

Planning Proposal

December 2016 (Amended August 2019 and March 2020)

Lot E in DP 28997 (No. 1370-1380) Camden Valley
Way, East Leppington

Rezoning of Lot E in DP 28997 (No. 1370-1380) Camden
Valley Way, East Leppington

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1. INTRODUCTION

1.1 Preamble

This Report has been prepared as a formal Planning Proposal to rezone land located at Lot E in DP 28997 (No. 1370-1380) Camden Valley Way, East Leppington. The site is located within the East Leppington Precinct, which forms part of the South West Growth Centre under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

The East Leppington Precinct falls within the Liverpool City Council Local Government Area.

The owner of the property, Mr Angelo Maggiotto, has engaged the services of GAT & Associates to prepare a Planning Proposal for Liverpool Council's consideration seeking an amendment to the current zoning and layout of the open space, commercial and residential areas applying to the site, as determined under the East Leppington Precinct Structure Plan 2013 prepared by the NSW Department of Planning & Environment.

As will be detailed in this submission, this Planning Proposal follows an earlier submission made to the Department by GAT & Associates in August 2012 on the East Leppington Precinct Plan, which sought to amend the indicative layout plans to rezone some of the open space land to residential, and to zone the approved service station, convenience store and restaurant use located at the front of the site as a neighbourhood centre.

A second submission was made in September 2013 when the draft East Leppington Precinct Structure Plan was re-exhibited. Refer to Section 3 of this report for further details on these submissions.

It should be noted that this Planning Proposal was submitted to Liverpool Council on 3 March 2017 reference RZ-1/2017.

As it specifically relates to RZ-1/2017, since the date of lodgement internal referrals completed by various departments within Council were provided to GAT & Associates on 2 August 2017. Furthermore, written advice to Council received from the DP&E regarding the application was also provided to GAT & Associates on 9 August 2017.

Since receipt of referral documents, a meeting was organised with our consultant team and the DP&E held on 9 November 2017. Our team had met with Mr. George Koshy (Director of Land Release) and Brendan Nelson (Deputy Secretary of Growth Design and Programs) to discuss the issues of open space and ecology, as these were a common theme in the referral documents.

After our initial meeting, we had met with the DP&E again on 28 March 2018, to present a revised scheme which was influenced by our initial discussions.

Following our meeting with the DP&E, our consulting team had met with Liverpool Council on 02 May 2018 to present our amended plan as it relates to open space and ecology.

At this meeting with Council, a brief timeline of our progress was outlined including discussions held at our meetings with the DP&E. Our revised open space options were also presented and discussed.

In August of 2018 additional information was submitted to Liverpool Council to allow the continued assessment of the rezoning application. This submission comprised of:

- Covering Letter prepared by GAT & Associates dated 29 August 2018;

- Traffic Assessment prepared by Dobinson & Associates Pty Ltd dated 24 July 2018;
- Review of Appropriate Floor Space Provision prepared by Leyshon Consulting dated May 2018;
- Clearing of Native Vegetation Ecological Issues Report prepared by Gunninah including Attachment A and Attachment B dated 22 August 2018;
- Open Space and Facilities Plans prepared by Clouston Associates dated 17/08/2018; and
- Amended Neighbourhood Centre Map for East Leppington Development Control Plan.

Following submission of the above information, a meeting was held with Council staff on 21 March 2019 to discuss any outstanding issues pertaining to the planning proposal. Following this meeting, a letter prepared by GAT & Associates dated 28 March 2019 and revised open space plan were provided to Council. This was submitted to Liverpool Council to allow for a more detailed review following our meeting and to allow Council to provide any additional comments. As it pertains to the open space plan provided, the following amendments had been incorporated:

- The portion of land mapped as 'ENV' has been retained. Areas of open space had been consequently rearranged to facilitate its retention.
- Overall, the amount of open space had been increased to equal 22,796m² which is notably 7m² beyond what was originally zoned for the site being 22,789m². It should be noted that the SP2 zoned land had been excluded from this calculation.
- With respect to the distinguishable areas of open space these measured, Area A = 4,538m², Area B = 7,217m², Area C = 6,853m², 'ENV' portion of land = 4,188m². Noting, 'ENV' land had been zoned as open space.
- Developable areas had been slightly reconfigured to allow for the increased areas of open space and retention of the 'ENV' portion of land.
- The shared path/cycleway had been slightly reconfigured from what is shown in the DCP. This path/cycleway had been moved to the east which ensures there is no affectation upon the 'ENV' parcel of land. A clear delineation between the areas of open space and the riparian corridor were provided.
- Play areas in Area 'C' had been located away from powerlines.

Following submission of the amended plan as described above, this was also sent to the relevant staff at the Department of Planning and Environment for comment. It was resolved that the DP&E were satisfied with the amendments as detailed above.

Overall, based on the dialogue held with Liverpool Council staff and the DP&E, the proposal has been revised and forms part of this submission. This amended proposal along with all relevant supporting documentation is provided to Liverpool City Council through this updated submission.

This amended planning proposal provided for an increase in the overall developable residential land areas and increase to the area of public open space which had been zoned for the site under the East Leppington Structure Plan. A total developable residential land area of 11,280m² was provided at the site, with the amended proposal providing for 14,547m². With respect to open space the structure plan had provided an area of 22,789m² with the amended proposal offering 22,796m².

Since submission of the revised planning proposal in August of 2019, further discussions were held with Liverpool Council as to outstanding requirements and items which needed to be clarified. A meeting was held with Liverpool Council on 16 December 2019. Since this meeting an Urban Design Statement and Social Impact Assessment Report have been prepared and accompany this application. This Planning Proposal Report has been updated accordingly.

The amended layout plan will provide for an array of open spaces which have the capacity to facilitate an array of uses. These include, social courtyards, kickabout areas, an off leash dog area, a free play reserve and children’s play area.

Areas of open space which are provided also allow for a larger scale kickabout area and associated spaces which are considered suitable for BBQ’s, picnic shelters and seating.

A public plaza and neighbourhood centre will be well connected through the provision of strong pedestrian and cycle links which traverse across the site. It should be noted that off leash dog areas and free play areas in the eastern most part of the site have been located away from the electrical easement so that there is no interference.

Passive surveillance is provided to children’s play areas, social spaces and the smaller kickabout area from the surrounding future residents.

It is sought to realign the proposed cycle link in a manner which avoids any negative impacts upon existing vegetation, and which allows for visual connections to Bonds Creek.

A tree lined boulevard is provided through portions of the site which will create a strong green corridor between the plaza, riparian corridor and open space.

1.2 Project Team

The planning proposal has been amended on behalf of the applicant, Mr. Angelo Maggiotto. The project team is detailed below.

- | | |
|------------------------------|-------------------------------|
| • Traffic Planning | Dobinson & Associates |
| • Town Planning | GAT & Associates |
| • Flooding | Bewsher Consulting |
| • Economic Planning | Leyshon Consulting |
| • Open Space Planning | Clouston Associates |
| • Ecology | Gunninah |
| • Social Planning | Judith Stubbs and Associates |
| • Architectural/Urban Design | Benson McCormack Architecture |

1.3 Purpose

The purpose of this Planning Proposal is to provide a review of the zoning of the site, in particular, the open space zoning, and to determine whether an alternative open space location and layout would permit a more viable residential development and still meet the objectives of the Department of Planning and Environment. An amendment to the current zoning and layout of the open space, commercial and residential areas applying to the site, as determined under the East Leppington Precinct Structure Plan 2013 prepared by the NSW Department of Planning & Environment is sought. This proposal also includes the extension of the neighbourhood centre zone to the northern boundary.

Our client has engaged the services of GAT & Associates since 2011 to review the zonings applied to the site under the South West Growth Centre – East Leppington Precinct. Since this time, we have had numerous discussions, meetings and correspondence with the Department and officers from Liverpool City Council.

It is our submission that the amount of open space zoned across Lot E has optimised recreational requirements and meets the best practice principles and benchmarks.

Our client has engaged Clouston Associates to undertake a review of the open space across the site, and their Amended Open Space Planning Report dated 05/07/2019 is submitted with this amended proposal.

In addition, the appropriateness of expanding the Neighbourhood Centre zone has been considered by Leyshon Consulting in their letter dated 15 December 2016 and within the Review of Appropriate Floor Space Provision prepared by Leyshon Consulting dated May 2018.

The consultant documents submitted with this amended proposal includes:

- Amended Ecological & Riparian Issues and Assessment Report prepared by F Dominic Fanning dated 30 July 2019;
- Amended Letter prepared by Drew Bewsher of Bewsher Consulting dated 11 July 2019 concerning flooding and stormwater matters;
- Amended Traffic Assessment prepared by Dobinson & Associates Pty Ltd dated 5 July 2019;
- Review of Appropriate Floor Space Provision prepared by Leyshon Consulting dated May 2018;
- Amended Open Space Planning Report prepared by Clouston Associates dated 05/07/2019; and
- Amended Open Space and Facilities Plan prepared by Clouston Associates dated 3/07/2019.
- Supplementary Advice – Proposed East Leppington Centre prepared by Leyshon Consulting dated 23 March 2020.
- Social Impact Assessment report prepared by Judith Stubbs and Associates dated 27 March 2020.
- Urban Design Statement and Plans prepared by Benson McCormack Architecture dated March 2020.

We are of the strong view that the Planning Proposal has strategic merit as it aligns and is consistent with:

- State Environmental Planning Policy (Sydney Region Growth Centres) 2006;
- The Liverpool Growth Centre Precincts DCP, Schedule 3 East Leppington dated November 2013; and
- The relevant Ministerial Directions s.9.1 (previously s.117 Directions).

2. SITE CONTEXT

2.1 Site Details

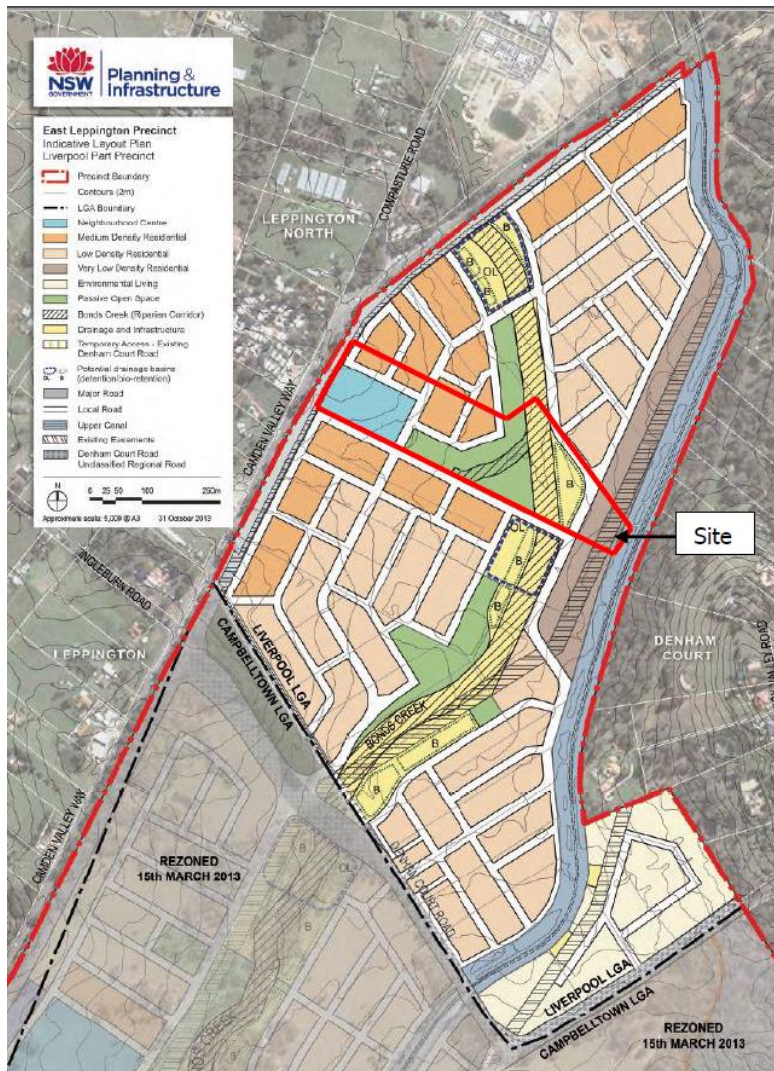
The subject site is commonly referred to as 1370 Camden Valley Way, East Leppington and is legally known as Lot E in Deposited Plan 28997. The site is located along Camden Valley Way just south of the intersection with Cowpasture Road, as shown in Figure 1 below.



Source: <https://maps.six.nsw.gov.au/>

Figure 1 Site Location Map

The current zoning of the site is shown in the East Leppington Precinct Structure Plan 2013 (NSW Department of Planning & Environment). The zoning includes a Neighbourhood Centre, Medium Density Residential, Very Low Residential Density, and Passive Open Space. The site also contains part of the Bonds Creek Riparian Corridor. The precinct plan includes streets and a potential stormwater detention basin. Refer to Figure 2 below.



Source: NSW Department of Planning & Infrastructure

Figure 2 Indicative Layout Plan, East Leppington Precinct

The subject site is an irregularly shaped allotment which runs from Camden Valley Way being along the sites north western boundary to its narrower portion along the eastern property boundary which adjoins The Upper Canal.

At present the site is principally cleared land that is under grass with a gentle slope from the northwest to the southeast portions of the site.

Bonds creek is identified as running north/south through the site in the eastern third portion of the site.

A tree line runs from the site's central southern boundary to the northwest and follows a shallow depression.

Towards Camden Valley Way is an existing service station.

Photographs of the subject site have been provided below.



Source: Clouston Associates

Figure 3 Standing on the Subject Site Looking Northeast



Source: Clouston Associates

Figure 4 Standing on the Subject Site looking towards the Riparian Corridor



Source: Clouston Associates

Figure 5 Riparian Corridor of Bonds Creek



Source: Clouston Associates

Figure 6 Standing at Subject Site Looking South



Source: Clouston Associates

Figure 7 Boundary of Subject Site at Camden Valley Way



Source: Clouston Associates

Figure 8 Existing Service Station

2.2 Surrounding Development

The subject site is located within East Leppington and forms part of the South West Growth Centre of Sydney which is a broader area undergoing rapid expansion. With the subject site forming part of the East Leppington Precinct the site has been identified in a position to benefit from strong investment into infrastructure and growth in the residential market.

