Georges Cove Village

Modified Planning Proposal | 146 Newbridge Road, Moorebank

Prepared for Benedict Industries Pty Limited
June 2025

creating opportunities

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Modified Planning Proposal | 146 Newbridge Road, Moorebank

Report Number

J17103 RP2

Client

Benedict Industries Pty Limited

Date

6 June 2025

Version

v6 Final

Approved by

Phil Towler
Associate Director

Executive summary

This report has been prepared on behalf of Benedict Industries Pty Limited to propose an amendment to the *Liverpool Local Environmental Plan 2008* (LLEP).

The amendment relates to the land situated at 146 Newbridge Road, Moorebank (the subject site) and would result in the following:

- an additional site-specific Part 7 (Additional Local Provisions), Division 2 (Other Provisions) provision for a shop with a maximum gross floor area of 4,000 m^2.

This report has been prepared to assist Liverpool City Council to prepare a planning proposal for the LEP amendment of the site in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Further, this report has been prepared in accordance with the NSW Department of Planning and Environment's *Local environmental plan making guideline* (August 2023).

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1 Introduction

1.1 Overview

This planning proposal has been prepared by EMM Consulting Pty Limited (EMM) on behalf of Benedict Industries Pty Ltd (the proponent) to amend Division 2 (Other Provisions) of Part 7 (Additional Local Provisions) of the *Liverpool Local Environmental Plan 2008* (LLEP 2008) to provide for a shop with a maximum gross floor area of 4,000 m^2 on the subject site at 146 Newbridge Road, Moorebank.

Shops and other types of retail premises, including supermarkets, are a type of commercial premises (as defined under LLEP 2008).

The recent changes to land use zoning resulted in a change in zoning for the subject site from the previous zoning as B6 Enterprise Corridor to the new employment zone category of E3 Productivity Support.

Clause 35 of Schedule 1 of the LLEP 2008, provides for the use of certain land in Zone E3. Development for the purpose of 'commercial premises' - which includes shops, and more specifically a supermarket - is an already permissible land use on land identified as 'Area A' on the Land Zoning Map for LLEP 2008. The subject site is identified as Area A. No change is proposed with respect to clause 35 of Schedule 1.

The proposed change relates to subclause 7.23(2) of LLEP 2008 which, for land identified as 'Area A' on the Land Zoning Map, limits the gross floor area of retail premises in Zone E3 to a maximum of 1,600 m^2. The planning proposal seeks to increase the gross floor area of retail premises on land identified as 'Area A' to a maximum of 4,000 m^2 by amending subclause 7.23(2).

Hence, an amendment to clause 7.32(2), in Division 2 (Other Provisions) of Part 7 (Additional Local Provisions), is required in order to permit a shop with a maximum gross floor area of 4,000 m^2.

Concept designs prepared by Rothelowman Architects are provided at Appendix A. These include a supermarket and light industries uses.

1.2 Background

An earlier planning proposal, prepared by the proponent, was referred to the Liverpool Local Planning Panel and was considered at a Council meeting in September 2020. Council subsequently forwarded the proposal to the Department of Planning and Environment (DPE) for Gateway determination. DPE returned the Gateway Request in December 2020 noting a need to further address issues regarding flooding and evacuation.

The proponent has since revised the design and function of the proposed development, this new planning proposal is being submitted.

Note that the earlier planning proposal sought:

- provision of a childcare centre, being prohibited development pursuant to the (then) land zoning of B6 Enterprise Corridor
- exceedance of the permissible 15 m building height control
- exceedance of the permissible floor space ratio of 0.75:1
- a gross floor area of 15,500 m^2 as per an existing Voluntary Planning Agreement (VPA).

These are no longer proposed.

In April 2023, Council was provided revised concept architectural plans and in June 2023 Council advised the proponent on the additional information required to progress this revised planning proposal.

This report is based on the revised design and addresses the matters required by Council.

1.3 Employment zone reforms

At the time of lodgement of the earlier planning proposal, the subject site was zoned B6 Enterprise Corridor which permitted the land use of 'commercial premises'.

Since lodgement of the earlier proposal, the Employment Zone reforms initiated by the DPE – specifically via the Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2022 – revised the zoning of the land to E3 Productivity Support. The new zonings took effect on 26 April 2023.

Clause 35 of Schedule 1 of the LLEP 2008 now provides for the use of certain land in Zone E3, and the migration of zoning maps to a digital format has included an overlay for the site which identifies it as 'Area A' (refer to Figure 1.1).

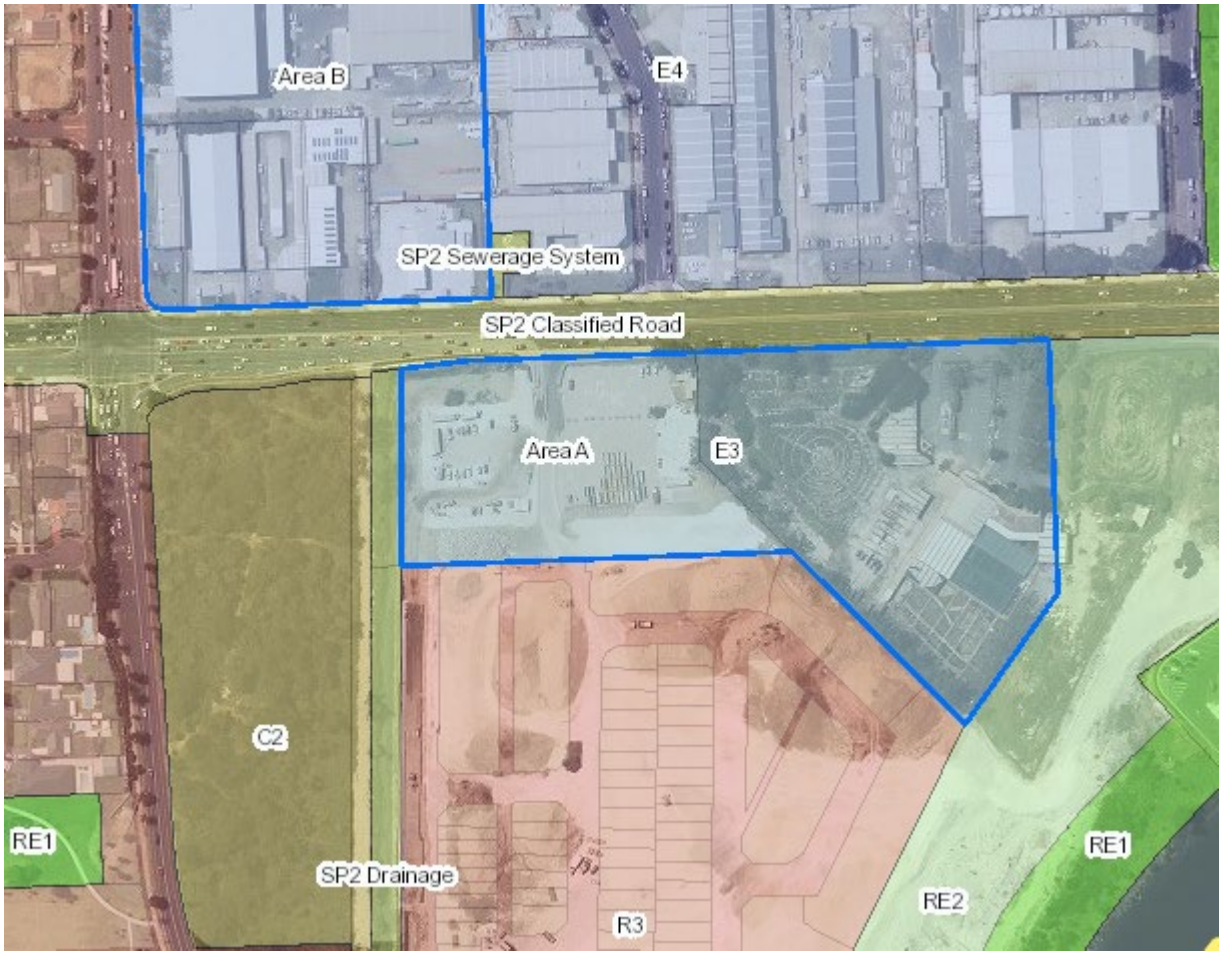

Figure 1.1 Area A

Development for the purpose of 'commercial premises' - which includes shops, and more specifically a supermarket - is permissible land use on land identified as 'Area A' on the Land Zoning Map for LLEP 2008.

No change is required or proposed with respect to clause 35 of Schedule 1.

1.4 Structure of the report

The planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Further, this report has been prepared in accordance with the NSW Department of Planning and Environment's *Local environmental plan making guideline* (August 2023). It includes the following:

- description of the site and its context
- an overview of the strategic context of the site
- a summary of the local planning controls
- an overview of the key elements of the planning proposal
- statement of the objectives and intended outcomes of the proposal
- explanation of the provision of the proposal
- justification of the proposal
- mapping to accompany the proposal
- description of the community consultation process expected to occur regarding the proposal
- an approximate project timeline.

The planning proposal is accompanied by a range of plans and reports to provide a comprehensive analysis of the site's opportunities and constraints. These include:

- Preliminary Concept Design prepared by Rothelowman Architects (Appendix A)
- Shadow Diagrams prepared by Rothelowman Architects (Appendix A)
- Ecological Impact Assessments by EMM Consulting (Appendix B)
- Detailed Site Investigation prepared by Douglas Partners (Appendix C)
- Remediation Action Plan prepared by Douglas Partners (Appendix D)
- Flood Study prepared by Mark Tooker and Associates (Appendix E)
- Bushfire Constraints Assessment prepared by ABPP Pty Ltd (Appendix F)
- Traffic Impact Assessment prepared by EMM Consulting (Appendix G)
- Social Impact Assessment (Appendix H)
- Economic Needs Assessment by Location IQ (Appendix I)
- SES Evacuation matters (Appendix J)
- Acid sulfate soils assessment (Appendix K).

2 Site characteristics

2.1 The site and surrounds

The site is located at 146 Newbridge Road, Moorebank, and is legally described as Lot 1 in DP 1246745 (herein referred to as 'the subject site') within the Liverpool Local Government Area (LGA) (refer to Figure 2.1). It is located in the eastern Moorebank precinct, 27 kilometres (km) south-west of Sydney CBD. The site area is approximately 17,220 m².

The site adjoins a classified road on its northern boundary, Newbridge Road (A34). To the west of the site is Georges Fair residential estate, to the east is the former Flower Power site and to the south Georges Cove residential estate. Further south is the approved (but not yet constructed) Georges Cove Marina.

Land further north and across Newbridge Road is zoned as industrial land within the suburb of Chipping Norton, largely characterised by wholesale, warehousing, transportation hubs and limited manufacturing.

Vehicular access to the site will be from Newbridge Road and a new local access road, which forms part of the Georges Cove residential subdivision as envisioned in Liverpool's Moorebank East Development Control Plan.

The site is owned by Tanlane Pty Ltd, a related entity of Benedict Industries Pty Ltd.

2.2 Existing land use

The site has been historically used as a recycling facility and contains some stockpiled soils and construction materials. Activities associated with the former extractive and waste management facilities on the site were undertaken by entities controlled by Tanlane Pty Ltd in accordance with all relevant regulatory requirements including development consents, environmental protection licences and other permits.

The site topography has been modified by the former extractive operations since development consent was granted for those activities in 1992. The site is substantially cleared of all vegetation, other than scattered patches of swamp oak and river flat eucalypt located along the northern periphery.

