

Ms Lina Kakish
Director of Planning & Compliance
Liverpool City Council

Via Email: KakishL@liverpool.nsw.gov.au

6 September 2024

RE: Moore Point Planning Proposal (PP-2022-1602) – Gateway Adequacy for Exhibition

Dear Ms Kakish

Thank you for your letter dated 2 August 2024 to the Department of Planning, Housing and Infrastructure's (the Department) Deputy Secretary, Planning, Land Use Strategy, Housing and Infrastructure referring the Moore Point planning proposal to the Department for its pre-exhibition review, as required under Condition 11 of the Gateway Determination. The Deputy Secretary has asked me to respond on her behalf.

Pre-exhibition adequacy review

The Department has reviewed Council's adequacy assessment of the revised planning proposal and the proponent's updated planning proposal package (provided by dropbox link by Coronation on 7 August 2024) against the pre-exhibition Gateway Determination conditions and previous correspondence issued by the Department to Council and the Joint Landowners Group regarding pre-exhibition requirements.

The Department notes Council formed the view that adequate information has been provided to enable public exhibition for the majority of conditions with the exception of conditions relating to flooding, evacuation and urban design. The Department also notes that Council stresses there are several aspects of the Proposal that are yet to be fully resolved and significant work remains to occur regarding infrastructure provision and contributions funding at both a local and state level.

Considering the Gateway Determination was issued in April 2023, progressing the planning proposal to exhibition is important for state agencies and the community to formally comment on the proposal. In the Department's view, the package as submitted contains adequate information to progress to public exhibition subject to an amendment to the documentation and plans stating:

“The alignment of the northern pedestrian bridge over the Georges River is subject to further discussions with affected landowners. The alignment of the pedestrian bridge is subject to change.”

In respect of the other two matters for which Council requested the Department's adequacy review, the following commentary is provided:

- Flooding and evacuation: the Department's peer reviewer has reviewed two revisions of the Flood Impact Assessment and Evacuation Strategy with comments provided in their brief for the Moore Point Flood Impact Assessment and Emergency Response Plan, outlining the work required to be completed to support this proposal.

As the Department agreed for all remaining flood modelling to be undertaken post-exhibition, the Department's peer reviewer will review a final set of documents once they have been updated in accordance with the brief. The brief (dated April 2024) should be placed on exhibition along with the Department's correspondence on these matters.

- Urban design: The Department agrees with Council that there are significant concerns with the extent of density proposed, built form testing, resulting gross floor area, and the lack of open space to support the future residents and workers of this proposal. While the Department supports the progression of the planning proposal to public exhibition, due to unresolved concerns, the Department is not endorsing the updated masterplan and urban design report as stated under Condition 3. The Department will continue to work with Council and the Joint Landowner Group post exhibition to resolve these concerns.

The Department has not carried out an assessment of whether the revised package addresses the Department's concerns as outlined within the Gateway assessment report and subsequent advice to Council. This will form part of the Department's finalisation process, together with addressing any issues resulting from community consultation and state agency submissions.

In light of the above, there is a risk that as a result of addressing outstanding issues, the final proposal may look substantially different to the exhibited proposal and therefore may require re-exhibition. Council and the Joint Landowner Group in proceeding with the proposal in its current form need to accept potential delays if re-exhibition is determined necessary.

Requested amendments to the Gateway Determination

The proponent has submitted requests to amend the Gateway Determination to the Department dated 26 February and 13 August 2024. The Department will not be amending the Gateway Determination at this time, however, provides the following feedback to the proponent, via Council:

- The Department does not support amending the solar access requirements for parks (condition 6(f)) to be aligned with the Bradfield City Centre Masterplan. The solar access requirement for this Masterplan is a bespoke control for a particular area, supported by detailed evidence and is not appropriate to be adopted in Moore Point.

- The Department does not support removing the requirement for a Hazardous Materials Survey to be submitted as part of the planning proposal process, and instead deferring to the DA stage. Along with the commentary in the Gateway assessment report requiring the submission of this report, given the history of the site and the adaptive reuse of some of the buildings and possible dedication of land to Council, the Hazardous Materials Survey remains a submission requirement prior to finalisation.

Timeframes within the Gateway determination need to be amended. The Department will work with Council and the proponent to understand key matters to be resolved, such as infrastructure provision, flooding, and evacuation, and agree on timeframes to resolve these matters prior to amending the Gateway timeframes.

Department of Education advice

In response to previous Department of Education (Schools Infrastructure) advice, the Department requested advice from Schools Infrastructure on the revised concept plan submitted to support the planning proposal. The advice is attached to this letter for Council's consideration post-exhibition.

Should you have any questions, Rukshan de Silva, A/Director, Local Planning (Metro Central, West and South) at the Department of Planning can be contacted via rukshan.desilva@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "D Thompson".

Daniel Thompson
Acting Executive Director
Local Planning & Council Support

Attached: Department of Education Advice dated 5 September 2024

CC: Joint Landowners Group (m.corn@coronation.com.au; erika@leamac.com)