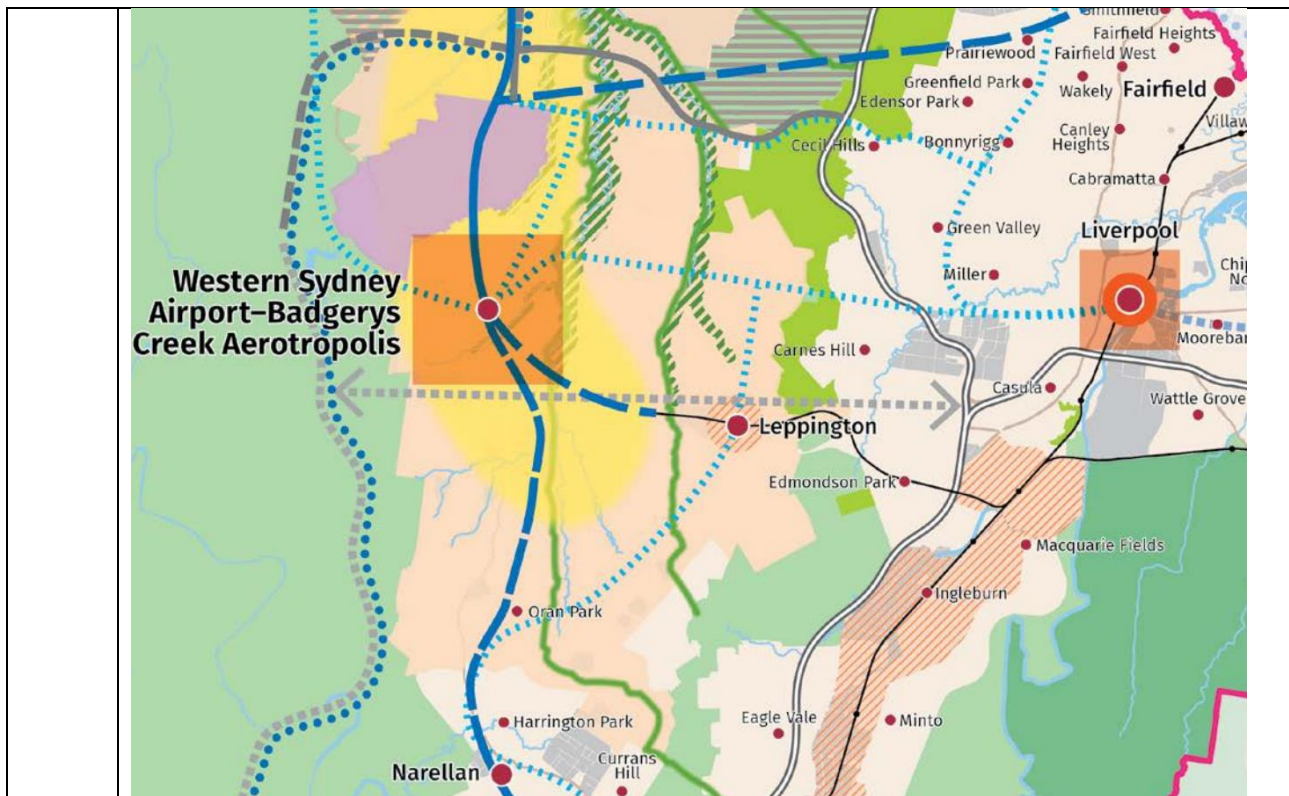


Figure 25: Western City District Structure Plan

Consistency with the Western City District planning priorities and indicators is considered in Table 6 below:

A CITY SUPPORTED BY INFRASTRUCTURE		
DIRECTION: PLANNING FOR A CITY SUPPORTED BY INFRASTRUCTURE		
P.I	<p><u>Potential Indicator:</u></p> <p>Increased 30-minute access to a metropolitan centre/cluster</p>	<p>The Middleton Grange town centre is 7km to the west of the Liverpool metropolitan cluster and health and education precinct and 7.5km from the Western Sydney Aerotropolis.</p> <p>Middleton Grange is currently served by bus route 853. This service links Carnes Hill and Liverpool via Middleton Grange and Hoxton Park Road. It operates along Flynn Avenue, immediately south of the site. This bus route takes less than 30mins to reach to Liverpool metropolitan cluster.</p> <p>Further, the suburb of Middleton Grange will be served by the Fifteenth Avenue Smart Transit Corridor that will connect the Liverpool CBD to the Western Sydney Aerotropolis via Middleton Grange.</p>
W.1	<p><u>Planning Priority W1</u></p> <p>Planning for a city supported by infrastructure</p>	<p>The Western Sydney City Deal will be the single largest planning, investment and delivery partnership in the history of the nation, involving the Australian and NSW Governments, together with the eight local governments of the District. The Western City District Plan responds to major transport, health and education investments either committed or planned across the Western District.</p> <p>The Middleton Grange town centre is ideally located to take advantage of opportunities associated with improved infrastructure and access to jobs in the Liverpool metropolitan cluster and Economic Corridor.</p> <p>As can be seen from the below Western City Structure Plan, the Middleton Grange town centre (to the north of Cairns Hill) is ideally located between Liverpool CBD and the future Western Sydney Airport and Economic Corridor. Leppington railway station is 5km to the south and a proposed mass transit rail link to the airport has been identified, while Middleton Grange is in the immediate vicinity of a proposed 'City Servicing Transport Corridor' that will connect Liverpool to the Western Sydney Airport via Middleton Grange. The site is therefore ideally located in proximity to existing and future infrastructure and economic growth.</p>



A COLLABORATIVE CITY

DIRECTION: WORKING TOGETHER TO GROW A GREATER SYDNEY

P.I	<p><u>Potential Indicator:</u></p> <p>Increased use of public resources such as open space and community facilities</p>	<p>The Greater Sydney Commission is also collaborating with local councils to improve regional open space and deliver Greater Sydney's Green Grid through the administration and management of the Metropolitan Greenspace Program.</p> <p>The Planning Proposal includes open space within the Middleton Grange town centre designed to be activated by surrounding land uses with passive surveillance from residential development to ensure safety. Other areas of open space are also nearby, and the town centre has been designed to ensure permeability through the centre to easily connect to surrounding areas via activated and vibrant streets.</p>
W.2	<p><u>Planning Priority W2</u></p> <p>Working through collaboration</p>	Consistent

A CITY FOR PEOPLE

DIRECTION: CELEBRATING DIVERSITY AND PUTTING PEOPLE AT THE HEART OF PLANNING

P.I	<p><u>Potential Indicator:</u></p> <p>Increased walkable access to local centres</p>	Consistent
W.3	<p><u>Planning Priority W3</u></p> <p>Providing services and social infrastructure to meet people's changing needs</p>	<p>Consistent</p> <p>The role of the Middleton Grange town centre will be to provide services and infrastructure for the broader Middleton Grange community.</p>

W4	<u>Planning Priority W4</u> Fostering healthy, creative, culturally rich and socially connected communities	Consistent The town centre will be well connected to the broader suburb to facilitate walkable neighbourhoods and embrace a sense of identity for the evolving community, catering for ages, disabilities and ethnicities.
HOUSING THE CITY		
DIRECTION: GIVING PEOPLE HOUSING CHOICES		
P.I	<u>Potential Indicator:</u> Increased housing completions (by type)	Consistent The 5-year housing supply target for Liverpool local government area to 2021 is 8,250. Under the existing controls, the Middleton Grange town centre has the capacity to accommodate approximately 580 to 630 dwellings. The planning proposal slightly amends the planning controls for the town centre, in conjunction with zoning realignments, to provide for approximately 671 dwellings; a small increase in conjunction with the emerging strategic planning framework, identified by the state governments Greater Sydney and Western City Plans.
	Number of councils that implement Affordable Rental Housing Target Schemes	N/A
W.5	<u>Planning Priority W5</u> Providing housing supply, choice and affordability with access to jobs, services and public transport	Consistent The Middleton Grange town centre will supply a mix of new housing and jobs, within 7km of the Liverpool metropolitan cluster, 7.5km of the Western Sydney Aerotropolis and 5km from the Leppington train station. Future infrastructure improvements, including the Fifteenth Avenue Smart Transit Corridor (350 metres to the south) also support connections to the Western Sydney Airport and associated economic corridor.
A CITY OF GREAT PLACES		
DIRECTION: DESIGNING PLACES FOR PEOPLE		
P.I	<u>Potential Indicator:</u> Increased access to open space	The Planning Proposal has been amended since the initial public exhibition (August-October 2018) to increase the amount of open space to approximately 7,632sq.m. This includes: <ul style="list-style-type: none"> • 3,028sq.m public park including 500sq.m community centre on the east side of the town centre; • 3,648sq.m new park in centre of the town centre; and • 956sq.m new park to the west. The open space will be designed to be attractive and define the character of the area. It will be a focal point

		<p>for the community and will make the neighbourhood pleasant and welcoming. The attached Landscape Plan details the vision for open space and pedestrian areas throughout the town centre.</p> <p>The site is also close to other open spaces throughout the Middleton Grange suburb ensuring access to open space is enhanced and contributes to a healthier community.</p>
W.6	<p><u>Planning Priority W6</u></p> <p>Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>The Planning Proposal is informed by a concept that will be further refined during the development application process. The attached urban design report includes design principles to ensure that the Middleton Grange town centre is a great place for residents and the local community.</p>
A WELL CONNECTED CITY		
DIRECTION: DEVELOPING A MORE ACCESSIBLE AND WALKABLE CITY		
P.I	<p><u>Potential Indicator:</u></p> <p>Percentage of dwellings located within 30 minutes by public transport of a metropolitan centre/ cluster</p>	<p>Consistent</p> <p>Middleton Grange town centre is 7 km west of Liverpool metropolitan cluster and 7.5 km east of the Western Sydney Aerotropolis and Economic Corridor - and less than a 30 minute bus trip under existing conditions.</p>
	<p>Percentage of dwellings located within 30 minutes by public transport of a strategic centre</p>	<p>The Fifteenth Avenue Smart Transit Corridor is identified to travel through Middleton Grange connecting Liverpool City to the Western Sydney Aerotropolis. Fifteenth Avenue is less than 350 metres from the town centre. This major piece of transport infrastructure will enhance access to and from the economic corridor and the Liverpool Metropolitan Centre. This directly achieves these objectives including the 30-minute city objective.</p>
W.7	<p><u>Planning Priority W7</u></p> <p>Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City</p>	<p>Consistent</p>
JOBS AND SKILLS FOR THE CITY		
DIRECTION: CREATING THE CONDITIONS FOR A STRONGER ECONOMY		
P.I	<p><u>Potential Indicator:</u></p> <p>Increased jobs in metropolitan and strategic centres</p>	<p>Consistent</p> <p>The growth in housing and population within the Middleton Grange town centre will support the Liverpool metropolitan cluster and the Western Sydney Aerotropolis and Economic Corridor by providing an</p>

		available workforce in close proximity as the Western City economy grows.
W.8	<u>Planning Priority W8</u> Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis	N/A
W.9	<u>Planning Priority W9</u> Growing and strengthening the metropolitan cluster	N/A
W.10	<u>Planning Priority W10</u> Maximising freight and logistics opportunities and planning and managing industrial and urban services land	N/A
W.11	<u>Planning Priority W11</u> Growing investment, business opportunities and jobs in strategic centres	N/A
A CITY IN ITS LANDSCAPE		
DIRECTION: VALUING GREEN SPACES AND LANDSCAPE		
P.I	<u>Potential Indicator:</u> Increased urban tree canopy	Opportunities for public planting have been identified in the attached Landscape Plan. The Landscape Plan includes a tree planting strategy which includes the types of trees and locations, to provides for an urban canopy along main streets, the open spaces, and through links.
	Expanded Greater Sydney Green Grid	N/A
W.12	<u>Planning Priority W12</u> Protecting and improving the health and enjoyment of the District's waterways	N/A
W.13	<u>Planning Priority W13</u> Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element	N/A
W.14	<u>Planning Priority W14</u> Protecting and enhancing bushland and biodiversity	N/A
W.15	<u>Planning Priority W15</u> Increasing urban tree canopy cover and delivering Green Grid connections	Consistent
W.16	<u>Planning Priority W16</u> Protecting and enhancing scenic and cultural landscapes	N/A

