

planning proposal
report



4 - 8 hoxton park road
liverpool

planning proposal report



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liverpool

prepared for
Mr Hussein Chahine

prepared by

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1 executive summary

1.1 Overview

This Planning Proposal Report has been prepared on behalf of our client, Mr. Hussein Chahine. The intended outcome of the Planning Proposal is to gain support from Liverpool City Council to enable opportunities for the future redevelopment of 4-8 Hoxton Park Road, Liverpool (the Site). Specifically, it is intended to enable a mixed-use development comprising commercial premises and shop top housing.

The Site is currently zoned B6 Enterprise Corridor under the *Liverpool Local Environmental Plan 2008* (LLEP 2008). The Site is currently restricted in its ability to provide dwellings within 50m of Hoxton Park Road (Clause 7.22 of the LLEP 2008). It is also subject to a maximum permissible Floor Space Ratio of 2.5:1 and maximum permissible building height of 24 metres.

The Planning Proposal seeks to amend LLEP 2008 as follows:

- Rezone the Site from B6 Enterprise Corridor to B4 Mixed Use.
- Removal of the Site from the 'Key Site' on Key Sites Map KYS 10.
- Amend the maximum height of buildings for the Site to 50m, in accordance with the proposed mapping.
- Amend the maximum floor space ratio for the Site to 5:1, in accordance with the proposed mapping.
- Apply Clause 6.4A of the LLEP 2008 to the site, and amend the floor space ratio map to identify the site as Area 12.

Support for the intended outcome is based on the following:

- It is consistent with the vision and objectives of relevant strategic plans, including the State Government's "*A Plan for Growing Sydney*".
- It provides additional and diverse housing and commercial opportunities in a city centre location, which has quality access to retail, education and community facilities, as well as public transport services.
- It improves the integration of the Site within the key gateway sites area and surrounding Liverpool City Centre.
- It results in minimal and appropriate environmental impacts and allows a more appropriate residential/commercial interface and transition to surrounding residential areas.
- It assists in achieving Council's vision of a city centre that permits mixed uses to encourage greater levels of residential development and commercial services.

1.2 Concept Master Plan

A Concept Master Plan has been prepared by Architecture Design Studio Pty Ltd (ADS). It has been developed through a detailed Urban Design Analysis of the Site and its surrounding context. The Concept Master Plan demonstrates the ability of the Planning Proposal to accommodate a 16 storey mixed use development comprising the following:

- 790m² of commercial Gross Floor Area for uses complementary to the Site and locality.
- A variety of residential accommodation comprising 90 dwellings in a mixture of studio, one, two and three bedroom apartments.
- Vehicular access via Gillespie Street and on-site basement car parking.
- Communal open space and associated landscaping.

1.3 Planning Outcomes

The Site is considered to be suitable for a high density, mixed use development and as such, represents a strategic opportunity to:

- Contribute to the available local supply of good quality housing. The Site comprises an opportunity as a single landholding that can deliver new housing in the short term.
- Be consistent with State Government policy which supports growth within existing, well-connected, strategic centres. It provides significant additional housing opportunities in close proximity to existing facilities, services and public transport.
- Develop with acceptable traffic impacts. Existing traffic characteristics, within the local area, have been considered and addressed.
- Meet the future parking requirements of the proposal on-site within basement parking areas.
- Ensure that future development can achieve the principles and requirements of State Environmental Planning Policy No.65 and the Apartment Design Guide. The Concept Master Plan was prepared following a detailed analysis of the Site and surrounding locality.
- Maintain the residential amenity of existing properties immediately surrounding the Site.
- Support the Liverpool City Centre and its vision as a regional strategic centre by providing a higher density residential outcome that is commensurate with other key sites and gateway sites in the immediate context.
- Provide an appropriate transition in scale between the key sites area and adjacent residential zones.

In considering this Planning Proposal, it is recommended that Liverpool Council resolve to support the changes to LLEP 2008 and forward the Planning Proposal for a Gateway Determination to undertake the following:

- Rezone the Site from B6 Enterprise Corridor to B4 Mixed Use.
- Removal of the Site from the 'Key Site' on Key Sites Map KYS 10.
- Amend the maximum height of buildings for the Site to 50m, in accordance with the proposed mapping.
- Amend the maximum floor space ratio for the Site to 5:1, in accordance with the proposed mapping.
- Apply Clause 6.4A of the LLEP 2008 to the site, and amend the floor space ratio map to identify the site as Area 12.

2 introduction

2.1 The Client

This Planning Proposal report has been prepared for Mr Hussein Chahine. The Planning Proposal seeks to facilitate the development of a mixed use development comprising commercial premises and shop top housing at 4-8 Hoxton Park Road, Liverpool (the Site).

2.2 The Proposal

The intended outcome of this Planning Proposal is to gain support from Liverpool City Council to enable opportunities for the future redevelopment of the Site. Specifically, it is intended to enable a mixed-use development comprising commercial premises and shop top housing.

The Site is currently zoned B6 Enterprise Corridor under LLEP 2008 and is located within a Key Site area identified on Liverpool LEP 2008 Key Sites Map No. 10 (Refer to Figure 1). The Site is subject to a height of buildings development standard of 24m and a maximum FSR of 2.5:1.

The Planning Proposal seeks to amend LLEP 2008 as follows:

- Rezone land at 4-8 Hoxton Park Road, Liverpool from B6 Enterprise Corridor to B4 Mixed Use.
- Remove 4-8 Hoxton Park Road from the 'Key Site' on Key Sites Map KYS 10.
- Amend the maximum height of buildings for 4-8 Hoxton Park Road, Liverpool to 50m, in accordance with the proposed mapping.
- Amend the maximum floor space ratio for 4-8 Hoxton Park Road, Liverpool to 5:1, in accordance with the proposed mapping.
- Apply Clause 6.4A of the LLEP 2008 to the site, and amend the floor space ratio map to identify the site as Area 12.

The Planning Proposal is accompanied by a Concept Master Plan prepared by Architecture Design Studio (ADS) to provide a comprehensive analysis of the Site's opportunities and constraints. It is submitted as part of this Planning Proposal to inform and support the proposed amendments to LLEP 2008.

2.3 This Report

The Planning Proposal report has been prepared in accordance with:

- Section 55 of the Environmental Planning and Assessment Act 1979 (the EP&A Act)
- The relevant guidelines prepared by the then NSW Department of Planning and Infrastructure (now the DoP&E) including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.
- Related Section 117 Directions.

The Planning Proposal includes the following information:

- A description of the subject site and its context.
- Indicative site plan showing sufficient detail to indicate the effect of the proposal (Concept Master Plan prepared by ADS).
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal.
- Summary of the justification of the proposal.
- Description of the community consultation process that would be undertaken.
- Conclusion to this report.

2.4 Background

A Planning Proposal was previously submitted and adopted by Council for 311 Hume Highway, Liverpool (Local Environmental Plan 2008 (Amendment No. 60)). The Planning Proposal for 311 Hume Highway amended the relevant development controls applying to the land at 311 Hume Highway as follows:

- rezoned the site from B6 Enterprise Corridor to B4 Mixed Use;
- increased the maximum building height from 24 metres and 45 metres to 25 metres and 100 metres;
- increased the maximum floor space ratio from 2.5:1 to 6:1;
- removed the site from the Key Sites map; and
- amended Schedule 1 Additional Permitted Uses to allow residential dwellings to be provided on the ground floor on the site, subject to provisions of non-residential floor space and active street frontage.

A submission was also made on behalf of the owner of 4-8 Hoxton Park Road, to Council, during the public exhibition of the Planning Proposal for 311 Hume Highway. Consequently, the owner of 4-8 Hoxton Park Road and the Project Team met with Council on 28 July 2016 to discuss the strategic merit and opportunities for rezoning of the subject Site and its relationship to the Planning Proposal for 311

Hume Highway, Liverpool. It was agreed that there was oversight in Council not previously consulting with the owner of 4-8 Hoxton Park Road and that a Planning Proposal should be submitted for 4-8 Hoxton Park Road.

A copy of the submission regarding 311 Hume Highway is attached as **Appendix A** of this Report.

3 the land to which the planning proposal applies

3.1 Description of the Site

The Site is known as 4-8 Hoxton Park Road, Liverpool and is legally identified as Lot 1 DP 860799. It is located on the south-western side of the intersection of Hoxton Park Road and Hume Highway. The Site is rectangular, with frontages to Hoxton Park Road to the north and Gillespie Street to the West. It has a total site area of 1,680m². The Site currently accommodates a single storey warehouse with the remainder of the site as hardstand.

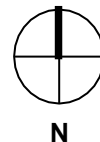
Figure 1 | Aerial view of the Site and surrounds



Source: Sixmaps 2018



The Site: 4-8 Hoxton Park Road, Liverpool



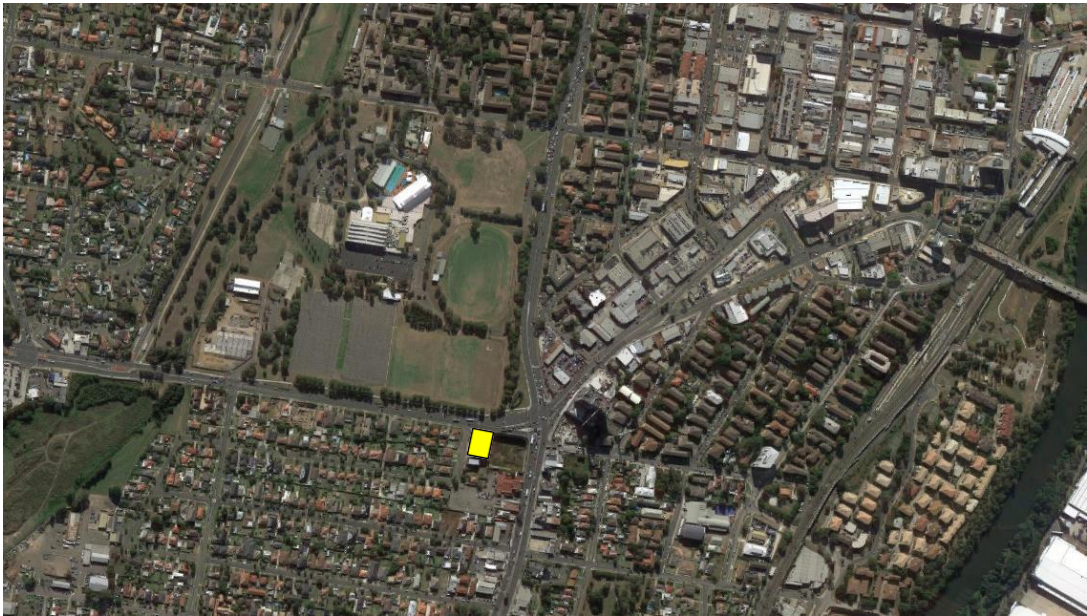
3.2 The Locality

The Site forms part of a key gateway entry to the south-western side of the Liverpool City Centre, alongside the adjoining property at 311 Hume Highway. It is located on the western boundary of Liverpool City Centre, as identified by Council. The surrounding locality is a mixture of residential, commercial and recreational uses.

