

“FIFTEENTH AVENUE” PLANNING PROPOSAL

No.104 Fifteenth Avenue, West Hoxton



Prepared
DalCo NSW Pty Ltd

for:

Prepared by:



October 2021 (amended February 2022)

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1 Introduction

1.1 BACKGROUND

A development application (DA 750/2021) was lodged with Liverpool City Council for the construction of a service station & convenience store, a food & drink premise (McDonalds'), a child-care centre for 90 children, nineteen (19) residential lots, erection of signage and demolition of existing buildings on the subject land ('the land'), as detailed below.

Stage One – Commercial two (2) lot subdivision, as follows:

Lot 3: Mixed use development containing:

- Service station development incorporating four (4) double-sided petrol bowsers.
- Associated convenience store of 260m² gross floor area (GFA).
- McDonald's operation of 300m² GFA.
- An associated drive-thru with two (2) order booths, two (2) waiting bays and the ability to accommodate at least 12 queued vehicles prior to the pick-up window.
- The proposed road widening will be part of Lot 3, to accommodate future road widening of Fifteenth Avenue by TfNSW (formerly RMS).
- An at-grade car parking area containing 44 car parking spaces including two (2) disabled spaces shared between all uses.

Lot 2:

A child-care centre accommodating 90 children and 15 staff as per the following:

- 20 children between 0-2 years old (5 staff assigned at 1 per 4 children).
- 30 children between 2-3 years old (6 staff assigned at 1 per 5 children).
- 40 children between 3-5 years old (4 staff assigned at 1 per 10 children).
- A basement car parking level containing 23 car parking spaces including one (1) disabled space, with access via separate entry and exit ramps connecting to the Lot 1 at-grade car parking area.

Lot 3 and Lot 2 to share vehicular access from Second Avenue and Fifteenth Avenue as per the following:

- A proposed combined two-way driveway from Fifteenth Avenue. A proposed combined two-way driveway from Second Avenue.

Stage Two

Residential subdivision development of 19 individual lots with proposed access cul-de-sac road providing a connection from Second Avenue (via a future roundabout).

Lot 13-14 to be provided access via a right-of-way.

The above-described development is shown on **Figure 1** below.

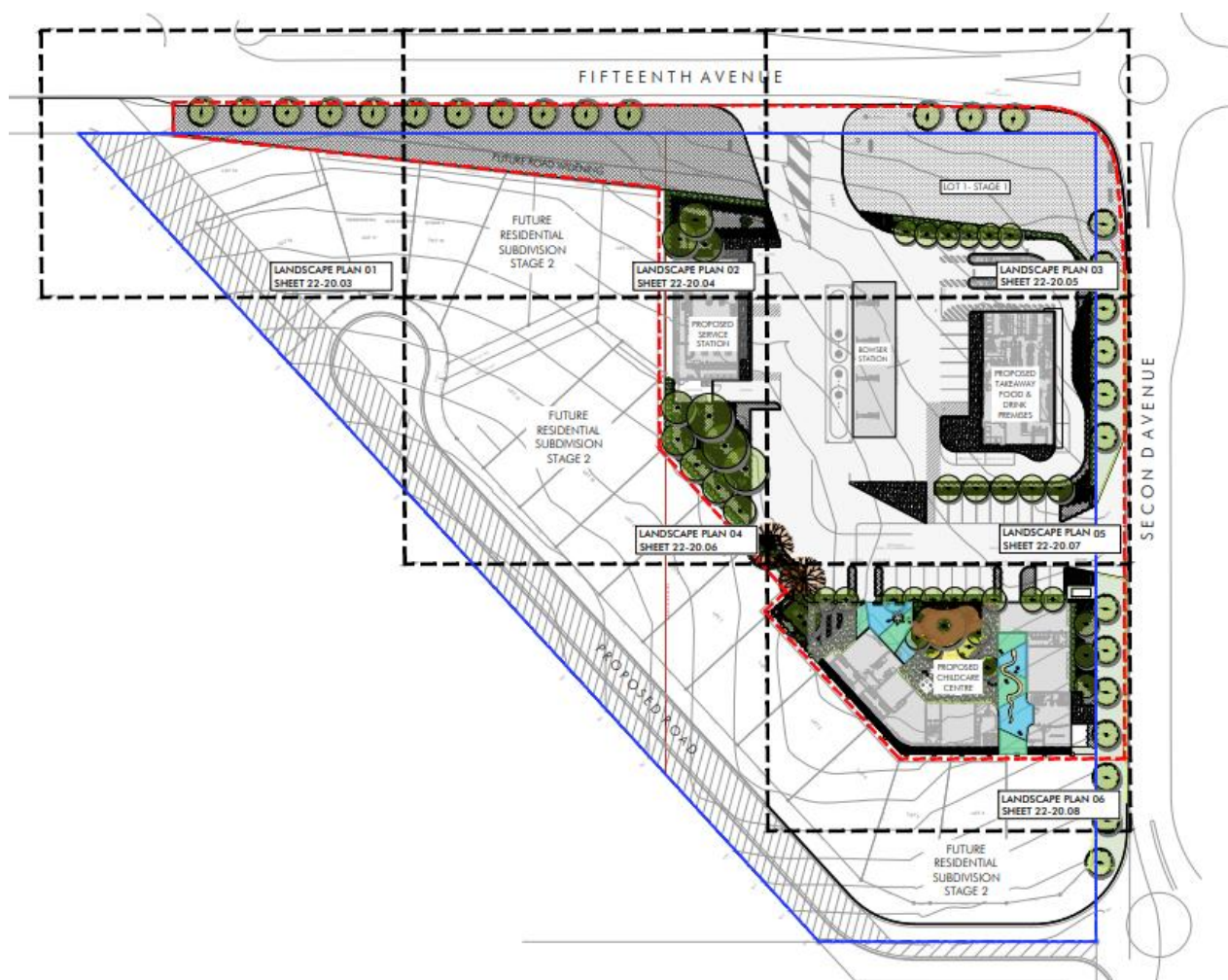


Figure 1 – Development Proposal

The subject property is zoned R2 Low Density Residential under the provisions of Liverpool Local Environmental Plan (LEP) 2008. The proposed child-care facility and residential subdivision are permissible under the zone. The service station/convenience store and food & drink premises are technically prohibited. However, under Schedule 1 –Additional Permitted Uses – Clause 9 the following is permissible:

9 Use of certain land for service stations and take away food and drink premises

- (1) This clause applies to land shown coloured yellow on the Key Sites Map.
- (2) Development for the following purposes is permitted with consent—
 - (a) service stations,
 - (b) take away food and drink premises if—
 - (i) there will be no more than 1 take away food and drink premises at each of the areas shown coloured yellow on the Key Sites Map, and
 - (ii) the gross floor area of the take-away food and drink premises is not greater than 300m².

The subject property is identified under the LEP as a key site on the key sites map (refer to **Appendix A**) and therefore the proposed development is permissible with development consent. As noted above, there is a restriction on the amount of floor space for the take-away food and drink premises of 300m². The subject property is partly zoned SP2 – Infrastructure (Classified Road) along the Fifteenth Avenue frontage and that part of the land required for road widening will be required to be zoned SP2 so that the acquisition authority is Transport for NSW under Clause 5.1 of LEP 2008. The Land Reservation Acquisition Map – LRA-008.

In accordance with Clause 5.1 of LEP 2008, Transport for NSW (TfNSW) is the relevant acquisition authority to purchase the SP2 land. Vehicular access to Fifteenth Avenue will be restricted in left-in and left-out due to a proposed median strip.

The development application was referred to TfNSW, as required by the Integrated by Section 4.46 of the Environmental Planning & Assessment Act 1979. On 3 September 2021, TfNSW advised that the proposal is not supported in its current form for the following reasons:

1. TfNSW advises that the subject property is within an area under investigation for the proposed Fifteenth Avenue Upgrade. The subject site (Lot 2, DP 1074727) will likely be affected by road widening to facilitate for the rapid transit corridor from Liverpool to Nancy Bird Walton Airport. As such the development should not intrude on the potential future road boundary (blue line) as stipulated in the attached aerial image.
2. Whilst TfNSW notes that Fifteenth Avenue is not a State Road or Classified Road, Fifteenth Avenue will likely become a major arterial road, which will carry a high volume of traffic and restriction of access off the road. Therefore, it is recommended that vehicular access to the subject site is via alternative local roads such as Second Avenue to the satisfaction of Council.
3. Whilst TfNSW preference is to have no access from Fifteenth Avenue, should access be retained the proponent should consider the following:
 - a. Access only to the service station from Fifteenth Avenue. Access to the Childcare Centre and Food & Drink Premises from Fifteenth Avenue is not supported.
 - b. Due to the proximity to the intersection of Fifteenth and Second avenues all access to the Food & Drink Premises and Childcare Centre is recommended to be physically restricted to left in/left out.
 - c. The access to the site is to be provided at the furthest point away from the intersection of Fifteenth and Second avenues.
 - d. A left turn deceleration lane from Fifteenth Avenue into the Service Station is to be provided in line with Austroads Standards.
 - e. Additional setback of the development from the future road boundary will be required. The design of the access point will need to be setback to the future road boundary to ensure that the relocation and reconstruction of the deceleration lane can be achieved within the property boundary in the event that Fifteenth Avenue is upgraded.
 - f. TfNSW recommends that Swept Path plans are submitted to Council for approval and are to ensure that the following can be achieved:
 - i. All vehicles are to enter and leave the site in a forward direction. A turn around area will be required within the property boundary.
 - ii. The driveway should be designed to ensure that the largest vehicle can enter and leave the site simultaneously from the kerbside lane.
 - iii. The plans are to include details of lane lines, kerb, gutter and median.
 - iv. All vehicles are to be wholly contained on site before being required to stop.
 - v. Swept paths should be a smooth, single radius and not have 'kinks' as currently demonstrated (in line with Austroads Standards).
4. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.