KEY

- Site boundary
- Cadastral boundary
- Named waterbody

INSET KEY

- Major road
- NPWS reserve
- State forest

Project location

Georges Cove Village
146 Newbridge Road, Moorebank
Modified Planning Proposal
Figure 2.1

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Source: EMM (2023); ABS (2021); DCSSS (2023); GA (2009); MetroMap (2023)

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Source: EMM (2023); DCSSS (2023); DPIE (2022); MetroMap (2023)

Land zoning

Georges Cove Village
146 Newbridge Road, Moorebank
Modified Planning Proposal
Figure 2.2

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3 Part 1 – Objectives and intended outcomes

The objective of this planning proposal is to allow for provision of a supermarket within the development with a maximum gross floor area of 4,000 m^2.

The intended outcome of an increased gross floor area (GFA) for a shop on the site is to provide for the establishment of a supermarket which would service the everyday grocery needs of residents in the local catchment.

It is considered that the proposal will have substantial public benefits by enabling a suitably sized supermarket in the E3 zoned land - noting that the planning proposal does not seek a change in underlying zoning nor does it seek to allow for an entirely new class of development. The planning proposal simply seeks to change a development control to provide for a more market-based retail footprint. This is necessary to meet the day-to-day needs of an expanding local residential sector, and to meet the contemporary operational parameters for most major supermarkets.

The Georges Cove development precinct, within which the subject site is located, provides an entirely new precinct for Moorebank East which includes residential development, a marina and open space. This mixed-use precinct is delivering an uplift in local resident and visitor population, combined with other sites nearby, and will generate demand for local services including groceries.

Key objectives of the planning proposal are to allow for development which will:

- provide an appropriate mix of commercial and light industries development in an underserviced locality where growth is anticipated
- reduce travel distances between residential development, retail and commercial facilities
- provide for compatible services for adjacent residential areas, including a full-line supermarket (which is generally considered to be over 3,200 m^2)
- contribute to a stronger neighbourhood character and vibrancy within Moorebank East.

More specifically, it will allow for the construction of a high-quality development to enhance the future Georges Cove Marina, complementing the adjoining land uses, particularly the Moorebank Cove and Georges Fair residential precincts, which are transitioning towards urban residential renewal with high design and environmental standards.

4 Part 2 – Explanation of provisions that are to be included in the proposed LEP

The amendment relates to the land situated at 146 Newbridge Road, Moorebank (the subject site) and would result in permissibility for a shop, within Area A, with a maximum gross floor area of 4,000 m^2.

The proposed provision will be a clause within Liverpool Local Environmental Plan 2008 (LLEP 2008) which provides for a shop with a maximum gross floor area of 4,000 m^2 at the subject site. This will be achieved via amendment to Division 2 within Part 7 of LLEP 2008. The mechanism to implement the change can be advised by the Parliamentary Counsel's Office (PCO) at a later stage of the planning proposal process.

No change is required or proposed with respect to the Key Sites Map as the intent of the Planning Proposal can be implemented within part 7, division 2 of Liverpool LEP 2008 by way of referencing the Lot and DP of the site.

No change is required or proposed with respect to LLEP 2008 clause 35.

5 Part 3 – Justification

The planning proposal has been assessed against the questions below (in shaded boxes) as set forth by the Department of Planning and Environment's *A guide to preparing planning proposal*s.

5.1 Need for the planning proposal

Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

5.1.1 Local strategic planning statement, strategic studies and reports

The planning proposal is not the direct result of a strategic study or report. However, it provides an improved alignment with the objectives of the following Council strategies for the local area as described below.

i Liverpool Local Strategic Planning Statement

Connected Liverpool 2040 is Council's Local Strategic Planning Statement (LSPS). It sets the long-term vision for the Liverpool local government area and guides the development of suburbs and balances the need for housing, jobs and services as well as parks, open spaces and the natural environment.

The LSPS gives effect to the Greater Sydney Region Plan and Western City District Plan.

Of particular relevance is LSPS Planning Priority 6 – to create high-quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth.

The rationale states that Council is committed to the delivery of high-quality facilities and services that are attractive, flexible and address the needs of the general community. The planning proposal supports the policy intent of the LSPS by contemplating the future form and the growing residential component of the surrounding Georges Cove precinct and attending to the provision of suitable day-to-day services and facilities, such as local employment generating development and a local supermarket.

ii Liverpool Community Strategic Plan 2022-2032

The *Community Strategic Plan* (CSP) is a ten-year plan that defines the vision and priorities of the Liverpool community. The CSP is the overarching plan that sets the direction not only for Council but for all stakeholders, including government, business, the not-for-profit sector and residents. The directions from the CSP provide a guide for stakeholders to work together and to capitalise on the opportunities which will keep Liverpool moving forward.

Key strategies and goals for the CSP include:

- improve liveability and quality of life for the community by delivering vibrant parks, places and facilities
- deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city.

This planning proposal aligns with the CSP by providing employment generating development and retail facilities which match the growth in the local residential population. Outcomes such as improved liveability and quality of life for the community are delivered by the planning proposal because it enables a walkable neighbourhood where shops, employment and residential areas are in close proximity.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

5.1.2 The best means of achieving the objectives or intended outcomes

A planning proposal is the best means of meeting the objectives articulated in Part 1 of the planning proposal, as the objectives require amendment to LLEP 2008 to provide for a larger gross floor area of a shop.

The alternative of a proposal to increase the permissible gross floor area of a shop in Area A would create a broader set of issues due to the likely change in permissible uses under the land use table of the LEP. Given the specific and limited need for a larger retail footprint to meet market needs, the current planning proposal for an increased permissible gross floor area provides the precision needed and limits the potential impacts that may be associated with a change in the underlying land use zone.

The availability of alternative locations is also highly constrained and the 'walkable neighbourhood' principles suggest that the emerging residential development on lands to the south of the site will benefit from a standard sized supermarket in the Georges Cove Village development.

5.2 Relationship to strategic planning framework

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?

5.2.1 Applicable regional or district plans and strategies

The planning proposal has been assessed against the relevant adopted and draft regional and district plans for the Moorebank and Liverpool area, as discussed below.

i Greater Sydney Region Plan

In March 2018, the NSW Government released 'A Metropolis of Three Cities – The Greater Sydney Region Plan' which effectively replaces the previous strategic plan for Sydney which was 'A Plan for Growing Sydney'. The objective of A Metropolis of Three Cities is to balance growth and deliver the benefits of the Plan more equally and equitably to residents across Greater Sydney. The Greater Sydney Region Plan has been prepared concurrently with the Future Transport 2056 and the State Infrastructure Strategy, and aligns land use, transport and infrastructure planning to reshape Greater Sydney as three connected cities.

To meet the needs of a growing changing population, the vision seeks to transform Greater Sydney into a metropolis of three cities. These being:

- the Western Parkland City
- the Central River City
- the Eastern Harbour.

Liverpool LGA and is located within the Western Parkland City. Liverpool is identified as a metropolitan cluster.

There are 10 key directions for Greater Sydney in the Plan. Each key direction includes objectives relevant to that direction. The following directions are relevant to this Planning Proposal:

- **A city for people:**
  - The proposal will allow for the development of a local supermarket that provides a convenient focus for daily activities and which will be required by existing and future residents in the surrounding area.
- **A city of great places:**
  - A well-planned and well-designed development can improve the character of a place, its vitality and sense of community. It can make the local environment more attractive and improve services. The proposal will complement the desired future use of the immediate locality, including the adjacent Georges Cove residential area and the Georges Cove Marina. The proposed development will ensure that the Georges Cove precinct is a great place to live and work.
- **Jobs and skills for the city:**
  - The planning proposal is consistent with this direction, as it will allow for development of a mix of retail and light industries development that will increase job opportunities in the area.

As demonstrated above, the planning proposal is consistent with the relevant directions of the A Metropolis of Three Cities.

ii Western City District Plan

The Western City District covers the Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly local government areas.

The Western City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan at a district level and is a bridge between regional and local planning.

This District Plan has been prepared to give effect to A Metropolis of Three Cities, the Region Plan that applies to the five districts that make up the Greater Sydney Region. It is the role of the Greater Sydney Commission to prepare and finalise the district plans.

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires district plans to:

- provide the basis for strategic planning in the District, having regard to economic, social and environmental matters
- establish planning priorities that are consistent with the objectives, strategies and actions of *A plan for growing Sydney*
- identify actions required to achieve those planning priorities.

The District Plan meets these requirements by:

- progressing the directions of *A plan for growing Sydney*
- identifying planning priorities for the District and the actions to achieve them.

District Plan Part 3 'Liveability' is about people's quality of life. Maintaining and improving liveability means housing, infrastructure and services that meet people's needs. This enables people to stay in their neighbourhoods, satisfy most daily requirements within a 15-minute travel distance, and participate in communities as they transition through life.

A place-based and collaborative approach is required to maintain and enhance the liveability of the Western City District. The Plan states that this can be achieved by adopting several Planning Priorities. Those relevant to this proposal include:

W3. Providing services and social infrastructure to meet people's changing needs

The planning proposal will enable development of an appropriate mix of services and development to complement the adjacent residential development.

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

Access to services and jobs is the driver for this planning proposal. The supermarket will service the needs of residents, workers and visitors to Georges Cove.

W6. Creating and renewing great places and local centres and respecting the District's heritage.

The close proximity of the site to existing and future neighbouring residential developments, including Georges Cove residential development and Georges Cove Marina, will reduce the need for trips from those developments to shops and services by car.

W9 Growing and strengthening the metropolitan cluster

The urban structure to support the Metropolis of Three Cities needs to ensure people have access to a large number and range of jobs and services delivering a well-connected city. Liverpool is identified as one of the four centres in a cluster that is required to deliver the metropolitan functions of providing concentrations of higher order jobs and a wide range of goods and services.

5.2.2 Strategic merit

The planning proposal is considered to have strategic merit as it consistent with the relevant directions of the Western City District Plan and also the Local Strategic Planning Statement for Liverpool LGA.

The planning proposal achieves strong alignment with strategies for land use at regional, district and local scale.

Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

5.2.3 Liverpool Local Strategic Planning Statement

The Liverpool Local Strategic Planning Statement (LSPS), *Connected Liverpool 2040*, includes a number of planning priorities which align with the planning proposal.

i Planning Priority 5 - A vibrant, mixed-use and walkable 24-hour City Centre with the Georges River at its heart

This priority has a stated rationale for Liverpool to transform into a lively river city by 2040 with a strong 24-hour economy, providing ample space for jobs, homes, entertainment, recreation and education.

The provision of a supermarket and related retail within the site supports this vision and rationale by providing essential services in a walkable precinct at Moorebank.

ii Planning Priority 6 – High-quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth

This priority is underpinned by Liverpool City Council's commitment to the delivery of high-quality facilities and services that are attractive, flexible and address the needs of the general community.

The Moorebank precinct is being transformed and there is growth already underway locally. The provision of suitable retail services in this precinct, close to emerging residential developments, will integrate several elements of the vision for the community, including high quality facilities and infrastructure.

Is the planning proposal consistent with any other applicable State and regional studies or strategies?

5.2.4 State and regional strategies and studies

The planning proposal is consistent with other relevant State and regional strategies and studies.

i Western Parkland City Blueprint and Economic Development Roadmap – Phase 1

The NSW Government released the draft reports and process guide for *Western Parkland City Blueprint and Economic Development Roadmap – Phase 1* in October 2022.

The roadmap for the Western Parkland City, which includes Liverpool LGA, sets a vision and strategic direction to maximise economic opportunities and attract investment and businesses to the district.

