

Mr Jason Breton
Acting Chief Executive Officer
Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 2871

Via email: OsteL@liverpool.nsw.gov.au

Dear Mr Breton

Planning proposal PP-2024-658 to amend Liverpool Local Environmental Plan 2008

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 26 March 2024 and 23 April 2024 in respect of the planning proposal to amend Liverpool LEP 2008 by the inclusion of a new Schedule 1 Additional Permitted Uses Clause to enable a mixed use development of 340 dwellings, restaurant/cafe uses and increase maximum height of buildings and floor space ratio controls.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should not proceed as the proposal does not adequately demonstrate strategic and site-specific merit for the reasons outlined below:

- The proposal demonstrates limited consistency with the Greater Sydney Region Plan – a Metropolis of Three Cities and Western City District Plan's criteria for the location of new housing in an urban renewal context.
- The proposal demonstrates limited consistency with Council's Local Strategic Planning Statement and Local Housing Strategy in respect of locating housing in the right locations.
- The proposal is unjustifiably inconsistent with Section 9.1 Directions 1.1 Implementation of Regional Plans and 4.1 Flooding
- The proposal does not adequately demonstrate site-specific merit in relation to flooding risk.
- While the development facilitated by the proposal can evacuate during flood events, this development may absorb all spare capacity for future development within Moorebank East.
- Council should review the evacuation capacity allocated for this precinct in accordance with Molino Stewart's 2022 Georges River Flood Evacuation report and allocate capacity to development sites within the Moorebank East precinct; or investigate, plan and deliver upgrades to the road infrastructure required to ensure this precinct does not impact Chipping Norton evacuees in the event of a flood.

Considering the lack of strategic merit supporting rezoning of this site for residential development, along with the significant flooding and evacuation constraints for the Moorebank East Precinct, Council is encouraged to review the development vision for this precinct.

Council should agree on an appropriate development for this location considering environmental and infrastructure constraints, it should put a framework in place to support any appropriate development within the precinct and plan for appropriate supporting infrastructure. This would include a review of the local and collector road network supporting Moorebank East precinct as shown in the DCP, including the need for the upgrade of Newbridge Road/Davy Robinson Drive intersection, which would require discussions with Transport for NSW.

The Department's assessment also concluded that the intensity of residential development proposed under an additional permitted use warrants further discussion on its suitability. For future planning proposals seeking additional permitted uses, the Department encourages Council to engage with the Department prior to the submission of a Gateway request.

Should you have any enquiries about this matter, I have arranged for Rukshan De Silva to assist you. Mr De Silva can be contacted on 0409 076 314.

Yours sincerely,



11/7/2024

Daniel Thompson
A/Executive Director, Local Planning & Council Support
Planning, Land Use Strategy, Housing and Infrastructure