

**LIVERPOOL CITY COUNCIL  
LOCAL PLANNING PANEL REPORT**

**29 MAY2019**

<b>Item no:</b>	(Leave blank)
<b>Application Number:</b>	RZ-4/2019
<b>Proposal:</b>	Planning proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to allow car parking as a land use permitted with consent at Collimore Park.
<b>Property Address</b>	Collimore Park, Moore St, Collimore Ave and Elizabeth Drive, Liverpool
<b>Legal Description:</b>	Lot 1 DP 1089398 Lot 2 DP 1089398 Lot 400 DP 1185131 Lot 7009 DP 1027995 The previous creek corridor that traverses through the centre of the site
<b>Recommendation:</b>	Proceed to gateway review
<b>Assessing Officer:</b>	Luke Oste, Strategic Planner

## **1. EXECUTIVE SUMMARY**

The planning proposal amends Schedule 1 of LLEP 2008 to permit car parking as an additional permitted use with development consent at the subject site. The planning proposal has strategic and site specific merit. It is recommended that the planning proposal be submitted to the Department of Planning & Environment for a Gateway determination.

Collimore Park currently contains an expansive at-grade public car park that was constructed in 2011 as exempt development under State Environmental Planning Policy (Infrastructure) 2007. The site is currently zoned RE1 – Public Recreation and SP2 – Infrastructure (Electricity Transmission) under the *Liverpool Local Environmental Plan 2008* (LLEP 2008). Car parking is not a permissible landuse within these existing zones under the LEP.

Council prepared the *Liverpool City Centre Traffic Study 2017* and a subsequent draft scoping and implementation plan for a new car park at Collimore Park in 2017. This secondary scoping and implementation plan was considered at Council's ordinary meeting of 13 December 2017, where Council resolved:

*That Council:*

- 1. Notes the draft scoping and implementation plan;*
- 2. Directs the CEO to immediately allocate funding for design investigation for a multideck car park at the existing Collimore Car Park in the 2017/2018 budget;*
- 3. Continues to work with the RMS and TfNSW for design investigations, and upgrade of Hume Highway/Hoxton Park Road/Macquarie Street intersection, whilst seeking the support of the Member for Liverpool & Member for Holsworthy to lobby their respective parties;*

4. *Continues representations to the State Government to improve regional traffic and transport infrastructure, parking and services in and around the Liverpool City Centre; and*
5. *Move the construction of Collimore Park parking station to the 0-5 year category.*

The planning proposal has been drafted (see **Attachment 1**) as required by the above Council resolution, specifically point 2 and 5 (see **Attachment 2**). This planning proposal represents the first step in facilitating the future construction of a multi-storey car park on the site by enabling car parking as a permitted landuse on the site under the LLEP 2008. It is envisioned that the future development would be located where the existing car park is located, while retaining the valuable recreation infrastructure present within Collimore Park.

In accordance with the requirements of Section 2.19(1)(b) of the *Environmental Planning and Assessment Act 1979*, this proposal has been submitted to the Liverpool Local Planning Panel for advice.

## **2. SITE DESCRIPTION AND LOCALITY**

### **The Site**



Figure 1 Location of subject site outlined in red (Nearmap 2019)

The subject site is Collimore Park and is legally identified as follows:



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- Lot 1 DP 1089398;
- Lot 2 DP 1089398;
- Lot 400 DP 1185131;
- Lot 7009 DP 1027995; and
- The previous creek corridor that traverses through the centre of the site.

The total area of the subject site is approximately 38,500m<sup>2</sup>. The site is bound by Elizabeth Drive to the north, Collimore Avenue to the east, Moore Street to the south, and Brickmakers Creek to the west. The site currently contains the following:

- Outdoor Futsal Soccer field;
- Basketball courts;
- Children's play equipment;
- At-grade public carpark;
- Public, outdoor gym equipment; and
- Brickmakers Creek running along the western edge of the site.

The site is currently zoned RE1 – Public Recreation and SP2 – Infrastructure (Electricity Transmission). Refer to Figure 2 below for the zoning map extract of the subject site.



Figure 2 Zoning Map Extract from LLEP 2008 (subject site outlined in black)

### **The Locality**

The subject site is located on the western edge of the Liverpool CBD. Adjoining the site to the north is Elizabeth Drive and Waddell Brothers Park, with some low density residential dwellings located to the north-east. To the east of Collimore Avenue are a variety of low and medium density residential developments ranging from single storey dwellings to three storey residential flat buildings. A larger residential area is located to the south of Moore Street consisting of a variety of 3-4 storey residential flat buildings. Finally, Brickmakers Creek runs along the western edge of the site, with further low and medium density residential developments located to the west ranging between one and two storeys in height.

