

LIVERPOOL CITY COUNCIL

DIRECTORATE REPORT

ORDINARY MEETING

29/05/2013

ITEM NO:		FILE NO:	2009/0880
SUBJECT:	MOOREBANK EAST PRECINCT ZONING INVESTIGATION		
COMMUNITY STRATEGIC PLAN REFERENCE:	NEIGHBOURHOODS AND VILLAGES ARE WELL DESIGNED, SAFE AND CLEAN		

EXECUTIVE SUMMARY:

Council at its 27 March 2013 meeting considered a mayoral minute and resolved to adopt the following recommendations;

- 1. Investigate alternate zoning options for the Moorebank East precinct to better reflect the emerging recreation and residual precinct to better reflect the emerging recreation and residential precinct and the environmental value of this area.*
- 2. Report back to Council following the investigation.*

In accordance with this resolution, Council has undertaken a review of the zoning within the Moorebank East Precinct. The purpose of this review is to ensure that zoning within the Liverpool Local Environmental Plan 2008 (LLEP 2008) is consistent with the emerging nature of development in the precinct.

Over the past 7 years there has been a significant change in the nature of land use within the Moorebank East precinct. Once characterised by predominantly industrial land, the precinct is now dominated by land zoned for residential development, public and private open space and environmental conservation.

Through conducting this review, it is concluded that the current zoning of Lot 6, DP 1065574, being entirely E2 – Environmental Conservation, is inconsistent with the ecological values of the land and the emerging nature of development within the precinct. It is therefore recommended that Council seeks to rezone part of the site to RE2 - Private Recreation.

Lot 6, DP 1065574 has an additional permitted use listed under Schedule 1 of the LLEP 2008 making development for the purposes of a resource recovery facility permissible with consent. This use is incompatible with current and planned residential development within the precinct. Rezoning of this site to remove the additional use and promote recreational uses would provide development options which would otherwise not be available on the site.

This report recommends that Council initiates an amendment to the Liverpool Local Environmental Plan 2008 to rezone Lot 6, DP 1065574 from E2 to RE2 and remove Item 11 from Schedule 1.

DETAILED REPORT:

Background

The Moorebank East Precinct (illustrated in Figure 1) consists of former industrial land in the midst of contextual transition to urban land. Much of the precinct is on the former Boral Quarry Site which was rezoned and is being developed for residential development and environmental conservation. The Benedict Sands and Gravel Site (Lot 7 DP 1065574) has also been rezoned to facilitate future medium density residential, commercial and private open space development. The Georges River foreshore has been zoned for public open space.

At its meeting dated 27 March 2013, Council resolved to investigate alternate zoning options for the Moorebank East Precinct to better reflect the emerging recreation and residential precinct and the environmental value of this area.

Through the development of the precinct, Council has acquired land for the purposes of enhancing the ecological and recreation value of the former industrial land. Significant pieces of land, such as Wurrungwuri Reserve and the Georges River Foreshore have been acquired in order to achieve this goal.

The precinct which was once characterised by predominantly extractive industries and related uses, is now characterised by a mixture of residential development, with complimentary public and private open space, and ecological conservation land.

The Moorebank East Precinct

The Moorebank East Precinct is bounded to the north by Newbridge Road, to the west by Nuwarra Road, by the Georges River to the east and the M5 Motorway in the south. The precinct is characterised by residential development which is progressing eastward as a result of the rezoning and subsequent residential development of the former Boral Quarry Site. The western portion of the New Brighton Golf Course has recently been rezoned to facilitate residential development as well as a significant proportion of Lot 7, in DP 1065574. Existing land use zoning within the precinct is illustrated in Figure 1. Current and proposed private recreational land uses within the precinct will compliment this ongoing residential development. New Brighton Golf Course operates in the southern portion of the precinct and Council has received a development application to allow to development of a marina on Lot 7, DP 1065574.

Land adjacent to the Georges River is severely flood prone. To mitigate the potential impacts of this, Council has acquired extensive foreshore land through Voluntary Planning Agreements and through the Moorebank Voluntary Floodway Acquisition Scheme. The recreation strategy establishes that land adjacent to the Georges River will be embellished for public recreation uses. Foreshore Land in Lot 6 in DP 1065574 is recognised as the missing link in completing the public land corridor.

Wurrungwuri Reserve was transferred into Council ownership through the rezoning process of the former Boral Quarry Site. The reserve is heavily vegetated and includes several threatened ecological communities which must be preserved. Foreshore vegetation present on Lot 6, DP 1065574 also possesses substantial ecological value, including remnant communities. Lot 6, DP 1065574 is a former landfill site which is currently vacant and much of the site has been cleared, as can be seen in the aerial photograph below (Figure 2). Despite the clearing which has occurred, an ecological corridor has been preserved along the southern boundary of the site which must be preserved to allow wildlife to move between these ecosystems.