Whilst the East Leppington Precinct spans across multiple Local Government Areas (LGA) including Campbelltown and Camden it also comprises part of the Liverpool LGA in which the site is located.

The East Leppington Precinct is located at an approximate distance of 45km in a south western orientation from the Sydney Central Business District (CBD).

In terms of education, there are a number of tertiary facilities within the broader locality these include:

- University of Wollongong Campus at Liverpool; and
- University of Western Sydney Campuses at Liverpool and Campbelltown.

Furthermore, with respect to education and local primary and high schools within the broader locality these include but are not limited to:

- Macquarie Fields High School;
- Amity College Leppington Campus;
- Hurlstone Agricultural High School;
- Bardia Public School;
- Ingleburn High School;
- St Andrews Public School;
- Robert Townsend Public School; and
- Leppington Public School.

The East Leppington Precinct and subject site also benefits from a number of proximate employment nodes including the Liverpool CBD and the Western Sydney Employment Area. The Leppington Train Station has the capacity to provide desirable connections for residents to the Sydney CBD, Parramatta CBD and throughout the Sydney Region.

As part of the redevelopment of the East Leppington Precinct it is anticipated that approximately 4,450 new dwellings will be accommodated that will house approximately 14,700 new residents. One local centre and one village Centre have also been provisioned for in the precinct.

Willowdale Shopping Centre will provide for a positive amenity within the precinct allowing access to a range of goods and services for current and future residents.

The Precinct will provide for new homes in a location that is proximate to employment opportunities, health services, public transport infrastructure, schools along with goods and services.

2.3 Statutory Framework

2.3.1 State Legislation

The *Environmental Planning & Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (EP&A Reg) set out amongst other things the:

- Requirements for rezoning land;
- Requirements regarding the preparation of a local environmental study as part of the rezoning process;
- Matters for consideration when determination a development application; and
- Approval permits and/or licenses required from other authorities under other legislation.

This Planning Proposal has been prepared in accordance with the requirements set out in Section 3.33 of the EP&A Act in that it explains the intended outcomes of the proposed instrument. It also provides justification and an environmental analysis of the proposal.

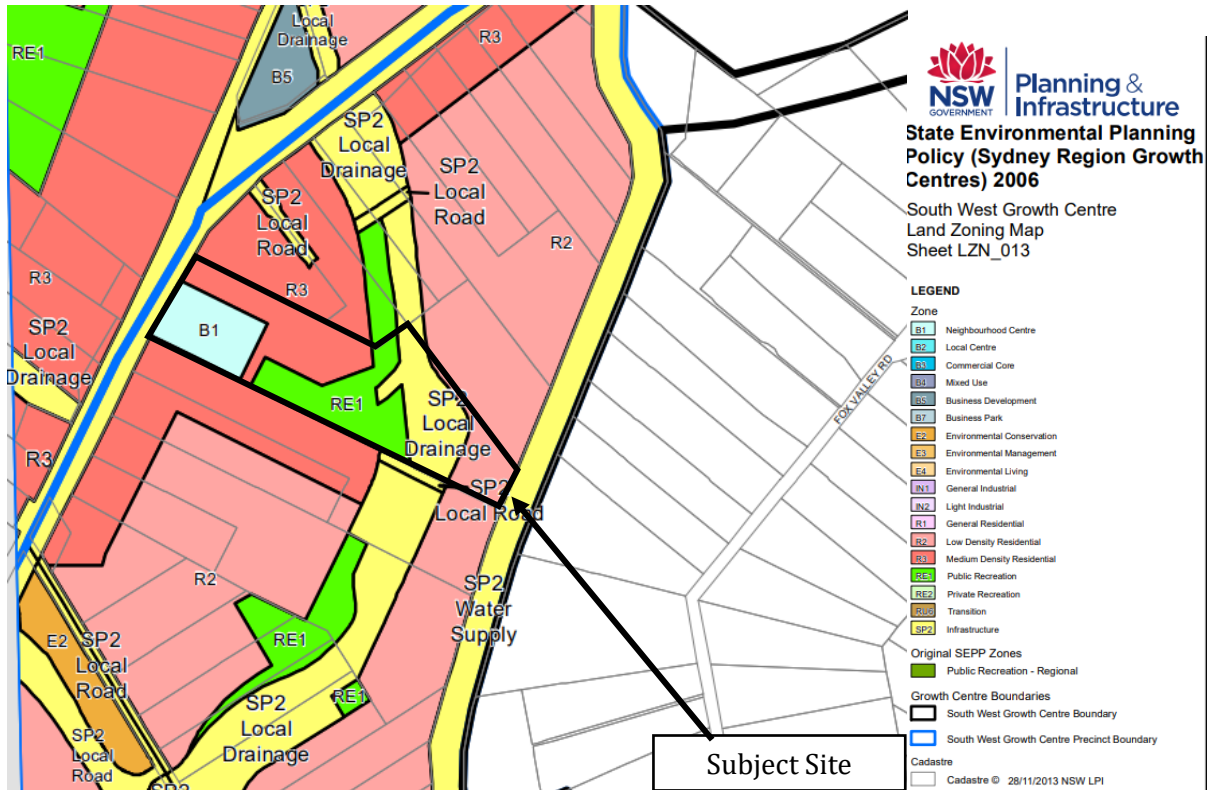
2.3.2 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The environmental planning instrument that applies to the land, which this Planning Proposal relates is the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

The section below details the existing relevant planning controls applicable to the site.

Land Zoning

The subject site is currently zoned B1 Neighbourhood Centre, R3 Medium Density Residential, RE1 Public Recreation, SP2 Local Drainage and R2 Low Density Residential. Refer to Figure 9.

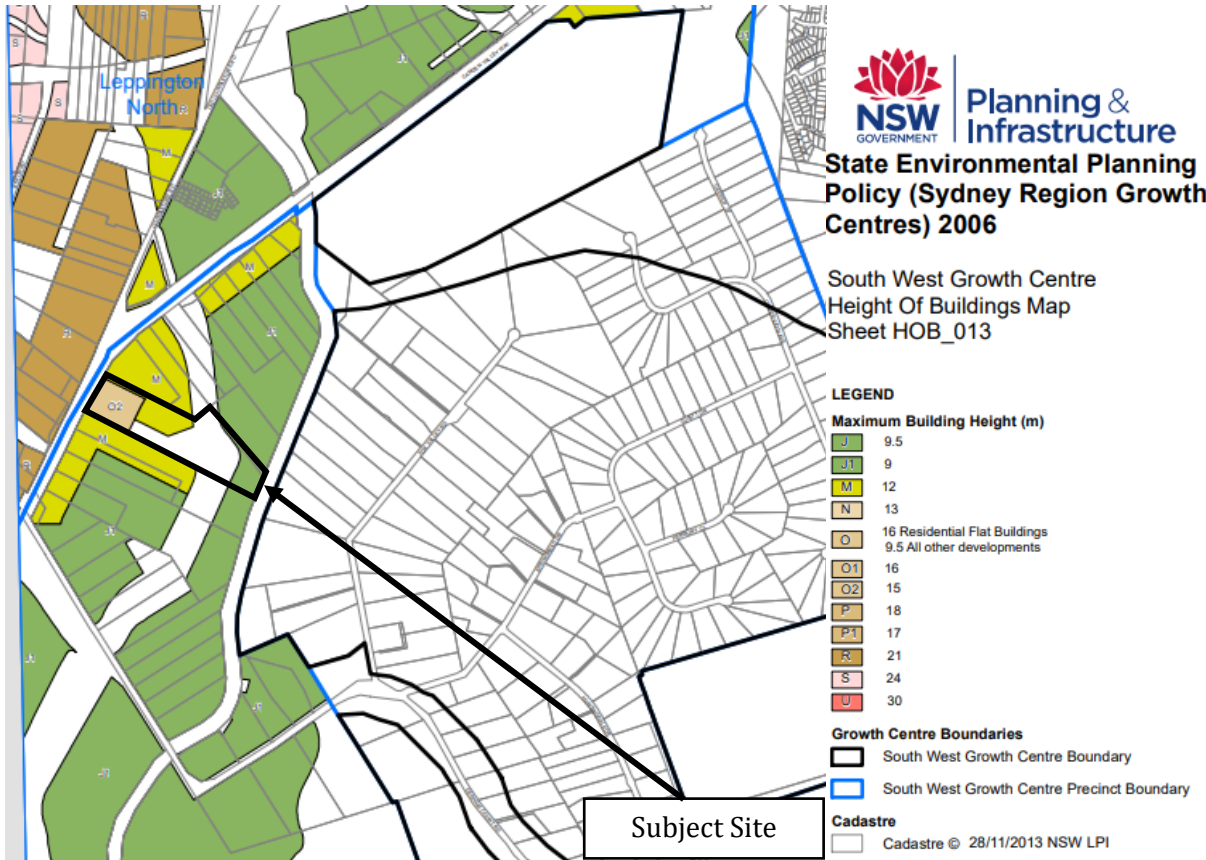


Source: State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Figure 9 Land Zoning Map

Height of Buildings

The subject site currently has a maximum height of buildings of 15m, 12m and 9m. Refer to Figure 10 below.

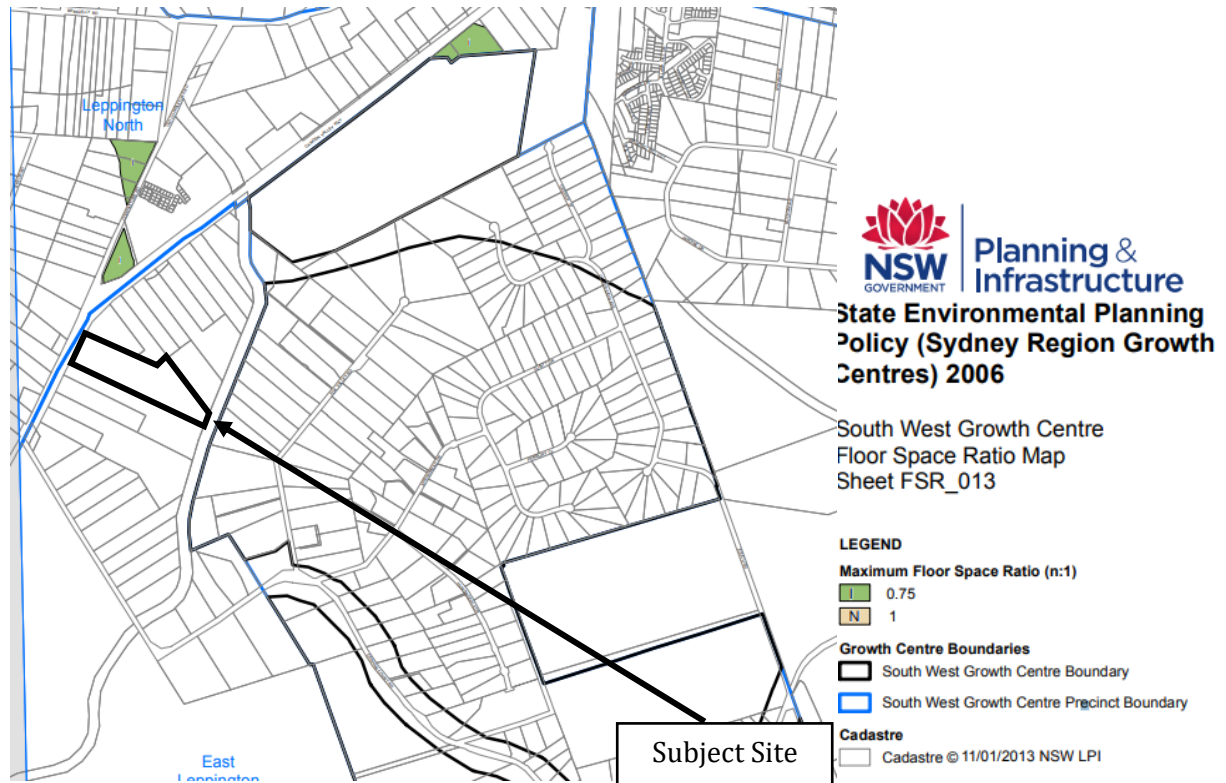


Source: State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Figure 10 Height of Buildings Map

Floor Space Ratio

There is no current maximum floor space ratio (FSR) prescribed for the subject site. Refer to Figure 11.

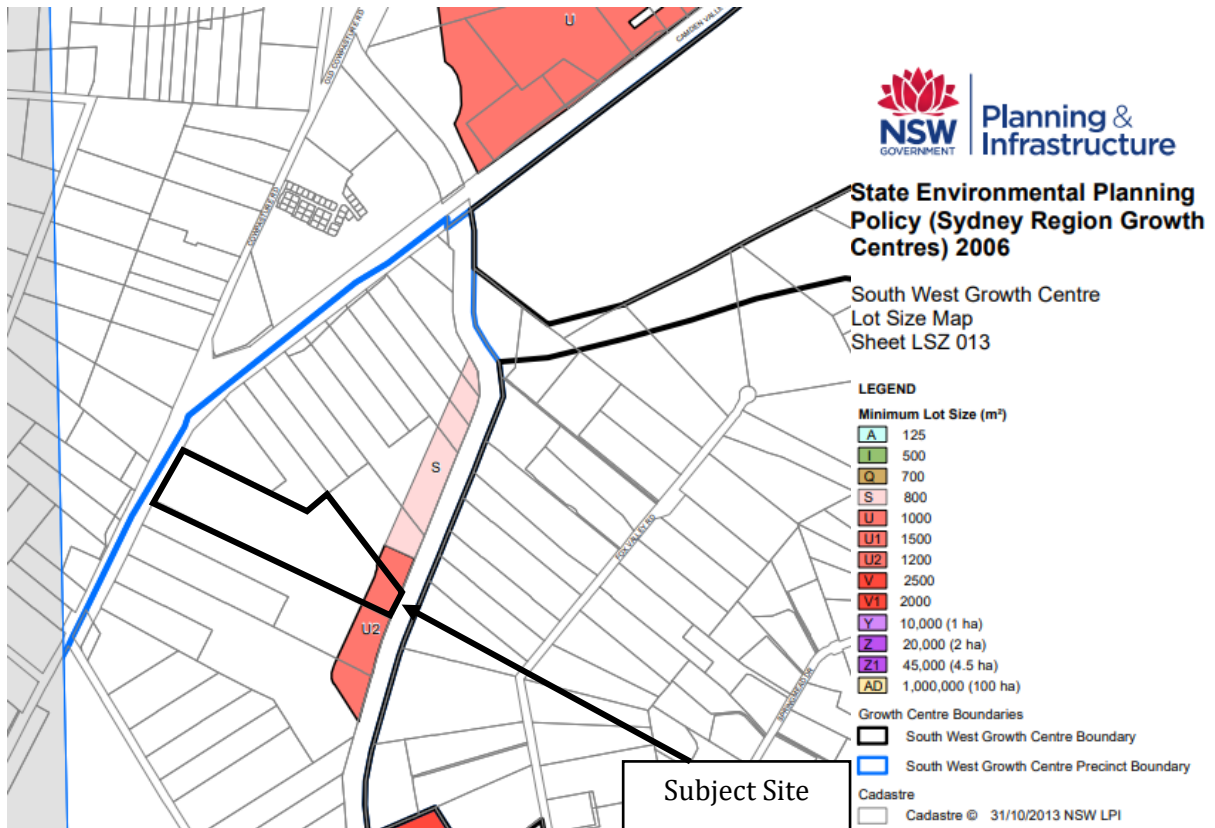


Source: State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Figure 11 Floor Space Ratio Map

Minimum Lot Size

A minimum lot size of 1200m² applies to part of the site along its eastern most portion. Refer to Figure 12.