### **3. DETAILS OF THE PROPOSAL**

At its ordinary meeting of 13 December 2017, Council resolved:

*That Council:*

1. *Notes the draft scoping and implementation plan;*
2. ***Directs the CEO to immediately allocate funding for design investigation for a multideck car park at the existing Collimore Car Park in the 2017/2018 budget;***
3. *Continues to work with the RMS and TfNSW for design investigations, and upgrade of Hume Highway/Hoxton Park Road/Macquarie Street intersection, whilst seeking the support of the Member for Liverpool & Member for Holsworthy to lobby their respective parties;*
4. *Continues representations to the State Government to improve regional traffic and transport infrastructure, parking and services in and around the Liverpool City Centre; and*
5. ***Move the construction of Collimore Park parking station to the 0-5 year category.***

The planning proposal has been drafted as required by the above Council resolution, specifically point 2 and 5 (see **Attachment 1**).

### **The Proposal**

The planning proposal amends Schedule 1 of LLEP 2008 to permit car parking as an additional permitted use with development consent at the subject site to facilitate the future development of a multi-storey car park where the existing commuter car park is located currently.

### **4. CONSIDERATIONS FOR STRATEGIC MERIT**

The Department's *A guide to preparing planning proposals* includes the following questions to justify the proposal (Section A, Q1 – 3).

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

No. The planning proposal is not the result of an endorsed local strategic planning statement, strategic study or report. However, it is the result of the Transport Strategy for

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Liverpool City Centre prepared for Council by GTA Consultants in 2017 and the *Liverpool City Centre Traffic Study 2017 – Draft Implementation Plan*.

Whilst the study and plan have not been endorsed by the Department of Planning & Environment, they have demonstrated the need for additional car parking provision within the Liverpool CBD. Both the study and the plan identify the expansion of Collimore Car Park as a recommended improvement.

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

Yes. A planning proposal seeking car parking as an additional permitted use on the subject site is the most appropriate method of achieving Council's objective of providing an enlarged commuter car park on the site.

The Department's *A guide to preparing planning proposals* includes the following question to delineate consistency with the NSW strategic planning framework (Section B, Q3).

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)?*

The planning proposal will give effect to the Greater Sydney Region Plan *A Metropolis of Three Cities*, particularly Objective 12: Great places that bring people together; and Objective 22: Investment and business activity in centres. Refer to the table below for an assessment against these identified objectives.

Objective	Strategy	Assessment
<b>Objective 12:</b> Great places that bring people together	<b>Strategy 12.2</b> In Collaboration Areas, Planned Precincts and planning for centres: <ul style="list-style-type: none"><li>Investigate opportunities for precinct-based provision of adaptable car parking and infrastructure in lieu of private provision of car parking;</li><li>Ensure parking availability takes into account the level of access by public transport;</li><li>Consider the capacity for places to change and evolve, and accommodate diverse activities over time; and</li><li>Incorporate facilities to encourage the use of car sharing, electric and hybrid vehicles including charging stations.</li></ul>	The proposed amendment to permit car parking as an additional permitted use aligns with this strategy in providing public parking at a precinct scale. This public parking provision will be located on a central and accessible site that is serviced by public transport as well as a free shuttle bus for CBD workers. In regard to the adaptability and use of facilities such as charging stations, these elements could be included as part of a future development, however this will need to be considered at the Development Application stage.
<b>Objective 22:</b> Investment and business	<b>Strategy 22.1</b> Provide access centres by:	A future design for a multi-level car park as facilitated by this planning proposal that is outside

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activity in centres	<ul style="list-style-type: none"> <li>▪ Designing parking that can be adapted to future uses.</li> </ul>	the core CBD area will reduce the need for parking within the CBD core. This has the potential to free up space for other commercial developments and improvements to the public domain.
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The proposal also references the *Western City District Plan* (WCDP) Planning Priority W9: growing and strengthening the metropolitan cluster. Refer to the assessment in the table below.