The plan required for addition road widening mentioned above in Item 1 is shown below in **Figure 2**. As shown on **Appendix A** and **Figure 3** below, part of the subject site is identified as a Key Site under Liverpool Local Environmental Plan 2008 on map KYS-008. The proposed additional road widening significantly impacts on the detailed plan shown on **Figure 1** above, to the extent that the development has to be redesigned by relocating the commercial component to the west and effectively deleting the majority of the residential lots.

The residential design outcome will result in a significant deletion of the lots and the design outcome will need to be considered having regard to the size and shape of the parcel of land towards the Fifteenth Avenue frontage for this part of the development site. The zoning only permits standard residential lots under the R2 Low Density Residential zone of LLEP 2008.



Figure 2 – Area required for additional Road Widening

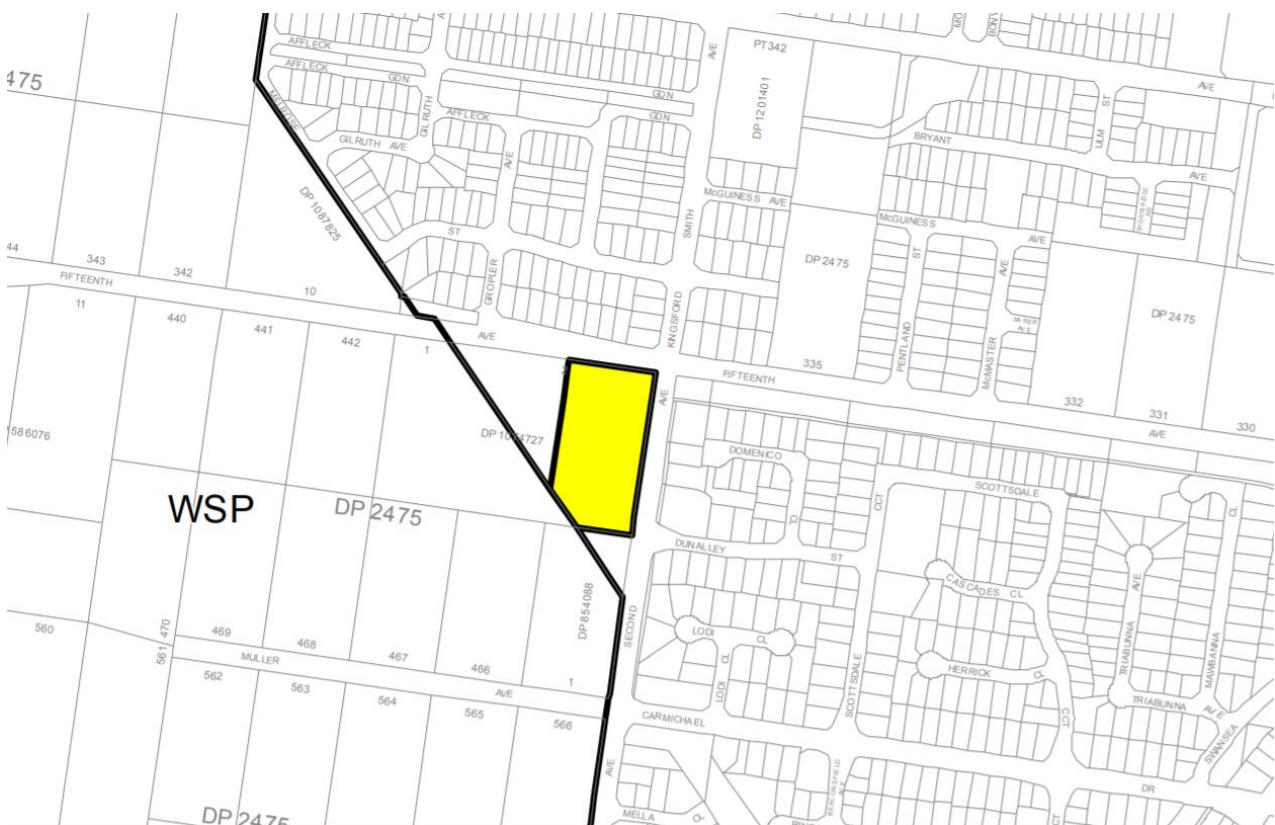


Figure 3 – Key Sites Map – Local Environmental Plan 2008 – KYS-008

Therefore, this Planning Proposal (Request) (PPR) represents the formative phase in the development of a Planning Proposal (PP) geared toward the rezoning of the land at 104 Fifteenth Avenue (and shown in **Figure 4**) by amending KYS-008, as shown on **Appendix B**. The rezoning is to be effected through the preparation of a relevant Local Environmental Plan amendment, it being proposed to amend Liverpool LEP 2008.

1.2 REPORT STRUCTURE

This Report has been prepared in accordance with the NSW Department of Planning and Environment's (DoPE) documents A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals (December 2018). The latter document requires the Planning Proposal to be provided in six (6) parts, being:

- Part 1 - A statement of the objectives or intended outcomes of the Planning Proposal (and proposed LEP amendment).
- Part 2 - An explanation of the provisions that are to be included in the Planning Proposal (and proposed LEP amendment).
- Part 3 - The justification for those objectives, outcomes and provisions and the process for their implementation.
- Part 4 - Relevant support mapping.
- Part 5 - Details of the community consultation that is to be undertaken in respect of the Planning Proposal.
- Part 6 - Projected project timeline.

1.3 SCOPE OF REPORT

This PPR, in providing an outline PP, is structured in the following manner:

- Section 2 provides an overview of the site the subject of this PPR, the immediate locality, and the prevailing local planning context
- Section 3 contains a statement of the objective and/or intended outcomes of the proposed LEP amendment.
- Section 4 provides an explanation of the provisions.
- Section 5 provides justification for the objectives, outcomes and provisions of the proposed LEP amendment.
- Section 6 provides details of relevant mapping amendments.
- Section 7 provides details of the community consultation that would be undertaken in respect of the advancement of a relevant PP.
- Section 8 provides a projected project timeline.
- Section 9 outlines a conclusion.

2 The Subject Land/Site and Context

2.1 LAND DESCRIPTION

The site comprises land known as Lot 2 DP1074727 No 104 Fifteenth Avenue, West Hoxton and depicted in **Figure 4** below. It is some 18,234m² in size.

The land is clear of vegetation and contains a two-storey dwelling and outbuildings. The land is zoned R2 Low Density Residential, with part of the site identified as a Key Site on KYS-008 Map. As can be seen from **Figure 2** above, part of the Second Avenue and Fifteenth Avenue frontages are affected by the new and additional road widening proposed by TfNSW. Reticulated water and sewer are nearby and electricity and telecommunications services are available to the site. The land is located in the Liverpool Local Government Area.



Figure 4: Subject land holding

2.2 CONTEXT/LOCALITY

The land is located in a mainly residential locality in the aerial photograph extract forming **Figure 4** above, adjoining the Western Sydney Parkland Open Space Corridor. The site is located east of the Western Sydney International (Nancy Bird Walton) Airport that is currently under construction and within close proximity to the precinct of the Western Sydney Aerotropolis (WSA) Plan. The additional road widening is to facilitate a rapid transit corridor from Liverpool to Nancy Bird Walton Airport.

2.3 PROPOSED DEVELOPMENT SCENARIO

While this Planning Proposal seeks to amend Liverpool LEP 2008 by way of an amendment to the Key Sites Map, a development application DA 750/2021 was lodged with Liverpool City Council as detailed in Section 1.1 of this PPR (refer to **Figure 1** above) therefore seeks to achieve the outcomes of developing the site for a mixed-use containing a service station, food and drink premises, child-care facility and nineteen (19) residential lots, as permitted by Schedule 1 –Additional Permitted Uses – Clause 9. This development scenario will need to be amended to relocate buildings, signage and residential lots, so as not to be impacted by the additional road widening.

3 Objectives or Intended Outcomes (Part 1)

3.1 INTRODUCTION

This PPR has the express purpose of facilitating the development of the land, as amended, as shown on **Figure 5** below. As requested by Council, this plan shows the deceleration lane that would be constructed as part of the subject development application (750/2021) currently under assessment with Council. a deceleration lane in accordance with the current zoning showing the road widening (refer to **Figure 6**) and the deceleration lane required by the additional road widening by Transport for NSW, which is the subject of this Planning Proposal Request (PPR) – **Figure 2** above.