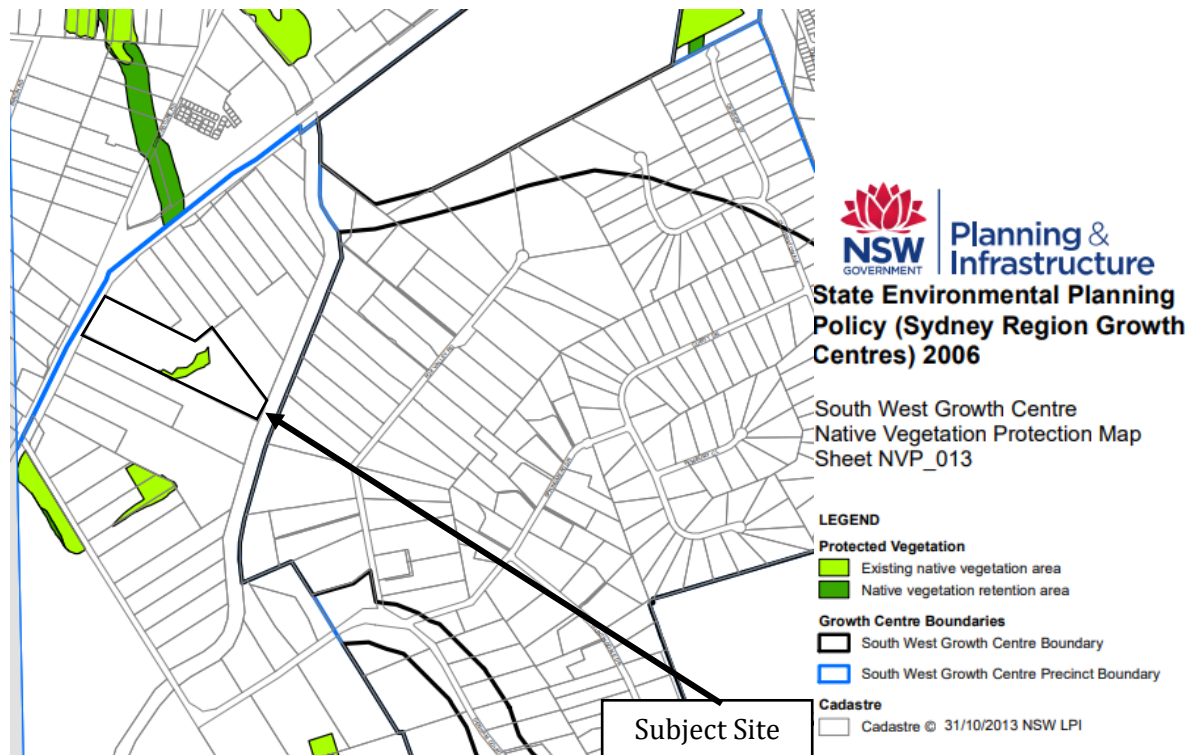


Source: State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Figure 12 Minimum Lot Size Map

Native Vegetation Protection Map

Existing native vegetation has been identified at the subject site. Refer to Figure 13.

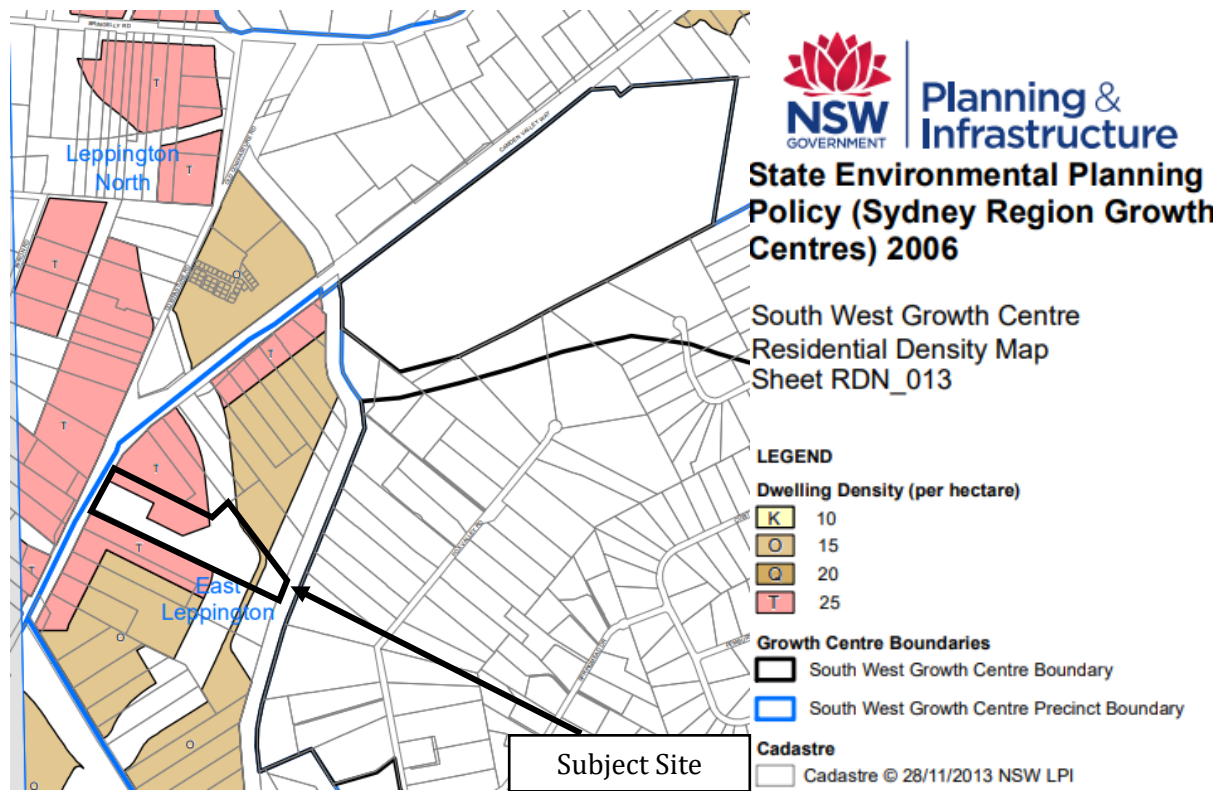


Source: State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Figure 13 Native Vegetation Protection Map

Dwelling Density Map

A dwelling density of 25 dwellings per hectare and 15 dwellings per hectare applies to parts of the site, respectively. Refer to Figure 14.

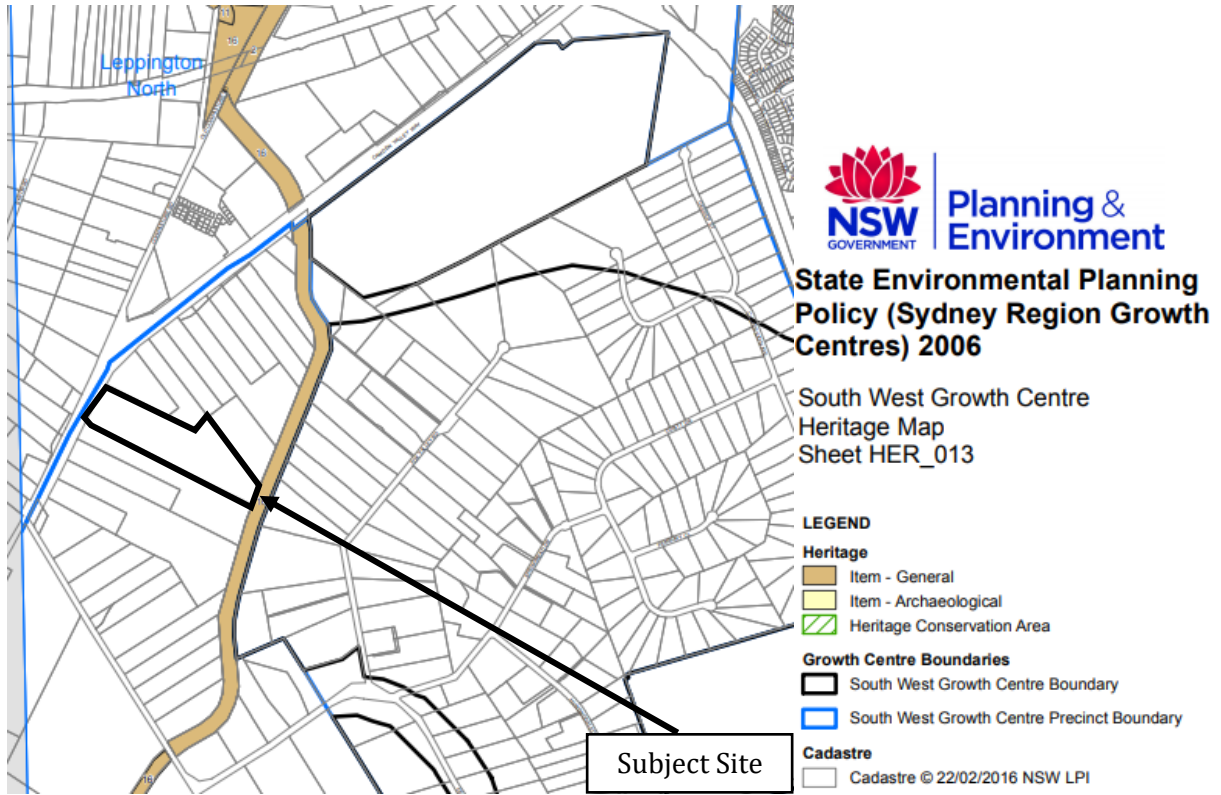


Source: State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Figure 14 Dwelling Density Map

Heritage

The site is not a heritage item, nor it is located within a heritage conservation area. Refer to Figure 15.

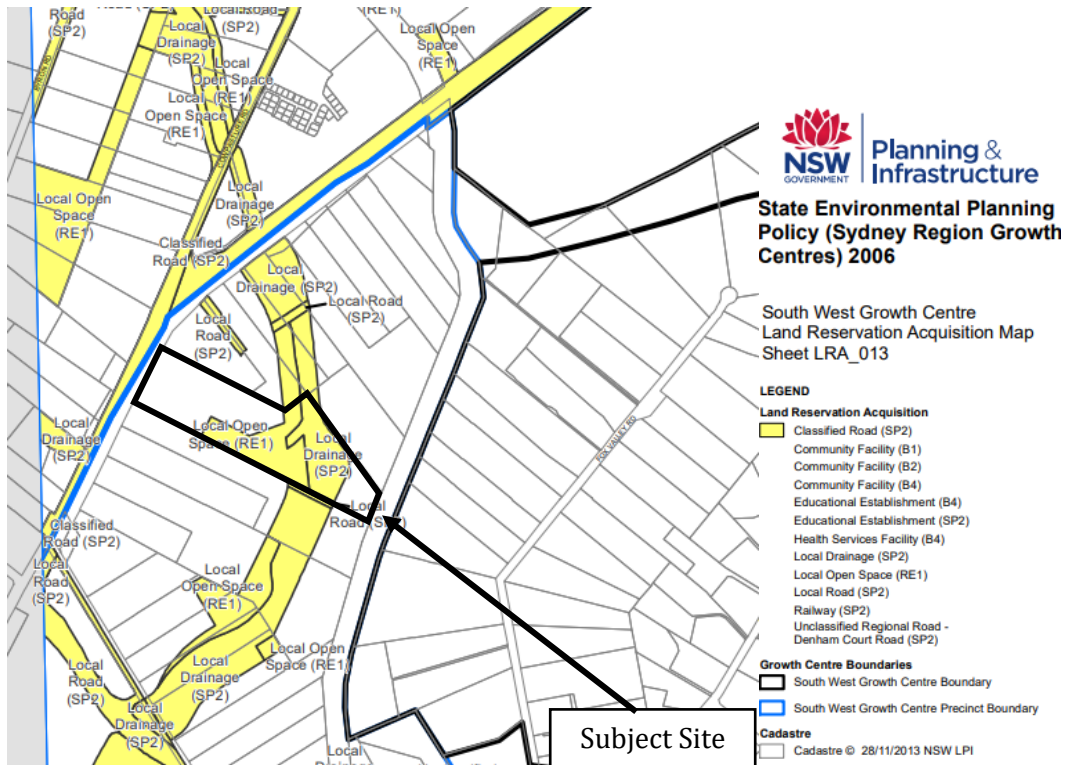


Source: State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Figure 15 Heritage Map

Land Reservation Acquisition

The site has been identified in part as being reserved for Local Open Space (RE1) and Local Drainage (SP2). Refer to Figure 16.



Source: State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Figure 16 Land Reserved for Acquisition

Riparian Protection Area

The site is not identified as being within a Riparian Protection Area.

3. PROPOSAL

3.1 Site History

Development Applications applying to the site

The subject site has had a rural zoning for some years and generally has retained that activity, with the exception of the approved service station/convenience store and restaurant with drive thru facility, associated landscaping and access off Camden Valley Way, occupying the front portion of the site.

