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Planning Proposal

***Draft Liverpool LEP 2008 Amendment No.
20***

***B6 Enterprise Corridor zoning on
Heathcote Road, Moorebank***

December 2010

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DEPARTMENT OF PLANNING
SYDNEY WEST

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Background

This Planning Proposal provides an outline and justification for the proposed rezoning of land at 2 Moorebank Avenue and 7-15 Heathcote Road, Moorebank (the Site).

The purpose of the planning proposal is to rezone part of the site from its current R2 Low Density Residential zoning under Liverpool Local Environmental Plan 2008 to the B6 Enterprise Corridor zone to allow for its redevelopment for the purpose of showroom/bulky goods retailing.

Site identification

No 2 Moorebank Avenue and 7-15 Heathcote Road (collectively known as 'the site') are located at the northern portion of Moorebank, approximately 1 km east of Liverpool CBD in southwest Sydney. The site is bounded by Heathcote Road to the east, Moorebank Avenue to the west, Cooper Avenue to the south and residential properties to the southwest (Figure 1).

The site is located in close proximity to the Moorebank Industrial Area, Liverpool Train Station and CBD and the Georges River. It is positioned as the edge of a vast industrial area bounded by Newbridge Road (to the north) and the M5 Motorway (to the south). The Moorebank precinct will experience significant growth in the future with planning under way for the Moorebank Intermodal Freight terminal, some 1500m south of the site.

The site is well serviced by the regional road network as it is in close proximity to the M5 Motorway, Newbridge Road and the Hume Highway. Heathcote Road provides important connectivity between these major roads and the commercial centre of Liverpool. It is also in close proximity to key transport corridors including the Southern Sydney Freight Line, main interstate rail line and the main east-west road line.

Figure 1. Aerial image of site



Figure 2. Site Photograph viewed from Heathcote Road



The site comprises ten (10) properties which are legally described in Table 1 below. The properties are landholdings of Kazan Franchise Group Pty Ltd, Anton's (Merrylands Pty Ltd) and Corpers (No. 670) Pty Ltd . The site forms an irregular shape at the corner of Heathcote Road and Moorebank Avenue of approximately 3,500 square metres.

The site is predominantly vacant land and developed partially for residential purposes. Existing development includes two single storey dwellings toward the southeast and southwest corners of the site. Lot A DP 355193 (Lot B in Figure 1) is accessed from Moorebank Avenue and contains an abandoned fibro and timber detached dwelling and carport. Lots 1 and 2 in Section 1 DP 2429 (I and J in Figure 1) contain a brick dwelling and detached carport located at the corner of Heathcote Road and Cooper Avenue.

Table 2.1. Lot Details

ID	Lot / DP	Site Address	Current Zoning	Current Use
A	Lot 1 DP 703990	7 Heathcote Road	R2	Vacant land
B	Lot A DP 355193	2A Moorebank Avenue	R2	Dwelling house (vacant)
C	Lot 8 Section 1 DP 2429	7 Heathcote Road	R2	Vacant land
D	Lot 7 Section 1 DP 2429	7 Heathcote Road	R2	Vacant land
E	Lot 6 Section 1 DP 2429	7 Heathcote Road	R2	Vacant land
F	Lot 5 Section 1 DP 2429	7 Heathcote Road	R2	Vacant land
G	Lot 1 DP 1103084	7 Heathcote Road	R2	Vacant land
H	Lot 2 DP 1103084	7 Heathcote Road	R2	Vacant land
I	Lot 2 Section 1 DP 2429	15 Heathcote Road	R2 and SP2 (Classified road)	Dwelling house
J	Lot 1 Section 1 DP 2429	15 Heathcote Road	R2 and SP2 (Classified road)	Dwelling house

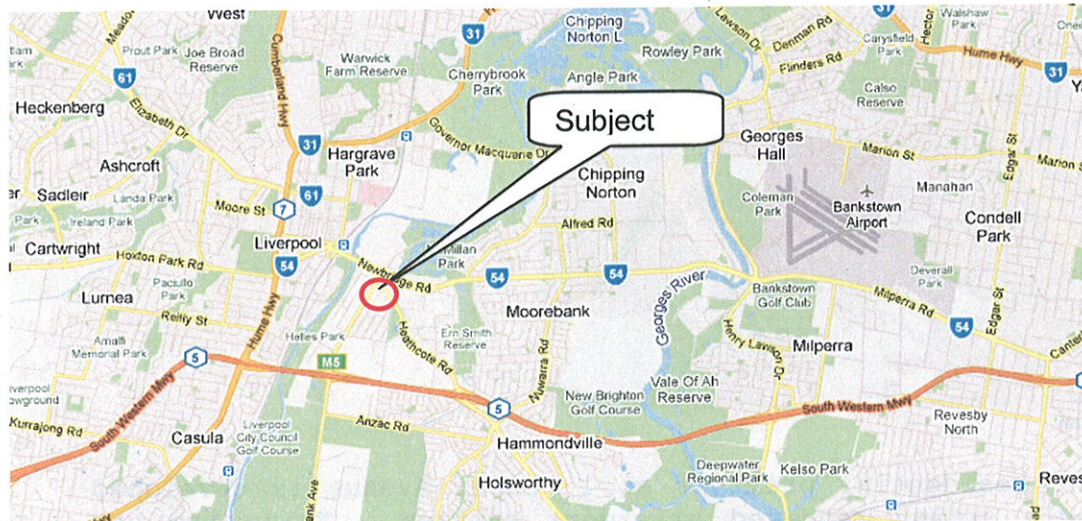
1.1 Site Context

The subject land is bounded by Heathcote Road to the north east, Moorebank Road to the west and Cooper Avenue to the south east. Land adjoining the southern site boundary is developed for residential purposes

The land is well connected to the regional road network and is accessible to the Liverpool CBD. The Liverpool Shopping Centre is sited approximately 1km to the east, with the Liverpool Railway Station and Bus Terminal approximately 900m in the same direction.

