

EGROW 03	Planning proposal request to rezone land and amend development standards at 1370 Camden Valley Way, East Leppington
Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	209517.2020
Report By	Masud Hasan - Senior Strategic Planner
Approved By	David Smith - Acting Director City Economy and Growth

EXECUTIVE SUMMARY

Council has received a planning proposal request (**Attachment 1**) from the landowner, Vicliz Pty Ltd to rezone the site at 1370 Camden Valley Way, East Leppington (Lot E in DP28997) from R3 Medium Density Residential to B1 Neighbourhood Centre, RE1 Public Recreation to R3 Medium Density Residential, R2 Low Density Residential to RE1 Public Recreation and to amend development standards.

The site is located within the Liverpool portion of the East Leppington Precinct, which forms part of the South West Growth Centre under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centre SEPP).

The planning proposal request seeks to expand the existing neighbourhood centre to accommodate additional retail floor area and to reorganise the development of residential, commercial and recreational uses on the site. This requires an amendment to the current zoning and layout of open space, commercial and residential areas within the site.

The planning proposal request seeks to amend the upper limit of permissible total Gross Floor Area (GFA) in Clause 6.4 under Appendix 8 - Liverpool Growth Centre Precinct Plan of the Growth Centres SEPP by increasing the maximum retail GFA from 2,500m² to 4,800m².

The Height of Building Map, Land Reservation Acquisition Map, Lot Size Map and Residential Density Map under the Growth Centres SEPP are to be amended as part of this proposal to reflect the modified zoning boundaries proposed.

The planning proposal request also requires amendments to Schedule 3 (East Leppington Precinct) of the Liverpool Growth Centre Precincts Development Control Plan 2013. The DCP amendments reflect the proposed changes to the zoning boundaries and the proposed increase of the retail GFA provision. In addition, the DCP amendments include changes to

the ILP road network, pedestrian and cycleway network and the layout of the Neighbourhood Centre to make it consistent with the planning proposal request.

A voluntary planning agreement (VPA) has been offered by the proponent in support of the planning proposal request. The recreation facilities proposed under the VPA offer are over and above the Contributions Plan provisions for the site (details are provided in Table 1). The proposed VPA offer will assist in the early delivery of recreation facilities, without any additional cost to Council.

Advice was sought from the Liverpool Local Planning Panel (LPP) at its meeting on 29 June 2020 in accordance with the 'Local Planning Panel Direction – Planning Proposals' dated 23 February 2018. The planning assessment report presented to the Local Planning Panel is included in **Attachment 2**.

The report outlines that the proposal has strategic and site-specific merit and recommends that a planning proposal be prepared and submitted to the Department of Planning, Industry & Environment (DPIE) for a Gateway determination. The Panel agreed with the above recommendation and supported the proposal proceeding to a Gateway determination. A copy of the panel's advice is included in **Attachment 3**.

It is recommended that Council note the advice of the LPP, support in principle the planning proposal request, and submit a planning proposal to DPIE seeking a Gateway determination and public exhibition.

RECOMMENDATION

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request, subject to the proponent finalising the required amendments to the Liverpool Growth Centres Precinct DCP;
3. Delegates to the A/CEO authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. Delegates to the A/CEO authority to negotiate a Voluntary Planning Agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with the Council's Planning Agreements Policy;
5. Endorses in principle the potential public benefits, to be further negotiated, including:
 - Social Court located within Open Space Area 'C' of approximately 330m²

including outdoor seating, basketball and netball hoop and bocce area including tree planting;

- Concrete walking loop located within Open Space Area 'C' of approximately 180m;
 - Pedestrian crossing (including refuge island) located in the southern portion of the site across the future collector road to the open space area;
 - Boardwalk/bridge across riparian corridor along the south-east portion of the site of approximately 70m;
6. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination with a recommendation that amendments to the Liverpool Growth Centres Precinct DCP is included as a Gateway condition to be satisfied prior to public exhibition;
7. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
8. Receive a further report on the outcomes of public exhibition and community consultation.

REPORT

Background

The planning proposal request seeks to expand the existing neighbourhood centre area to accommodate additional retail floor area, and reorganise development of residential, commercial and recreational uses on the site.

