

ITEM NO: EGROW 03
FILE NO: 251505.2019
SUBJECT: Planning Proposal - Holsworthy Town Centre

RECOMMENDATION

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal, subject to a detailed site contamination investigation being prepared;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Delegate to the CEO authority to negotiate a planning agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the planning agreement prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
5. Endorses in principle the proposed public benefit contributions of the planning agreement, to be negotiated further, including:
 - Upgrade of the existing roundabout (Macarthur Drive / The Boulevard / Morningside Parade) to a signalised crossing to facilitate vehicular entry to the site, a safer pedestrian environment and improved traffic conditions;
 - Removal of redundant roadway connecting the existing roundabout and existing rail bridge, including associated earthworks;
 - Embellishment of the Macarthur Drive road reserve including provision of a shared path and landscaping;
 - Landscaping of the road reserve along Heathcote Road adjacent to the site (with RMS concurrence);
 - Provision of publicly accessible open space on the site with a minimum area of 1,000m².
6. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that a site specific DCP be included as a Gateway condition to be satisfied prior to public exhibition; and
7. Receive a further report on the outcomes of public exhibition and community consultation.

COUNCIL DECISION**Motion:****Moved: Cllr Hadchiti****Seconded: Cllr Ayyad**

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5. Endorses in principle the proposed public benefit contributions of the planning agreement, to be negotiated further, including but not limited to:
 - Upgrade of the existing roundabout (Macarthur Drive / The Boulevard / Morningside Parade) to a signalised crossing to facilitate vehicular entry to the site, a safer pedestrian environment and improved traffic conditions;
 - Removal of redundant roadway connecting the existing roundabout and existing rail bridge, including associated earthworks;
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7. Receive a further report on the outcomes of public exhibition and community consultation.

Vote for: Mayor Waller
Clr Ayyad
Clr Balloot
Clr Hadchiti
Clr Hagarty
Clr Harle
Clr Kaliyanda
Clr Karnib
Clr Rhodes

Vote against: Clr Shelton

Note: Clr Hadid was not at the meeting.

EGROW 03

Planning Proposal - Holsworthy Town Centre

Strategic Direction	Strengthening and Protecting our Environment Exercise planning controls to create high-quality, inclusive urban environments
File Ref	251505.2019
Report By	David Smith - Acting Director, City Economy and Growth / Deputy CEO
Approved By	David Smith - Acting Director, City Economy and Growth / Deputy CEO

Property	2 Macarthur Drive, Holsworthy (Lot 5 DP 825745)
Owner	Holsworthy Developments Pty Ltd
Applicant	Architectus Pty Ltd

EXECUTIVE SUMMARY

Council has received a planning proposal for a site at 2 Macarthur Drive, Holsworthy (Lot 5 DP 825745). The planning proposal seeks to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 and certain development standards to enable a mixed use development on the site.

It is proposed to amend the maximum height of buildings development standard from 21m to 45m and the floor space ratio (FSR) development standard from 1.5:1 to 2.15:1. It is also proposed to amend Schedule 1 of the Liverpool Local Environmental Plan (LLEP) 2008 limiting non-residential uses to a Gross Floor Area (GFA) of 9,000sqm on the site (**Attachment 1**). The amendments to the LLEP 2008 are to be supplemented by a corresponding amendment to Part 2.6 (Holsworthy Station Area) of the Liverpool Development Control Plan (DCP) 2008.

The planning assessment report is included in **Attachment 2**. The report outlines that the proposal has strategic and site specific merit and recommends that the planning proposal be submitted to the Department of Planning, Industry & Environment for a Gateway determination.

Advice was sought from the *Liverpool Local Planning Panel* (LPP) at its meeting on 26 August 2019 in accordance with the *Local Planning Panel Direction – Planning Proposals* dated 23 February 2018. Following an inspection of the site and consideration of the

assessment report, the panel provided their advice (**Attachment 3**) that the proposal has strategic and sit specific merit.

Given the site specific nature of the proposal, it is recommended that Council note the advice of the LPP, support in principle the planning proposal, and submit the proposal to the Department of Planning, Industry and Environment seeking a Gateway determination and public exhibition.

RECOMMENDATION

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal, subject to a detailed site contamination investigation being prepared;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Delegate to the CEO authority to negotiate a planning agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the planning agreement prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
5. Endorses in principle the proposed public benefit contributions of the planning agreement, to be negotiated further, including:
 - Upgrade of the existing roundabout (Macarthur Drive / The Boulevard / Morningside Parade) to a signalised crossing to facilitate vehicular entry to the site, a safer pedestrian environment and improved traffic conditions;
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 - Landscaping of the road reserve along Heathcote Road adjacent to the site (with RMS concurrence);
 - Provision of publicly accessible open space on the site with a minimum area of 1,000m².
6. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that a site specific DCP be included as a Gateway condition to be satisfied prior to public exhibition; and
7. Receive a further report on the outcomes of public exhibition and community consultation.

REPORT

The site and locality

This planning proposal is site specific and relates to land at 2 Macarthur Drive, Holsworthy (Lot 5 DP 825745). The subject site is a vacant, triangular shaped parcel of land with an area of approximately 1.86ha. The site has approximate frontages of 232m to the T8 - Airport & South Railway line to the south, 185m to Macarthur Drive to the northwest and 200m to Heathcote Road to the northeast.



Figure 1: Site location and surroundings

The site is located directly to the east of Holsworthy train station and the 'Mornington Estate', and is approximately 400m to the south of Hammondville Park. The Holsworthy Army barracks are located 65m to the south of the site, being separated by the T8 Rail line.