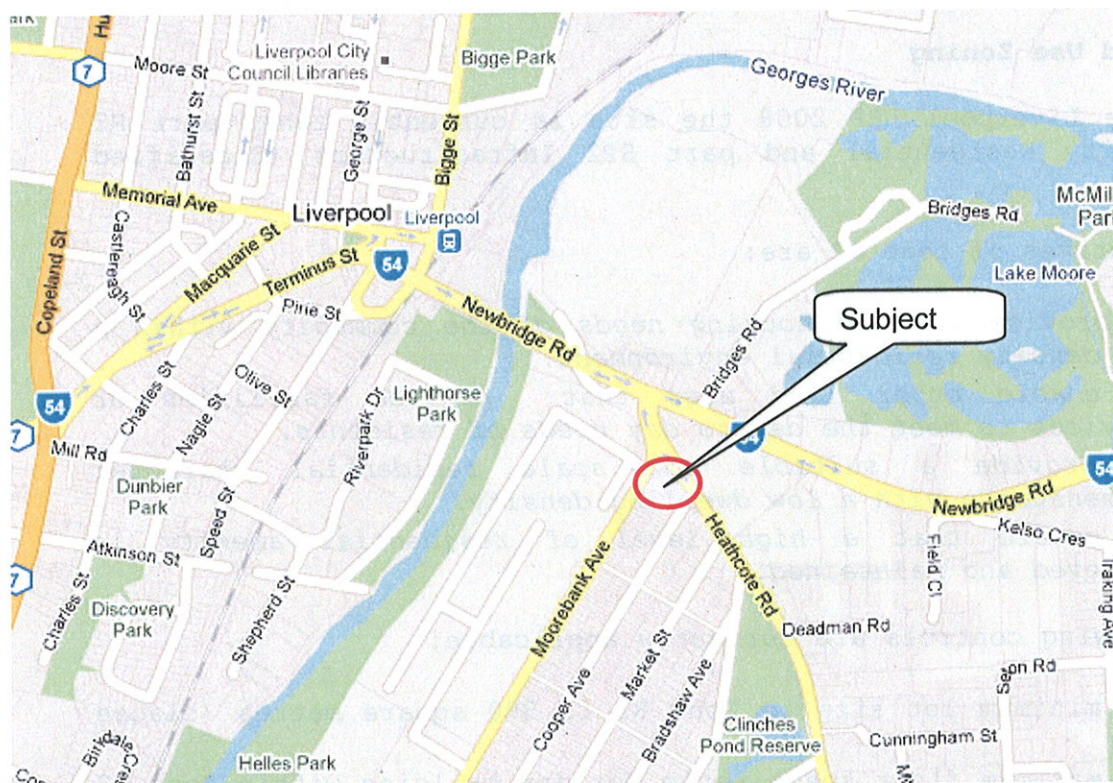
There are currently two significant pockets of industrial development in close proximity to the site, immediately to the north and the west. The M5 Motorway is situated approximately 1.25km to the south of the site and the Cumberland Highway is situated approximately 1.5km by road, to the west.

Figure 3. Site Context Plan



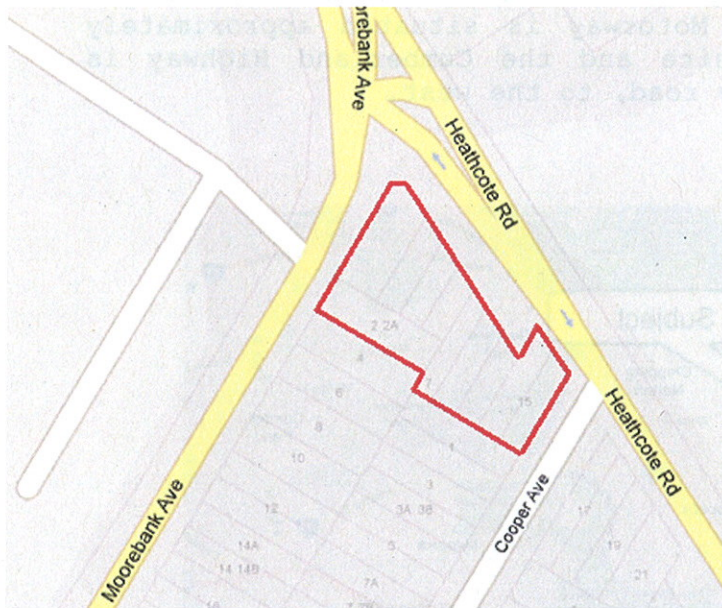
(Source: Google Maps)

Figure 4. Detailed Site Context Plan



(Source: Google Maps)

Figure 5. Site Plan



(Source: Google Maps)

The adjacent residential premises at 1 Cooper Avenue is developed with a single storey rendered brickwork cottage. This site has been identified by Liverpool Council for potential listing as an item of local heritage value given that it demonstrates the history of settlement in Moorebank.

1.2 Land Use Zoning

Under the Liverpool LEP 2008 the site is currently zoned part R2 Low Density Residential and part SP2 Infrastructure (Classified Road).

The objectives of zone R2 are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide a suitable low scale residential character commensurate with a low dwelling density.*
- *To ensure that a high level of residential amenity is achieved and maintained.*