W.17	<u>Planning Priority W17</u> Better managing rural areas	N/A
W.18	<u>Planning Priority W18</u> Delivering high quality open space	Consistent
AN EFFICIENT CITY		
DIRECTION: USING RESOURCES WISELY		
P.I	<u>Potential Indicator:</u> Reduced transport related greenhouse gas emissions	With good access to nearby existing and future public transport and proximity to metropolitan clusters and health and education precincts the Middleton Grange town centre seeks to achieve the objective of reducing trip generation and car dependency. This is also achieved through the commercial/retail component of the town centre which will provide job and employment opportunities and community and social infrastructure, further encouraging resident retention in the area and reducing car dependency. The Planning Proposal does not consider energy efficiency and water flows, but during the detailed development application stage consideration will be given to opportunities to generate energy sustainably, and to store, distribute and use energy more efficiently. This also considers the way of using resources, so energy, water and waste are used efficiently and continually recycled and re-used.
	Reduced energy use per capita	
W.19	<u>Planning Priority W19</u> Reducing carbon emissions and managing energy, water and waste efficiently	
A RESILIENT CITY		
DIRECTION: ADAPTING TO A CHANGING WORLD		
P.I	Number of councils with standardised state-wide natural hazard information	N/A
P.20	<u>Planning Priority W20</u> Adapting to the impacts of urban and natural hazards and climate change	Consistent

Table 6: Consistency with the Western City District Plan

4. *Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

Liverpool Retail Centres Hierarchy Review (2012)

In 2012, Hill PDA prepared a retail centres hierarchy review for Council based largely on existing and imminent centres. It excluded potential centres in the South West Growth Centre (SWGC) given that land use configurations within the SWGC were unclear at the time of the review. The Middleton Grange Town Centre was noted as an imminent centre. The centre had been zoned for retail and commercial purposes but had not been developed.

At the time of preparing the review, Hill PDA estimated the catchment area for retail centres within the Liverpool LGA to contain about 398,000 residents, increasing to around 526,000 by 2031. The review

determined existing demand for retail floor space in the Liverpool LGA would increase from approximately 397,000m² in 2012 to 511,000m² by 2031. This represented an increase of 6,000 m² per year. Whilst the study does not specify demand for retail floor space at Middleton Grange, the exhibited concept and estimated floor areas would represent just 3.5 years of required retail demand across the Liverpool LGA.

Since the Review was undertaken, the strategic planning framework for the Western District and this area of Sydney has changed significantly. The current hierarchy of centres for Liverpool does not anticipate the development of the Western Sydney Aerotropolis. At 7.5km from the airport, and connected by a rapid transit system at Fifteenth Avenue, Middleton Grange is ideally located to support airport-related industries, businesses and workers.

Further, the size and tenant mix is not expected to compete with other nearby centres, including Carnes Hill. Currently shoppers and workers need to travel more than 2 kilometres to access local retail. The development of the town centre will allow residents to walk locally to shops rather than increasing vehicular movements.

Business Centres and Corridors Strategy Review 2013

Council carried out a review of its business centres and corridors strategy in 2013. The purpose of the strategy and review was to consolidate the LGA's ability to cater for growth generally in the professional services sector.

The strategies identified by the review were:

1. *Preserve a commercial core area (excluding residential) in the Liverpool CBD for future business, office and retail growth.*
2. *Limit professional office premises to business zones to capitalise on, and concentrate infrastructure and services.*
3. *Establish and maintain Liverpool's Retail Centre Hierarchy.*
4. *Support the expansion of existing retail and business centres in accordance with the adopted Retail Centres Hierarchy 2012.*
5. *Ensure that new centres complement existing centres and do not impact upon their viability.*
6. *Expand start-up business opportunities (and restrict residential) in extended enterprise corridor zones leading into main centres and nodes.*
7. *Support growth of existing bulky goods clusters in accordance with the retail centre hierarchy and limit other locations to serve a district role."*

The planning proposal seeks to establish and extend a local centre, creating a more functional and viable town centre. It will not derogate from Liverpool as a centre but provide appropriate local uses for future residents. These uses will encourage affordability and encourage start-up businesses and local connections. The proposal is consistent with the objectives above.

Further, and as discussed above the Review did not anticipate the development of the Western Sydney Aerotropolis. At 7.5km from the airport, and connected by a rapid transit system at Fifteenth Avenue, Middleton Grange is ideally located to support airport-related industries, businesses and workers. The strategic planning framework within which the 2013 Review was written has therefore significantly changed, with unprecedented growth proposed and occurring in Western Sydney.

The attached PPM Consulting economic response report addresses in detail the Liverpool Retail Centres Hierarchy Review and the Business Centres and Corridors Strategy Review, noting that:

- restricting retail space lowers total factor productivity, thereby making retail products more expensive across the board.
- the *draft Centres Policy: Planning for Retail and Commercial Development* states that new town centres should be able to be established and grow.
- the Harper Reviews conclusions that restrictions of retail and commercial space lead to slower growth, fewer jobs or higher prices.

Community Strategic Plan – Our Home Liverpool 2027

The Liverpool Community Strategic Plan was endorsed in 2017 to define the vision and priorities of the community for the next ten years to 2027. The Plan sets the direction for Council, government, business, the not-for-profit sector and residents and provides a guide for stakeholders to work together and to capitalise on the opportunities which will keep Liverpool moving forward.

The Plan seeks to support the broader strategic planning framework including the Greater Sydney Plan and the Western City District Plan. This is achieved through the Plan's four directions, Creating Connection, Leading through Collaboration, Generating Opportunity and Strengthening and Protecting our Environment, which form the structure for the community's priorities.

The table below considers these key directions:

Direction	Response
<p>1. <u>Creating Connection</u></p> <p>This direction emphasises the importance of connections within Liverpool to create a harmonious community</p>	<p>The key vision for the Middleton Grange town centre is to connect the community by creating a town centre that provides open spaces and community facilities that foster an inclusive and dynamic environment and creates a sense of place and focal point for residents and visitors to congregate and enjoy. There is no focal point for the community in Middleton Grange and the town centre will be just that, within walking distance for many residents.</p> <p>The Planning Proposal facilitates over 7,000sq.m of open space, with through site links and laneways. The Landscape Plan provides a variety of usable spaces for varying purposes, whether passive or active recreation.</p>
<p>2. <u>Strengthening and Protecting our environment</u></p> <p>This direction is about planning high-quality, sustainable urban environments to create a great place to live, work and play.</p>	<p>The Planning Proposal is required to reflect the current concept and realign the layout. This is the outcome of an urban design review that sought to create a more logical and permeable town centre, with open spaces and through links.</p> <p>The town centre facilitated by the Planning Proposal directly achieves the key objectives to create more green spaces; to create well-planned, attractive and people friendly urban</p>

	environments; and improve access and safety in public areas for the community.
<p>3. Generating Opportunity</p> <p>This direction underlines the need for Council to support economic growth, including employment and investment options</p>	<p>The town centre has been zoned accordingly since 2005 and unfortunately remained undeveloped.</p> <p>The Planning Proposal now facilitates a new town centre more responsive to the communities needs that responds to the new strategic planning framework for Western Sydney. The town centre is 7.5km from the Western Sydney Economic Corridor and 350 metres from the proposed Fifteenth Avenue Rapid Transit Corridor. It is well located to support jobs, economic growth and small business start up opportunities.</p> <p>The Planning Proposal creates employment space, through new retail, offices, and medical and health facilities and creates a great place to work through the design and open space of the town centre. The centre supports the creation of small businesses by providing office and commercial spaces and has been carefully considered from a traffic management point of view with significant contributions that support the surrounding road network.</p>
<p>4. Leading Through Collaboration</p> <p>This direction highlights the importance of a Council proactively leading the community, while continually engaging the community to ensure an aligned vision.</p>	<p>The Planning Proposal was publicly exhibited from August to October 2018.</p> <p>The community raised a number of concerns while acknowledging the need for a town centre that provides local facilities and services.</p> <p>A number of amendments have been made to the Planning Proposal in response to the communities input, including a reduction in height, a reduction in the number of apartments, the inclusion of medical and health facilities, and doubling the amount of communal open space. A further period of consultation will be undertaken on the revisions.</p>

Table 7: Response to Liverpool Community Strategic Plan Directions

Liverpool Draft Local Strategic Planning Statement

Recent amendments to the Environmental Planning & Assessment Act 1979 require Council's in Sydney to prepare local strategic planning statements (LSPS) which will set out the 20-year vision for land-use in the local area, the special character and values that are to be preserved and how change will be managed into the future.

The statements will implement actions in the regional and district plans, and the council's own priorities in the community strategic plan it prepares under local government legislation.

The *draft Liverpool Local Strategic Planning Statement – Connected Liverpool 2050* has been prepared and was exhibited for 6 weeks from June to August 2019. Connected Liverpool 2050 is the Council’s 30 year land use vision for the Liverpool LGA, which will guide development, balancing the need for housing, jobs and services as well as parks, community facilities and the natural environment.

The LSPS lists the planning priorities across four areas, being Connectivity, Productivity, Liveability, and Sustainability. In doing so, it gives effect to the Greater Sydney Region Plan and Western City District Plan and has been informed by the Liverpool Community Strategic Plan discussed above.

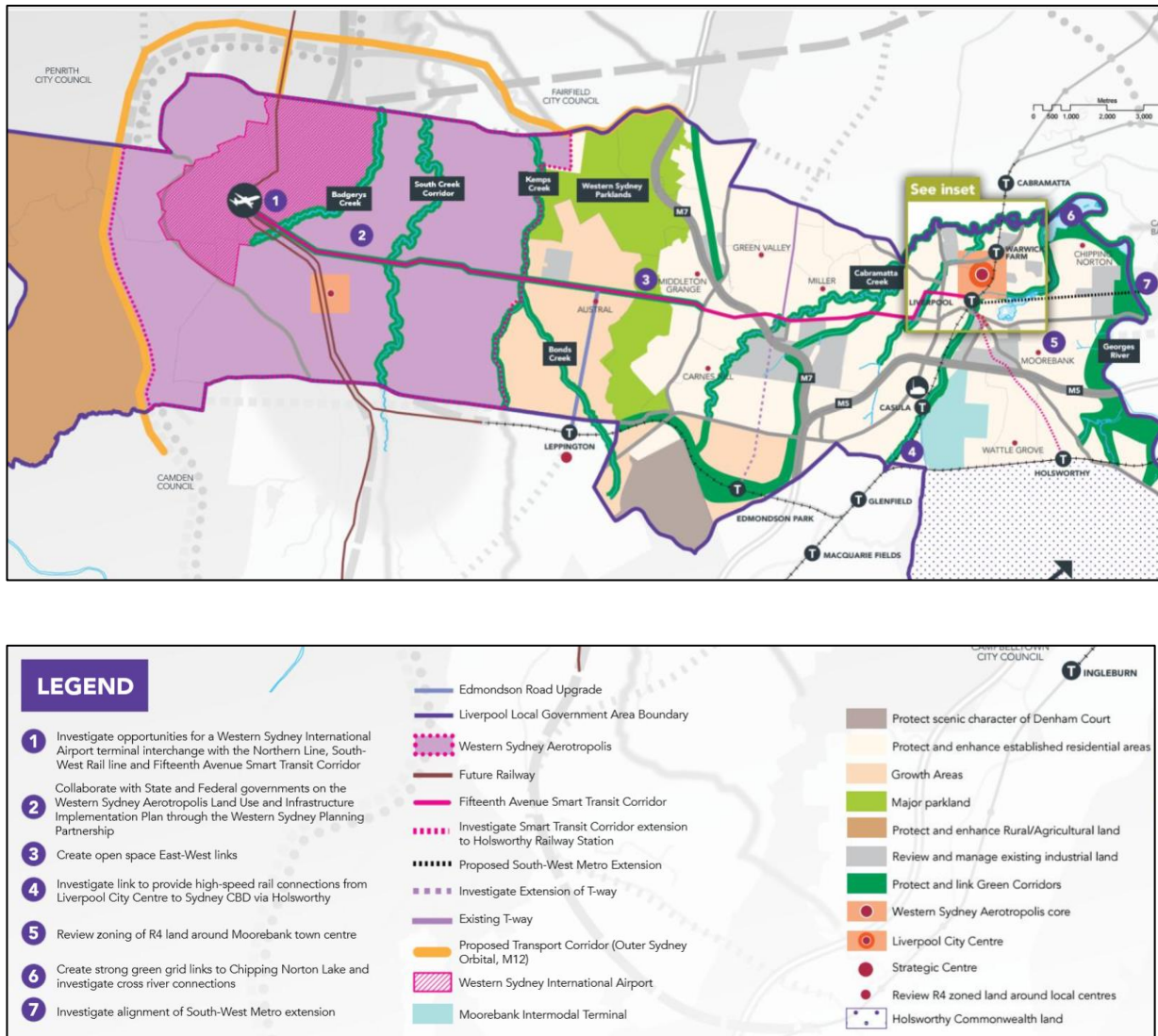


Figure 26: Draft Liverpool LSPS Structure Plan

Council’s flagship project is the Fifteenth Avenue Smart Transit Corridor, which “uses electric, autonomous technology to seamlessly connect residents to the vast commercial and industrial employment opportunities provided by *Western Sydney International Airport*, while spurring sustainable transit- and landscape-oriented development along its route”.