On 2 March 2016, following a meeting with Council staff, pre-lodgement advice was provided to the proponent including:

- That a substantial portion of the land was not granted Biodiversity Certification and was subject to the Threatened Species Conservation (TSC) Act 1995;
- A portion of the land was subject to controls on existing native vegetation under Clause 6.3 of the Growth Centre SEPP. The objective of the clause is to manage existing native vegetation in accordance with the relevant biodiversity measures under Part 7 of Schedule 7 of the TSC Act;

- That the (2016) proposal involved a significant reduction of open space. The area of open space proposed to be removed was designated as a local recreation area and it would be inappropriate to relocate the desired uses on flood liable land;
 - That there might be scope to reshape the open space without a reduction in its area in order to achieve a better and more efficient development outcome;
 - That the proposed retail centre should be located on the collector street so that it functioned as a main street not as a 'drive in' shopping centre. Shop top housing could be provided on the R3 zone adjacent and opposite the retail centre to reinforce the sense of place in the centre;
 - That the entrance from Camden Valley Way into the precinct was to be by a public street as per the Development Control Plan (DCP) and not directly through the service station site;
 - The retail centre might be accessed from the service station via a car parking structure so that it did not encourage vehicles to take shortcuts through the service station;
 - The lots should be organised so that the dwellings face and reinforce the street hierarchy and open space; and
 - That these issues must be addressed before any further consideration could be given to supporting a planning proposal request.
- On 3 March 2017, following the pre-lodgment meeting in March 2016, a planning proposal request was lodged with Council. The proposal sought to rezone the land and included modifications to the street layout under the Indicative Layout Plan (ILP) for the East Leppington precinct. This also included amendments to the Neighbourhood Centre layout included in the Development Control Plan (DCP).
 - On 19 July 2017, the applicant was advised of planning issues that needed to be addressed:
 - The required protection of the native vegetation on the site,
 - The reduction of open space area and potential detrimental impacts of an extended Neighbourhood Centre on the nearby centres such as, Leppington and Edmondson Park.
 - On 2 May 2018, the proponent submitted a revised concept plan for the open space and met with Council staff. A letter of advice was sent to the proponent on 12 June 2018 raising concerns with the concept plan including the reduction of open space area, proposed removal of protected vegetation, traffic impacts and potential adverse impacts

of an extended Neighbourhood Centre on the nearby centres such as, Leppington and Edmondson Park

- On 22 August 2018, the proponent submitted an updated concept plan and updated supporting documents. Correspondence was sent to the proponent on 19 October 2018, detailing matters such as the protection of Existing Native Vegetation (ENV) located on the site and the reduction of open space area. Council recommended that a modified proposal be prepared that would not reduce the quantum of open space and that would not impact on non-certified land.
- In early 2019, the Department of Planning, Industry and Environment (DPIE) confirmed that the existing native vegetation, as originally mapped, still constituted Existing Native Vegetation (ENV) as defined under the Biodiversity Certification Order, and as such could not be cleared.
- On 9 August 2019, the proponent submitted a revised proposal with a proposed zoning map including a reconfigured RE1 Public Recreation space for Council's review.
- On 20 September 2019, Council staff advised the proponent that the quantum of RE1 zoned land should be equal to or greater than the current RE1 zoned land. In addition, the section of SP2 Infrastructure (local drainage) zoned land area should be excluded from the calculation of RE1 zoned land.
- On 16 December 2019, a meeting was held between the proponent and Council officers. Advice was provided on the following:
 - The planning proposal request and the associated DCP amendments should be dealt with separately within the planning proposal report, as the DCP modifications can be considered upon the planning proposal receiving Council's in-principle support;
 - The proposed rezoning of SP2 Infrastructure zoned land to RE1 Public Recreation zone would not be supported by Council as the SP2 zoned land would be required for drainage infrastructure planned for the precinct;
 - The portion of SP2 zoned land might be considered as open space where it constituted an open drain. If the SP2 zoned land was linked to the existing RE1 land, and all would be in Council ownership, there would be no net loss of open space; this could be further justified by the embellishment proposed for the RE1 zoned land under the VPA offer.
 - DPIE advised that the proposed extension of Gross Floor Area (GFA) for the neighbourhood centre would not be considered until a time when planning for the Leppington Town Centre is finalised.

- On 31 March 2020, the proponent submitted a revised planning proposal request with additional supporting information. The proposal excluded SP2 zoned land towards the calculation of total open space area on the site. The area of resulting RE1 zoned land due to the proposed rezoning and reshaping remained equal to what was originally provided.
- On 29 June 2020, the planning proposal request was considered by the Liverpool Local Planning Panel (LPP). The panel considered the planning proposal request and provided their advice that the proposal has strategic and site-specific merit. This is further discussed in the following section of this report.

Site Description and Locality

The site is located at 1370 Camden Valley Way, East Leppington (Lot E in DP28997). The site is part of the East Leppington precinct and was rezoned pursuant to the Sydney Region Growth Centres SEPP 2006, in August 2014, to permit primarily a mix of residential density development.