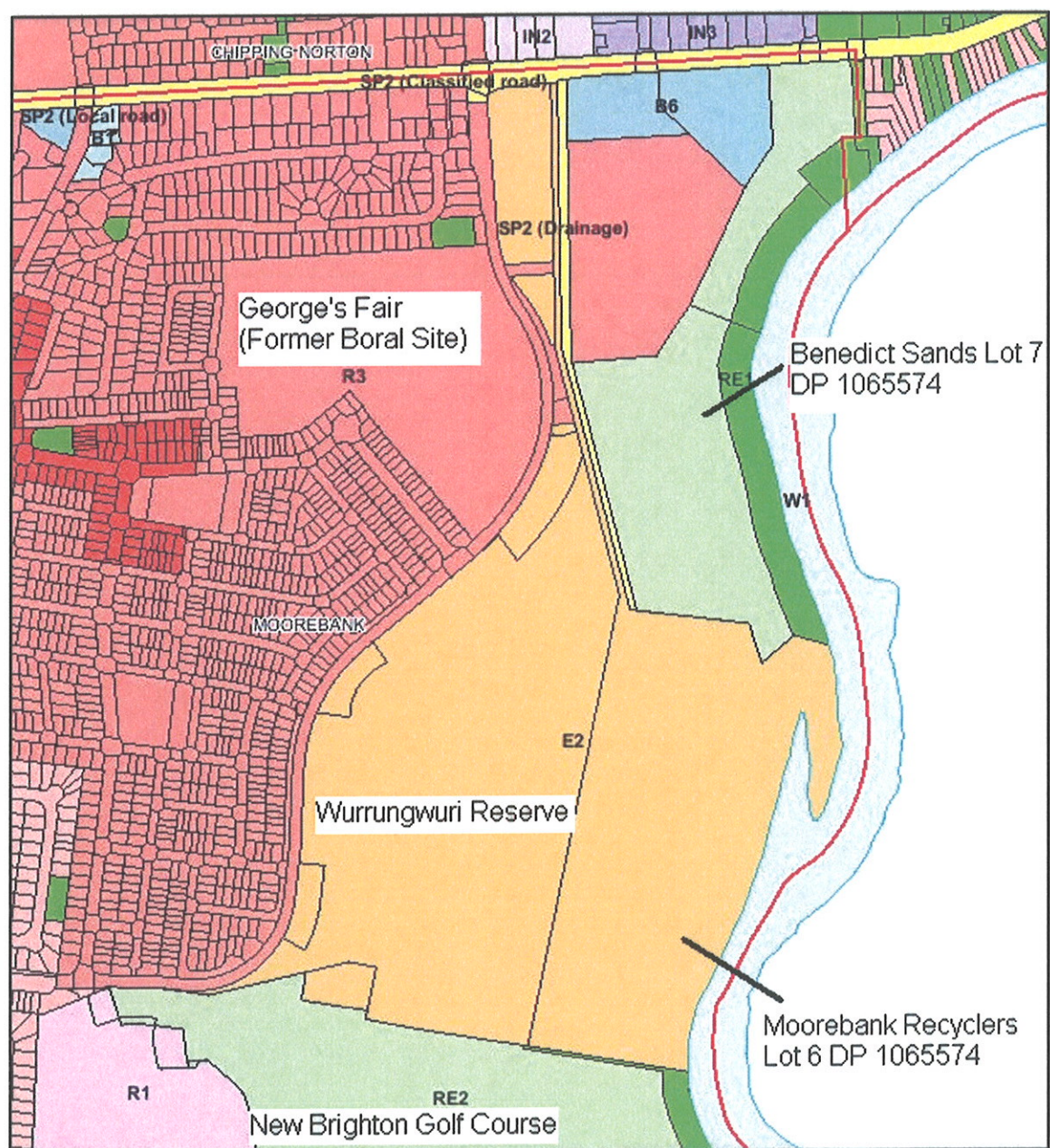


Figure 1: Zoning Extract Moorebank East Precinct



Figure 2: Aerial Photograph of Lot 6, DP 1065574

Planning Review

The following objectives should be identified as priorities for the Moorebank East Precinct;

1. Maximise public access to Georges River

Public access to Georges River should be promoted to enhance the recreational value of the area. Council should seek to provide a continual open space corridor from Chipping Norton Lakes through to Lt Cantello Reserve, Hammondville. This open space will provide opportunities for passive recreation and enhance the overall amenity of the Moorebank East Precinct. Public open space should link existing and proposed private recreational uses such as the New Brighton Golf Course and the proposed Marina. This is consistent with Council's existing recreation strategy.

2. Facilitate development of high quality housing to accommodate Liverpool's growing population

There is an acknowledged housing shortage within Sydney Metropolitan Area which must be addressed through proactive land use zoning. Land within the Moorebank East Precinct is highly accessible and ideally located to facilitate residential development. Ensuring adequate housing supply is needed to address housing affordability concerns and meet demand for various housing types. Residential development within the Moorebank East Precinct will be characterised by diversity of housing types and densities which will address demand.

3. Support retailing to meet the demands of the local community

B6 zoned land adjacent to Newbridge Road will meet the needs of residents in the Moorebank East Precinct and benefit from passing trade. Development of this nature will provide acoustic attenuation to mitigate the impacts of traffic noise on nearby residential development.

4. Protect environmental values

Development within the precinct must have a minimal impact on its ecological value. Wurrungwuri Reserve and the Georges River Foreshore must be protected to allow threatened ecological communities to thrive and to promote the environmental amenity of the precinct. Development on flood prone land must not result in a loss of flood storage.