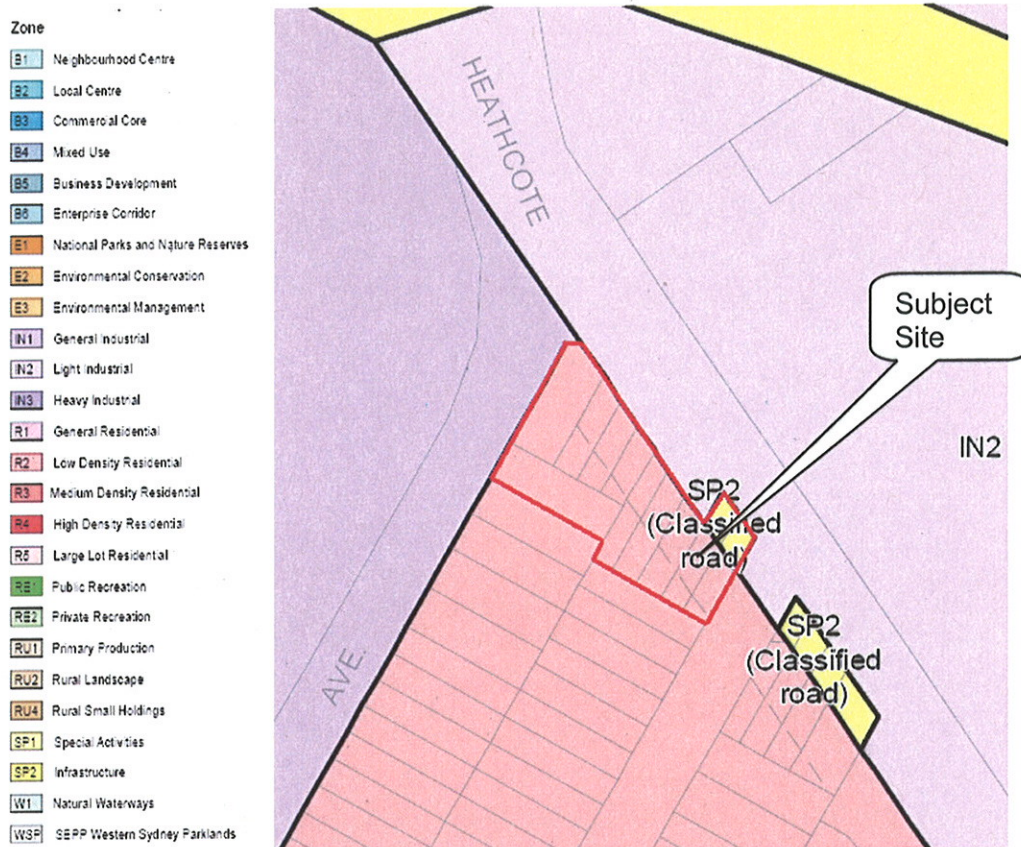
The following controls are currently applicable:

- The minimum lot size in Zone R2 is 300 square metres (clause 4.1)
- The maximum floor space ratio for any building within Zone R2 is 0.5:1 (clause 4.3)
- The maximum height for a building within Zone R2 is 8.5 metres measured vertically from any point on ground level (clause 4.3)

The objectives of zone SP2 (Infrastructure) are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To reserve land for the provision of infrastructure.

Figure 6. Existing zoning of the site



(Source: Liverpool Local Environmental Plan 2008, Land Zoning Map)

1.3 Why this site

The subject land is located at the northern most section of an established residential zone. The land is heavily constrained due to limited access opportunities from the surrounding road network, busy intersection and impacts on amenity of the residential property via road traffic and surrounding industrial land uses.

Giving consideration to the existing site constraints, the establishment of residential land uses is considered inappropriate and impractical in this location. Consequently, consideration is now being given to the establishment of suitable and compatible non residential land uses, more in keeping with the broader character of the surrounding locality. Such land uses must also be compatible with the residential development adjoining the southern boundary of the site.

The establishment of a B6 Enterprise Corridor zoning across the site offers opportunity to establish a business that is able to take advantage of the high level of exposure to the adjacent road

corridors, being compatible with the adjacent uses whilst not impacting on the movement of traffic. It is therefore proposed to establish a showroom/bulky goods outlet on the site which would be consistent with the established character of the surrounding locality to the north and east and would be likely to have minimal impact on adjacent development and residential amenity.

Part 1 - Objectives

1.4 Objectives for the sites

The objectives of the Planning Proposal are to:

- Enable the development of the sites for showroom/bulky goods development that provides for a transition between the busy intersection and traffic corridors to the residential uses.
- Address significant amenity issues currently impacting the residential site, by enabling a more suitable and compatible use to be developed on the site
- Provide for more effective utilisation of vacant and underdeveloped land in a location that is not suitable for residential purposes and allow local employment opportunities.

1.5 Preliminary Concept Plan

A preliminary concept plan (Site Plan) has been prepared based on the policy setting, preliminary studies and objectives for the site.

The vision for the site is to create well presented development that enhances the streetscape and amenity of the locality providing quality showroom / bulky goods services for the local community. It is envisaged that the development of the site will achieve the following:

- Provide good quality development that addresses the street and creates opportunities for business corridor uses
- Provision of safe and effective vehicular and pedestrian access into and out of the site.
- Provision of onsite parking to cater for the needs of both employees and customers.
- Protection of the amenity of adjacent residential development.

1.5.1 Concept plan

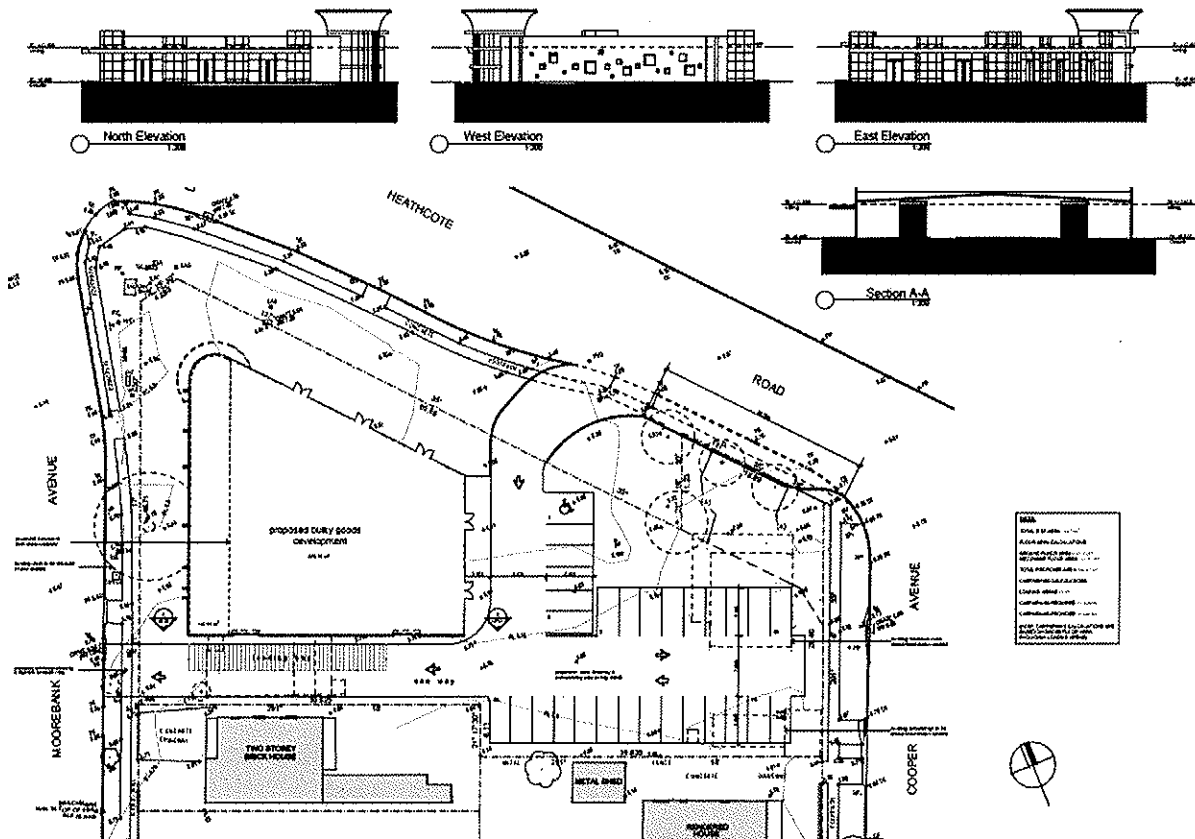
Key features of the Concept Plan are identified as follows:-

