

**ADVICE ON PLANNING PROPOSALS
LIVERPOOL LOCAL PLANNING PANEL**

31 May 2021

Held online via MS Teams

Panel: Michael Mantei (Chair)
Jason Perica Expert
Fiona Gainsford Expert
Daryl Hawker Community Rep

There were no conflicts of interest declared by any panel members in relation to any items on the agenda.

ITEM No:	1
APPLICATION NUMBER:	RZ-3/2021
SUBJECT:	Planning proposal to amend Clause 7.17A of the Liverpool Local Environmental Plan 2008. Including updating the Key Sites Map in accordance with Liverpool Hospital submitted maps.
LOCATION:	Various
OWNER:	Various
RECOMMENDATION:	Proceed to Gateway
AUTHOR:	Murray Wilson, Principal Strategic Planner

ADVICE OF THE PANEL

The Panel has reviewed the Council officers' report on the proposal to amend clause 7.17A and update the Key Sites Map of the *Liverpool Local Environmental Plan 2008* ("LLEP2008"), as outlined in the Planning Proposal justification report dated 21 May 2021. The Panel was assisted in its review of the proposal by Luke Oste and Murray Wilson from Council's strategic planning department.

The panel provides the following advice on the Planning Proposal:

- a. Clause 7.17A of LLEP 2008 need only apply to the helicopter flight path as it affects land within the City Centre to the west and to the outer edge of the 40 metre HOB area to the east (as beyond this there is no likely impacts due to the existing height limits).
- b. If the map is amended in the manner described above, there is no need to amend the words of clause 7.17A of LLEP 2008 as it currently exists.
- c. Council officers should consult with the NSW Health including NSW Health Infrastructure to ensure that the amended flight path takes into account likely future development within the Liverpool Hospital precinct.
- d. Council officers should consider whether complying development should be excluded on land affected by the flight path, and if so whether any associated amendments are desirable or necessary to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

The panel otherwise supports the planning proposal proceeding to gateway for the reasons outlined in the Council officers report.

VOTING NUMBERS:

4 – 0 in favour

Liverpool Local Planning Panel Report

Application Number:	RZ-3/2021
Proposal:	Planning proposal to amend Clause 7.17A of the Liverpool Local Environmental Plan 2008. Including updating the Key Sites Map in accordance with Liverpool Hospital submitted maps.
Property Address	Various sites
Legal Description:	Various sites
Recommendation:	Proceed to Gateway determination
Assessing Officer:	Murray Wilson, Principal Strategic Planner

1. EXECUTIVE SUMMARY

At Council's ordinary meeting on 28 April 2021, it was resolved that Council:

1. *Directs the CEO to prepare a planning proposal to amend the Liverpool Local Environmental Plan 2008 to align with Attachment 1.*
2. *Note that the Planning Proposal will be sent to the Liverpool Local Planning Panel for comment.*
3. *Receives a further report noting the advice from the Liverpool Local Planning Panel.*

In accordance with the above resolution and report (**Attachment 1**), Council requests the Local Planning Panel (LPP) provide comments on the proposed amendment to the Liverpool Local Environmental Plan 2008 (LLEP 2008) (**Attachment 2**). Any comments received will be reported to the next available Council meeting. In particular, we would like comment on whether Clause 7.17A should only apply to the Liverpool City Centre.