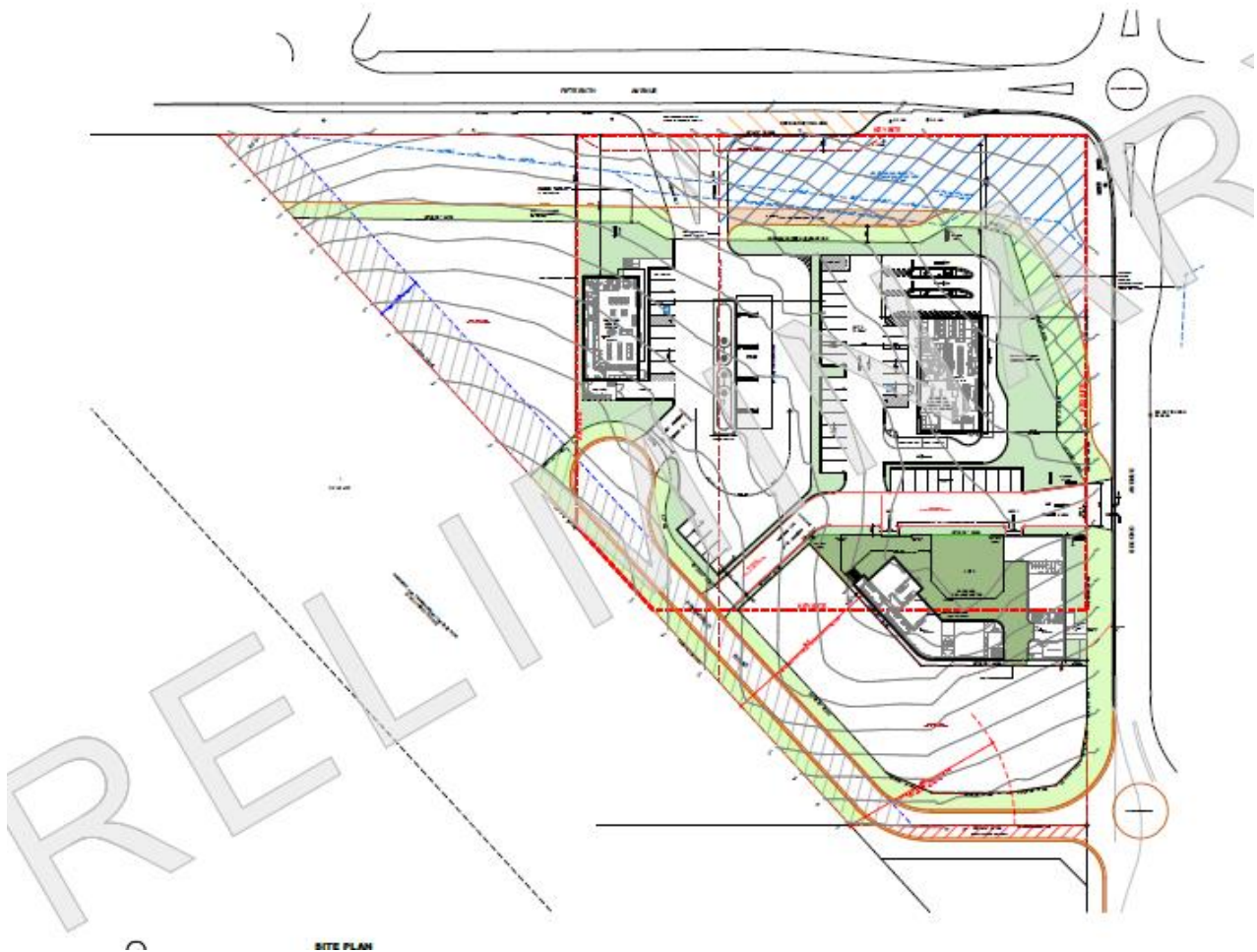


Figure 5: Amended Development Proposal

3.2 OBJECTIVES

- To facilitate the development of the site in accordance with Schedule 1 – Additional Permitted Uses – Clause 9.
- To ensure that the scale of the development reflects the intended scale of development appropriate to the site having regard to the Additional Permitted Uses Clause.
- To provide for built form that is compatible with the form of development on the site.
- To create employment opportunities on the site to be consistent with Liverpool Local Strategic Planning Statement – A Land Use Vision to 2040 and Liverpool Employment Strategy.
- Amend the Key Sites Map – KYS-008 boundary of the facilitate the coordinated development of the site in a timely fashion.
- To facilitate the road widening of Fifteenth and Second Avenues to assist with the provision for the Liverpool to Nancy Bird Walton Airport rapid transit corridor.

3.3 OUTCOMES

In delivering the foregoing objectives, it is intended that the following outcomes be realised:

- A sustainable co-ordinated expansion of the provision of well-managed and well-designed development proposal.
- To foster environmental, economic, social and physical wellbeing so that the site develops as an integrated, balanced and sustainable mixed-use development.

An amended development Plan (refer to **Figure 5**) seeks to assist the Council and Community in its understanding and assessment of the Fifteenth Avenue PPR and specifically the delivery of the preceding objective and outcomes.

The consistency of the PPR with higher order Planning frameworks is detailed in Section 5 of this Report later.

4 Explanation of Provisions (Part 2)

4.1 CURRENT LOCAL PLANNING FRAMEWORK

4.1.1 LIVERPOOL LOCAL ENVIRONMENTAL PLAN 2008

The Liverpool Local Government Area is subject to the provisions of a single (standard instrument stylised) Local Environmental Plan, namely Liverpool Local Environmental Plan 2008 (LLEP 2008). By way of comparison with the existing area of the key sites map and the amended map, the area allocated for development is 11676.90m². The amended map will have an area of 9750.33m², a reduction of 1,926.57m² (refer to **Appendix C**). As such there is no increase in the area for which Schedule 1 applies, as addressed below.

The subject land is zoned part R2 Low Density Residential and part SP2 – Infrastructure (Classified Road). However, it is also identified on the Key Sites Map – KYS-008 and under Schedule 1 –Additional Permitted Uses – Clause 9 the following is permissible:

9 Use of certain land for service stations and take away food and drink premises

- (1) This clause applies to land shown coloured yellow on the Key Sites Map.
- (2) Development for the following purposes is permitted with consent—
 - (a) service stations,
 - (b) take away food and drink premises if—
 - (i) there will be no more than 1 take away food and drink premises at each of the areas shown coloured yellow on the Key Sites Map, and
 - (ii) the gross floor area of the take-away food and drink premises is not greater than 300m².

The principal landuse controls attached to such a zoning take the form of objectives and a table of landuse permissibility, reproduced in **Appendix D**. The zonal controls are residential in nature reflecting the zone that applies to nearby lands.

A zoning map extract of the prevailing zone and nearby zones forms **Figure 6**; whilst the minimum lot size map (**Figure 7**), the height control map forms **Figure 8**. Whilst a floor space ratio of 0.6:1 applies to dwelling houses.



Figure 6: Extract from Land Zone Map LZN_004

The land is also subject to the following principal development standards:

- Minimum lot size – 300m²
- Maximum building height – 8.5 metres.
- Maximum floor space ratio – 0.6:1.

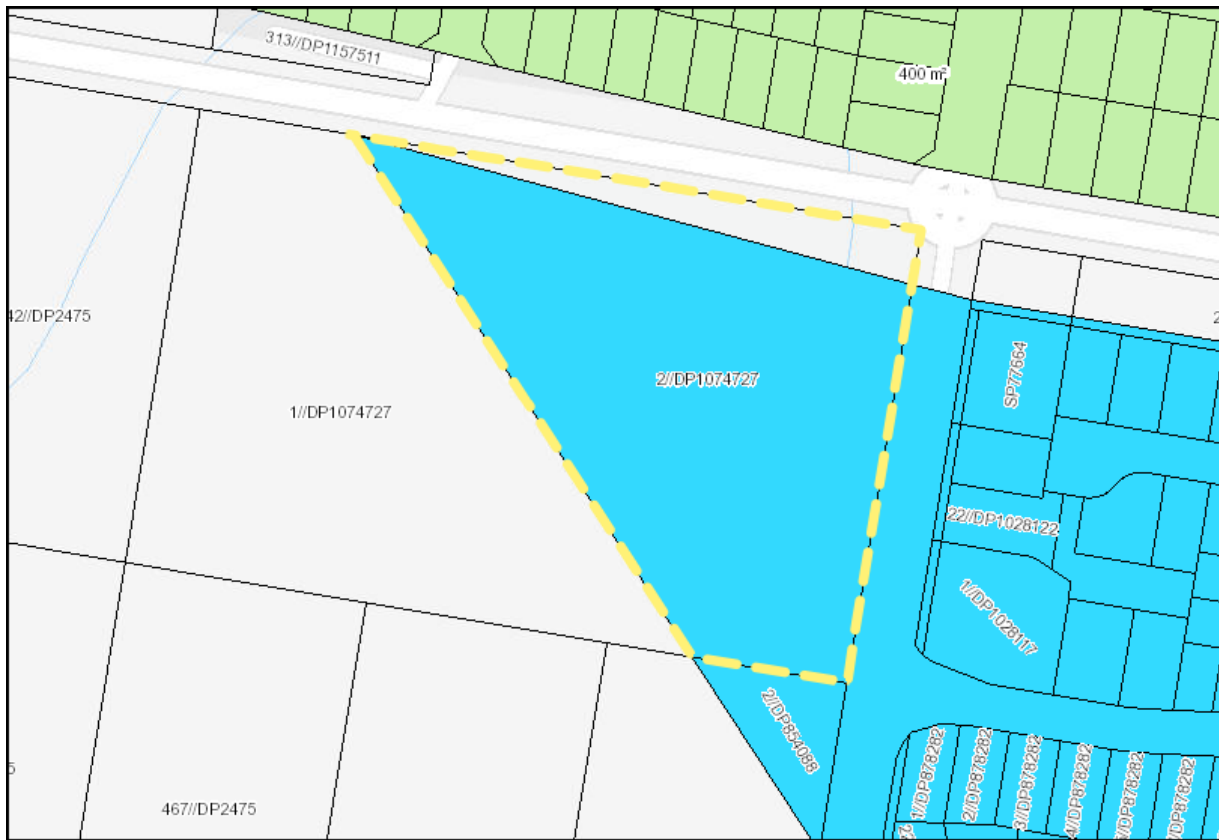


Figure 7 – Extract of Minimum Lots Size Map – LSZ-008



Figure 8: Extract for Heights of Building Map HOB_008

The subject site is affected by Clause 5.1, which provides for the relevant acquisition authority and in this case Transport for NSW (TfNSW) to acquire land affected by the SP2 – Infrastructure (Classified Road) zone (**Figure 9**). However, it would be noted from **Figure 2** above, TfNSW now require additional land for road widening to provide for the Liverpool to Nancy Bird Walton Airport rapid transit corridor.