The site currently contains land parcels zoned: B1 Neighbourhood Centre, RE1 Public Recreation, R3 Medium Density Residential, R2 Low Density Residential and SP2 Infrastructure. The zones and Indicative Layout Plan are intended to provide for a neighbourhood centre, medium and low-density residential developments, and passive recreation open space and stormwater drainage.

The site is bound by Camden Valley Way to the west, the Upper Canal to the east, private land holdings primarily zoned R3 Medium Density Residential and R2 Low Density Residential to the north and south as shown in Figure 1.

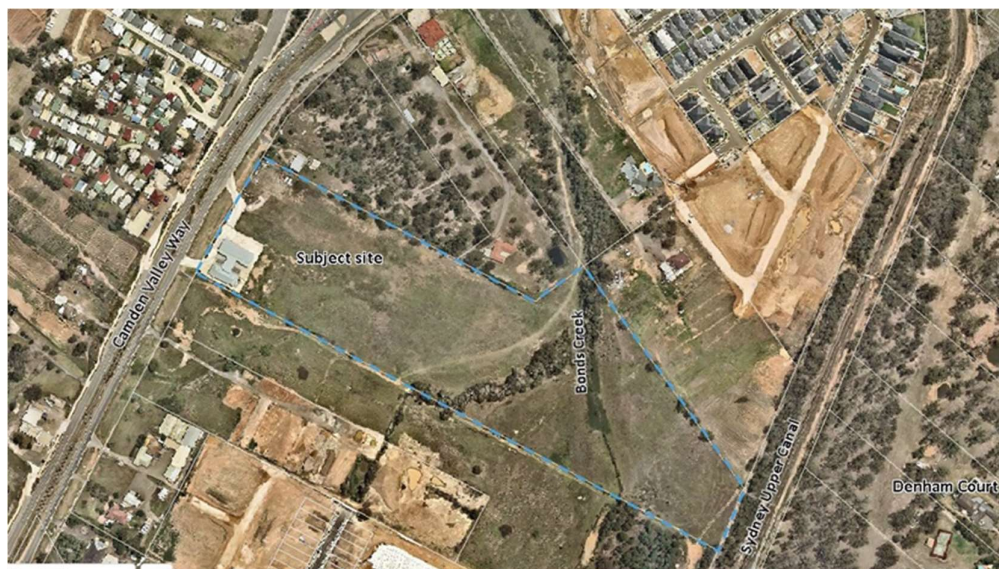


Figure 1: Aerial view of the subject site (Source: NearMap January 2020)

Leppington Station and the future Leppington town centre are approximately 1.5km north west of the site. Bus services along Camden Valley Way provide access to Leppington Station, Narellan Town Centre and Liverpool City Centre and will provide access to the future Leppington Town Centre. Bus stops are located along Camden Valley Way, with the nearest bus stop 200m from the site.

Other surrounding land uses are as follows:

- Willowdale Shopping Centre, within the Campbelltown LGA, is approximately 1km south-west of the site.
- Antegra Estate Retirement Village and Forest Lawn Gardens cemetery are to the north and north-east of the site respectively.
- Leppington Public School is approximately 1km north-west and John Edmondson High School is approximately 4km north-east of the site.
- Edmondson Park Village Square (along Camden Valley Way) is approximately 4km east of the site.

The site has access to the M5 and M7 Motorways via Camden Valley Way and Cowpasture Road respectively. Bringelly Road is approximately 1.8 km north of the site and provides connection to the future Western Sydney Airport and Aerotropolis.

The site's location, including the abovementioned surrounding land uses and transport links are shown as *Figure 2* below.



Figure 2: Locality Map – subject site highlighted (source: Urban Design Statement prepared by Benson McCormack Architecture, dated March 2020, Page no. 5)

Proposed Amendments to State Environmental Planning Policy (Sydney Region Growth Centres) - 2006

As indicated above, the site is currently zoned as B1 Neighbourhood Centre, RE1 Public Recreation, R3 Medium Density Residential, R2 Low Density Residential and SP2 Local Drainage under the Growth Centres SEPP 2006, as shown in *Figure 3*.

The neighbourhood centre was initially zoned to cater for the retail and service needs of future population of the East Leppington precinct. Since the urban release, residential yield has been tracking at greater densities than was planned, increasing the demand for retail floor space and service provision within the centre.

As a result, the planning proposal request seeks to increase the current zoned neighbourhood centre from 2,500m² to 4,800m² and to reorganise the residential, commercial and recreational land uses. In addition, the planning proposal request proposes an amendment to development standards, and Clause 6.4 of Appendix 8 of the Growth Centres SEPP.