To the west of the Site is predominantly low density residential however, this area has been zoned R4 High Density Residential and is therefore anticipated to change significantly in coming years. To the north is Woodward Park, comprising a series of sports fields, netball courts and open space. To the east, along Hume Highway, are a corridor of commercial uses. North east extends further into Liverpool City Centre and comprises high density residential and commercial uses. The Site is approximately 900 metres from Liverpool Railway Station and is readily accessible to key services, facilities and public transport.

The Liverpool City Centre has a multifunctional role as one of Sydney's Regional Cities and continues to grow as a major central business district to service Sydney's growing South West Region. Liverpool contains one of Sydney's major medical precincts, based around Liverpool Hospital; Liverpool Courthouse; the Liverpool TAFE; Western Sydney University and the University of Wollongong.

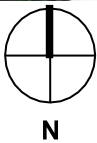
Figure 2 | Surrounding Locality



Source: Google Maps 2017



The Site: 4-8 Hoxton Park Road, Liverpool



Adjoining Sites to the East

311 Hume Highway, Liverpool

311 Hume Highway is irregular in shape and adjoins the Site along the eastern and southern (rear) boundaries. 311 Hume Highway is currently vacant but has recently been subject to an approved Planning Proposal and Development Application (DA), for a mixed use development containing a significant tower on the corner of the Hume Highway and Hoxton Park Road. Figure 3 shows an indicative image of the scale of the development. Further discussion regarding the relationship between 4-8 Hoxton Park Road and 311 Hume Highway is provided throughout this Planning Proposal Report and the Submission located at Appendix A of this Report.

Figure 3 | Approved Development at 311 Hume Highway



Source: Liverpool City Council E-Planning Website 2017

420 Macquarie Street, Liverpool

420 Macquarie Street, Liverpool is located on the diagonally opposite corner of Hume Highway to the Site. A mixed use development comprised of two significant residential towers over a podium has been approved and commenced. Figure 4 below provides an illustration of the scale of the approved development.

Figure 4 | 420 Macquarie Street



Source: Liverpool City Council assessment report 420 Macquarie Street

Adjoining Sites to the South

321 Hume Hwy, Liverpool – Collingwood Hotel

The Collingwood Hotel is located south east of the Site. It is heritage listed (Item 88) and considered of to be of local significance. The Hotel fronts Hume Highway with a large, at-grade carpark to the rear (west). The car park is accessed via Gillespie Street and Hume Highway.

8 Gillespie Street, Liverpool

8 Gillespie Street is located to the south of the Site, adjoining 311 Hume Highway. The property contains a single storey detached residential dwelling with a pitched tile roof. The property is predominantly turfed with vehicular access from Gillespie Street.

Adjoining Sites to the West

10 Hoxton Park Road, Liverpool

10 Hoxton Park Road is located to the west of the Site, on the opposite side of Gillespie Street. The property comprises a single storey detached weatherboard residential dwelling with pitched tile roofing. The property is predominantly turfed and vehicular access is from Gillespie Street.

3.3 Planning Context

Liverpool Local Environmental Plan 2008

The relevant local planning instrument applicable to the Site is Liverpool Local Environmental Plan 2008 (LLEP 2008). Table 3.1 outlines the current zoning and key built form controls relevant to the Site.

Table 3.1| Zoning and key Built Form Controls

Address	Zone	FSR	Building Height
4-8 Hoxton Park Road	B6 Enterprise Corridor	2.5:1	24m

Under LLEP 2008, the Site is identified as being zoned B6 Enterprise Corridor. The B6 zoning extends along Hume Highway to the east of the Site. 311 Hume Highway is now zoned B4, which results in the Site being the only property zoned B6 Enterprise corridor on Hoxton Park Road (excluding the Gillespie Street road reserve).

The Site currently has a maximum permissible FSR of 2.5:1 and a maximum building height of 24m. 311 Hume Highway, adjoining the Site has an approved height limit 100m, in the form of a standalone tower, forming a gateway to the Liverpool City Centre.

Properties to the west, extending along Hoxton Park Road, have a maximum FSR of 1:1 and building height of 15m.

Figure 5 | Zoning Map LZN_010 and 012 Extract from LLEP 2008



4 request to prepare a planning proposal

This section of the Planning Proposal Report has been prepared to follow the structure and format of the former NSW Department of Planning and Infrastructure's document, *A Guide to Preparing Planning Proposals* (October 2012).

Accordingly, the Proposal is discussed in the following four parts:

- Part 1: A statement of the objectives or intended outcomes
- Part 2: An explanation of the provisions that are to be included in the proposed LEP
- Part 3: The justification for the Planning Proposal and the process for the implementation
- Part 4: Details of community consultation that is to be undertaken for the Planning Proposal

Discussion for each of the above parts is outlined below.

4.1 Part 1 – Objectives and Intended Outcomes

The primary objective of the Planning Proposal is to enable the redevelopment of 4-8 Hoxton Park Road. It is intended to facilitate a more appropriate zoning, height and density for the Site, given its relationship to the recently rezoned property adjoining the Site at 311 Hume Highway, as well as the surrounding context.

Specifically, it will enable the construction of a mixed use development comprising commercial premises and shop top housing. The scale of the proposed mixed use development will provide a more appropriate transition, in terms of height and density, between the approved gateway tower at 311 Hume Highway and lower density development to the west. It will result in a high quality urban design outcome that will allow a meaningful contribution to housing targets, while also being close to employment, local services, recreational facilities and public transport.

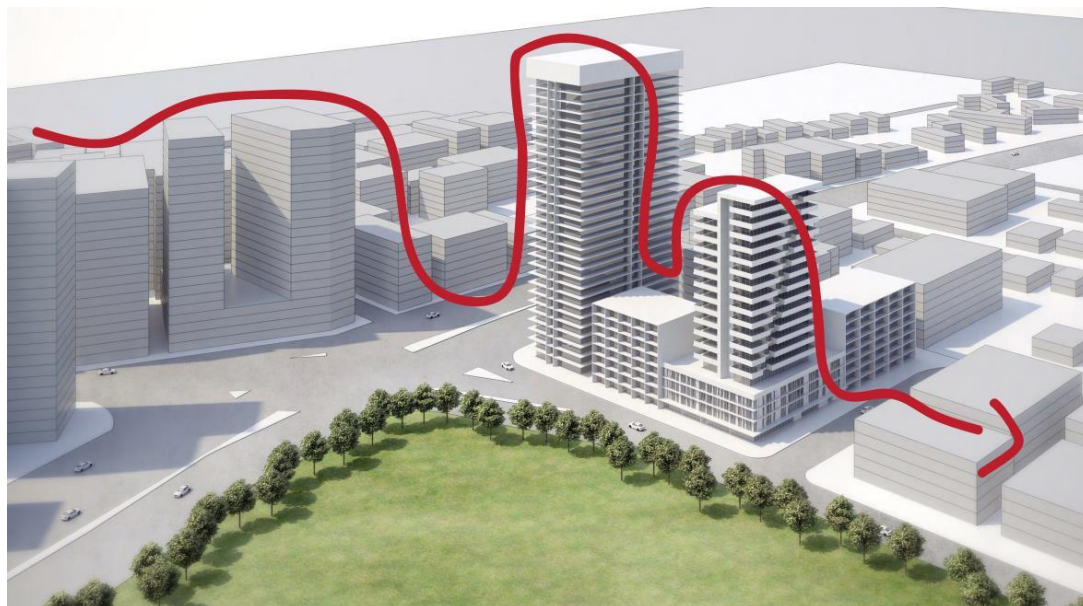
The intended outcome would enable a Development Application to be lodged for a mixed use development, consistent with the Concept Master Plan, as described below.

Concept Master Plan

A Concept Master Plan has been prepared by Architecture Design Studio (ADS) that analyses the opportunities and constraints associated with the redevelopment of the Site. The Concept Master Plan has been prepared based on the findings of an urban design analysis of the Site and its surroundings.

The Concept Master Plan helps to envisage future development on the Site and inform the most appropriate planning controls required to achieve the intended outcome for the Site.

Figure 6 | Concept Master Plan Extract



Source: Architecture Design Studio

4.2 Part 2 – Explanation of Provisions

The intended outcome of the Planning Proposal is to gain support from Liverpool City Council to enable opportunities for the future redevelopment of the 4-8 Hoxton Park Road. Specifically, it is intended to enable a mixed-use development comprising commercial premises and shop top housing.

The Site is currently zoned B6 Enterprise Corridor under LLEP 2008 and is identified as a Key Site on Liverpool LEP 2008 Key Sites Map No. 10 (Refer to Figure 1). The Site is subject to a maximum building height of 24m under Clause 4.3 of the LLEP 2008 and a maximum FSR of 2.5:1 under Clause 4.4 of the LLEP 2008.

The Planning Proposal seeks to amend LLEP 2008 as follows:

- Rezone the Site from B6 Enterprise Corridor to B4 Mixed Use.
- Remove the Site from the 'Key Site' on Key Sites Map KYS 10.
- Amend the maximum height of buildings for the Site to 50m, in accordance with the proposed mapping.
- Amend the maximum floor space ratio for the Site to 5:1, in accordance with the proposed mapping.
- Apply Clause 6.4A of the LLEP 2008 to the site, and amend the floor space ratio map to identify the site as Area 12.