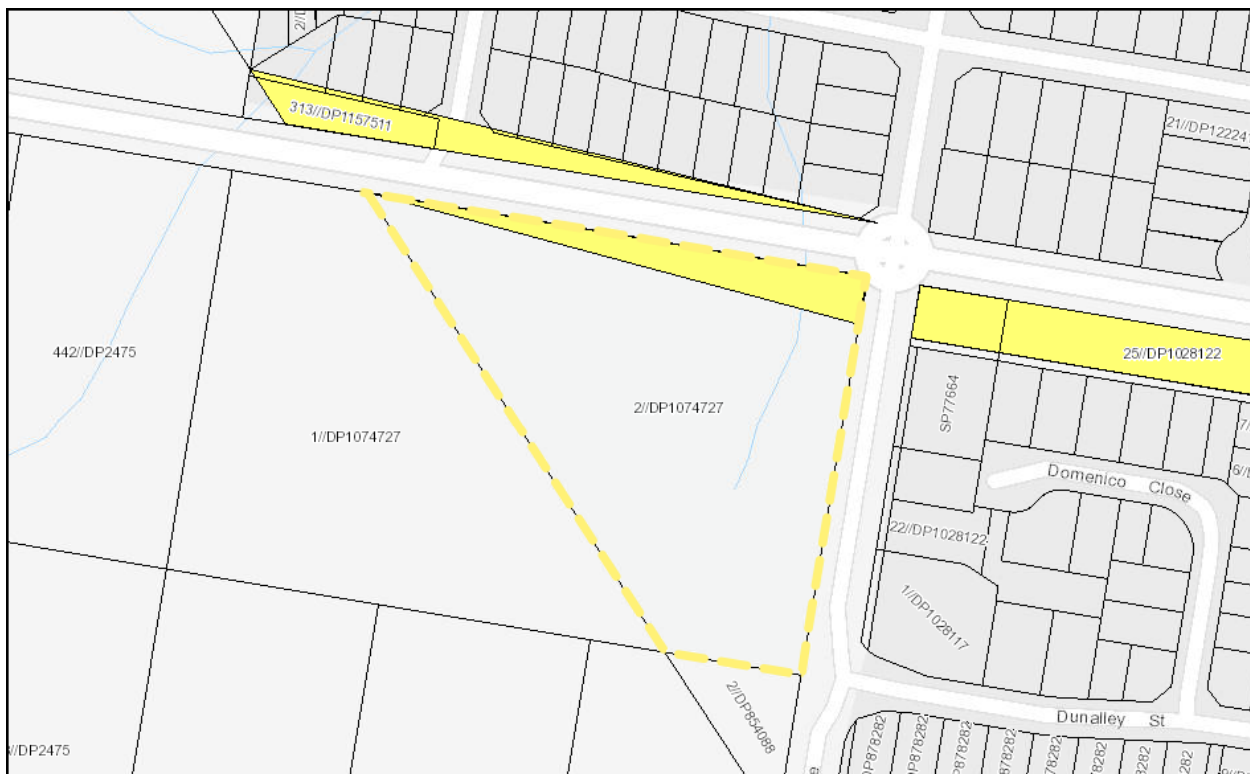


Figure 9 – Extract from Land Reservation Acquisition Map – LRA-008

Clause 5.1A provides for the relevant acquisition authority.

- (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

That part of the property affected by road widening has to be acquired by TfNSW.

4.2 PROPOSED LOCAL PLANNING FRAMEWORK

4.2.1 PROPOSED AMENDMENT TO KEY SITE MAP

The Fifteenth Avenue PPR seeks to rezone the site to amend the Key Site Map, as currently permitted under LEP 2008. The amendment to the map will permit various buildings to be constructed as detailed on **Figure 5** in accordance with Schedule 1 –Additional Permitted Uses – Clause 9.

Specifically, it is proposed to amend the LLEP 2008 Key Sites Map KYS_008, to account for additional road widening of Fifteenth and Second Avenues required by TfNSW for the Liverpool to Nancy Bird Walton Airport rapid transit corridor.

4.2.2 OTHER MAP PROVISIONS

Finally, it is proposed to change the Key Sites Map, only.

5 Justification (Part 3)

5.1 NEED FOR THE PLANNING PROPOSAL (SECTION A)

5.1.1 INTRODUCTION

It is initially noted that the level of justification for a Planning Proposal should:

- Be proportionate to the impact the planning proposal will have.
- Comprehensive without necessarily being exhaustive.
- Be sufficient to allow a Gateway determination to be made with the confidence that the LEP can be finalised in accordance with the proposed timeframe.

5.1.2 IS THE PLANNING PROPOSAL THE RESULT OF ANY STRATEGIC STUDY OR REPORT?

The current zoning of the land permits the development of the site under Schedule 1 –Additional Permitted Uses – Clause 9. The Planning proposal seeks to make a minor amendment to the key sites map in keeping with the intent of the control.

5.1.3 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

The Planning Proposal is considered to represent the best means of facilitating amendment to the key sites map and the uses permitted under Schedule 1.

The proposed rezoning is stylised for direct integration with Liverpool LEP 2008, by amending the key sites map to accommodate additional road widening required by TfNSW. The Planning Proposal is therefore the best way to achieve the intended outcomes and objectives.

5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

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

5.2.1 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 relevant regional, sub-regional or district plan or strategies. The most relevant State and District plans that guide the land use direction for the site, are:

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

The Metropolitan and sub-regional planning context has recently been revised with the adoption of the Greater Sydney Region Plan – A Metropolis of Three Cities and the Western City District Plan.

5.2.1.1 GREATER SYDNEY REGION PLAN – A METROPOLIS OF THREE CITIES

A Metropolis of Three Cities – The Greater Sydney Region Plan (GSRP) aims to rebalance growth and deliver its benefits more equally and equitably to residents across Greater Sydney. The plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

Further, the Plan seeks to integrate with the companion State Infrastructure Strategy 2018-2038 and Future Transport Strategy. The proposal is importantly consistent with the key directions in respect of infrastructure and collaboration, liveability, productivity and sustainability, summarised as follows:

A city supported by Infrastructure:

Objective 4: Infrastructure use is optimised

A city for people:

Objective 6: Services and infrastructure meet communities' changing needs

Objective 7: Communities are healthy, resilient and socially connected.

Objective 10: Greater housing supply.

Objective 22: Investment and business activity in centres.

A city in its landscape:

Objective 25: The coast and waterways are protected and healthier

The Metropolitan and sub-regional planning context has recently been revised with the adoption of the Greater Sydney Region Plan – A Metropolis of Three Cities and the Western City District Plan. Additionally, Council's Community Strategic Plan is now supported by the Liverpool Local Strategic Planning Statement (LSPS).

STRATEGIC MERIT TESTS

Strategic Test 1

Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.

Greater Sydney Region Plan

Objective 4 – Infrastructure use is optimised

The requisite infrastructure to service the proposed development at the density proposed is generally readily available and does not require major augmentation.

Objective 6 – Services and infrastructure meet communities' changing needs

Community infrastructure and services are readily available to service the development. Relevant developer contributions would be paid pursuant to Liverpool Contributions Plan.

Objective 7 – Communities are healthy, resilient and socially connected

The future residents will have the opportunity to the services and facilities in various buildings on the site. There will be facilities provided on site, such as the child-care centre and this will provide an accessible centre close to where people live, including employment opportunities with the mix of uses on the site.

Objective 22 – Investment and business activity in centres

The proposal will provide a mixed-use development at the subject site that will attract an array of goods and services within the precinct. This will promote the economic viability of the site along with creating employment and business opportunities within the locality.

Objective 25 - The coast and waterways are protected and healthier

Appropriate integrated stormwater management will service the Proposal and ensure that the accepted local Creek and broader Georges River water quality standards are met, and local potential inundation mitigated. Ultimately, it is expected that a stormwater and flood management strategies will be a requirement of a positive Gateway Determination.

Objective 29 – Environmental, social and economic values in rural areas are protected and enhanced

The residential areas of the Liverpool Local Government Area (LGA) contribute an important element to the fabric of residential areas and form a transitional sustainable landscape.

5.2.1.2 WESTERN CITY DISTRICT PLAN

The Western City District Plan (WCDP) was released in March 2018 and provides a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the vision for Greater Sydney at a District

Level. It is founded on 10 Directions, in a manner consistent with the Greater Sydney Regional Plan and reflected in Key Priorities and Actions.

As with the Greater Sydney Region Plan the proposal in the WCDP context is seen to be consistent with the key directions in respect of infrastructure and collaboration, liveability and sustainability and in particular:

A city supported by Infrastructure:

Planning Priority W1 – Planning for a city supported by infrastructure
There are no adverse infrastructure impacts.

A city in its landscape:

Planning Priority W12 – Protecting and improving the health and enjoyment of the District's waterways
The proposal does not adversely impact local waterways.

Planning Priority W16 – Protecting and Enhancing Scenic and Cultural Landscapes
The prevailing scenic and cultural landscape characteristics are importantly protected through the design and landscape outcomes

Planning Priority W1 – Planning for a city supported by infrastructure.

Requisite infrastructure is generally in place and does not need major augmentation. Additionally, it is possible to largely manage storm and waters appropriately on-site. Relevant infrastructure contributions will be payable pursuant to Liverpool Contributions Plan.

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

The Proposal will contribute to an increase in "housing opportunities".

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

The proposal is capable of fulfilling stormwater management targets developed for the immediate and broader Georges River catchments.

Planning Priority W20 – Adapting to the impacts of urban and natural hazards and climate change

Integrated development opportunities, supported by framework landscape plantings will assist in minimising, at a particularly relative scale, climate change impacts.

Strategic test 2

Consistent with a relevant local strategy that has been endorsed by the Department.

The former Department of Planning and Environment set a timeframe of mid 2019 for local councils to prepare local strategic planning statements. The Council has adopted the Local Strategic Planning Statement (LSPS) – a 20-year vision for land use planning in the local area, the special characteristics which contribute to local identity, shared community values to be maintained and enhanced, and how growth and change will be managed into the future. The statement will also include housing and productivity targets, and identify growth areas and infrastructure needs, to act as the strategic link between the Western City District Plan, the Liverpool Local Government Area planning controls.

Liverpool Council has also adopted the Community Strategic Plan (CSP).

The subject proposal is consistent with these aspirations, as is documented in this report.

5.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OR OTHER LOCAL STRATEGIC PLAN?

The Planning Proposal is also consistent with Council's Community Strategic Plan (CSP).

This community inspired strategic plan is Council's highest level strategic plan and seeks to chart the Local Government Area's future development, with a target vision of a "Sustainable Liverpool Local Government Area".

In doing so it summarises the challenges before it, the diversity of stakeholders and the need for a collaborative partnership.