Key principles in the roadmap include:

- build for the long term
- unlock the economic potential of the Parkland City
- make community central to planning and delivery.

The planning proposal aligns with these principles.

ii Liverpool Economic Development Strategy 2022-2032

Liverpool's *Economic Development Strategy 2022-2032* outlines the key economic priorities, actions and targets that will guide the growth of Liverpool's economy.

The strategy identifies industries with the greatest growth (based on 2010/2011 data) and retail is ranked at number three with a 10% growth recorded to 2019/2020.

The group of industries which can be grouped as 'population-serving industries' (including retail, hospitality and construction) are boosted by the region's key competitive advantages in the health, education, freight and logistics. In other words, growth in sectors such as retail is driven by the multiplier effect of key regional industries such as freight and logistics which underpin the sustainable economic trajectory of Liverpool.

iii Future Transport Strategy

Transport for NSW (TfNSW) has published *Future Transport Strategy: Our vision for transport in NSW* (2022).

The Strategy works to deliver three high level outcomes:

- connecting our customers' whole lives
- successful places for communities
- enabling economic activity.

The Strategy sets 14 strategic directions, which will guide the work of TfNSW to achieve these outcomes. Each direction contains a set of responses and actions that TfNSW needs to achieve.

Key strategic directions related to this planning proposal include optimising existing infrastructure, improving connectivity for a 30-minute city, and increasing transport choice. While the Strategy is primarily a visioning document for TfNSW, the development facilitated by this planning proposal aligns with those desired outcomes as it is adjacent to existing transport infrastructure and facilitates local services and employment in the emerging precinct of Georges Cove at Moorebank East.

iv Active Transport Strategy

Transport for NSW (TfNSW) has published the *Active Transport Strategy* (2022) which draws on the Future Transport Strategy and its vision for walking, bike riding and personal mobility. The Active Transport Strategy seeks to double active transport in 20 years, and specifically increase the use of walking and cycling for short trips.

The planning proposal enables the development of a commercial scale supermarket, plus speciality shops and light industries, on land which adjoins the new residential precinct of Georges Cove at Moorebank East. Importantly, the entire Georges Cove precinct provides an opportunity to link foreshore areas with walking tracks and cycleways. It is also the case that the proposed density of residential development at Georges Cove precinct and the proximity to the retail and commercial facilities of the Georges Cove Village (under this planning proposal), is ideally suited to active transport or multimodal journeys. All of the Georges Cove precinct assembles the mix of employment, retail, recreation and residential which enables the '15-minute local neighbourhood' envisaged by the Active Transport Strategy. There are economic, health and lifestyle benefits derived from communities such as those emerging at Georges Cove in Moorebank East.

Is the planning proposal consistent with applicable State Environmental Planning Policies?

5.2.5 State Environmental Planning Policies

The planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs) as shown in the Table 5.1.

Table 5.1 SEPPs and relevant deemed SEPPs

SEPP	Relevant matters	Consistency and comments
State Environmental Planning Policy (Planning Systems) 2021	Schedule 2 State significant development sites.	The subject land is not within a site identified pursuant to Schedule 2.
State Environmental Planning Policy (Industry and Employment) 2021	Chapter 2 Western Sydney Employment Area.	The site is not within the Western Sydney Employment Area.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Schedule 3 Traffic generating development.	A referral to Transport for NSW may apply at the future development application stage.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 – Vegetation in non-rural areas Chapter 3 – Koala habitat protection 2020 Chapter 3 – Koala habitat protection 2021 Chapter 6 – Water catchments Chapter 13 – Strategic conservation planning	No clearing of vegetation is proposed. The land is not identified as koala habitat. No evidence of koala presence has been detected on the site. The land is within the Georges River catchment. The planning proposal does not adversely impact water quality, water flow, surface water or groundwater. The proposed uses are not water-dependent. The planning proposal will allow the well-ordered development of the site and will not preclude the establishment of appropriate stormwater and run off control measures for future development. This will likely result in an improved outcome for the Georges River catchment as required by this SEPP. The land is not within a mapped Strategic Conservation Area.
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 – Coastal management Chapter 4 – Remediation of land	The land is not within the coastal zone. The SEPP aims to promote the remediation of contaminated land and sets out matters for a planning authority to consider when rezoning land that is or is potentially contaminated. The site is within land which has been identified to be contaminated by previous uses. (see detailed site investigation (Douglas Partners,2016)) (Appendix C). Remediation of the site will be undertaken in accordance with the *Remediation Action Plan* (Douglas Partners 2017) (Appendix D). As such, it has been demonstrated that the land will be suitable for the proposed uses after remediation. Development will not be permitted until that time.
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	Chapter 2 – State significant precincts Chapter 3 – Sydney region growth centres Chapter 4 – Western Sydney Aerotropolis Chapter 7 – Western Sydney Parklands	The land is not within a mapped State Significant Precinct. The land is not within a mapped Growth Centre. The land is not within the Aerotropolis application area. The land is not within the Noise Exposure Contours for the Western Sydney Airport. The land is not within the Obstacle Limitation Surface for the Western Sydney Airport. The land is not located on a Transport Corridor for the Western Sydney Airport. The land is not within the Western Sydney Parklands application map.

SEPP	Relevant matters	Consistency and comments
		The land is not within an area mapped as High Biodiversity Value.
State Environmental Planning Policy (Housing) 2021	Nil.	Residential development is not proposed pursuant to this (revised) planning proposal.
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 3 – Standards for non-residential development.	The standards apply to the erection of a new building and, hence, will be applied at the development application stage. The proposed additional permitted use does not preclude future compliance with the standards for energy and water use.
State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development	Nil	The planning proposal does not seek to provide residential apartments.

Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions) or key government priority?

5.2.6 Ministerial Directions

The planning proposal has been assessed against each relevant Ministerial direction. These directions, issued pursuant to section 9.1(2) of the EP&A Act (previously section 117), apply to planning proposals lodged with the Department of Planning and Environment on or after the date the particular direction was issued and commenced. Consistency with relevant Local Planning Directions is discussed in Table 5.2.

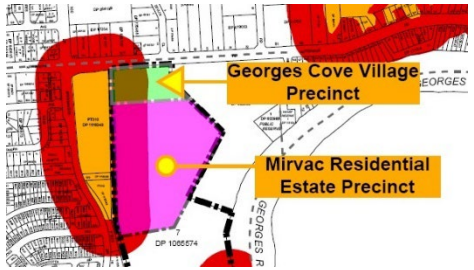
Table 5.2 Relevant local planning directions

Direction	Relevant provisions	Response
1.1 Implementation of regional plans	1. Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	The relevant regional plan is the Greater Sydney Region Plan - A Metropolis of Three Cities. The Western City District Plan also applies to the site.
1.2 Development of Aboriginal Land Council land	This direction applies to all relevant planning proposal authorities when preparing a planning proposal for land shown on the Land Application Map of Chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021.	Chapter 3 applies to land owned by an Aboriginal Land Council. The subject land is not owned by an Aboriginal Land Council.
1.3 Approval and Referral Requirements	1. A planning proposal to which this direction applies must: a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: i. the appropriate Minister or public authority, and ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and c) not identify development as designated development unless the relevant planning authority: i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.	This planning proposal has requested the minimum additional permitted uses to facilitate a supermarket in the Georges Cove Village development, and hence referrals are minimised. The provisions proposed do not stipulate concurrence, consultation or referral of a Minister or public authority. The development facilitated by the planning proposal is unlikely to be classified as designated development.

Direction	Relevant provisions	Response
1.4 Site Specific Provisions	1. A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either: a) allow that land use to be carried out in the zone the land is situated on, or b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. 2. A planning proposal must not contain or refer to drawings that show details of the proposed development.	This planning proposal seeks to allow additional retail floor space for the purpose of a supermarket to be carried out in the E3 zone the land is situated on. Drawings which detail the retail development are not provided within the planning proposal.
3.7 Public Bushland	1. When preparing a planning proposal, the planning proposal authority must be satisfied that the planning proposal: a) is consistent with the objectives of this direction, and b) gives priority to retaining public bushland, unless the planning proposal authority is satisfied that significant environmental, economic or social benefits will arise that outweigh the value of the public bushland. The objective of this direction is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland, by: a) preserving: i. biodiversity and habitat corridors, ii. links between public bushland and other nearby bushland, iii. bushland as a natural stabiliser of the soil surface, iv. existing hydrological landforms, processes and functions, including natural drainage lines, watercourses, wetlands and foreshores, v. the recreational, educational, scientific, aesthetic, environmental, ecological and cultural values and potential of the land, and b) mitigating disturbance caused by development, c) giving priority to retaining public bushland.	The objective of this direction is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland. The planning proposal does not adversely impact any biodiversity or habitat corridors; or links between bushland areas. The planning proposal also does not impact hydrological landforms or other values of the land. Disturbance which may be caused by the development is limited to the existing modified landscape and will not impact or reduce any adjoining bushland areas. Further information is provided in Appendix B.

Direction	Relevant provisions	Response
3.10 Water Catchment Protection	1. When preparing a planning proposal, the planning proposal authority must be satisfied that the planning proposal achieves the following: a) is consistent with the objectives of this direction, b) is consistent with the Australian and New Zealand Guidelines for Fresh and Marine Water Quality, as published by Water Quality Australia, and any water quality management plan prepared in accordance with those guidelines, c) includes documentation, prepared by a suitably qualified person(s), indicating whether the planning proposal: i. is likely to have an adverse direct, indirect or cumulative impact on terrestrial, aquatic or migratory animals or vegetation, and any steps taken to minimise such impacts ii. is likely to have an impact on periodic flooding that may affect wetlands and other riverine ecosystems iii. is likely to have an adverse impact on recreational land uses within the regulated catchment. d) identifies and considers the cumulative impact of the planning proposal on water quality (including groundwater) and flows of natural waterbodies and on the environment more generally, including on land adjacent to or downstream of the area to which this direction applies, e) identifies how the planning proposal will: i. protect and improve environmental values, having regard to maintaining biodiversity, and protecting native vegetation, cultural heritage and water resources (including groundwater) ii. impact the scenic quality of the natural waterbodies and the social, economic and environmental interests of the community, iii. protect and rehabilitate land from current and future urban salinity, and prevent or restore land degradation, f) considers any feasible alternatives to the planning proposal. 2. When preparing a planning proposal, the planning proposal authority must: a) consult with the councils of adjacent or downstream local government areas where the planning proposal is likely to have an adverse environmental impact on land in that local government area, and b) as far as is practicable, give effect to any requests of the adjacent or downstream council.	
4.1 Flooding	1. A planning proposal must include provisions that give effect to and are consistent with: a) the NSW Flood Prone Land Policy, b) the principles of the Floodplain Development Manual 2005,	The Liverpool flood planning area maps show that a component of the site along the Newbridge Road frontage is in the flood planning area.