This facility was approved by Liverpool Council by way of a Deferred Commencement Consent under DA707/97 in December 1997. The consent became operational on 31 July 1998. The application was subsequently modified in 1999, 2010 and 2011.

The service station/convenience building is currently in operation, with vehicular access from Camden Valley Way. The restaurant has not been constructed.

Submissions on the Draft Precinct Plans for East Leppington

In recent years, discussions have been held with, and submissions have been made to, both Liverpool City Council and the Department of Planning & Environment in relation to the exhibition of precinct plans for East Leppington.

August 2012

The first formal submission prepared by GAT & Associates was made to the Department in August 2012. This submission raised specific areas of concern in relation to Lot E, namely flooding impacts, vegetation, and what is the appropriate zoning of the land. A summary of our submission on these key issues is as follows:

Flooding

Mr Drew Bewsher of Bewsher Consulting was engaged to review the water cycle management reports, which were submitted as part of the exhibition of the East Leppington Precinct Plan in 2012.

Mr Bewsher provided advice that the flooding had been contained within the land that was proposed to be zoned SP2 Infrastructure – Local Drainage through a series of drainage basins. The result of this is that the remaining land outside of the corridor is flood free, and consequently the open space on Lot E was not required for the purposes of flood mitigation.

In addition, Mr Bewsher formed the view that if there had been no open space land proposed adjacent to Bonds Creek, the western tributary would have been piped all the way to Bonds Creek.

Vegetation

Mr Dominic Fanning (formerly of SLR Global Environmental Solutions) was engaged to carry out an inspection of the property and review the reports which were exhibited. Mr Fanning concluded that there was no vegetation on Lot E is worthy of retention.

Mr Fanning noted that the western tributary is in fact an artificial excavated channel which over time has regenerated, although this strip is only approximately 4 metres in width.

His report reinforced that it would appear more appropriate to use the land north of Lot E for open space purposes, rather than residential, as it contains Cumberland Plain Woodland (CPW).

Zoning

The zoning concerns raised in 2012 related to the appropriateness of the proposed RE1- Public Recreation zoning on Lot E and our submission that the potential Neighbourhood Centre should correspond with the approved service station, convenience store and restaurant facility located at the front of the site.

As stated, an existing approval exists on the subject site facing Camden Valley Way for an approved service facility consisting of a service station and convenience store, and a fast food outlet.

The service station and convenience store are currently in operation.

The proposed zoning in 2012 on the front portion of the site where the service station development is located was R2 Residential. This clearly did not correspond with the approved land use off Camden Valley Way.

In regard to the Public Recreation zoning applying to our client's site, it was our submission in 2012 that this land was not required for flood storage purposes. This land under the adopted strategy was, and remains, flood free. Therefore, there was no flooding impediment that required or justified this land to be zoned for open space purposes. This still applies today.

The Ecological report prepared by Dominic Fanning indicated that there was no vegetation on the site which requires retention. Therefore, it was our submission in 2012 that there was no reason why Lot E should not be zoned residential rather than the proposed open space zoning.

It was our submission that should the Department be of the view that this land is required for the purposes of an offset, then the land to the north of our client's site would be the logical open space zoning, rather than residential, as proposed. This was on the basis that the northern property has significant vegetation that has been identified as CPW and mapped accordingly by the Department's reports. Given our site has no vegetation, zoning it as open space made no planning sense.

Our 2012 submission included our observation that the allocation of open space and drainage infrastructure within the Liverpool LGA, compared to the land contained to the south, within the Campbelltown LGA, was not proportional to the density and spread of residential land throughout the precinct. This didn't seem appropriate as population and density should have an equal degree of easy access to open space. Liverpool Council, who would be required to maintain this infrastructure, has a lesser rate base to help fund its long-term maintenance compared to Campbelltown Council.

It was noted in the Department's mapping that Lot E was not identified as having existing native vegetation and was not identified as a native vegetation retention area.

September 2013

GAT & Associates made a further submission when the Department of Planning & Infrastructure re-exhibited the East Leppington Precinct Plan for public comment in September 2013.

Neighbourhood Centre

Our submission in 2013 acknowledged that following the 2012 exhibition period, the front portion of the site was re-zoned as Neighbourhood Centre, which is what we sought in our first submission. This is reflected in the current East Leppington Precinct Indicative Layout Plan as referred to in Figure 17 of this report.

It is also reflected in the East Leppington Liverpool Growth Centre Precincts DCP – Schedule 3, Figure 3-2: desired future layout of the Neighbourhood Centre, as extracted below:



Figure 3-2: Desired future layout of the Neighbourhood Centre

Note: The definition of 'Food and drink premises' includes fast food outlets.

Source: Liverpool Growth Centre Precincts Development Control Plan

Figure 17 Extract Figure 3-2: desired future layout of the Neighbourhood Centre

Concern was, however, raised to the layout which has been implied as part of Figure 3-2 above. In discussions with the Department of Planning, it was our understanding that the layout identified in the figure was indicative. This plan does not seem indicative and seems to prescribe that the layout of the neighbourhood centre needs to be in that configuration.

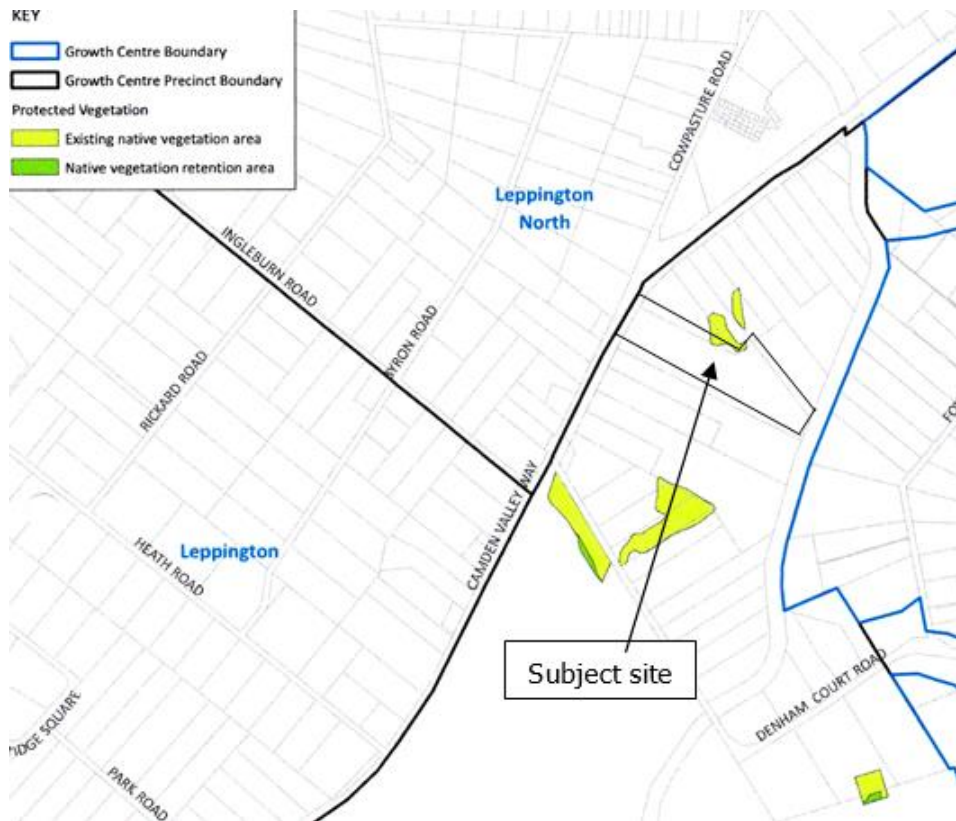
It was our submission that this section should not be prescribed in a manner which implies that the layout as shown in Figure 3-2 is the required configuration.

It is more appropriate to adopt principles relating to built form and land use transport and access, in determining the built form outcome.

Native Vegetation

The submission acknowledged that the mapping associated with the 2013 Precinct Plan illustrates existing native vegetation across Lot E. However, the original 2012 exhibition maps showed existing native vegetation not on Lot E, but rather on the adjoining site to the north.

Figures 18 and 19 provided below illustrate the obvious contradiction between the two maps:



Source: Department of Planning & Infrastructure, 2012

Figure 18 SW Growth Centre Native Vegetation Protection Map as of August 2012



Source: Department of Planning & Infrastructure, 2013

Figure 19 SW Growth Centre Native Vegetation Protection Map as of September 2013

In 2013 our client engaged the services of Mr Dominic Fanning, formerly of SLR Global Environmental Solutions, to undertake a further inspection of the site and to review the current Ecological report. Mr Fanning's conclusion was that there is no vegetation on this site that is worthy of retention.

Again, Mr Fanning noted that the western tributary is in fact an artificial excavated channel which over time has regenerated, although this strip is only approximately 4 metres in width.

Mr Fanning's report went on to reinforce that it would appear more appropriate to use the land north of our client's site for open space purposes, rather than residential, as it contains Cumberland Plain Woodland (CPW). This is reinforced by the contradiction in the mapping as discussed and compared within Figures 18 and 19 of this submission. It was our view that the inclusion of this land is on the need to provide open space rather than retaining vegetation.

Given the above, it was our submission that the use of this land for the purposes of open space is not based upon the vegetation issues.

Flooding

Mr Drew Bewsher of Bewsher Consulting was again engaged to review the water cycle management reports, which were submitted as part of the exhibition of this plan in 2013.

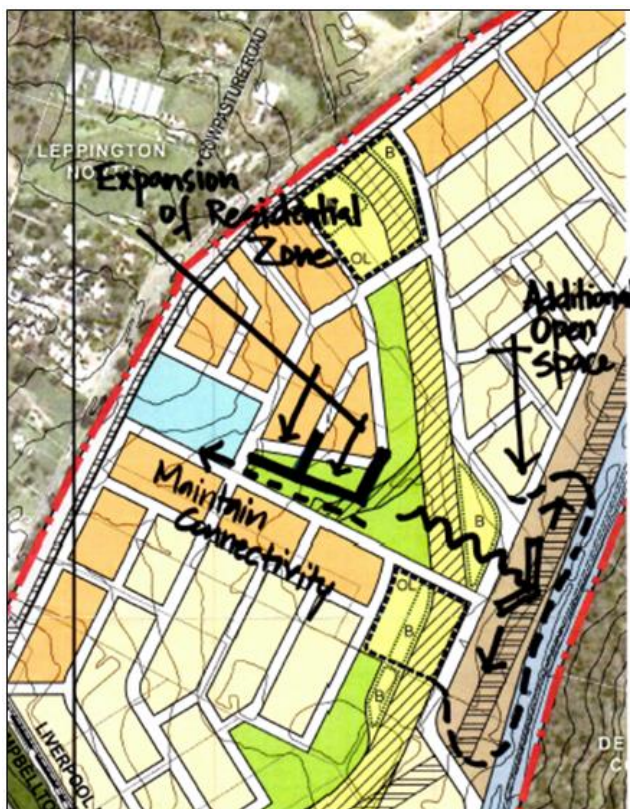
Mr Bewsher’s comments did not change from his original assessment, as discussed under the 2012 submission. Mr Bewsher confirmed that the basin system is not a wet basin system and therefore is able to be dual used for open space purposes. Land that is mapped for drainage purposes can also be included as open space which is a standard practice.

We submitted that the mapping showed there was a significant amount of open space which is prime developable land to the west of the drainage corridor.

We were therefore of the view that some of the basin land could be dual used and in doing so, the land could be used in a more economic and orderly manner.

It was acknowledged within our submission that the area is providing open space below recommended rates per dwelling, however, using the basin land would overcome any loss in addition to our recommendation that the very low density zoned land located along the eastern boundary of the site could also be used for open space purposes, given the limitations for development opportunity.

Figure 20 below represents the changes detailed in our September 2013 submission.



Source: GAT & Associates submission to the East Leppington Precinct Plan dated September 2013

Figure 20 Proposed Amendments prepared by GAT & Associates (September 2013)

Our submission to replace a portion of the existing RE1 zone with the adjacent residential zone, and redefining the zoning boundaries of the business zone, was not supported by the Department.

Subsequently, meetings and discussions had been held with Liverpool Council Officers to discuss a planning proposal for the site. Meetings with Strategic Planning Officers were held on 29 April and 27 October 2015, where our team discussed the two issues of the open space allocation and the Neighbourhood Centre zoning.

A written response to these meetings was received from Liverpool Council in a letter dated 2 March 2016. The letter from Council identified planning constraints applying to the RE1 zone that must be addressed in any planning submission. These constraints are summarised as follows:

- A substantial portion of the land proposed to be rezoned has not been granted Biodiversity Certification and accordingly is subject to the Threatened Species Conservation (TSC) Act 1995.
- A portion of the land proposed to be rezoned is subject to controls on existing native vegetation under Cl6.3 of the Growth Centres SEPP. Council is restricted from granting consent for development on the land unless it is satisfied that the proposed development will not result in the clearing of any native vegetation.
- The proposal involves a 1.14ha reduction of open space provision for the East Leppington Precinct. It is noted that 9ha of open space would normally be required for the anticipated population in the precinct. The proposal would involve a significant reduction in open space. This land is important as it has a significant area that is flood free. The area of open space proposed to be eliminated is also a designated local recreation area, and it would be inappropriate to relocate a local recreation area on flood liable land.
- Design principles relating to streets, the retail centre, open space, lots and dwellings were provided within the letter.

A copy of the letter from Council is included in Appendix A of this submission.

This submission made to Liverpool Council sought to extend the Neighbourhood Centre zoning to the northern boundary of Lot E, and to reconfigure the open space zoning to make it more usable and to allow for prime land to be used for residential purposes.

This Planning Proposal has again been considered by our consultant team – Mr Drew Bewsher of Bewsher Consulting, Mr Dominic Fanning of Gunninah, Mr Crosbie Lorimer of Clouston Associates, and Mr Peter Leyshon of Leyshon Consulting. The findings of these consultants are detailed in Part 3 of this report.

History of the Application Since Original Submission in March of 2017

As it specifically relates to RZ-1/2017, since its date of lodgement internal referrals completed by various departments within Council were provided to GAT & Associates on 2 August 2018. Furthermore, written advice to Council received from the DP&E regarding the application was also provided to GAT & Associates on 9 August 2017.