Consistency of Existing Zones with Intended Planning Outcomes

Council has conducted a review of the zoning within the precinct and have concluded that the majority of zonings match the planning intent. This is however not the case for Lot 6, DP 1065574, the former landfill site with access off Newbridge Road. The lot directly adjoins the Georges River in the east and Wurrungwuri Reserve in the west. As such, the site is a key biodiversity link and any future development of the land needs to recognise these values. The additional use listed as

item 11 of schedule 1 in the LEP is inconsistent with future development of the precinct. Item 11 is as follows;

11 Use of certain land at Moorebank in Zone E2

1. This clause applies to Lot 6, DP 1065574 in Zone E2 Environmental Conservation at Newbridge Road, Moorebank.
2. Development for the purposes of a resource recovery facility is permitted with consent.
3. This clause is repealed on 1 September 2018.

Development of Lot 6, DP 1065574 for the purposes listed in item 11 would be inconsistent with the objectives of the E2 zoning of the land and would be likely to result in land use conflict with neighbouring residential and open space development.

Given the former use of the site as a tip it is suggested that this portion of the site is appropriate for rezoning from E2 to RE2 – Private Open Space. This zone would facilitate a greater range of development yet remain consistent with development of the precinct. The RE2 zone would promote the recreational value of the site while continuing to protect its environmental value and better integrate with existing and future land uses.

Included below are the relevant land use tables for the E2 and RE2 zones for comparison;

E2 – Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.

- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To enable the recreational enjoyment, cultural interpretation or scientific study of the natural environment.

2 Permitted without consent

- Environmental protection works

3 Permitted with consent

- Building identification signs; Environmental facilities; Flood mitigation works; Information and education facilities; Roads

4 Prohibited

- Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

RE2 – Private Open Space

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.

- To protect and enhance the natural environment for recreational purposes.
- To enable land uses that are compatible with, and complimentary to, recreational uses.

2 Permitted without consent

- Environmental protection works; Home occupations

3 Permitted with consent

- Animal boarding or training establishments; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Community facilities; Entertainment facilities; Environmental facilities; Flood mitigation works; Function centres; Hotel or motel accommodation; Information and education facilities; Kiosks; Landscaping material supplies; Marinas; Mooring pens; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Stock and sale yards; Veterinary hospitals; Water recreation structures

4 Prohibited

- Any other development not specified in item 2 or 3

Part 3A – Moorebank Waste Recycling Facility

Council should initiate an amendment to the Liverpool LEP 2008 to rezone Lot 6, DP 1065574 and remove Item 11 from Schedule 1. It must be noted that this would be subject to consideration and gateway determination by the Department of Planning and Infrastructure. Considering that the Department has placed the Part 3A application for a materials recycling facility on exhibition, such a planning proposal may not be quickly progressed.

The application for the development of the recycling facility is well progressed, as such, any amendment to the Liverpool LEP 2008 to remove the Schedule 1 additional use is unlikely to prevent the Part 3A application from being determined.

Conclusion

This report has been prepared in response to Council's resolution at its meeting dated 27 March 2013. The resolution sought an investigation of zoning options for the Moorebank East Precinct which would better reflect the emerging recreation and residential precinct and the environmental value of the area.

While the majority of land use zoning within the Moorebank East Precinct accurately reflects the recreational and environmental value of the precinct, the zoning of Lot 6, DP 1065574 has been found to be generally inconsistent with the objectives of the precinct. Lot 6, DP 1065574 has an additional use which is listed as Item 11 in Schedule 1 of the LLEP 2008 to make development for the purposes of a resource recovery facility permissible with consent. It is concluded that the precinct has undergone extensive transition and that this use is no longer consistent with the nature of development which has emerged in the precinct. Furthermore, the location of the site adjacent to the Georges River makes it ideal for rezoning to RE2 - Private Recreation. A greater range of developments could be facilitated under this zoning without adversely impacting on the environmental value of the site.

Council should initiate an amendment to the LLEP 2008 to rezone part of Lot 6, DP 1065574 from E2 to RE2 and remove Item 11 from Schedule 1. This will result in a more appropriate zoning for the site and facilitate development which will enhance the recreational and environmental value of the Moorebank East Precinct.

FINANCIAL IMPLICATIONS:

There are no financial implications to council arising from this report.

RECOMMENDATION:

That Council:

1. Initiates an amendment to the Liverpool Local Environmental Plan 2008 to rezone Lot 6, DP 1065574 from E2 to RE2 and remove Item 11 from Schedule 1.
2. Forwards a planning proposal to the Department of Planning and Infrastructure seeking Gateway determination.

SIGNED BY:

Matthew Daniel

Executive Director

Attachment: Planning Proposal



Planning Proposal

Draft Liverpool LEP 2008 Amendment

***Rezone Lot 6, DP 1065574 from E2
Environmental Conservation to RE2 Private
Recreation and Remove Item 11 from
Schedule 1***

May 2013

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Background

This Planning Proposal provides an outline and justification for the proposed rezoning of Lot 6 Newbridge Road, Moorebank (Lot 6, DP 1065574) ("the site") and for the removal of item 11 in Schedule 1 of the Liverpool Local Environmental Plan 2008.

