

Planning Proposal

Liverpool LEP 2008 Amendment 88 - Rezoning
and amended development standards for land
located at 1370 Camden Valley Way, Leppington

24 May 2021

Table of Contents

Foreword.....	3
Introduction	4
Background	5
Report Structure	7
Site Description	8
Part 1 – Objectives and Intended Outcome.....	9
Part 2 – Explanation of provisions	9
Delegation of plan making functions	12
Part 3 – Justification.....	12
Section A – Need for the planning proposal	12
Section B – Relationship to strategic planning framework.....	13
Section C – Environmental, social, and economic impact	26
Section D – State and Commonwealth interests	27
Gateway determination conditions	27
Part 4 – Mapping.....	29
Part 5 – Community Consultation.....	34
Part 6 – Project Timeline.....	35
Appendices.....	35

List of tables

Table 1: Site Specific Merit	15
Table 2 – Consistency with State Environmental Planning Policies.....	20
Table 3 - Ministerial Directions Compliance	21
Table 4 – Anticipated Project Timeline	35

List of figures

Figure 1: Aerial view of the subject site (Source: NearMap January 2020).....	8
Figure 2: Locality map - subject site highlighted (Source: Urban Design Statement prepared by Benson McCormack Architecture, dated March 2020, Page no.5)	9
Figure 3: Existing zoning - subject site highlighted	10
Figure 4: Matters addressed within the planning proposal.....	10
Figure 5: Proposed land use zoning - subject site highlighted.....	11
Figure 6: Existing land use zoning map for the subject site (highlighted)	30

Figure 7: Proposed land use zoning map for the subject site (highlighted)	30
Figure 8: Existing lot size map for the subject site (highlighted)	31
Figure 9: Proposed lot size map for the subject site (highlighted)	31
Figure 10: Existing height of building map for the subject site (highlighted).....	32
Figure 11: Proposed height of building map for the subject site (highlighted)	32
Figure 12: Existing land reservation acquisition map for the subject site (highlighted)	33
Figure 13: Proposed land reservation acquisition map for the subject site (highlighted)	33
Figure 14: Existing residential density map for the subject site (highlighted).....	34
Figure 15: Proposed residential density map for the subject site (highlighted).....	34

Foreword

This report has been prepared based on a planning proposal report prepared by GAT & Associates on behalf of the landowner (the Proponent) of the property located at 1370 Camden Valley Way, Leppington, to initiate an amendment to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).

The planning proposal application was received by Liverpool City Council (LCC) on 3 March 2017. Advice was sought from the Liverpool Local Planning Panel (LPP) at its meeting on 29 June 2020. After considering the assessment report, the LPP provided their advice, that the proposal has both strategic and site-specific merit, and supported the planning proposal proceeding to a Gateway determination. The planning proposal was then considered at Council's Ordinary Meeting on 30 September 2020 where it received in principle support to be forwarded to the Department of Planning, Industry and Environment seeking a Gateway determination.

Introduction

A planning proposal was received from the landowner, to rezone their site at 1370 Camden Valley Way, Leppington (Lot E in DP28997).

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

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

The proposal includes the rezoning of part of the land 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;

It is proposed to amend the upper limit of the permissible total Gross Floor Area (GFA) in Clause 6.4 under Appendix 8 - Liverpool Growth Centre Precinct Plan of the Growth Centres SEPP. It is proposed to increase the permissible GFA from 2,500m² to 4,800 m². 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 proposal further includes associated amendments to the South West Growth Centre Height of Building Map, Land Reservation Acquisition Map, Lot Size Map and Residential Density Map under the Growth Centres SEPP to reflect the modified zoning boundaries proposed on the site.

The site contains land identified as ‘Existing Native Vegetation’ (ENV) on the South West Growth Centre Native Vegetation Protection Map under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. This protected vegetation is identified within the non-certified land of South-West Growth Centre – Biodiversity Certification map under transitional arrangements of the defunct Threatened Species Conservation Act 1995 (TSC Act). The existing native vegetation is proposed to be retained within the reconfigured RE1 zoned land under the planning proposal.

The planning proposal is not inconsistent with the regional plan, district plan, community strategic plan, ministerial directions and the relevant SEPPs and it is believed that the planning proposal has demonstrated strategic and site-specific merit for the proposed rezoning and amendment of development standards for the land.

Background

The background of the planning proposal is summarised as follows –

- On 2 March 2016, following a meeting with Council staff, pre-lodgement advice was provided to the proponent regarding the planning proposal. The planning proposal sought to expand the existing Neighbourhood Centre area to accommodate additional retail floor area demand in the precinct and to reorganise the development of residential, commercial and recreational uses on the site. The advice indicated the following:
 - 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 Centres 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 eliminated 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 or 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 serious consideration could be given to supporting any rezoning of the land.
- On 3 March 2017, the planning proposal 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 East Leppington precinct. This also included amendments to the Neighbourhood Centre layout included in the Development Control Plan (DCP).
- On 19 July 2017, correspondence from Council was sent to the applicant based on the initial assessment of the planning proposal. The advice identified issues with the planning proposal that needed to be resolved. The issues included matters such as, required protection of the native vegetation on the site, 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 arrangement and met with Council staff. A letter of advice was sent to the proponent on 12 June 2018 based on the discussions took place in the meeting, and a further revised concept layout was submitted by the proponent. The letter noted several issues related to 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.

- 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 for a modified proposal that would not reduce the quantum of open space, or would not impact on non-certified land.
- In early 2019, correspondence between the proponent and the Department of Planning, Industry and Environment (DPIE) took place regarding the Existing Native Vegetation (ENV) present on the site. The Department confirmed that they would maintain their view that the existing native vegetation, as originally mapped, still constituted 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 review.
- On 20 September 2019, Council staff advised the proponent that the quantum of RE1 zoned land should be equal to or, more than the land zoned RE1 at present. Any reduction of RE1 zoned land would not be supported by Council. It was further advised to exclude the section of SP2 Infrastructure (local drainage) zoned land area towards the calculation of RE1 zoned land on the site.
- On 16 December 2019, a meeting was held between the proponent and Council officers. Advice was provided on the following:
 - The planning proposal 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 in principle support from Council;
 - 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 Leppington Town Centre is finalised.
- On 31 March 2020, the proponent submitted a revised planning proposal 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 was submitted to the Local Planning Panel (LPP) for their advice. The LPP considered the planning proposal and advised that the proposal has strategic and site-specific merit.
- On 22 December 2020, the Gateway determination was issued for the planning proposal by the Department of Planning, Industry and Environment (DPIE).
- In May 2021 An updated planning proposal report was submitted to DPIE to address the conditions included in the Gateway determination.

Report Structure

This Planning proposal has been prepared in accordance with Section 3.33 of the EP&A Act with consideration of DPIE's (formerly DPE's) 'A Guide to Preparing Planning Proposals' (December 2018). Accordingly, the proposal is discussed in the following parts:

- Site Description
- Part 1 – A Statement of the Objectives and Intended Outcome
- Part 2 – Explanation of Provisions
- Part 3 – Justification
- Part 4 – Mapping
- Part 5 – Community Consultation
- Part 6 – Project timeline

Site Description

The subject site is located at 1370 Camden Valley Way, Leppington (Lot E in DP28997), with a total area of approximately 8.8 ha. The site is part of the East Leppington precinct and was rezoned pursuant to the Sydney Region Growth Centres SEPP 2006. The site has lands currently 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 development, and the provision of passive recreation and stormwater drainage.

The site is bound by Camden Valley Way to the west and the Sydney Upper Canal to the east. To the north and south are private land holdings primarily zoned R3 Medium Density Residential and R2 Low Density Residential (refer to Figure 1).

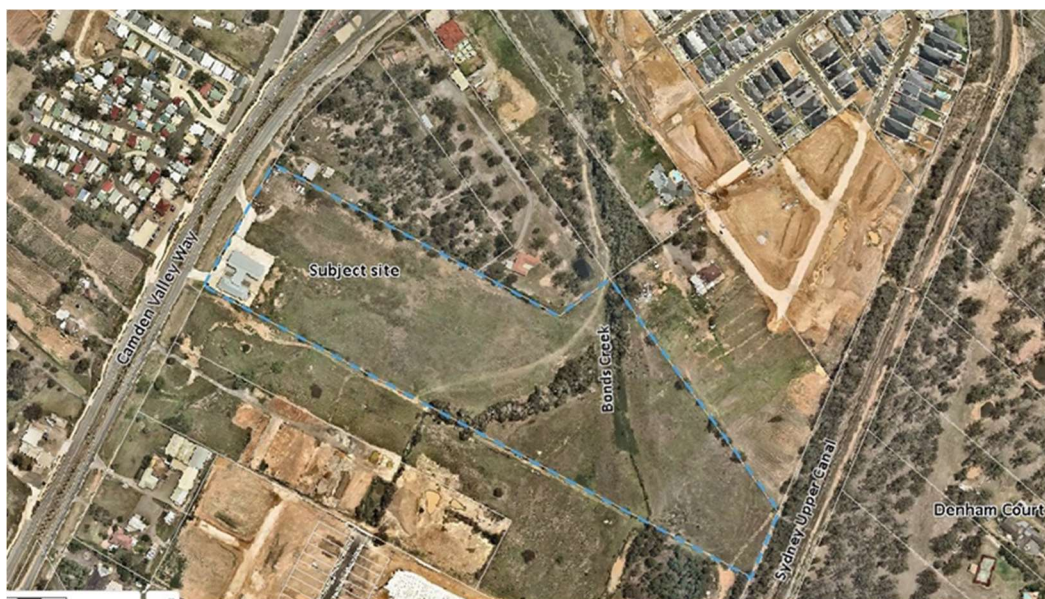


Figure 1: Aerial view of the subject site (Source: NearMap January 2020)

The subject site is a part of the Liverpool portion of the East Leppington precinct within the South West Sydney Growth Centre. The East Leppington Precinct was rezoned pursuant to the Sydney Region Growth Centres SEPP 2006, primarily for a mix of residential densities in August 2014.