Support for the intended outcome is based on the following:

- It is consistent with the vision and objectives of relevant strategic plans, including the State Government's "*A Plan for Growing Sydney*".
- It provides additional and diverse housing and commercial opportunities in a city centre location, which has quality access to retail, education and community facilities, as well as public transport services.
- It improves the integration of the Site within the key gateway sites area and surrounding Liverpool City Centre.
- It results in minimal and appropriate environmental impacts and allows a more appropriate residential/commercial interface and transition to surrounding residential areas.
- It assists in achieving Council's vision of a city centre that permits mixed uses to encourage greater levels of residential development and commercial services.

4.3 Part 3– Justification of the Proposal

This section addresses the specific questions which "*must be discussed with reasons explained*", as set out in Part 3 of the NSW Department of Planning and Infrastructure's (now the DoP&E) publication: *A Guide to Preparing Planning Proposals*. This section will review the proposed amendments to the Liverpool Local Environmental Plan 2008 and addresses specific questions outlined in the guide, which are separated into sections A to D.

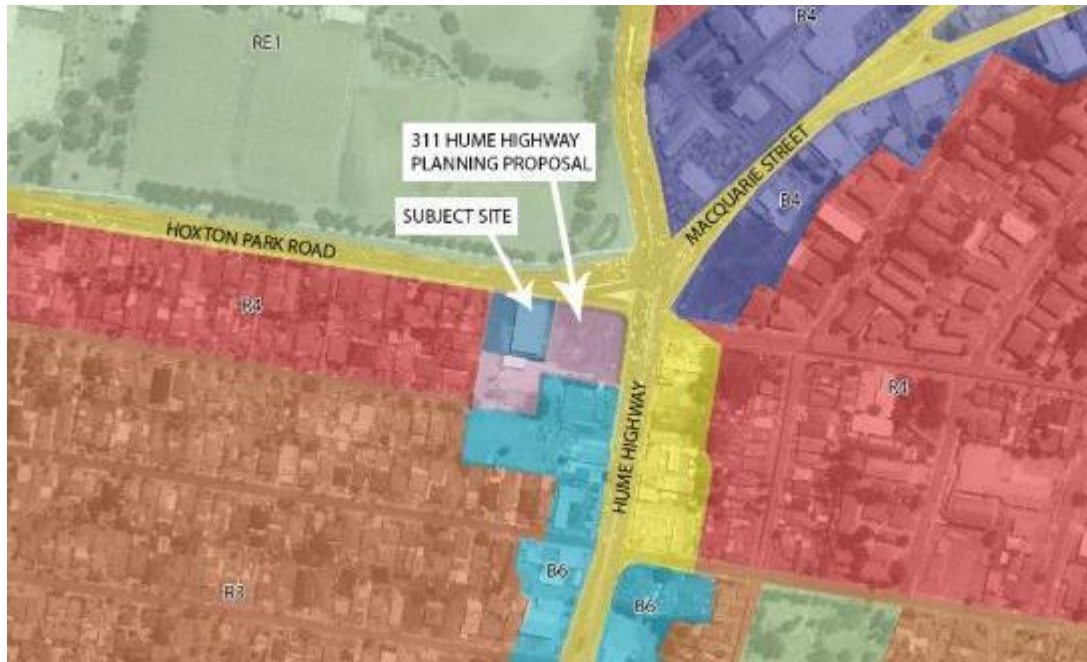
Section A – Need for the Planning Proposal

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

The Planning Proposal is not the result of a strategic study or report however, the intended outcome is consistent with the both State Government's and Council's strategic vision for Liverpool City Centre. The catalyst for the Planning Proposal is primarily the recent rezoning of the adjoining property at 311 Hume Highway. This resulted in strategic planning irregularities for 4-8 Hoxton Park Road. Specifically, it resulted in the Site being 'isolated' from the rest of the B6 Enterprise Corridor land, a redundant Key Site status and a significant difference in scale and density, notwithstanding the gateway nature of 311 Hume Highway.

This Planning Proposal seeks to rectify the zoning anomaly while also providing strong strategic and urban design grounds for a built form that allows a more gradual transition from the approved tower at 311 Hume Highway to the lesser-scaled residential buildings to the west along Hoxton Park Road.

Figure 7 | Zoning of Surrounding Locality



Source: ADS Pty Ltd

In this instance, if 4-8 Hoxton Park remains zoned *B6 Enterprise Corridor*, no dwelling would be permissible on the Site within 50m of Hoxton Park Road. It is an anomaly to allow residential dwellings along the entirety of the Hoxton Park Road frontage, with the exception of the Site. The strategic decision to originally include 4-8 Hoxton Park within the 'Key Site' Area suggests that 4-8 Hoxton Park was considered by Council to be a natural extension of 311 Hume Highway, forming part of the corridor extending south along Hume Highway and also an accepted part of the gateway corner.

While not directly the result of any strategic study or report, this Proposal is supported by a variety of strategic documents that are discussed in greater detail in Section B of this Report.

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

The Planning Proposal Report and Concept Master Plan outline the benefits associated with the proposed mixed use development on the Site. It has been prepared based on a comprehensive analysis of the Site and its context, including technical reports that address key issues, such as urban design, traffic generation and social impacts.

The amendments proposed to LLEP 2008 are considered the most appropriate way to achieve the intended outcome for the following reasons:

- A change of zoning from B6 Enterprise Corridor to B4 Mixed Use can only be undertaken through the Planning Proposal process.
- The extent of variation to current development standards to allow a maximum building height of 50m and FSR of 5:1 is best undertaken through a Planning Proposal process rather than a Clause 4.6 variation.
- To provide a detailed Urban Design Analysis that demonstrates the ability of the Site to be developed in a manner that delivers a good quality, high density, mixed use development which achieves a high level of amenity for existing and future residents.
- To avoid detrimental impacts associated with the isolation of the Site in relation to the Planning Proposal undertaken at the neighbouring property at 311 Hume Hwy, Liverpool.
- To provide an appropriate transition in scale between the neighbouring residential zones to the west of the Site into the gateway sites to the east.

To achieve this, amendments to the zoning, height limit and floor space ratio of the Site are required and a planning proposal is the best way of achieving the intended outcome.

Is there a net community benefit?

It is considered that there will be a net community benefit to the surrounding community and to the Liverpool Local Government Area in general. The net community benefits and costs associated with the Planning Proposal are discussed below. These should be read in conjunction with the other consultant reports submitted as part of this application, including the Social Impact Assessment, Traffic Report, Economic Statement and Urban Design Analysis.

Benefits

Increased housing supply

The proposed B4 zoning would facilitate a mixed use development capable of supporting reasonable additional residential land uses on the Site. The Site is serviced with all necessary public utility services including electricity, water and sewer and accordingly, there are no impediments to future residential development. The Site is not affected by constraints including flooding, bush fire, mine subsidence or acid sulfate soils and as such, is suitable for and capable of, supporting residential development. It will provide additional housing within the Liverpool City Centre in close proximity to services, facilities and high quality public transport.

Improvement to landscape and street character

The Urban Design Analysis demonstrates opportunities for significant urban design improvements, particularly at the ground floor frontage to Hoxton Park Road. These improvements will result in a more vibrant street life that is safe and activated with opportunities for passive surveillance. The proposed maximum height will assist in transitioning the built form of the area from the approved 100m tower on 311 Hume Highway to the lower scale development to the west, beyond the boundary of the City Centre.

High quality landscaping and a contemporary built form that is integrated to the surrounding locality will also improve the visual coherence and residential amenity enjoyed by both the general public and future residents alike.

Economic

The Statement from MacroPlan Dimasi on the Site's best commercial/ retail uses advises that it is more suited to a B4 zoning rather than a B6 zoning. The uses would provide additional employment and services for nearby residential areas without adverse impact on the established retail hierarchy in Liverpool.

Costs

Additional traffic

The proposed use of the Site for residential and commercial purposes, or those similarly permitted within the B4 Mixed Use zone, will likely result in additional traffic associated with future development. While there will be additional traffic, the Liverpool City Centre offers considerable advantages for major residential-based development of underutilised sites due to:

- the close proximity of primary public transport services (rail and buses), and
- the convenient proximity to employment, shopping and entertainment facilities available in the centre along with the nearby educational and hospital/medical services.

A Transport and Traffic Report prepared by GTA Consultants has been submitted in order to ascertain the viability of a proposal at the envisaged scale. It concludes that the traffic from the proposed development represents a minor overall impact that would not result in a change to the level of service.

Amenity impacts during construction

The proposed site-specific amendments to LLEP 2008, will likely result in the redevelopment of the Site, which may cause temporary amenity impacts during any construction activities, such as noise, traffic disruptions or dust.

In conclusion, the anticipated benefits associated with the Planning Proposal outweigh the costs. This is particularly the case given the costs are primarily associated with any redevelopment that would occur on the Site, regardless of the proposed changes to LLEP 2008. There is therefore a net community benefit arising from the intended outcome of this Planning Proposal.

Section B – Relationship to strategic planning framework

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

The following strategic planning considerations are applicable to the site:

- A Plan for Growing Sydney
- Draft Western City District Plan
- The Liverpool City Centre Plan (2006)
- Growing Liverpool 2023 (2013)
- Applicable Ministerial Directions (Section 117)

There is a clear alignment between high level strategic policy and the intended outcome for the Site. The redevelopment of the Site will allow a positive response to the forecasted population growth and will make a valuable contribution to the availability and mix of housing within the Liverpool LGA. These strategies are separately discussed in detail below.

A Plan for Growing Sydney

In December 2014, the NSW Government released a new framework to guide land use and planning decisions for Sydney over the next 20 years. A Plan for Growing Sydney (The Plan) supersedes the *Metropolitan Plan for Sydney 2036*. The Plan identifies that over the next 20 years, Sydney's population will grow much faster than over the preceding 20 years. The Plan projects that Sydney will need approximately 664,000 additional homes over the next 20 years.

The Plan includes the Government's vision for Sydney and the goals to achieve the vision, as outlined below.

The Government's vision for Sydney is: *a strong global city, a great place to live*. To achieve this vision, the Government has set down goals that Sydney will be:

- *a competitive economy with world-class services and transport;*
- *a city of housing choice with homes that meet our needs and lifestyles;*
- *a great place to live with communities that are strong, healthy and well connected; and*
- *a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.*

The Plan sets out actions that will assist to deliver the goals listed above. Goal 2 of The Plan addresses housing and housing choice, with the directions and actions including accelerate housing supply across Sydney; accelerate urban renewal across Sydney; providing homes closer to jobs and improving housing choice to suit different lifestyles.