The purpose of the planning proposal is to rezone part the site from its current E2 Environmental Conservation zoning under Liverpool Local Environmental Plan 2008 to the RE2 Private Recreation zone to enhance the recreational value of the Moorebank East Precinct and promote access to the Georges River Foreshore.

It has been considered that the additional use which is permissible with consent on Lot 6, DP 1065574 is inconsistent with the objectives of the Moorebank East Precinct and incompatible with current and planned development on land adjacent to the site.

Item 11 of Schedule 1 of the Liverpool Local Environmental Plan (LLEP) 2008 is as follows;

Use of certain land at Moorebank in Zone E2

- 1. This clause applies to Lot 6, DP 1065574 in Zone E2 Environmental Conservation at Newbridge Road, Moorebank.*
- 2. Development for the purposes of a resource recovery facility is permitted with consent*
- 3. This clause is repealed on 1 September 2018.*

The site is located within the Moorebank East Precinct, which consists of former industrial land in the midst of contextual transition to urban land. Much of the precinct is on the former Boral Quarry Site which was rezoned and is being developed for residential development and environmental conservation. The Bonadict Sands and Gravel Site (Lot 7 DP 1065574) has also been rezoned to facilitate future medium density residential, commercial and private open space development. The Georges River foreshore has been zoned for public open space.

At its meeting dated 27 March 2013, Council resolved to investigate alternate zoning options for the Moorebank East Precinct to better reflect the emerging recreation and residential precinct and the environmental value of this area.

Through the development of the precinct, Council has acquired land for the purposes of enhancing the ecological and recreation value of the former industrial land. Significant pieces of land, such as Wurrungwuri Reserve and the Georges River Foreshore have been acquired in order to achieve this goal.

The precinct which was once characterised by predominantly extractive industries and related uses, is now characterised by a mixture of residential development, with complimentary public and private open space, and ecological conservation land.

Site identification

This planning proposal applies to Lot 6, Newbridge Road, Moorebank (Lot 6, DP 1065574). The site is zoned entirely E2 environmental conservation.

The site is located in the eastern portion of the suburb of Moorebank, adjacent to the Georges River. Moorebank is located in South West Sydney, approximately 4 kilometres east of the Liverpool Regional City and 30 kilometres south west of the Sydney CBD.

The 20.53 hectare site directly adjoins the Georges River in the east, Wurrungwuri Reserve in the west and New Brighton Golf Course to the south. The site is bound to the north by Lot 7, DP 1065574 which is the current site of Benedict Sands and Gravel. Lot 7, DP 1065574 has been rezoned to facilitate a range of residential, commercial and open space land uses. Council has received a development application seeking consent to construct a marina on RE1 and RE2 zoned land within Lot 7. Access to the site is via a 10 metre wide 'pan handle' connecting to Newbridge Road.

The site is vacant land which was previously utilised as a landfill site. Much of the vegetation on the site was cleared during this time. The eastern portion of the site remains densely vegetated and is connected with Wurrungwuri Reserve by a vegetation corridor which exists along the southern boundary of the site. The site is severely flood prone and is therefore inappropriate for extensive development.