- Showroom/bulky goods development measuring approximately 967 m² in area.
- 28 onsite car parking spaces, including parking for people with disabilities.
- Loading bay.
- Left turn only ingress to the site from Heathcote Road.
- Left turn only egress into Moorebank Avenue.
- No vehicular access from Cooper Avenue.

- Retention of existing trees along road frontages.
- Setback consideration and landscaping to adjacent residential properties
- Maximum of 8m in height.

The concept plan for the site is identified in Figure 7 below.

Figure 7. Proposed Concept Plan



(Source: Mosca Pserras Architect Site Plan)

Part 2 - Explanation of provisions

1.6 Amendment of land use zonings

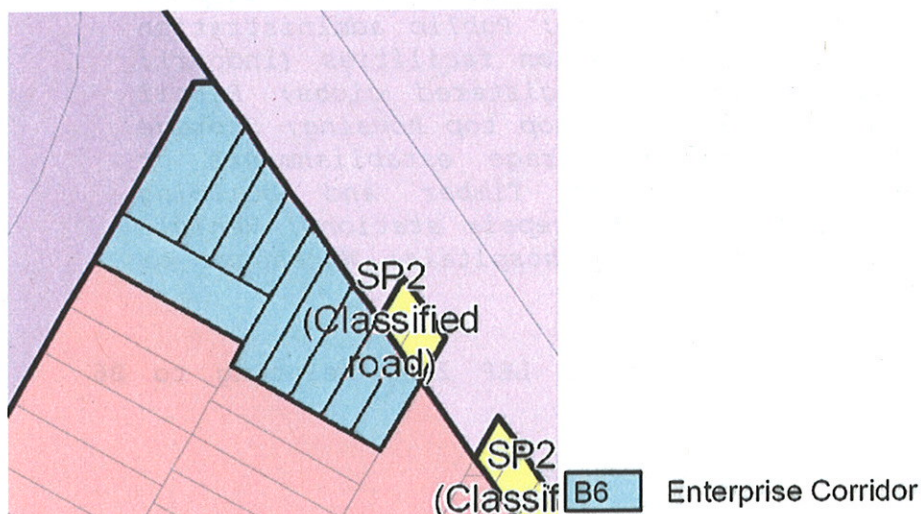
1.6.1 Proposed amendment

- Amendment of the Land Zoning Map to zone the sites B6 Enterprise corridor and retain the SP2 Infrastructure zoning.
- Amendment of the Height of Buildings Map in accordance with the proposed height of buildings map to indicate a height of 12m.
- Amendment of the Floor Space Ratio Map in accordance with the proposed Floor Space Ratio map to indicate a maximum FSR of 0.75:1.
- Amendment of the Lot Size Map to indicate the minimum lot size of 2000 sqm

1.6.2 Proposed land use zones

It is proposed to rezone the subject land from R2 Low Density Residential to B6 Enterprise Corridor, as indicated in Figure 8 below. Land currently zoned SP2 Infrastructure (Classified Road) is not affected by the proposed rezoning and will remain.

Figure 8. Proposed zoning



The subject land and proposed showroom/bulky goods development are compatible with the proposed land use zoning and will meet the zone objectives, identified as follows:

Zone B6 Enterprise Corridor

"Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses) and residential uses (but only as part of a mixed use development).
- To maintain the economic strength of centres by limiting the retailing activity.
- To provide primarily for businesses along key corridors entering Liverpool city centre, major local centres or retail centres.
- To ensure residential development is limited to land where it does not undermine the viability or operation of businesses."

The following land uses are permitted with consent:

"Building identification signs; Bulky goods premises; Business identification signs; Business premises; Car parks; Community facilities; Crematoria; Depots; Drainage; Earthworks; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Helipads; Home businesses; Home industries; Hotel or motel accommodation; Information and education facilities; Landscape and garden supplies; Light industries; Multi dwelling housing; Office premises; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Retail premises; Roads; Service stations; Shop top housing; Storage premises (other than offensive storage establishments or hazardous storage establishments); Timber and building supplies; Transport depots; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres"

All other clauses within the Liverpool LEP 2008 relating to B6 Enterprise corridor will apply.

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 as a result of any strategic study or report by Government. The proposal arises due to the lack of development on the overall site and the need to develop the land in a form compatible with surrounding development.

Table below demonstrates how future development of the site accords with the key strategies in the Sydney Metropolitan Area, South Western Sub Region and Liverpool Council and confirms that there is a sound basis to rezone the site for new future land use comprising a bulky goods outlet.