This requires an amendment to the current commercial and residential zonings and layout of the open space, as well as amendment to the Liverpool Growth Centre Precincts DCP, which is discussed in the next section of this report.

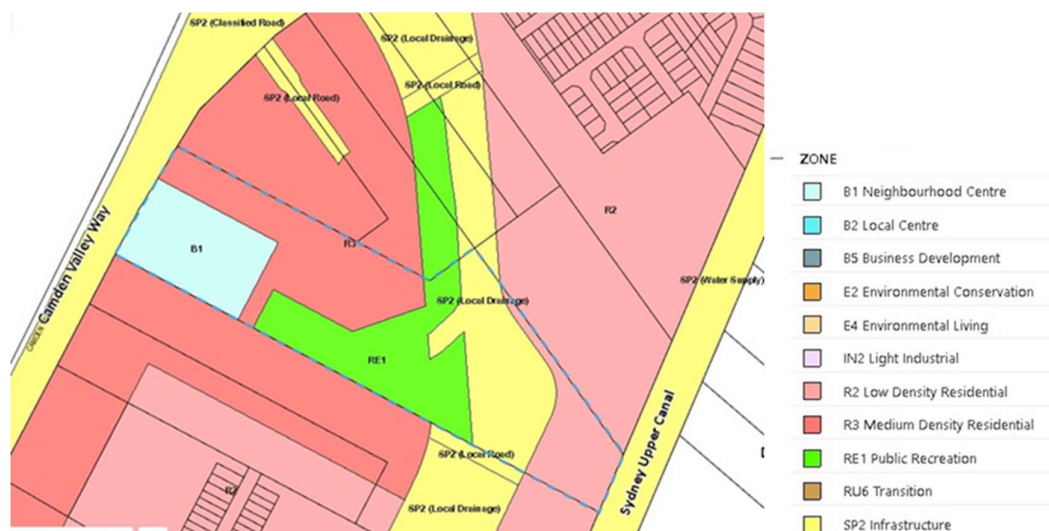


Figure 3: Existing zoning – subject site highlighted

The proposal is seeking to rezone parts of the subject site as follows:

- R3 Medium Density Residential to B1 Neighbourhood Centre;
- RE1 Public Recreation to R3 Medium Density Residential; and
- R2 Low Density Residential to RE1 Public Recreation. (Refer to *Figure 4*)

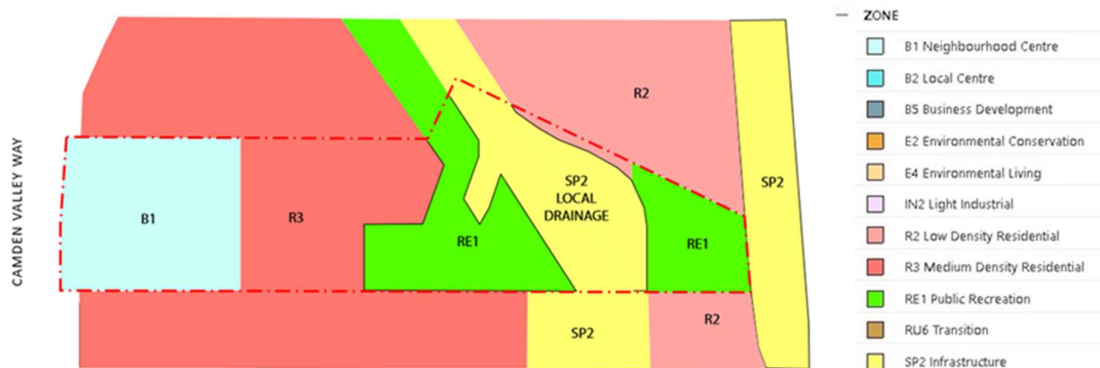


Figure 4: Proposed land use zoning – subject site highlighted

Figure 5 below summarises the land zoning amendments proposed:

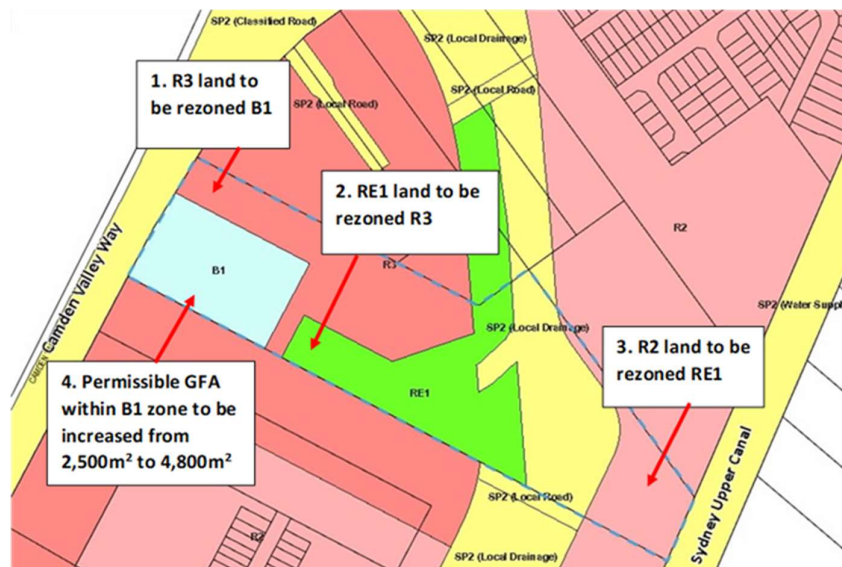


Figure 5: Matters addressed within the planning proposal

The planning proposal request increases the permissible retail GFA from 2,500m² to 4,800m² to meet the increased demand for retail floor area within the precinct. The amended clause will read –

“6.4 Maximum gross floor area for retail premises in Zone B1 in East Leppington Precinct

Despite any other provision of this Precinct Plan, the total gross floor area of all retail premises on land in Zone B1 Neighbourhood Centre within the East Leppington Precinct must not exceed 4,800 square metres.”

The Height of Building Map, Land Reservation Acquisition Map, Lot Size Map and Residential Density Map under the Growth Centre SEPP are to be amended as part of this proposal to reflect the modified zoning boundaries proposed on the site.

Amendments to the Liverpool Growth Centre Precincts Development Control Plan

The planning proposal request requires amendments to Schedule 3 - East Leppington Precinct of the Liverpool Growth Centre Precincts Development Control Plan (the DCP) to ensure it consistent with the planning proposal request.

Amendments to the DCP reflect changes to the zone boundaries and the increase in retail GFA provision. The amendments include changes to the local road network, pedestrian and cycleway network and the layout of the Neighbourhood Centre in the DCP. This is to be achieved by amending the DCP controls, maps and figures, including the Indicative Layout Plan (ILP) as detailed below:

- The Indicative Layout Plan (ILP) is a map in the DCP which shows the future road network and the land uses in the precinct (e.g. residential, open space etc.). This provides Council, developers and landowners with certainty as to how the land will be developed in a coordinated manner. Upon support of the planning proposal request, the ILP is to amend:
 - The road currently located to the north of the Neighbourhood Centre is relocated to the northern boundary of the site. This is to reflect the extended neighbourhood centre area and to provide road connection with residential developments to the north of the centre.
 - The local road along the western edge of the open space area, is realigned to make it consistent with the reconfigured zoning boundaries.
 - The local road connecting the neighbourhood centre to the reconfigured open space area, is envisaged to be widened to allow for a tree lined boulevard with pedestrian and cycleway emphasis. This will provide a pedestrian and cycleway connection between the neighbourhood centre and the public recreation area, facilitating easy access and visual connection to the open space area.

The draft ILP amendments are outlined in *Figure 6*. This may be subject to change upon refinement between Council staff and the proponent to ensure that the ILP provides for orderly development.