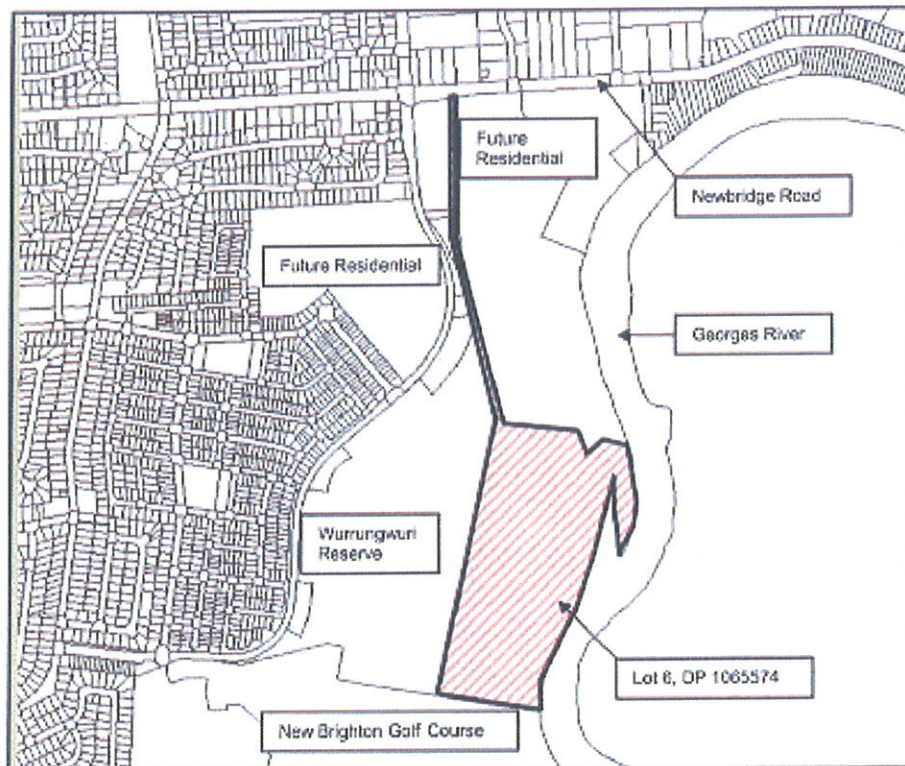


Figure 1: Site Layout

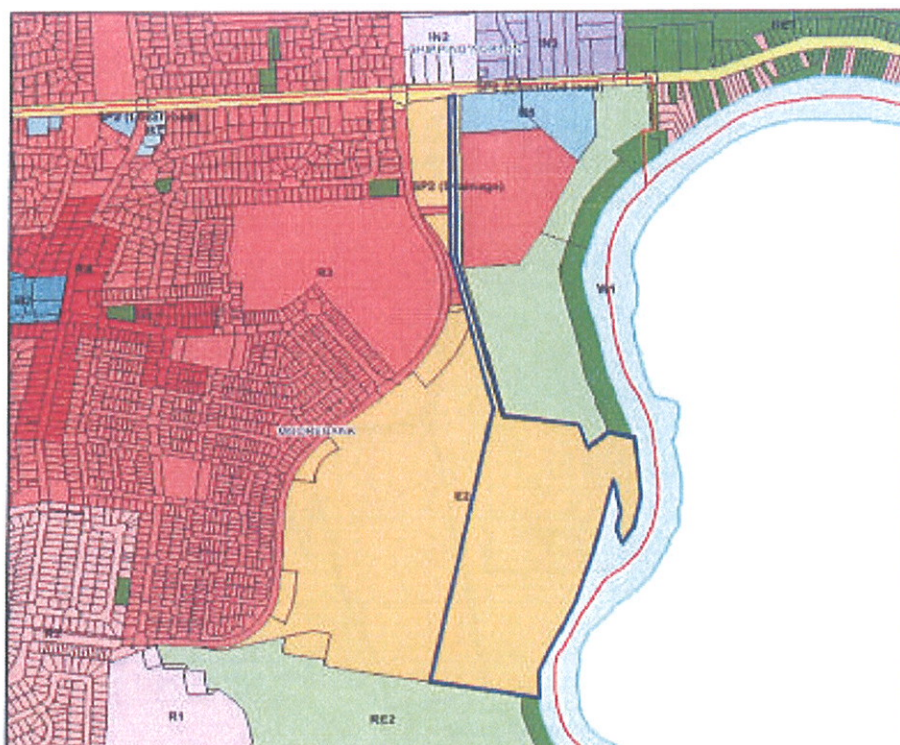


Figure 2: Zoning Extract Liverpool Local Environmental Plan 2008

Site Context

The site is located within the Moorebank East Precinct, which is bound to the north by Newbridge Road, to the west by Nuwarra Road, by the Georges River to the east and the M5 Motorway in the south. The precinct is characterised by residential development which is progressing eastward as a result of the rezoning and subsequent residential development of the former Boral Quarry Site. The western portion of the New Brighton Golf Course has recently been rezoned to facilitate residential development as well as a significant proportion of Lot 7, in DP 1065574. Existing land use zoning within the precinct is illustrated in Figure 2. Current and proposed private recreational land uses within the precinct will compliment this residential development.

Land adjacent to the Georges River is severely flood prone. To mitigate the potential impacts of this, Council has acquired extensive foreshore land through Voluntary Planning Agreements and through the Moorebank Voluntary Floodway Acquisition Scheme. Council's recreation strategy establishes that land adjacent to the Georges River will be embellished for public recreation uses. Foreshore land in Lot 6 in DP 1065574 is recognised as the missing link in completing the public land corridor.

Wurrungwuri Reserve was transferred into Council ownership through the rezoning process of the former Boral Quarry Site. The reserve is heavily vegetated and includes several threatened ecological communities which must be preserved.

Foreshore vegetation present on the site also possesses substantial ecological value, including remnant communities. An ecological corridor has been preserved

along the southern boundary of the site which links the Wurrungwuri Reserve with the Georges River.

Land Use Zoning

Under the Liverpool LEP 2008 the site is currently zoned entirely E2 - Environmental Conservation.

The objectives of zone E2 are:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*
- *To enable the recreational enjoyment, cultural interpretation or scientific study of the natural environment.*

The following controls are currently applicable to the site:

- The minimum lot size is 40 hectares (clause 4.1)
- The maximum floor space ratio for any building on the site is 0.01:1 (clause 4.3)
- There is currently no control on height of buildings on the site (clause 4.3)
- Part of the site is environmentally significant land (clause 7.6)
- Acid sulfate soils occur on the site (clause 7.7)

The site has an additional use listed as Item 11 of Schedule 1 under the Liverpool LEP 2008. Item 11 is as follows:

11 Use of certain land at Moorebank in Zone E2

1. *This clause applies to Lot 6, DP 1065574 in Zone E2 Environmental Conservation at Newbridge Road, Moorebank.*
2. *Development for the purposes of a resource recovery facility is permitted with consent.*
3. *This clause is repealed on 1 September 2018.*

Part 1 – Objectives

The objectives of the Planning Proposal are to:

- Maximise public access to Georges River
- Enhance the amenity of the Moorebank East Precinct and promote the emerging recreational value of the precinct
- Protect environmental values
- Ensure development on the site compliments existing and planned recreational, commercial and residential development within the Moorebank East Precinct