Strategic studies and reports relevant to the planning proposal

Strategy	Comment
NSW State Plan	<i>State Plan Priorities and Targets</i>
	<i>Consistency</i>
	South West Sydney has been identified as a major growth corridor for housing and business investment. The establishment of a new business in this locality creates opportunity for additional employment accessible to established and future residential areas. Further, the site is accessible to good public transport linkages, providing opportunity for increased usage of public transport facilities.
	Ch. 1 Better transport and liveable cities
	"Increase the number of jobs closer to home"
	"Grow cities and centres as functional and attractive places to live, work and visit"
	The planning proposal will improve the presentation of development along well traffic road corridors, contributing to the function and presentation of this locality.
	Ch 2. Supporting Business and Jobs
	The proposed development will result in increased investment in this locality.
	"Increased business investment"
Draft Subregional Strategy	The NSW Department of Planning's 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. It translates the priorities of the Sydney Metropolitan Strategy to the local level. According to the Strategy, South West Sydney will experience growth in the vicinity of some 155,000 new dwellings, and employment creation in the region's major regional centres of 89,000 jobs over the next 25 years.
	<i>Targets</i>
	<i>Consistency</i>
	Economy and Employment in the South West
	The South West Subregion has an employment capacity target of 208,500 by 2031, an increase of

A1.1 Provide a framework for accommodating jobs across the subregion	almost 75% from 2001. 43% of the above is targeted for the Liverpool LGA.
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A1.2 Plan for sufficient zoned land and infrastructure to achieve employment capacity targets in employment lands.	To achieve this target, the provision of sufficient land zoned for business and enterprise is required in locations with high quality transport access. The subject site is suitably located to address the above criteria and the planning proposal will contribute toward the achievement of this target.
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Centres and Corridors in the South West

B4.1 Concentrate retail activity in centres, business development and enterprise zones	The draft strategy recognises that there is a need to establish Enterprise Corridors or Business Development zones in locations for start-up businesses, showrooms, building supplies, small retail outlets and bulky goods clusters that do not always fit in Strategic Centres. The subject site is considered a suitable location for such development, as it is located at an intersection of two major local corridors, Moorebank Road and Heathcoate Road in Liverpool..
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**Employment
Lands for
Sydney
Action Plan**

This Action plan details a range of incentives which the NSW Government is pursuing to advance planning of employment lands.

**MACROC
Employment
Lands Study**

The Precinct of Moorebank is identified in the Employment Lands Study and comprises 200ha of industrial land. The precinct is identified in the draft South West Subregional Strategy as major employment land to be retained for industrial purposes. The planning proposal will not impact on the continued operation of surrounding industrial lands.

Development Opportunities

Consistency

- Good road and rail accessibility for employees that link the Liverpool City Centre with neighbouring residential areas.
- Good road connections with Global Sydney and other parts of NSE via the M5 and M7 Motorways
- Existing large lots with a good proportion of vacant land that is well priced.
- Existing clustering opportunities for heavy industry and commercial developments within the newer business parks, especially those located close to Liverpool City Centre.

The site is located approximately 900m from the Liverpool Railway Station and Bus Terminal.

The site has ready access to major transport corridors, namely Moorebank Road and Heathcoate Road.

The site is well located adjacent to light and general industry development and thus can form part of a major intersection of a clustering of activities, and adjacent an existing residential precinct.

	Development Constraints	Consistency
	• Smaller lots in the older area of Moorebank may require development incentives such as increased FSRs and height to facilitate redevelopment and therefore the effective use of brownfield sites; • The large amount of land, different industrial uses and the vastness of the Precinct is not conducive to easy access to and within the Precinct; and • Existing low FSR's.	The site is relatively unconstrained by size, given that it will consolidate 10 existing allotments. Consequently, variation to FSR requirements will not be required as part of this planning proposal. A proposal for residential development, even to increase the FSR, is unlikely to occur due to the site's amenity condition, location, access constraints and surrounding uses. This is evidenced by the fact that the majority of the site is vacant, and one house on Moorebank road is not in a good state of repair.
2007 Sydney Urban Corridor Strategy	The Sydney Urban Corridor Strategy identifies key transport linkages across to broader Sydney area. Much of the future population growth is planned to be accommodated in the north west and south-west growth centres, comprising the Wyong, Gosford, Liverpool and Campbelltown areas. More specifically, population growth in the south west is expected to be accommodated on the western side of the Hume Highway Corridor between Liverpool and Campbelltown. Key employment areas are identified in the south west to support this anticipated population growth in the vicinity of the south-western corridor (Hume Highway) toward Liverpool and further south toward Ingleburn.	The site is well located to take advantage of the envisaged population growth and its development would provide employment opportunities accessible to a growth area.
Liverpool Industrial Lands Strategy	The Liverpool Industrial Lands Strategy has been developed to guide the future development of industrial and employment lands, in a sustainable and logical manner. The subject land is located adjacent land zoned IN1 General Industrial which is developed to the extent of Moorebank Avenue and adjacent land zoned IN2 Light Industrial, which is developed to the extent of Heathcote Road. For this reason, the Liverpool Industrial Lands Study is considered relevant. The proposed rezoning is considered with respect to the following relevant parts of the strategy identified below:	
	<i>Objectives</i>	<i>Consistency</i>
	1. Preserve and increase industrial employment to enable local jobs to match residential growth.	Redevelopment of the site for industrial purposes is considered inappropriate due to the adjacent residential land uses.
	2. Introduce new light industrial zones to buffer heavy industrial activity from residential to cater for the fringe industrial areas.	The introduction of a light industrial zone on the subject land has been considered however it has been determined that such a zoning is inappropriate given the potential conflict between light industrial land uses and the adjacent residential land

	uses. The rezoning of the site to B6 Enterprise Corridor is considered a more appropriate zoning in that it minimises potential land use conflicts with adjacent developments.
3. Introduce light industrial retail outlets to light industrial and industrial areas where limited public access is acceptable.	The proposed rezoning will introduce a form of development that minimises opportunity for land use conflict between the industrial land uses to the north and west and residential development to the south.
4. Remove detracting or undermining land uses, particularly from heavy industrial areas.	The existing residential zone permits the establishment of residential development on land that lies directly adjacent heavily trafficked road corridors and land zoned for industrial purposes. Any residential development would potentially create land use conflicts and would limit opportunity for residential amenity to be maintained, potentially undermining adjacent industrial land uses. The proposed rezoning thus forms a transitional use at a busy intersection and adjacent to two industrial areas.
5. Establish a general industrial zone in Moorebank, Warwick Farm and Prestons which attracts a research and development industry by restricting unsightly or unpleasant operations.	Not applicable to the subject land.
Liverpool Business Centres and Corridors Strategy	The Liverpool Business Centres and Corridors Strategy has been developed to guide the identification of Business Centres and Corridor zones and controls their future function. The strategy encourages the expansion of start-up business opportunities in extended enterprise corridor zones leading into main centres and nodes. The planning proposal and site location are consistent with this goal.
The Way Forward	The strategic context of the site at State and local level supports investigation of the site for the proposed rezoning to zone B6 Enterprise Corridor. Further investigations and consultation with the community will guide the redevelopment of the site.