The CSP and these themes are developed clearly against the backdrop of the State Plan and the Metropolitan Planning aspirations. In respect of the Key Directions it is noted:

Our Home, Liverpool 2027

Our Home, Liverpool 2027 is Liverpool's Community Strategic Plan (CSP) and provides strategic directions for Council and the measures that will allow Council to determine progress towards achieving them.

The planning proposal is generally consistent with Council's Community Strategic Plan: Our Home, Liverpool 2027. Council's strategy adopts a quadruple bottom line approach, being Creating Connection (Social), Strengthening and Protecting Our Environment (Environment), Generating Opportunity (Economic), and Leading through Collaboration (Civic Leadership).

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

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

The proposal is creating the opportunity to deliver a mixed-use centre area whilst retaining a part of the site for housing. This will create business opportunities within the centre. The centre and reconfigured residential can encourage social interaction.

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

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

- To attract more jobs and business to the area

The proposed boundary adjustment to the key sites map will deliver a mixed-use centre which will in turn attract businesses and create job opportunities. The Planning proposal is generally consistent with the following actions for Council:

- Meet the challenges of Liverpool's growing population

The proposal will contribute towards meeting the housing need and create diversity in housing typologies for the growing population of Liverpool. Attracting retail businesses to the mixed-use centre will contribute towards meeting the demand for job opportunities within the immediate locality.

- Attract businesses for economic growth and employment opportunities

By adjusting the development to account for additional road widening, the proposal will promote opportunities for employment generating activities and investment.

5.2.1.1 LIVERPOOL LOCAL STRATEGIC PLANNING STATEMENT 2020

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

Local Planning Priority 6 under the 'Liveability' goal of the LSPS seeks 'High quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth.' The planning proposal with its reconfigured development proposal will provide for the opportunity to deliver community facilities and social infrastructure for the thriving community within the mixed-use site.

Action 6.1 under this planning priority includes - 'Advocate changes to contributions planning and seek alternative funding mechanisms to deliver high-quality facilities'. The planning proposal is consistent with the action provide a contribution under the Contributions Plan.

Planning Priority 11 under the 'Productivity' goal of the LSPS includes the planning priority - 'An attractive environment for local jobs, business, tourism and investment'. The planning proposal is consistent with the planning priority as the proposed mixed-use site will deliver local job opportunities.

Liverpool Local Employment Strategy

This strategic document the employment position of the Liverpool LGA. It provides that:

"The Liverpool Local Government Area (LGA) is undergoing a profound transformation as the Liverpool City Centre continues to develop as a Metropolitan Cluster and the Western Sydney International (Nancy-Bird Walton) Airport brings with it the Western Sydney Aerotropolis. This surge in investment and population growth must be supported by industry that is sustainable, efficient and innovative.

Furthermore, Liverpool's growing population is reliant on local industrial markets for high-quality and locally accessible employment. This strategy aims to improve existing and attract new industrial development to meet the current and future demands of Liverpool in terms of the provision of goods and services and offering employment opportunities for the local population.

There is a growing need for industry to specialise and target niche sectors to retain a competitive edge along with the existing demand for urban services, larger-scale distribution and freight and specialised innovation/creative and advanced technology industries.

These existing and growing demands within industry require the supply of a variety of industrial spaces to accommodate industrial development broadly. Precincts with great access to movement corridors, public transport, essential services and amenity for workers is paramount to the relevance and growth of employment lands within the Liverpool LGA.

The Liverpool Industrial and Employment Strategy sits within a broader strategic framework at the state, regional and local level. These various plans and strategies have contributed to the formulation of this strategy by providing broader guiding principles that contextualise industrial and employment land development within the Liverpool LGA. This strategy is informed directly by the data, insights and recommendations presented within a suite of industrial studies that have been prepared for Council in recent years. These studies provide a robust technical basis for the vision, strategies and actions within this strategy."

The proposed development is consistent with this document is providing employment within the service station, food & drink premises and child-care centre for various ages and skills. In respect of these uses, the child-care centre will employ fifteen (15) persons, the service station between 2 & 3 persons over shift periods; whilst McDonald's, there will be an average of 12 staff on site during the day-time hours at any given time. There will be a minimum of 3 staff on site during the night-time hours at any given time. The outlet will provide employment opportunities for approximately 100 locals in full-time, part-time, and casual roles.

The economic contribution of McDonald's to the national economy is substantial. A report prepared by McDonald's in 2012 titled "Corporate Responsibility and Sustainability Report" found that each new McDonald's operation brings with it local employment and training for approximately 100 to 120 people in full time, part time and casual positions. However, the effect on employment is broader than just those employed to work there. McDonald's are committed to using local suppliers and there are over 9,000 suppliers in Australia who benefit from their relationship with McDonald's. The McDonald's franchise model also provides positive economic benefits by providing business opportunities for local franchisees.

In respect of the Council Employment Strategy, the site has a major role to play in terms of the number of persons that can be employed on the site for different age groups and will assist with youth employment in the area. This is consistent with the Strategy and other Council documents.

5.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The study area is subject to the provisions of a raft of State Environmental Planning Policies (SEPPs). An overview assessment of compliance with the prevailing SEPPs forms **Appendix “E”**. The policies highlighted importantly do not prohibit and/or significantly constrain realisation of the Planning Proposal Request.

Deemed State Environmental Planning Policy – Sydney Regional Environmental Plan No 2 – Georges River (No 2 – 1997)

The proposed development will importantly be serviced by reticulated water and sewer facilities. Relevant sediment and erosion control measures will need to be implemented at the development stage to protect receiving waters of the Georges River system and tributaries. No sensitive landscapes are impacted by the proposal. Further, waste disposal, air quality and predicted climate change are considered negligible having regard to the scale of the proposal and how an all of site masterplan can address these issues. The general planning considerations and specific policies and strategies will be observed. Further, the relevant development controls will be addressed in future development.

State Environmental Planning Policy No 55 – Remediation of Land

This policy aims to promote the remediation of contaminated land for the purpose of reducing the risk or harm to human health or any other aspect of the environment. A Detailed Environmental Site Investigation report has been undertaken. Knowledge of past landuses would suggest that it is unlikely to be a significant constraint to the proposed development.

5.2.4 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (SECTION 9.1 DIRECTIONS)?

Section 9.1 Directions detail matters to be addressed in LEPs so as to achieve particular principles, aims and objectives or policies. Produced at **Appendix “F”** is a checklist of compliance with applicable Directions.

All relevant Directions can be adequately accommodated, or departures justified in the preparation of an LEP amendment of the nature foreshadowed in this Planning Proposal Request. The relevant considerations in respect of the Section 9.1 Directions highlighted to be of relevance in **Appendix “F”** are summarised below.

Direction 3.4 Integrated Land Use and Transport

The objective of this Direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and direct layouts achieve a comprehensive suite of planning objectives including:

- (a) improving access to housing, jobs and services by walking, cycling and public transport, and*
- (b) increasing the choice of available transport and reducing dependence on cars, and*
- (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.*

The Proposal is consistent with the Direction in that:

- The site forms part of the broader Liverpool (West Hoxton) urban area which is serviced by public transport and in particular the Liverpool to Nancy Bird Walton Airport rapid transit corridor.
- The site is accessible to public bus services on the surrounding roads, including the future rapid transit service.

Further, the Traffic Impact Assessment submitted with the development application concluded that the proposal 'is fully supportable in terms of traffic and parking impacts' and noting at the time of preparing the traffic impact assessment, the requirement for a rapid transit corridor along Fifteenth Avenue was not known to exist:

Direction 6.3 Site Specific Provisions

The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls.

The PPR does not propose to introduce site-specific planning controls that already exist under Schedule 1 – Additional Permitted Uses – Clause 9.

Direction 7.1 Implementation of the Metropolitan Strategy

The objective of this Direction is to give legal effect to the vision, land use strategy, policy, outcomes and actions contained in the Metropolitan Strategy.

The PPR is considered to be consistent with the Metropolitan Strategy "The Greater Sydney Region Plan – A Metropolis of Three Cities" and the companion document, the Western City District Plan particularly in respect of the planning principles that underpin the quest for housing diversity and affordability (Liveability) and employment.

5.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

5.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITATS OR THREATENED SPECIES, POPULATIONS, ECOLOGICAL COMMUNITIES OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

There is no likelihood that critical ecology or habitat will be adversely impacted, as the land is devoid of vegetation. However, the land is bushfire prone (refer to **Figure 10** below) from the land immediately adjoining and is addressed below.

5.3.2 BUSHFIRE AND FLOOD PRONE LAND

The following conclusion summarises that assessment. The proposed developments are located in areas of the subject lot mapped as bushfire prone (Vegetation Category 3: Grasslands).

- The proposed Service Station, Petrol Bowser, Food & Drink Premises and Childcare Centre are proposed to meet BAL 12.5 as specified by AS3959 - 2018 Construction for Buildings in Bushfire Prone Areas.
- An APZ is proposed to be established from the commencement of building works and maintained for perpetuity over the entirety of proposed lots 1, 2 and 3.
- To establish a compliant APZ on Lots 2 and 3; an APZ is required to be established on Lot 1. The APZ on lot 1 is required to be formalised as an 88B Legal Easement. This restriction can be extinguished upon commencement of the future proposed residential subdivision on Lot 1 but only if the hazard is removed as part of the proposal.
- The subject lot is located on the corner of Fifteenth Avenue and Second Avenue. This is a two-wheel drive, all weather road. The capacity of road surfaces and bridges is sufficient to carry fully loaded firefighting vehicles and provides appropriate access to water.
- Proposed access to the developments will have dual entry and exists from Fifteenth Avenue and Second Avenue. The proposed trafficable width through lots 2 and 3 is via a proposed 6m wide sealed roadway as shown in Figure 1. All parking is provided outside of the carriageway. The proposed internal access is a through road connecting Fifteenth Ave with Second Ave and does not provide a trafficable length of greater than 500m.
- Reticulated water is proposed to be supplied to lots 1 and 2.
- Hydrants should not be located within any road carriageway and should comply with spacing, sizing and pressures specified in AS 2419.1 – 2005.

