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Gateway determination report – PP-2022-1519

Liverpool LEP 2008 Amendment Holsworthy Town Centre

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

Contents

1	Planning proposal.....	2
1.1	Overview.....	2
1.2	Objectives of planning proposal	2
1.3	Explanation of provisions	3
1.4	Site description and surrounding area.....	4
1.5	Background	5
2	Need for the planning proposal	7
3	Strategic assessment	8
3.1	District Plan	8
3.2	Local planning panel (LPP) recommendation.....	10
3.3	State environmental planning policies (SEPPs)	14
4	Site-specific assessment	15
4.1	Environmental.....	15
4.2	Social and economic.....	17
•	5.3 Economic.....	21
4.3	Infrastructure	21
5	Consultation.....	22
5.1	Community	22
5.2	Agencies.....	22
6	Timeframe	22
7	Local plan-making authority	22
8	Assessment summary	23
9	Recommendation.....	23

1 Planning proposal

1.1 Overview

Table 1 Planning proposal details

LGA	Liverpool
PPA	Liverpool Council
NAME	Amendment to Liverpool LEP 2008 Holsworthy Town Centre (350 dwellings, 150 jobs)
NUMBER	PP-2022-1519
LEP TO BE AMENDED	Liverpool LEP 2008
ADDRESS	2 Macarthur Drive, Holsworthy
DESCRIPTION	Lot 5 DP 825745
RECEIVED	28/04/2022
FILE NO.	EF22/6276
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

1.2 Objectives of planning proposal

The planning proposal (**Attachment A**) seeks to enable a mixed-use development for 350 dwellings and 150 jobs within six residential towers above a single storey mixed-use podium on the site, with an underground car parking for 848 vehicles.

The proposed amendments to the development controls in the LEP are as follows:

- increase the maximum height of buildings control from 21 metres to part 25m (six storeys) and part 45m (up to 12 storeys) with lift overruns and rooftop plant;
- increase the maximum floor space ratio (FSR) control from 1.5:1 to 2.15:1; and
- include a site-specific provision in Schedule 1 Additional permitted uses in the LEP to stipulate a maximum non-residential gross floor area of 9,000sqm on the site.

The proposal is the same to which a Gateway determination was issued in July 2020. This was subsequently altered to not proceed on 9 September 2021 (see under Background on page 5) because the local infrastructure agreement to support the proposed development and the DCP were not sufficiently progressed to enable Council to progress to public exhibition, and there was no certainty of the planning process at the time. The previous Gateway report is at **Attachment I**. The proposal is supported by the same studies.

Voluntary Planning Agreement

Council advises that a VPA will involve the undertaking of the following works:

- upgrade the existing roundabout and a new signalised intersection for Macarthur Dr, The Boulevarde and Morningside Parade;
- removal of the redundant roadway connecting the existing roundabout and rail bridge;
- embellishment of Macarthur Drive road reserve to Council's satisfaction;
- landscaping along Heathcote Road to the satisfaction of the TfNSW – RMS; and
- provision of public open space on the site with a minimum area of 1000m².

Council advises it is considered premature at this stage to determine the detailed design of the intersection/upgrades proposed in the VPA and considers these can be further investigated at the DA stage, once specific land use, development yields and built forms are proposed. Council has further advised that these discussions have progressed to a stage where the proposal can progress, and a VPA is being negotiated.

Liverpool Development Control Plan 2008

The maximum non-residential floor space on the site is currently controlled by the Liverpool DCP 2008 which provides maximum gross leasable retail floor area within the centre does not exceed 7,250sqm and maximum gross leasable floor area for commercial use does not exceed 1,200sqm.

The planning proposal seeks to impose a maximum 9,000m² non-residential GFA on the site, based on an urban design study/masterplan (**Attachment J**) and the previously approved DA for the site (DA 1839/2005) to ensure no additional impacts on existing nearby centres.

Council also advises that a revised DCP will be prepared with site specific controls to guide the proposed development on the site to achieve the design outcomes described in the urban design study, including, but not limited to additional height in storeys; revised public domain plan and, revised traffic and circulation.

Council further advises that the draft DCP has been prepared for the site and was reviewed by Council's Design Excellence Panel on 11 March 2021. It is yet to be exhibited.

Accordingly, the proposal is being resubmitted to the Department seeking Gateway Determination.