Direction	Relevant provisions	Response
	c) the Considering flooding in land use planning guideline 2021, and d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council. 2. A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Employment, Mixed Use, W4 Working Waterfront or Special Purpose Zones. 3. A planning proposal must not contain provisions that apply to the flood planning area which: a) permit development in floodway areas, b) permit development that will result in significant flood impacts to other properties, c) permit development for the purposes of residential accommodation in high hazard areas, d) permit a significant increase in the development and/or dwelling density of that land, e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent, g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.	A flood impact assessment (FIA) and Flood Emergency Response Plan (FERP) have been provided at Appendix E (Tooker and Associates, 2024). The FIA assesses the flood risk of the site and the performance concept design against this direction. The majority of the site in its Council designated benchmark pre-development state is above the flood planning level. Local Planning Direction 4.1 allows inconsistencies with this Direction if the inconsistency is of a minor significance. It is considered that the proposed inconsistency is of minor significance because it only involves a minor part of the site frontage along Newbridge Road which falls into the flood planning area. The majority of the site is not affected by, and does not affect, flood behaviour or flood impacts. The FIA has concluded that the concept design. would comply with the NSW government policy and the Council's LEP and DCP in terms of development of flood prone land. A key finding is that the planning proposal will reduce the site's reliance on flood evacuation capacity, principally due to the reduced residential yield of the proposal. A Flood Emergency Response Plan prepared by Tooker and Associates (attached to Appendix E) demonstrates that the development will have an acceptable flood emergency response plan based on SES recommendations for evacuation and the proposed elevated pedestrian bridge. Evacuation risks from the proposed non-residential land uses can be adequately managed and mitigated at the Development Application stage.

Direction	Relevant provisions	Response
4.3 Planning for Bushfire Protection	1. In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made. 2. A planning proposal must: a) have regard to *Planning for Bushfire Protection 2019*, b) introduce controls that avoid placing inappropriate developments in hazardous areas, and c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ). 3. A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: a) provide an Asset Protection Zone (APZ) incorporating at a minimum: i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with, c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, d) contain provisions for adequate water supply for firefighting purposes, e) minimise the perimeter of the area of land interfacing the hazard which may be developed, f) introduce controls on the placement of combustible materials in the Inner Protection Area.	The site is within the buffer area of Category 1 bushfire prone vegetation under the Liverpool Council Bushfire Prone Land Map. As such, the site is classified as bushfire prone land. The Category 1 vegetation is on land (a public reserve) to the west of the site.  Cumberland Ecology undertook an Ecological Constraints Assessment in 2009 and found that the vegetation within the public reserve to the west of the site contains Cooks River Castlereagh Iron Bark Forest. For retail and commercial development *Planning for Bushfire Protection* requires that these components of the development be located so that the buildings are not impacted by flame contact.

Direction	Relevant provisions	Response
		In order to satisfy this requirement, the minimum separation distance to the Category 1 Bushfire Prone Vegetation in the public reserve is 19 metres (m). The Concept Plans provide a defendable space setback width of 21 m from the western boundary of the site. This setback includes the width of the drainage channel, maintenance track and retaining wall. The characteristics of the site, together with the fire protection measures recommended, provide that the rezoning and subsequent development of the land is suitable in terms of its intended retail/commercial/light industries land use. Further, the concept design demonstrates how future development can feasibly access Newbridge Road and the future DCP Road, providing multiple access points for emergency egress and emergency vehicle access. As such, the planning proposal has taken the matters detailed in the direction into consideration. As stated in the direction, the relevant planning authority has consulted with the RFS, following receipt of a gateway determination (e.g. post-gateway). The RFS provided written advice to Liverpool City Council, as the relevant planning proposal authority, in a letter dated 16 January 2025, noting that “the NSW RFS does not have any concerns in relation to the proposal”.

Direction	Relevant provisions	Response
4.4 Remediation of Contaminated Land	1. A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless: a) the planning proposal authority has considered whether the land is contaminated, and b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan. 2. Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines	A Detailed Site Investigation (DSI) was prepared by Douglas Partners in 2016 (refer to Appendix C) which considered the earlier planning proposal for this site which included a residential land use component. Douglas Partners also prepared a Remediation Action Plan (RAP) for the former planning proposal (refer to Appendix D). Noting the earlier use of the site for activities which included extractive activities, waste management and dredging, there have been a number of previous geotechnical and contamination investigations carried out at the subject site. The findings of the Douglas Partners investigation were generally consistent with previous investigations. The drilling program encountered uncontrolled filling with a component of construction and demolition waste to thicknesses of up to 9.2 m. The contaminant concentrations in soil were generally consistent with previous investigations with the exception of the polychlorinated biphenyls (PCB) hotspot encountered at one borehole. PCB has not previously been detected at the site, but this is most likely attributable to the heterogeneous nature of the waste filling. Ongoing landfill gas monitoring has confirmed a characteristic gas situation (CGS) of 3 and thus the need to incorporate gas mitigation systems into the building design.

Direction	Relevant provisions	Response
		The Douglas Partners DSI conclude that the site can be made suitable for the (then) proposed residential development subject to the development of a suitable RAP. As residential development no longer proposed for the subject site, and the design for the future use of the site now includes retail and light industries land uses, the findings of Douglas Partners remain valid and confirm the suitability of the site for the intended purpose.
4.5 Acid Sulfate Soils	1. The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present. 2. When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with: (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or (b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines. 3. A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act. 4. Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b).	The site is largely mapped on Council's Acid Sulfate Soils Map as Class 4 and Class 5. However, a portion of the site is mapped as Class 2. The planning proposal does not seek to introduce uses that are more intense than those currently permitted, other than an increase in floor area for retail use in the development. This type of change in permitted uses will not lead to any increase in required earthworks than would otherwise be required. A more detailed and site-specific acid sulfate study will be completed during the post-Gateway period.
5.1 Integrating Land Use and Transport	1. A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and b) The Right Place for Business and Services – Planning Policy (DUAP 2001).	The planning proposal will enable the development of retail and light industries employment opportunities adjacent to public transport.

Direction	Relevant provisions	Response
7.1 Employment Zones	1. A planning proposal must: a) give effect to the objectives of this direction, b) retain the areas and locations of Employment zones, c) not reduce the total potential floor space area for employment uses and related public services in Employment Zones. d) not reduce the total potential floor space area for industrial uses in E4, E5 and W4 zones, and e) ensure that proposed employment areas are in accordance with a strategy that is approved by the Planning Secretary. The objectives of this direction are to: a) encourage employment growth in suitable locations, b) protect employment land in employment zones, and c) support the viability of identified centres.	The objectives of this Direction are supported through the planning proposal. The retail sector is a major employer within the local government area (LGA) and the additional floor space available through this planning proposal enables a full-line supermarket, with the associated employment benefits, to be established in a suitable location (refer to the *Economic Impact Assessment* at Appendix I). This does not adversely impact employment zones within the LGA or regionally. The planning proposal also does not reduce the potential floor space for industrial uses and is within a E3 zone, not E4, E5 or W4.

5.3 Section C - Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

5.3.1 Critical habitat or threatened species, populations or ecological communities, and their habitats

EMM has previously conducted an ecological assessment in relation to the entirety of the former Lot 7 DP 1065574 (i.e. the former Tanlane operational lands) for Mirvac Homes Pty Ltd as part of an Environmental Impact Statement (EIS) for works proposed on that lot.

The eastern part of what is now Lot 1 was not included within the 2016 EMM ecological study area. Therefore, further ecological assessments were undertaken (EMM 2024 and EMM 2025 – provided in Appendix B) for the entirety of Lot 1 DP 1246745. The findings of EMM 2025 are considered to have the most recent and relevant description of critical habitat or threatened species, populations or ecological communities, and their habitats within Lot 1 and, therefore, are summarised below.

The 2025 EMM ecological assessment is based on a desktop assessment of available and relevant information and a site survey undertaken on 28 May 2025. The site survey observed that the site, being currently in use as a recycling depot, contains minimal remnant or remaining vegetation and minimal habitat for native threatened species. The closest native vegetation is to the west of the site, within C2 Environmental Conservation zoned land, and is mapped (DECCW 2024) as PCT 3448 Castlereagh Ironbark Forest which is primarily associated with the Threatened Ecological Community (TEC), *Cooks River/Castlereagh Ironbark of the Sydney Basin Bioregion*, listed as Endangered under the NSW *Biodiversity Conservation Act 2016* (BC Act) and as Critically Endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

A BioNet database search undertaken on 3 June 2025, did not return any records of threatened species onsite, although several threatened species (three fauna, one invertebrate, and one flora species) were recorded within the adjacent patch of native vegetation within the C2 zone. Additional threatened species (one fauna and one flora) were also identified as potentially being present, based on potential habitat being present.

As the proposed development will not have a direct impact on any native or exotic vegetation or habitat, it is unlikely to have a significant direct impact on any threatened species or threatened ecological communities, listed under the BC Act or the EPBC Act.

Indirect impacts of the proposed development are not considered likely to have a significant impact on any threatened species or threatened ecological communities, listed under the BC Act or the EPBC Act, due to the drainage channel and road, which provide a 20 m buffer from the site to the adjacent C2 conservation area.

Lot 1 contains areas mapped on the Biodiversity Values map, which would trigger entry into the NSW Biodiversity Offset Scheme for the proposed development. This is understood to be applicable at the Development Application stage of the assessment (i.e. post Gateway planning process).

The potential for any direct and indirect impacts to the C2 Environmental Conservation land to the west of the site, which is unlikely if the drainage line remains in-situ, are able to be mitigated both during construction and operation. These will be considered in the post-Gateway ecological assessment and an associated managements plans at the development approval stage.

5.3.2 Other resources

The resources associated with this site, nominally sand and gravel, were extracted under a former land -use and are now depleted. The planning proposal therefore does not sterilise access to resources.

Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

5.3.3 Other likely environmental effects as a result of the planning proposal and how are they proposed to be managed

i Contamination

The history of assessment and management of contamination at the site is summarised as follows:

- There have been a range of contamination assessments for the site beyond the Douglas Partners (May 2018) report that was Appendix 4 of the Planning Proposal, PP-2020-3520, prepared by Boston Planning (2020).
- These contamination assessments formed the basis for the site auditor concluding that, with remediation, the site can be made suitable for the proposed uses.
- These assessments met the requirements of NSW EPA guidelines and Chapter 4 of the Resilience and Hazards SEPP 2021 to the extent required for the site auditor to reach their conclusion.
- The Sydney Western City Planning Panel was satisfied with the level of contamination assessment as demonstrated by its approval of DA-611/2018 on 7 May 2021 and Modification 1 (DA-611/2018/A) on 30 November 2022 which included conditions requiring further contamination assessment that were drafted by Council.

We believe that the extensive contamination assessments for the site are suitable supporting documents for the planning proposal. Accordingly, preparation of another preliminary site investigation (PSI) for the site to specifically support this planning proposal is not justified as it is highly unlikely to provide any information that would change the conclusion that, with remediation, the site can be made suitable for the proposed uses.

ii Flood

A Flood Impact Assessment and Flood Emergency Response Plan has been prepared by Tooker and Associates (2024) and is provided in Appendix E.

The Georges Cove Village site is one of three development sites under the same land ownership in the Moorebank East precinct. The two other sites are the Georges Cove Residences - currently being developed by Mirvac - and the Georges Cove Marina site.

Cardno (now Stantec) have previously undertaken all the flood modelling for these three developments, and the sites are interrelated for wider flood modelling purposes. The benchmark pre-development land ground levels were formulated by Council and adopted in the earlier Cardno 2013 flood assessment as the base landform for the pre-development flood modelling of the three sites.

Liverpool Council subsequently required that there be no reduction in flood storage capacity over the combined area of the three developments for the 100-year average return interval (ARI) flood event. The Cardno flood report and the modelling and design results were then accepted by Liverpool Council.

The proposed development consists of a supermarket and retail specialty shops on Level 3 and commercial/light industries on Level 4 and associated parking on Levels 2, 3 and 4. The dock loading area is on Level 1. Except for the Loading dock level, the rest of the site's proposed built form (including parking and commercial spaces) is above the 100-year ARI or probably maximum flood (PMF) levels. All the proposed habitable floor levels including the supermarket, retail shops and commercial/light industries uses are flood free.