Leppington Station and the future Leppington town centre are approximately 1.5km north west of the site. The train station is accessible via the bus services operating along Camden Valley Way. Bus services are providing access to Leppington Town Centre, Narellan Town Centre and Liverpool City Centre from the site. Frequent bus stops are located along Camden Valley Way, with the nearest bus stop some 200m from the site. Willowdale Shopping Centre, within the Campbelltown LGA, is located approximately 1km south-west of the site.

Antegra Estate Retirement Village and Forest Lawn Gardens cemetery is located 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. Village Square (Edmondson Park retail strip) 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 features can be seen in 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)

Part 1 – Objectives and Intended Outcome

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

Part 2 – Explanation of provisions

The subject site is currently zoned B1 Neighbourhood Centre, RE1 Public Recreation, R3 Medium Density Residential, R2 Low Density Residential and SP2 Infrastructure under the Growth Centres SEPP 2006 (refer to Figure 3). The Neighbourhood Centre was initially zoned to cater for the retail and service needs of the future population of the East Leppington precinct. Since the precinct plan was implemented, residential yield has been tracking at greater densities than was planned, increasing the demand for retail floor space and service provision within the centre.



Figure 3: Existing zoning - subject site highlighted

The planning proposal is proposing an amendment to the land use zones, development standards, and the retail Gross Floor Area provision under clause 6.4 of Appendix 8 of the Growth Centres SEPP to achieve the objective (Refer to Figure 4). The planning proposal will further induce amendments to the Liverpool Growth Centre Precincts DCP, which will be dealt with separately, subject to the planning proposal be supported by a Gateway determination.

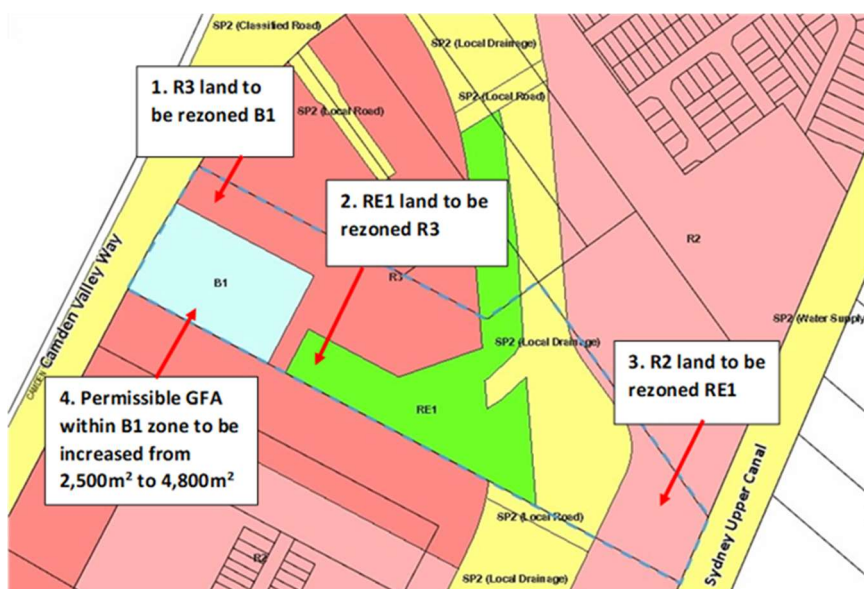


Figure 4: Matters addressed within the planning proposal

The objectives of this planning proposal will be achieved through rezoning of the land identified in Figure 1 and changes proposed to the associated development standards.

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 5*)

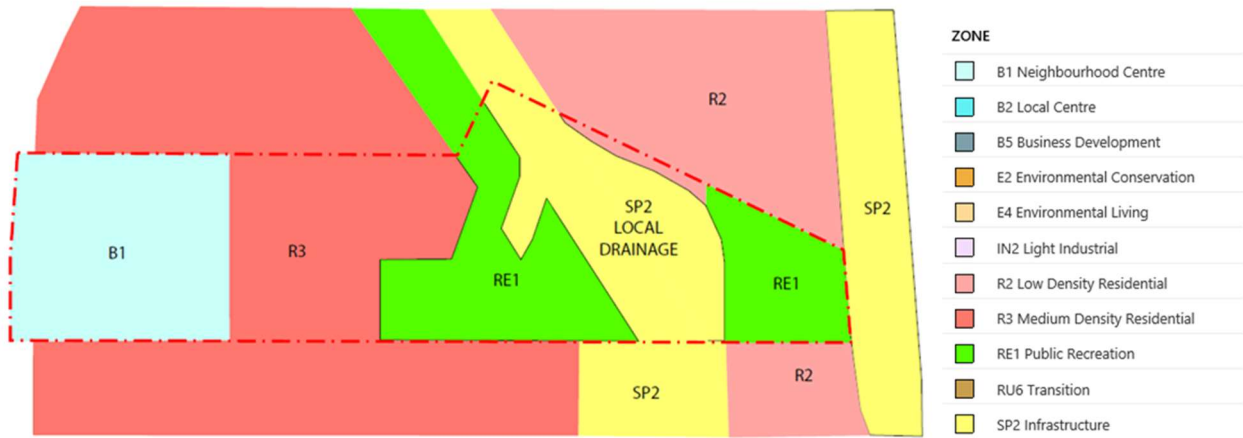


Figure 5: Proposed land use zoning - subject site highlighted

To facilitate the proposed changes, the following Growth Centre SEPP maps are to be amended:

Land Zoning Map

- SEPP_SRGC_SW_LZN_013_020_20131128

Lot Size Map

- SEPP_SRGC_SW_LSZ_013_020_20131031

Height of Building Map

- SEPP_SRGC_SW_HOB_013_020_20130111

Land Reservation Acquisition Map

- SEPP_SRGC_SW_LRA_013_020_20131128

Residential Density Map

- SEPP_SRGC_SW_RDN_013_020_20131128

Draft maps are provided in Part 4 of this report.

The upper limit of permissible total retail Gross Floor Area (GFA) in clause 6.4 under Appendix 8 - Liverpool Growth Centre Precinct Plan of the Growth Centre SEPP is to be amended to reflect the increase of permissible retail GFA from 2,500 m² to 4,800 m² in B1 Zone. 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.”*

Delegation of plan making functions

This planning proposal seeks to amend a State Environmental Planning Policy. As such, Council is not seeking delegation of plan making functions pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979 (“EP&A Act”).

Part 3 – Justification

Section A – Need for the planning proposal

3.1 Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The planning proposal is not the direct result of a strategic study or report. The planning proposal aligns with state and regional strategic documents that set out goals seeking to protect and enhance strategic centres and residential development. Additionally, the proposal is aligned with Council strategies and studies. These documents include the following:

- Greater Sydney Regional Plan - A Metropolis of Three Cities
- Western City District Plan (WCDP)
- Liverpool Community Strategic Plan (CSP) – Our Home, Liverpool 2027
- Liverpool Local Strategic Planning Statement (LSPS)
- Liverpool Centres and Corridor Strategy
- Liverpool Local Housing Strategy

Further detail in respect of the alignment with these documents is set out in Section B (Relationship to strategic planning framework).

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

The planning proposal is seeking to expand the existing neighbourhood centre to accommodate the increased demand for retail floor space within the precinct and to facilitate development of residential, commercial and recreational uses on site.

The increased demand for retail facilities within the precinct created an opportunity for extended retail floor space within the neighbourhood centre and an expansion of the current Neighbourhood Centre zone. This in turn initiated the requirement to reconfigure the extent of the B1 Neighbourhood Centre zone, and to reconfigure the R3 Medium Density Residential, R2 Low Density Residential and RE1 Public Recreation zoned land to facilitate an orderly development.

Without the proposed rezoning and reconfiguring of the layout of current zones, it would not be possible to accommodate the increased demand for retail floor space within the current centre and to facilitate the development of residential, commercial and public recreation lands within the site.

Section B – Relationship to strategic planning framework.