1.3 Explanation of provisions

The site is zoned B2 Local Centre under Liverpool LEP 2008. The maximum height of buildings applying to the site is 21 metres and the FSR is 1.5:1. The B2 zone permits a variety of land uses with consent including commercial premises, community facilities, residential flat buildings, shop top housing and tourist and visitor accommodation. The proposed development for a mixed-use development for residential towers, retail uses, and car parking are permissible in the zone. No rezoning is proposed. It is noted that the Department is concurrently progressing the Employment Zones Reform. As there is no proposed change to the zoning of the site, it is expected that any change to the zoning of the site will occur through this separate process.

The planning proposal seeks to amend the development controls in the Liverpool LEP 2008 as follows:

- Height of Buildings Map (HOB 015) – increase the maximum height of buildings control from 21m, to part 25m and part 45m (**Figure 3**);
- Floor Space Ratio Map (FSR 015) – increase the maximum FSR control from 1.5:1 to 2.15:1 (**Figure 4**); and
- to amend Schedule 1 of the LEP to include a site-specific provision restricting a maximum non-residential gross floor area of 9,000m².

1.4 Site description and surrounding area

The site comprises an area of 1.862 hectares and is located 5.4km from the Liverpool City Centre. The land is vacant and no significant vegetation is present on the site (**Figure 1**). The site has been partially excavated following a previously approved development (DA 1839/2005) however the development did not proceed and remains in a partially excavated and desolate state for approximately eight (8) years.

The site is accessed from adjacent Heathcote Road, a major arterial road and Macarthur Drive, and is 200 metres to Holsworthy Railway Station and transport interchange.

Mornington Residential Estate with a mix of low to medium residential dwellings is to the north and the Holsworthy Army Barracks are to the south across the rail line.

The site has access to two primary schools, Moorebank Sports Club and Hammondville Park to the north and Creekwood Reserve to the east. The Moomba-Sydney ethanol pipeline which is located along the southern boundary adjacent to the site.

The Bushfire Constraints Assessment (**Attachment L**) identified that eastern portion of the site is identified as a 'vegetation buffer' pursuant to Council's Bushfire Prone Land map (**Figure 2**).



Figure 1 – The subject site

1.5 Mapping

NSW Department of Planning and Environment | 5



Figure 3 Proposed height map



Figure 4 – Proposed FSR

1.6 Background

A previous Gateway determination (**Attachment F**) was issued for the original proposal PP-2020-2141 on 15 July 2020, as altered on 1 April 2021 allowing the proposal to be completed by 15 November 2021 (**Attachment G**).

On 30 July 2021 Council further requested the Gateway to be altered to allow the proposal to be completed by 15 March 2022. Council advised there were delays in Council securing local infrastructure provisions to support the proposal. The proposal had not progressed to public exhibition when it was required to be submitted to the Department for finalisation by 15 August 2021. Given the unresolved issues and the pre-exhibition stage of the proposal, a further Gateway extension was not supported and was altered to not proceed on 9 September 2021 (**Attachment H**).

Council was advised that there are no major issues with the proposal in terms of its site and strategic merit and the proposal will activate and improve the economic viability of the local centre. The letter acknowledged the outstanding issues to be securing the local infrastructure and consultation with TfNSW regarding potential upgrades to the regional road network.

The letter to Council also advised that the new planning proposal can be accompanied by the studies which have supported the original proposal with clear milestones on various stages of the plan finalisation.

In terms of consistency with the Gateway conditions, Council has consulted with NSW RFS, Bankstown Airport and Department of Defence. No objections were raised by the agencies.

The planning proposal is also formatted as requested by the Gateway determination letter to be consistent with 'A guide to preparing local environmental plans' (Department of Planning, Industry and Environment, 2018), in accordance with the requirements of section 3.33(2) of the Act.

2 Need for the planning proposal

The main objective of the planning proposal is to support the development of a local centre providing a mixed-use development with a range of ground floor retail, business, entertainment and residential uses, with access to existing services and infrastructure. The planning proposal seeks to facilitate:

- a total GFA of 40,000m² of development, with approximately 31,035m² of residential uses within six (6) tower buildings of one, two and three bedrooms ranging between six (6) and twelve (12) storeys;
- 8,965m² of retail floor area (approx. 8,804m² GLA) within a one-storey podium;
- 350 residential units and approximately 150 jobs (based on the retail floor area of 9000m² at a rate of 1 job per 60m²);
- 848 car parking proposed in two levels of basement (408 for residential and 440 for retail/commercial uses); and
- 3,000m² of public open space (to be captured in VPA), 4,500m² of communal open space (on podium) and 3,526m² of private open space (balconies).