The proposed retail and light industries/commercial development has been designed to exceed the State and local government requirements for flood management including due consideration of the recent recommendations in the *2022 Flood Inquiry Report* and revisions to the flood-related State and council planning requirements. It also complements the adjacent and recently approved development sites at Georges Cove Marina and Mirvac Georges Cove Residences. There is sufficient vehicular and pedestrian infrastructure to provide safe flood evacuation. There is also a fall-back emergency, the shelter-in-place option available above PMF flood levels (if required) and additionally, the same option is provided in the approved Georges Cove Marina and Mirvac Georges Cove Residences developments.

A copy of the Tooker and Associates report is provided at Appendix E.

iii Bushfire

A Bushfire Constraints Assessment has been prepared by Australia Bushfire Protection Planners Pty Ltd (2023) and is provided at Appendix F.

The Bushfire Constraints Assessment updates the previous report prepared in support of the previous planning proposal.

The Georges Cove Village site is identified on the Liverpool Council Bushfire Prone Land Map as containing the buffer zone to Category 1 Bushfire Prone Vegetation on the reserve land to the west.

Pursuant to Ministerial Direction No. 4.3 – Planning for Bushfire Protection under Section 9.1(2) of the *Environmental Planning and Assessment Act 1979*, Liverpool Council, in the preparation of a planning proposal that effects, or is in proximity to land mapped as bushfire prone land, must consult with the Commissioner of the NSW Rural Fire Service (RFS) following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made.

Liverpool Council wrote to the RFS on 30 October 2024 inviting the RFS to comment on the planning proposal. The RFS provided written advice to Liverpool Council on 16 January 2025 stating that "the NSW RFS does not have any concerns in relation to the proposal".

The only area at or adjacent to the site which contains bushfire prone vegetation is on the public reserve to the west. This vegetation has a width of approximately 90 m and therefore presents a high level of hazard to the proposed Georges Cove Village.

For retail and commercial development, the requirement under *Planning for Bushfire Protection 2019* is to position buildings so that they are not subject to flame contact.

In order to satisfy this requirement, the minimum separation distance to the Category 1 Bushfire Prone Vegetation on the land to the to the west of the site is 22 m.

The proposed development provides a defendable space width less than 22 m to the carpark floors, resulting in this part of the development being in the Flame Zone. The construction of the carpark will include non-combustible walls with an FRL of 240/240/240 therefore satisfying the construction requirements for a Flame Zone.

The floors containing the light Industries and retail development are set back to achieve the defendable space width of 22 m. This setback includes the width of the drainage channel, maintenance track, retaining wall and setback to the building.

Warter supply for fire-fighting and access for fire-fighting operations is directly off Newbridge Road and the new road network within the Mirvac Estate to the south.

iv Traffic

On 14 June 2023, Council issued advice regarding the information required to progress the revised planning proposal. One traffic-related matter was stated to be:

> Due to the timeframe which has lapsed since the Traffic Impact Assessment Report was prepared being over 5 years and as the planning proposal concept architectural plans submitted in April 2023 have significantly changed since the preparation of the Traffic Impact Assessment Report, a revised Traffic Impact Assessment Report is to be submitted to Council.
>
> This may be in the form of an addendum as the development intensity of the subject site has been reduced as per the planning proposal concept architectural plans submitted in April 2023. It is required to include updated access and internal design comments (section 5), updated existing traffic and transport conditions/traffic studies (section 6), section 7 (Traffic Assessment), section 8 (summary) and appendix A (SIDRA Modelling outputs).

The previous traffic report, prepared by Ason Group, has been reviewed and a new traffic report (provided at Appendix G) has been prepared by EMM to address the above matters as required by Council. The findings of the EMM traffic report are summarised below.

a Key considerations and methodology

The key change, between the last traffic report (Ason Group) and the currently traffic report (EMM) is that the current planning proposal no longer includes residential accommodation, commercial offices or a medical centre. Instead, the planning proposal seeks to provide retail and light industries units. The EMM report also only considers one access scenario based on the existing connection of the site to Brickmakers Drive via Promontory Way. A second access scenario (connection of the DCP Road to Davy Robinson Drive via the adjoining Flower Power site) has been removed from the traffic modelling given feedback from TfNSW and Council on uncertainties of the arrangement.

As part of this traffic report, traffic surveys were conducted on Thursday 8 May 2025 between 7 am–9 am and 4 pm–6 pm, during a non-school holiday period at nearby intersections.

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Currently, left-in movements are permitted from Newbridge Road (east) to the site, while left-out movements are permitted from the site to Newbridge Road (west) for both light and heavy vehicles. The existing egress – being left turn light vehicle movements from the site to Newbridge Road - will be restricted at the request of TfNSW and the access will be limited to left turning ingress to the site from Newbridge Road. To calculate the baseline traffic volumes, the existing left turning egress movements from the site that will be restricted in the future have been redistributed to the other parts of the road network.

To assess the cumulative traffic for the planning proposal, the following components of the broader precinct have been considered:

- Georges Cove residences
- Georges Cove Marina (residential)

- Georges Cove Marina (commercial)
- Moorebank Recyclers land.

Intersection performance was modelled using SIDRA Intersection 9.1 software.

b Findings

The SIDRA traffic analysis shows the following:

- The existing arterial road network in the area is already congested (close to or over the capacity) and the proposed development does not materially alter the situation. The suggestion to prevent light vehicles entering the site (left turn in only) from Newbridge Road exacerbates the congestion.
- Newbridge Road/Governor Macquarie Drive/Brickmakers Drive intersection is already operating over capacity in the AM peak, with LOS E and DOS >1, and close to capacity in the PM peak with LOS C. Additional traffic volumes from the development and cumulative developments will result in LOS F and DOS >1 during both the AM and PM peaks. It is noted, however, that traffic generation from the residential component of the marina development may have already been captured in the traffic surveys and therefore the cumulative traffic modelling is conservative.
- The Brickmakers Drive/Promontory Way intersection will operate satisfactorily within capacity with LOS C or better and DoS <0.8 for all scenarios though queues may stretch back to the roundabout and onto Spinnaker Drive. Signalisation of the intersection will improve performance and capacity.
- Newbridge Road/Site Access Road intersection performs satisfactorily within capacity during the AM peak. The PM peak is currently LOS F due to increased westbound traffic. Under the development scenario this will reduce to LOS A.
- Newbridge Road/Davy Robinson Drive intersection currently experiences LOS F during the AM and PM peak hour. Negligible changes to the performance of this intersection will occur under the proposed development.

Existing levels of service within the surrounding road network are generally maintained by the proposed development. Further, the planning proposal would provide a commercial scale supermarket to service the Georges Cove precinct and Moorebank East area, thereby incentivising local residents to avoid long journeys to other shopping precincts resulting in less traffic and road congestion within the surrounding road network.

v Acid sulfate soils

Epic Environmental (Epic) was engaged by Benedict Group of Companies (Benedict) to provide an acid sulfate soils (ASS) study in support of the planning proposal.

The site has been excavated to approximately the correct levels with potential for refinement of levels generally in the range +/- 100 mm. No further major excavation is likely to be required for the works, except as required for the installation of pier foundations.

The site is characterised as having the following:

- The eastern portion of site has Class 2 ASS risk whereby ASS is likely present below the natural ground surface.
- The western portion of site has Class 4 ASS risk whereby ASS is likely present 2 m below the natural ground surface.

Earlier report prepared by Ian Swane & Associates Pty Ltd (2022) and Douglas Partners (2023) found the following:

- Where minor data gaps were outlined by the auditor in fill material an environmental scientist can collect additional samples once site offices etc are re located.
- The design proposes concrete sealed areas which can act as a physical barrier / cap to underlying fill material. An environmental management plan (EMP) would need to be prepared to document this and approved by the auditor and Liverpool City Council.
- There is potential risk of natural soils in the B6 land (now E3 land) being potential acid sulfate soils (PASS) which may have to be managed during the construction.

The sampling of soil undertaken by Epic found ASS present at one borehole in the north-eastern sector of the site. No potential acid sulfate soil (PASS) was identified.

The key finding of the Epic report is that currently no management of ASS risk is required for the site. If construction plans are updated and major excavation and/or dewatering is required, an acid sulfate soils management plan (ASSMP) and potentially further investigation is recommended to be prepared.

A copy of the Acid Sulfate Soil Study (Epic 2024) is provided at Appendix K.

5.3.4 Parking

The proposal enables sufficient parking for both employees and visitors.

As stipulated in the Liverpool Development Control Plan 2008 (Part 1, Section 20.3), the standard development control metric of one car space per 20 m^2 of retail lettable floor area (LFA)[1] has been used to account for the combined parking requirements of retail employees and visitors. The proposed LFA for the supermarket is 3914 m^2; the LFA for the speciality shops is 1045 m^2; and the LFA for the commercial/industrial use is 5635 m^2.

A breakdown of the LFA calculations is provided below.

Supermarket

Level 1 – 104.9 m^2 (loading dock included)

Level 3 – 3,809.2 m^2

Total – 3,914.1 m^2

Specialty Retail

Level 3 – 1,045 m^2

Total – 1,045 m^2

Commercial/Industrial

Level 4 – 4,382.1 m^2

Level 5 – 1,252.9 m^2

Total – 5,635 m^2

For a supermarket of up to 4,000 m^2, the number of employees on-site at any one time is 35.

[1] As defined in the Liverpool Development Control Plan 2008

The specialty retail uses are expected to require 24 employees at any one time retail.

The commercial/industrial uses at Level 4 of the development comprise 32 units with total of 120 employees.

Employee numbers are derived from Woolworths advice regarding standard retail development assumptions used in project planning for supermarkets.

Note that the car parking provisions of Liverpool DCP 2008 separately set parking rates for 'industry' and 'office premises'. While office space will be provided within the light industries units, the characterisation of the use remains 'industry' and not 'office premises' (for the purpose of determining parking space requirements) because the small mezzanine office areas - generally 50 m^2 - are typical of any light industries use, and are subservient to the dominant industrial use of the premises, and therefore office-related parking needs are already incorporated within the parking schedule for 'industry'. Application of parking requirements for both 'industry' and 'office premises' would result in duplication.

A breakdown of parking requirements pursuant to Liverpool DCP 2008 and the nominal allocation of spaces between employees and visitors is provided at Table 5.3. Note that in many cases the Liverpool DCP 2008 applies a parking space formula based on retail LFA, and does not further disaggregate that factor into spaces for employees or spaces for visitors. The DCP does not articulate the assumptions behind the formula and therefore advice was sought from Woolworths regarding the provision of car parking spaces for employees. Woolworths advised that car space allocation for employees is conventionally less than one space per two employees. Hence a factor of 40% was used to calculate nominal car space allocation for retail staff.

Visitor car parking space numbers were based on the residual car parking available after the nominal employee parking space allocation.

Table 5.3 Parking requirements

Use	LFA (sq m)	Employees (max)[2]	Employees (on site; per day)	Parking rate as per Liverpool DCP	Number of parking spaces required per DCP	Nominal DCP allocation for employees	Nominal DCP allocation for visitors
Supermarket	3,914	290	35	1 space per 20 sqm of LFA	196	14	182
Other retail	945		24	1 space per 20 sqm of LFA	47	20	27
Restaurant[3]	100		8	1 space per 20 sqm of LFA	5	5	0
Industry	5,635	120	120	1 space per 75 sqm factory or warehouse LFA or 1 space per 2 employees, whichever is the greater	75	75	45
Total	10,594	410	187		323	114	254

Details of the accessible and motorcycle parking for the retail and industrial uses is provided at Table 5.4.