The Planning Proposal facilitates the development of the Middleton Grange town centre. It is located less than 350 metres from the Fifteenth Avenue Smart Transit Corridor connecting Middleton Grange to the Liverpool metropolitan centre, the Western Sydney Airport, and the Economic Corridor.

The Planning Proposal realigns zone boundaries to create a more connected and accessible town centre, increases the amount of open space considerable, and provides a slight increase in accommodation. Further, the Planning Proposal seeks to support the delivery of important health and medical facilities, services and goods for the local community, and jobs and business start up space creating new opportunities for existing and future residents.

Through the concept proposed for the town centre, the location in relation to transport, and the emerging strategic planning framework, the Planning Proposal seeks to achieve the following in accordance with the Liverpool LSPS:

- An accessible and connected suburb;
- A vibrant, mixed-use and walkable town centre;
- High-quality, plentiful and accessible community facilities, open space and infrastructure in a growth area;
- Housing choice for different needs, with density focused in the Middleton Grange town centre, with good access to the Fifteenth Avenue Smart Transit Corridor;
- A safe, healthy and inclusive place shaping the wellbeing of the Liverpool community;
- An attractive environment for local jobs, business, tourism and investment; and
- A green, sustainable, resilient and water-sensitive town centre.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The consistency of this Planning Proposal with applicable State Environmental Planning Policies (SEPPs) is outlined in Table 8 below.

ASSESSMENT AGAINST SEPPS	
State Environmental Planning Policy	Comment
SEPP No 1—Development Standards	Consistent
SEPP No 14—Coastal Wetlands	N/A
SEPP No 19—Bushland in Urban Areas	N/A
SEPP No 21—Caravan Parks	N/A
SEPP No 26—Littoral Rainforests	N/A
SEPP No 30—Intensive Agriculture	N/A
SEPP No 33—Hazardous and Offensive Development	N/A
SEPP No 36—Manufactured Home Estates	N/A
SEPP No 44—Koala Habitat Protection	N/A
SEPP No 47—Moore Park Showground	N/A
SEPP No 50—Canal Estate Development	N/A
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	N/A

SEPP No 55—Remediation of Land	In accordance with clause 6 of SEPP No. 55, a planning authority is to consider whether the land to which a planning proposal relates is contaminated, and if the land is contaminated, the planning authority is satisfied that the land is suitable or will be suitable after remediation for the purposes for which the land is proposed to be used. The potential for contamination across the site is considered low and is unlikely to prevent the planning and development of land for the proposed uses. Further assessment will be undertaken at DA stage.
SEPP No 62—Sustainable Aquaculture	N/A
SEPP No 64—Advertising and Signage	Consistent
SEPP No 65—Design Quality of Residential Flat Development	This planning proposal envisages residential flat buildings on the site. The detailed design of future buildings will be subject to the provisions of the Apartment Design Guide (ADG) at the DA stage. The concepts presented in the Urban Design Report comply with the principles and objectives set out in the ADG, particularly in regard to building separation distances, privacy and solar access.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent
SEPP No 71—Coastal Protection	N/A
SEPP (Affordable Rental Housing) 2009	Consistent
SEPP (Building Sustainability Index: BASIX) 2004	Consistent
SEPP (Exempt and Complying Development Codes) 2008	Consistent
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent
SEPP (Infrastructure) 2007	Consistent
SEPP (Integration and Repeals) 2011	Consistent
SEPP (Kosciuszko National Park— Alpine Resorts) 2007	N/A
SEPP (Kurnell Peninsula) 1989	N/A
SEPP (Major Development) 2005	N/A
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A
SEPP (Miscellaneous Consent Provisions) 2007	Consistent
SEPP (Penrith Lakes Scheme) 1989	N/A
SEPP (Rural Lands) 2008	N/A
SEPP (State and Regional Development) 2011	N/A
SEPP (State Significant Precincts) 2005	N/A
SEPP (Sydney Drinking Water Catchment) 2011	Consistent
SEPP (Sydney Region Growth Centres) 2006	Consistent
SEPP (Three ports) 2013	N/A

SEPP (Urban Renewal) 2010	Consistent
SEPP (Western Sydney Employment Area) 2009	N/A
SEPP (Western Sydney Parklands) 2009	N/A

Table 8: Consistency with SEPPs

6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

This Planning Proposal has been assessed against each relevant Section 9.1 Direction. Consistency or otherwise is addressed in Table 9 below.

ASSESSMENT AGAINST SECTION 9.1 DIRECTIONS		
No.	Title	Comment
1. Employment and Resources		
1.1	Business and Industrial Zones	The proposal provides for new job-generating land uses that will include retail, recreation, commercial and medical uses. The subject site is currently zoned for employment opportunities and this proposal seeks to extend the area of land available for employment uses. The site is in proximity to major access routes including Cowpasture Road, M7 Motorway and the Fifteenth Avenue Smart Transit Corridor. The planning proposal seeks to enhance an already zoned centre (i.e. Middleton Grange Town Centre) in close proximity to the Western Sydney Aerotropolis and Economic Corridor that wasn't identified when the site was originally zoned. The planning proposal is consistent with the objectives of this direction.
1.2	Rural Zones	N/A
1.3	Mining, Petroleum Production and Extractive Industries	N/A
1.4	Oyster Aquaculture	N/A
1.5	Rural Lands	N/A
2. Environment and Heritage		
2.1	Environment Protection Zones	N/A
2.2	Coastal Protection	N/A
2.3	Heritage Conservation	Consistent. No impact on heritage items.
2.4	Recreation Vehicle Areas	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones <i>The objectives of this direction are:</i>	The proposal is consistent with this objective. It provides housing choice and meets future housing needs within a local centre in a high growth area of

	<p>(a) <i>to encourage a variety and choice of housing types to provide for existing and future housing needs,</i></p> <p>(b) <i>to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services,</i></p> <p>(c) <i>to minimise the impact of residential development on the environment and resource lands.</i></p>	<p>Sydney. It represents an efficient and effective use of infrastructure and will attract new infrastructure and services to benefit the broader population.</p> <p>The site will be developed in an integrated fashion meaning that impacts can generally be managed within the overall site. The building heights are proposed to transition to respect the allowable heights of adjoining lands.</p>
3.2	Caravan Parks and Manufactured Home Estates	N/A
3.3	Home Occupations	Consistent
3.4	<p>Integrating Land Use and Transport</p> <p>(1) <i>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <p>(a) <i>improving access to housing, jobs and services by walking, cycling and public transport, and</i></p> <p>(b) <i>increasing the choice of available transport and reducing dependence on cars, and</i></p> <p>(c) <i>reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i></p> <p>(d) <i>supporting the efficient and viable operation of public transport services, and</i></p> <p>(e) <i>providing for the efficient movement of freight.</i></p>	<p>The Planning Proposal is consistent with these objectives. It provides for the development of Middleton Grange Town Centre which will provide improved access to housing, jobs and health and community services by walking, cycling and public transport. Mixed uses will allow for multi-purpose trips by visitors and residents.</p> <p>The site is located in proximity to the local bus network and the proposed Fifteenth Avenue Smart Transit Corridor. Employment uses near housing directly supports the objectives of placing homes near to jobs.</p>
3.5	Development Near Licensed Aerodromes	N/A
3.6	Shooting Ranges	N/A
4. Hazard and Risk		
4.1	Acid Sulfate Soils	
4.2	Mine Subsidence and Unstable Land	N/A
4.3	<p>Flood Prone Land</p> <p><i>The objectives of this direction are:</i></p> <p>(a) <i>to ensure that development of flood prone land is consistent with the NSW</i></p>	<p>The site is partially flood prone and comments from the State Emergency Service (SES) have been sought as a part of the previous agency consultation process. The SES recommended that an assessment of the</p>

<p><i>Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i></p>	<p>flood risk of the site be undertaken so that a proper assessment can be carried out. It suggested:</p> <ul style="list-style-type: none"> • Zoning should not enable development that will result in an intolerable increase in risk to life, health or property of people living on the flood plain. • Risk assessment should consider the full range of flooding, including events up to the Probable Maximum Flood (PMF) and not focus only on the 1% AEP flood. • Risk assessment should have particular regard to flooding warning and evacuation demand on existing and future access/egress routes. Consideration should also be given to the impacts of localised flooding on evacuation routes. • In the context of future development, self-evacuation of the community should be achieved in a manner should be achieved in a manner which is consistent with the NSW SES's principles for evacuation. • Future development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community. • Evacuation must not require people to drive or walk through flood water. • Development strategies relying on an assumption that mass rescues may be possible where evacuation either fails or is not implemented are not acceptable to the NSW SES. • The NSW SES is opposed to the imposition of development consent conditions requiring flood evacuation plans rather than the application of sound land use planning and flood risk management. <p>Due to portions of the site being below the Probable Maximum Flood (PMF) level, the Office of Environment and Heritage (OEH) raised similar issues. The OEH suggested that a Flood Study be undertaken for both existing and developed conditions. Specifically, it should comprise:</p> <ul style="list-style-type: none"> • A comprehensive understanding of the flood risk to people and properties for the full range of the floods up to and including the PMF event for existing and future conditions. • An assessment of the impact of the proposal on the existing flood behaviour including any potential reduction of floodway and flood storage areas or redistribution of flow which may result in increasing
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		<p>of flood levels on adjacent, downstream or upstream areas.</p> <ul style="list-style-type: none"> • Identification of appropriate mitigation measures, if necessary, to offset potential flood risk arising from the project. Any proposed mitigation work should be modelled and assessed on an overall catchment basis in order to ensure it fits its purpose and meets criteria of the Council where it is located. This will help ensure that the proposal has no adverse impact on surrounding areas. • An assessment of the impacts of earthworks and filling around the flood prone land up to the PMF level. The assessment should be based on understanding the cumulative flood impacts of various development within the catchment. The proposal should ensure that any filling is limited to flood fringe areas identified in accordance with the Floodplain Development Manual (2005). • A sensitivity analysis to determine the potential impacts from climate change on flooding behaviour. • An emergency response plan should be prepared in consultation with the State Emergency Service (SES) Regional Controller in order to manage floods and overland flow above the flood planning level. This plan should include an assessment of the flood evacuation needs to ensure that risk to people is minimised. <p>A flooding and stormwater management Strategy has been prepared (August 2017) by J. Wyndham Prince and is attached. The Strategy has been prepared to further assess the flood impacts of a section of the Southern Creek within Middleton Grange.</p> <p>In relation to the SES submission, the Strategy notes: <i>“the site is located well clear of regional flooding and based on contours in the area, evacuation could easily occur towards a higher area with a rising grade. On this basis, we note that many of SES’s comments in their letter to Liverpool City Council, dated 10th February 2017, are not applicable to the site and are therefore satisfied”</i>.</p> <p>In relation to the OEH submission, the Strategy also notes:</p> <ul style="list-style-type: none"> • <i>1% AEP and PMF results of flooding are provided in Appendix B</i> • <i>Flood Impacts are provided in Appendix B and show no impact to the surrounding properties.</i>
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		<ul style="list-style-type: none"> • <i>It is noted that no mitigation works are required to support this development since there is no impact on surrounding areas.</i> • <i>The site is not located in flood prone land from Cabramatta Creek (Bewsher 2011) and therefore does not affect flood storage nor require compensatory works.</i> <p>Further, on 12 January 2018, Council staff confirmed that it is “generally satisfied with the flood impact assessment report and flood mapping”.</p> <p>Therefore, for the purposes of Section 9.1 Direction 4.3, the Planning Proposal has satisfied the condition of the Gateway determination.</p>
4.4	Planning for Bushfire Protection	N/A
5. Regional Planning		
5.1	Implementation of Regional Strategies	Consistent
5.2	Sydney Drinking Water Catchments	Consistent
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N/A
5.8	Second Sydney Airport: Badgerys Creek	N/A
5.9	North West Rail Link Corridor Strategy	N/A
5.10	Implementation of Regional Plans	N/A
6. Local Plan Making		
6.1	Approval and Referral Requirements	
6.2	<p>Reserving Land for Public Purposes</p> <p><i>The objectives of this direction are:</i></p> <p><i>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</i></p> <p><i>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</i></p>	<p>The Planning Proposal removes the reservation of land for “community facilities” and “public open space”. The removal will allow the Town Centre and associated infrastructure (including road network) to be constructed in a logical format that reflects the site boundaries. Importantly, the proposal does not result in a reduction of public open space or community facilities. A 500m2 community facility is located at the western area of the site. Land reserved for public open space is proposed to be rezoned RE1 Public Recreation.</p>
6.3	Site Specific Provisions	<p>None provided.</p> <p>A letter of offer was issued to Council for the additional open space on 18 September 2019.</p> <p>This will lead to the consideration of a VPA for its development and use at future development application stages.</p>