The planning proposal is the best and most appropriate means to achieve the intended outcomes which is to amend the existing development controls to facilitate the proposed development.

3 Strategic assessment

3.1 District Plan

The planning proposal is not a result of any strategic planning statement, strategic study or report. The Western City District Plan released by the Greater Sydney Commission on 18 March 2018 applies to the site. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The Department is satisfied that the proposal gives effect to the District Plan in accordance with section 3.8 of the Environmental Planning and Assessment Act 1979, as discussed in **Table 3** overleaf.

Table 3 District Plan assessment

District Plan Priorities	Justification
Planning Priority: W1 Planning for a city supported by infrastructure	The proposal maximises the use of existing infrastructure located near Holsworthy Railway Station and bus interchange. The proposal will also improve public open spaces, pedestrian and cycle ways linking to the station and road intersections which will in turn improve access, permeability and connectivity of the site with the surrounding area.
Planning Priority: W3 Providing services and social infrastructure to meet people's changing needs	The proposal seeks to develop a vacant site in single ownership, which is identified as a local centre, with access to public transport infrastructure, with new contemporary retail spaces and landscaped public and community open spaces.
Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport	The planning proposal seeks to increase the permissible planning controls applicable to the site to allow an optimal and efficient form of development, which will increase the capacity and diversity of housing with accessible retail facilities, near public transport infrastructure providing access to key employment centres within 30 minutes.
Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage	The site benefits from being near public transport infrastructure, which provides connections to key employment, education and service destinations. The proposal will embellish/improve public open space on-site and within road reserves and enable dedicated pedestrian access to the railway station from the site and surrounding area through Council owned land along Macarthur Drive.
Planning Priority W7: Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	The proposal will assist in achieving the objectives of the District Plan's productivity and housing delivery by increasing the number, mix and diversity of dwelling types.
Planning Priority W19 Reducing carbon emissions and managing energy, water and waste efficiently	Development of the site near public transport infrastructure will minimise vehicle use and contribute to a reduction in carbon emissions.

3.2 Local

The proposal states that the planning proposal has site specific and strategic merit. It is consistent with the strategic direction and objectives of Liverpool Local Strategic Planning Statement (LSPS), as stated in the **Table 4** below:

Table 4 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	Council advises the proposal is consistent with the Liveability and Productivity Objectives of the Liverpool LSPS. The proposal will promote housing choice and local jobs, will facilitate high-quality and accessible community facilities, open spaces at a location well serviced by public transport infrastructure.

Council also advises the proposal is consistent with its long-term Community Strategic Plan, Centres and Corridors Strategy 2020 and Local Housing Strategy 2020.

3.2 Local planning panel (LPP) recommendation

The planning proposal was considered by the Liverpool Local Planning Panel on 26 August 2019 (**Attachment M1**). The Panel concluded that:

- the proposal is consistent with State and local strategies;
- there is strategic merit to support the proposed rezoning;
- the proposal demonstrates site specific merit where the amended development standards will facilitate increased housing supply and retail uses, without negatively impacting upon current or future land uses in the vicinity; and
- the urban design and built form considerations for this proposal are consistent with Council's future vision for the site.

The Local Panel's advice is at **Attachment M2**. Council resolution on 28 October 2019 noted the Planning Panel's advice (**Attachment M3**).

4.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant Section 9.1 Directions is discussed below in **Table 5**:

Table 5 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.4 Site-specific Provisions	Not consistent	<p>The proposal seeks to insert a clause to stipulate the maximum non-residential gross floor area to 9,000m² on the site.</p> <p>The provision is not unnecessarily restrictive. It is to achieve the design outcomes described in the urban design study (Architectus, October 2018) at Attachment J and to ensure commercial development does not have any adverse impacts upon other centres. Any inconsistency is of a minor nature.</p>