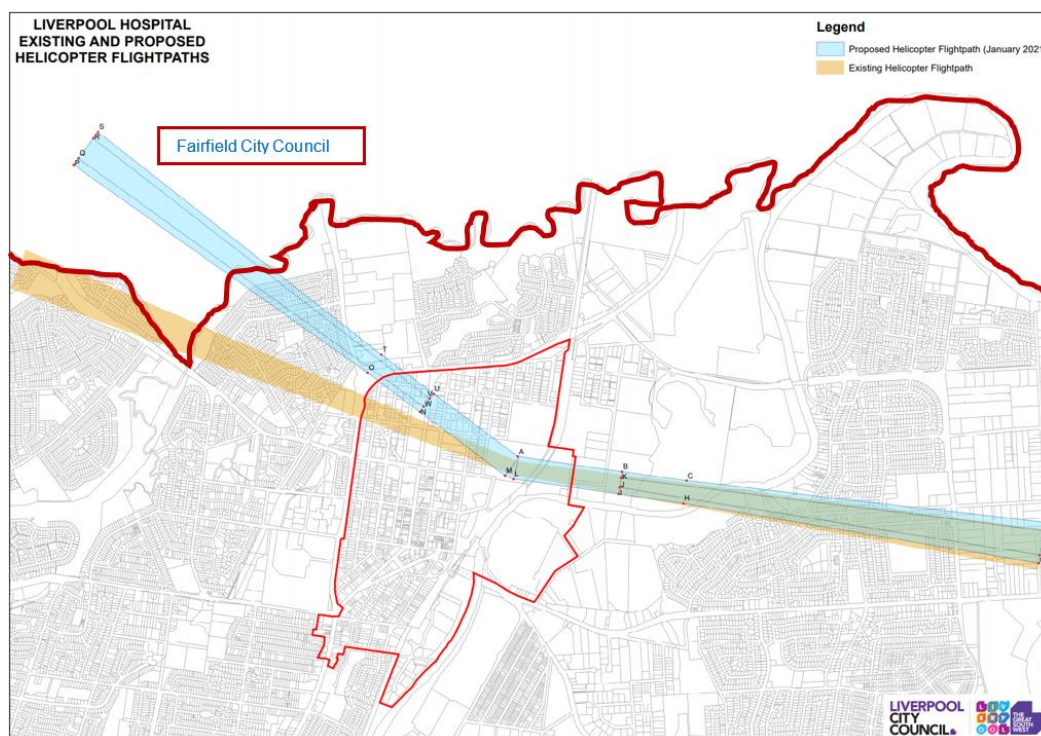


Figure 1: Location of existing and proposed Helicopter Flights Paths (rising from Liverpool Hospital's HLS)

2. BACKGROUND

HFPs are protected through Clause 7.17A of the Liverpool Local Environmental Plan 2008 (LLEP 2008) to ensure the safe and effective operation of the helicopter ambulance service is maintained. To ensure the LLEP 2008 remains up-to-date and current, an amendment is required to reflect the realigned HFPs.

This planning proposal seeks to amend Clause 7.17A of the LLEP 2008 and update the Key Sites Map in accordance with the updated flight paths as provided by Liverpool Hospital (**Attachment 3**).

Council officers have undertaken an assessment of the realigned HFP which identified that the changes will have a minor impact on properties within the Liverpool City Centre.

The assessment also found that the redevelopment of properties outside the Liverpool City Centre will have minimal to no impact on the HFPs (Figure 2) given the height of the HFPs and height limits applying to these properties. The planning proposal will recommend that Clause 7.17A be amended to only apply to development within the Liverpool City Centre.