Since receipt of referral documents, a meeting was organised with our consulting team and the DP&E held on 9 November 2017. Our team had met with Mr. George Koshy (Director of Land Release) and Mr. Brendan Nelson (Deputy Secretary of Growth Design and Programs) to discuss the issues of open space and ecology, as these were a common theme in the referral documents. At this meeting some additional information was sought from our consulting team.

After our initial meeting, we had met with the DP&E again on 28 March 2018, to present a revised scheme which was influenced by our initial discussions.

Following our meeting with the DP&E, our consulting team had met with Liverpool Council on 02 May 2018 to present our amended plan as it relates to open space and ecology.

At this meeting with Council, a brief timeline of our progress was outlined including discussions held at our meetings with the DP&E. Our revised open space options were also presented and discussed.

In August of 2018 additional information was submitted to Liverpool Council to allow the continued assessment of the rezoning application. This submission comprised of:

- Covering Letter prepared by GAT & Associates dated 29 August 2018;
- Traffic Assessment prepared by Dobinson & Associates Pty Ltd dated 24 July 2018;
- Review of Appropriate Floor Space Provision prepared by Leyshon Consulting dated May 2018;
- Clearing of Native Vegetation Ecological Issues Report prepared by Gunninah including Attachment A and Attachment B dated 22 August 2018;
- Open Space and Facilities Plans prepared by Clouston Associates dated 17/08/2018; and
- Amended Neighbourhood Centre Map for East Leppington Development Control Plan.

Following submission of the information above, a meeting was held with Council staff on 21/03/19 to discuss any outstanding issues pertaining to the planning proposal. Following this meeting, a letter prepared by GAT & Associates dated 28 March 2019 and revised open space plan were provided to Council. This was submitted to Council to allow for a more detailed review following our meeting and to allow Council to provide any additional comments. As it pertains to the open space plan which was provided the following amendments had been incorporated:

- The portion of land mapped as 'ENV' had been retained. Areas of open space had been consequently rearranged to facilitate its retention.
- Overall, the amount of open space had been increased to equal 22,796m² which is notably 7m² beyond what was originally zoned for the site being 22,789m². It should be noted that the SP2 zoned land had been excluded from this calculation.
- With respect to the distinguishable areas of open space these measured, Area A = 4,538m², Area B = 7,217m², Area C = 6,853m², 'ENV' portion of land = 4,188m². Noting, 'ENV' land has been zoned as open space.
- Developable areas had been slightly reconfigured to allow for the increased area of open space and retention of the 'ENV' portion of land.
- The shared path/cycleway had been slightly reconfigured from what is shown in the DCP. This path/cycleway had been moved to the east which ensures there is no affectation upon the 'ENV' parcel of land. A clear delineation between the areas of open space and the riparian corridor were provided.
- Play areas in Area 'C' had been located away from powerlines.

Following submission of the amended plan as described above, this was also sent to the relevant staff at the DP&E for comment. It was resolved that the DP&E were satisfied with the amendments as detailed above.

Overall, based on the dialogue held with Liverpool Council staff and the Department of Planning and Environment, the proposal has been revised. This amended proposal along with all relevant supporting documentation is provided to Liverpool City Council through this submission.

Since submission of an amended Planning Proposal in August 2019, further discussions were held with Liverpool Council as to outstanding requirements and items which needed to be clarified. A meeting was held with Liverpool Council on 16 December 2019.

Since this meeting an Urban Design Statement and Social Impact Assessment Report have been prepared and accompany this application. This Planning Proposal Report has been updated accordingly.

3.2 Proposal

3.2.1 Proposed Amendments to State Environmental Planning Policy (Sydney Regional Growth Centres) 2006

The proposed East Leppington Precinct Plan amendment is to rationalise the area zoned open space within the subject site, having regard to the areas of land containing native vegetation (alleged Swamp Oak Floodplain Forest) and affected by flooding, to create a more functional and versatile open space area which also optimises the Medium Residential Density zone.

The function and configuration of the proposed open space is far better than the configuration of the zoned arrangements, as detailed by our open space strategy.

The replanning of the open space allows for increased residential development on the site.

As part of the planning proposal it is sought to extend the Neighbourhood Centre zoning to the northern boundary of the site, to factor in the expected growth of the locality. Given the current and future expansion of residential development within the South West Growth Centre, and the location of the site on a major traffic route, it is our submission that the demand on retail floor space from passing traffic has not been fully considered in the 2013 East Leppington Employment and Retail Study prepared by SGS Economics and Planning.

To achieve the above, the Planning Proposal will comprise the following amendments.

- It is proposed to amend the South West Growth Centre Land Zoning Map (Sheet LZN_13) by expanding the B1 Neighbourhood Centre zone to the north east of the site to occupy the area currently zoned R3 Medium Density Residential.

It is proposed to relocate the R3 Medium Density Residential Zoned land from the north east of the Neighbourhood Centre so that it adjoins the Neighbourhood Centre to its south east.

It is proposed to consolidate the R3 Medium Density Residential Land between the B1 land zone and the RE1 zoned land.

It is proposed to delete the R2 Low Density Residential area in the south east most portion of the site and rezone this RE1 Public Recreation.

It is proposed to retain the location of SP2 Local Drainage zoned land.

It is proposed to reconfigure and consolidate the RE1 Public Recreation zoned land located between R3 Medium Density Zoned Land and SP2 Local Drainage zoned land.

- It is proposed to amend the South West Growth Centre Residential Density Map (Sheet RDN_013) to reflect the zoning changes detailed above. No higher density is sought, the existing density controls specified for the respective land zones would continue to apply in the revised land zoning layouts.

It is proposed to remove the dwelling density requirement from the area to the north east of the Neighbourhood Centre as this will be zoned B1 Neighbourhood Centre.

No dwelling density controls are sought for the land zoned B1 Neighbourhood Centre SP2 Local Drainage nor RE1 Public Recreation.

The area zoned R3 Medium Density located between the B1 and RE1 land zoning is proposed to have a dwelling density (per hectare) of 25 dwellings.

It is proposed to amend the area mapped as having a dwelling density (per hectare) control of 15 dwellings, between the SP2 Local Drainage and proposed RE1 Public Recreation zoned land towards the south eastern portion of the site, to show no dwelling (per hectare) requirement. The reason is that this area will be zoned RE1 as part of this planning proposal.

- It is proposed to amend the South West Growth Centre Height of Buildings Map (Sheet HOB_013) to reflect the zoning changes detailed above. No additional heights are sought than what is currently prescribed for the site and respective land zones.

The area to the north east of the site which will be zoned B1 due to the extension of the B1 Neighbourhood Centre is proposed to be changed from having a height limit of 12m to be mapped as having a height of 15m.

The consolidated R3 Medium Density zoned land between the B1 Neighbourhood Centre and RE1 Public Recreation zoned land is proposed to be mapped as having a maximum height of 12m.

The maximum building height control currently applied to the R2 Low Density Residential area in the south east most portion of the site is proposed for removal as this land is being rezoned to RE1 Public Recreation.

- It is proposed to amend the South West Growth Centre Land Reservation Acquisition Map (Sheet LRA_013) to reflect the zoning changes detailed above.

The consolidated area of RE1 Public Recreation zoned land is proposed to be identified on the Land Reserved for Acquisition Map as Local Open Space (RE1).

The area in the south east most portion of the site which is being rezoned from R2 Low Density Residential to now RE1 Public Recreation is proposed to be identified on the Land Reserved for Acquisition map as Local Open Space (RE1).

No change to the areas identified as Local Drainage (SP2) is sought.

- It is proposed to amend Clause 6.4 (Maximum gross floor area for retail premises in Zone B1 in East Leppington Precinct) under Appendix 8 - Liverpool Growth Centre Precinct Plan of the Growth Centre SEPP.

The proposed amendment will change the current square metre figure in Clause 6.4 from 2,500m² to 4,800m². The amended Clause will read:

“6.4 Maximum gross floor area for retail premises in Zone B1 in East Leppington Precinct

Despite any other provision of this Precinct Plan, the total gross floor area of all retail premises on land in Zone B1 Neighbourhood Centre within the East Leppington Precinct must not exceed 4,800 square metres.”

- It is proposed to amend the current East Leppington Precinct Structure Plan 2013 (NSW Department of Planning and Environment) by expanding the Neighbourhood Centre to the north east of the site to occupy the area currently shown Medium Density Residential.

It is proposed to relocate the Medium Density Residential land from the north east of the Neighbourhood Centre so that it adjoins the Neighbourhood Centre to its south east.

It is proposed to consolidate the Medium Density Residential land between the Neighbourhood Centre zone and the Passive Open Space.

It is proposed to delete the Very Low Density Residential area in the south east most portion of the site and change this to Passive Open Space.

It is proposed to retain the location of land identified as Drainage and Infrastructure.

It is proposed to reconfigure and consolidate the Passive Open Space land located between the Medium Density land and Drainage and Infrastructure land.

No change is sought to the existing road connection points between the subject site and neighbouring sites. Indicative locations of future roads within the site have been shown on the proposed plan along with a slight repositioning of the road which passes by the area of passive open space which accounts for the reconfiguration of open space at the site. Importantly, the connection points between neighbouring properties do not change.

Reference is made to Part 5 – Mapping of this report which depicts the proposed mapping amendments to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 as described above.

3.2.2 Proposed Amendments to Liverpool Growth Centre Precincts Development Control Plan

Amendments are also required to the Liverpool Growth Centre Precincts Development Control Plan, Schedule 3 East Leppington.

- It is proposed to amend current Figure 2-1: Indicative Layout Plan by expanding the Neighbourhood Centre to the north east of the site to occupy the area currently shown Medium Density Residential.

It is proposed to relocate the Medium Density Residential land from the north east of the Neighbourhood Centre so that it adjoins the Neighbourhood Centre to its south east.

It is proposed to consolidate the Medium Density Residential land between the Neighbourhood Centre zone and the Passive Open Space.

It is proposed to delete the Very Low Density Residential area in the south east most portion of the site and change this to Passive Open Space.

It is proposed to retain the location of land identified as Drainage and Infrastructure.

It is proposed to reconfigure and consolidate the Passive Open Space land located between the Medium Density land and Drainage and Infrastructure land.

No change is sought to the existing road connections points between the subject site and neighbouring sites. Indicative locations of future roads within the site have been shown on the proposed plan along with a slight repositioning of the road which passes by the area of Passive open space which accounts for the reconfiguration of open space at the site. Importantly, the connection points between neighbouring properties do not change.

- It is proposed to amend Figure 3-2: Desired future layout of the Neighbourhood Centre contained within Schedule three – East Leppington Precinct (Liverpool). This amended Figure has been prepared by Benson McCormack Architecture and is informed by an Urban Design Strategy.

Note 1 in the Legend of Figure 3-2 is proposed to be amended to reflect the changes to Clause 6.4 (Maximum gross floor area for retail premises in Zone B1 in East Leppington Precinct) under Appendix 8 - Liverpool Growth Centre Precinct Plan of the Growth Centre SEPP. Note 1 is proposed to read as follows:

***Note 1:** 4,800m² cap on retail premises apply.*

Note 2 in the legend of Figure 3-2 is proposed to be amended to read:

***Note 2:** The Desired Future Layout is an indicative scheme only. Where there is an inconsistency between the design principles in section 5.3 of the main DCP and this part, this part will prevail.*

- It is proposed to insert an additional control in Chapter 3 Centre Development specifically Section 3.1 East Leppington Neighbourhood Centre of Schedule Three – East Leppington Precinct (Liverpool) DCP which states:

“Where there is an inconsistency between Section 3.1 and Section 5 of the main DCP, this section will prevail.”

This amendment would avoid conflict and confusion between different sections of the DCP and would reinforce the outcomes of the amended Figure 3-2 Desired future layout of the Neighbourhood Centre which is being proposed and is informed by an Urban Design Strategy.

- It is proposed to amend any references to the cap on maximum gross floor area (GFA) of the neighbourhood centre in Section 3.1 of the DCP to reflect the proposed 4,800m².
- An amendment is required to the Liverpool Growth Centre Precincts Development Control Plan, Schedule 3 East Leppington Figure 2-13 as this relates to the pedestrian and cycleway network.

It is proposed to realign the proposed pedestrian and cycle paths/shareways to reflect the changes proposed on the submitted open space plans prepared by Clouston Associates. The amendment would consist of:

Having the cycle path/shareway located between the edge of the medium density land to the south east of the Neighbourhood Centre and follow the tree lined boulevard in a straight line to the Passive Open Space and to the drainage area. Here the path would extend to the north and south, parallel to the drainage area. Once the path reaches the southern site boundary this would continue south east to the area of Passive Open Space.

- All other DCP maps in Schedule 3 – East Leppington Precinct (Liverpool DCP) would need to be amended to reflect the site and zoning reconfigurations detailed earlier in this report.

3.3 Planning for the Site

A number of consultants have been engaged to determine whether the site can accommodate the proposed yield. Their findings are summarised in the sections below.

3.3.1 Traffic

A Traffic Assessment has been prepared by Dobinson & Associates to evaluate the traffic impacts associated with the increase of retail floor space and increase in the number of dwellings. Measures to mitigate any adverse impacts have also been outlined.

Cardno Consultants had undertaken the original Traffic Assessment for the East Leppington Precinct Master Plan and published their report in June of 2013. Based on this assessment, as it specifically relates to the residential component at the site, it was determined that low density residential land would generate 51.3 trips per day, with the medium density residential land generating 183.3 trips per day. Therefore, totalling 234.6 (say 234) trips per day.

As proposed, the residential zoning would generate a total of 236.4 (say 235) daily trips, or an additional 2 trips per day than was originally concluded by Cardno.

In terms of the neighbourhood centre, the traffic assessment prepared by Cardno had not assessed traffic generation of non-residential uses for the master plan as all travel to and from non-residential uses would have been by residents within the precinct. Therefore, traffic generated by non-residential uses or any change to the retail floor space does not add to the overall traffic generation of the precinct. Thus, the impact of the proposed rezoning is being reflected as above for residential uses alone, at zero trips per day.

As detailed in the accompanying Traffic Assessment, the increase in retail floor space would be benign, if at all, to the daily traffic flow due to the demand for retail from the residential component being limited to an additional 2 trips per day.