Consistent with The Plan, this Planning Proposal:

- Will deliver new and more diverse housing within the short term and as such will contribute to achieving nominated housing targets and housing choice.
- Responds to a recognised need for housing in this locality.
- Will provide new homes in close proximity to existing infrastructure and services.

The proposal directly contributes to the relevant strategic goals and directions of The Plan as discussed in Table 4.1.

Table 4.1 | A Plan for Growing Sydney

Goal	Direction	Project Contribution
1. Sydney's competitive economy	1.7 Grow strategic centres – providing more jobs closer to home	<p>The Site is located within the Liverpool City Centre. It benefits from its proximity to public transport with bus stations located approximately 100m walking distance to the west and east of the Site. Liverpool Train Station is located approximately 900m to the north east of the Site. These provide direct links to other suburbs and Strategic Centres within the Western City district of Sydney and further afield.</p> <p>Increasing the population density in this highly accessible location will assist in the provision of more homes closer to jobs and services and ensure the continued strengthening of Liverpool's role as a Regional City for south west Sydney.</p>
2. Sydney's housing choices	<p>2.1 Accelerate housing supply across Sydney</p> <p>2.1.1 Accelerate housing supply and local housing choices</p> <p>2.2 Accelerate urban renewal</p>	<p>The Planning Proposal would facilitate a variety of apartment types at varying price points in line with the market demand. The Plan identifies that providing more housing and different types of housing as the population grows, can reduce the pressure on rising house prices.</p> <p>The Plan identifies that the most suitable areas for significant urban renewal are established</p>

Goal	Direction	Project Contribution
	<p>across Sydney – providing homes closer to jobs.</p> <p>2.2.2 Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres</p>	<p>and new centres; along key public transport corridors including the T5 Cumberland Line, the T2 Airport, Inner West and Southern Line, the T3 Bankstown Line and the Liverpool-Parramatta T-Way, and locations close to employment opportunities.</p> <p>The Planning Proposal expands the housing supply within walkable distance from bus routes and train lines with direct links to Strategic Centres and transport centres. This is in addition to direct links to education facilities, recreational facilities, medical services and shopping opportunities.</p> <p>The Plan also notes that all suburbs of Sydney will need additional housing over the next 20 years.</p>
	2.3 Improve housing choice to suit different needs and lifestyles	<p>The Plan states:</p> <p><i>Research indicates a current shortage of semi-detached houses across Sydney and a shortage of apartments in the middle and outer areas of the city. This is affecting the capacity of people to buy or rent a home.</i></p> <p>The Planning Proposal will deliver additional housing and an appropriate variety of housing types to assist different needs and affordability.</p> <p>The provision of additional housing within the Liverpool City Centre is consistent with The Plan's key direction of accelerating housing supply, particularly within an established centre with ready access to transport.</p>
3. Sydney's great places to live	3.1 Revitalise existing suburbs	<p>The Plan identifies that <i>focusing new housing within Sydney's established suburbs brings real benefits to communities and makes good social and economic sense.</i></p> <p>Liverpool City Centre is likely to continue to experience substantial redevelopment and renewal over the next decade, given the accessibility to transport, community, recreational facilities, educational facilities and the age of the housing stock.</p>

Goal	Direction	Project Contribution
		The Site is a large lot under single ownership within the city centre. It presents an opportunity to develop new housing in close proximity to services and facilities. In addition, the Planning Proposal facilitates the opportunity to better complement the proposed gateway tower at 311 Hume Highway and provide an appropriate transition to the lower density areas outside the city centre.
4. Sydney's sustainable and resilient environment	4.3 Manage the impacts of development on the environment	<p>The Planning Proposal defines key principles relating to land use, massing and built form, public domain and sustainability that will guide the future development of the Site and surrounding locality, taking into consideration the Site's relationship with surrounding uses.</p> <p>The proposed development concept has been designed with building massing and orientation to facilitate future BASIX and ADG compliance, which will be documented at the development application stage.</p>

Draft Greater Sydney Region Plan

The Greater Sydney Region Plan was prepared by the Greater Sydney Commission to manage growth and guide infrastructure delivery within the Sydney Region over the next 40 years. The Plan provides the vision and strategy for the region, to be implemented at a local level through District Plans.

It is currently in draft form with submissions being reviewed and in the process of being published.

Objective	Comment
7. Communities are healthy, resilient and socially connected	The proposal would encourage walkable places, close to recreational parkland and the city, with active street life and a human scale.
10 Greater housing supply	The proposal would facilitate significant additional housing than currently permissible on the Site.
11 Housing is more diverse and affordable	The proposal provides opportunities for diverse and affordable housing.

12 Great places that bring people together	The proposal would allow for an appealing public realm and proximity to recreational areas and social infrastructure.
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Subregional Strategy

“A Plan for Growing Sydney” sets priorities for each sub-regional plan. For the South West Subregion, noted as being the fastest growing subregion in Sydney, one of its priorities is to “*Accelerate housing supply, choice and affordability and build great places to live*”, particularly around established and new centres along public transport corridors.

The Planning Proposal will allow a significant number of high quality residential units to be built within the city centre; close to jobs, amenities and recreation areas that are well connected via public transport.

Furthermore, the Plan notes that the Department of Planning must *work with council to provide capacity for additional mixed use development in Liverpool including offices, retail, services and housing*. Subsequently, the Planning Proposal seeks to aid Liverpool City Council and the Department in achieving this priority by providing an additional mixed use development in a key location of the Liverpool City Centre.

Draft Western City District Plan

The draft Western City District Plan sets out the priorities and actions that will shape the District’s future and guide policy decisions, while progressing the directions of the draft Greater Sydney Region Plan. The draft District Plan notes that the District’s population will grow by over 464,000 by the year 2036, while the make-up will change as the overall population becomes older. To meet these challenges, the Draft Plan identifies that the District will need to improve housing diversity and affordability, while creating great places that respond to people’s need for services.

In this context, the Planning Proposal will assist in achieving the Draft Plan’s vision by allowing for a variety of residential dwellings to be constructed within a local centre close to jobs, services and accessible by public transport and existing road networks.

Is the Planning Proposal consistent with a council’s local strategy or other local strategic plan?

The Liverpool City Centre Plan (2006)

The Liverpool City Centre Plan (2006), prepared by Liverpool City Council and the NSW Department of Planning and Environment, seeks to create a living, mixed use city with human scale active street edges. It includes targets for 12,000 new residents and 15,000 new jobs over the next 25 years.

The Planning Proposal will assist in achieving this vision by providing a significant number of additional housing options within a mixed use development. It is in an accessible location and close to recreational, retail and educational uses. The Planning Proposal will facilitate a future mixed use development that will activate the street with commercial uses at ground level, thereby providing a human scale element to the street. The Planning Proposal enables a quality public domain, enhancing the consolidation of the Liverpool City Centre and facilitating appropriate commercial land uses.

Growing Liverpool 2023

The Growing Liverpool 2023 10-year plan has been developed to ensure Council provides the opportunity to facilitate and enhance the future strategic directions for Liverpool. It aims to deliver on specific strategic directions, as follows:

- Vibrant Prosperous City
- Liveable Safe City
- Healthy Inclusive City
- Proud Engaged City
- Natural Sustainable City
- Accessible Connected City
- Leading Proactive Council

The 10-year plan reinforces the focus of Liverpool being the regional centre for south west Sydney and nominates City Centre Revitalisation Projects to include *new gateways to the city*.

Council's vision for Liverpool City Centre seeks to create:

...a capital of the Great South West, a place where people want to work, live and enjoy and a vibrant 18-hour City Centre characterised by activity and intensity both day and night.

The Planning Proposal helps to achieve Council's vision by providing a complementary new gateway to the City Centre in the form a high quality mixed-use development that is responsive to other recent developments within the immediate locality. The proposal will provide an increase in activity in terms of street life and more opportunity for people to live, work and enjoy Liverpool City.

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

The Proposal is consistent with the relevant State Environmental Planning Policies (SEPPs) identified in Table 4.2 below.

Table 4.2| State Environmental Planning Policies

Policy	Details
SEPP 55 Remediation of Land	The potential for Site contamination arising from existing site uses will be assessed at DA stage. Potential contaminants will be appropriately managed and the Site made suitable for future residential and commercial use.
SEPP 65 Design Quality of Residential Flat Buildings	<p>SEPP 65 provides a statutory framework to guide the design quality of residential flat developments.</p> <p>The Concept Master Plan prepared by ADS Pty Ltd, has been designed to facilitate future detailed building design in accordance with SEPP 65 and the ADG. Separation distances and other amenity controls will guide the appropriate siting and design of the future buildings.</p> <p>The Planning Proposal does not hinder the ability to comply with SEPP 65 and the Apartment Design Guide.</p>
SEPP (Buildings Sustainability Index: BASIX) 2004	The BASIX SEPP requires residential development to achieve mandated levels of energy and water efficiency. The Planning Proposal will not hinder the ability to comply with BASIX at the Development Application stage.
SEPP (Infrastructure) 2007	The Infrastructure SEPP aims to facilitate the efficient delivery of infrastructure across the State. The proposed development will require existing utility services to be upgraded and/or augmented to enable the future residential population to be accommodated. These works will need to be undertaken in accordance with the provisions of the SEPP at DA stage.

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

Yes, the Planning Proposal is consistent with the applicable Ministerial Directions (Section 117 Directions). Table 4.3 provides an assessment of the Planning Proposal against the applicable Section 117 Directions. Refer to **Appendix B** for a full assessment against the Ministerial Directions.

Table 4.3| 117 Directions

Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	<p>The Planning Proposal does not reduce the opportunity for non-residential development and will include commercial space at ground level. The rezoning will be able to deliver a higher and better use on the Site than could be delivered if existing zoning is retained. Refer to the Economic Statement prepared by Macroplan Dimasi.</p> <p>The rezoning of the Site would provide new homes, jobs and investment within close proximity to the Regional Centre of Liverpool whilst also positively affecting local businesses by providing more residents who would live in the location and utilise the services provided by local business.</p>
3. Housing Infrastructure and Urban Development	
3.1 Residential Zones	<p>The Proposal will broaden the range of housing choice and the size of the Site provides ample opportunity for good urban design. The Site is located within an established area and local services such as shops, educational, community and recreational facilities and public transport are located in close proximity.</p> <p>The Planning Proposal will make efficient use of the infrastructure and services in place.</p>

Direction	Comment
3.3 Home Occupations	Dwelling houses are not proposed by the application. Notwithstanding, home occupations are permissible without consent within the B4 zone.
3.4 Integrating Land Use and Transport	<p>The proposal is consistent with the Direction for the following reasons:</p> <ul style="list-style-type: none"> ▪ The Site supports the principle of integrating land use and transport. ▪ The Site exhibits good access to public and private transportation use. ▪ The Site's proximity to public transport will provide opportunities for residents to access the site. ▪ Being located within a City Centre with access to jobs, services, housing and public transport, the Planning Proposal reduces the number of trips generated by future development on the Site.