7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	<p>The Planning Proposal has included a detailed assessment against the Greater Sydney Plan and the Western City District Plan.</p> <p>The site was originally zoned for the proposed purpose in 2005 supporting with the Middleton Grange town centre supporting approximately 580 to 630 dwellings. The planning proposal slightly amends the planning controls for the town centre, in conjunction with zoning realignments, to provide for approximately 671 dwellings; a small increase in conjunction with the strategic planning framework which has significantly changed the context for growth in Greater Western Sydney.</p>
7.2	Implementation of Greater Macarthur Land Release Investigation	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	N/A
7.4	Implementation of North West Priority Growth Area Interim Land Use and Infrastructure Plan	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A

Table 9: Consistency with Section 9.1 Directions

Section C – Environmental, social and economic impact

7. *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 site presently comprises five dwelling houses and ancillary structures and has very little vegetation. The site does not contain any critical habitat for threatened species, populations or significant ecological communities.

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

Flooding

The site is partially flood prone. The Gateway determination issued by the delegate of the Greater Sydney Commission on 15 August 2016, included the following condition in relation to flooding:

1. *In relation to s117 Direction 4.3 (now 9.1) Flood Prone Land, prior to public exhibition, Council is required to:*
 - a. *Undertake and provide relevant flood studies that demonstrate consistency with this Direction; and*
 - b. *Include a Flood Planning Area Map in the proposal.*

Subsequently a Flooding Report was prepared by J.Wyndham Price, which addresses the s9.1 demonstrating the suitability of the site and further assess the flood impacts of a section of the Southern Creek within Middleton Grange.

A trunk drainage culvert was previously approved by Liverpool Council (11 July 2008, CCE-31/2008) in 2008. However, since this time the design rationale for the town centre has changed and evolved to create a better outcome, which involves the ‘piping’ of the drainage channel rather than an open channel. The piping of this channel will allow significant land to be used as part of the town centre open space.

J. Wyndham Prince previously completed a simplified, one dimensional flow analysis in May 2017. The attached assessment is a more sophisticated, two dimensional (TUFLOW) model to further interrogate the flooding impacts. The Study concludes:

- *“TUFLOW modelling results show that the proposed piping of the channel will result in an improved outcome for the town centre, as the proposed open channel no longer provides an appropriate means of conveying flows through the Town Centre due to a modification in the assumed catchment conditions. The allocated land will be used in the public interest, and will be a better use of the space for the community than the open channel.”*
- *“It is noted that no mitigation works are required to support this development since there is no impact on surrounding areas”.*

Further, as per the Gateway determination the State Emergency Service (SES) and the Office of Environment and Heritage (OEH) were consulted.

The SES recommended that an assessment of the flood risk of the site be undertaken so that a proper assessment can be carried out. It suggested:

- Zoning should not enable development that will result in an intolerable increase in risk to life, health or property of people living on the flood plain.
- Risk assessment should consider the full range of flooding, including events up to the Probable Maximum Flood (PMF) and not focus only on the 1% AEP flood.
- Risk assessment should have particular regard to flooding warning and evacuation demand on existing and future access/egress routes. Consideration should also be given to the impacts of localised flooding on evacuation routes.
- In the context of future development, self-evacuation of the community should be achieved in a manner should be achieved in a manner which is consistent with the NSW SES's principles for evacuation.
- Future development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community.
- Evacuation must not require people to drive or walk through flood water.
- Development strategies relying on an assumption that mass rescues may be possible where evacuation either fails or is not implemented are not acceptable to the NSW SES.
- The NSW SES is opposed to the imposition of development consent conditions requiring flood evacuation plans rather than the application of sound land use planning and flood risk management.

OEH also raised similar issues. The OEH suggested that a Flood Study be undertaken for both existing and developed conditions. Specifically, it should comprise:

- A comprehensive understanding of the flood risk to people and properties for the full range of the floods up to and including the PMF event for existing and future conditions.
- An assessment of the impact of the proposal on the existing flood behaviour including any potential reduction of floodway and flood storage areas or redistribution of flow which may result in increasing of flood levels on adjacent, downstream or upstream areas.
- Identification of appropriate mitigation measures, if necessary, to offset potential flood risk arising from the project. Any proposed mitigation work should be modelled and assessed on an overall catchment basis in order to ensure it fits its purpose and meets criteria of the Council where it is located. This will help ensure that the proposal has no adverse impact on surrounding areas.
- An assessment of the impacts of earthworks and filling around the flood prone land up to the PMF level. The assessment should be based on understanding the cumulative flood impacts of various development within the catchment. The proposal should ensure that any filling is limited to flood fringe areas identified in accordance with the Floodplain Development Manual (2005).
- A sensitivity analysis to determine the potential impacts from climate change on flooding behaviour.
- An emergency response plan should be prepared in consultation with the SES Regional Controller in order to manage floods and overland flow above the flood planning level. This plan should include an assessment of the flood evacuation needs to ensure that risk to people is minimised.

A flooding and stormwater management Strategy has been prepared (August 2017) by J. Wyndham Prince and is attached. The Strategy has been prepared to further assess the flood impacts of a section of the Southern Creek within Middleton Grange.

In relation to the SES submission, the J. Wyndham Price Study notes:

“the site is located well clear of regional flooding and based on contours in the area, evacuation could easily occur towards a higher area with a rising grade. On this basis, we note that many of SES’s comments in their letter to Liverpool City Council, dated 10th February 2017, are not applicable to the site and are therefore satisfied”.

In relation to the OEH submission, the Study also notes:

- *1% AEP and PMF results of flooding are provided in Appendix B*
- *Flood Impacts are provided in Appendix B and show no impact to the surrounding properties.*
- *It is noted that no mitigation works are required to support this development since there is no impact on surrounding areas.*
- *The site is not located in flood prone land from Cabramatta Creek (Bewsher 2011) and therefore does not affect flood storage nor require compensatory works.*

Finally, on 12 January 2018, Council staff confirmed that it is *“generally satisfied with the flood impact assessment report and flood mapping”*.

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

Economic Impacts

An economic analysis was undertaken by MacroPlan Dimasi in June 2015 as part of the original Planning Proposal. That analysis demonstrated that there would be no adverse impact on the roles and functions of the higher order centres in the region, noting that local centres serve local residents. This ensures that no significant impact will occur on other local shops nearby. Certain community services may have a larger catchment but new services are positive to all residents in these catchments.

The analysis also identified the following general benefits:

- Reduced travel distances for current and future residents accessing retail uses, local amenities and community and entertainment uses.
- Additional retail choice and competition.
- Improved housing choice and improved affordability.
- Improved job access for future residents of the Middleton Grange town centre.
- Increased investment into the Liverpool LGA.
- Supporting local council strategic plans and policies which outline a need for additional retail and commercial floor space across the Liverpool LGA and identify Middleton Grange as a key town centre within the centres hierarchy.

The Economic Assessment provided an assessment of the trade area and catchment served by the centre. It looked at the need and demand for employment generating uses, provided an overview of the hierarchy of centres and an assessment of economic and community benefits.

A supplementary report was also prepared by PPM Consulting that analysed the impact of a lower FSR at Middletown Grange Town Centre. The report outlined the consequences of a reduction in FSR, and noted that If the project is made unviable, it will not produce any of the benefits outlined in the MacroPlan Dimasi report. This includes retail choice, housing cost, choice and affordability, and a VPA worth between \$15 million and \$20 million. The FSR has been revised but achieves the same GFA of around 112,000sq.m to ensure the viability of the project.

As discussed throughout, the Planning Proposal has been amended following in August-October 2018, which has included a reduction in height, a reduction in apartment numbers, an increase in the amount of open space and the inclusion of health and medical facilities for the community.

As part of the revised Planning Proposal PPM Consulting were requested to provide an economic response to submissions to the Planning Proposal, being the 'Sue Weatherly and Associates Report' and the 'Urbis Report'. The PPM Consulting response report is attached.

Social Impacts

A detailed Social Impact Assessment (SIA) was prepared by Judith Stubbs & Associates in 2016 in support of the Planning Proposal. The findings of that study established key social impacts and made appropriate recommendations. The Assessment concluded:

“There are likely to be a range of positive benefits associated with the proposal to amend controls and with the development as proposed, including the opportunity to address the current lack of baseline services in Middleton Grange.

A number of potential adverse impacts have also been identified. Most of these are able to be mitigated through good urban design in detailed planning stages, the provision of relevant services and facilities, and other mitigations proposed in this report.

Significant additional benefit to the local and wider community could be provided through partnering with Council to address backlog issues such as lack of connectivity, very poor amenity in the public domain, lack of basic services, provision of attractive meeting spaces throughout the development, improved urban and social integration between the existing and proposed developments, and a direct and indirect contribution to affordable housing.”

Following the issuing of the Gateway determination in August 2016 and public exhibition in August-October 2018, a number of amendments have been made to the planning proposal, including a reduction in height, a reduction in apartment numbers, an increase in the amount of open space and the inclusion of health and medical facilities for the community.

As part of the revised Planning Proposal Judith Stubbs and Associates were requested to respond to a review of the SIA undertaken by Elton Consulting on behalf of Charter Hall. Charter Hall (via two investment funds) is the owner and operator of Carnes Hill Market Place. The Review is attached and concludes that only one of Elton Consulting’s conclusions is substantive, being that the 2016 SIA did not contain an outline of the methodology used to conduct the CSIA as required by Section 9.1 of Council’s Social Impact Assessment Policy. This omission is addressed in Section 2.2 of the report attached.

The report also concludes:

“Elton Consulting has a fundamental misunderstanding of the SIA process in stating that the findings within the JSA SIA do not adequately support the development of a much larger town centre than is already proposed.⁴⁶ The author does not appear to understand the requirements of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979. This section requires the consent authority to consider the “likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality”, rather than some alternative development. One of the purposes of Social Impact Assessment is to identify potential social impacts associated with the development and recommend appropriate mitigation. The degree to which mitigation is taken up or not is a matter for the consent authority in discharging their duty under Section 4.15(1)(b) of the Act.