Part 2 - Explanation of provisions

Amendment of land use zonings

Proposed amendment

- Amendment of the Land Zoning Map to zone part of the site RE2 Private Recreation and retain the existing E2 Environmental Conservation zoning for environmentally significant land.
- Amendment of the Height of Buildings Map in accordance with the proposed Height of Buildings Map to indicate a height of 15m, consistent with RE2 zoned land adjacent to the site.
- Amendment of the Floor Space Ratio Map in accordance with the proposed Floor Space Ratio map to indicate a maximum FSR of 0.1:1.
- Amendment of the Lot Size Map to indicate the minimum lot size of 10,000sqm for land within 40m of the eastern boundary of the site and 10 hectares for the remainder of the site.
- Removal of Item 11 from Schedule 1

Proposed land use zones

It is proposed to rezone part of the site from E2 Environmental Conservation to RE2 Private Recreation, as indicated in Figure 3.

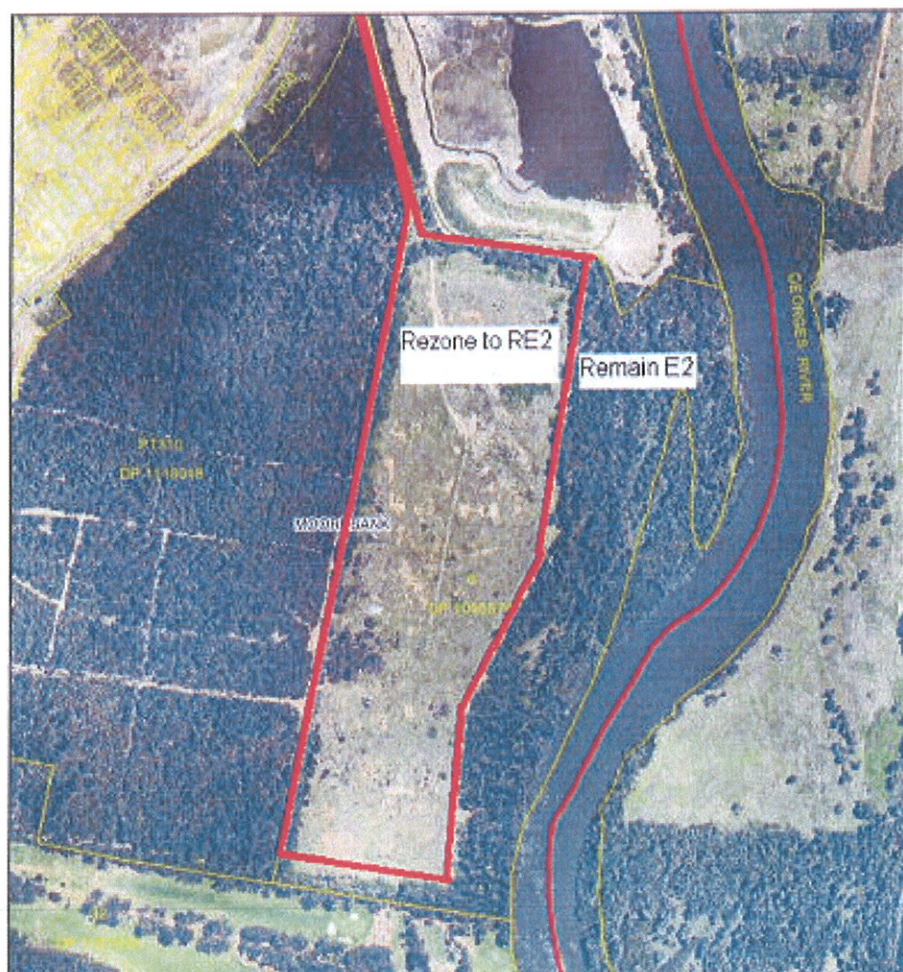


Figure 3: Aerial Photograph Showing Proposed RE2 zoning

Given the former use of the site as a tip it is suggested that this portion of the site is appropriate for rezoning from E2 to RE2 – Private Open Space. This zone would facilitate a greater range of development yet remain consistent with development of the precinct. The RE2 zone would promote the recreational value of the site while continuing to protect its environmental value and better integrate with existing and future land uses.

Zone RE2 Private Recreation

Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To enable land uses that are compatible with, and complimentary to, recreational uses.

Permitted without consent

Environmental protection works; Home occupations

Permitted with consent

Animal boarding or training establishments; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Community facilities; Entertainment facilities; Environmental facilities; Flood mitigation works; Function centres; Hotel or motel accommodation; Information and education facilities; Kiosks; Landscaping material supplies; Marinas; Mooring pens; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Stock and sale yards; Veterinary hospitals; Water recreation structures

Prohibited

Any other development not specified in item 2 or 3

Part 3 - Justification***A. Need for the planning proposal******1. Is the planning proposal a result of any strategic study or report?***

The planning proposal is not the result of any strategic study or report.