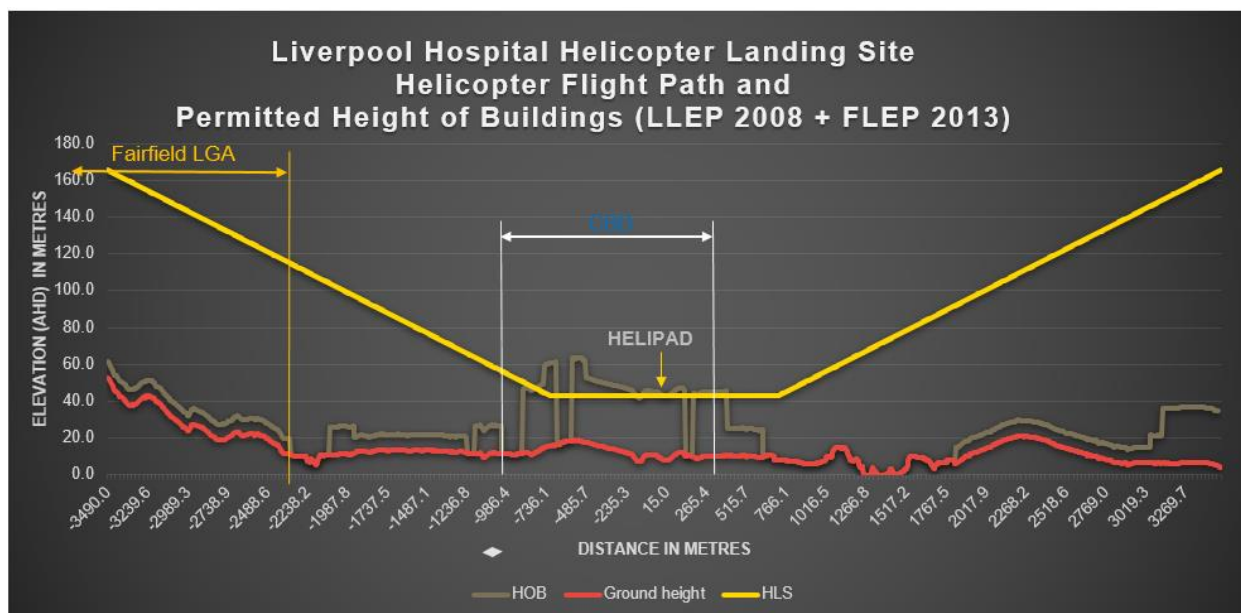


Figure 2 - HFPs, Contours and Building Heights (Please note: two scales are used)

Determination of strategic merit and site-specific merit has been assessed in accordance with *A Guide to Preparing Planning Proposals*, as updated and published by the NSW Department of Planning, Industry and Environment in 2018. It is deemed by Council staff that this planning proposal demonstrates both site-specific merit and strategic merit.

This report recommends that the LPPs comments are reported back to a future Council meeting. Subject to the comments received by the LPP, the subsequent council report will also recommend the planning proposal proceeds to a Gateway determination.

3. SITE DESCRIPTION AND LOCALITY

This planning proposal applies to numerous lots (Figure 1) within the suburbs of Ashcroft, Heckenberg, Liverpool, Mount Pritchard, Warwick Farm and Chipping Norton. This planning proposal may also apply to numerous lots within Mount Pritchard (within Fairfield City Council).

4. DETAILS OF THE PROPOSAL

The Proposal

This planning proposal seeks to amend Clause 7.17A of the LLEP 2008 and update the Key Sites Map (Figure 3) in accordance with the updated flight paths as provided by Liverpool Hospital.

At Council's ordinary meeting on 28 April 2021, it was resolved that Council:

1. *Directs the CEO to prepare a planning proposal to amend the Liverpool Local Environmental Plan 2008 to align with Attachment 1.*
2. *Note that the Planning Proposal will be sent to the Liverpool Local Planning Panel for comment.*
3. *Receives a further report noting the advice from the Liverpool Local Planning Panel*

The planning proposal has been drafted as required by the above Council resolution (see **Attachment 1**).



Figure 3: Extract of Key Sites Map KYS_011 (if supported two other map tiles will need to be amended being KYS_010 and KYS_014)

5. CONSIDERATIONS FOR STRATEGIC MERIT

In summary, the proposed amendment is deemed to have strategic merit as outlined within the planning proposal (**Attachment 2**). The planning proposal will continue to protect the strategically important HFPs of Liverpool Hospital, an essential health infrastructure facility for Western Sydney.

The proposal gives effect to the Metropolitan and District Plan, as well as the Liverpool Local Strategic Planning Statement (LSPS). The proposed amendment has also been assessed against the current zoning objectives. Finally, consideration has been given to the relevant 9.1 Ministerial Directions and State Environmental Planning Policies to confirm consistency.

6. CONSIDERATIONS FOR SITE SPECIFIC MERIT

In summary, the proposed amendment is deemed to have site specific merit as outlined within the planning proposal justification report (**Attachment 2**). Impacts have been assessed regarding restrictions to the development potential of properties under the proposed HFPs. These are deemed to be of a minor impact and an improvement when compared to the existing HFPs.

7. CONCLUSION

This report recommends that the LPPs comments are reported back to the next available Council meeting. Subject to the comments received by the LPP, the subsequent Council report will recommend the planning proposal proceeds to a Gateway determination.

8. ATTACHMENTS

- 1. Council Report and Council Resolution**
- 2. Planning Proposal**
- 3. Updated Liverpool Hospital Helicopter Flight Paths**
- 4. Helicopter Flight Paths Current and Proposed**