DPIE's Planning Circular (PS 16-004) notes that a key factor in determining whether a proposal should proceed to Gateway determination should be its strategic merit and site specific merit. It is considered that the planning proposal meets these tests as outlined in the following sections.

3.3 *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

a. Strategic Merit

The planning proposal is considered to be consistent with relevant regional, sub-regional or district plan or strategies. The most relevant State and District plans that guide the land use direction for the site, are

- Greater Sydney Regional Plan – A Metropolis of Three Cities (GSRP)
- Western City District Plan (WCDP)

Greater Sydney Regional Plan – A Metropolis of Three Cities (GSRP)

The planning proposal is consistent with the GSRP, particularly with the following objectives of the Plan -

Objective 10: Greater housing supply

It is estimated that the planning proposal will result in fewer residential dwellings (approximately 21 fewer dwellings) within the subject site, assuming a loss of dwelling potential in the B1 zone. Despite the planning proposal increasing the amount of land zoned B1, an amendment to clause 6.4 seeks to increase the amount of commercial floorspace permitted on the site. For the purpose of modelling dwelling yield, the planning proposal has assumed a maximum of two storeys of residential development on top of two storeys of commercial development could be realised in the B1 Neighbourhood Centre zone as per current and proposed controls.

The planning proposal will provide for greater yield (8 more dwellings) within the R3 Medium Density Residential zone due to an increase in R3 zoned land. The supplementary advice prepared by Judith Stubbs and Associates (**Appendix L**) provides further information in relation to dwelling yields.

In effect, the proposal will continue to encourage supply of new medium density residential development in a location that is well connected to local services, amenities and infrastructure.

Objective 11: Housing is more diverse and affordable

The proposal will provide for the ability to accommodate an array of housing types and densities to meet the need for diversity in housing types. Medium density residential development will encourage affordability and choice for residents.

Objective 22: Investment and business activity in centres

The proposal will provide for a greater neighbourhood centre at the subject site that will attract an array of goods and services within the precinct. This will promote the economic viability of the centre along with creating employment and business opportunities within a thriving locality.

Objective 25: The coast and waterways are protected and healthier

The proposal aims to protect the Bonds Creek riparian corridor and its associated riparian land. The proposed Public Recreation (RE1) land is proposed to be reconfigured to protect and enhance the natural environment.

Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced

The proposal aims to protect the land shown as Existing Native Vegetation (ENV) at the subject site. This will be retained and will form part of the diverse areas of open space. These areas of open space will be maintained at the site to promote usability and functionality of the open space.

Objective 31: Public open space is accessible, protected and enhanced

The planning proposal created the scope to deliver a better open space configuration, through its urban design concept plan, which focusses on creating a sense of place for pedestrians using linkages between the centre and the recreational areas of open space.

Western City District Plan (WCDP)

The planning proposal is consistent with the following planning priorities included in the WCDP –

Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport

It is envisaged in the East Leppington Precinct Plan that the precinct will provide approximately 4,450 homes to house 14,700 residents. Furthermore, 26 hectares of open space and recreational areas are expected. Therefore, the planning proposal will continue to contribute in meeting these targets set for the Precinct by creating suitable residential land development opportunities.

It is considered that the planning proposal at the site will continue to provide opportunities for increased housing choice that would diversify the housing stock within the Precinct. This will ultimately contribute towards meeting the housing target for Liverpool LGA in WCDP.

The extended neighbourhood centre area at the subject site will attract an array of retail and business services within the precinct. This will further promote employment and business opportunities.

Planning Priority W6: Creating and renewing great places and local centres, and respecting the District heritage

The proposal will create opportunities to provide a visually attractive, safe and enjoyable neighbourhood centre and public open space. Orientating the centre towards the collector road and creating a connection with the open space will provide opportunities for enhanced social interaction.

Planning Priority W12: Protecting and improving the health and enjoyment of the District's waterways

The proposal aims to protect the Bonds Creek riparian corridor and its associated drainage land within the site. The surrounding Public Recreation (RE1) land is proposed to be reconfigured to protect and enhance the health of the natural waterways, as well as provide opportunities for passive recreation.

Planning Priority W14: Protecting and enhancing bushland and biodiversity

The proposal protected the land shown as ENV at the subject site. The non-biodiversity certified land together with the ENV land within the site, will form part of the diverse areas of open space. The quantum of open space will be maintained to encourage usability and functionality.

Planning Priority W18: Delivering high quality open space

The planning proposal has created the scope to deliver well planned open spaces throughout the site which can be designed to meet best practice principles and to support a variety of uses.

These spaces have the capacity to provide for an array of uses for the social benefit of current and future residents of the East Leppington precinct.

Local Strategy

Assessment of the proposal with regards to Council's Community Strategic Plan (CSP), Local Strategic Planning Statement (LSPS) and other relevant Council strategies is detailed in Section 3.4.

b. Site Specific Merit

In addition to meeting at least one of the strategic merit criteria, a Planning proposal is required to demonstrate site-specific merit against the following criteria in Table 2 below.

Table 1: Site Specific Merit

Criteria	Planning Proposal Response
<i>Does the planning proposal have site specific merit with regard to: the natural environment (including known significant environmental values, resources or hazards)?</i>	<p>Yes. The planning proposal seeks to minimise impacts on the natural environment. As detailed further in Section B of this report, the proposed rezoning will likely improve environmental outcomes by reorganising and consolidating passive recreation land around the existing riparian corridor. The proposal has enhanced opportunities to use the riparian land within the site for open space and recreation purpose, thereby allowing greater engagement of residents with green spaces.</p> <p>As per the Ecological & Riparian Issues & Assessment Report (Attachment A) prepared by F Dominic Fanning and the Flora and Fauna Audit (Attachment B) prepared by Lesryk Environmental Pty Ltd, no threatened flora and fauna species have been recorded on the site, and none are likely to occur given the nature and condition of the site. The report has found that there are no threatened ecological communities on the site to impede the planning proposal. The designated Existing Native Vegetation (ENV) is proposed to be retained within the RE1 Public Recreation land.</p> <p>The planning proposal has not investigated any mineral or other resources, as the lands were already zoned for urban purposes.</p> <p>The precinct DCP provides controls to ensure that life and property will be protected in the event of a flood. This land contains sufficient flood free area to permit the construction of residential dwellings on flood free land, or with minimal cut and fill. As per the Flooding Advice (Attachment C) for the site prepared by Bewsher Consulting Pty Ltd, the planning proposal will not result in any adverse flooding or</p>

Criteria	Planning Proposal Response
	stormwater impacts. No further hazard review was undertaken as the lands were already zoned for urban purposes. Risks from other hazards such as bushfire is adequately addressed by the DCP or other relevant guidelines.
<i>The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal?</i>	<p>Yes. The existing uses are largely reflective of the precinct's current zoning, and the future character of the area, as the area continues to urbanise.</p> <p>Most of the land in the vicinity of the subject site is currently vacant and not yet fully utilised for permitted uses under the Growth Centres SEPP.</p> <p>The planning proposal intends on amending the land uses of the subject site and the floor area control on the Neighbourhood Centre to ensure that the lands can be developed in accordance with an augmented outcome.</p>
<i>The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision?</i>	<p>Yes. The site has access to bus services operating along Camden Valley Way, with the nearest bus stop located within 200m of the site. Sydney Water services, electricity and gas services are available for future residential and commercial developments within the site. The internal road network and the required traffic management facilities including car parking for the neighbourhood centre will be developed by the proponent as per DCP requirements and guidelines at DA stages.</p> <p>Any impact of this proposal on the infrastructure to be delivered in the East Leppington precinct is minimal. A contributions plan is in place for the precinct, any increased residential yield will result in an increased development contributions for infrastructure and services.</p> <p>In addition, a voluntary planning agreement (VPA) is offered by the proponent (Attachment D) to deliver recreational facilities and develop Public Recreation land. Rezoning of lands and increasing the floor space limit of the Neighbourhood Centre will provide for increased commercial services and higher embellishment of public open space than can be delivered under the existing contributions framework.</p>

3.4 Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Our Home, Liverpool 2027

Our Home, Liverpool 2027 is Liverpool's Community Strategic Plan (CSP) and provides strategic directions for Council and the measures that will allow Council to determine progress towards achieving them. The planning proposal is generally consistent with Council's Community Strategic Plan: Our Home, Liverpool 2027. Council's strategy adopts a quadruple bottom line approach, being Creating Connection (Social), Strengthening and Protecting Our Environment (Environment), Generating Opportunity (Economic), and Leading through Collaboration (Civic Leadership).

The planning proposal is generally consistent with the following aspects of the plan:

- *An area where connection is created between all people in the community*

The proposal is creating the opportunity to deliver an extended neighbourhood centre area whilst retaining the same quantity of public open space. This will create business opportunities for small businesses within the centre. The centre and reconfigured residential and public recreation land can encourage social interaction.

- *Creation of more green spaces*

The proposal is not inconsistent with this directive as it results in a reconfigured public open space. The proposed Public Recreation (RE1) land is to protect and enhance the natural environment. The proposal has enhanced opportunities to use the drainage land within the site for open space and recreation purpose, thereby allowing greater engagement with green spaces.