Planning Assessment

The planning assessment report is contained in **Attachment 2**. It provides a detailed assessment of the merits of the proposal against the District and Region Plans and the Department of Planning's 'Guide to Preparing Planning Proposals'. The report's conclusion is that the planning proposal has strategic and site specific merit and should proceed to a Gateway determination.

Local Planning Panel Advice

The planning proposal was considered by the Panel at its 26 August 2019 meeting and their advice is included at **Attachment 3**.

The advice of the LPP is:

The Panel has inspected the site and surrounding locality and read the Council officer's report and supporting documents. Subject to the further comments below the Panel considers the planning proposal has strategic and site specific merit. The Panel supports the recommendation that the planning proposal proceeds to gateway determination.

The Panel recommends Council consider the following matters:

- 1) *Placing a minimum non-residential gross floor area to be developed on the site as a means of ensuring that the site is not wholly developed for residential purposes. This could be achieved by the schedule amendment to the LEP or a DCP control.*
- 2) *Requiring the proponent to liaise with Council's Design Excellence Panel in the preparation of the site-specific urban design masterplan in the proposed DCP.*
- 3) *Requiring the proponent to include the following additional commitments in the proposed VPA:*
 - *Pedestrian and cycle way linkages to provide connectivity between the site and the passive and active open space to the North of the site*
 - *Enhancement of the public domain along the pedestrian link between the site and Holsworthy Train Station.*

Council officers met with the proponent, following the LPP meeting, on Monday 30 September 2019. At the meeting, the proponent was given the opportunity to respond to, and provide potential solutions to the LPP's recommendations.

In addressing recommendation 1, the proponent advised that Clause 7.16 (Ground floor development in Zones B1, B2 and B4) is sufficient to provide for minimum non-residential floor area. Clause 7.16 prohibits the development of residential premises on the ground floor of the site. As such, the proponent must provide non-residential floor space on the ground-floor in order to provide residential development on any higher levels.

In addressing recommendation 2, the proponent agreed to prepare a site specific DCP prior to public exhibition of the planning proposal and for it to be reviewed by the Design Excellence Panel.

In addressing recommendation 3, the proponent provided additional information on the 8th October 2019. This information is included at **Attachment 4**.

Officer comment on LPP Advice

It is recommended that Council note the advice of the LPP and support in principle the planning proposal and submit the proposal to the Department of Planning, Industry and Environment seeking a Gateway determination and public exhibition.

The reasons for this recommendation are:

- the proposal has strategic and site specific merit;
- the proposal is site specific and will not undermine the strategic planning framework;
- the site-specific DCP will ensure that any impacts are mitigated and that any benefits are realised;
- the site can accommodate (subject to development consent) an appropriate mixed use development that is in close proximity to the train station, open space areas, and will be well serviced by the future upgrade of Heathcote Road.

Consistency with Draft Local Strategic Planning Statement – Connected Liverpool 2050

Council's draft Local Strategic Planning Statement (LSPS) *Connected Liverpool 2050* provides strategic directions to support the implementation of the Regional, District and Community Strategic Plan. The four key directions are: *connectivity, liveability, productivity and sustainability*. The planning proposal aligns predominately with the second direction which includes the following relevant priorities:

- *High quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth*
- *Housing choice for different needs, with density focused in the City Centre and **centres will serviced by public transport** (emphasis added)*
- *Safe, healthy and inclusive places shaping the wellbeing of the Liverpool Community*

The planning proposal generally supports these priorities as it would ultimately deliver (subject to further development assessment) a mixed use development in a well located site that is serviced by public transport.

CONSULTATION

Council's Environment & Health department identified that a Stage 2 Detailed Site Contamination assessment would be required to support the planning proposal. The recommendation to support this planning proposal is conditional on the proponent preparing a detailed site contamination investigation to ensure the requirements of SEPP 55 are met.

The site has frontage to Heathcote Road (which is to be upgraded) and lies directly to the north of the Holsworthy army Barracks and the Moomba to Sydney ethanol gas pipeline. Should the proposal receive a Gateway determination, the RMS, Department of Defence and APA Group will each receive a formal notification of the proposal and be given an opportunity to make any comments.

Additionally, should the proposal receive a Gateway determination, it is recommended that a site specific DCP is prepared containing site specific controls to address urban design, building massing and potential environmental impacts. As recommended by the LPP, any site-specific DCP will need to be referred to Council's Design Excellence Panel, prior to public exhibition.

CONSIDERATIONS

Economic	<p>Further develop a commercial centre that accommodates a variety of employment opportunities.</p> <p>Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.</p> <p>Deliver a high quality local road system including provision and maintenance of infrastructure and management of traffic issues.</p> <p>Facilitate economic development.</p>
Environment	<p>Promote an integrated and user friendly public transport service.</p> <p>Support the delivery of a range of transport options.</p>
Social	<p>Regulate for a mix of housing types that responds to different population groups such as young families and older people.</p>
Civic Leadership	<p>Encourage the community to engage in Council initiatives and actions.</p> <p>Provide information about Council's services, roles and decision making processes.</p>
Legislative	<p>Environmental Planning and Assessment Act 1979.</p>

ATTACHMENTS

1. Planning Proposal (Under separate cover)
2. Planning Assessment Report (Under separate cover)
3. Local Planning Panel Advice (Under separate cover)
4. Applicants Response to LPP Advice (Under separate cover)
5. Urban Design Report and Masterplan (Under separate cover)
6. Traffic Report (Under separate cover)
7. Social Impact Assessment (Under separate cover)
8. Economic Impact Assessment (Under separate cover)
9. VPA Letter of Offer (Under separate cover)