- Any bottled gas will be installed and maintained in accordance with AS1596 and the requirements of the relevant authority. If gas cylinders need to be kept close to the buildings, the release valves must be directed away from the building and away from any combustible material. Polymer sheathed flexible gas supply lines to gas meters adjacent to buildings are not to be used.
- Electrical transmission lines, if above ground, will be managed in accordance with specifications issued by Energy Australia.

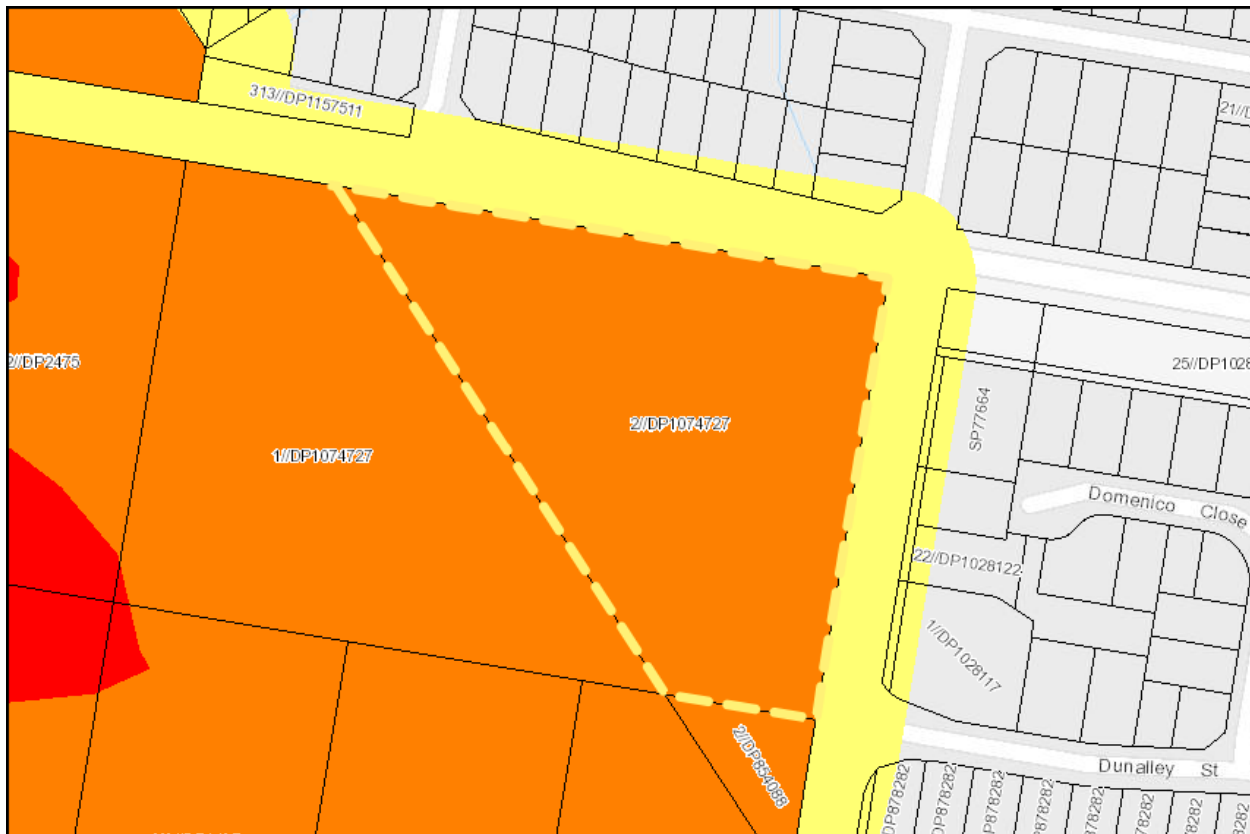


Figure 10 – Bushfire Prone Map

5.3.2 HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

Yes, refer above to the Liverpool Local Employment Strategy at Page 17 regarding economic benefits. A Social Impact Assessment accompanies the application in accordance with Council's Development Control Plan 2008 – Section 27.

5.4 STATE AND COMMONWEALTH INTERESTS

5.4.1 INTRODUCTION

The "Gateway" determination will identify the nature and extent of consultation required with State or Commonwealth Public Authorities. This may include:

- consultation required in accordance with a Ministerial Direction under section 9.1 of the EP&A Act: and
- consultation that is required because in the opinion of the Minister (or delegate), a State or Commonwealth public authority will or may be adversely affected by the proposed LEP amendment.

5.4.2 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

The Planning Proposal does not seek to materially change the permissible uses on the subject property.

5.4.3 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION, AND HAVE THEY RESULTED IN ANY VARIATIONS TO THE PLANNING PROPOSAL?

The relevant State and Commonwealth public authorities would be consulted following the outcome of the “Gateway” determination. Council would be responsible for carrying out this consultation.

6 Mapping (Part 4)

The following mapping amendments and additions to Liverpool Local Environmental Plan 2008 (LLEP2008), as summarised in Section 4 (Part 2), are proposed. Such mapping is to be prepared in accordance with the Department of Planning and Environment’s “Standard Technical Requirements for Spatial Datasets and maps”.

The subject mapping importantly seeks to contain sufficient information to explain the substantive effect of the proposed LEP amendments.

Item	Change to zoning maps of LLEP 2008 for the subject land	Action	Map changes
1	Currently the Key Sites Map only applies to part of the subject land.	Amend the relevant Key Sites Map sheet to reflect the proposed boundary alignment.	Map KYS_008 in accordance with the key sites map

7 Community Consultation (Part 5)

Community consultation remains an important element of the Plan making process. The companion document “A Guide to Preparing Local Environmental Plans” outlines community consultation parameters. The subject provisions in respect of notification and the exhibition materials to support the consultation will be observed.

It is considered that a relevant Planning Proposal will be of significance to the community and Authorities, notwithstanding the land is zoned for purposes under Schedule 1 of LLEP 2008. As such, it is appropriate that the Planning Proposal should be exhibited for a minimum period of 28 days, in accordance with Council’s adopted Community Participation Plan.

Typically, Council (as the RPA) is likely, as a minimum to:

- Place notification in a newspaper that circulates in the Liverpool Local Government Area
- Place notification on Council’s website.
- Notify in writing all affected and adjoining landowners, under the circumstances of the subject Planning Proposal

The views of State and Commonwealth Public Authorities, although unlikely to be significant, will be obtained during the consultation phase, as the relevant PP is advanced.

Before proceeding to public exhibition, the Secretary for Planning (or delegate) must approve the form of the Planning Proposal as being consistent with the “Gateway” determination. Any submissions received in response to the public exhibition process would need to be fully considered in accordance with the prevailing statutory provisions.

8 Project Timeline (Part 6)

The following notional timeline is proposed for advancing the subject Planning Proposal.

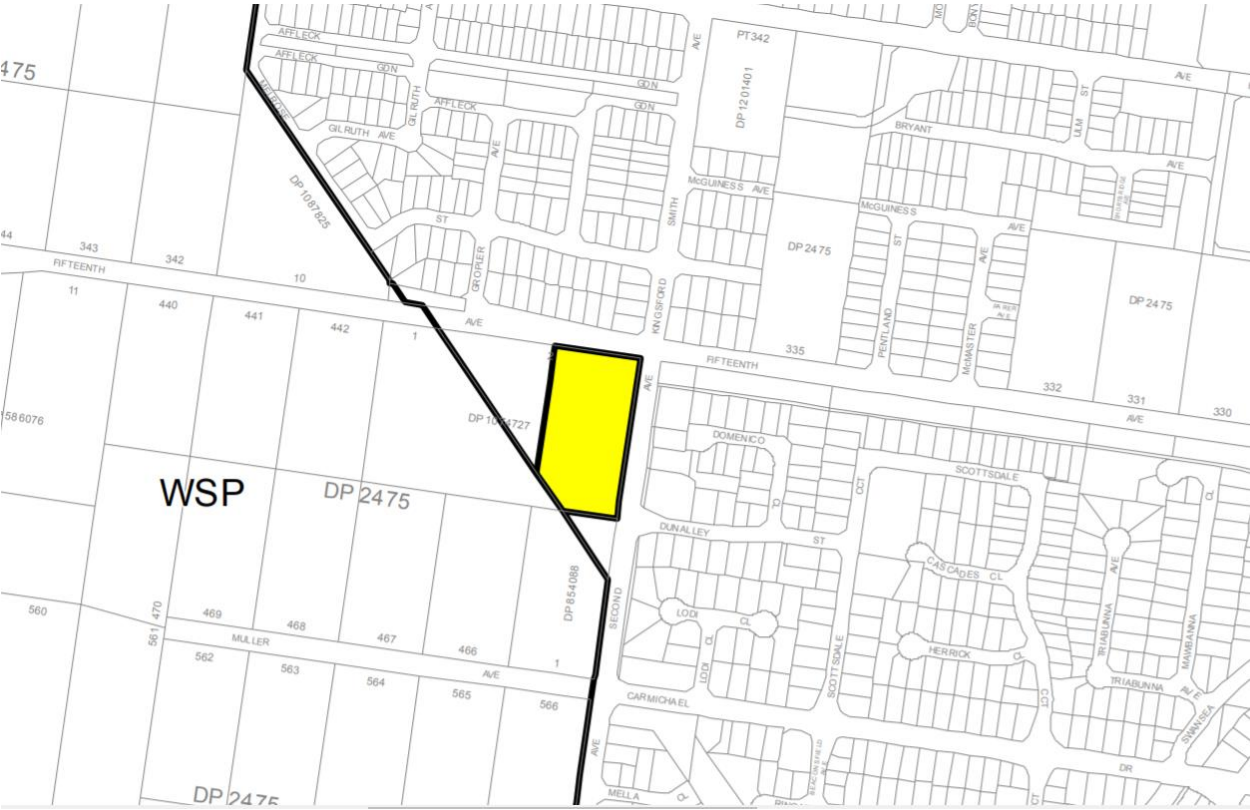
Action / Stage	Target Date
Lodgement of Planning Proposal Request with Council	October 2021
Community and limited public Authority consultation Review by Council/Local Planning Panel	December 2021 February 2022
Report to Council	March 2022
Referral to Department of Planning and Environment for a Gateway Determination	March 2022
Anticipated commencement date (Date of Gateway Determination)	April 2022
Anticipated timeframe for completion of additional required technical / study information	May 2022
Community and Authority Consultation	May 2022
Consideration of submissions by Council and potential amendments (Note: Assumes no public hearing)	June 2022
Report to Council	July 2022
Submission to Department of Planning and Environment to finalise the LEP amendment	July 2022
Anticipated making of LEP amendment if delegated	August 2022
Anticipated date of LEP amendment notification to Department of Planning and Environment	August 2022

Having regard to the preceding notional timeline it is anticipated that a timeframe of approximately 10 months should be provided to complete the relevant LEP amendment.