Objective	Strategy	Assessment
<b>W9:</b> Growing and strengthening the metropolitan cluster	<p><b>Action 42</b> In addition to the Collaboration Area process outlined above, carry out the following:</p> <ul style="list-style-type: none"> <li>▪ protect and develop the commercial core</li> <li>▪ improve and coordinate transport and other infrastructure to support jobs growth</li> <li>▪ improve public domain including tree-lined, comfortable open spaces and outdoor dining</li> <li>▪ improve connectivity and links to the Georges River and prioritise pedestrian, cycle and public transport facilities</li> </ul>	Collimore Park provides an accessible and well-serviced site that adjoins the CBD of Liverpool. Car parking on this site ensures that parking infrastructure is reduced within the commercial core of Liverpool, improves the coordinated transport of the CBD at a precinct level and contributes to an improved public domain within the CBD due to the reduction in car parking infrastructure.

The Department's *A guide to preparing planning proposals* includes the following question to delineate consistency with the NSW strategic planning framework (Section B, Q4).

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

## Liverpool Community Strategic Plan – Our Home, Liverpool 2027

The proposal to enable car parking on the site aligns with Liverpool's Community Strategic Plan (CSP) – Our Home, Liverpool 2027, which states:

- Direction 3: Generating Opportunity
  - Council will: Advocate for, and develop, transport networks to create an accessible city.

The proposal will improve transport networks in relation to Liverpool's CBD, providing an accessible and well-serviced public car park that can contribute to the function and growth of Liverpool's commercial core.

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Section 9.1 Directions

The planning proposal addresses the following directions, pursuant to Section 9.1 of the EP&A Act 1979:

Section 9.1 Direction	Complies	Justification
<b>Environment and Heritage</b>		
2.1 Environment Protection Zones	Yes	The Brickmakers Creek riparian corridor that traverses the western boundary of the site is identified as Environmentally Sensitive Land. The proposed amendments will not reduce the environmental protection standards that apply to the land. The protection of this riparian corridor will be further ensured by provisions within the <i>Water Management Act 2000</i> that controls and limits development within 40m of the bank of the creek.
<b>Housing, Infrastructure and Urban Development</b>		
3.4 Integrating Land Use and Transport	Yes	The proposal seeks to facilitate a public car park development within the subject site. The site is serviced by public transport in the form of a bus route to enable access to the Liverpool city centre as well as other surrounding suburbs.
<b>Hazard and Risk</b>		
4.3 Flood Prone Land	No	<p>The subject site is identified as within the flood planning area and having medium to low flood risk. The location of the existing car park area is identified as low flood risk, and this is considered acceptable for a public car park development. It is deemed that this inconsistency is of minor significance. Furthermore, additional flood investigations will be undertaken if a Gateway determination is issued for the proposal.</p> <p>Council will ensure that the future development of the land is consistent with the principles of the Floodplain Development Manual 2005 and the relevant provisions of the LLEP 2008 and LDCP 2008.</p>
<b>Regional Planning</b>		
5.10 Implementation of Regional Plans	Yes	Consistency with <i>A Metropolis of Three Cities</i> is outlined in section 2 above.

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<b>Local Plan Making</b>		
6.1 Approval and Referral Requirements	Yes	The planning proposal does not contain provisions which require concurrence, consultation or referral to any minister or public authority and does not identify development as designated development.
6.3 Site Specific Provisions	Yes	<p>The proposal seeks to allow the car parking use to be carried out in the existing RE1 – Public Recreation and SP2 – Infrastructure zones applying to the site through a site specific schedule 1 amendment.</p> <p>No drawings or details are provided within this planning proposal detailing a possible future development proposal.</p>
<b>Metropolitan Planning</b>		
7.1 Implementation of A Plan for Growing Sydney	Yes	The proposal seeks to facilitate car parking on the subject site and is therefore consistent with <i>Direction 1.4: Transform the productivity of Western Sydney through growth and investment, Direction 1.9: Support priority economic sectors, and Direction 1.10: Plan for education and health services to meet Sydney's growing needs.</i>

Liverpool Local Environmental Plan (LLEP) 2008

The planning proposal addresses some of the aims of the LLEP 2008, being:

*(a) to encourage a range of housing, employment, recreation and services to meet the needs of existing and future residents of Liverpool,*

*(d) to strengthen the regional position of the Liverpool city centre as the service and employment centre for Sydney's south west region,*

*(f) to promote the efficient and equitable provision of public services, infrastructure and amenities.*

The zoning is to remain unchanged for the subject site. The objectives of the RE1 – Public Recreation zone are as follows:

- To enable land to be used for public open space or recreational purposes.*
- To provide a range of recreational settings and activities and compatible land uses.*
- To protect and enhance the natural environment for recreational purposes.*
- To provide sufficient and equitable distribution of public open space to meet the needs of residents.*



- *To ensure the suitable preservation and maintenance of environmentally significant or environmentally sensitive land.*

The objectives of the SP2 – Infrastructure zone are as follows:

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

The proposal aims to enable car parking as a permissible use with consent within these existing zones. A future multi-level car park will help to improve and consolidate the existing car parking infrastructure on the site, whilst respecting the public recreation infrastructure and the Brickmakers Creek corridor. The intended future use of a portion of the site for public car parking allows for the community use of the site to continue as it supports the residents and visitors of Liverpool within and around the CBD.

## **5. CONSIDERATIONS FOR SITE SPECIFIC MERIT**

The Department's *A guide to preparing planning proposals* includes the following site-specific merit questions (Section B, Q3b).

*Does the proposal have site-specific merit, having regard to the following:*

- *the natural environment (including known significant environmental values, resources or hazards) and*
- *the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and*
- *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.*

The subject site currently contains an expansive at-grade car park that was converted from netball courts. The proposal to permit car parking as an additional permitted use will allow for a future multi-storey public car park to be developed on the subject site. The Brickmakers Creek corridor that runs along the western edge of the site will remain protected, with any future works being required to comply with the *Water Management Act 2000* and be assessed as part of a Development Application. Furthermore, it is considered that the existing RE1 – Public Recreation zoning that is to remain will help to provide further protective measures in ensuring the natural elements of the site are protected and enhanced.

In terms of the existing use of the site, the current public car park use is considered appropriate. The characteristics of the site, its location in respect to the local road network and Liverpool CBD, and the public transport that services the site all contribute to the ongoing and potential future function of the car park.

The Department's *A guide to preparing planning proposals* includes the following questions regarding State Environmental Planning Policies (Section B, Q5).

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*5. Is the planning proposal consistent with applicable State Environmental Planning Policies?*

<b>State Environmental Planning Policy</b>	<b>Consistency</b>
State Environmental Planning Policy No 55—Remediation of Land	Yes – given the site is currently developed as a public car park, and recreational park and has been used for recreational purposes historically, no contamination is predicted to be present on the subject site.
State Environmental Planning Policy (Infrastructure) 2007	Yes. The scale of the development would not trigger a referral to the RMS pursuant to clause 104.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes.
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes
Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment	Yes

The Department's *A guide to preparing planning proposals* (Section B) includes the following questions for consideration:

<i>Question</i>	<i>Comment</i>
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 will not impact critical habitat or threatened species, populations or ecological communities, or their habitats due to an absence of such environmental constraints within the site and in close proximity to the site.
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 site has been developed as a car park, and a recreational public park. Any proposed multi-storey car park would be located where the existing at-grade parking is, and be limited in terms of its scale appropriately through the existing planning provisions that apply to the site, including the RE1 – Public Recreation zoning that is to remain.

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9. Has the planning proposal adequately addressed any social and economic effects?	Social impacts directly related to the proposed amendment would be minimal.  Should the proposal proceed, a site specific traffic impact assessment and flood report would need to be prepared subsequent to the issuing of a Gateway determination.
10. Is there adequate public infrastructure for the planning proposal?	Yes, the site is fully serviced with access to bus services, including a free commuter shuttle bus service to and from the Liverpool CBD.
11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway Determination?	The views of state and Commonwealth public authorities will occur during consultation in accordance with the requirements of a Gateway determination issued for the proposal.

**Next Steps**

Following a review of the planning proposal by the Local Planning Panel, the usual process for planning proposals, is for Council officers to finalise the proposal detailing the proposed changes to LLEP 2008 (this report). The Planning Proposal would then be reported to Council for endorsement and subsequently forwarded to the Department of Planning and Environment seeking a Gateway determination.

Following a Gateway determination, in support of the Planning Proposal, there would be public authority and community consultation, a public exhibition period and a further report to Council prior to proceeding with the making of any amendment to LLEP 2008.

**6. CONCLUSION**

It is recommended that the planning proposal proceeds to a gateway determination as the proposal has demonstrated strategic and site specific merit and is consistent with the resolution of Council.

**7. ATTACHMENTS**

- 1. Planning Proposal**
- 2. Council Resolution**
- 3. Plan of Management**