- *Creation of well- planned, attractive and people friendly urban environment*

The planning proposal is creating the opportunity to deliver a well-planned, attractive and people friendly urban environment by reconfiguring the residential, commercial, public recreation and open space land within the subject site.

- *To attract more jobs and business to the area*

The proposed extension of neighbourhood centre land will deliver a larger centre which will in turn attract businesses and create job opportunities.

The Planning proposal is generally consistent with the following actions for Council:

- *Protect and enhance bushland, rivers and the visual landscape*

The proposal protects the Bonds Creek riparian corridor and its associated drainage land within the site. The proposal further protects the land identified as ENV in the subject site. The non-biodiversity certified land together with the ENV land within the site, will form part of the diverse areas of open space. The quantum of open space will be maintained to encourage its usability and functionality.

- *Meet the challenges of Liverpool's growing population*

The proposal will contribute towards meeting the housing need and create diversity in housing typologies for the growing population of Liverpool. Medium density residential development typologies will encourage affordable housing options for future residents. Attracting retail businesses to the centre will contribute towards meeting the demand for job opportunities within the immediate locality.

- *Attract businesses for economic growth and employment opportunities*

By extending the Neighbourhood Centre area, the proposal will promote opportunities for employment generating activities and investment.

Liverpool Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) is Council's long-term plan to shape Liverpool's future which will help guide the development of suburbs and balance the need for housing, jobs and services as well as parks, open spaces and the natural environment.

Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) – 1370 Camden Valley Way, Leppington

Local Planning Priority 6 under the 'Liveability' goal of the LSPS seeks *'High quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth.'* The planning proposal with its reconfigured centre and public open space will provide for the opportunity to deliver a wide array of community facilities and social infrastructure for the thriving community.

Action 6.1 under this planning priority includes - *'Advocate changes to contributions planning and seek alternative funding mechanisms to deliver high-quality facilities'*. The planning proposal is consistent with the action in that it includes an offer for a Voluntary Planning Agreement to provide quality recreation facilities within the site above and beyond the open space and recreation facilities planned to be provided under the Contributions Plan.

Planning Priority 11 under the 'Productivity' goal of the LSPS includes the planning priority - *'An attractive environment for local jobs, business, tourism and investment'*. The planning proposal is consistent with the planning priority as the proposed extension of neighbourhood centre area will deliver a larger centre to attract more local businesses, investments and job opportunities.

Planning Priority 14 under the 'Sustainability' goal of the LSPS includes the planning priority - *'Bushland and waterways are celebrated, connected, protected and enhanced'*. The planning proposal 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.

Liverpool Centres and Corridors Strategy 2020

The Liverpool Centres and Corridors Strategy has been developed in response to Action 11.3 of Council's Local Strategic Planning Statement (LSPS) which identified the need to prepare a Centres and Corridors Strategy and to review relevant planning controls. This strategy re-defines and re-categorises Liverpool's centres and corridors and provides direction for future planning.

This strategy is underpinned by the Centres and Corridors Study prepared by SGS Economics and Planning. The study report identified an increase of retail demand in the precinct and advised - *'the retail needs of the East Leppington Precinct were assessed by SGS in 2013 based on an increase in population of 13,557 from 2016-2031. Many developments have now occurred or been applied for at higher densities than originally anticipated. Based on population forecasts from Forecast.id for the Liverpool and Campbelltown LGAs, and on an estimate of increased residential yields in the Camden LGA, the population of the precinct in 2036 is estimated to be 17,135. This is a moderate increase from the originally anticipated population and would be associated with an increase in retail demand.'*

The study recommended for an increase to the size of the existing Neighbourhood Centre - *'Based on the centre hierarchy proposed in this report, the East Leppington centre would be a local centre. It is proposed to be co-located with open space centrally located within the Liverpool part of the East Leppington Precinct and the street network would facilitate walkable access to the centre. A small expansion of this centre would be consistent with the recommended retail planning framework.'* As such the proposal is generally consistent with the proposed retail hierarchy under the Liverpool Centres and Corridors Strategy where it identified the need to upgrade the centre.

The need to increase the Neighbourhood Centre floor area is also supported by the Review of Appropriate Floorspace Provision – East Leppington Neighbourhood Centre (**Attachment E**) prepared by Leyshon Consulting Pty Ltd. The report identified unmet demand for retail floor space within the precinct and recommended, *'Given the higher than originally forecast residential population which will settle in East Leppington compared with the assumed in the original analysis undertaken by SGS and that no account*

was taken by them of the site's capacity to attract passing trade we consider the provision of up to 4,000m² of retail floorspace on the site appears to be an appropriate provision'.

The planning proposal thus proposed to increase the permissible GFA of the centre from 2,500m² to 4,800 m² by amending Clause 6.4 under Appendix 8 of the Growth Centres SEPP. An ancillary floorspace (above 4,000m²) is proposed for public and tenant toilets, storage and other utility spaces. This is confirmed in the Urban Design Statement (**Attachment F**) prepared by Benson McCormack Architecture.

Liverpool Local Housing Strategy 2020

The Liverpool Local Housing Strategy reflects the strategic objectives of the District Plan, Community Strategic Plan and the LSPS. It is informed by an evidence-based Housing Study prepared by SGS Economics and Planning. This strategy aligns with Council's and the community's vision for housing and NSW Government-led strategic plans and outlines how Council will meet the requirements of the District Plan.

The strategy has identified that there is sufficient capacity under Council's current planning controls to feasibly deliver the additional dwellings forecast to be required by 2036 in Liverpool LGA. However, there is expected to be a shortfall in the provision of medium density housing by between approximately 4,500-8,000 dwellings. There is also likely to be a demand for flexible, smaller housing options that will be relatively affordable.

Action 7 of the Strategy includes – *'Review land use and development controls in R1, R2 and R3 zones to encourage greater medium density and housing diversity without adversely impacting neighbourhood amenity. Review of permissibility and controls for the following land uses should be considered – Dual occupancies, Multi-dwelling housing, Manor homes'*.

The planning proposal is consistent with the Action as it proposes to reconfigure the R2, R3 and RE1 zoned land in order to facilitate the orderly development of the site and promote medium density housing. Positioning of a greater portion of land for residential development adjacent to the neighbourhood centre under the planning proposal, has the potential to reduce vehicular trips, and provides greater housing supply closer to the centre and public transport, compared to the existing zone configuration. It will promote a variety of dwelling typologies, which the R3 Medium Density Residential zone provides.

The loss of R2 Low Density Residential zoned land at the eastern extent of the lot and the theoretical reduction of dwellings number in the B1 Neighbourhood Centre zone (due to the increased commercial floorspace cap) under the planning proposal will not have any material impact on the delivery of residential housing stock in the East Leppington precinct. The supplementary advice prepared by Judith Stubbs and Associates (**Appendix L**) provides further information in relation to dwelling yields. In effect, the overall rezoning will assist in providing opportunity for greater diversity of housing typologies within the precinct by increasing the availability of R3 Medium Density Residential land on the western part of the site.

The proposed rezoning and consolidation of the RE1 zoned land on both sides of the creek will create opportunities to integrate the riparian corridor into land to be used for passive recreation purposes. This potential use of drainage land for passive recreation is supported by Council's Open Space and Recreation team. Promoting housing close to services and public transport as well as connection to the open space, will provide for a better planning and development outcome

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

The planning proposal seeks an amendment to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. Compliance with any SEPP which applies to the land is given in Table 2 below.

Note: any SEPP which does not apply to the land, or for which the planning proposal will not preclude the operation of is not listed.

Table 2 – Consistency with State Environmental Planning Policies

State Environmental Planning Policy	Comment / Consistency
<i>SEPP (Sydney Region Growth Centres) 2006</i>	<p>The proposal involves rezoning certain land within the East Leppington Precinct and to amend the floor space restriction on the Neighbourhood Centre GFA to ensure that the land can be developed in accordance with the precinct vision which is ‘to develop a series of walkable residential neighbourhood supported by local retail, community and recreational facilities in an environmentally sustainable manner’.</p> <p>The planning proposal is consistent with the aim of the SEPP which is to co-ordinate the development of land for residential, employment and other urban development in the South West Growth Centre. The planning proposal will support to achieve this aim of the policy by creating suitably zoned residential, employment and passive recreation land, thereby facilitating the intended development on site.</p>
<i>SEPP No. 55 - Remediation of Land</i>	<p>The lands within the East Leppington Precinct are already zoned for urban purposes and a precinct wide contamination assessment was conducted prior to the precinct being rezoned.</p> <p>The subject site is largely vacant land. There is an existing service station on the western part of the site on Camden Valley Way. There is no other known activities on the land that might create land contamination. It is understood that an assessment of land contamination will be conditioned as a part of the Gateway determination.</p>
<i>SEPP (Infrastructure)2007</i>	<p>The SEPP provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) (now Transport for New South Wales (TfNSW)) for concurrence. The site adjoins the Camden Valley Way which is a classified road. Therefore, if the proposal be supported by Gateway, it is assumed that public authority consultation with TfNSW would be required.</p>
<i>SEPP (Bushland in Urban Areas)2018</i>	<p>The planning proposal is not inconsistent with the SEPP. No significant vegetation is required to be removed to fulfil this Planning Proposal. The Existing Native Vegetation</p>