*Liverpool Social Impact Assessment Policy states (at section 7.3.1) that “A CSIA is an in-depth assessment of the potential social impacts of a development proposal.” Mitigation measures are required under section 9.5. An SIA is not a **justification or a support** of the proposal.”*

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the proposal?

Public Transport

Middleton Grange is currently served by bus route 853. This service links Carnes Hill and Liverpool via Middleton Grange and Hoxton Park Road. It operates along Flynn Avenue, immediately south of the site. This bus route takes less than 30mins to reach to Liverpool metropolitan cluster.

Further, the proposed Fifteenth Avenue rapid transit route that connects Liverpool to the Western Sydney Aerotropolis is less than 350 metres away. This transit route was not identified when the site was originally zoned in 2005 for up to 630 dwellings. The context for the site has therefore changed and will connect future residents to opportunities in Liverpool and the Aerotropolis, while also providing opportunities from elsewhere with Middleton Grange.

Traffic

When the suburb of Middleton Grange was rezoned in 2005, there was an expectation that the suburb would develop to accommodate 10,000 residents, of which some would have been accommodated in the dwellings that would be located in the town centre, which would have been up to 626 under the current controls.

Further, and as previously discussed, the principle purpose of the planning proposal was to realign zone boundaries to reflect the revised lot layout which was registered after the layout received consent in 2015. The proposal also supports the concept site layout including roads, new open space and access arrangements. The previous zoning and masterplan for the site, was not conducive to a logical development outcome including building and roads orientation and in 2015, under agreement, the 2005 road layout was dispensed with by the council.

The Gateway determination issued by the Department of Planning and Environment in August 2016 required consultation with RMS and Transport for NSW prior to public exhibition.

The planning proposal was supported by a Traffic Impact Assessment prepared by TRAFFIX. The assessment was undertaken to assess the traffic impacts and understand the infrastructure required to support the future development of the town centre.

To understand existing conditions, TRAFFIX developed a base case traffic model approved by RMS and assessed five (5) scenarios using the Aimsum model. The modelling found some delays under existing conditions, particularly to roundabouts along Kingsford Smith Avenue and north-bound along Cowpasture Road in the AM peak and south-bound on Cowpasture Road in the PM peak.

All scenario testing was therefore undertaken on the assumption of partial road widening of Cowpasture Road as well as additional right turn lanes at the intersection of Cowpasture Road and Fifteenth Avenue and Sixteenth Avenue; the connection of Middleton Drive and Aviation Road under the M7; and the conversion of the one lane left turn to a two-lane signalised left turn from Sixteenth Avenue to Cowpasture Road, which result in a reduction in traffic delays. See below diagrams that illustrate the TRAFFIX recommendations.



Figure 27: Proposed changes to Kingsford Smith/Fifteenth Avenue



Figure 28: Proposed changes to Cowpasture Road and Fifteenth Avenue



Figure 29: Proposed changes to Cowpasture Road and Sixteenth Avenue

The TRAFFIX report concluded that under the scenario of future growth and trips generated by the development of the Middleton Grange town centre, noting the substantial development that has already occurred in accordance with the 2005 rezoning, the road network could operate satisfactorily with a number of roads network improvements. These included:

- Connection of Middleton Drive & Aviation Road under the M7,
- Sixteenth Avenue with two-lane signalised left turn to Cowpasture Road,
- Conversion of Roundabout at Kingsford Smith/ Fifteenth Avenue to a signalised intersection,
- Conversion of Roundabout at Kingsford Smith/ Flynn Avenue to a signalised intersection,
- Fifteenth Avenue with two lane right turn to Cowpasture Road,
- No right turn from Sixteenth avenue (Flynn Avenue) to Qantas Boulevard, except Buses,
- Three-Lane Cowpasture Northbound from Fifteenth Avenue to above Airfield Drive, and
- Three-Lane Cowpasture Southbound from M7 to Sixteenth Avenue.
- Addition of development access roads; and
- Two-Lane East Bound at Sixteenth Avenue (Flynn Avenue) in the vicinity of the Site

On 11 December 2017, RMS confirmed that it *“raises no objection to the planning proposal being placed on exhibition provided that any identified and agreed regional road and transport infrastructure to support the proposal is incorporated into a planning agreement between the proponent and Liverpool City Council prior to the gazettal of the draft LEP”*.

Noting the RMS advice of 11 December 2017, the RMS support hinged on the advancement of a planning agreement being reached to support the regional road and transport infrastructure.

In this context, it is worth noting that when the suburb of Middleton Grange was rezoned in 2005, there was an expectation that the suburb would develop to accommodate 10,000 residents, of which some would have

been accommodated in the potential 600 plus dwellings that the town centre is capable of supporting under the current controls.

In rezoning the suburb of Middleton Grange, there would also have been a need to progressively upgrade infrastructure and the local road network to accommodate the gradual growth in population. Therefore, the development of the Middleton Grange town centre is not wholly responsible for the existing traffic conditions or those that could be expected from the future development.

To facilitate an appropriate response to the RMS requirement a considered study has been undertaken of the relevant s.7.11 infrastructure plan and works in kind policy that applies to Middleton Grange. The assessment results in a proposed offer to be made from the applicant; the details of which are considered in more detail below under the public infrastructure contributions section.

Further to the above, a modification to Middleton Drive and the local road network has subsequently been made in the revised concept.

As more detailed planning has occurred for the key retail centre at the southern part of the town centre, it was identified that larger footprints were required to accommodate future retail tenants. This has resulted in the removal of the bottom half of Middleton Drive and replaced with a single level retail use, that also creates a through link connecting the centre of the site to Flynn Avenue. This has been advanced in consultation with the Council staff and the proponents traffic consultant to ensure the traffic movement and access is acceptable.

The main street has been relocated to the west (i.e. 21.4 metres) and Middleton Drive becomes a local access street (i.e. 17.4 metres), connecting through to Qantas Blvd. In doing so, the connection between the two public open spaces is strengthened, as a consequence of the lower volume street which is further enhanced by traffic calming measures and shared spaces.

In conjunction with the removal of the bottom half of Middleton Drive, the northern block (Lot 4) has been broken up to create new pedestrian laneways with activated frontages to improve moveability and create diverse and innovative spaces for residents of Middleton Grange.

Additional Traffic and AIMSUN Modelling to align with revised Planning Proposal

Further, as a consequence of the reduction in the number of apartments and the new medical and health facilities, a new Traffic Assessment Report has been prepared by Lyle Marshall & Partners. The Assessment is included at Appendix D, which includes a detailed investigative Modelling report prepared Bitzios Consulting using AIMSUN which reflects all proposed road infrastructure changes and the influence of future public transport infrastructure and the projected land use changes to the year 2030.

The proposed infrastructure upgrades associated with the development of the town centre were included in the AIMSUN scenario testing, with some of these previously identified in the Traffic Impact Assessment prepared by TRAFFIX (September 2017) discussed above. The planned and proposed infrastructure upgrades are discussed in Section 7 of the attached Traffic Impact Assessment (October 2019) prepared by Lyle Marshall & Partners, with an extract of the infrastructure upgrades illustrated diagrammatically in Figure 30 below.

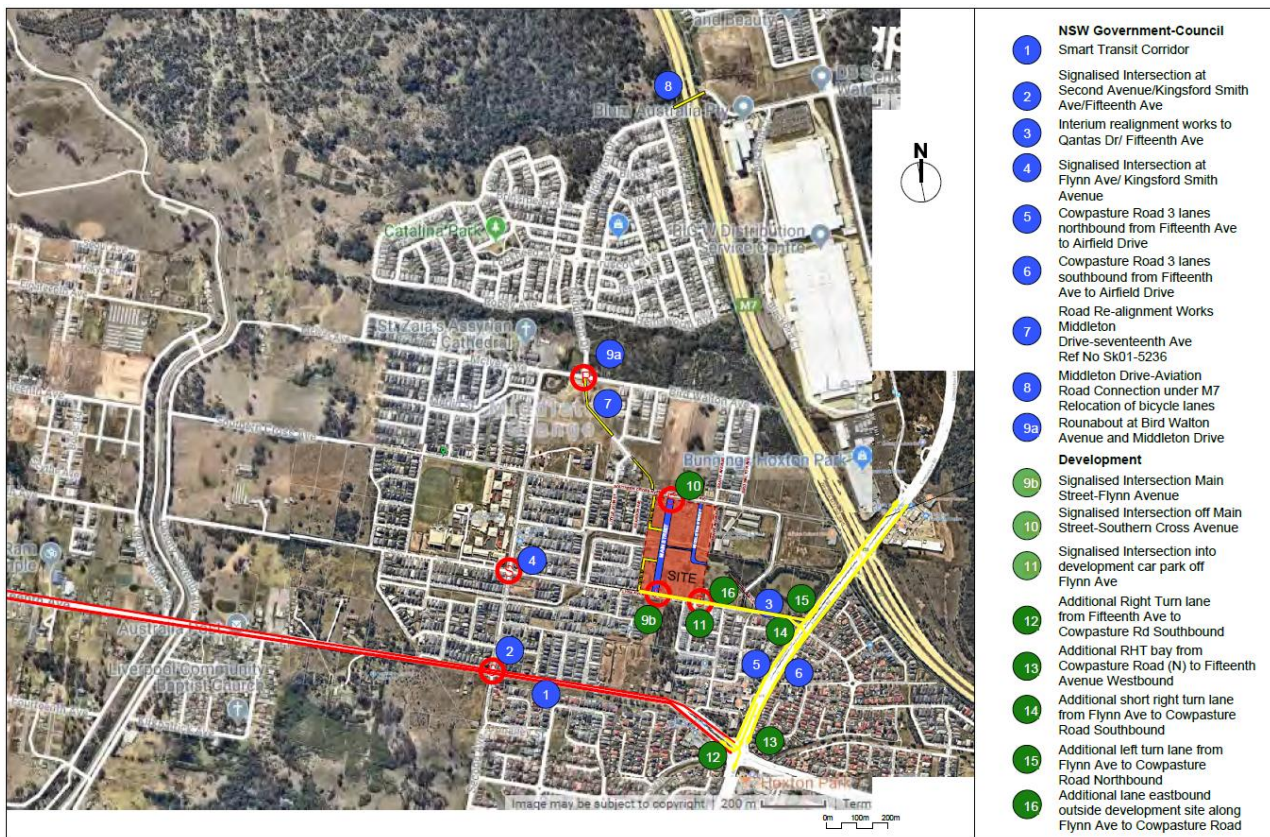


Figure 30: Middleton Grange Infrastructure upgrades

There are two Council/Government initiatives which had not been included in the modelling prepared by Traffix (Traffic Impact Assessment report reference No 16.068r04v01 dated September 2017) which have been included in the Lyle Marshall & Partners Traffic Impact Assessment and Bitzios modelling report.

In the Traffix Traffic Impact Assessment the development access roads are all give way priority roads and there is no signalised intersections as detailed on pages 48-52. This would result in higher road speeds and difficulties with pedestrian access. Signalising the access development roads allows for pedestrian access and will reduce speeds upon approaches to the town centre. This is supported in the AIMSUN modelling.