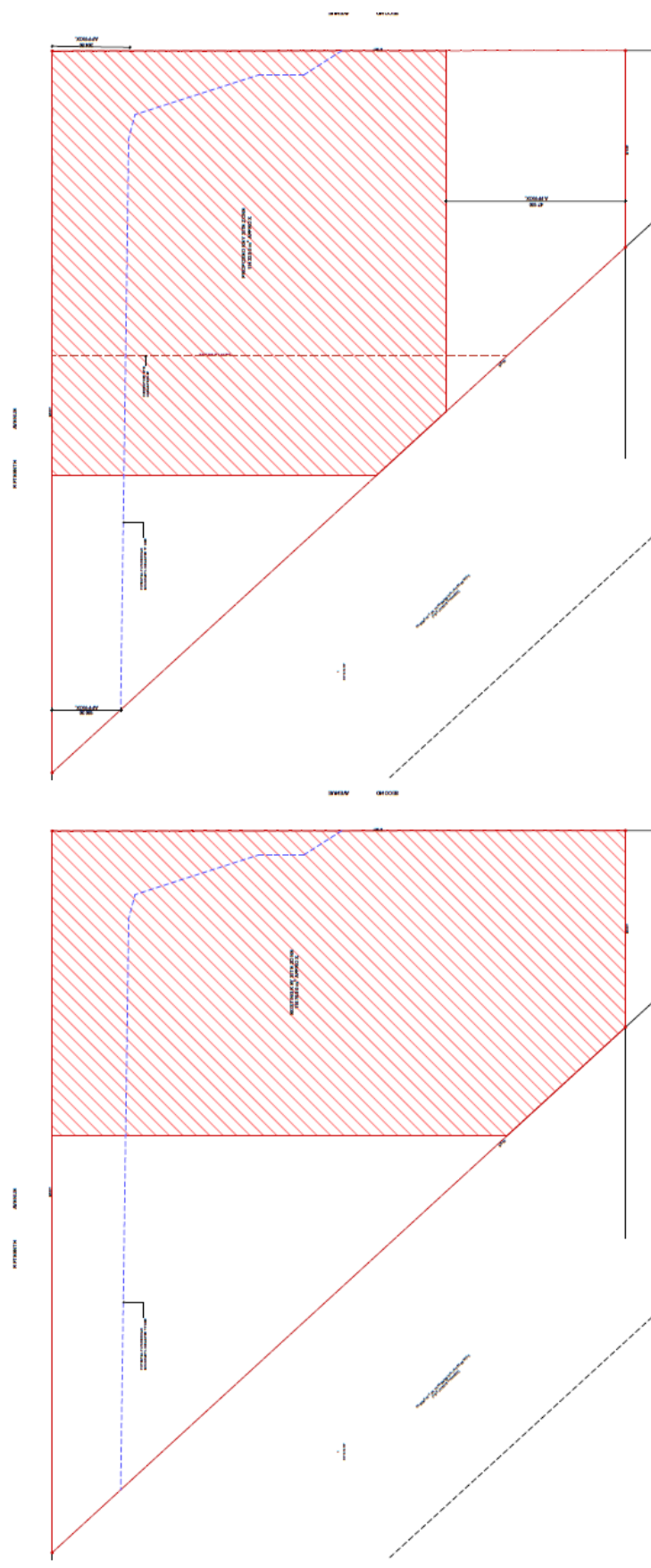
9 Conclusion

The subject PPR has sought to clearly understand the local planning context and housing market and respond in a positive manner through the rezoning to amend the boundary of the key sites map. In doing so, it seeks to facilitate a major compatible increase in appropriately located unique housing opportunities. Council is accordingly requested to progress the PPR and prepare a relevant Planning Proposal in a timely manner having regard to its strategic and site-specific merit.

APPENDIX “A” – CURRENT KEY SITES MAP



APPENDIX “C” – COMPARISON KEY SITES MAP



APPENDIX “D”

PREVAILING ZONING MAP EXTRACT and LANDUSE PROVISIONS

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide a suitable low scale residential character commensurate with a low dwelling density.
- To ensure that a high level of residential amenity is achieved and maintained.

2 Permitted without consent

Hone-based child care; Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

Schedule 1 Clause 9, applies as follows.

9 Use of certain land for service stations and take away food and drink premises

- (1) This clause applies to land shown coloured yellow on the Key Sites Map.
- (2) Development for the following purposes is permitted with consent—
 - (a) service stations,
 - (b) take away food and drink premises if—
 - (i) there will be no more than 1 take away food and drink premises at each of the areas shown coloured yellow on the Key Sites Map, and
 - (ii) the gross floor area of the take-away food and drink premises is not greater than 300m².

APPENDIX “E”

OVERVIEW OF COMPLIANCE WITH STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policies (SEPPs)	Consistency	Comments
SEPP No 1 Development Standards	N/A	SEPP 1 repealed.
SEPP No. 4 - Development Without Consent and Miscellaneous Complying Development	N/A	N/A
SEPP No.6 - Number of Stories in a Building	Yes	The planning proposal does not contain provisions that will contradict or will hinder the application of the SEPP.
SEPP No. 14 - Coastal Wetlands	N/A	Not applicable in the Liverpool LGA.
SEPP No. 15 – Rural Land – Sharing Communities	N/A	Not applicable in the Liverpool LGA
SEPP No. 19 - Bushland in Urban Areas	N/A	Devoid of vegetation.
SEPP No. 21 - Caravan Parks	N/A	Not applicable to this Planning Proposal Request.
SEPP No. 22 - Shops and Commercial Premises	N/A	Not applicable to this Planning Proposal Request.
SEPP No. 26 - Littoral Rainforests	N/A	Not Applicable in the Liverpool LGA.
SEPP No. 30 - Intensive Agriculture	N/A	Not applicable to this Planning Proposal Request.
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal does not contain provisions that will contradict or will hinder the application of the SEPP
SEPP No. 33 - Hazardous and Offensive Development	N/A	Not applicable to this Planning Proposal Request. Sepp 33 addressed for the proposed service station
SEPP No. 36 - Manufactured Home Estates	N/A	Not Applicable in the Liverpool LGA
SEPP No. 44 - Koala Habitat Protection	N/A	Not core Koala habitat.
SEPP No. 47 - Moore Park Showground	N/A	Not Applicable in the Liverpool LGA
SEPP No. 50 - Canal Estates	N/A	Not applicable to this Planning Proposal Request.
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	Not Applicable in the Liverpool LGA

SEPP No.55-Remediation of land	Yes	Phase 1 Contamination Report has been undertaken and confirms the site is suitable for the proposed development
SEPP No. 60 - Exempt and Complying Development	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP No. 62 - Sustainable Aquaculture	Yes	Not relevant in the subject context
SEPP No. 64 - Advertising and Signage	N/A	Not applicable to this Planning Proposal Request. Addressed as part of development application for erection of signage
SEPP No. 65 - Design Quality of Residential Flat Development	Yes	The Planning Proposal does not apply to zones where residential flat buildings are permissible. However, the buildings have been designed to be compliant
SEPP No. 70 - Affordable Housing (Revised Schemes)	N/A	The Planning Proposal will not contain provisions that will contradict the SEPP
SEPP No. 71 - Coastal Protection	N/A	Not Applicable in the Liverpool LGA
SEPP (Affordable Rental Housing) 2009	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP (Housing for Seniors or People with a Disability)	Yes	The Planning Proposal does not contain provisions that will contradict or would hinder a future application for SEPP (HSPD) housing. The development is for seniors housing in accordance with the SEPP provisions
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP. Future development applications for dwellings will need to comply with this policy.
SEPP (Kurnell Peninsula) 1989	N/A	Not Applicable in the Liverpool LGA
SEPP (Major Development) 2005	N/A	Not applicable to this Planning Proposal Request.
SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable to this Planning Proposal Request.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	This Planning Proposal Request does not contain provisions which would contradict or hinder the application of this SEPP.