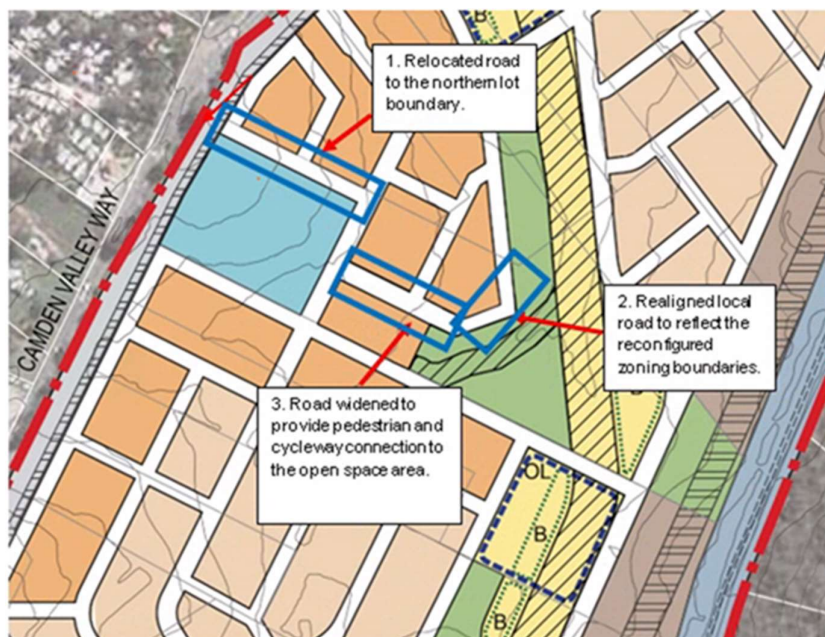


Figure 6: Proposed amendments to the ILP road network

- The numerical restriction on retail Gross Floor Area (GFA) of the neighbourhood centre under Section 3.1 of the East Leppington precinct DCP, is to be amended. The upper limit of permissible retail GFA within the centre will be increased from 2,500m² to 4,800m². This is to reflect the proposed increase of retail GFA under the planning proposal. Amended section of the DCP will read:

“Under the Liverpool Growth Centre Precinct Plan a maximum gross floor area of 4,800m² applies to retail premises within the Neighbourhood Centre”.

- A revised layout is proposed to replace the current layout of the neighbourhood centre at ‘Figure 3-2: Desired future layout of the Neighbourhood Centre’ of the DCP (refer to Figure 7). The proposed layout represents the extended area of the neighbourhood centre. It outlines public domain interfaces such as points of entry, active facades, vehicle access points and loading areas to guide the future development of the centre. Refinement of this figure will be coordinated between Council staff and the proponent.

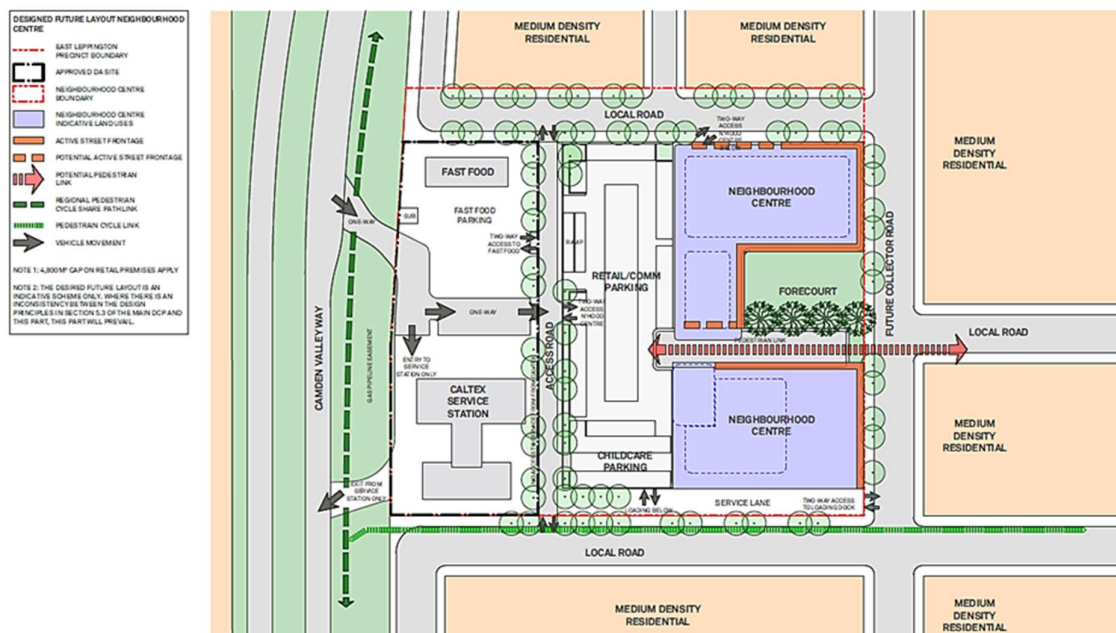


Figure 7: Proposed desired future layout of the Neighbourhood Centre

Miscellaneous Amendments to the DCP

The following maps and figures in the East Leppington Precinct DCP are to be amended to reflect the changes to zoning boundaries, the local road network, the neighbourhood centre layout and the pedestrian and cycleway network.

- Figure 2-3: Key elements of water cycle management and ecology strategy
- Figure 2-7: Bushfire risk and asset protection zone requirements
- Figure 2-10: Potential noise attenuation measures
- Figure 2-11: Residential structure
- Figure 2-12: Precinct road hierarchy
- Figure 2-13: Pedestrian and cycleway network
- Figure 2-19: Desired future subdivision layout – Very Low Density Residential – Upper Canal
- Figure 3-1: Location of Neighbourhood Centre
- Figure 3-2: Desired future layout of the Neighbourhood Centre

It is proposed (should the planning proposal receive a Gateway determination) that a draft DCP will be prepared and considered by Council at a further meeting for its consideration prior to proceeding with any public agency and community consultation.