A summary table is below:

Proposed Infrastructure Council and NSW Government Initiatives		Traffix TIA	LMP- Bitzios
1	Smart Transit Corridor. Additional lanes east and westbound. Separated Bus Lane eastbound and westbound.	No	Yes
2	Signalised Intersection at Second Avenue/Kingsford Smith Avenue/Fifteenth Avenue	Yes	Yes
3	Interim re-alignment works to Qantas Dr/Fifteenth Ave. A copy of the Interim works	No	Yes
	No Right Turn into Qantas Boulevard from Flynn Avenue except for Buses	Yes	No
4	Signalised Intersection at Flynn Ave/Kingsford Smith Avenue	Yes	Yes

5	Cowpasture Road 3 lanes northbound from Fifteenth Ave to Airfield Drive	Yes	Yes
6	Cowpasture Road 3 lanes southbound from Fifteenth Ave to Airfield Drive	Yes	Yes
7	Road Re-alignment Works Middleton Drive-seventeenth Ave Ref No Sk01-5236	No	Yes
8	Middleton Drive-Aviation Road Connection under M7. Relocation of bicycle lanes	Yes	Yes
9a	Roundabout at Bird Walton Avenue and Middleton Drive.	No	Yes
Proposed Infrastructure For Development			
9b	Signalised Intersection Main Street-Flynn Avenue	No	Yes
10	Signalised Intersection at Main Street and Southern Cross Avenue (Hall Circuit).	No	Yes
11	Signalised Intersection into development car park Shawe Lane off Flynn Avenue (Hall Circuit).	No	Yes
12	Additional Right Turn lane from Fifteenth Ave to Cowpasture Rd Southbound.	Yes	Yes
13	Additional Right Turn lane from Cowpasture Road (N) to Fifteenth Avenue Westbound	Yes	Yes
14	Additional short right turn lane from Flynn Ave to Cowpasture Road Southbound.	Yes	Yes
15	Additional left turn lane from Flynn Ave to Cowpasture Road Northbound	Yes	Yes
16	Additional Eastbound lane across Development Site in Flynn Avenue to Cowpasture Road.	Yes	Yes
	Additional Right Turn lane from Cowpasture Road to Flynn Avenue (Sixteenth Avenue) Westbound	Yes	No

Table 10: Difference between the TRAFFIX and Bitzios proposed infrastructure upgrades

The Traffic Modelling Assessment prepared by Bitzios assessed three scenarios using the AIMSUN modelling. This included a '2030 Do Minimum'; a '2030 With LEP Development'; and '2030 With Proposed Development'.

The AIMSUN modelling and Bitzios Report concluded as follows:

- The "2030 with LEP development" was tested based on the current LEP and including identified Council and State Government Infrastructure upgrades. This scenario showed that under these conditions the network was constrained and operating at near capacity.
- The "2030 with proposed development" modelling demonstrates that with the development's proposed road network upgrades that the network will operate with spare capacity.
- The "2030 with proposed development" modelling generally demonstrates a reduction in travel time and an improvement in level of service for the key intersections across the network compared to the "2030 Do Minimum" and "2030 with LEP development" scenarios.

Public Infrastructure Contributions

The proponent will be liable to pay approximately \$24.7 million in s7.11 contributions to Liverpool City Council. These contributions are to cover the proponent's proportion of the total Middleton Grange infrastructure plan, which totals approximately \$65.4 million. The proponent is therefore paying for approximately 38 per cent of the planned local infrastructure, which includes local roads, recreation facilities, water cycle management and a contribution towards council's administration of the plan.

The 38 per cent is in proportion to the proponent's share of the total Middleton Grange masterplanned area. Table 11 shows that the masterplanned area is 152,000m², with the proponent taking up 57,265m² of this.

Site Area (m²)	57,265
Masterplanned Area (m²)	152,000
Site as proportion of total masterplanned area (%)	38

Table 11: Proposal in Proportion to Middleton Grange Masterplan

The infrastructure plan for Middleton Grange consists of the high-level items outlined in Table 12.

	Land (\$)	Works (\$)	Total (\$)
Multi-purpose Community Centre	124,000	1,816,435	
Recreation Facilities	17,587,466	5,734,054	
Transport	3,383,630	9,676,693	
Water Cycle	15,724,947	7,555,328	
Admin, etc		3,844,500	
Total	36,820,043	28,617,010	65,447,053

Table 12: Middleton Grange Masterplan Infrastructure Works

Land and works for the plan come to \$65.4 million.

State Roads

There are three state roads on the list of roads. These are shown at Table 13.

Upgrade Location	Upgrade Type	Area (m²)	Cost (\$)
➤ Connection of Middleton Drive & Aviation Road under the M7	grade separated	1,000	764,000
➤ Three-Lane Cowpasture Northbound from Fifteenth Avenue to above Airfield Drive	at grade	5,115	3,401,475
➤ Three-Lane Cowpasture Southbound from M7 to Sixteenth Avenue.	at grade	2,244	1,714,416
Total State Roads			5,879,891

Table 13: State Roads Upgrades

The traffic studies show that, had RMS upgraded the state roads as scheduled, the traffic impact from the Planning Proposal would have been negligible. Table 14 shows the state roads that the proponent is proposing to assist upgrading in contribution. The total cost comes to \$2.5 million. It is proposed that a satisfactory arrangement process with the state that would mimic a State Infrastructure Contribution levy be considered to be charged on a negotiated percentage quantum of the total cost to facilitate the delivery of these works. Further, it is proposed that the agreement would provide the opportunity to provide the contribution as a Works in Kind to ensure that the roads delivery is provided prior to or during the delivery of various stages of the development of the Town Centre scheme. A works in kind process for the delivery of state roads is considered sensible as it is proposed that the proponent will be required to deliver the local roads infrastructure as a Works in Kind agreement as the development scheme is delivered.

Upgrade Location	Upgrade Type	Area (m ²)	Cost (\$)
➤ Connection of Middleton Drive & Aviation Road under the M7	grade separated	1,000	764,000
➤ Three-Lane Cowpasture Southbound from M7 to Sixteenth Avenue.	at grade	2,244	1,714,416
Total State Roads			2,478,416

Table 14: Proposed State Roads Upgrades – Works in Kind

Local Infrastructure – Proposed S7.11 Works In Kind

The Middleton Grange planning framework is supported by a detailed Works in Kind policy. The proponent, as part of a Works in Kind agreement, is prepared to undertake works including road work, drainage works and works in relation to community and recreation facilities.

Multi-Purpose Community Centre

The multi-purpose community centre is best located in the town centre, which the proponent is proposing to provide. Previous discussions and agreements with the council have shown that this centre should be located within the new park. This community facility could also be provided within one of the town centre buildings rather than within the open space, on negotiation and preference from Council.

The proponent is prepared to offset part of their s7.11 contributions against building the multi-purpose community centre and dedicating it to Liverpool City Council. This would total \$1.9 million (in 2009 dollars).

Recreation Facilities

As part of its proposed development, the proponent will be building and dedicating a park adjacent to the public school site to the west. As discussed above, the community centre will be located in the park. There is a line item in the infrastructure plan for Middleton Grange for a small park in the northern area, eastern side, valued at \$531,805 for land and \$107,332 for works.

However, as previously negotiated with council and supported by the 2015 subdivision consent, the park will be larger and reoriented. This increases the value of the park to be offset against s.7.11 contributions to \$2.3 million.

Transport

Local roads are required as part of any development. These are usually built by the developer and dedicated to council at a point agreed upon during the development cycle.

Fourteen local road works have been identified as part of the infrastructure plan that are relevant to the proposed development. These are shown in Table 15 in 2009 dollars.

No.	Item	Total Land Cost (\$)	Total Works Cost (\$)	Total Cost (\$)
R1	Collector Centre Street Park frontage (one side) (Qantas Boulevard)	1,242,356	612,611	
R2	Local Street Type 2 (drainage frontage both sides) Hall Cct between WM1 and WM2	0	119,678	
C1	Bridge - Creek crossing between water management facilities on Hall Cct	0	204,000	
R3	Local Street Type 1 Drainage Frontage (both sides) (Bravo Ave between Qantas and Globe)	0	37,627	
R4	Local Street Type 1 Community frontage (one side) (Bravo Ave between Globe and Beard)	59,195	16,382	
C2	Bridge - Neighbourhood Centre Bravo Ave		205,000	
R5	Collector Centre Street including over culvert drainage frontage (one side) (Middleton Dr near Globe)	49,192	28,922	
R6	Collector Centre Street over Culvert Drainage frontage (both sides) (Middleton Dr near Globe)	0	35,754	
C3	Bridge - Middleton Drive	0	205,000	
R7	Local Street Type 2 over culvert eastern side (both sides) (Hall Cct at Swoffer Ave)	0	17,657	
R8	Local Street Type 2 including over culvert western side (one side) (Hall Cct near Swoffer St)	14,378	5,948	
C4	Culvert - eastern end of WM4	0	205,000	

No.	Item	Total Land Cost (\$)	Total Works Cost (\$)	Total Cost (\$)
R9	Collector Centre Street drainage frontage including culvert on northern side (both sides) (Flynn Boulevard at Swoffer St)	0	57,603	
R10	Collector Centre Street drainage frontage including culvert on southern side (one side) (Flynn Boulevard at Swoffer St)	0	47,581	
Total		1,365,121	1,798,763	3,163,884

NOTE: This list may be incomplete and is subject to negotiations between Manta Group and Liverpool City Council.

Table 15: Proposed Local Roads as Part of Overall Road Requirements for Precinct

As can be seen, the land and works total \$3.2 million in 2009 dollars.

Drainage

Drainage works are required as part of the development of the precinct. The proponent is responsible for drainage on and from their site. Table 16 shows the items relevant to the proposed development.

No.	Item	Total Land Cost (\$)	Total Works Cost (\$)	Total (\$)
WM1	Entry Parklands	5,531,720	898,384	
WM2	Wetlands	2,392,372	445,893	
WM3	Water cycle area in village centre	414,765	127,812	
WM4	Water cycle area on southern creek west of village centre	1,132,120	237,731	
Total		9,470,977	1,709,820	11,180,797

Table 16: Proposed Drainage Works as Part of Overall Road Requirements for Precinct

Total Works in Kind

Table 17 shows the total works in kind proposed as part of the proponent's s7.11 contributions. The total comes to \$18.6 million in 2009 dollars (and 2015 dollars for the park).

Item	Land (\$)	Works (\$)	Total (\$)
Community Centre*	124,000	1,816,435	
Parks*		2,300,000	
Local Roads*	1,365,121	1,798,763	
Drainage Works*	9,470,977	1,709,820	
Total	10,960,098	7,625,018	18,585,116

* 2009 dollars

+ 2015 dollars

Table 17: Total Proposed Works in Kind for Local Infrastructure (2009 and 2015 dollars)

An escalation to 2019 dollars is required for both the works and the land. The proponent would be required to pay any shortfall from their total contributions' liability in cash, if there is a shortfall.

In addition, the proponent would do works in kind on state roads at an agreed value with the state agency. If this was done in terms of a Special Infrastructure Contribution, it would come to \$3,699 per residential apartment or \$22/m2 of development.

Escalation

Liverpool City Council's infrastructure plan for Middleton Grange is denominated in 2009 dollars, and the park is denominated in 2015 dollars. It is proposed to escalate the land and works values by the All Groups Consumer Price Index for Sydney. Table 18 shows the growth in consumer prices between December 2010 (the year of the Infrastructure Plan), December 2015 (for the park) and December 2018.

Item	% Increase
CPI Inflation from 2010	19.1
CPI Inflation from 2015	5.8

Table 18: Consumer Price Index (All Groups, Sydney) – Percentage Increases to December 2018

Table 19 shows the escalated amounts for the total proposed works in kind.

Item	Total (\$)
Community Centre*	2,311,058
Parks ⁺	2,433,400
Local Roads*	3,768,186
Drainage Works*	13,316,329
Total	22,134,873

Table 19: Total Proposed Works in Kind for Local Infrastructure (Current Dollars)

As shown in Table 13, it is proposed that proponent undertake \$22.1 million of works in kind for local infrastructure. It is also proposed that there will be an additional provision for state infrastructure as referenced above with that negotiated amount as a result of negotiations with the relevant state agency to be provided in addition to the aforementioned local infrastructure contributions.

Charge Back From 2009 Contributions

We have been advised that, in 2009, Liverpool City Council were paid a sum of \$212,000 in s94 contributions (as they were then known) in relation to the 2007 consent for roads and civil works. The drainage works associated with the contribution have been completed. There is a question as to the whether any nexus could be properly established between such development and an increase in demand for public amenities and services, which is an essential element for requiring a local infrastructure contribution. Therefore, the sum of \$212,000 should be charged back (with interest) against the 7.11 contributions to local infrastructure. This

Further, the planning proposal has facilitated the significant increase in public open space to that envisaged under the exhibited Planning Proposal. Noting that the provision of the additional open space through the centre of the town centre was not contemplated under the s.7.11 contributions plan, the provision of the additional open space could result in a scenario where additional monies are required to secure the open space.