4.1 Flooding	Yes	<p>The Flood Study (Xavier Knight Consulting Engineers Pty Ltd., June 2017) at Attachment N for the site did not identify the site as being flood prone. The subject land is affected by overland flow because of the insufficient capacity of the existing stormwater pipes. The impact is minimal and can be mitigated with appropriate mitigation measures at the development application stage. The planning proposal is consistent with the direction.</p>
4.3 Planning for Bushfire Protection	Yes	<p>The Bushfire Constraints Assessment (RPS, May 2017) at Attachment L identified that eastern portion of the site is identified as a 'vegetation buffer' pursuant to Council's Bushfire Prone Land map (Figure 2).</p> <p>The assessment demonstrates that the proposal can comply with the Rural Fires Act 1997 and the NSW Rural Fire Service 'Planning for Bushfire Protection' guidelines and suitable mitigation can be addressed at development application stage.</p> <p>Council consulted with the NSW Rural Fire Service as part of the previous planning proposal process. NSW RFS raised no objection and considered bushfire prone land can be addressed at DA stage.</p> <p>A response from NSW RFS is at Attachment O. The proposal is consistent with this Direction.</p>
4.4 Remediation of Contamination	Yes	<p>A preliminary site investigation (GHD, July 2017) at Attachment P identified that there is elevated concentration of polycyclic aromatic hydrocarbons (PAH) in soils on the south west portion of the site exceeded the health-based investigation level. The study concluded that the land could be developed for residential use where occupiers have minimal access to soil, such as high-rise apartments, flats or town houses, and where the existing soil is covered by permanent structures, such as building slabs, roadways and pavement.</p> <p>Council considered that the subject site is suitable for the proposal without remediation. On this basis, the planning proposal is consistent with the direction.</p>

4.5 Acid Sulfate soils	Yes	<p>The site is impacted by Class 5 acid sulfate soils and is within 500m of land affected by Class 4 acid sulfate soils. Accordingly, an acid sulfate soil management plan will be required should any works lower the water table below 1 metre AHD on the adjacent Class 4 land.</p> <p>This is a matter that can be considered at development stage. The planning proposal is consistent with the objectives of this Direction.</p>
5.1 Integrating Land Use and Transport	Yes	<p>The site is within 200m of Holsworthy Railway Station and transport interchange. The existing pedestrian access to the station is not a direct pedestrian access from the site but through the multi-Storey car park land.</p> <p>The previous Gateway determination condition recommended a revised DCP that ensures a safe and direct pedestrian link between the site and Holsworthy Train Station. Council advises that this will be addressed through the draft site specific DCP. This condition is retained in the Gateway determination.</p> <p>Located near public transport infrastructure, the proposal will reduce private car journeys resulting from the increased residential population. The planning proposal is consistent with the objectives of this Direction.</p>

5.3 Development Near Regulated Airports and Defence Airfields	Yes	<p>Bankstown Airport was consulted by Council and responded on 21 July 2020 that the proposed development will not impact flight operations at Bankstown Airport (Attachment Q).</p> <p>There is an airfield located 3.1km to south of the site within the Holsworthy Army Barracks. As part of the previous Gateway determination Council consulted the Department of Defence (Attachment R). Defence does not support the proposed amendment to increase density and height at the subject site but notes that if Council is inclined to support the proposal, Defence would seek to ensure that appropriate conditions are imposed as part of any future development proposal as follows:</p> <ul style="list-style-type: none"> • no surveillance or communications equipment or products can be erected on the building without prior approval by Defence; • any future buildings must be designed to ensure minimal overview of Defence land by generally facing apartments away from the barracks and through the use of architectural privacy treatments to avoid any direct overview. <p>Council advises relevant design considerations will be addressed in the site-specific development control plan (DCP) and Defence will be consulted when the DCP is exhibited.</p> <p>It is considered the proposal is consistent with the Direction.</p>
6.1 Residential Zones	Yes	<p>The Direction applies as the proposal entails significant residential development.</p> <p>The proposal is consistent with the Direction as it will increase residential dwellings on a site identified as a local centre, near public transport services and deliver housing choices and, makes efficient use of a strategically located site, with existing and proposed infrastructure and services. The proposal is consistent with the Direction.</p>