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 best means of achieving the objectives for the site. Development of the site for residential purposes, as permitted under the existing R2 Low Density Residential zoning will potentially create further land use conflicts with neighbouring industrial land uses and will result in a low level of amenity for future residents, giving

consideration to the nature of surrounding development and the high traffic volumes experienced on adjacent roads.

The planning proposal will allow the land to be rezoned to zone B6 Enterprise Corridor which allows for the establishment of a more suitable land use that acts as a buffer between the industrial developments to the north, north east and west of the site and residential development to the south. The establishment of such land uses cannot be achieved under the current zoning.

Department of Planning Criteria	Response
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Yes. The rezoning and future development of the subject site accords with State regional and local strategic direction for the development of the area.
Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s.117) directions?	Yes.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Yes. The site is located within the south west subregion within the Metropolitan Strategy. It is located on major road corridors within the Liverpool LGA (Heathcote Road and Moorebank Avenue) and is strategically sited approximately 900m from the Liverpool railway station and bus terminal. Population and economic projections outlined at a State and Regional level suggest that the population of South Western Sydney will continue to rise and as such, this corridor will continue to provide an important economic role within the Subregion. The proposal will help to establish a typology of centres in Liverpool LGA by providing a new enterprise corridor zone in an appropriate location; thereby strengthening the role of this route in the growth of Sydney's South West and not impacting on the hierarchy of centres across Liverpool.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Yes. The development will facilitate the establishment of a permanent employment generating activity allowing for the establishment of a showroom/bulky goods outlet on the subject land, whilst not detracting from the retail function of the nearby Liverpool CBD.
Will the LEP be compatible /complementary with	Yes.

surrounding land uses?	Surrounding land uses include major road corridors including Heathcote Road and Moorebank Avenue with both light and general industry land uses beyond. Residential development adjoins the southern boundary of the site. The proposed land use is considered an appropriate buffer between the industrial and residential land uses.
Is the LEP likely to create a precedent; or create or change the expectations of the landowner or other landholders?	Possibly. The site is largely undeveloped and uniquely located with excellent exposure to two major road corridors and a local access road. There are residentially zoned allotments currently developed for commercial purposes along Heathcote Road, immediately west of the site, however, the fragmented nature of these allotments, requirements for future road widening and access constraints will significantly constrain future development opportunities. These allotments are identified in Figure 9 below.
Will the LEP deal with a deferred matter in an existing LEP?	No. Not applicable.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes. Following a review of the Liverpool Zoning Plan, there appear to be no other spot rezonings that have occurred in the immediate vicinity of the subject land and consequently, no negative impacts arising from the cumulative impact of spot rezonings in this locality are envisaged.

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

The Net Community Benefit Test (table below) has been used to assess the merits of the planning proposal using the questions set out in the draft Centres Policy.

In summary, it is considered that the Planning Proposal will provide a net positive community benefit in that:

- The subject land is able to take advantage of excellent exposure opportunities to major road corridors including Heathcote Road and Moorebank Avenue.
- The future development of the site will allow provide a rare opportunity for the consolidation of fragmented land.
- Full consideration has been given to the compatibility of the proposed reasoning with surrounding land opportunities.
- The proposed rezoning does not affect land located within the SP2 Infrastructure (classified road zone). Opportunity to acquire this land for future road purposes will not be impacted by the proposal.
- The development of the site will strengthen the local economy by creating employment opportunities during both the

construction and operational stages of the development of the site.

Failure to proceed with the planning proposal at this time will be detrimental to securing the long term consolidation of fragmented landholdings and will likely result in vacant residentially zoned land remaining unutilised due to site access constraints and concerns relating to the future amenity of residents.

Table 5.3 Net Community Benefit Test Evaluation criteria and response

Net Community Benefit Test Evaluation criteria	Response
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Yes. The rezoning and future development of the subject site accords with State regional and local strategic direction for the development of the area.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Yes.
Is the LEP likely to create a precedent; or create or change the expectations of the landowner or other landholders?	No. The site is largely undeveloped and uniquely located with excellent exposure to two major road corridors and a local access road. Other residential development along Heathcote Road is currently developed for residential purposes and is largely fragmented limiting opportunity for future development of a similar nature to that proposed.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes. Following a review of the Liverpool Zoning Plan, there appear to be no other spot rezonings that have occurred in the immediate vicinity of the subject land and consequently, no negative impacts arising from the cumulative impact of spot rezonings in this locality are envisaged. Notwithstanding, there are residentially zoned allotments developed for commercial purposes along Heathcote Road, immediately west of the site, however, the fragmented nature of these allotments, requirements for future road widening and access constraints will significantly constrain future development opportunities and restrict opportunity for the rezoning of such land. These allotments are identified in Figure 9.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Yes. The development will facilitate the establishment of a permanent employment generating activity allowing for the establishment of a bulky goods outlet on the subject land.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The proposed development will result in the loss of 10 residential lots, currently developed with 2 dwellings. Houses over 3 lots and the remaining lands being vacant. The lack of access opportunities to many of the lots and the location of the site adjacent heavily trafficked roads and both light and general industry zoned lands has resulted in the land being unsuitable for residential development and consequently, it is considered that the lots of such residential land will