Section C –Environmental, social and economic impact

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

The Site is located within an established urban environment and comprises land that has been previously developed. There are no known critical habitats, threatened species or ecological communities within the Site and therefore, the likelihood of any negative ecological impacts is minimal.

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

Site investigations have confirmed that the Site is free of major constraints and that there are no likely environmental effects associated with the future development of the land that cannot be suitably mitigated through further design development.

The key findings of these preliminary investigations are provided below:

- Stormwater and flooding: The Site is not flood affected.
- Contamination: The potential for site contamination arising from existing site uses will be assessed at DA stage. Potential contaminants will be appropriately managed and the Site made suitable for future residential use.
- Traffic: The transport impacts are considered to be acceptable as follows:

- The proposed development will not have unacceptable traffic implications in terms of road network capacity, and that no road improvements or upgrades would be required as a consequence of the Planning Proposal.
- The Site is in close proximity of primary public transport services (rail and buses).

Overall, it is considered that the Site will not result in any significant environmental impact that would preclude it from being rezoned and redeveloped for high density, residential use.

The Site is unconstrained and would not result in any significant environmental impacts on the locality. The Site is therefore suitable for development for high density residential purposes.

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

Social and economic effects associated with the proposed amendments to LLEP 2008 are considered to be positive given that it provides:

- Additional housing options within close proximity to public transport and strategic employment and education centres.
- An appropriate residential/commercial interface between the surrounding low density residential and commercial areas.
- Work opportunities during the construction period of any future residential development, and ongoing employment within the proposed commercial uses.
- A safe and activated street life with shop top housing that offers increased pedestrian use and opportunities for passive surveillance of the street.

A comprehensive Social Impact Assessment has been undertaken and submitted as part of this Planning Proposal. It is considered unlikely that the Planning Proposal and intended mixed use development would have a negative social or economic effects upon the locality.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The Site is well serviced by all public utility services including:

- Electricity
- Water
- Sewer
- Telephone and internet service

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

There has been no consultation with Commonwealth public authorities or State Government authorities. This consultation can be undertaken during the Planning Proposal process, once the matter has been referred for Gateway Determination.

5 community consultation

The relevant planning authority is required to consult with the community in accordance with the Gateway Determination, as required under Clause 57 of the *Environmental Planning and Assessment Act 1979*. It is expected that the Planning Proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of the NSW Department of Planning and Infrastructure (now the DoP&E) guidelines, *A Guide to Preparing Local Environmental Plans*.

The specific process of the community consultation to be undertaken will be determined by Liverpool City Council as the Relevant Planning Authority however, it is anticipated that the public exhibition would be include:

- A public notice in the local newspaper(s) for the designated period.
- Advertising of the Planning Proposal on the Liverpool City Council website.
- Written correspondence to adjoining and surrounding landowners.
- The gateway determination and Planning Proposal be publicly exhibited at Council's offices, and any other locations, considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

The Proponent would be happy to liaise further with Council to identify appropriate opportunities to further engage with the local community outside the formal public exhibition process, to provide a greater understanding of additional issues that are relevant to the local community.

6 conclusion

The Planning Proposal report has been prepared in accordance with Section 55 of the Environmental *Planning and Assessment Act 1979* and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure (now the DoP&E) including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. It sets out the justification for the proposed amendments to LLEP 2008 in relation to 4-8 Hoxton Park Road, Liverpool. The objective is to facilitate a mixed use development with an appropriate transition from 311 Hume Highway to the area beyond Liverpool City Centre to the west.

The Planning Proposal and accompanying reports have demonstrated that the proposed amendments to LLEP 2008 are the best means of facilitating an appropriate development outcome, as summarized below:

- The Planning Proposal achieves an appropriate zoning, built form and scale having regard to the size, topography and surrounding context of the Site.
- The Site presents an opportunity to provide a higher density residential outcome to support the Liverpool City Centre and its vision as a strategic centre.
- The Site is within walking and cycling distance of recreation and shops in addition to proximity to educational facilities and community facilities.
- The Proposal will enable a mixed use development providing a mix of unit sizes and types that will contribute to housing affordability and choice within the Liverpool Local Government Area.
- The intended outcome will positively contribute to the State planning strategic goals of providing housing opportunities in areas with access to existing facilities and services. Key aspects of *A Plan for Growing Sydney* emphasise the importance of concentrating future housing in centres in view of a wide range of transport, environmental, sustainability and liveability objectives.
- It will result in a net community benefit.

Overall, it is considered that the Planning Proposal is satisfactory and it is requested that Liverpool City Council take the necessary steps to enable it to proceed to Gateway Determination under Section 56 of the EP&A Act.

Appendix A

7 October 2016

Acting Chief Executive Officer
Liverpool City Council
33 Moore Street
Liverpool NSW 2170

Dear Sir,

Submission to Public Exhibition of a Planning Proposal at 311 Hume Highway, Liverpool

Introduction

This submission is prepared by Willana Associates Pty Ltd on behalf of our client, Mr Hussein Chahine. It is in relation to the Planning Proposal for rezoning of the land at 311 Hume Highway, Liverpool (*Liverpool Local Environmental Plan 2008 (Amendment No. 60)*). The Planning Proposal is currently on public exhibition. Our client's site is at 4-8 Hoxton Park Road, Liverpool.

The Current Planning Proposal for 311 Hume Highway, Liverpool

The Planning Proposal for 311 Hume Highway, which is currently on public exhibition, seeks to amend the relevant development controls applying to the land at 311 Hume Highway as follows:

- *rezone the site from B6 Enterprise Corridor to B4 Mixed Use;*
- *increase the maximum building height from 24 metres & 45 metres to 25 metres & 100 metres;*
- *increase the maximum floor space ratio from 2.5:1 to 6:1;*
- *remove the site from the Key Sites map; and*
- *amend Schedule 1 Additional Permitted Uses to allow residential dwellings to be provided on the ground floor on the site subject to provisions of non-residential floor space and active street frontage.*

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We understand that the Planning Proposal has undergone the following process before the current public exhibition:

November 2014	Pre-DA held. Rezoning recommended.
January 2015	Planning Proposal lodged.
January – September 2015	Planning Proposal considered by Liverpool Council.
September 2015 – April 2016	Gateway Determination.
April 2016 – August 2016	Completion of technical information and agency consultation.
September – October 2016	Public Exhibition.

4-8 Hoxton Park Road, Liverpool

Our client's site adjoins the Planning Proposal and is legally identified as Lot 1 DP 860799 and is known as 4-8 Hoxton Park Road, Liverpool. It is a rectangular shaped lot with frontages to Hoxton Park Road to the north and Gillespie Street to the West. It has a total site area of approximately 1,680m² and currently accommodates a single storey warehouse.

4-8 Hoxton Park Road is zoned B6 Enterprise Corridor. It has a maximum permissible floor space ratio of 2.5:1 and a maximum permissible building height of 24m. It adjoins 311 Hume Highway for the entirety of the southern and eastern boundaries.

Figure 1| The Site and the adjoining area subject to the planning proposal



Source: Sixmaps

The Site 311 Hume Highway

Background

The owner of 4-8 Hoxton Park Road and associated consultants met with Council on 28 July 2016 to discuss the strategic merit and opportunities for rezoning of the site and its relationship to the Planning Proposal for 311 Hume Highway, Liverpool.

It was agreed that there was oversight in Council not previously consulting with the owner of 4-8 Hoxton Park Road. This submission formally addresses some of the concerns discussed in the meeting and demonstrates the strategic advantages of considering the two sites together in terms of rezoning.

It is noted that, while the Planning Proposal is currently on exhibition, it is not readily accessed on Council's website unless the address is specifically searched. Further, we are informed by the client that they have not been notified of the public exhibition. It was only by calling to check the status that we have discovered it was on exhibition. This suggests a lack of consultation for what is a significant change to current built form and land use outcomes, which will have ramifications for the future of our client's site.

Strategic Context

The following outlines the implications of applicable strategic policy, as relevant to 4-8 Hoxton Park Road and 311 Hume Highway.

The Metropolitan Strategy – A Plan for Growing Sydney

The *Metropolitan Strategy – A Plan for Growing Sydney* provides a vision for Sydney that aims to achieve growth through a competitive economy with world-class services and transport; a city of housing choice with homes that meet our needs and lifestyles; a great place to live with communities that are strong, healthy and well connected; and a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

It includes the following directions of relevance:

- *Direction 1.7 (Grow strategic centres - providing more jobs closer to home),*
- *Direction 2.1 (Accelerate housing supply across Sydney),*
- *Direction 2.2 (Accelerate urban renewal across Sydney – providing homes closer to jobs)*
- *Direction 2.3 (Improve housing choice to suit different needs and lifestyles)*

At Council's Ordinary Meeting on 30 September 2015, it was resolved to prepare and exhibit the Planning Proposal for 311 Hume Highway, Liverpool. In the Planning Report to Council (DPG 02) it discusses how the Planning Proposal meets the above Directions:

The planning proposal will allow a significant number of residential units to be built within an identified strategic centre, close to jobs amenities and recreation areas. The planning proposal will also allow residential flat buildings to be constructed, which will cater to the growth in single person and smaller households in the Sydney region.

Growing Liverpool 2023

Growing Liverpool 2023 (2013) is Liverpool Council's ten-year community strategic plan for the Local Government Area. It envisages Liverpool being the regional centre for south-western Sydney and proposes new gateways to the City Centre as a means of activating the City Centre and attracting business and investment.

Liverpool City Centre Plan

The *Liverpool City Centre Plan* (2006) is Council's policy outlining the vision for the city centre's future. It anticipates that Liverpool will be the primary centre for jobs, key regional services, and cultural services with a focus on high growth industries including health, education, retail and commercial activity. It is noted that the city centre will have 15,000 new jobs and 12,000 more people within the next 25 years.