7.1 Business and Industrial Zones	Yes	<p>The planning proposal is supported by Economic Impact Assessment (Leyshon Consulting, July 2017) at Attachment S. The proposal will not:</p> <ul style="list-style-type: none"> • impact on the other retail and commercial centres in the surrounding centres • retain the existing business zoned land; and • does not reduce the total potential floor space area for employment and non-residential uses. <p>It will activate the local centre and introduce retail offering at a location near existing public transport infrastructure. It is considered the proposal is consistent with the direction.</p>
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3.3 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 6 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP (Resilience and Hazards) 2021	Provisions in Chapter 3 Hazardous and Offensive Development (Cl. 3.12) and 4 Remediation of Land (Cl. 4.6)	Applicable/consistent	<p>A preliminary site investigation was prepared by GHD (Attachment P) which concluded that the land could be developed for residential use where occupiers have minimal access to soil, such as high-rise apartments, flats or town houses, and where the existing soil is covered by permanent structures, such as building slabs, roadways and pavement. Council considered that the subject site is suitable for the proposal without remediation.</p> <p>Any future development will need to be assessed against the criteria under Clause 3.12 Matters for consideration by consent authorities and 4.6 Contamination and remediation to be considered in determining development application of the SEPP.</p>

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development	Various clauses	Applicable/consistent	Council has advised any future residential flat developments on the site would be required to comply with the provisions of the SEPP.
SEPP (Transport and Infrastructure) 2021	Part 2.3 Development controls, Divisions 15 Railways and 17 Roads and traffic	Applicable/consistent	Development on the site is a development adjacent to rail corridors and traffic generating development and will require assessment against the provisions in Part 2.3 Development controls of the SEPP (i.e., Divisions 15 Railways and 17 Roads and traffic).

4 Site-specific assessment

4.1 Environmental

Biodiversity

There are no areas of bushland located on the site, and the site is devoid of any significant vegetation.

Building design and layout

The Urban Design study and the masterplan (**Attachment J**) provides a proposed layout of six (6) residential towers of differing heights from six (6) to twelve (12) storeys (including the ground floor podium level) with potential lift overruns and/or rooftop plant (**Figure 5**).

Taller buildings will be located along Heathcote Road and lower buildings interfacing with the low-density residential development of Mornington Estate to the north east.

The eventual development is to have a total GFA of 40,000m², including approximately 31,035 m² of residential uses and 8,965m² retail (approx. 8,804m² GLA) on the podium level.

The retail on the ground floor podium (**Figure 6**) will include supermarkets, multiple smaller specialty retail tenancies and cafes and restaurants encouraging outdoor dining areas at the edges addressing Macarthur Drive and the proposed public open space. Upper storeys will contain residential apartments with a mix of one, two and three bedrooms.

The study considered the proposed development controls are compatible with other centres along the urban renewal corridors, which are proposed to have FSRs of around 5:1 and 4:1 and maximum building heights up to 25 storeys. The overall building design concept is generally supported, particularly in view of the suitable interface with the adjoining residential area.



Figure 5 – Masterplan layout



Figure 6 – Ground Floor Plan

4.2 Social and economic

The social impact assessment (**Attachment T**) notes:

- the planning proposal will result in positive social impacts, contributing to housing choice and the provision of services, retail and commercial space close to Holsworthy Railway Station;
- Heathcote Road is a barrier to accessing open space to the east and north-east of the site; and,
- the local area has an undersupply of certain social infrastructure facilities and services and the additional demand generated from the future resident population of the site will exacerbate the existing undersupply.

To mitigate the undersupply, the assessment recommended that the proposal on the site should provide significant social benefit to the local and future population, by providing:

- tenancies for a medical centre and pharmacy, as well as potential wellbeing tenancies, such as gyms or local community spaces;
- library services, community centres, meeting halls and health care services through existing facilities or amplification of existing facilities and through local development contributions; and,
- generous communal open space, which provides good family play spaces and a variety of passive and active recreational areas.

Department comment:

The subject site area has moderate to poor accessibility to open space. Although there are public spaces within 400m to the site (Williams Creek Reserve and Kokoda and Hammondville Ovals), these open spaces do not provide safe public access for the future residents on the site.

The previous Gateway assessment noted that:

- the communal open space appears to provide only rudimentary recreation such as sitting and gathering, and implies that the community will seek recreation external to the site;
- the size and format of the proposed public open space would provide minimal recreational benefit for the new and existing community and it may be perceived as private open space; and
- the proposed public open space adjoining the station is not centralised to existing community or in a location that creates a network of open space.

A Gateway determination condition was recommended for Council to prepare a revised site specific DCP that addresses increased open space within the site that meets the needs of the future residents and does not rely upon external open space areas; and update the planning proposal to demonstrate the proposal provides adequate open space within the site. This condition will be retained. Council advises relevant design considerations will be included in the site-specific DCP.