Net Community Benefit Test Evaluation criteria	Response
	not result in any impact on housing supply or affordability.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	Public Infrastructure The proposed development will make use of existing infrastructure services. Roads Newbridge Road is the major east west arterial road to the north of the site providing a linkage to Liverpool to the west and Bankstown and other centres to the east. Heathcote Road is a major arterial road running south east from Liverpool providing a linkage to Heathcote. Moorebank Avenue is an arterial road linking the site to the M5 motorway. The Hume Highway to the west of the site is the major north south arterial road linking the site to the M5 Motorway and all locations in Sydney. It is considered that traffic generation by the proposed development will have no undue impact on traffic operation on either Heathcote Road or Moorebank Avenue. Public Transport The site is located approximately 900m from the Liverpool Railway Station and bus terminal. There is good public transport available to the Liverpool CBD and beyond. Water supply Reticulated water supply is available to the site. This capacity of the existing service and connection to any future development will be considered at the development application stage. Sewer Servicing Reticulated sewer is available to the site. This capacity of the existing service and connection to any future development will be considered at the development application stage. Electrical Servicing: Electricity services are available to the site. This capacity of the existing service and connection to any future development will be considered at the development application stage. Drainage The site is located within a floodplain and consequently, any future development will be required to have a minimum floor level above the 1% AEP flood level identified as 8.6m AHD. It is expected that compensatory cut to fill will be required, whereby the volume of any filling below the nominated 1% flood level would need to be offset by an equal volume of cut to avoid any worsening of the flood conditions at the site.
Will the proposal	Yes.

Net Community Benefit Test Evaluation criteria	Response
result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	Given that the planning proposal will facilitate the establishment of a new showroom/bulky goods outlet on the site, it is anticipated that the travel paths of customers and employees will change, however the overall impacts of this change are expected to be minor given that the proposal is intended to service the local community. It is also likely that as the site is located on a corridor, a significant portion of the movement will be as a result of passer by trade. The development site is located along a highly visible road corridor and the site is located in close proximity to public transport facilities offering alternative transport options for customers and employees. The proposal is not expected to have any impact on the local road network. Giving consideration to the matters raised above, the likely impact in terms of greenhouse gas emissions is expected to be negligible.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	No. The existing road infrastructure surrounding the site will not be impacted by the proposed development.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	Yes. The site is affected by localised flooding, however this matter can be dealt with at the development application stage by requiring that floor levels be above to identified 1% AEP flood level and filling activities be appropriately controlled. The site is not constrained by any further environmental factors.
Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Yes. The proposed development will be compatible with surrounding land uses, acting as a buffer between nearby general industry and light industry activities and adjacent residential land uses. The development will also allow for the establishment of a showroom / bulky goods outlet with frontage to heavily trafficked road corridors without resulting in any impact on the flow of traffic along these corridors. The development would substantially improve the street presentation in this locality and providing a positive contribution to the public domain. Potential impacts on the amenity of neighbouring residential development could arise via noise generation from the proposed loading bay. This matter will be investigated in further detail and where appropriate, mitigation measures will be implemented to ensure that adjacent amenity is maintained. However at this early

Net Community Benefit Test Evaluation criteria	Response
	stage it is proposed that a building setback be included along the boundary with the residential land uses, in order to ensure adequate management of any potential conflicts.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Yes. The planning proposal will facilitate the establishment of a showroom/bulky goods facility of the subject land, increasing consumer choice and retail competition in the locality. However, due to the location and cluster of industrial activities, the proposed zoning will not impact the hierarchy or centres in Liverpool or detract from major retail or business activities in the Liverpool CBD.
If a stand-alone proposal and not a centre does the proposal have the potential to develop into a centre in the future?	No. The planning proposal relates to land that is in close proximity to residential and industrial land uses. Giving consideration to surrounding development, it is not considered possible for the site and surrounding land to be developed into a retail centre in the future.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The planning proposal will provide significant public benefit and will: • Allow an appropriate form of development in a locality where residential amenity has been significantly compromised by surrounding industrial development and road infrastructure. • Provide jobs close to home for people in the surrounding locality. The planning proposal accords with agreed State and regional strategic direction for development in the area. Failure to proceed with the planning proposal at this time will be detrimental to securing the availability of this strategically located land and will result in concerns relating to residential amenity remaining unresolved. The land is likely to continue to remain vacant and poorly maintained if no practical solution for the identification of future land uses can be implemented on the site.

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)?*

The planning proposal is not the result of any strategic study or report. However, a rezoning of the site is aligned with both the NSW Government's and Council's strategic priorities. Refer to section above, which details how the planning proposal accords with the key strategies in the South West subregion and Liverpool City Council and confirms that there is a sound basis to rezone the site.

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

The Liverpool Community Strategy 2009 identifies social and community priorities for Liverpool and proposes strategies that work towards and sustain a positive level of wellbeing within the community.

The Strategy focuses on six key outcome areas. These areas have been determined through a review of the previous Liverpool Social Plan, an assessment of current community characteristics and through a review of national and international literature on community wellbeing.

The planning proposal is considered to be consistent with Council's Community Strategy by supporting economic development and promoting a 'working community'. The zoning of land for business and employment-generating use encourages continued investment in business activity in Liverpool LGA. This in turn will assist in the achievement of a number of "City Strategies" identified below:

- Reduce unemployment particularly for young people and those experiencing long term unemployment
- Support economic development and access to local employment opportunities
- Support delivery of local infrastructure and services in areas of urban development
- Support development of Liverpool City centre into a regional City with accessible services, employment and leisure opportunities.

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

Various State Environmental Planning Policies are relevant to the subject site. The requirements of each of these are summarised below.

Consistency with State Environmental Planning Policies (SEPPs)

SEPP	Consistency / Response
32 - URBAN CONSOLIDATION (Redevelopment of Urban Land)	SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land) states the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy. Councils will continue to be responsible for the majority of rezonings. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority.
55 - REMEDIATION OF LAND	Yes It is considered unlikely that the land is affected by contamination, however the anticipated demolition of two existing dwelling may result in minor levels of contamination arising from contaminants such as lead paint or asbestos. Such matters would be considered prior to demolition of the structures.
64 - ADVERTISING AND SIGNAGE	Yes The planning proposal will not contain provisions that will conflict or obstruct the application of the SEPP
EXEMPT AND COMPLYING DEVELOPMENT CODES 2008	Yes The planning proposal will not contain provisions that will conflict or obstruct the application of the SEPP
INFRASTRUCTURE 2007	Yes This SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. It includes provisions relating to traffic generating development (which includes the subdivision of land) and development adjacent to road corridors or reservations. The planning proposal will not contain provisions that will conflict or obstruct the application of the SEPP.
EXEMPT AND COMPLYING DEVELOPMENT CODES 2008	Yes The planning proposal will not contain provisions that will conflict or obstruct the application of the SEPP