The Liverpool DCP 2008 specifies the rate for disabled off-street parking as 1 space per 100 spaces for retail, commercial industry or transport developments. Accessible spaces for retail and industrial units at the proposed development exceed the requirement.

[2] Numbers based on Economic Needs Assessment (IQ, 2019)

[3] A restaurant or café use is not currently confirmed and therefore estimate only (based on Restaurant and Catering Australia, Submission to Parliamentary Inquiry)

Note that the DCP requirements stipulate that a total of 323 car parking spaces are required, and the total number of parking spaces actually provided will be 351.

Table 5.4 Disability and motor cycle parking schedule

Level	Parking spaces					
	Industrial [1]	Industrial accessible	Retail [1]	Retail accessible	Total car parking spaces	Motorcycle spaces
Level 2	0	0	182	4	182	5
Level 3	0	0	97	4	97	5
Level 4	72	2	0	0	72	0
TOTAL	72	2	279	8	351	10

Note #1: Industrial and retail spaces include accessible

5.3.5 Overshadowing

Shadow diagrams have been prepared by Rothelowman to assess the proposed impact on solar access to future neighbouring properties between 9 am and 4 pm for the Winter Solstice (June 22). The shadow diagrams have been provided as part of Appendix A.

The site is bound by Newbridge Road to the north, a vegetated reserve to the west, the future Georges Cove residential subdivision to the south and a proposed mixed-use development to the east. The shadow diagrams take into account preliminary lot and dwelling layouts for the future residential subdivision to the south. The design of these dwellings has been modelled into the accompanying shadow study in order to accurately assess any impact on solar access to the dwellings primary private open space.

The built form of the proposal has been arranged such that all the housing sites to the south can comply with the minimum solar access requirements as set out in the DCP. A detail analysis of the urban context and the design considerations is included in the architectural design statement (refer Appendix A).

Has the planning proposal adequately addressed any social and economic effects?

5.3.6 Social and economic effects

i Social impacts

A Social Impact Assessment (SIA) was prepared by Cred Consulting Pty Limited (Cred) in 2017 for the former proposal and is attached as Appendix H. Cred Consulting has undertaken social impact assessments for multiple medium-to-large scale developments in the Moorebank area and is well informed on the needs for services and infrastructure in the area.

Council has requested that a SIA Addendum be provided in order to incorporate the reduced intensity of development and to consider updated and more contemporary policies, plans and data. A SIA Addendum has been prepared by EMM (2023) and is provided at Appendix H.

The Cred SIA only noted one negative social impact associated with the former planning proposal, being the possibility of increasing prices of housing in an area of increasing housing unaffordability. Cred attributed this impact to the provisions of large 3-bedroom apartments, which are no longer proposed as part of this development.

The revised (current) planning proposal relates only to additional permitted floor space for retail premises in order to accommodate a supermarket on terms which align with the market needs of supermarket operators.

The SIA Addendum makes a number of relevant findings as summarised below.

The policy and planning strategies, both at regional and local scale, point to:

- a growing population
- the need for retail and other services, at neighbourhood scale, in order to achieve place-making which is walkable and promotes liveability
- a shift from traditional industries to greater reliance on people-oriented jobs, including retail.

The population profile of Moorebank reveals a shift to slightly higher density, and a recent marked uplift in population within the suburb. The incoming population is characterised by a slightly increasing household size and slightly better employment and income metrics than the Liverpool LGA as a whole.

In order to meet these population characteristics and to deliver these strategic outcomes, retail space needs to be provided at a scale which is attractive and financially feasible for providers of supermarket or other retail services. The economic reality is that retailers make decisions based on location and available floor space. Planning controls need to adapt to these contemporary needs if future developments are to attract the type of retail businesses, and therefore the people-oriented jobs, which are envisioned under strategic planning instruments.

This suggests that the overall social impact of the proposed increase in floor area for retail premises at the site will be positive.

ii Economic impacts

Location IQ prepared an Economic Impact Assessment (July 2023), which presents an independent assessment of the need and demand for the proposed larger footprint retail facility. The report considers the likely economic impacts that would result from the proposed development. The assessment is provided at Appendix I.

Key findings of the research conducted for the Economic Impact Assessment are as follows:

- There are currently no major full-line supermarkets (over 3,200 m^2) within the main trade area.
- Supermarkets within the main trade area are quite small by modern supermarket standards, with the nearest major full-line supermarkets to the subject site provided at Westfield Liverpool, more than 5 km away.
- The major supermarket chains target a population of 8,000 to 10,000 persons in order to support one full-line supermarket. The main trade area population, at more than 24,500 persons, could support almost three full-line supermarkets, and up to four by 2041, based on a projected population of almost 32,000.

Retail related impacts identified include the following:

- With no full-line supermarkets currently provided within the main trade area, the proposed full-line supermarket at the subject site would retain a significant proportion of food and grocery expenditure that is currently escaping the area.
- A total impact of around -$14.4 million is projected to come from retail facilities within the main trade area in 2025/26, including -$7.1 million (or -17.5%) on Moorebank Shopping Centre and some -$5.8 million (-12.5%) on Chipping Norton Market Plaza. Other retail facilities within Moorebank (primarily along Newbridge Road), including Big Fresh are projected to be impacted by some -$0.4 million, or

approximately -5%. Additionally, within the primary east sector, Milperra Shopping Centre impact is estimated at -$0.8 million (or -10%). These levels of impacts would not affect the viability of any retail facilities.

- The largest impact beyond the main trade area is projected to be on the Liverpool central business area (CBA), at a total of -$13.4 million, or some -1.7%. The various components of the CBA, including Westfield Liverpool (post development), Liverpool Plaza Shopping Centre and the balance or retail shopfront within the precinct are projected to be impacted by between -0.5% and -1% each.

  The next largest impact beyond the main trade area is likely to fall on Aldi at Bankstown Airport, at around -10% or some -$2.4 million dollars in 2025/26.

- The remaining impacts on other shopping centres within and beyond the main trade area are all lower than -5%.

Positive impacts identified by the Economic Impact Assessment include the following:

- Significant improvement in the range of retail facilities that would be available to the growing local population, particularly in terms of convenient supermarket retailing.

- The full-line supermarket would improve choice of location and allow for price competition. The inclusion of a full-line supermarket would represent the only such offer within the defined main trade area.

- The addition of a supermarket at the subject site would also result in the retention of spending currently being directed to other large supermarkets at major shopping centres situated beyond the main trade area, thereby reducing the need for local residents to travel further afield for their supermarket and convenience-based shopping needs.

- The creation of additional employment which would result from the project, both during the construction period, and more importantly, on an ongoing basis once the development is complete and operational. In total, some 993 jobs are likely to be created both directly and indirectly as a result of the retail and non-retail components of the proposed Georges Cove Village. This includes a number of youth employment opportunities with retail developments generally employing a large number of younger staff.

The Economic Impact Assessment concludes that the proposed development would offer a high degree of customer amenity and convenience by way of its high-profile site, easily accessible location, and quality design, and that a substantial net community benefit would result from the proposed Georges Cove Village development. These positive impacts are considered to sufficiently offset the trading impacts on some existing retailers.

5.3.7 Effects on land in the vicinity of the site

Existing, approved and likely future uses of the site and surrounding land is described in Table 5.5.

Table 5.5 Existing approved and likely future uses

Area	Existing use	Approved use	Likely future uses
The site	The site is currently vacant.	The site was zoned as B6 Enterprise Corridor under LLEP 2008. Since lodgement of the earlier proposal, the Employment Zone reforms initiated by the DPE revised the zoning of the land to E3 Productivity Support. The new zonings took effect on 26 April 2023. There is a savings provision provided under item 5 of Schedule 3 of the Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2022. This means any land use which was previously permissible on land under a former zone continues to be permitted with development consent until 26 April 2025. Pursuant to these savings provisions, a supermarket land use is permitted with consent on the subject site until 26 April 2025.	The planning proposal would allow for a supermarket, at a scale which is commercially feasible to likely operators, to service the needs of local residents and workers.
North of site	Immediately to the north of the site is Newbridge Road, a road that provides a regional connection to the Liverpool CBD, and Canterbury Bankstown Council, Sydney Airport and the Sydney CBD. Beyond Newbridge Road is the Chipping Norton industrial precinct, which includes a variety of industrial uses and services, including warehousing, transport services and auto services. It does not appear that heavy industry (i.e. hazardous or offensive industry) exists in proximity to the site.	The Chipping Norton industrial precinct is zoned E4 General Industrial and E5 Heavy Industrial.	Given the close proximity of the Chipping Norton industrial precinct to existing receivers (e.g. the Georges River and bushland to the east and low density residential immediately to the west), it is likely that the current light industry and low impact general industry uses will continue unchanged into the future. While it is possible that a new heavy industry use could be established within the E5 Heavy Industrial area, this would already be precluded from being in close proximity to the site due to existing receivers.

Area	Existing use	Approved use	Likely future uses
West of site	Immediately to the west of the site is a vegetation buffer of approximately 75 m. Beyond the vegetated area is a residential subdivision consisting primarily of low-density residential dwellings (e.g. separated dwellings).	The vegetated area west of the site is zoned C2 Environmental Conservation. This zone prohibits most development that is not for environmental protection or educational purposes. The residential area further to the west of the site is primarily zoned R3 Medium Density Residential, with a maximum height of building of 8.5 m. As such, low-rise medium density residential uses (e.g. townhouses/attached dwellings) and related uses are permitted, as per LLEP 2008.	It is likely that the vegetated area west of the site will remain vegetated and undeveloped, with the exception of environmental protection or flood mitigation works. It is possible that an educational trail/signage could be developed, though unlikely. It is likely that the residential area further to the west will remain low density residential in the near term, with slow densification associated with a transition to townhouse type development.
South of site	The south of the site is a residential development.	The south of the site is zoned R3 Medium Density Residential, with a maximum height of building of 8.5 m. As such, low-rise medium density residential uses (e.g. townhouses) and related uses are permitted, as per LLEP 2008.	A medium density townhouse subdivision on this site will be developed in the future. It is noted that the EIS also provides for recreation space and access to the foreshore of the Georges River, which would benefit and be accessible from the site via a pedestrian thru-site link.
East of site	The east of the site is formerly a nursery (Flower Power), with the Georges River and a limited amount of low density residential beyond.	The former Flower Power nursery land to the east of the site is zoned as E3 Productivity Support, with a mix of RE1 Public Recreation, RE2 Private Recreation, R2 Low Density Residential and W1 Natural Waterways (i.e. Georges River) further to the east.	It is understood that a planning proposal has been lodged for the neighbouring Flower Power land (Lot 2 DP 602988) to the east. This planning proposal would allow for residential development, similar to that being proposed to the south of the site. Commercial and limited retail uses are also proposed. Given the flood prone nature of the lands further to the east, it is likely that the current uses will continue in the short term, with medium to long term transitions to foreshore or other environmental or recreational uses. The Flower Power proposal is noted to include approximately 10,847 m^2 of public open space and approximately 5,400 m^2 of private open space.

As noted above, the planning proposal seeks to allow for an increased floor space for a supermarket within the future development, and that the resulting character and land use will be consistent with the existing, approved and likely future uses of land in the vicinity.

Section D – Infrastructure (Local, State and Commonwealth)

Is there adequate public infrastructure for the planning proposal?

5.3.8 Public infrastructure for the planning proposal

As noted elsewhere, the zoning of the site allows for commercial and retail uses, and the only change sought is with respect to the floor space available for retail use (i.e. a supermarket). Further, the site is in a developed area with a growing resident population and workforce who will benefit from access to daily provisions in close proximity.