Other impacts as outlined in the social impact assessment can be satisfactorily addressed by Council with the progression of the planning proposal, and VPA, and at development application stage.

Open space and landscaping

The Landscape plan (**Attachment K**) and masterplan proposes 3,000m² landscaped public open space and 4,500m² communal open space for the residents of the site, with majority of the communal open space above the podium levels (**Figure 7**).

The public open space consists of 1,000m² on the subject site ('Holsworthy Square') and 2,000m² outside the site adjoining the station and on Council owned land along Macarthur Drive.

The urban design study canvases improved landscape amenity on the TfNSW - RMS road reserve along Heathcote Road and the Council owned road reserve, along Macarthur Drive, to enhance

the tree cover and creating a series of attractive spaces linking the proposed centre to Holsworthy Railway station (**Figures 7 and 8**).



Figure 7 – Open space distribution



Figure 8 – Open spaces on the site

Council advises any required private open space in addition to the proposed 3,526m² (private courtyard/balconies) will need to demonstrate compliance with the Apartment Design Guide (ADG) at the development application stage.

Council also advises that the proposed 2,000m² public open space/connections and embellishment along Macarthur Drive, adjoining the station and commuter car park are subject to future discussions with Transport for NSW during progression of the proposal and to be captured in the

VPA being negotiated. Council has indicated it will publicly exhibit the draft VPA with the planning proposal.

The Department notes that given the proposed residential density of about 188 dwelling/ha and based on 350 dwellings and 2.43ha/1,000 population, the development may require additional public open space within the site, and/or within a walkable distance of the site.

The urban design report states the masterplan layout design has been led through the promotion of connectivity between the site to Holsworthy Railway Station and transport interchange. This has not been addressed comprehensively in the concept scheme and the study does not include any pedestrian movement analysis or detailed design for the public domain within and beyond the site.

The previous Gateway condition for the revised DCP to demonstrate the need for onsite open space and the lack of safe and direct pedestrian connectivity of the site with the railway station is retained to address this. Council is also recommended to consult with TfNSW about the proposed landscaping adjacent to Heathcote Road to ensure it complies with the relevant road safety specifications.

Solar access

The urban design study (**Attachment J**) indicates that the proposal can achieve compliance with SEPP 65 solar and cross ventilation requirements. The study advises that 72.9% of the apartments will achieve two hours or greater solar access in midwinter between 9am and 3pm which is above the 70% required in the Apartment Design Guide (ADG). Figure 9 indicates that most of the communal open spaces will receive three to four hours of sun during midwinter between 9am and 3pm. The study also advises 76.4% of the apartments will achieve cross ventilation which is above the 60% required in the ADG.

Department comment: The proposed solar access is consistent with the requirements of the ADG and can be further assessed at the development application stage.