SEPP (Temporary Structures) 2007	N/A	Not applicable to this Planning Proposal Request.
SEPP (Infrastructure) 2007	Yes	Certain infrastructure required to service the development would be permissible in accordance with this SEPP and site is subject to road widening and comments from Transport for NSW have resulted in additional road widening and hence application to amend Key Sites Map.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	N/A	Not Applicable in the Liverpool LGA
SEPP (Rural Lands) 2008	N/A	Not Applicable in the Liverpool LGA
SEPP (Exempt and Complying Development Codes) 2008	Yes	The planning proposal does not contain provisions that will contradict or would hinder the application of the SEPP at future stages, post rezoning.
SEPP (Western Sydney Parklands) 2009	N/A	Not Applicable to Planning Proposal Request. Subject site adjoins the area under the SEPP.
SEPP (Western Sydney Employment Area) 2009	N/A	Applicable in the Liverpool LGA
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not applicable to this Planning Proposal Request.
SEPP (Western Sydney Aerotropolis) 2020	N/A	The subject site is located outside the land application map of the SEPP. However, the site is within the wildlife buffer zone and Obstacle Limitation Surface Map under the SEPP. The planning proposal is not proposing any of the 'relevant developments' identified under the SEPP.
Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans)	Consistency	Comments
REP No.9 - Extractive Industry (No 2)	N/A	Not applicable to this Planning Proposal Request.
REP No.2 - Georges River Catchment	Potential to be	The general planning considerations and specific planning policies and strategies will be observed. Further, the relevant development controls will be addressed in future development.
Drinking Water Catchments REP No.1	N/A	Not applicable to this Planning Proposal Request

APPENDIX “F”
SECTION 9.1 DIRECTION COMPLIANCE OVERVIEW

Ministerial Direction	Applicable to LEP	Consistency of LEP with Direction	Assessment
1. Employment and Resources			
1.1 Business and industrial Zones	No	Consistent	Will contribute towards the planned productivity growth in the Western City District and Western Parkland City as envisaged in the Greater Sydney Regional Plan.
1.2 Rural Zones	No	N/A	The land is mainly zoned for residential purposes (R2 – Low Density Residential) and is subject to Schedule 1 – Additional Permitted Uses – Clause 9
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Potentially inconsistent	Future extraction would be incompatible with the proposal and surrounding development and would be inappropriate. The existing neighbourhood character would generally mitigate against extractive industry approval irrespective of the proposal.
1.4 Oyster Production	No	N/A	N/A
1.5 Rural Lands	No	N/A	The Planning Proposal Request has had regard to the Metropolitan Rural Area requirements. However, the land is zoned R2 Low Density Residential
2. Environment and Heritage			
2.1 Environmental Protection Zones	Yes	Yes	The Planning Proposal Request does not impact upon areas of ecological sensitivity.
2.2 Coastal Protection	No	N/A	N/A
2.3 Heritage Conservation	Yes	Potential	The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The proposal is not affected by heritage items.
2.6 Remediation of Contaminated Land	Yes	No	The Planning Proposal is not inconsistent with the direction. A Detailed Environmental Site Investigation Report was undertaken and recommends further investigation be undertaken as part of the development proposal.
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	Yes	Yes	The proposal is consistent in seeking to provide increased housing diversity leveraging off existing infrastructure, noting the zoning of the land. A Social Impact Assessment accompanies the application in accordance with Council's DCP 2008 – Section 27.
3.2 Caravan Parks and Manufactured Home Estates	Yes	Yes	The Planning Proposal Request does not change the permissibility of such use. Therefore, the PPRs consistent with the subject Direction.

3.3 Home Occupations	Yes	Yes	"Home occupations" are permissible without consent in all relevant zones.
3.4 Integrating Land Use and transport	Yes	Yes	The Planning Proposal seeks to "rezone" land to account for the additional road widening required by TfNSW. The site is proximate to public transport.
3.5 Development Near Licensed Aerodromes	No	N/A	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to ensure the effective and safe operation of aerodromes, and (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and (c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. <p>Development as ultimately proposed can be advanced in accordance with the subject objectives.</p>
3.6 Shooting Ranges	Yes	Yes	There are no licensed shooting ranges in the locality.
4. Hazard and Risk			
4.1 Acid Sulphate Soils	No	N/A	Land not shown on relevant maps to exhibit acid sulphate qualities. Accordingly, the Direction does not apply.
4.2 Mine Subsidence and Unstable Land	Yes	Yes	The land is not in a Mine Subsidence District and can be readily developed in accordance with standard provisions.
4.3 Flood Prone Land	Yes	Yes	The Planning Proposal Request is not flood prone has been prepared in accordance with the NSW Flood Plain Land Policy and the principles of the Floodplain Development manual 2005 and can be developed accordingly.

4.4 Planning for Bushfire Protection	Yes	Justifiably inconsistent	<p>The objectives of this direction are:</p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage sound management of bush fire prone areas.</p> <p>The proposal can be advanced in accordance with and fulfil the subject objectives. Referred to the NSW Rural Fire Service will take place as required post Gateway and a bushfire hazard assessment provides a BAL rating of 12.5 for the site.</p>
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5. Regional Planning

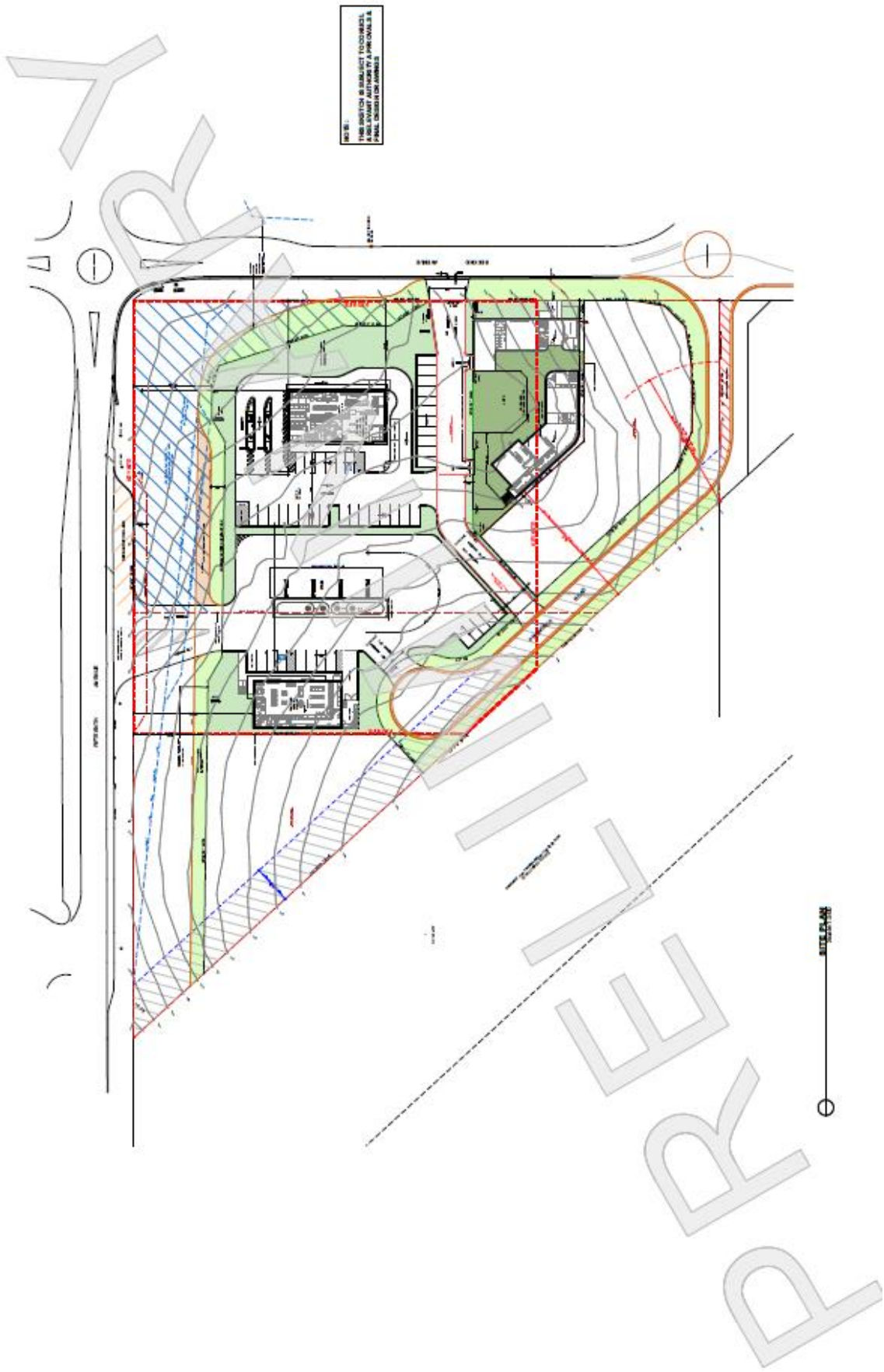
5.1 Implementation of Regional Strategies	No	N/A	Not applicable in the Liverpool LGA
5.2 Sydney Drinking Water Catchments	No	N/A	Not applicable in this part of the Liverpool LGA
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A	Not applicable in the Liverpool LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A	Not applicable in the Liverpool LGA.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No	N/A	Revoked.
5.6 Sydney to Canberra Corridor	No	N/A	Revoked.
5.7 Central Coast	No	N/A	Revoked.
5.8 Second Sydney Airport: Badgerys Creek	Yes	Yes	The land is removed from the “zone” of influence.
5.9 North West Rail Link Corridor Strategy	No	N/A	Not applicable to the Planning Proposal.
5.10 Implementation of Regional Plans	No	N/A	The plan is consistent where relevant with the Western City District Plan

6. Local Plan Making

6.1 Approval and Referral Requirements	Yes	Yes	<p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. The Planning Proposal Request is consistent with this direction because it does not alter the provisions relating to approval and referral requirements.</p>
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6.2 Reserving Land for Public Purposes	Yes	Yes	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. <p>The SP2 zoned land within the site area is included in the Land Reservation Acquisition Map under LEP 2008 to facilitate additional road widening required by TfNSW.</p>
6.3 Site Specific Provisions	Yes	Yes	The Planning Proposal Request does not impose any development standards or requirements in addition to those already contained in LLEP 2008.
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	Yes	Yes	Consistent in terms of the Greater Sydney Region Plan – A Metropolis of Three Cities.
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	N/A	The land is not in the subject investigation area.
7.8 Implementation of Western Sydney Aerotropolis Interim Landuse and Infrastructure Implementation Plan	Yes	N/A	<p>The objective of this direction is to ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018 (the Stage 1 Land Use and Implementation Plan).</p> <p>The site is not impacted adversely by the Airport related obstacle limitation surface and ANEF contours.</p>

**APPENDIX “H”
AMENDED PLAN SHOWING DECELERATION LANE AND ROAD WIDENING
SCENARIOS**



THIS DRAWING IS SUBJECT TO CORRECTIONS
AND VARIATIONS AS REQUIRED BY THE
LOCAL AUTHORITY.