Council's resolution to adopt the Planning Proposal for 311 Hume Highway states:

The proposed rezoning will assist in achieving this vision by allowing for feasible residential dwellings to be constructed on the city's periphery, creating additional demand for retail and other services in the CBD.

Our client's Site, at 4-8 Hoxton Park Road, is also included within the Liverpool City Centre boundary. Its location at the intersection of Hoxton Park Road and Hume Highway provides a strong strategic argument for a similar outcome to be realised as that of the adjoining property at 311 Hume Highway. 311 Hume Highway comprises two rectangular parcels of land, which surround 4-8 Hoxton Park Road.

In this context, it is most appropriate to review the planning controls for 4-8 Hoxton Park Road and 311 Hume Highway in a more holistic manner.

Figure 2| 4-8 Hoxton Park Road within City Centre boundary



Source: Liverpool City Centre Plan

Consideration of the current Planning Proposal

The following provides comment on the public exhibition of the Planning Proposal and associated Development Application for 311 Hume Highway.

Concern is raised regarding the lack of consideration of the impacts to 4-8 Hoxton Park Road and the inconsistencies that result should the Planning Proposal in its current form be adopted.

Zone Isolation

The Planning Proposal seeks to rezone the land at 311 Hume Highway from *B6 Enterprise Corridor* to *B4 Mixed Use*. This will enable the provision of employment floor space as well as residential accommodation.

Clause 7.22 Development in Zone B6 of Liverpool LEP 2008 states:

Except as provided by subclause (4), development consent must not be granted to development for the purposes of a dwelling unless the dwelling is at least 50 metres from any boundary of the land that adjoins a classified road.

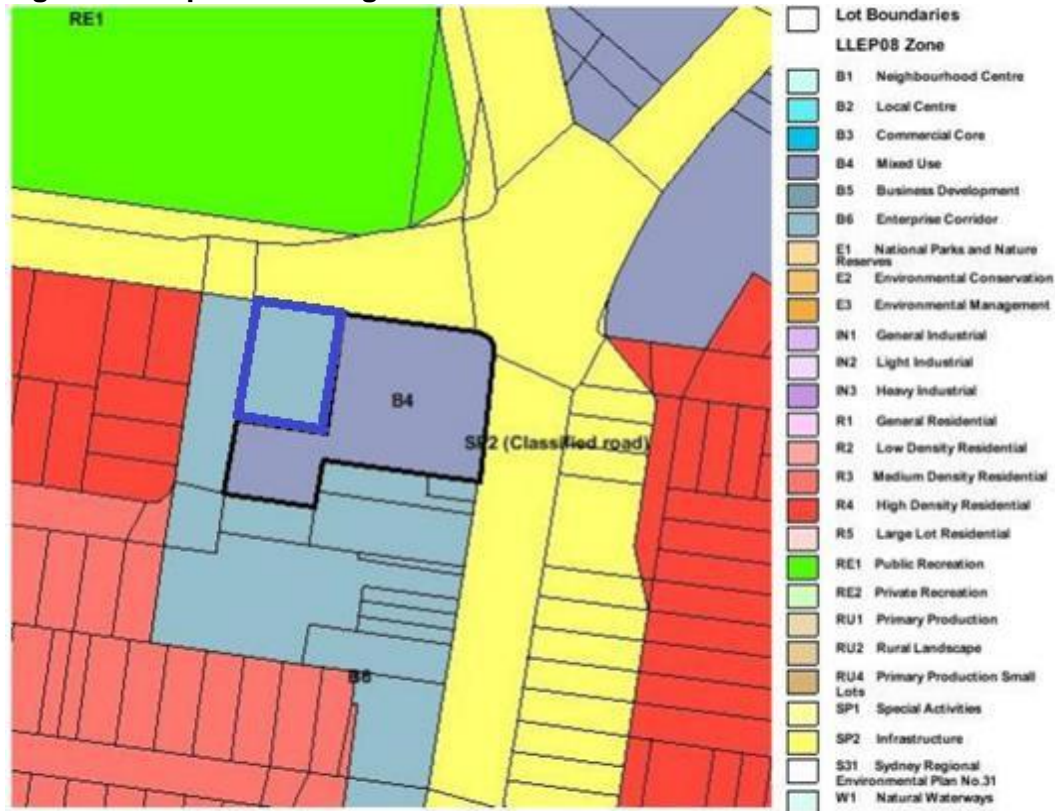
The proposed rezoning of 311 Hume Highway from B6 Enterprise Corridor to B4 Mixed Use, would result in the isolation of 4-8 Hoxton Park Road as the sole property of B6 Zoned land fronting Hoxton Park Road. There would be R4 High Density Residential to the west and B4 Mixed Use to the east (Refer to Figure 3).

In this instance, if 4-8 Hoxton Park remains zoned *B6 Enterprise Corridor*, no dwelling would be permissible on that site within 50m of Hoxton Park Road. It is an anomaly to allow residential dwellings along the entirety of the Hoxton Park Road frontage with the exception of our client's site. It would result in an inconsistent zoning pattern that provides three different permissible outcomes and zoning objectives fronting Hoxton Park Road in close proximity.

Retaining 4-8 Hoxton Park Road as a single property zoned *B6 Enterprise Corridor* does not reflect the meaning or intent of an 'enterprise corridor'. In this instance, the 'enterprise corridor' extends to the south along Hume Highway, not further west along Hoxton Park Road. 4-8 Hoxton Park Road will be physically detached from the actual enterprise corridor.

The previous strategic decision to include 4-8 Hoxton Park within the *B6 Enterprise Corridor* Zoning suggests that 4-8 Hoxton Park was considered by Council to be a natural extension of 311 Hume Highway. This is further evidenced in the inclusion of 4-8 Hoxton Park within the Key Site area, which only relates to development fronting Hume Highway, as discussed below.

Figure 3: Proposed Zoning outcome



Source: Extract from exhibited planning proposal

Key Site Controls

Both 311 Hume Highway and 4-8 Hoxton Park Road are currently located within a Key Site area identified on Liverpool LEP 2008 Key Sites Map No. 10 (Refer to Figure 4).

Figure 4| Key Sites Map



Source: Extract from Key Sites Map

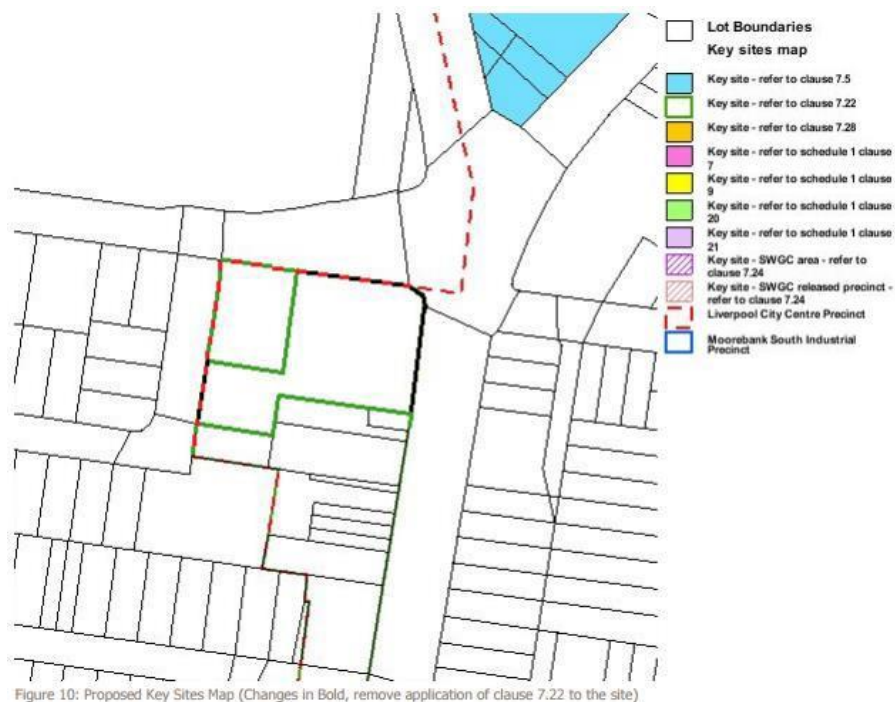
The Key Site is currently applicable to 4-8 Hoxton Park Road, 311 Hume Highway and adjoining properties extending south along Hume Highway. The sole implication of identifying this area as a Key Site appears to be that Clause 7.22(4) of Liverpool LEP 2008 applies.

Clause 7.22 (4) states:

Development consent must not be granted to development for the purposes of a dwelling on land shown edged heavy green on the Key Sites Map and that adjoins the Hume Highway or Elizabeth Drive unless the dwelling is at least 8 metres from any boundary of the land that adjoins either of those roads.

The Planning Proposal seeks the removal of the Key Site status applying to 311 Hume Highway. It is currently proposed that the Key Site status would still be applicable to 4-8 Hoxton Park Road, as shown in Figure 5.

Figure 5| Proposed Key Sites outcome



Source: Extract from exhibited planning proposal

4-8 Hoxton Park Road does not adjoin Hume Highway or Elizabeth Drive and therefore Clause 7.22(4) has no effect on it. It is therefore redundant to retain 4-8 Hoxton Park Road as a 'Key Site' should 311 Hume Highway be removed from the Key Sites Map as proposed. The strategic decision to include 4-8 Hoxton Park within the Key Site Area suggests that 4-8 Hoxton Park was considered by Council to be a natural extension of 311 Hume Highway.

Retaining the Key Site status for 4-8 Hoxton Park Road would be a poor outcome as Clause 7.22 would not apply to the Site and it would be an isolated 'Key Site' of no relevance.

Design Concept

DA 896/2015 has been concurrently lodged with the Planning Proposal for 311 Hume Highway. The proposed design for 311 Hume Highway is for:

A Mixed use development comprising three separate buildings built over a basement accessed from Gillespie Street. The three buildings comprise a 31 storey tower accommodating 240 residential units and 2 retail units (located on the ground floor of the tower building) and 2 x 8 storey residential flat buildings accommodating a total of 67 residential units. Car parking, site works, infrastructure works and landscaping is also proposed.