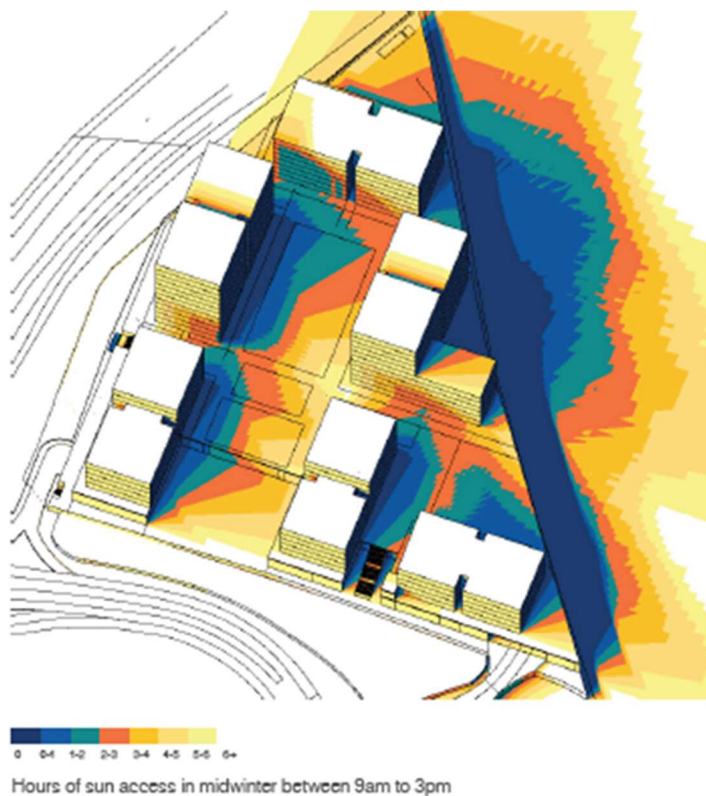


Figure 9 – Solar access

Traffic

The urban design study (**Attachment J**) identifies two access points - to and from the underground car park - from Macarthur Street and intersection improvements along Macarthur Drive (through the foreshadowed VPA), as well as the intersection of Macarthur and Heathcote Road.

The supporting Traffic Impact Assessment (The Transport Planning Partnership, October 2018) at **Attachment U** identified the key intersections at Macarthur Road – The Boulevard – Morningside Parade and Macarthur Road – Heathcote Road may be impacted by the planning proposal but would operate well with acceptable delays.

The study further proposed that the roundabout intersection/site access to the proposed development to be signalised, to reduce delay and queue lengths of turning movements from the site, and to assist pedestrian movement between the site and the railway station.

The Heathcote Road/Macarthur Drive intersection is proposed to be signalised as part of the TfNSW upgrade of Heathcote Road and will improve the capacity and efficiency of Heathcote Road as follows:

- improve pedestrian and cycling connectivity to Holsworthy Railway Station and Hammondville Oval, along Heathcote Road - approximately 1km north of the site;
- converting Heathcote Road to a four-lane road and the upgrade of key intersection, including:
 - the upgrade of the intersection of Heathcote Road and Macarthur Drive into traffic signals; and
 - two auxiliary right-turn bays into Macarthur Drive and two left-turn bays from Macarthur Drive into Heathcote Road to accommodate the heavy northbound traffic.

Department comment: It is recommended Council consults with the TfNSW for consistency, assessment and better coordination of the proposed improvement works.



Figure 10 – Proposed road access diagram

Noise and Vibration

A noise and vibration impact assessment (Wilkinson Murray, May 2017) is at **Attachment V**. The assessment concludes that the proposal can meet the required criteria in the 'Development Near Rail Corridors and Busy Roads' – Interim Guideline, and that no additional mitigation measures are required as a result of the proximity of the site to the rail line.

Department comment: These are matters that can be satisfactorily addressed at development application stage.

Economic

The economic impact assessment (Prestdel Pty Ltd., July 2017) at **Attachment S** identified that:

- the proposal is consistent with the Liverpool Retail Centres Hierarchy Review (2012), which identified Holsworthy as a centre and that 7,000m² of retail floor space was appropriate;
- the location of the site, fronting Heathcote Road will attract a significant proportion of its sales from 'passing trade';
- the existing supermarket floor space in the Holsworthy trade area (Holsworthy, Wattle Grove, Voyager Point, Pleasure Point and Hammondville and Moorebank) is under supplied by having only 4,950m² of supermarket floor space;
- significant escape supermarket spending is flowing out of the trade area and the area will continue to be under-supplied with supermarket floor space of at least 7,950m² by 2021;
- based on the available supermarket spending generated in the trade area and contemporary average sales levels, it would be sufficient to support 12,900m² of supermarket floorspace; and
- the estimated sales impact of the Holsworthy Centre on the sales of other trade areas will not lead to the loss of facilities.

The assessment considered that the impacts of the proposal will be mitigated by the significant public benefits associated with creating a new mixed-use, transit-oriented centre at Holsworthy - anchored by a full-line supermarket and a discount supermarket.

Department comment: The urban design study supports retail floor area of 8,965m² for the site. The planning proposal to include a site-specific provision in the Schedule 1 of Liverpool LEP 2008 to allow non-residential gross floor area of 9,000m² on the site is considered consistent with the findings of the economic assessment.

4.3 Infrastructure

The proposal will be a catalyst to improvements to local road access, pedestrian and cycle ways and intersection improvements and delivery of public and community open space in the area. It will also capitalise on the upgrade of Heathcote Road and the Heathcote Road/Macarthur Drive intersection upgrade.