Overall, when considering the entire precinct, the report prepared by Cardno which indicated the anticipated 4,386 dwellings within the precinct would generate 38,168 trips per day. The additional 2 trips a day being generated through the proposal would represent an increase of only 0.005%.

It has therefore been concluded that given the very minimal and benign increase, no measures are considered necessary to accommodate the anticipated increase in traffic flow.

For a detailed assessment reference should be made to the Traffic Assessment prepared by Dobinson & Associates Pty Ltd dated 5 July 2019, attached under Appendix B.

3.3.2 Landscape/Open Space

An amended Open Space Planning Report has been prepared by Clouston Associates in support of the proposed open space configuration. The amended report has reviewed the proposed area of open space as shown in the East Leppington Structure Plan to establish whether its layout and location is optimal or whether an alternative arrangement would meet the objectives of the DP&E whilst also allowing for a more viable development for the site in its entirety.

Within the submitted Open Space Planning Report it has been found that an alternative open space option and arrangement would be more suitable. As detailed, there are numerous benefits to the alternative concept over what has been zoned as reflected on the Indicative Layout Map for the East Leppington Precinct.

A tree lined boulevard would be introduced along with associated cycle way which creates a visual and physical connection between the neighbourhood centre, open spaces and with the Bonds Creek Riparian Corridor. An increase in the residential density around neighbourhood centres aligns with the applicable best practise principles. Provision of separate shared cycleways will provide safe cycle and pedestrian connections to open spaces. A variety of open spaces are provided throughout the site which are flexible in meeting a range of uses including children's play area, social gatherings, picnics, kickabout spaces and an off-leash dog area. Visual and physical connections to either side of the land identified as 'ENV' are promoted via a pedestrian bridge.

For further details reference should be made to the amended Open Space Planning Report prepared by Clouston Associates Attached under Appendix C.

As was discussed with Council at a meeting held on 16 December 2019, the portion of SP2 zoned land, circled in the Figure below, which forms part of an existing creek line which is a tributary to Bonds Creek, was previously proposed to be zoned RE1. Council's position is that this land should be retained as a drainage corridor/channel and keep its SP2 zoning.

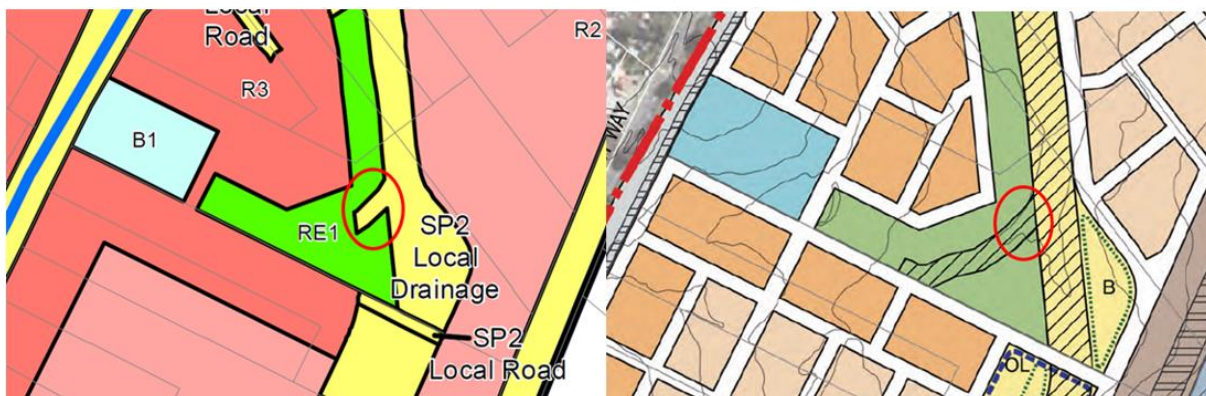


Figure 21 Portion of SP2 Zoned Land

As discussed with Council, if this portion of SP2 zone land was not to be rezoned to RE1, then the overall area of RE1 zoned land would be less than what is currently zoned for the site.

It was agreed that that this area circled in red be kept SP2 zoned land and that it can still be considered as providing open space.

Given this exclusion from the calculation, the total area of RE1 zoned land equals 2.15ha. The current zoning provides for 2.28ha of RE1 zoned land.

Whilst there is a numeric shortfall, it is considered appropriate to consider this portion of land as open space as its function, look and feel would remain unchanged regardless of its zoning as shown on a map. Notwithstanding its zoning, this area still contributes to the provision of passive open space as no physical changes would occur in this area. This area encompasses land which is mapped 'ENV' and therefore would not have been used for any other purpose other than passive open space. Whilst the zoning of this area remains SP2, its purpose, function and aesthetic would not change and is therefore considered appropriate to consider this area as being passive open space.

3.3.3 Economics

The report prepared by Leyshon Consulting has demonstrated the planning proposals appropriateness in the context of the retail floor space expansion and demonstrates that no adverse effects would result to nearby centres. The current planning controls for the neighbourhood centre permit 2,500m² Net Lettable Area (NLA) of retail floor space on the site, with the proposal seeking an increase to 4,000m² NLA.

As recommended by the report, the provision of up to 4,000m² NLA is considered appropriate with regards to the greater residential population (than originally forecast) that will settle in the East Leppington Precinct.

With regards to the impact of such an increase on the retail hierarchy, there is no considerable impact within East Leppington or to surrounding areas.

This report has also discussed ways in which the retail floor use mix could be delivered to the expanded commercial centre and includes ways in which a supermarket may be delivered.

For a detailed assessment, reference should be made to the Review of Appropriate Floor Space Provision prepared by Leyshon Consulting May 2018, attached under Appendix D.

A supplementary letter of advice was also received from Leyshon Consulting with regards to the potential effect that the planning proposal may have on the Leppington Town Centre. This is dated 23 March 2020 and is attached under Appendix G. To be certain about the timing and scale of the Leppington Town centre at this time is deemed impossible. The increase of NLA floor area proposed by this planning proposal would have no material impact on the development of the town centre as this is to insignificant. As detailed in this letter there is no reason to conclude that any adverse impact would occur.

3.3.4 Social Impact Assessment

A Social Impact Assessment Report has been prepared by Judith Stubbs & Associates and accompanies this Planning Proposal. Overall, it is considered that the proposed changes would have marginal impacts that may occur over those which have already been assessed in the context of the approved zoning and configurations.

With respect to the changes in residential land zonings, there would be a nett change of 4 to 6 people. This is considered negligible and would have no adverse implications.

The expansion of the B1 Neighbourhood Centre would have favourable economic and social outcomes as it will allow for additional and diverse land uses that would service the immediate and broader context.

Any impacts from the reconfiguration of open space would be mitigated through the easy walking distance from the neighbourhood centre along with the improved connectivity and visibility which is provided. Safe and secure pedestrian and cycle ways are promoted along the tree lined boulevard as no vehicles would access future residential lots from this boulevard. This reinforces the physical and visual connections throughout the site.

In terms of dwelling mix, it is noted that the provision of additional medium density style dwellings would benefit the local context and can be accommodated in the increased developable area.

There are no reasons to consider an increased level of crime from the proposed changes.

Overall, it is considered that if the R3 medium density land zoning were developed for dwellings, negligible and marginal impacts would result with respect to housing affordability, diversity, crime and safety, the economic context, nor would this adversely impact service and open space demand.

For a detailed social impact assessment, reference should be made to the submitted report provided under Appendix I.

3.3.5 Urban Design Report

An Urban Design Report has been prepared by Benson McCormack Architecture which informs an appropriate built form strategy for the new neighbourhood centre at the subject site.

This statement has been prepared in response to a detailed site urban design analysis of the site context along with the existing and future character of the Eats Leppington Precinct along with an understanding of the evolving nature of the area.

Key urban design parameters have been the built form strategy with a vision also having been established that will compliment and support the broader context of the subject site and its position within East Leppington.

The urban design vision provides for a contemporary outcome which will enhance the visual catchment of the centre and associated streetscapes.

The indicative buildings are well mannered and compatible with nearby developments. The development would reinforce the and define the emerging residential context whilst announcing the entry of the precinct when viewed from Camden Valley Way. The development would provide a positive response to the site's topography by stepping from the frontage. Activated street setbacks are incorporated whilst promoting pedestrian connectivity.

The forecourt which is located to the eastern side of the neighbourhood centre serves as a welcoming area for those who arrive at the precinct particularly on foot with this area also being generously landscaped. Indoor and outdoor connectivity is enhanced, and landscaped open space activates edges within the development which provides for an enhanced pedestrian environment.

The vision delivers the potential for a well-considered built form and a positive contribution to the immediate and broader context.

Benson McCormack Architecture as part of their Urban Design Statement have also prepared indicative layouts for the neighbourhood centre which adopts the urban design principle discussed in the statement.

Benson McCormack Architecture have developed a new Desired Future Layout for the neighbourhood centre has been prepared in accordance with the urban design principles that will replace Figure 3-2 in Part 3.1 East Leppington Neighbourhood Centre of the Liverpool Growth Centre Precincts DCP Schedule 3 East Leppington.

Furthermore, as part of their Urban Design Statement indicative layouts for the neighbourhood centre which adopts the urban design principles discussed in the statement have also been prepared and demonstrate in greater detail how these principles would be implemented. This ensures that the layouts in proposed Figure 3-2 can be achieved.

For further details and a comprehensive assessment, reference should be made to Appendix H for a copy of the Urban Design Statement and associated plans and figures.

3.3.6 Planning Considerations

In view of the reports and plans prepared, it is considered that the planning proposal at the site will continue to provide opportunities for increased housing choice that would diversify the housing stock within the East Leppington Precinct.

It is noted that for the East Leppington Precinct Plan in its entirety it is envisaged that land for approximately 4,450 homes to house 14,700 residents would be provided. Furthermore, 26 hectares of open space and recreational areas are expected.

Therefore, the planning proposal will continue to contribute in meeting these targets set for the Precinct, however, in an enhanced manner through the reconfiguration of open spaces and residential land which meets best practise principles.

Reference is made to the Greater Sydney Region Plan which seeks to create three metropolitan cities to govern future growth and opportunities across Sydney. The three distinct cities created by the Plan are described as the Western Parkland City, Central River City and Eastern Harbour City.

The subject site is located within the area described as the Western Parkland City as illustrated in the image below and governed by the Western City District Plan.

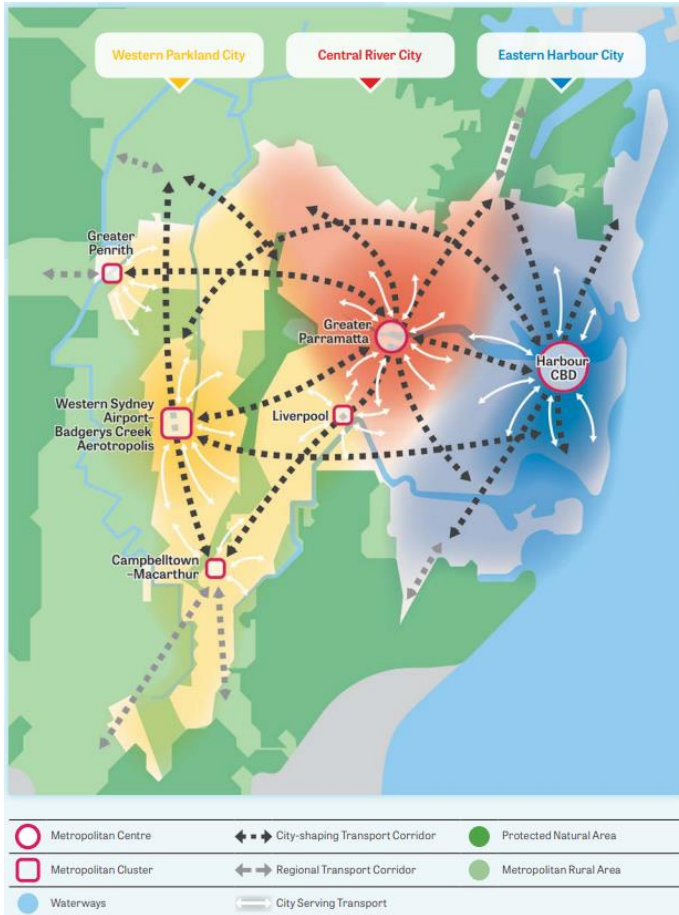


Figure 22 Western City District Plan

The Western City District Plan endeavours to “guide the transition of the District within the context of Greater Sydney’s three cities to improve the District’s social, economic and environmental assets”.

The Plan nominates a total of twenty (20) planning priorities for the precinct with regards to Infrastructure and Collaboration, Liveability, Productivity and Sustainability.

The Plan also identifies projected dwelling targets for the precinct overall and based on local government areas as demonstrated in the figure below:

LGA	0-5 year housing supply target: 2016-2021
Blue Mountains	650
Camden	11,800
Campbelltown	6,800
Fairfield	3,050
Hawkesbury	1,150
Liverpool	8,250
Penrith	6,600
Wollondilly	1,550
Western City District Total	39,850

Figure 23 Western City District housing targets by local government area

Based on the above figure, the Liverpool LGA has a housing target of 8,250 to be achieved by 2021. Accordingly, there is a significant unmet demand for new housing in the Liverpool area as identified by the Western City District Plan.

Therefore, this planning proposal will continue to provide for appropriate areas of developable land which will assist in meeting the housing supply targets identified under the Western City District Plan allowing opportunities for, and additional supply of diverse housing within the LGA and the Precinct.

Furthermore, the amount of open space as originally planned for the site will be retained, however, will be provided in an enhanced configuration as has been detailed within this report and the amended Open Space Planning Report prepared by Clouston Associates. This will enhance useability, functionality and connections to open space areas at the site and within the Precinct.

The provision of a neighbourhood centre will allow for a diverse array of goods and services to be provided at the site for the benefit of those who would live, work and play within the Precinct. This will also allow employment opportunities to be generated.

The vision for Greater Sydney is one where people can access jobs and services in their nearest metropolitan and strategic centre, building upon the vision of a 30-minute city. The Greater Sydney Region Plan and the Western City District Plan both recognise that an adequate supply of new housing is required to meet Sydney’s growth while being accessible to employment, noting that half of Sydney’s jobs are generated in metropolitan and strategic centres.

Leppington Train Station will service a broader catchment which also includes the East Leppington Precinct.