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

Council have concluded that the zoning of Lot 6, DP 1065574 and the additional use listed as Item 11 of Schedule 1 in the Liverpool Local Environmental Plan 2008 (LLEP 2008) is generally inconsistent with the emerging development with the Moorebank East Precinct. Rezoning of part of the site RE2 Private Recreation will facilitate a range of developments which promote the objectives of the precinct. Development for the purposes of a resource recovery facility is inappropriate for the site, given that the site is severely flood prone and that development of this nature is inconsistent with existing and planned land uses within the precinct. The site is appropriate for rezoning as the range of developments which are permissible under the RE2 zone better reflect the recreational and environmental value of the site. Council considers that an amendment to LLEP2008 to be the most appropriate way of achieving this outcome.

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

The proposal will ensure that zoning under the LLEP2008 accurately and effectively conveys the value of the site and seeks to provide certainty to landowners and the community. The community benefit associated with the implementation and administration of this planning proposal is considerable. The site is located in close proximity to residential development and adjacent to the Georges River. The

development which is currently permissible on the site is likely to conflict with development on neighbouring land. The proposed changes will result in a more sustainable outcome which promotes the public interest

B. Relationship to strategic planning framework

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

Metropolitan Plan for Sydney 2036

The planning proposal is consistent with the Sydney Metropolitan Strategy. This planning proposal supports the following actions outlined in the strategy;

- Avoid noise-based land use conflict through strategic planning and the development assessment processes
- Identify strategically appropriate locations for new waste management technologies in *Subregional Strategies*
- Design and plan for healthy, safe, accessible and inclusive places

Draft Metropolitan Strategy for Sydney to 2031

The planning proposal is consistent with the strategies outlined in the draft Metropolitan Strategy for Sydney to 2031. The proposal complies with the following policies;

- Protect high value environmental lands and waterways
- Open space must meet the diverse needs of Sydney's population
- Connectivity will be encouraged between open spaces, walking trails, cyclepaths and streets
- Natural hazards will be considered and planned for at an early stage
- Development, particularly infrastructure, will be avoided in locations at risk from natural hazards unless the risks are demonstrated to be manageable.
- Strategic approaches to reduce exposure to air pollution will inform planning
- Land and waterways of high conservation and biodiversity value will be protected
- Fragmentation of habitat will be avoided and green corridors will connect habitats
- Opportunities to maintain, rehabilitate and/or create new habitats will be encouraged

South West Draft Subregional Strategy

The Draft *South West Subregional Strategy* is the strategic land use planning framework to guide the sustainable growth of South West Sydney over the next 25 years.

The changes outlined in this planning proposal are consistent with the objectives and actions contained within the draft *Southwest Subregional Strategy*. Of particular relevance to this planning proposal are the following actions;

E2.1 Improve Health of Waterways, Coasts and Estuaries

The site is located adjacent to the Georges River. The permissible use of the site for a materials recycling facility presents a threat to water quality in the river as a result of runoff and flooding. In the event of a flood the ecological impact of this use could be catastrophic to the river ecosystem. The proposed rezoning would facilitate a range of open space developments which would have a minimal impact on the river. Any development on the site resulting from this rezoning would be subject to a development assessment process which would ensure that the use is appropriate given the risk of flooding on the site.

E2.2 Protect Sydney's Unique Diversity of Plants and Animals

The proposed rezoning would promote the protection of the threatened ecological communities present on the site and the adjacent Wurrungwuri Reserve. The existing E2 Environmental Conservation zoning will be maintained on the portion of the site which remains heavily vegetated to ensure that the existing diversity of flora and fauna is preserved. The removal of Item 11 in Schedule 1 of the LLEP 2008 will ensure that the ecological value of the site is preserved.

E2.5 Minimise Household Exposure to Unacceptable Noise Levels

The existing additional use listed under Schedule 1 is likely to generate unacceptable noise levels as experienced by nearby residential communities. The removal of Item 11 promotes this action.

E5.3 Councils to Identify Natural Hazards and Risk Management Measures in Principal LEP's

Planning processes have been developed to identify the risks associated with flooding and how they can be minimised through land use planning that precludes certain uses from high hazard areas. These risks may increase due to more frequent and intense storms associated with climate change. The development of a materials recycling facility on the site is likely to reduce flood storage and have an unacceptable ecological impact in the event of a flood.

F1.3 Improve access to waterways and links between bushland, parks and centres

The proposed rezoning would allow development which promotes access to the Georges River and recognises the environmental value of the site. Council's recreation strategy establishes that land adjacent to the Georges River will be embellished for public recreation uses. Foreshore land in Lot 6, DP 1065574 is recognised as the missing link in completing the public land corridor.

F2.1 Improve the quality of local open space

Council's vision is to create continuous open space along the Georges River Foreshore and to enhance the recreational and environmental value of the Moorebank East Precinct. This planning proposal will allow this objective to be achieved.

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

Growing Liverpool 2021 identifies social and community priorities for Liverpool and proposes strategies that work towards and sustain a positive level of wellbeing within the community.

The document is centred on 12 key objectives that emerged as priorities in the findings of the community engagement strategy. The strategy has been verified through substantial community consultation.

The planning proposal is consistent with the Liverpool Community Strategy. The following actions outlined in the strategy are relevant to this planning proposal;

2.1 Develop and implement planning policies that respond to environmental, social, and economic considerations

Rezoning the site to RE2 Private Recreation and removing the additional use of the site is required in response to Council's analysis of the environmental, social and economic considerations of the site. The additional use listed under Schedule 1 is inconsistent with these considerations.