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

Consideration of Section 117 Directions

Section 117 Direction	Consistency / Response
EMPLOYMENT AND RESOURCES	Yes The planning proposal will be consistent with this Ministerial Direction. In accordance with this direction, this planning proposal will give effect to the following objectives: • <i>Encourage employment growth in suitable locations:</i> The planning proposal will generate new business operations on site to better service the local community in suitable location. 1.1 Business and Industrial Zone • <i>Retain the areas and locations of existing business and industrial zones:</i> The proposal does not propose to rezone existing land zoned for such uses. • <i>Ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning:</i> The planning proposal is in accordance with the NSW Metropolitan Strategy and Draft South West Subregional Strategy .
HOUSING INFRASTRUCTURE AND URBAN DEVELOPMENT	No The planning proposal will not be consistent with this Ministerial Direction as the proposal will not (a) encourage a variety and choice of housing types to provide for existing and future housing needs, (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) minimise the impact of residential development on the environment and resource lands. 3.1 Residential Zones A planning proposal may be inconsistent with the terms of this direction where the inconsistency is of minor significance. In this regard, the proposal will result in the loss of 10 existing residential allotment, currently developed with 2 dwelling houses and most of the land being

Section 117 Direction	Consistency / Response
	vacant and undeveloped. The location of the site and access constraints make to difficult to develop the site for residential purposes and would be likely to result in a low level of amenity for future residents. Consequently, the planning proposal is seen as suitable use for the site and the removal of future opportunities to develop the land for residential purposes is seen as beneficial.
3.4 Integrating Land Use and Transport	The planning proposal will be consistent with this Ministerial Direction and is does not conflict with the aims, objectives and principles of: (a) <i>Improving Transport Choice - Guidelines for planning and development</i> (DUAP 2001), and (b) <i>The Right Place for Business and Services - Planning Policy</i> (DUAP 2001).
HAZARD AND RISKS	
	Yes
4.3 Flood Prone Land	The planning proposal will be consistent with the Ministerial Direction. Future development on the site will be developed above identified flood levels and all site works, including filling activities will be undertaken such that the works will not increase the impact of flood waters on surrounding landholdings.
LOCAL PLAN MAKING	
	Yes
6.1 Approval and Referral Requirements	The planning proposal will be consistent with the Ministerial Direction.

METROPOLITAN PLANNING

Yes.

7.1 Implementation of the
Metropolitan Strategy

The planning proposal will be consistent
with the Ministerial Direction.

As described before, the planning proposal
is consistent with the *NSW Metropolitan
Strategy*.

C. Environmental, social and economic impact

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

The planning proposal will not cause any detrimental impact on critical habitat or threatened species, populations or ecological communities. Any development proposal arising from this LEP amendment (and following disposal) will be subject to the current environmental considerations set out in the Liverpool LEP 2008 and relevant State and Federal Government legislation.

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

It is unlikely that any significant environmental effects will arise as a result of this planning proposal giving consideration to the urban context of the site. To date, the following technical studies have been undertaken to investigate the potential for likely environmental effects arising from the planning proposal and explore options for the mitigation and management of any environmental effects. Relevant matters are outlined below:

Parking and Traffic

Appropriate parking can be provided on the site to accommodate the proposed development as identified on the Site Plan.

As Heathcote Road is an arterial road, and being in close proximity to a signalised intersection, referral to the Roads and Traffic Authority should be undertaken to determine if any impacts are acceptable.

Noise

Acoustic report suggests that development will be determined as per the Department of Environment, Climate Change and Water requirements and identifies the following:

- Noise emissions from the car park will comply with the relevant criteria at the nearest affected receivers without the need for noise control measures.
- The proposed loading bay at the rear of the site has the potential to create noise nuisance, but the complete extent of the noise impact cannot be assessed. A detailed assessment is to be undertaken at the development application stage.

Stormwater

The site is affected by the 1% AEP flood level and any building floor level would need to be located an appropriate distance above this flood level. A hydraulic analysis needs to be carried out by the proponent to determine the ability to develop the site without detrimentally affecting flood behaviour on other properties.

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

It is expected that the planning proposal will generate minimal social and economic effects. The provision of additional showroom/bulky goods services will result in positive economic benefits during both the construction and operational stages for future development of the site. The demolition of two existing dwelling houses is expected to result in a nominal social impact for the local community.

It is not anticipated that any mitigation measures will be required to address social or economic effects.

D. State and Commonwealth interests

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

The assessment of public infrastructure having specific reference to utilities, roads, waste management and recycling services, and essential services is a relevant matter.

At this stage the following infrastructure will be impacted:

Infrastructure	Availability	Comment
Utilities	Subject to public authority consultation.	The site is currently serviced with water, sewerage and power services. The adequacy of the existing services to cater for the proposed land use will be discussed with the relevant power authority, or as directed through the Gateway Determination.
Roads	Good road access is available.	The site has frontage to Heathcote Road, Moorebank Avenue and Cooper Avenue and currently benefits from road access options to each of the road frontages. The Site Plan provided in Appendix 1 identifies road access options. Finalisation of the access options will be subject to consultation with Liverpool Council and the RTA.
Waste management and recycling services	Available to the site	Waste management and recycling services are currently available to the site through Liverpool Council's waste collection services. Option relating to future collection options will be determined as the planning proposal progresses and more specifically at DA stage..

Public Transport

Good public
transport
services are
available

The site is located approximately 900m walking distance from the Liverpool Railway Station and bus terminal and approximately 1km from the Liverpool Shopping Centre. There is established and efficient public transport available to the Liverpool CBD. Given the nature of the proposed development, it is considered likely that most employees would walk from the train / bus station, and future clients would either drive to the site or make use of public transport. Adequate parking will be provided on site.

12. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

Council will forward the proposal to the Department of Planning for Gateway Determination in due course as required by the *Environmental Planning and Assessment Act 1979*.

Any relevant public authorities, such as the RTA, will be notified of the planning proposal and be given an opportunity to comment on the draft plan.

Part 4 - Community Consultation

In recognition that the planning proposal may raise some concerns within the local community, the proponent will consult with the Liverpool communities as instructed in the Gateway determination.