Figure 6| Photomontage of proposal at 311 Hume Highway



Source: Extract from exhibited planning proposal

The Planning Proposal includes an indicative concept for 311 Hume Highway and 4-8 Hoxton Park Road as a whole as shown in Figure 6. Two buildings of up to eight levels are shown on 4-8 Hoxton Park Road. Our client has not been a party to any discussions or agreement in relation to the future built form at 4-8 Hoxton Park Road.

Figure 7| Indicative built form layout

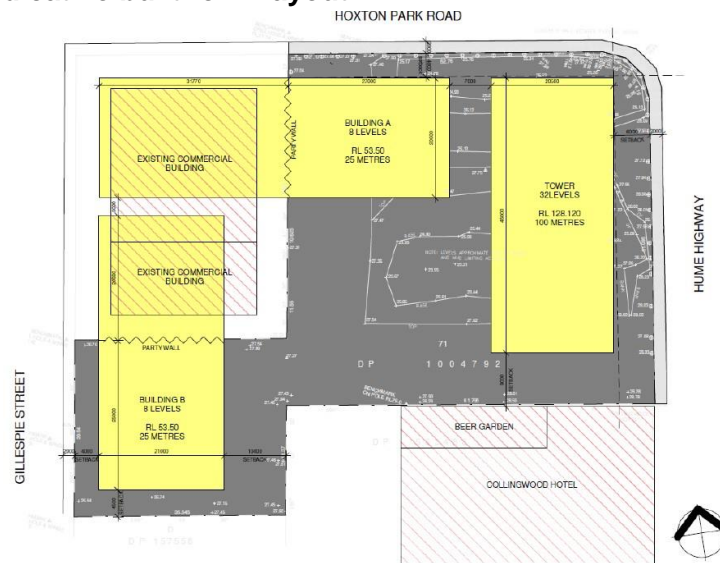
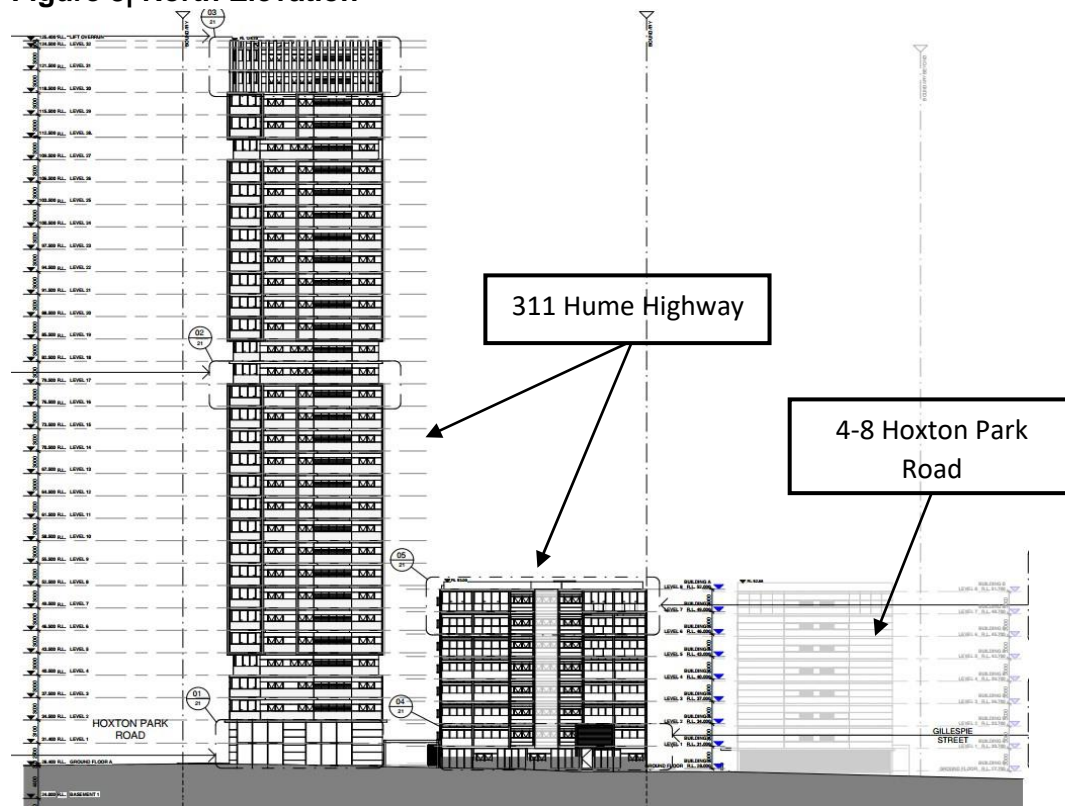


Figure 14: Indicative concept built form layout and setbacks (Source: Urban Design Report, DWA)

Source: Extract from exhibited planning proposal

Figure 7 indicates a perimeter building on 4-8 Hoxton Park Road that reflects the built form outcome on 311 Hume Highway. The above concept is adopted within the DA lodged for 311 Hume Highway, with eight storey buildings abutting 4-8 Hoxton Park Road with a zero setback, as shown in Figure 8.

Figure 8| North Elevation



Source: Extract from exhibited DA – SJB Architects

The indicative built form layout as shown in Figures 6 and 7 is not supported for the following reasons:

The indicative concept in the Planning Proposal cannot be achieved on 4-8 Hoxton Park Road under the current applicable development standards

Under the Planning Proposal, the development standards applying to 311 Hume Highway will greatly differ to 4-8 Hoxton Park Road. The indicative eight storey building with the designated site coverage on 4-8 Hoxton Park Road would require a significantly greater Floor Space Ratio than 2.5:1 to be permissible on the Site.

This demonstrates that the built form outcome for 311 Hume Highway and 4-8 Hoxton Park Road has not been reasonably considered in a holistic manner.

Residential dwellings will remain prohibited on 4-8 Hoxton Park Road

The Planning Proposal would rezone 311 Hume Highway to B4 Mixed Use, which would allow residential dwellings to be built along the Hoxton Park Road frontage. 4-8 Hoxton Park Road is zoned B6 Enterprise Corridor and cannot develop residential dwellings within 50m of Hoxton Park Road. Future development of the two sites, in accordance with the indicative built form layout, would result in a continual perimeter building that is part residential (311 Hume Highway) and part commercial (4-8 Hoxton Park Road). A more considered approach to the built form and land use outcomes for the Hoxton Park Road Frontage between Hume Highway and Gillespie Street needs to be applied by Council and the Department of Planning and Environment in its consideration of the current Planning Proposal.

The proposed design results in poor planning outcomes for 4-8 Hoxton Park Road and the surrounding area

The design for 311 Hume Highway proposes a single thin tower of 31 storeys extending along the Hume Highway frontage. An eight storey tower is located on the Hoxton Park Road frontage. The proposed design is questioned in terms of its compatibility with surrounding sites in terms of scale and function for the following reasons:

The Indicated built form restricts development of 4-8 Hoxton Park Road

The proposed design results in zero setbacks to the eastern and southern boundaries of 4-8 Hoxton Park Road. Our client has not been consulted on this approach and the reliance on shared party walls restricts the design options available to our client. Issues of open space and amenity impacts between the two proposed buildings on 4-8 Hoxton Park road are not addressed.

4-8 Hoxton Park not privy to Common Open Space of 311 Hume Highway

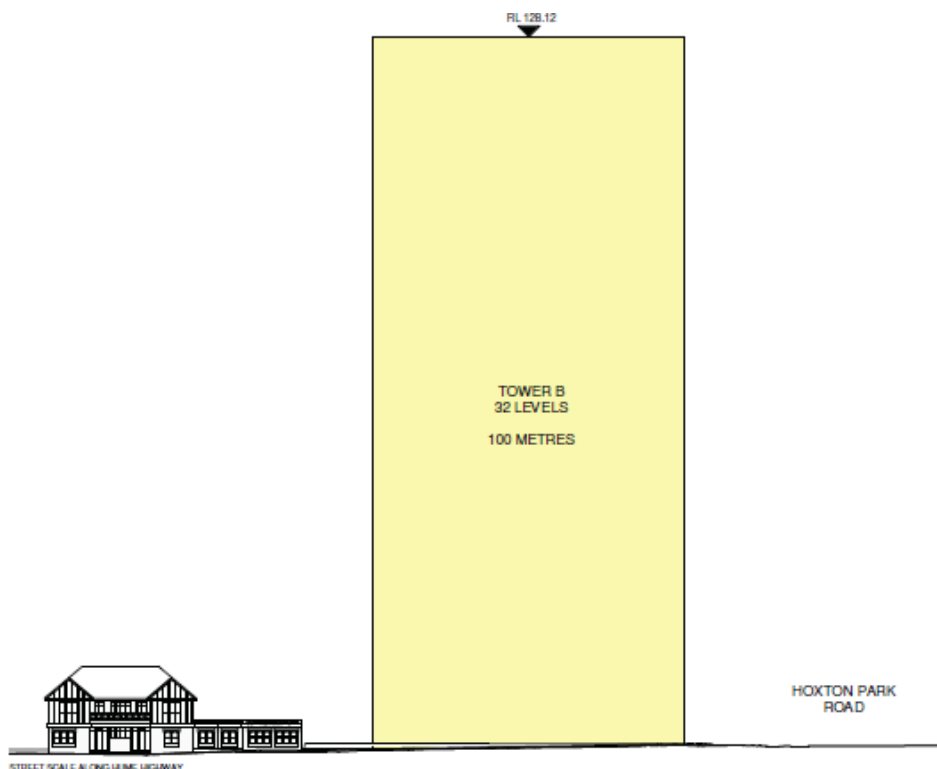
The indicative built form layout demonstrated in Figure 7 shows a perimeter building along Hoxton Park Road across 311 Hume Highway and 4-8 Hoxton Park Road. Unless the two sites are developed as one, 4-8 Hoxton Park Road is not privy to the communal open space on 311 Hume Highway. Residents or workers

on 4-8 Hoxton Park would not be able to rely on the open space provided at 311 Hume Highway. This means the current indicated built form layout cannot function unless the proposed open space is readily accessible for both sites.

Proposed corner tower form does not relate to surrounding character or adjacent Gateway developments

Regardless of the status of 311 Hume Highway as a 'gateway' site, the currently proposed built form results in a stark variation in height and bulk over a very short distance. The scale of the single tower is incongruous due to its proximity to heritage listed Collingwood Hotel to the south and adjoining eight storey developments and lower residential built form to the west. This lack of transition results in an incompatible scale with the surrounding area as shown in Figure 8.