Draft Voluntary Planning Agreement Offer

The proponent has prepared a letter of offer to enter into a Voluntary Planning Agreement (VPA) in support of the planning proposal request (**Attachment 4**). Under the letter of offer, recreation facilities are proposed to be delivered. These facilities are over and above the planned infrastructure under the East Leppington Development Contributions Plan.

Table 1 shows the list of facilities proposed to be delivered under the VPA. Refer to *Figure 8* for location of proposed VPA works.

Embellishment	Dimensions			Treatment
	Width (m)	Length (m)	Area (m ²)	
1.1 Social Court	20	20	330	Gravel surface plaza with outdoor seating and tree plantings. Informal recreation elements (i.e. Basketball/netball hoop, bocce etc.)
1.2 Walking Loop	2	180	340	Broom Finished Concrete.
1.3 Link Across Riparian Corridor (Boardwalk/Bridge)	3	70 (Actual span of boardwalk TBC)	175	Broom finished concrete path connecting to boardwalk spanning riparian corridor. Structure: Steel & timber Decking: Timber Balustrade: Steel & timber
1.4 Pedestrian Crossing	3.6	17	n/a	Painted white markings on road asphalt in accordance with AS1742.10. Pedestrian refuge to be included if required.

Table 1: Proposed works under VPA offer



Figure 8: Location of proposed VPA works (highlighted in red boxes)

The proposed facilities will assist in early delivery of recreation facilities in the area, without any additional cost to Council. The list of facilities under the VPA offer was reviewed by Council's Recreation and Open Space team and Infrastructure Planning team.

If Council supports the VPA offer, and the planning proposal receives a Gateway determination, a formal VPA will be drafted for Council's consideration. Similarly, a draft DCP will also be prepared. It is proposed that the draft VPA and DCP is presented to Council for consideration prior to any public agency or community consultation.

Advice of the Local Planning Panel

Pursuant to Clause 2.19(1)(b) of the Environmental Planning and Assessment Act 1979, a planning proposal must be considered by the Local Planning Panel (LPP) for their advice prior to consideration by the Council.

The Local Planning Panel considered the planning proposal at their meeting on 29 June 2020 and agreed that the proposal has strategic and site-specific merit and that they support the proposal proceeding to a Gateway determination. The advice of the LPP is included in **Attachment 3**.

Consistency with the Local Strategic Planning Statement

All planning proposals must be consistent with Council's adopted Local Strategic Planning Statement (LSPS) – Connected Liverpool 2040.

The LSPS identifies the site within the Growth Area on the Structure Plan map (page 20). It also provides strategic directions to support the implementation of the Regional, District and Community Strategic Plan.

The four key directions are: connectivity, livability, productivity and sustainability. The planning proposal aligns with the following directions and relevant priorities as outlined in Table 2:

Planning Priority	Comment
<i>Liveability</i>	
Planning Priority 6 – High quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth	The planning proposal request, with its reconfigured centre and public open space, will provide the opportunity to deliver a wide array of community facilities and social infrastructure for the thriving community.
Planning Priority 9 - Safe, healthy and inclusive places shaping the wellbeing of the Liverpool community	The proposal will facilitate the development of a larger centre, responding to an increase in forecast population, and an area of open space that can be delivered to a higher standard than what is possible under the development contributions plan.
<i>Productivity</i>	
Planning Priority 11 – An attractive environment for local jobs, business, tourism and investment'	The planning proposal request is consistent with the planning priority as the proposed extension of the neighbourhood centre area will deliver a larger centre to attract more local businesses, investments and job opportunities.
<i>Sustainability</i>	
Planning Priority 14 – Bushland and waterways are celebrated, connected, protected and enhanced	The planning proposal request is consistent with this planning priority as the proposal is protecting the Bonds Creek riparian corridor and its associated drainage land. It also retains the designated Existing Native Vegetation (ENV) area. The reconfigured open space land surrounding the riparian corridor and the protected ENV

	land create opportunities for the enhanced enjoyment and functionality of the green space.
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Table 2: Consistency with the LSPS

Consistency with Supporting Strategies

At its meeting on 26 August 2020, Council adopted the Liverpool Local Housing Strategy, and Centres and Corridors Strategy. These strategies address specific actions outlined in the LSPS and guide future planning.