	(ENV) on site is retained within the RE1 Public Recreation zoned land.
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	The land reservation acquisition map and other relevant planning controls maps are proposed to be amended in accordance with the revised land-use zoning maps to ensure exempt and complying development can be carried out accordingly.
<i>SEPP (Koala Habitat Protection) 2019</i>	The site is located within a Local Government Area (LGA) to which the Koala Habitat Protection SEPP applies. The subject site is already zoned for urban purposes. This planning proposal does not propose the clearing of any vegetation that might undermine Koala habitats. A Koala Management Plan resulting from future removal of any vegetation would be prepared at the DA stage if needed.
<i>SEPP (Design Quality of Residential Apartment Building)</i>	The SEPP aims to improve the design quality of residential apartment development. The policy is to be considered in the assessment of all residential apartment building development comprising three or more storeys and incorporating at least four apartments. Any future development of the R3 Medium Density Residential land for apartment building will be subject to the assessment of this policy at the DA stage.
<i>SEPP (Advertising and Signage) 2001</i>	The proposal does not contradict or hinder the application of the SEPP.
<i>SEPP (Western Sydney Aerotropolis) 2020</i>	The subject site is located outside the land application map of the SEPP. However, the site is within the 13km wildlife buffer zone and Obstacle Limitation Surface Map under the SEPP. The planning proposal is not proposing any of the 'relevant developments' identified under the SEPP.

3.6 Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?

Table 3 - Ministerial Directions Compliance

Ministerial Direction	Consistency	Justification
1. Employment and Resources		
1.1 Business and Industrial Zones	Consistent	The proposal is consistent with the objectives of this direction in that the rezoning of R3 Medium Density Residential zone land to B1 Neighbourhood Centre and the expansion of the gross floor area (GFA) of the centre will encourage employment growth in a suitable location close to public transport and residents. Council's Centres and Corridor Strategy also supported an extension of the centre and

		<p>increasing the commercial floor space in this location.</p> <p>This will further contribute towards the planned productivity growth in the Western City District and Western Parkland City as envisaged in the Greater Sydney Regional Plan.</p>
2. Environment and Heritage		
2.1 Environment Protection Zone	Not inconsistent	<p>Part of the subject site is biodiversity certified, under the Order to Confer Biodiversity Certification on the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The biodiversity impact as a result of future development on the biodiversity certified land was assumed by the Biodiversity Certification Order and is offset via the Growth Centre Biodiversity Offset Program. The impact due to the rezoning of the biodiversity certified land within the site will not trigger entry into any Biodiversity Offset Scheme in accordance with the Biodiversity Conservation Act 2016. Any vegetation clearing on the non-biodiversity certified land will require additional offset.</p> <p>The site further contains land identified as 'Existing Native Vegetation' (ENV) on the South West Growth Centre Native Vegetation Protection Map under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. No clearing of the existing native vegetation is proposed under the proposal and the vegetation is retained within the reconfigured RE1 zoned land.</p> <p>The Ecological and Riparian Issues & Assessment Report prepared by F Dominic Fanning (Attachment A) finds that there are no ecological or riparian impediments present on site that may hinder the planning proposal.</p>
2.3 Heritage Conservation	Not inconsistent	<p>The planning proposal is not inconsistent with the direction. The site is predominately vacant and is not located within any Heritage Conservation Area as per the SEPP maps.</p> <p>The subject site has been surveyed and reported upon for Aboriginal cultural heritage as part of the Precinct Planning work for the East Leppington precinct. The subject site is not identified to be located on or near Aboriginal heritage sites identified on the Aboriginal Cultural Heritage Sites map under the East Leppington DCP.</p>
2.6 Remediation of Contaminated Land	Not inconsistent	<p>The planning proposal is not inconsistent with the direction in that the lands within the East Leppington Precinct are already zoned for urban purposes and</p>

		<p>a precinct wide contamination assessment was conducted prior to the precinct being rezoned.</p> <p>The land is largely vacant and was previously used for rural purposes. There is a service station on the western part of the site on Camden Valley Way and it is currently operational. There are no other known activities on the land that might create land contamination. As such no land contamination assessment of the site was undertaken. It is understood that a land contamination assessment will be conditioned as a part of the Gateway determination.</p>
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Not inconsistent	<p>The proposal is not inconsistent with the objectives of the direction as the reduction in the quantum of residential land zoned R2 (reduced by rezoning to public recreation) and R3 zoned land (reduced by the expanded centre) is off-set by an increase of the R3 zone area, on the land formally identified for public open space.</p> <p>Due to the fact that there is no existing dwelling density control or, Floor Space Ratio (FSR) control for the B1 Neighbourhood Centre zone, the advice prepared by Judith Stubbs and Associates (Appendix L) concludes that under the existing planning controls provide for a maximum yield of 218-224 dwellings on the site. Under the proposed planning controls, the maximum yield will be reduced to 198-203 dwellings (as explained previously, this is a result of increasing the commercial floorspace cap). This will result in 23-24 fewer dwellings in the B1 Neighbourhood Centre zone, an additional 8 dwellings could be yielded in the R3 Medium Density Residential zone and 5 fewer dwellings in the R2 Low Density Residential zone under the planning proposal.</p> <p>The theoretical reduction of 20-21 dwellings will not have any major impact in achieving the dwelling target for the Liverpool LGA. The Liverpool Local Housing Strategy 2020 has identified that there is sufficient capacity under Council's current planning controls to feasibly deliver the additional dwellings forecast to be required by 2036 in the LGA.</p> <p>The possible reduction in dwelling numbers under this planning proposal is therefore negligible.</p>
3.4 Integrated Land Use and Transport	Not inconsistent	<p>The proposal is not inconsistent with this direction as the site is located on Camden Valley Way (CVW) which provides access to public transport services. Bus services are operating along Camden Valley Way providing connectivity to regional and sub-regional centres like Narellan Town Centre,</p>

		<p>Leppington Town Centre and Liverpool City Centre. Bus stops are located along CVW, with the nearest bus stop located within 200m of the site.</p> <p>The site has access to rail services via Leppington train station allowing better access to public transport. The station is located approximately 1.5 km to the north-west of the site and is accessible via the bus services operating along CVW.</p> <p>The rezoning will facilitate expansion of the Neighbourhood Centre, which will provide more opportunities to support local jobs and services in the area. The proposal provides opportunities for reducing vehicular trips and vehicular kilometres travelled by offering a greater quantum of retail floorspace in a planned centre, close to residents. This potentially offsets trips to out-of-centre developments which would otherwise be required to cater for the un-met retail floorspace within planned centres.</p>
4. Hazards and Risk		
4.3 Flood Prone Land	Not inconsistent	<p>The site contains flood prone land as per Council's flood prone land mapping. With regards to flooding constraints arising from Bonds Creek and its unnamed tributary, the planning proposal will not result in adverse flooding or stormwater impacts on the site as per the flooding report prepared by Bewsher Consulting (Attachment C). If needed, a flood risk management plan can be prepared at the DA stage.</p>
4.4 Planning for Bushfire Protection	Not inconsistent	<p>The eastern most part of the site is included within a bushfire prone vegetation buffer zone under Council's bushfire prone land mapping. The Bushfire Risk and Asset Protection Zone Requirements map under the East Leppington DCP identified Asset Protection Zone for the Bonds Creek riparian corridor. The eastern part of the subject site is proposed to be rezoned to RE1 Public Recreation land and will be utilised for passive recreation purposes. Risks from bushfire hazard and establishment of APZs are adequately addressed by the DCP and Planning for Bushfire Protection (RFS). As such the type, location and ongoing maintenance of landscaping within the proposed RE1 zoned land will be considered at the development stages.</p> <p>Future developments within the reconfigured R3 Medium Density Residential zone and fronting the APZs, will be subject to bushfire protection measures at the DA stage.</p>
5. Regional Planning		

5.10 Implementation of Regional Plan	Consistent	The regional strategy in effect is the Western City District Plan. Consistency with this plan is demonstrated in Section B of this report.
6. Local Plan Making		
6.1 Approval and Referral Requirements	Consistent	The planning proposal does not contain provisions requiring additional concurrence, consultation or referral to a Minister or public authority.
6.2 Reserving Land for Public Purposes	Consistent	<p>The public recreation and open space land within the site have been reconfigured and included into the RE1 Public Recreation zone. The subject site also contains Bonds Creek riparian corridor and it is partly zoned RE1 Public Recreation and partly SP2 – Infrastructure.</p> <p>The SP2 and RE1 zoned land within the site are included in the Land Reservation Acquisition Map under the Growth Centre SEPP to facilitate the local drainage infrastructure and passive recreation facilities respectively.</p>
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	Consistent	Consistency with Greater Sydney Region Plan - A Metropolis of Three Cities is demonstrated in Section B of this report.
7.8 Implementation of Western Sydney Aerotropolis Plan	Not inconsistent	<p>The site is not within the land application map under the SEPP (Western Sydney Aerotropolis) and located out of the ANEC contour map for the Western Sydney Airport.</p> <p>The site is located within the Obstacle Limitation Surface Map under the SEPP, however no construction of building or structures are proposed under the planning proposal that may constitute 'controlled activities' under Part 12, Division 4 of the Airports Act 1996.</p> <p>The site is within the 13km Wildlife Buffer Zone under the SEPP. The planning proposal is not proposing any of the 'relevant developments' identified under the SEPP.</p> <p>The planning proposal does not include any development or provision that may undermine the objectives, principles and priorities of the Western Sydney Aerotropolis Plan.</p>

Section C – Environmental, social, and economic impact

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

No. The planning proposal only seeks to rezone the land that has already been zoned for urban purposes. As per the Ecological & Riparian Issues & Assessment report prepared by F Dominic Fanning (**Attachment A**), there is no threatened ecological community on the site. The land which is noted as containing Existing Native Vegetation will be retained within the RE1 Public Recreation zone.