The planning proposal will not require provision of additional types of infrastructure in order to accommodate a slightly larger footprint for retail use within the future development. However, consultation is anticipated with service and infrastructure providers as part of post-Gateway consultation.

As noted in the Traffic Report (Appendix G), the site is adjacent to Newbridge Road, with the M90 Liverpool to Burwood bus service providing peak hour services every 10 minutes, and services outside of peak hour generally every 15–20 minutes. The bus service generally operates between 5:30 am and 9.30 pm, Monday to Friday and generally 7 am to 9 pm Saturdays, Sundays and public holidays.

5.4 State and Commonwealth interests

What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

5.4.1 Views of State and Commonwealth public authorities consulted in accordance with the Gateway determination

The proponent has engaged in early consultation with Liverpool City Council and the Council has indicated in-principal support for this planning proposal to be prepared. Further consultation with Council will be undertaken as the planning proposal progresses.

Initial consultation was commenced with TfNSW regarding ingress and egress arrangements, and plans were amended in response to TfNSW suggestions.

Council staff have undertaken initial consultation with State Agencies as required by conditions 2 and 5 of the Gateway determination issued by the DPHI. A Request for Information (RFI) was issued by Council on 20 February 2025 provided comments on the Planning Proposal from the following agencies:

- NSW Rural Fire Service
- NSW State Emergency Services
- Department of Climate Change, Energy, the Environment and Water
- TfNSW.

Responses to the RFI are provide below. It is expected that further consultation will be undertaken with the following public authorities:

- TfNSW, due to the adjacent classified road and regarding public transportation access

- Department of Primary Industries, due to the proximity of the Georges River.

No consultation has been undertaken with the Commonwealth Government. There are no Commonwealth land holdings in the vicinity (i.e. within 1 km) of the subject site.

i NSW Rural Fire Services

As required by condition 3 of the Gateway determination for the Planning Proposal, the Planning Proposal justification report is to be updated to reference/acknowledge the correspondence received from the NSW RFS. This has been done in Table 5.2.

ii NSW State Emergency Services

The NSW State Emergency Services (SES) wrote to the Department of Planning, Housing and Infrastructure on 21 May 2024, in which advice was provided regarding the planning proposal (refer to Appendix J).

In summary, the SES noted that:

- the consent authority will need to ensure that the planning proposal is considered against the relevant Section 9.1 Ministerial Directions, including 4.1 – Flooding and is consistent with the NSW Flood Prone Land Policy
- the site is impacted by flooding as frequently as a 10% AEP flood event
- the increased number of vehicles on site, from the current undeveloped condition, would restrict the number of vehicles able to safely evacuate from surrounding areas
- the frequency of inundation and isolation is likely to be disruptive and costly to businesses on site
- there is potential for property damage from local flood behaviour.

The recommendations of the SES, and responses, are provided in Table 5.6.

Table 5.6 SES matters raised

SES matter	Response
Careful consideration of the location of vehicle entry points. The proposed Newbridge Road entry has historically been the site of numerous flood rescues	The main entrance to the proposed development is from Brickmakers Drive, which has road access up to and including the 100-year ARI flood. The Newbridge Road entrance is available for truck access to the loading dock. This entry will become flood-affected in the 10-yearr ARI flood along with a long section of Newbridge Road either side of this existing (and proposed to be retained) entrance. The entrance and loading dock will not be available for use by this commercial development during the 10-year ARI event and this event does not last for more than 24 hours. This is considered satisfactory and not significantly commercially costly as there will still be access to the site available from Brickmakers Drive. During flood events there will be a boom gate which will prevent entry and exit from the Newbridge Drive access point in the event of flooding above 0.3 m deep.

SES matter	Response
Further modelling is undertaken including time to overtopping of the "Council drainage channel along the western boundary of the site", the time to overtopping of roads and the level of hazard on site	The drainage channel was included in the site-specific flood modelling undertaken by Cardno for this project. The overtopping occurs between the 5-year and 10-year ARI floods. Use of the Newbridge Road entry will be barred once there is 0.3 m ponding in the entry area and this will take account of the overtopping of the Council drainage channel.
Any electrical, plant or waste facilities are located at or above the proposed level 1, as the ground and elevated ground-level loading docks are affected by flooding as frequently as a 20-year Annual Recurrence Interval (ARI) event	The ground floor and loading dock area will be constructed from flood compatible materials and will not result in significant property damage from a flood event. The plant room would have a flood door which would prevent flood water access and all water-sensitive or critical machinery would be located above the 100-year ARI flood level of RL 5.6 m AHD.
Removal of the statement "The warnings for the Georges River would be provided digitally via a SMS to the flood wardens on site"	This statement has been removed, as requested
Further consideration of safety features for proposed lifts, to ensure that floodwater does not enter the lift and ensure people do not exit into flooded areas	Design detail for safety features of the proposed lifts is appropriate and is best considered at the development application stage. This may, for example, include consideration of personal lifts not going below Level 2, provision of signage for evacuation via Brickmakers Drive and further use of flood doors throughout the development.
Ensuring that buildings are as safe as possible to occupy during flood events, buildings must be designed for potential flood and debris loadings of the PMF so that structural failure is avoided during a flood	An experienced structural engineer has confirmed that buildings can be designed and constructed to ensure they are stable during the worst flood (PMF) and debris loading. This is easily achieved because the flood flow velocities are relatively low. This is fairly common and for example, there are numerous buildings under construction in the Parramatta CBD which have been designed to be stable in a PMF flood.
Careful consideration is given to the role of the flood warden	The role of flood warden is acknowledged to be important and warrants careful consideration. At development application stage, details would be provided as to the outcome of the investigation of the training, support and mentoring of people being involved in flood exercises. This will fit into the overall management of risks on the site which relate to personal safety in fires, floods and accidents on the site. The entire site is to be operated as a commercial shopping centre and as a result will be managed by a single entity.

a Evacuation capacity

The SES expressed concern that the increased number of vehicles on site, from the current undeveloped condition, would restrict the number of vehicles able to safely evacuate from surrounding areas.

The issue of 'spare capacity' for evacuation has been considered by a number of parties. It is therefore important to clarify that the assessment of flooding risk in terms of evacuation has been based on the dated Molino Stewart report (Georges River Evacuation Study 2022) for Liverpool Council.

The Georges River Evacuation Study was commissioned by Council, in response to Greater Sydney Commission's Collaboration Area Place Strategy and the requirements of the (then) Department of Planning and Environment. The purpose was to specifically address future capacity constraints and evacuation strategies arising from continuing development and occupation of flood prone lands along the Georges River[4].

[4] Minutes of the Ordinary Council Meeting - Wednesday, 30 March 2022, pp 23-24

The proposed Georges Cove Village development was included and considered as part of the Molino Stewart report. The development of the subject site as per the existing provisions in the Liverpool LEP has therefore been considered for the purpose of evacuation modelling in the Georges River Evacuation Study (Molino Stewart 2022).

The Molino Stewart regional flood study (2022) states that the evacuation capacity of Moorebank East under scenario B is 700 vehicles and that the 700 vehicle evacuation capacity is based on road infrastructure upgrades being completed, as listed under scenario B, of which some have not commenced, including road upgrades to M5 westbound.

The Georges River Evacuation Study (Molino Stewart 2022) states the following regarding evacuation capacity of the Moorebank East precinct:

> Modelling suggests that that the road network could have capacity for approximately 700 evacuating vehicles from Moorebank East, accounting for the road upgrades included in Scenario B. It is noted that the model included over 360 vehicles for Site C, which is already approved and under construction. This only leaves capacity for 340 additional vehicles.

The 700 vehicle evacuation capacity is therefore further reduced by 360 vehicles due to the development currently being undertaken on site C (Lot 2 of 146 Newbridge Road Moorebank). It is noted however that, as the road upgrades assumed for the purpose of these calculations are not fully complete, the capacity for 340 additional vehicles remains unconfirmed.

It is nevertheless important to also note that the development of the subject site, in the absence of the current planning proposal, would increase the evacuation demand of the subject site to a greater extent. This is because the planning proposal seeks to allocate greater floor space within the subject site to a non-residential land use.

The planning proposals for Area A (Georges Cove Village), Area B (Flower Power site) and Area E (Concrete Recyclers site) in the Moorebank East precinct no longer propose residential development. This means that, for Flood Scenario B in the Molino Stewart report, the number of vehicles in an evacuation event would be reduced by up to 2228 vehicles for the Moorebank East precinct (refer to Table 12 in the Molino Stewart report).

These combined circumstances represent a major positive change to the risk profile for the Moorebank East precinct. In the event of a flood, the precinct could evacuate vehicles without any adverse impacts on the evacuation from Chipping Norton or other nearby areas.

The planning proposal for the subject site is considered to reduce the site's reliance on the evacuation capacity of the Moorebank East precinct for the following reasons:

- The planning proposal does not seek to increase the building height of floor space ratio of the site, nor does it seek to introduce any additional land uses to the site which are not already permissible.

- The planning proposal seeks to allocate greater floor space to a non-residential land use than what is currently permitted on site (4000 m^2 vs 1600 m^2) and as such reduces the potential residential yield of the subject site.

- The planning proposal does not propose to allocate any floor space to a residential land use and proposes commercial and light industries land use only, however residential land use is permissible on the subject site regardless of the planning proposal.

- Evacuation risks from the proposed non-residential land uses can be adequately managed and mitigated at the Development Application stage by way of measures including a Plan of Management, Flood Evacuation Plan, Flood Impact Assessment Report along with stringent conditions of development consent (eg – closure of the centre (including cars and pedestrian access) well in advance of flood events through implementation measures such as boom gates and barriers to car and pedestrian access.

In summary, the design of the proposed development readily exceeds the flood risk management requirements of both Council and the State government.

b Support for emergency management planning

The SES also made reference to the SES publication *Support for Emergency Management Planning* (Flood Risk Management Guideline EM01). These guidelines outline the key principles for good flood response planning.

The alignment of this planning proposal with the key principles is demonstrated below.

Evacuation

The primary response for the site in a flood will be vehicular evacuation to a safer/higher place or regional flood refuge. It is not proposed to rely on shelter-in-place. Molino Stewart has undertaken a detailed flood evacuation capacity assessment for the broader region around Moorebank and Liverpool.

The Molino Stewart study and the recent removal of residential developments in the planning proposals for sites A, B, and E, which has markedly reduced the number of cars in any evacuation, has provided safe vehicle evacuation capacity for the existing and proposed persons in the proposed new developments in the broader catchment.

Decisions should be informed by understanding the full range of risks to the community

Risk to life

The site-specific flood modelling for the site undertaken by Cardno established the full behaviour of the Council drainage channel along the western boundary and the flooding on Newbridge Rd. It provided the full range of flood risks in this area. This is why we have proposed a flood gate to prevent entry or exit from the site via the Newbridge Rd entry/exit when flood depths at the entrance are 0.3 m. The vehicle entry/exit to Brickmakers Drive will be available up to and including the 100-year ARI flood event therefore enabling flood evacuation. No further flood modelling is required.

No personal lifts will service the ground floor or loading dock.

Risk to property

There will be no car parking on the ground floor (Loading dock/Level 1) of the development. The flooding of the loading dock would occur in the 10-year ARI flood (i.e. on average once every 10 years) which is considered to be a satisfactory risk. There will be no long-term storage of stock at the loading dock. Stock would be transferred to the shopping level within an hour of the unloading of stock from the truck. The plant room would be fitted with a flood door to prevent flood water ingress and any equipment sensitive to water damage would be located above the 100-year ARI flood level (RL 5.6m AHD).