The improved zoning layout at the subject site with the provision of adequate degrees of developable land, open spaces and continued provision for a neighbourhood centre would allow the vision and strategic outcomes of the East Leppington Precinct to be maintained and promoted.

This layout would improve the access to and the walkability of the subject site, with a tree lined boulevard promoting walkability and cyclability through the site from the neighbourhood centre to open spaces. Visual links through the site are also promoted. The proposal will therefore encourage a healthy, creative and culturally rich and socially connected community.

4. LEGISLATIVE CONTEXT

Section 3.33(1) of the Environmental Planning & Assessment Act, 1979 specifies that before an environmental planning instrument is made, the relevant planning authority is required to prepare a document that explains the intended effect of the proposed instrument and sets out the justification for its making (“the Planning Proposal”).

Section 3.33(2) specifies that the Planning Proposal is to include a statement of objectives and intended outcomes of the proposed instrument; an explanation of the provisions that are to be included in the proposed instrument; the justification for those objectives, outcomes and provisions; maps to be adopted by the proposed instrument and details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

The Department of Planning & Environment has published “A Guide to Preparing Planning Proposals” (August 2016), to explain the format and content of a Planning Proposal to be prepared by the relevant planning authority. The Department of Planning & Environment’s guideline is issued under Section 3.33, formerly Section 55(3) of the Environmental Planning & Assessment Act 1979 and provides guidance and information on the process for preparing planning proposals.

4.1 Objectives and Intended Outcomes

The objective or intended outcome of the proposed East Leppington Precinct Plan amendment is to rationalise the area zoned open space within the subject site, having regard to the areas of land containing native vegetation (alleged Swamp Oak Floodplain Forest) and affected by flooding, to create a more functional and versatile open space areas which also optimises the Medium Residential Density zone.

The function and configuration of the proposed open space is far better than the configuration of the zoned arrangements, as will be detailed by our open space strategy.

An amendment is also required to the Liverpool Growth Centre Precincts Development Control Plan, Schedule 3 East Leppington Figure 2-13 as this relates to the pedestrian and cycleway network. It is sought to realign the proposed pedestrian and cycle paths/shareways to reflect the changes proposed on the submitted open space plans prepared by Clouston Associates.

The replanning of the open space allows for increased residential development on the site.

The other outcome is to extend the Neighbourhood Centre zoning to the northern boundary of the site, to factor in the expected growth of the locality. Given the current and future expansion of residential development within the South West Growth Centre, and the location of the site on a major traffic route, it is our submission that the demand on retail floor space from passing traffic

has not been fully considered in the 2013 East Leppington Employment and Retail Study prepared by SGS Economics and Planning.

4.2 Explanation of Provisions

The Planning Proposal seeks to achieve the intended outcomes outlined in Section 4.1 of this report by proposing amendments in the following manner.

4.2.1 Proposed Amendments to State Environmental Planning Policy (Sydney Regional Growth Centres) 2006

The proposed East Leppington Precinct Plan amendment is to rationalise the area zoned open space within the subject site, having regard to the areas of land containing native vegetation (alleged Swamp Oak Floodplain Forest) and affected by flooding, to create a more functional and versatile open space area which also optimises the Medium Residential Density zone.

The function and configuration of the proposed open space is far better than the configuration of the zoned arrangements, as detailed by our open space strategy.

The replanning of the open space allows for increased residential development on the site.

As part of the planning proposal it is sought to extend the Neighbourhood Centre zoning to the northern boundary of the site, to factor in the expected growth of the locality. Given the current and future expansion of residential development within the South West Growth Centre, and the location of the site on a major traffic route, it is our submission that the demand on retail floor space from passing traffic has not been fully considered in the 2013 East Leppington Employment and Retail Study prepared by SGS Economics and Planning.

To achieve the above, the Planning Proposal will comprise the following amendments.

- It is proposed to amend the South West Growth Centre Land Zoning Map (Sheet LZN_13) by expanding the B1 Neighbourhood Centre zone to the north east of the site to occupy the area currently zoned R3 Medium Density Residential.

It is proposed to relocate the R3 Medium Density Residential zoned land from the north east of the Neighbourhood Centre so that it adjoins the Neighbourhood Centre to its south east.

It is proposed to consolidate the R3 Medium Density Residential Land between the B1 land zone and the RE1 zoned land.

It is proposed to delete the R2 Low Density Residential area in the south east most portion of the site and rezone this RE1 Public Recreation.

It is proposed to retain the location of SP2 Local Drainage zoned land.

It is proposed to reconfigure and consolidate the RE1 Public Recreation zoned land located between the R3 Medium Density zoned land and SP2 Local Drainage zoned land.

- It is proposed to amend the South West Growth Centre Residential Density Map (Sheet RDN_013) to reflect the zoning changes detailed above. No higher density is sought, the

existing density controls specified for the respective land zones would continue to apply in the revised land zoning layouts.

It is proposed to remove the dwelling density requirement from the area to the north east of the Neighbourhood Centre as this will be zoned B1 Neighbourhood Centre.

No dwelling density controls are sought for the land zoned B1 Neighbourhood Centre SP2 Local Drainage nor RE1 Public Recreation.

The area zoned R3 Medium Density located between the B1 and RE1 zoning is proposed to have a dwelling density (per hectare) of 25 dwellings.

It is proposed to amend the area mapped as having a dwelling density (per hectare) control of 15 dwellings, between the SP2 Local Drainage and proposed RE1 Public Recreation zoned land towards the south eastern portion of the site, to show no dwelling (per hectare) requirement. The reason is that this area will be zoned RE1 as part of this planning proposal.

- It is proposed to amend the South West Growth Centre Height of Buildings Map (Sheet HOB_013) to reflect the zoning changes detailed above. No additional heights are sought than what is currently prescribed for the site

The area to the north east of the site which will be zoned B1 due to the extension of the B1 Neighbourhood Centre is proposed to be changed from having a height limit of 12m to be mapped as having a height of 15m.

The consolidated R3 Medium Density zoned land between the B1 Neighbourhood Centre and RE1 Public Recreation zoned land is proposed to be mapped as having a maximum height of 12m.

The maximum building height control currently applied to the R2 Low Density Residential area in the south east most portion of the site is proposed for removal as this land is being rezoned to RE1 Public Recreation.

- It is proposed to amend the South West Growth Centre Land Reservation Acquisition Map (Sheet LRA_013) to reflect the zoning changes detailed above.

The consolidated area of RE1 Public Recreation zoned land is proposed to be identified on the Land Reserved for Acquisition Map as Local Open Space (RE1).

The area in the south east most portion of the site which is being rezoned from R2 Low Density Residential to now RE1 Public Recreation is proposed to be identified on the Land Reserved for Acquisition map as Local Open Space (RE1).

No change to the areas identified as Local Drainage (SP2) is sought.

- It is proposed to amend Clause 6.4 (Maximum gross floor area for retail premises in Zone B1 in East Leppington Precinct) under Appendix 8 - Liverpool Growth Centre Precinct Plan of the Growth Centre SEPP.

The proposed amendment will change the current square metre figure in Clause 6.4 from 2,500m² to 4,800m². The amended Clause will read:

“6.4 Maximum gross floor area for retail premises in Zone B1 in East Leppington Precinct

Despite any other provision of this Precinct Plan, the total gross floor area of all retail premises on land in Zone B1 Neighbourhood Centre within the East Leppington Precinct must not exceed 4,800 square metres.”

- It is proposed to amend the current East Leppington Precinct Structure Plan 2013 (NSW Department of Planning and Environment) by expanding the Neighbourhood Centre to the north east of the site to occupy the area currently shown Medium Density Residential.

It is proposed to relocate the Medium Density Residential land from the north east of the Neighbourhood Centre so that it adjoins the Neighbourhood Centre to its south east.

It is proposed to consolidate the Medium Density Residential land between the Neighbourhood Centre zone and the Passive Open Space.

It is proposed to delete the Very Low Density Residential area in the south east most portion of the site and change this to Passive Open Space.

It is proposed to retain the location of land identified as Drainage and Infrastructure.

It is proposed to reconfigure and consolidate the Passive Open Space land located between the Medium Density land and Drainage and Infrastructure land.

No change is sought to the existing road connection points between the subject site and neighbouring sites. Indicative locations of future roads within the site have been shown on the proposed plan along with a slight repositioning of the road which passes by the area of passive open space which accounts for the reconfiguration of open space at the site. Importantly, the connection points between neighbouring properties do not change.

Reference is made to Part 5 – Mapping of this report which depicts the proposed mapping amendments to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 as described above.

4.2.2 Proposed Amendments to Liverpool Growth Centre Precincts Development Control Plan

Amendments are also required to the Liverpool Growth Centre Precincts Development Control Plan, Schedule 3 East Leppington.

- It is proposed to amend current Figure 2-1: Indicative Layout Plan by expanding the Neighbourhood Centre to the north east of the site to occupy the area currently shown Medium Density Residential.

It is proposed to relocate the Medium Density Residential land from the north east of the Neighbourhood Centre so that it adjoins the Neighbourhood Centre to its south east.

It is proposed to consolidate the Medium Density Residential land between the Neighbourhood Centre zone and the Passive Open Space.

It is proposed to delete the Very Low Density Residential area in the south east most portion of the site and change this to Passive Open Space.

It is proposed to retain the location of land identified as Drainage and Infrastructure.

It is proposed to reconfigure and consolidate the Passive Open Space land located between the Medium Density land and Drainage and Infrastructure land.

No change is sought to the existing road connection points between the subject site and neighbouring sites. Indicative locations of future roads within the site have been shown on the proposed plan along with a slight repositioning of the road which passes by the area of passive open space which accounts for the reconfiguration of open space at the site. Importantly, the connection points between neighbouring properties do not change.

- It is proposed to amend Figure 3-2: Desired future layout of the Neighbourhood Centre contained within Schedule three – East Leppington Precinct (Liverpool). This amended Figure has been prepared by Benson McCormack Architecture and is informed by an Urban Design Strategy.

Note 1 in the Legend of Figure 3-2 is proposed to be amended to reflect the changes to Clause 6.4 (Maximum gross floor area for retail premises in Zone B1 in East Leppington Precinct) under Appendix 8 - Liverpool Growth Centre Precinct Plan of the Growth Centre SEPP. Note 1 is proposed to read as follows:

***Note 1:** 4,800m² cap on retail premises apply.*

Note 2 in the legend of Figure 3-2 is proposed to be amended to read:

***Note 2:** The Desired Future Layout is an indicative scheme only. Where there is an inconsistency between the design principles in section 5.3 of the main DCP and this part, this part would prevail.*

- It is proposed to insert an additional control in Chapter 3 Centre Development specifically Section 3.1 East Leppington Neighbourhood Centre of Schedule Three – East Leppington Precinct (Liverpool) DCP which states:

“Where there is an inconsistency between Section 3.1 and Section 5 of the main DCP, this section would prevail.”

This amendment would avoid conflict and confusion between different sections of the DCP and would reinforce the outcomes of the amended Figure 3-2 Desired future layout of the Neighbourhood Centre which is being proposed and is informed by an Urban Design Strategy.

- It is proposed to amend any references to the cap on maximum gross floor area (GFA) of the neighbourhood centre in Section 3.1 of the DCP to reflect the proposed 4,800m².

- An amendment is required to the Liverpool Growth Centre Precincts Development Control Plan, Schedule 3 East Leppington Figure 2-13 as this relates to the pedestrian and cycleway network.

It is proposed to realign the proposed pedestrian and cycle paths/shareways to reflect the changes proposed on the submitted open space plans prepared by Clouston Associates. The amendment would consist of:

Having the cycle path/shareway located between the edge of the medium density land to the south east of the Neighbourhood Centre and follow the tree lined boulevard in a straight line to the Passive Open Space and to the drainage area. Here the path would extend to the north and south, parallel to the drainage area. Once the path reaches the southern site boundary this would continue south east to the area of Passive Open Space.

- All other DCP maps in Schedule 3 – East Leppington Precinct (Liverpool DCP) would need to be amended to reflect the site and zoning reconfigurations detailed earlier in this report.

4.3 Justification of Provisions

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

This Planning Proposal submitted to Council follows the preparation of two (2) earlier submissions made on the Draft East Leppington Precinct Plan, and comprehensive reviews of the Draft Precinct Plan and supporting reports by our consultant team – Mr Drew Bewsher of Bewsher Consulting, Mr Dominic Fanning of Gunninah, Crosbie Lorimer of Clouston Associates, and Peter Leyshon of Leyshon Consulting.

Since original submission to Council in March of 2017, the proposal has undergone several amendments. Where relevant supporting consultant documentation has been prepared and amended, with their findings also detailed below.

Retail planning. Mr Peter Leyshon of Leyshon Consulting

Peter Leyshon of Leyshon Consulting had prepared a letter dated 15 December 2016 which considered an economic report undertaken by SGS Consultants for the Department in 2013. This report did not consider the demand generated by passing traffic along Camden Valley Way. The letter stated:

“Given the site is located on what is often referred to as the ‘drive home’ side for the majority of motorists in this area using Camden Valley Way, demand from passing traffic easily could add 30% to the turnover of any retail facility developed on it. On this basis alone, we consider it would be reasonable for the retail floorspace provision proposed to be increased to at least 3,250 - 4,000m² from its current recommended 2,500m².”

This supported the proposal to extend the Neighbourhood Centre zone to the northern boundary of Lot E. This proposal is consistent with the Planning Circular PS 16-004 issued by the Department of Planning and Environment on 30 August 2016, which requires proposals to demonstrate that they are responding to a change in circumstance. In this instance, the proposal to expand the retail centre is a result of the previous economic reports not properly considering

the increase in trade from the expanding residential population of the area, and the increased volume of passing traffic along Camden Valley Way.

The economic assessment prompted us to consider the site in its entirety and the appropriateness of the zonings allocated across the site. Hence, the preparation of the assessment relating to flooding, native vegetation, and open space.

Furthermore, a report prepared by Leyshon Consulting dated May 2018 has demonstrated the planning proposals appropriateness in the context of the retail floor space expansion and demonstrates that no adverse effects would result to nearby centres. The current planning controls for the neighbourhood centre permit 2,500m² Net Lettable Area (NLA) of retail floor space on the site, with the proposal seeking an increase to 4,000m² NLA.