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

No. The rezoning of certain lands, and alteration to development standards is not likely to have any discernible environmental impacts that wouldn't have otherwise been permitted under the existing zone. The rezoning of some of the land for recreation will likely decrease any impacts on existing vegetation / habitats. Some of the lands are subject to flood hazards, which are addressed by the precinct DCP.

There are no other likely major environmental effects as a result of the planning proposal. The need for any environmental impact management due to future development on the site can be assessed at the DA stage.

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

Yes. A Social Impact Assessment Report (**Attachment G**) has been prepared by Judith Stubbs and Associates to identify social and economic impacts resulting from the planning proposal. As per the report, the resulting social impacts due to the planning proposal can be considered marginal. No mitigation is considered necessary.

The proposed increase in the B1 zoned area will provide the opportunity for additional businesses in the locality. There are likely to be positive economic impacts from additional services in the locality, with reduction in travel time for customers, and from additional business competition, which will ultimately benefit customers.

It is considered that the proposed increase in retail floorspace within the existing Neighbourhood Centre will not have any impeding economic impacts on the growth of the planned and existing centres located within the proximity of the subject site, particularly the Leppington Town Centre. The Town Centre is identified as a Strategic Centre within the hierarchy of centres in Western City District Plan and is currently under a separate master planning exercise. The need to increase the size of the existing East Leppington Neighbourhood Centre is emanating from the increased demand for retail services within the local area. The Neighbourhood Centre is to serve the immediate retail catchment, whereas the ultimate size of retail floorspace within the future Leppington Town Centre is still under investigation and this is intended to serve a broader region.

The Supplementary Economic Advice (**Attachment H**) prepared by Leyshon Consulting Pty Ltd concluded that - *'it is our considered opinion the provision of 1,500m² NLA additional retail floorspace –as is being proposed at East Leppington–will have no material prejudicial effect on the future development of the Leppington Town Centre or any other major centre in the surrounding region'*.

Section D – State and Commonwealth interests

3.10 Is there adequate public infrastructure for the planning proposal?

Drainage and public recreation lands for the site are identified as per the East Leppington Indicative Layout Plan. The Open Space Planning Report (**Appendix K**) and an associated open space concept plan were prepared to demonstrate that functional spaces can still be provided upon reconfiguring the area of open space.

The site has access to Sydney Water, electricity and gas services. Public bus services are available along Camden Valley Way (CVW), providing connectivity with regional and sub-regional centres such as, Leppington Town Centre, Narellan Town Centre and Liverpool City Centre. Bus stops are located along CVW, with the nearest bus stop some 200m from the site. The site has access to rail services in Leppington train station which is approximately 1.5 km to the north-west of the site and is accessible via the bus services available along CVW.

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

As a part of the Gateway Determination, public authorities will be identified who are to be consulted in relation to the planning proposal. The advice provided by the public authorities will be considered, following consultation in the public exhibition period.

The following government agencies, or utility owners, have been identified as potentially interested parties for reasons given below:

- NSW Department of Planning, Industry and Environment (Environment, Energy and Science Group): The site contains both biodiversity certified and non-biodiversity certified lands. The site also contains existing native vegetation (ENV) and flood prone riparian land.
- NSW Department of Primary Industry: Bonds Creek traverses the site.
- Transport for New South Wales (TfNSW): The subject site is adjacent to Camden Valley Way, which is a classified road.
- Rural Fire Service (RFS): The subject site contains bushfire prone lands.
- Water NSW: The subject site adjoins Sydney Upper Canal.
- Endeavour Energy: An easement for an electricity transmission line runs through the subject site.
- Jemena: A gas pipeline is located under Camden Valley Way, which places the subject site within the asset notification zone.

Gateway determination conditions

On 22 December 2020, Department of Planning Industry and Environment issued the Gateway determination (**Appendix J**) for the planning proposal. This provided the following conditions to be satisfied prior to public exhibition of the planning proposal –

1. Prior to public exhibition:

(a) the planning proposal is updated to identify the number of homes and jobs under existing and proposed controls;

(b) Supporting studies are updated to ensure consistency with the proposed number of homes and jobs identified by condition 1 (a);

(c) the planning proposal and relevant supporting studies are updated to determine the passive and open space needs as a result of the rezoning having regard to:

a. walkable access within 400m of homes;

b. the future population

c. recreational need;

d. the network of open space including the need for active vs passive open space;

e. draft Greener Places Design Guide

(d) Upon finalisation of condition (b), the planning proposal is updated to identify the amount of usable open space proposed differentiating between land that is constrained and unconstrained e.g. land containing infrastructure, biodiversity value, flood affected, etc.

Due to the fact that there is no existing dwelling density control or, Floor Space Ratio (FSR) control in the current B1 Neighbourhood Centre zone within the site, it is estimated that under the existing planning controls a maximum yield of 218-224 dwellings are achievable on the site. Under the proposed planning controls, the maximum yield will be reduced to 198-203 dwellings (due to the increased commercial floorspace cap as previously described). This will result in 23-24 fewer dwellings in the B1 Neighbourhood Centre zone. An additional 8 dwellings could be yielded in the R3 Medium Density Residential zone (based on the minimum density control of 25 dwellings per hectare) and 5 fewer dwellings would be provided in the R2 Low Density Residential zone (based on the minimum lot size control of 1,200m²) under the planning proposal. Refer to the supplementary advice prepared by Judith Stubbs and Associates (**Appendix L**) for further information in relation to dwelling yields. It is thus estimated that there will be 20-21 fewer dwellings permitted as per the proposed planning controls, compared to the estimated dwelling number allowed by the existing controls.

With respect to the number of jobs generated, it is estimated that total employment capacity under the existing controls would be in the order of 92 positions (full and part time) whilst under the proposed controls, it is estimated that total employment would be in the order of 155 positions. The increase in job numbers is based on the increased retail floor area under the proposed modification to clause 6.4 of the Growth Centres SEPP. The advice provided by Leyshon Consulting with regards to employment generation simply scaled up the number of job creation in line with the increased amount of retail floor area, allowed under the proposed modification to clause 6.4.

Therefore, an additional 63 positions could be created as a result of the proposed changes in the planning proposal. The supplementary advice prepared by Leyshon Consulting (**Appendix M**) provides further information on the estimated number of jobs generated by the site.

As the total number of dwellings is estimated to be reduced under the planning proposal, it is considered that the supporting studies are adequate in demonstrating that sufficient infrastructure is available to support the residential component as per the planning proposal. No further changes to the supporting Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) – 1370 Camden Valley Way, Leppington

studies are required. Similarly, implications resulting from additional employment created under the proposed planning controls have already been considered as part of the earlier studies, particularly the traffic report (**Appendix I**) assessed the traffic implications resulting from the additional retail GFA proposed. The report determined that there would be an insignificant increase in traffic flow from the proposed increase in retail floor space within the Neighbourhood Centre.

Clouston Associates prepared a supplementary report (**Appendix N**) to address the Gateway determination conditions related to open space and recreation facilities on the site. Under the Open Space Planning Report (**Appendix J**) and the concept master plan submitted with the planning proposal, the public open space and recreation facilities are proposed to be within less than 400m walking distance from the residential areas and the neighbourhood centre zone. The open space is proposed to be connected to the centre and the adjacent residential area through a proposed tree lined boulevard. The Open Space Plan proposed suitable public open space and amenities with easy access to residents. It also identified the amount of usable open space proposed, differentiating between land that is constrained and unconstrained by infrastructure, biodiversity value and flooding. Clouston Associates supplementary advice states, *“In view of the above and the net reduction of population resulting from the rezoning, the quantum and quality of open space proposed and its embellishment will meet the local recreation needs of the new population”*

Part 4 – Mapping

The existing and the proposed changes to the Growth Centres SEPP maps are shown below.