Figure 8| Proposed built envelope from Hume Highway



Source: Extract from exhibited planning proposal - DWA

Overshadowing of proposed communal open space

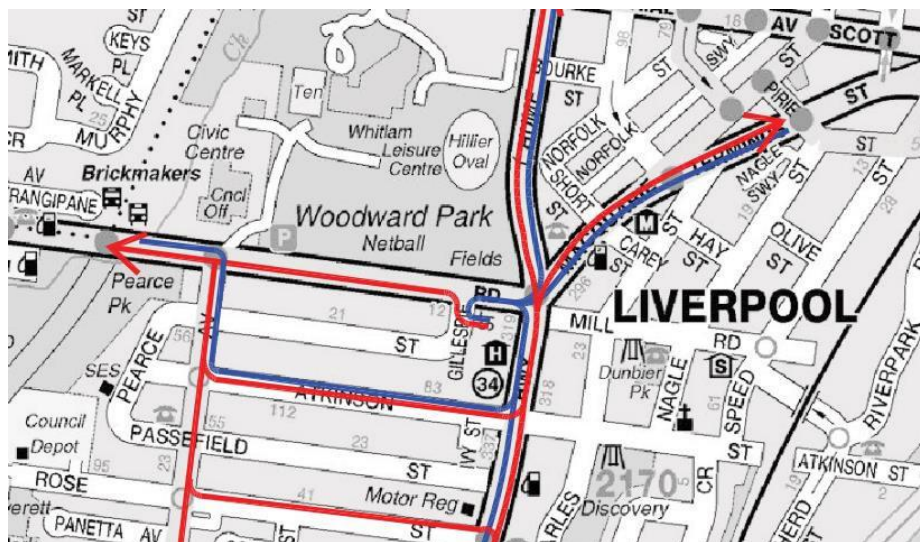
The Urban Design Report accompanying the Planning Proposal demonstrates the overshadowing impacts of the design. It shows that the proposed communal open space for 311 Hume Highway would have minimal solar access for the entirety of the day, particularly if 4-8 Hoxton Park were to be developed as envisaged in the indicative built form layout shown in Figure 7.

Traffic

Our client's Site adjoins 311 Hume Highway on its eastern and southern boundaries. Access to 311 Hume Highway is proposed from Gillespie street, which means that all traffic will access 311 Hume Highway from Hoxton Park Road, onto Gillespie Street. Any future development of 4-8 Hoxton Park Road is likely to require access from Gillespie Street as well.

With left in, left out access there may be significant cumulative impact to 4-8 Hoxton Park Road should the R4 Zone to the west also be developed in the future to the applicable development standards. An increase in density as is proposed for 311 Hume Highway needs to consider the direct impacts on our client's Site and surrounds in terms of the capacity to develop in the future without being hindered by traffic capacity being taken up by one development or issues with access.

Figure 10| Extract from exhibited Traffic Statement



Source: Extract from exhibited planning proposal - TTPA

Conclusion

This submission relates to the public exhibition of a Planning Proposal for 311 Hume Highway, Liverpool. It has been prepared on behalf of our client, Mr Hussein Chahine, the owner of the adjacent property at 4-8 Hoxton Park Road, Liverpool.

The Planning Proposal for 311 Hume Highway, Liverpool is not supported due to the lack of strategic assessment undertaken for the relationship between 4-8 Hoxton Park Road and 311 Hume Highway.

Specifically, the following aspects are not supported:

- The rezoning of 311 Hume Highway to B4 Mixed Use while retaining 4-8 Hoxton Park Road as B6 Enterprise Corridor.
- The removal of the Key Site status from 311 Hume Highway while retaining the Key Site status for 4-8 Hoxton Park Road.

- The poor planning outcomes as a consequence of the indicative built form envelope. These include:
 - overshadowing of the communal open space.
 - a restriction on development options for 4-8 Hoxton Park Road.
 - the incompatible scale and lack of transition from the proposed 100 metre tower to surrounding development to the west and south.
 - Lack of access to communal open space for 4-8 Hoxton Park Road.
- The lack of assessment of traffic and access implications to 4-8 Hoxton Park Road with regard to the use of Gillespie Street and the cumulative impact of traffic on the viability of future development.

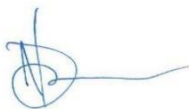
It is requested that Council:

- Comprehensively review the future land use and urban design for 311 Hume Highway and 4-8 Hoxton Park Road in a holistic manner. Explore the design opportunities for better planning outcomes, in terms of scale, transition, street activation, overshadowing, amenity, access and connectivity, that result from 311 Hume Highway and 4-8 Hoxton Park Road being considered as a gateway site in its entirety.
- Initiate rezoning land at 4-8 Hoxton Park Road from B6 Enterprise Corridor to B4 Mixed Use.
- Initiate the removal of 4-8 Hoxton Park Road from the 'Key Site' area.
- Initiate an amendment to Liverpool Local Environmental Plan 2008 to provide a consistent Floor Space Ratio across 311 Hume Highway and 4—8 Hoxton Park Road.
- Review the traffic and access implications to 4-8 Hoxton Park Road with regard to the viability of future development.

We seek Council's consideration of the property at 4-8 Hoxton Park Road in relation to the current Planning Proposal for the rezoning of 311 Hume Highway, Liverpool. Should you require any additional information relating to this matter, please do not hesitate to contact us on 9399 6500.

Yours sincerely

Willana Associates Pty Ltd



Nicholas Dowman
Senior Project Planner

Appendix B

Appendix B - Section 117 Ministerial Directions Compliance Table

S117 Direction Title	Consistency	Comment
1. Employment and Resources		
1.1 Business and Industrial Zones	Yes	Refer to Table 3 in Section B of the Planning Proposal
1.2 Rural Zones	Yes	The Planning Proposal does not affect rural zoned land.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	The Planning Proposal does not have the effect of prohibiting mining or restrict the potential development of resources. The site is within an established urban area.
1.4 Oyster Aquaculture	N/A	This Direction does not apply to the Liverpool LGA.
1.5 Rural Lands	N/A	This Direction does not apply to the Liverpool LGA.
2. Environment and Heritage		
2.1 Environment Protection Zones	Yes	The site of the Planning Proposal is not within an environment protection zone or land identified for environment protection purposes.
2.2 Coastal Protection	N/A	This Direction does not apply to the Liverpool LGA.
2.3 Heritage Conservation	Yes	The LLEP contains heritage clauses. The Planning Proposal does not affect these clauses.
2.4 Recreation Vehicle Areas	Yes	The Planning Proposal does not impact on environmental protection zones nor involve recreation vehicle use.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	This Direction does not apply to the Liverpool LGA.
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	Refer to Table 3 in Section B of the Planning Proposal
3.2 Caravan Parks and Manufactured Home Estates	Yes	The Planning Proposal does not involve caravan parks or manufactured home estates.
3.3 Home Occupations	Yes	The Direction applies to home occupations in dwellings. The proposed amendments will allow a range of residential dwelling types. Home occupations are also identified as Exempt Development in SEPP (Exempt and Complying Development Codes) 2008 in certain circumstances.
3.4 Integrating Land Use and Transport	Yes	Refer to Table 3 in Section B of the Planning Proposal

S117 Direction Title	Consistency	Comment
3.5 Development Near Licensed Aerodromes	Yes	The Planning Proposal does not create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.
3.6 Shooting Ranges	Yes	The Planning proposal does not affect, create, alter or remove a zone or a provision relating to land adjacent to and/or adjoining an existing shooting range.
4. Hazard and Risk		
4.1 Acid Sulfate Soils	Yes	The site is not identified in LLEP as containing acid sulphate soils.
4.2 Mine Subsidence and Unstable Land	N/A	This Direction does not apply to the site.
4.3 Flood Prone Land	Yes	The site is not identified as being flood prone according to Council's maps.
4.4 Planning for Bushfire Protection	Yes	The site is not identified as being bushfire prone on the Council's Bushfire Prone Lands Map.
5. Regional Planning		
5.1 Implementation of Regional Strategies	N/A	The Direction does not apply to land in the South West Subregion or the Sydney Metropolitan Area.
5.2 Sydney Drinking Water Catchments	N/A	This Direction does not apply to the Liverpool LGA.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	This Direction does not apply to the Liverpool LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	This Direction does not apply to the Liverpool LGA.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	N/A	Revoked
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	N/A	Revoked
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	N/A	Revoked
5.8 Second Sydney Airport: Badgerys Creek	Yes	This Direction does not apply to the Liverpool LGA.
5.9 North West Rail Link Corridor Strategy	N/A	This Direction does not apply to the Liverpool LGA.
5.10 Implementation of Regional Plans	Yes	This Direction does not apply to the Liverpool LGA.

S117 Direction Title	Consistency	Comment
6. Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.3 Site Specific Provisions	Yes	<p>The Planning Proposal does not place unnecessarily restrictive site-specific planning controls on the Site. It will allow specific residential land uses (Residential flat building and multi dwelling housing) and commercial uses while remaining consistent with the B4 Zone objectives.</p> <p>The Planning Proposal does not contain or refer to drawings that show details of the development proposal.</p>
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	Yes	The Site is located broadly in the South West Subregion. An increase in residential density in this location will increase housing supply in proximity to bus services.
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	This Direction does not apply to the Liverpool LGA.
7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A	This Direction does not apply to the Liverpool LGA.

Appendix C

Appendix C – Indicative Project Timeline (to be approved by Council)

Planning Proposal Stage	Timeline
Planning Proposal is submitted to the Liverpool Council.	January 2018
Assessment of Planning Proposal by Council and provision of comments.	February 2017
Lodgement of Amended Planning Proposal preparation of report to a Council Meeting	March 2018 – April 2018
Anticipated Commencement Date (date of Gateway Determination).	May 2018
Anticipated timeframe for completion of required technical information.	June - August 2018
Commencement and completion dates for public exhibition period.	August – September 2018
Timeframe for Government Agency consultation.	August – September 2018
Timeframe for consideration of a proposal post exhibition.	October – November 2018
Council Meeting.	December 2018
Submission to the Department to finalise the LEP.	January 2019

Appendix D



Zone B4



FSR Area 12 - 5:1



HOB 50m



Key Sites Liverpool City Centre