Car parking will be located on Level 2 at RL 7 m AHD which is 1.4 m above the 100-year ARI flood level. This is above the Council-required floor level for parking in an open facility.

Development of the floodplain does not impact on the ability of the existing community to safely and effectively respond to a flood.

In Point 1 above, detailed modelling along with the removal of residential uses in the PP for Areas A, B and E in the Moorebank East Precinct has established that there is adequate capacity for the existing and proposed population to evacuate and that there would be significant future spare capacity for remaining areas of Moorebank East Precinct. This modelling included planned upgrades to roads which are required to suit the existing population.

Decisions on development within the floodplain does not increase risk to life from flooding.

The flood evacuation planning for this planning proposal does not rely upon shelter-in-place. The focus is on flood evacuation. There are no residences planned for the site. It will be one retailer (Woolworths/Coles/Aldi), plus some

smaller specialty shops, and commercial/light industriesl uses above. There would be very limited risk of people staying in place once the evacuation order was given. Also, the risk of secondary risks to humans such as fire and medical would also be limited as people would be unlikely to have any reason to remain onsite and would instead leave. The response is simple, in that the commercial businesses would cease trading, be closed, and people would be directed to their cars and asked to leave the site via Brickmakers Drive.

No personal lifts will service the ground floor or the loading dock. The goods lift will be deactivated once the Newbridge Rd entry is closed when there is 0.3 m of water at the ground floor level.

The supermarket and retail operators will have legal responsibilities for the safety of their staff during a flood as will the commercial/light industries uses, and will ensure that, as with fire, there are regular training drills and the evacuation plans are regularly updated.

Effective flood warning

The flood warnings will be issued by the SES and Bureau of Meteorology.

Ongoing flood awareness in the community

The flood evacuation plan will be communicated as a legal requirement as part of the responsibility of centre businesses to staff. This will include documentation, drills, signage and upgrades to the plan after floods occur.

iii Department of Climate Change, Energy, the Environment and Water

Responses to comments received from the Department of Climate Change, Energy, the Environment and Water (dated 17 December 2024), are provided below.

- *the ecological assessment is updated to clarify the biodiversity values of the site, noting that vegetation in the eastern part of Lot 1 has been mapped as the Threatened Ecological Community (TEC) Castlereagh Ironbark Forest and the 2016 EMM report only refers to the western part of Lot 1.*

The Ecological Assessment (EMM 2025) covers all of Lot 1, including the eastern part.

- *potential direct and indirect impacts to threatened species or threatened ecological communities are avoided or minimised, and any unavoidable impacts should be offset in accordance with the Biodiversity Offset Scheme.*

Potential direct and indirect impacts are included in the Ecological Assessment (See Section 4.1.1 and Table 4.1). The assessment of the significance of potential impacts from the proposal concludes that no significant impacts to threatened species or ecological communities listed under the BC Act is likely. However, as identified in Section 4.2 the BOS is triggered through the proposals impact on land identified on the Biodiversity Values map (DECCW 2025). Further assessment options are discussed in Section 5.2 of the Ecological Assessment.

- *the Planning Proposal includes measure to mitigate indirect impacts on the C2 Environmental Conservation land to the west of the site which is also mapped as the TEC Castlereagh Ironbark Forest and contains threatened species records. Possible indirect impacts include shading, runoff, littering and trampling.*

Potential indirect impacts are included in the Ecological Assessment including shading, runoff, littering and trampling (see Table 4.1). Whilst it is concluded that no indirect impacts to threatened species or ecological communities is likely to be significant, Section 5.3 identifies management recommendations to be undertaken to mitigate potential indirect impacts on the adjacent C2 Conservation Lands before, during and post construction activities.

iv Transport for NSW

Detailed responses to correspondence received from TfNSW dated 20 December 2024 are provided in the Traffic Report (Appendix G). Specific responses as requested by Council in its RFI are provided below.

Table 5.7 Responses to TfNSW correspondence

RFI item	TfNSW comments	Response
Item 1 Access arrangements	TfNSW advises that the current design for access to the site via Newbridge Road is not acceptable. Design amendments are required that consider safety and amenity of the site. Refer to the issues below: • TfNSW understands that the traffic modelling needs to be revised (as per comments below). Upon receipt of the revised modelling, an acceptable access design should be submitted for our consideration. The design of the access into the site must address pedestrian and bicycle safety and amenity concerns including vehicle speed, line of site and pedestrian priority in line with the RTA Guide to Traffic Generating Developments (2002) and the Guide to Transport Impact Assessment (2024).	TfNSW have advised Council that ingress/egress from Newbridge Road is to be via one vehicular crossover only. Further the vehicular crossover is to be used for heavy vehicles only. All light vehicles are to enter/exit the site from Spinnaker Drive, Moorebank with no light vehicle entry (left in only) from Newbridge Road. Updates to the Traffic Report and architectural concept design plans have been made to capture these changes.
Item 2: Transport Infrastructure	The planning proposal/TA does not provide any details of a contribution or a mechanism for the delivery of key infrastructure needed to provide access to the site. There is insufficient information provided regarding funding of any upgrades required for proper access to the site. Revised modelling is to be provided which will inform future infrastructure requirements of the site. It is noted that there is a reference to an existing Voluntary Planning Agreement (VPA) in place in the documentation of the modified planning proposal. There is however no copy or detail of the VPA provided as part of the exhibited information. A copy of the VPA is to be provided to TfNSW for understanding relevance.	Signalisation of the Brickmakers Drive/Promontory Way intersection is linked to the Moorebank Marina development consent DA-611/2018. The Traffic Report modelling has been updated to present the existing unsignalized intersection scenario. It has also removed reference to 'Scenario B' where Newbridge Road/Davy Robinson Drive intersection will be signalised due to uncertainty of these upgrades occurring. It is understood Council will provide the VPA to TfNSW.
Item 3: Active transport/public transport	The development should be reflective of NSW Futures and NSW Active Transport Strategy.	This has been captured in section 5.2.4 of this Planning Proposal.
Item 4: Traffic operations	Minimal analysis has been provided detailing the change in traffic generation and change in parking to be provided under the modified planning proposal. It is not clear if less traffic or more traffic is generated by the change in land use. It is also unclear what is the net change in parking with the modified planning proposal?	Refer to Table 4.1 of the Traffic Report (Appendix G).
	It is unclear, if the evacuation capacity requirement of the precinct has been addressed including the comments made by SES dated 21 May 2024. This includes confirming whether new infrastructure is required to provide sufficient capacity for evacuation and other SES requirements?	Council has discussed this dot point with TfNSW and a response to this dot point is not required as Council will provided TfNSW with the correspondence received from the NSW SES.
	The performance and future design of the intersection at Newbridge Road / Governor Macquarie Drive / Brickmakers Drive requires further consideration. It is	Refer to Section 5.6 of the Traffic Report (Appendix G).

RFI item	TfNSW comments	Response
	noted that the queue length would extend beyond the driveway access to the site (westbound) which appears will impact access to the site and prevent the access functioning in an acceptable manner.	
	It is not clear, how the signalisation of Brickmakers Drive / Promontory Way intersection is to be funded. If it is to be funded by the developer, then a mechanism to enable this to occur needs to be documented. It is noted that the modelling provided has included signals as an assumption. Additional information is to be provided to clarify this matter.	Refer to Section 2.1 of the Traffic Report (Appendix G).
	Any upgraded TCS approval will be required to meet the warrants assessment and other approvals by TfNSW. Additional traffic modelling will be required to inform the design of intersection upgrades within and external to the site. This modelling will inform both design and delivery costs of the project and could increase costs where intersection widening, and land acquisitions may be required. It is also noted that pedestrian lanterns are to be included on all legs of any new traffic signals that would be provided.	Council has discussed this dot point with TfNSW and a response to this dot point is not required.
	The modelling appears inconsistent with a number of the latest design modifications including access restrictions into the site from Newbridge Road and the uncertainty regarding new signals at Brickmakers Drive / Promontory Way and at Newbridge Road / Davy Robinson Drive intersection.	Refer to Section 5 of the Traffic Report (Appendix G).
Item 5: Modelling	The modelling appears inconsistent with a number of the latest design modifications including access restrictions into the site from Newbridge Road and the uncertainty regarding new signals at Brickmakers Drive/Promontory Way and at Newbridge Road/Davy Robinson Drive intersection. The modelling issues need to be addressed for the modelling to be considered 'fit for purpose'. TfNSW recommends that Council requests the proponent provide an updated transport and traffic modelling report prior to finalisation of the amended Planning Proposal. In summary, the main issues of concern include: • There seems to be several inconsistencies between the reporting and the SIDRA files provided for analysis. • The report does not document the calibration/validation undertaken for the existing SIDRA models. • The report does not seem to provide any detail of how the future traffic is to be changed within the study area. Additionally, the future year scenario is required for determining the traffic impact to road network from the development. All of these issues are reported in Attachment 'B' and must be addressed in full prior to TfNSW being satisfied with this amended Planning Proposal.	Updated modelling addressing TfNSWs comments is provided in the Traffic Report (see Appendix G, Section 5). Specific responses to the SIDRA modelling comments are provided in Table 5.10 of the Traffic Report.

6 Part 4 – Maps

The planning proposal does not propose to amend any mapping pursuant to LLEP 2008.

7 Part 5 – Community consultation

Public consultation will be undertaken in accordance with the requirements of the Gateway Determination and the Department of Planning and Environments *A guide to preparing local environmental plans*.

It is expected that the planning proposal will be exhibited for a period not less than 28 days and that this will include notification of the public exhibition:

- in relevant local newspapers
- in writing to the owners and occupiers of adjoining and nearby properties.

8 Part 6 – Project timeline

Estimates of timeframes for each key stage of the project are shown in Table 8.1.

Table 8.1 Project timeline

Step	Proposed date
Planning Proposal consideration by Council	April 2024
Planning Proposal submitted to Department of Planning and Environment (DPE) seeking Gateway Determination	May 2024
Anticipated commencement date (date of Gateway Determination)	July 2024
Anticipated timeframe for the completion of required technical information, Gateway conditions and peer review by Council	October 2024
Public exhibition	November 2024
Timeframe for consideration of submissions	December 2025
Timeframe for the consideration of a proposal post exhibition (including reporting to Council)	February 2025
Drafting of instrument	February 2025
Date of submission to DPE to finalise the LEP	March 2025
Anticipated date Relevant Planning Authority (RPA) will make the plan	March 2025
Anticipated date RPA will forward to DPE for notification	March 2025

9 Closing

This planning proposal seeks to amend Liverpool Local Environmental Plan 2008 to enable the development of a full-line supermarket at 146 Newbridge Road, Moorebank. It has been prepared in accordance with section 3.33 (previously section 55) of the EP&A Act and relevant guidelines from DPE, aligns with State and Council strategies and appropriately addresses the strategic merit and site-specific merit tests set out in the *Local environmental plan making guideline*.

The planning proposal demonstrates that the amendment is justified and will contribute to the provision of a high-quality development that will complement the emerging local development comprising housing, employment opportunities and essential services for current and future residents in the area.

The Department has made a gateway determination (PP2024-963) that the proposed amendment the Liverpool Local Environmental Plan 2008 should proceed.

The Gateway Determination, issued on 31 July 2024, notes that the LEP should be completed on or before 28 March 2025.

The planning proposal is therefore suitable for Council consideration and completion of post-Gateway actions.