Land Use Zoning Maps



Figure 6: Existing land use zoning map for the subject site (highlighted)

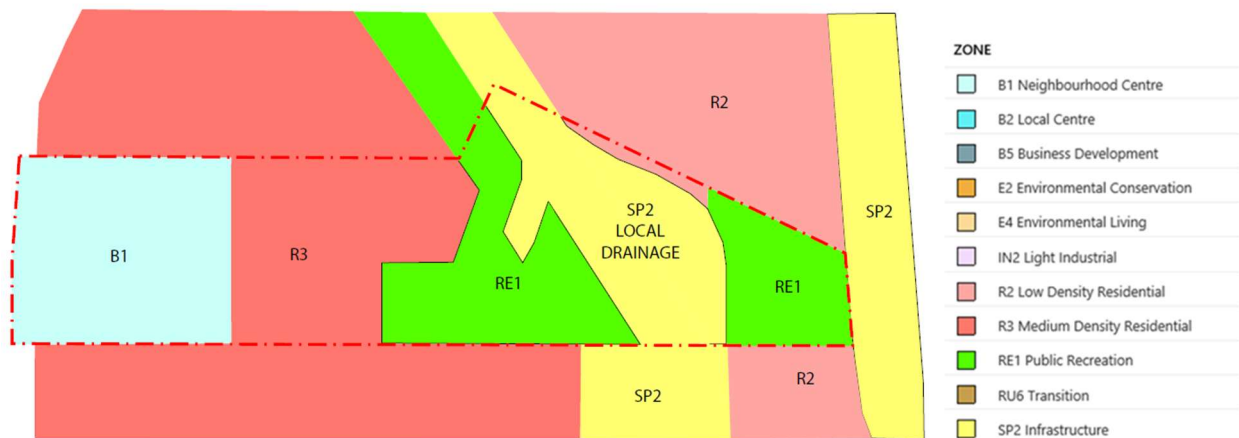


Figure 7: Proposed land use zoning map for the subject site (highlighted)

Lot Size Maps

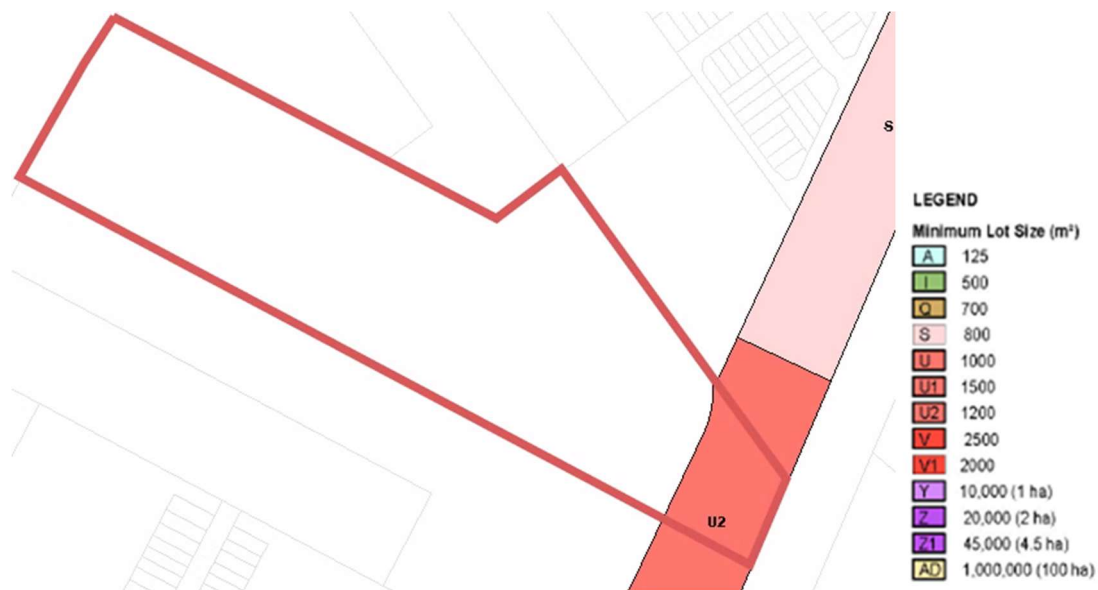


Figure 8: Existing lot size map for the subject site (highlighted)

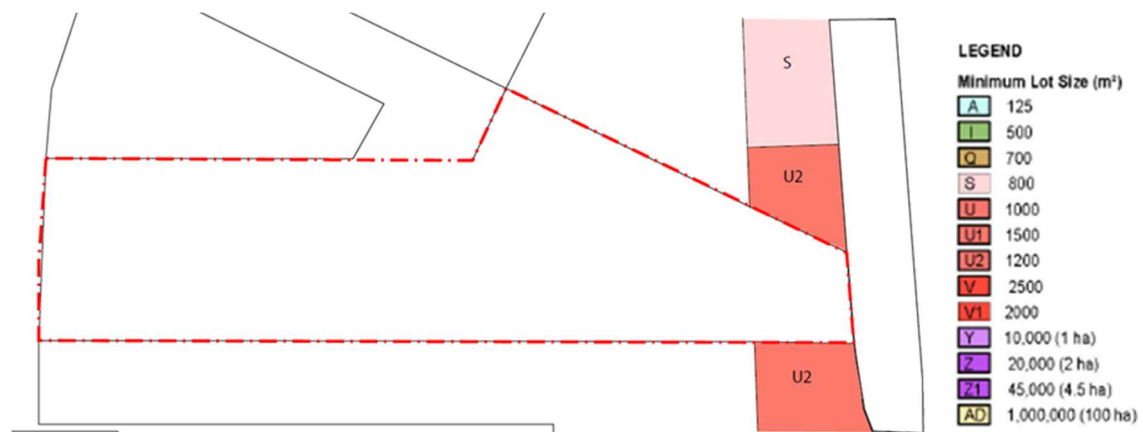


Figure 9: Proposed lot size map for the subject site (highlighted)

Height of Building Maps

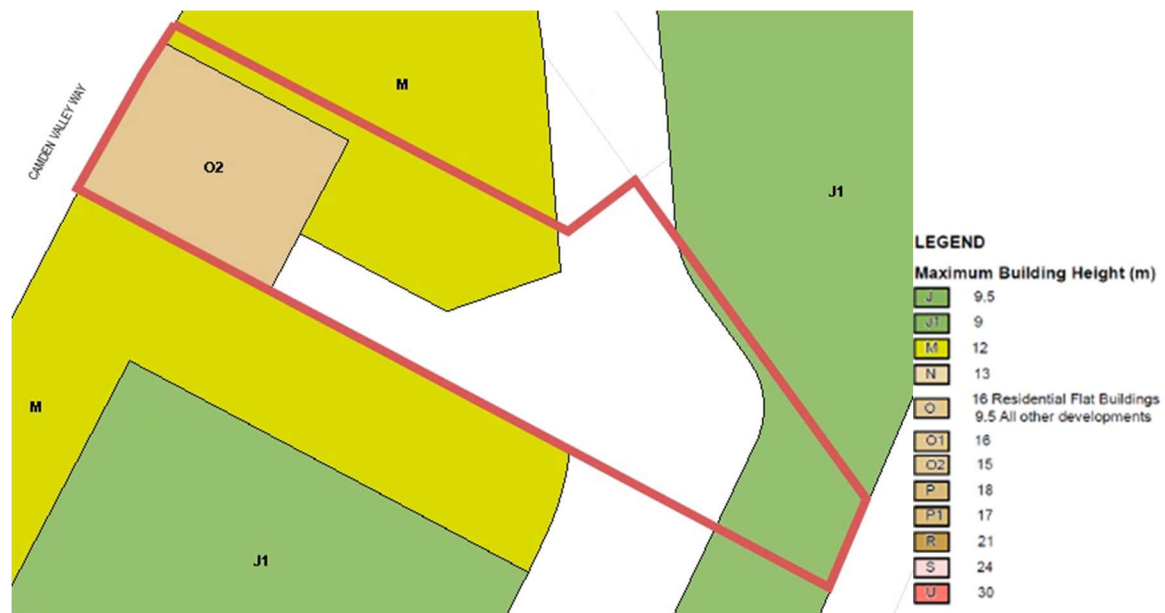


Figure 10: Existing height of building map for the subject site (highlighted)