The subject site is adjacent to the Moomba-Sydney ethanol pipeline located along the southern boundary. Council advises it has consulted APA Group (who operate the pipeline) in relation to the Moomba to Sydney Ethane Pipeline, an existing high-pressure gas transmission pipeline running to the south of the site. Consultation with the APA Group was recommended as a determination condition previously and is retained. Servicing and Utilities Infrastructure Strategy Report is at **Attachment W**.

5 Consultation

5.1 Community

A 28-day public exhibition as proposed by Council is supported and a Gateway condition has been included accordingly.

5.2 Agencies

Consultation with TfNSW and APA Group and relevant infrastructure service providers is recommended.

The Department noted that the Department of Defence, when consulted by Council at pre-Gateway stage, raised concerns over security aspects of its military base located to the south of the site. Council has consulted Bankstown Airport and NSW RFS. It is recommended that Council consult again with these agencies to ensure no significant issues have arisen in the interim period.

6 Timeframe

Council's proposed timeframe is at **Table 7** below. Given the nature of the planning proposal, a 12 month timeframe is considered appropriate.

Table 7 Proposed planning proposal timeframe

Timeframe	Action
26 August 2019	Presented at the Local Planning Panel meeting
28 October 2019	Presented to Liverpool City Council
December 2019	Submission of Planning Proposal to DPE
15 July 2020	Gateway Determination issued (As explained in this document above, this Gateway Determination has been removed.)
July 2020 – August 2020	Early consultation with RMS, RFS, Bankstown Airport and Defence
1 April 2021	An altered Gateway determination was issued with finalisation time frame of 15 August 2021
9 September 2021	DPE removed the Gateway determination
April 2022	Resubmission of Planning Proposal to DPE
July 2022	Gateway Determination
September-October 2022	Public Exhibition, Community and public agency consultation
November - December 2022	Consideration of submissions and proposal post-exhibition
February 2023	Post-exhibition report to Council
March-May 2023	Legal drafting and making of the plan

7 Local plan-making authority

Council has not requested to be a local plan-making authority for the planning proposal. Given the concerns raised by the Department of Defence, it is recommended that Council should not be authorised to be the local plan-making authority.

8 Assessment summary

It is recommended that the planning proposal proceed subject to conditions. The proposal will:

- facilitate the development of an existing, and vacant, local centre and provide 350 additional homes and 150 jobs near public transport and community facilities; and
- gives effect to the Western City District Plan and support a 30-minute city vision by providing housing delivery and choice, and jobs, within proximity of a railway station and a public transport interchange.

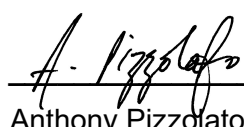
9 Recommendation

It is recommended that the delegate of the Secretary:

1. agree any inconsistencies with Section 9.1 Direction 1.4 Site Specific Provisions is of minor significance and Direction 4.3 Planning for Bushfire Protection has satisfactorily addressed the Direction.

It is recommended that the delegate of the Minister for Planning, determine that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to undertake the following:
 - (a) update the planning proposal to demonstrate the proposal provides adequate open space within the site; and
 - (b) demonstrate safe and direct pedestrian connectivity from the site to the railway station (noting that this may be demonstrated through the site-specific DCP).
2. The planning proposal should be made available for community consultation for a minimum of 28 days.
3. Consultation is required with the following public authorities:
 - Transport for NSW;
 - APA Group;
 - Bankstown Airport;
 - NSW Rural Fire Service; and
 - relevant infrastructure service providers.
4. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.
5. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.



Anthony Pizzolato

Manager, Central (Western)

Date 26th May 2022

Assessment officer

Cho Cho Myint
 Senior Planner, Central (Western)
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Attachments

Attachment	Title
Report	Gateway determination report
A	Planning proposal
B	Gateway determination
C	Letter to Council
D	Urban Design Team comments
E	Open Space Team comments
F	Previous Gateway determination
G	Previous Gateway alteration
H	Do not proceed letter
I	Previous Gateway report
J	Urban Design Study
K	Landscape plan
L	Bushfire Constraints Assessment
M1	Local Planning Panel report
M2	Local Planning Panel advice
M3	Liverpool Council Report/Resolution
N	Flood Study
O	NSW RFS response
P	Preliminary Site Investigation
Q	Response from Bankstown Airport
R	Response from Department of Defence
S	Economic Impact Assessment
T	Social Impact Assessment
U	Revised Traffic Report
V	Noise and Vibration Impact Assessment
W	Servicing and Utilities Infrastructure Strategy Report