The Centres and Corridors Strategy acknowledges the site as a future Local Centre. The strategy acknowledges that inclusion of the proposed centres in the retail hierarchy “should not change the development expectations of these centres, which are mostly set in growth area DCPs and the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.” (Liverpool Centres and Corridors Strategy, 2020, P. 23). The centre would still be defined as a local centre, as per the strategy, if the increase in GFA is supported

The planning proposal does not notably increase or decrease residential lot yield on the site, rather the area of residential zoned land is reconfigured around a larger centre and re-arranged open space area. Regardless, the proposal is still largely consistent with the Local Housing Strategy, given that it seeks to increase opportunities for medium density (missing middle) housing typologies next to an identified centre, and close to amenities such as public open space.

Preliminary Public Exhibition

In accordance with the requirements of Council’s Community Participation Plan (CPP), preliminary public exhibition of the planning proposal request was undertaken for 28 days between 8 August 2020 and 16 September 2020. No submissions were received during the public exhibition period.

Consultation

Consultation was undertaken with Council’s internal departments including Council’s Community Development & Planning, City Economy, City Environment, Traffic and Transport, City Design and Public Domain and Floodplain and Water Management teams. No significant issues were identified that cannot be addressed prior to the proposal being finalised.

The matters primarily related to required amendments to the local road network, recreation facilities and a revised layout of the Neighbourhood Centre to reflect the reconfigured zoning boundaries. The issues can be resolved by the proposed DCP amendments and the works proposed under the VPA offer.

Subject to receiving Council support and a Gateway determination, and Council endorsing the draft DCP and the VPA at a future meeting, formal community consultation will occur with a minimum exhibition period of 28 days.

Public Authority consultation will also be undertaken as per the conditions of the Gateway determination. It is proposed that adjacent landowners, and the landowner of each property who is affected by changes to planning controls be notified in writing.

Next Steps

If Council supports the planning proposal request, a formal planning proposal will be prepared and submitted to the Department of Planning, Industry and Environment (DPIE) seeking a Gateway determination.

The Gateway determination may require additional technical studies to be undertaken in parallel with the development of a draft DCP and VPA. The draft DCP and VPA will be reported back to Council. Following endorsement, the planning proposal, draft DCP, and draft VPA would then proceed to public exhibition.

A further report will be provided to Council following the public exhibition period detailing submissions received and any amendments proposed.

Conclusion

The planning proposal will promote positive social, environmental and economic outcomes by introducing housing diversity and choice, as well as superior open space and recreation outcomes. The associated DCP amendments and VPA will further assist in achieving these outcomes.

The planning proposal request has strategic and site-specific merit and it is recommended that Council endorses the proposal to proceed to a Gateway determination.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	Support the delivery of a range of transport options.
Social	There are no social and cultural considerations.

Civic Leadership	Encourage the community to engage in Council initiatives and actions. Provide information about Council's services, roles and decision-making processes.
Legislative	Environmental Planning and Assessment Act 1979
Risk	The risk is deemed to be Low. If Council does not support the planning proposal request, there is a risk that the landowner will seek a review of Council's decision by the Sydney Western City Planning Panel.

ATTACHMENTS

1. Planning Proposal Request (Under separate cover)
2. Planning Assessment Report for Local Planning Panel (Under separate cover)
3. Advice of Local Planning Panel (Under separate cover)
4. Draft Voluntary Planning Agreement offer (Under separate cover)

Council

COUNCIL DECISION

Motion:

Moved: Cllr Hadchiti

Seconded: Cllr Hadid

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request, subject to the proponent finalising the required amendments to the Liverpool Growth Centres Precinct DCP;
3. Delegates to the Acting Chief Executive Officer authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. Delegates to the Acting Chief Executive Officer authority to negotiate a Voluntary Planning Agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with the Council's Planning Agreements Policy;
5. Endorses in principle the potential public benefits, to be further negotiated, including:

- Social Court located within Open Space Area 'C' of approximately 330m² including outdoor seating, basketball and netball hoop and bocce area including tree planting;
 - Concrete walking loop located within Open Space Area 'C' of approximately 180m;
 - Pedestrian crossing (including refuge island) located in the southern portion of the site across the future collector road to the open space area;
 - Boardwalk/bridge across riparian corridor along the south-east portion of the site of approximately 70m;
6. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination with a recommendation that amendments to the Liverpool Growth Centres Precinct DCP is included as a Gateway condition to be satisfied prior to public exhibition;
7. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
8. Receive a further report on the outcomes of public exhibition and community consultation.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.