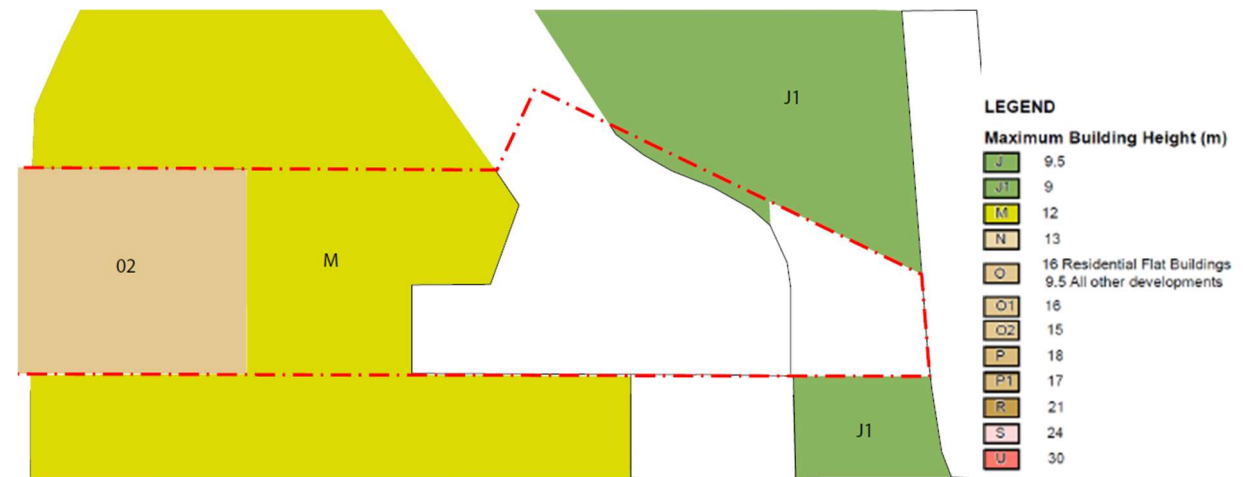


Figure 11: Proposed height of building map for the subject site (highlighted)

Land Reservation Acquisition Map

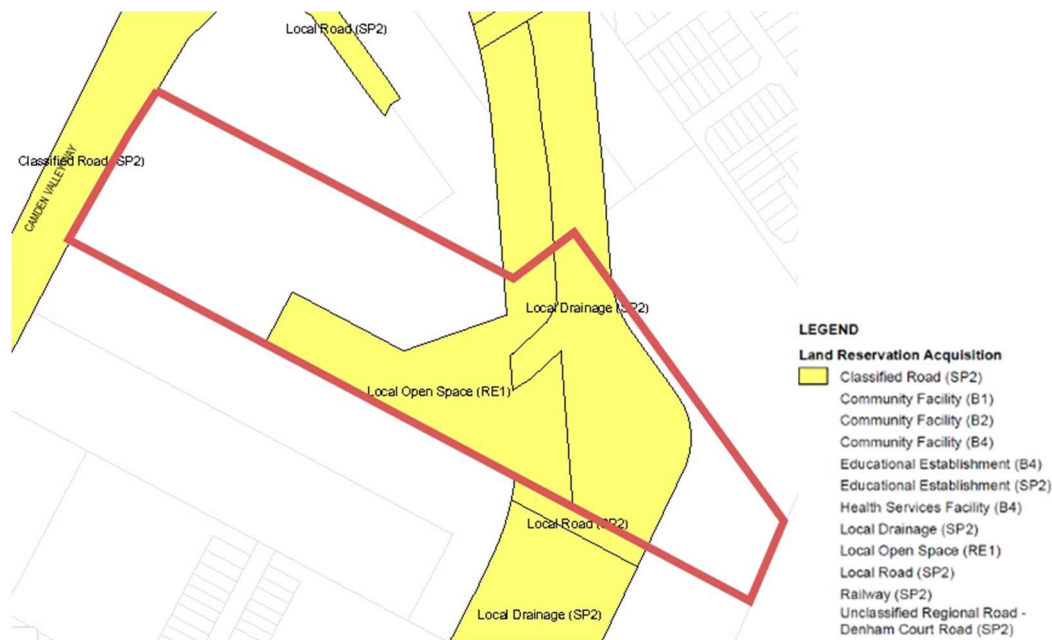


Figure 12: Existing land reservation acquisition map for the subject site (highlighted)

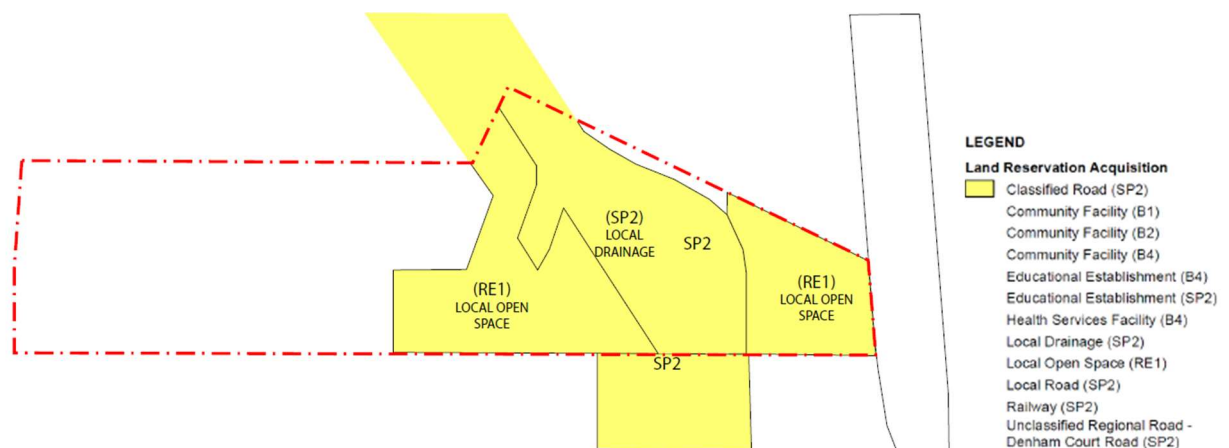


Figure 13: Proposed land reservation acquisition map for the subject site (highlighted)

Residential Density Map

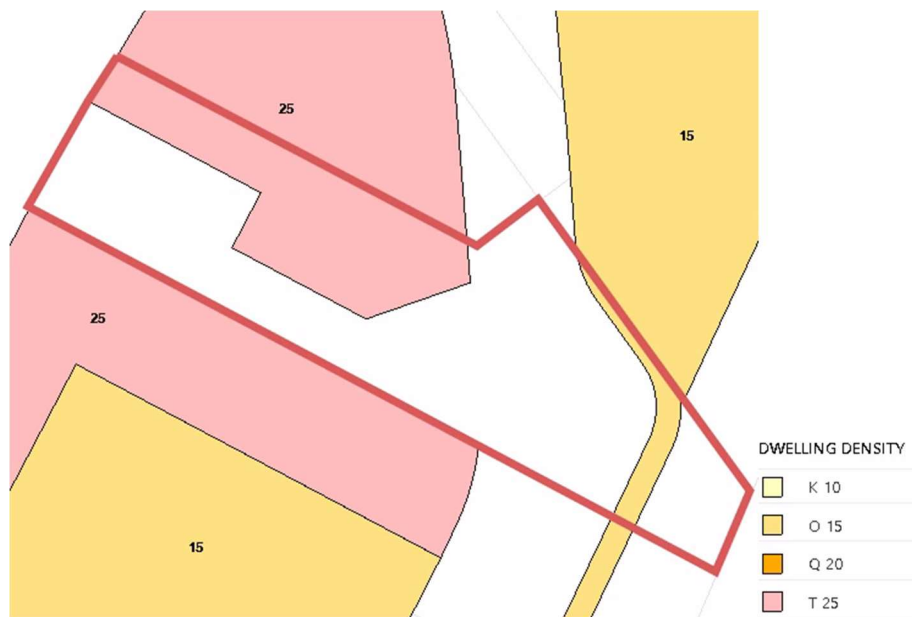


Figure 14: Existing residential density map for the subject site (highlighted)



Figure 15: Proposed residential density map for the subject site (highlighted)

Part 5 – Community Consultation

Schedule 1, Clause 4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway determination. The planning proposal will be publicly exhibited for at least 28 days in accordance with DP&E's A Guide to Preparing Local Environmental Plans. The planning proposal exhibition will also be carried out in accordance with Council's Community Participation Plan.

At a minimum, the notification of the public exhibition of the Planning proposal is expected to involve:

- Notification on the Liverpool City Council website, and
- Written correspondence to owners and occupiers of adjoining properties.

Part 6 – Project Timeline

An anticipated project timeline is shown in Table 4.

Table 4 – Anticipated Project Timeline

Timeframe	Action
November 2020	Submission of Planning Proposal to DPIE
22 December 2020	Gateway Determination issued
June 2021 – July 2021	State agency consultation
June 2021 – July 2021	Community consultation
August 2021	Consideration of submissions and proposal post-exhibition
September 2021	Post-exhibition report to Council
October 2021	Legal drafting and making of the plan

Appendices

- A. Ecological & Riparian Issues & Assessment Report
- B. Flora and Fauna Audit
- C. Flooding Advice
- D. VPA Offer Letter
- E. Review of Appropriate Floorspace Provision – East Leppington Neighbourhood Centre
- F. Urban Design Statement
- G. Social Impact Assessment Report
- H. Supplementary Economic Advice
- I. Traffic Report
- J. Gateway determination
- K. Open Space Planning Report
- L. Supplementary advice on dwelling numbers
- M. Supplementary advice on job numbers
- N. Supplementary open space and recreation advice