2.4 Manage air, water, noise and chemical pollution

Development of the site for the purposes of a materials recycling facility is likely to have a detrimental impact on the precinct through air, water, noise and chemical pollution. Removal of the additional use from the LLEP 2008 allows for better management of these factors.

5.2 Manage the environmental health of waterways

Removal of Item 11 from Schedule 1 will reduce the risk of toxic runoff impacting upon the health of the Georges River. Any future development on the site which is permissible under the RE2 zone will need to consider the health of the Georges River as a principle concern in seeking development consent.

5.3 Protect, enhance and maintain areas of endangered ecological communities and high quality bushland as part of an attractive mix of land uses

This planning proposal seeks to promote the environmental value of the site by preserving an ecological corridor between the densely vegetated eastern portion of the site and the neighbouring Wurrungwuri Reserve. Several threatened ecological communities are present within the site and permissible uses under the RE2 Private Recreation zoning will be compatible with the E2 Environmental Conservation zone.

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

The planning proposal is consistent with the relevant State Environmental Planning Policy being;

State Environmental Planning Policy No 19—Bushland in Urban Areas

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

Various Section 117 Ministerial Directions apply to this planning proposal. These are discussed below:

S.117 Direction No. and Title	Contents of S.117 Direction	Planning Proposal	Comply
2.1 Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	Figure 4 illustrates the environmentally significant land occurring on the site. This planning proposal recommends rezoning the remainder of the site to RE2 – Private Recreation to facilitate developments which would be compatible with the remnant vegetation present on the site. It is also proposed to rezone the 10m wide "pan handle" to RE2 in order to facilitate access to any future development on the site. It is recognised that this portion of the site is currently identified as environmentally significant land, however, much of the vegetation within the "pan handle" has been cleared to construct a dirt driveway. Flora and Fauna reports submitted to Council suggest that habitat within the "pan handle" has been extensively disturbed and note the occurrence of weeds on the fringes of the driveway. Any development on the site will need to provide evidence that ecological impacts will be acceptable. As such, it is considered that this planning proposal complies with the objectives of this direction.	Yes
4.1 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	There is no proposed intensification of land uses associated with this planning proposal and as such no acid sulfate soils study is required. Any future development which is permissible under the RE2 will require consent at which point the impact of acid sulfate soils can be further assessed.	Yes
4.3 Flood Prone Land	This direction aims to ensure that LEPs consider potential flood impacts.	This planning proposal will not permit an intensification of land uses and will not result in a loss of flood storage. Any development on the site will be subject to development assessment which must satisfy flood planning controls.	Yes
4.4 Planning for Bushfire Protection	This direction aims to protect life, property and the environment from bush fire hazards, and to encourage sound management of bush fire prone areas. The direction requires that a Council shall consult with the Commissioner of the	The site is affected by bushfire risk and bushfire buffer. The requirements for Planning for Bushfire Protection 2006 will be complied with as part of any future development on the relevant subject properties.	Yes

S.117 Direction No. and Title	Contents of S.117 Direction	Planning Proposal	Comply
	NSW Rural Fire Service during the preparation of the draft LEP, and take into account any comments made. It also requires that the draft local environmental plan shall have regard to Planning for Bushfire Protection 2006, and introduce controls that avoid placing inappropriate developments in hazardous areas.		
7.1 Metropolitan Planning	Planning proposals shall be consistent with the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010.	The planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	Yes



Figure 4: Environmentally Significant Land

C. Environmental, social and economic impact

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

Council has initiated this planning proposal to ensure that any development within the site is compatible with the ecological value of the site, the adjacent Wurrungwuri

Reserve and the Georges River. There will be no adverse affect on threatened ecological communities or populations resulting from this planning proposal.

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

The planning proposal will not result in any negative environmental effects. The RE2 private recreation zone is more appropriate for part of the site, considering its previous use as a tip and that it has been extensively cleared. Permissible uses under the RE2 zone will not result in extensive additional development on the site. This zoning is likely to promote access to the Georges River Forashore, therefore enhancing the environmental and recreational value of the site and facilitate development which is compatible with surrounding development. Prohibiting the development of a materials recycling facility and retaining a substantial proportion of the existing E2 zoning reinforces the environmental benefit to result from this planning proposal.

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

The social and economic impacts of this planning proposal are minimal. The planning proposal will restrict development for the purposes of a materials recycling facility but will facilitate a range of developments which are more appropriate for the site. There will be no negative social impact resulting from this planning proposal.

D. State and Commonwealth interests

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

The planning proposal does not result in the potential for extensive additional development. As such the planning proposal will not place additional demands on public infrastructure.

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

The Gateway determination will stipulate the State and Commonwealth authorities that are required to be consulted.

Council recommends that the following State and Commonwealth public authorities will be consulted;

- New South Wales Rural Fire Service
- Office of Environment and Heritage

Part 4 - Community Consultation

Although it is unlikely that this planning proposal will generate any concerns from the community, consultation will be undertaken for a period of 28 days, subject to Gateway determination.

