

Greater Sydney, Place and Infrastructure

IRF20/5975

Report in support of the Alteration of Gateway determination

LGA	Liverpool City
PPA	Liverpool City Council
NAME	Planning proposal to rezone land and amend development controls for 60-80 Southern Cross Avenue and 45-66 Hall Circuit, Middleton Grange
NUMBER	PP_2020_LPOOL_009_00 (supersedes PP_2016_LPOOL_003_03)
LEP TO BE AMENDED	Liverpool LEP 2008
ADDRESS	60-80 Southern Cross Avenue and 45-66 Hall Circuit, Middleton Grange
DESCRIPTION	Lots 2, 3, 4, 5, and 6 in DP 1207518; Lot 1 in DP 1078564; Lot 12 in DP 1108343; and Lot 102 in DP 1128111
RECEIVED	7 December 2020
FILE NO.	IRF20/5975
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

1. Purpose of the planning proposal

The planning proposal (Attachment A) applies to land at 60-80 Southern Cross Avenue and 45-66 Hall Circuit, Middleton Grange (Figure 1) and aims to:

- Amend the internal zoning boundaries of R1 General Residential and B2 Local Centre;
- Increase the floor space ratio (FSR) from part 0.65:1 and part 1.5:1 to part 1:1 and part 2.3:1 (with approximately 70% total gross floor area increase);
- Increase the maximum building height from part 8.5m, part 12m and part 18m to part 9.5m, part 14m, part 20m and part 29m;
- Amend the land acquisition map to reflect the new location of RE1 Public Recreation zoned land with approximately 2,000m² in size; and
- Include “restaurant or café” as an additional permitted use in the R1 zone;

The proposal seeks to facilitate the redevelopment of the Middleton Grange Town Centre with the potential to deliver 671 additional homes and a mix of uses, including retail, commercial (including medical centre), community facility, open space and associated road and infrastructure upgrades.



Figure 1: Subject site outlined in red.

2. Proposal Background

Gateway determination was issued on 15 August 2016 and determined that the proposal should proceed subject to conditions. The Gateway determination has been previously altered on several occasions. **Table 1** outlines the dates and reasons for changes.

Date of Alteration	Reason
6 July 2018	To require completion of LEP by 22 February 2019.
18 February 2020	To require completion of LEP by 30 June 2020.
24 August 2020	To require completion of LEP by 31 December 2020.

3. Public Exhibition

As required by the Gateway determination, the original planning proposal was placed on public exhibition from 29 August to 26 October 2018.

The key concerns raised during community consultation relate to:

- The maximum heights being proposed
- The amount of apartments
- The amount of open space
- The lack of investment in public infrastructure over a number of years in Middleton Grange and the impact that the development may have on the road network
- Erroneous claim that the proposal was to mainly a social housing development.

The current revised planning proposal (October 2019) was further exhibited from 13 November 2019 until Wednesday 11 December 2019. A total of 240 “verifiable submissions” were received and one petition in support of the proposal.

Detailed submissions were received on behalf of the owners of Carnes Hill shopping centre raising the following: the retail and economic impact, social impacts, traffic and transport impacts and urban design impacts.

Three state agencies (Transport for NSW, NSW Environment Energy and Science and Department of Education) provided comments to the proposal. The issues raised by the state agencies are capable to be addressed further at the development application phase, and no outstanding agency objection is identified concerning the progression of the proposal.

4. Post exhibition

Since the community consultation in 2019, Council has engaged independent planning consultant, Hill PDA, to assess the subject planning proposal. The proponent has provided additional information, concerning economics and traffic impacts, to Hill PDA to facilitate its assessment.

In November 2020, Hill PDA, Council's planning consultant, completed its independent assessment of the subject proposal, recommending a few key changes to the proposal, in particularly capping the development density. The recommendations focuses on the desired planning mechanisms to achieve the intended outcomes as outlined in the proposal.

In December 2020, Council has since referred the planning proposal, Council's independent assessment and supporting information to the Department for feedback, with a view to report this matter to Council early 2021.

5. Alteration of Gateway determination

The Department acknowledges additional time is required to allow the proponent to respond to the recommendations in the HillPDA report, and for Council to consider the proponent's response in relation to the findings of the HillPDA report.

The Department has also considered the ongoing delays to the finalisation of this planning proposal and notes the original Gateway determination as extended has almost lapsed. The Department is required to improve processing times for planning proposals to reduce uncertainty for the community. The Department has altered the Gateway determination to ensure the proposal is forwarded to the Department for finalisation by 30 April 2021. The LEP is to be finalised by 30 June 2021.

Adrian Hohenzollern
Director, Western
Central River City and Western Parkland City