To ensure any adverse impacts do not occur to the s.7.11 plan, it is proposed that the open space is made available to the public at no cost to Council, as per the letter of offer issued to Council on 18 September 2019. An extract from that offer is included below.

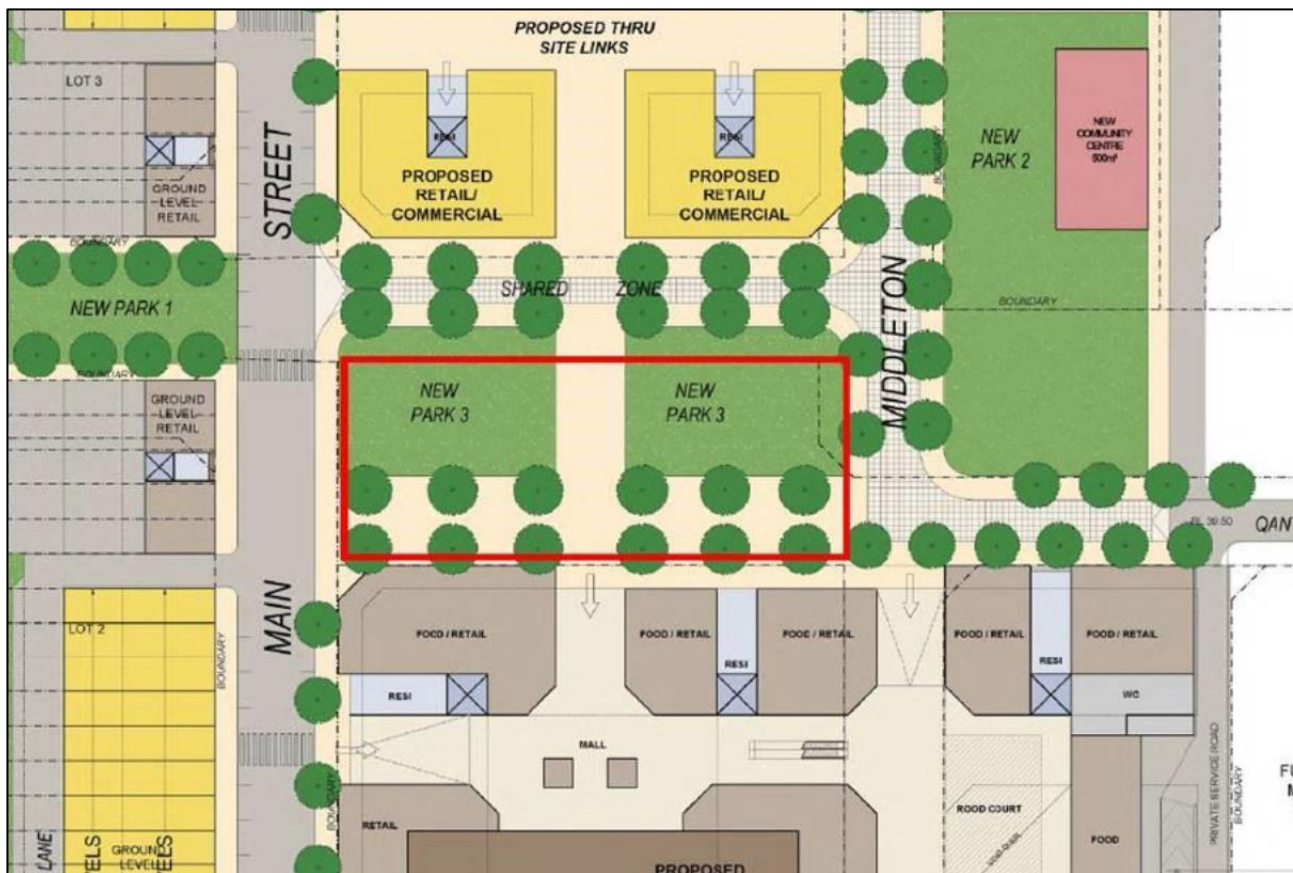


Figure 31: Extract from VPA offer 18 September 2019

Utilities and Services

The full range of utility services including electricity, telecommunications, water, sewer and stormwater are all currently available within Middleton Grange. These services will support the future development which will be further studied during the detailed development assessment process.

Sydney Water were consulted during the initial public exhibition and confirmed there is sufficient trunk and treatment capacity for the initial development. For wastewater, the development can be connected to the 225mm wastewater mains within the development. Detailed requirements, including water main extensions or relocations/diversions, will be provided at the DA stage.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway determination issued by the delegate of the Greater Sydney Commission on 15 August 2016, included the following condition in relation to public authority consultation:

3. *Prior to public exhibition, consultation is required with the following public authorities under section 56(2)(d) of the Act and to comply with the requirements of relevant S117 Directions:*
Office of Environment and Heritage
Roads and Maritime Services
Transport for New South Wales
Sydney Water
Department of Education
State Emergency Service

The public authorities were consulted in September 2016. The below table summarises the outcome of this consultation:

Public authority	Response
Office of Environment and Heritage	Comments raised by the OEH in relation to flooding are discussed under Section C on page 62 of this Planning Proposal.
Roads and Maritime Services	<p>An assessment of the proposed road layout in February 2017 and updated traffic modelling using the AIMSUN model was undertaken in accordance with the requirements of RMS and Council in support of the original planning proposal.</p> <p>On 11 December 2017, RMS confirmed that it “<i>raises no objection to the planning proposal being placed on exhibition provided that any identified and agreed regional road and transport infrastructure to support the proposal is incorporated into a planning agreement between the proponent and Liverpool City Council prior to the gazettal of the draft LEP</i>”.</p> <p>Detailed consideration of public infrastructure contributions is included under “10. Is there adequate public infrastructure for the proposal?” in Section D.</p> <p>As a consequence of the reduction in the number of apartments, the new medical and health facilities, and the revised road layout, a new Traffic Assessment Report has been prepared by Lyle Marshall & Partners. The Assessment is included at Appendix D, which includes a detailed investigative Modelling report prepared Bitzios Consulting using AIMSUN which reflects all proposed road infrastructure changes and the influence of future public</p>

	<p>transport infrastructure and the projected land use changes to the year 2030.</p> <p>RMS will be further consulted on the revised assessment and modelling during the next stage in the process.</p>
Transport for NSW	<p>The matters raised by RMS were also raised by TfNSW. A new Traffic Assessment Report has been prepared by Lyle Marshall & Partners.</p> <p>TfNSW will be further consulted on the revised assessment and modelling during the next stage in the process.</p>
Sydney Water	<p>The site is currently serviced by Cecil Park Water Supply Zone for drinking water. Sydney Water has confirmed that there is sufficient trunk capacity for the initial proposed zoning changes.</p> <p>The site is serviced by 100-200mm water mains. Extensions and upsizing will be required from the existing mains in the area to ensure there is sufficient capacity for the development. Detailed requirements, including water main extensions or relocations/diversions, will be provided at the DA stage.</p> <p>The site is also serviced with Recycled Water from the Hoxton Park scheme.</p> <p>The site is located within the Malabar Wastewater System and is currently serviced by the Hoxton Park Carrier. Sydney Water has confirmed there is sufficient trunk and treatment capacity for the initial development. For wastewater, the development can be connected to the 225mm wastewater mains within the development. Detailed requirements, including water main extensions or relocations/diversions, will be provided at the DA stage.</p>
Department of Education	<p>The Department of Education provides no objection to the planning proposal. The Department of Education has provided comment on the potential impacts on the Middleton Grange Public School which is located to the east of the site.</p> <p>The Department of Education suggests upper level setbacks and the use of non-reflective building materials. Appropriate controls can be contained within the relevant Development Control Plan.</p>

State Emergency Service	Comments raised by the SES in relation to flooding are discussed under Section C on page 62 of this Planning Proposal.
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Table 20: Response to public agency comments

Part 4 – Mapping

Maps illustrating the current Liverpool LEP 2008 controls, including the land zoning, maximum height of buildings and floor space ratio maps are located in the Introduction to this Planning Proposal.

The maps for the proposed amendments to the Liverpool LEP 2008 are included below:

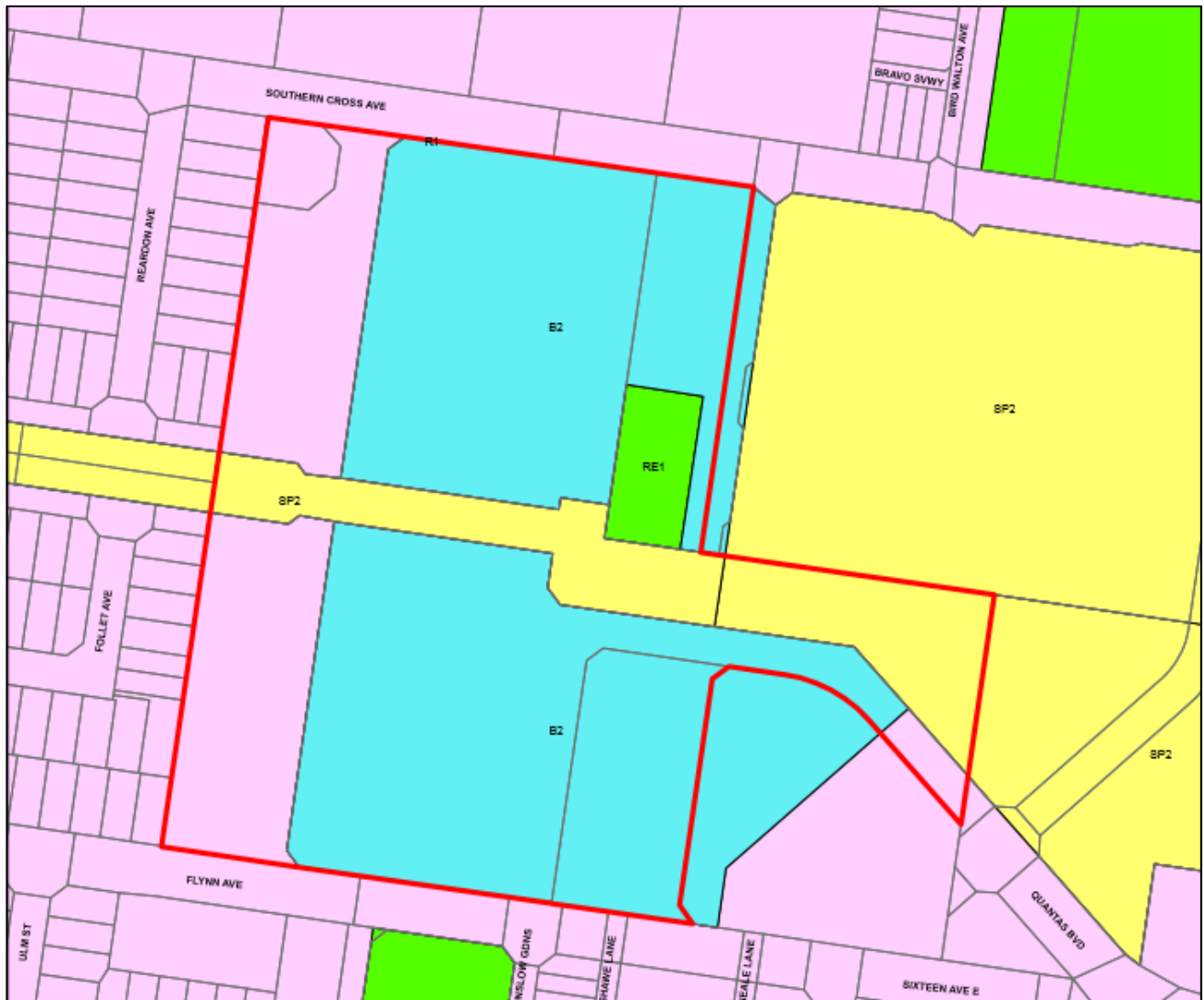


Figure 32: Proposed Land Zoning Map

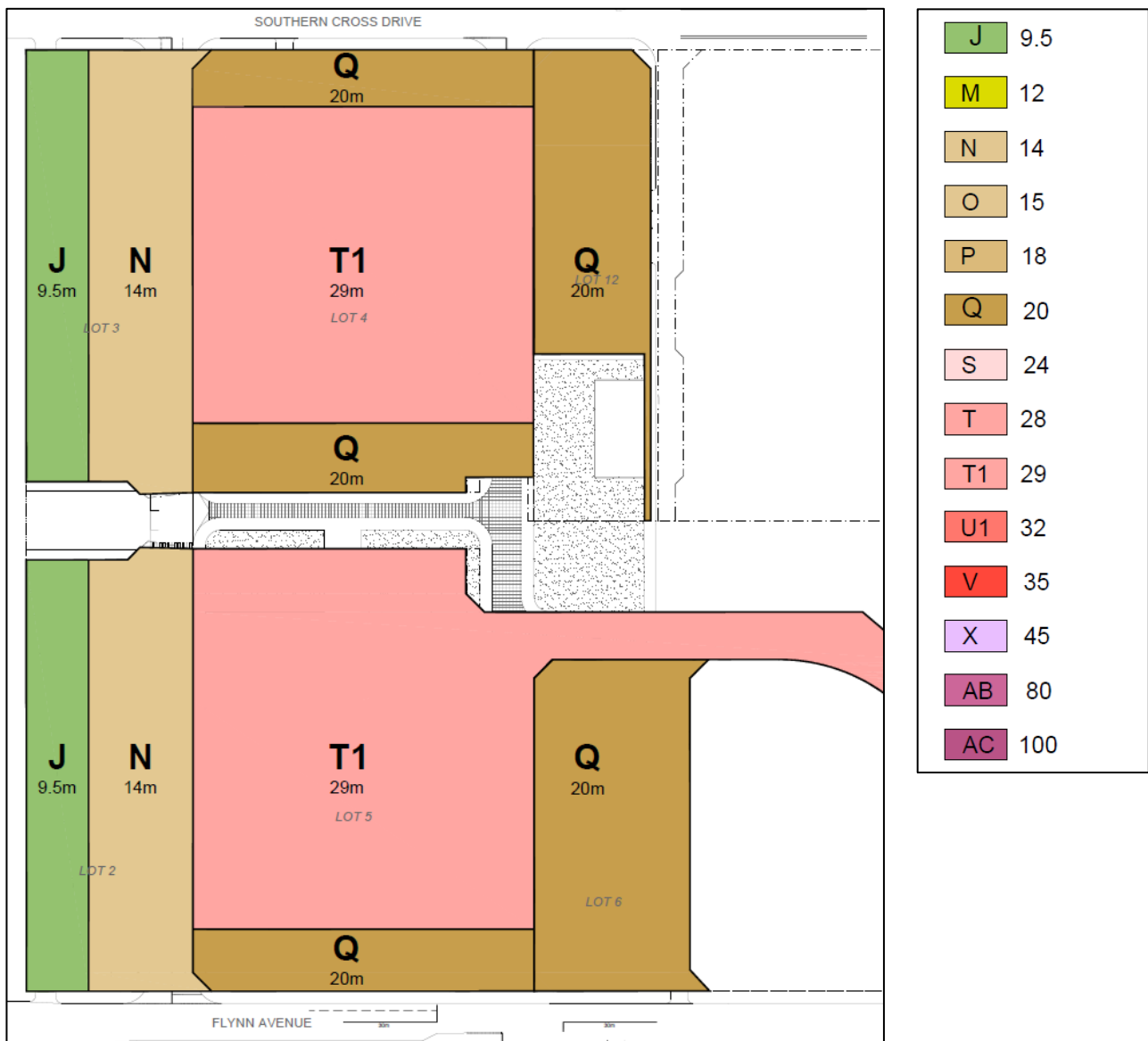


Figure 33: Proposed Maximum Height of Buildings Map

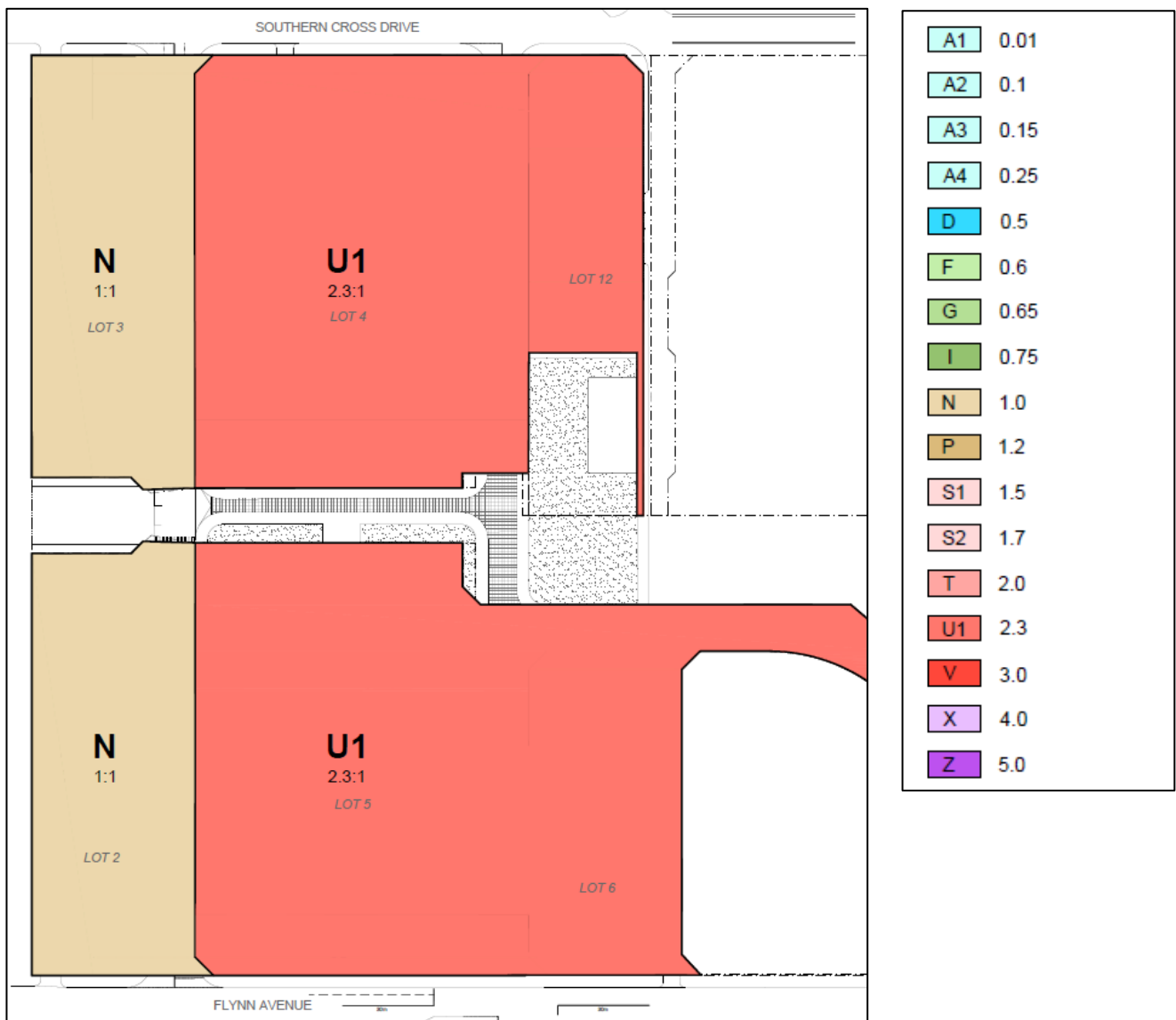


Figure 34: Proposed Maximum Floor Space Ratio Map

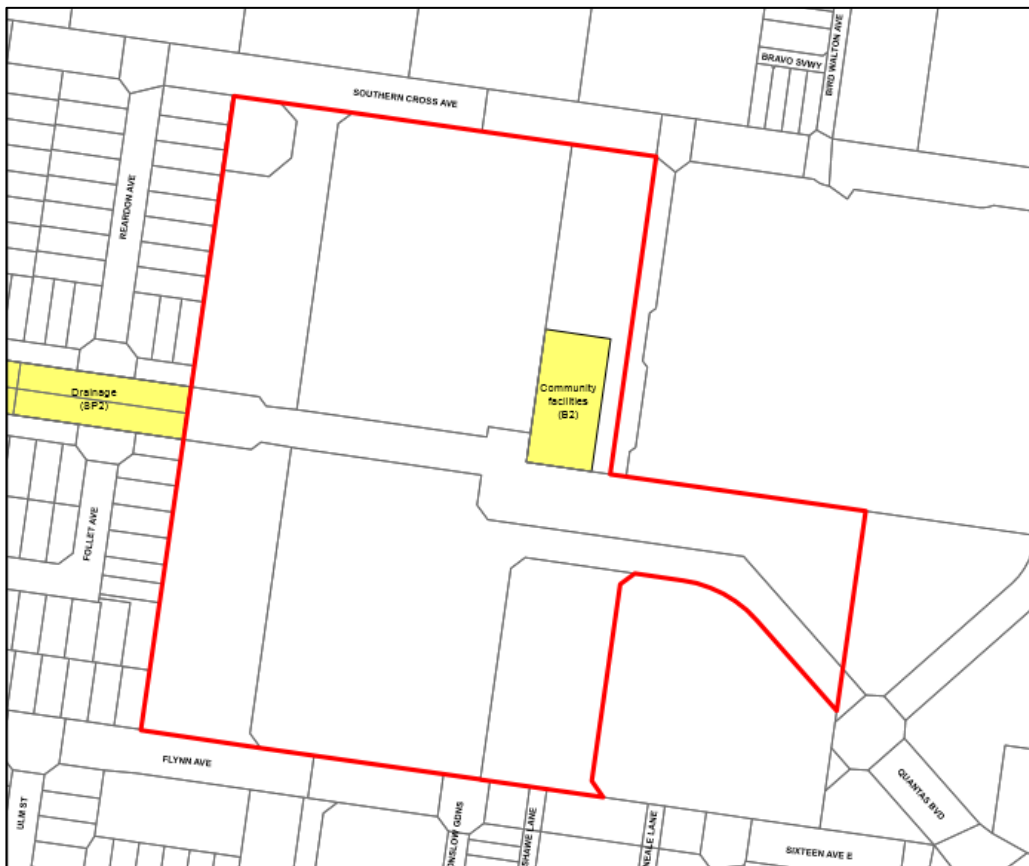


Figure 35: Proposed Land Reservation and Acquisition Map



Figure 36: Proposed Flood Mapping Map

Part 5 Community Consultation

The Planning Proposal was publicly exhibited from Wednesday 29 August 2018 to Friday 26 October 2018 in accordance with the Gateway.

As previously discussed, a number of concerns were raised by the community during the public exhibition period. Some practical concerns were raised, of particular interest was:

1. The maximum heights being proposed (i.e. 12 storeys);
2. The amount of apartments;
3. The amount of open space;
4. The lack of investment in public infrastructure over a number of years in the suburb of Middleton Grange and the impact that the development of the town centre may have on the road network.
5. The erroneous claim that the proposal was to be mainly a social housing development.

The development concept has subsequently been further refined to address the concerns and matters raised by the community. In particular the issue of 12 storeys was considered too high. While the planning proposal demonstrated that there was no overshadowing impacts and the heights created a transition to lower density development, the heights and transitions in the concept have been revisited. Key amendments have been made to address the community's concerns regarding height and other matters.

The amendments have been discussed in detail in the Introduction to this Planning Proposal and the concept is detailed within the attached Urban Design Report.

Further consultation will now occur with the community to consider the refinements.