As recommended by the report, the provision of up to 4,000m² NLA is considered appropriate with regards to the greater residential population (than originally forecast) that will settle in the East Leppington Precinct.

With regards to the impact of such an increase on the retail hierarchy, there is no considerable impact within East Leppington or to surrounding areas.

This report has also discussed ways in which the retail floor use mix could be delivered to the expanded commercial centre and includes ways in which a supermarket may be delivered.

For a detailed assessment, reference should be made to the Review of Appropriate Floor Space Provision prepared by Leyshon Consulting May 2018, attached under Appendix D.

Attached under Appendix G is a supplementary letter of advice prepared by Leyshon Consulting which considers the increase in NLA in the context of the Leppington Town Centre. It is concluded that the provision of the additional NLA would have no material impacts upon the Leppington Town Centre given the increase is to insignificant in the context of a major centre.

Flooding, Mr Drew Bewsher of Bewsher Consulting

Drew Bewsher had issued a letter dated 18 October 2016 in which he provides advice in relation to flooding and stormwater issues. Bewsher Consulting has studied the potential impacts on development on the site since 2007 and had undertaken multiple meetings with the Department of Planning & Environment and their flood consultants, Cardno. Bewsher Consulting has a sound understanding of the flooding and stormwater issues associated with the site.

Having regard to the flooding constraints arising from Bonds Creek and the stormwater constraints arising from the unnamed tributary, it is the opinion of Bewsher Consulting that the planning proposal for the site will not result in adverse flooding or stormwater impacts.

The letter prepared by Bewsher Consulting outlined the conditions applying to the site in relation to creek flooding and stormwater flows.

An amended Flooding Letter from Bewsher Consulting has been prepared and accompanies this submission. It is confirmed within this letter that the proposal has been designed in a manner which would result in no impact on flood behaviour within Bonds Creek. This is due to all zone changes being outside of the flood extent. In terms of stormwater flows, these will be piped through adjoining land to the south and would emerge within the proposed riparian corridor within the open space at the subject site. Therefore, the proposed changes would have no impact upon the riparian corridor or stormwater flows.

For further details reference should be made to the Letter prepared by Bewsher Consulting, dated 11 July 2019 attached under Appendix E.

Ecological and riparian issues, Mr F Dominic Fanning of Gunninah

Dominic Fanning had undertaken a further inspection and review of the site and notes that the site has been substantially and significantly modified from its original condition.

The assessment report made the following conclusions:

- The site is of little ecological value, and there is nothing of ecological significance on the site.
- Much of Bonds Creek is degraded. The artificial drainage channel in the centre of the site is of little ecological value, as it is artificial and has no connectivity with other native vegetation.
- There are no habitat features or resources of ecological value or significance in the areas proposed for development.
- No threatened plant species have been recorded on the site, and none are likely to occur given the condition of the site.
- There are no threatened ecological communities on the site within any areas proposed for urban redevelopment.

Since that time and amended report has been prepared. Refer to Appendix F. The amended report reiterates that retention of the "ENV" land has been accommodated through the amended planning proposal. It is concluded that the proposed planning proposal will have no adverse impacts upon the natural environment.

Open space planning, Mr Crosbie Lorimer of Clouston Associates

Clouston Associates had undertaken a review of the proposed open space zoning for the site, to establish whether its location and layout is optimal and whether an alternative open space zoning arrangement would meet the DP&E objectives whilst permitting a more viable development for the whole of the site.

Clouston Associates found that the relationship of the open space is eccentric, or unusual, to the east facing frontage of the retail centre. The resulting wedge shaped space is not versatile and has a small frontage to the retail centre.

Clouston Associates considered that there is opportunity to reshape the open space so that it has a better and more direct relationship with the retail centre, thereby improving activation. The reconfiguration also provides a more functional and versatile open space area.

Clouston advised that the quantum of open space proposed in the Precinct Plan is largely based on an abandoned standard and generally exceeds local open space provision required by the Department's own planning guidelines. This was discussed in the Original Open Space Planning Report prepared by Clouston & Associates dated 21/12/2016.

An amended report has been prepared with respect to the planning proposal which notes the following.

Within the submitted Open Space Planning Report it has been found that an alternative open space option and arrangement would be more suitable. As detailed, there are numerous benefits to the alternative concept over what has been zoned as reflected on the Indicative Layout Map for the East Leppington Precinct.

A tree lined boulevard would be introduced along with associated cycle way which creates a visual and physical connection between the neighbourhood centre, open spaces and with the Bonds Creek Riparian Corridor. An increase in the residential density around neighbourhood centre aligns with the applicable best practise principles. Provision of separate shared cycleways will provide safe cycle and pedestrian connections to open spaces. A variety of open spaces are provided throughout the site which are flexible in meeting a range of uses including children's play area, social gatherings, picnics, kickabout spaces and an off-leash dog area. Visual and physical connections to either side of the land identified as 'ENV' are promoted via a pedestrian bridge.

For further details reference should be made to the amended Open Space Planning Report prepared by Clouston Associates Attached under Appendix C.

As was discussed with Council at a meeting held on 16 December 2019, the portion of SP2 zoned land, circled in the Figure 21 earlier in this report, which forms part of an existing creek line which is a tributary to Bonds Creek, was previously proposed to be zoned RE1. Council's position is that this land should be retained as a drainage corridor/channel and keep its SP2 zoning.

As discussed with Council, if this portion of SP2 zone land was not to be rezoned to RE1, then the overall area of RE1 zoned land would be less than what is currently zoned for the site. It was agreed that that this area circled in red be kept SP2 zoned land and that it can still be considered as providing open space.

Given this exclusion from the calculation, the total area of RE1 zoned land equals 2.15ha. The current zoning provides for 2.28ha of RE1 zoned land.

Whilst there is a numeric shortfall, it is considered appropriate to consider this portion of land as open space as its function, look and feel would remain unchanged regardless of its zoning as shown on a map. Notwithstanding its zoning, this area still contributes to the provision of passive open space as no physical changes would occur in this area. This area encompasses land which is mapped 'ENV' and therefore would not have been use for any other purpose other than passive open space. Whilst the zoning of this area remains SP2, its purpose, function and aesthetic would not change and is therefore considered appropriate to consider this area as being passive open space.

Urban Design Statement, Benson McCormack Architecture

Through comprehensive evidence-based analysis, a master plan for the site has been prepared which ensure that a built form outcome for the site will compliment and enhance the immediate and broader area. The neighbourhood centre will enjoy an appropriate visual prominence from Camden Valley Way, whilst complementing the adjoining medium density residential land surroundings on the site and in the locality. The commercial viability of the centre will therefore be promoted. Public domain interfaces will be improved and so to areas and sites connectivity for a pleasant and activated environment which local residents, visitors and the alike will benefit from.

As detailed previously within this report, Benson McCormack Architecture have developed a new Desired Future Layout for the neighbourhood centre has been prepared in accordance with the urban design principles that will replace Figure 3-2 in Part 3.1 East Leppington Neighbourhood Centre of the Liverpool Growth Centre Precincts DCP Schedule 3 East Leppington.

Furthermore, indicative layouts for the neighbourhood centre which adopts the urban design principle discussed in the statement have also been prepared and demonstrate in greater detail how these principles would be implemented. This ensures that the layouts in proposed Figure 3-2 can be achieved.

For further details and a comprehensive assessment, reference should be made to Appendix H for a copy of the Urban Design Statement and associated plans and figures.

Social Impact Assessment Report, Judith Stubbs and Associates

A Social Impact Assessment Report has been prepared by Judith Stubbs & Associates and accompanies this Planning Proposal. Overall, it is considered that the proposed changes would have marginal impacts that may occur over those which have already been assessed in the context of the approved zoning and configurations.

With respect to the changes in residential land zonings, there would be a nett change of 4 to 6 people. This is considered negligible and would have no adverse implications.

The expansion of the B1 Neighbourhood Centre would have favourable economic and social outcomes as it will allow for additional and diverse land uses that would service the immediate and broader context.

Any impacts from the reconfiguration of open space would be mitigated through the easy walking distance from the neighbourhood centre along with the improved connectivity and visibility which is provided. Safe and secure pedestrian and cycle ways are promoted along the tree lined boulevard as no vehicles would access future residential lots from this boulevard. This reinforces the physical and visual connections throughout the site.

In terms of dwelling mix, it is noted that the provision of additional medium density style dwellings would benefit the local context and can be accommodated in the increased developable area.

There are no reasons to consider an increased level of crime from the proposed changes.

Overall, it is considered that if the R3 medium density land zoning were developed for dwellings, negligible and marginal impacts would result with respect to housing affordability, diversity, crime and safety, the economic context, nor would this adversely impact service and open space demand.

For a detailed social impact assessment, reference should be made the submitted report provided under Appendix I.

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

The Planning Proposal is considered the most appropriate means of achieving the objective or intended outcome on the basis of the specific economic, flooding and native vegetation assessments undertaken for the site.

Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

In December 2005, the State Government published a Regional Plan for Sydney known as the City of Cities - A Plan for Sydney's Future ("the Metropolitan Strategy"). The Metropolitan Strategy was prepared to guide the growth of the Sydney Region for the next 25 years, and embodies major decisions on the location of urban growth, new housing areas, employment, transport, schools and hospitals.

The State Government anticipates that Sydney's population will increase by 1.1 million people between 2004 and 2036, necessitating an additional 640,000 dwellings and 500,000 jobs.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 was implemented in 2006 with the aim of co-ordinating the release of land for residential, employment and other urban development in the North West Growth Centre, the South West Growth Centre and the Wilton Priority Growth Area. The Policy includes precinct plans for the different areas.

The precinct plan applying to Liverpool, encompassing East Leppington, is the Liverpool Growth Centres Precinct Plan 2013.

The South West is now a priority growth area. East Leppington has been zoned to respond to the expected increases in residential and commercial development.

A Plan for Growing Sydney

In December 2014, the New South Wales State Government released *A Plan for Growing Sydney* which sets out a new plan for the city's future over the next two decades which replaces the Sydney Metropolitan Plan. It provides direction for Sydney's productivity, environmental management and liveability; and for the location of housing, employment, infrastructure and open space.

The Plan includes a vision for Western Sydney and contains the following planning principles to guide growth in Greater Sydney:

Principle 1: Increasing housing choice around all centres through urban renewal in established areas

Principle 2: Stronger economic development in strategic centres and transport gateways

Principle 3: Connecting centres with a networked transport system.

A Plan for Growing Sydney also includes six subregions, noting that the site, being in the Liverpool LGA, is located within the "South West Subregion".

This Plan identified the subject site as being within the South West Growth Centre.

The proposal will continue to provide for an increase in housing supply and choice in a location that is well-connected to a public transport system and situated along Camden Valley Way which provides greater connections to the Greater Sydney Region. The proposal will also encourage long-term employment and economic growth to the subject site and precinct through the neighbourhood centre.

Diverse and functional areas of open space that are well connected to the neighbourhood centre and residential land will be provided at the site for the enjoyment of those who will work visit and live within the Precinct.

Greater Sydney Regional Plan – A Metropolis of Three Cities

A review of *A Plan for Growing Sydney* was undertaken by the Greater Sydney Commission in October 2017 and found that the changing context in terms of population, housing and job requirements and new legislative requirements.

The Greater Sydney Regional Plan, *A Metropolis of Three Cities* was released by the Greater Sydney Commission in March 2018 which builds upon the aspirations of the 10 Directions in *Directions for a Greater Sydney*, establishing the aspirations for the region over the next 40 years (to 2056).

The relationship between this Plan and the 10 Directions is shown in the figure below.

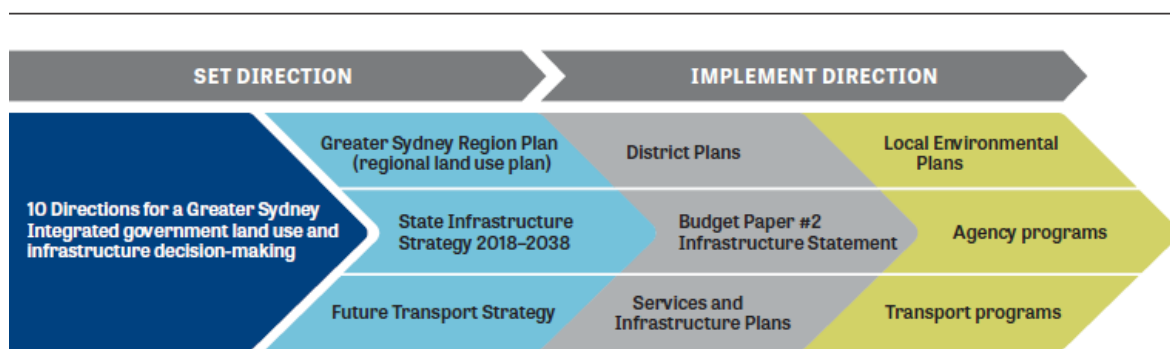


Figure 24 Illustration Showing the Hierarchy of Plans

The vision seeks to transform Greater Sydney into a *Metropolis of Three Cities*, being:

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

These three cities reach across five districts: Western City District, Central City District, Eastern City District, North District and South District. This Plan sets the planning framework for these five districts. The subject site falls under the Western Parkland City and the Western District.

The Western Parkland City will be founded on the existing centres of Liverpool, Greater Penrith and Campbelltown-Macarthur. Leppington is identified under this plan as a Strategic Centre.

The Strategic Centre will function by providing concentrations of jobs and a wide range of goods and services. It is also envisaged that Strategic Centres such as Leppington will provide a suitable co-location of an array of land uses which includes residential whilst promoting heightened levels of walkability and opportunities for cycling. Commercial uses where appropriate would also be provided.

The proposal is consistent with the Greater Sydney Regional Plan – *A Metropolis of Three Cities* and the 10 Directions as discussed further in the **Western City District Plan** below.

Western City District Plan

The Liverpool local government area is identified by the Greater Sydney Regional Plan – *A Metropolis of Three Cities* to be within the Western City District.

The Western City District is formed by eight (8) local government areas being: Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, **Liverpool**, Penrith and Wollondilly.

The district will be a polycentric urban structure, with four clusters delivering the metropolitan functions of providing concentrations of higher order jobs and a wide range of goods and services. The cluster comprises: Western Sydney Airport and Badgerys Creek Aeretropolis, **Liverpool**, Greater Penrith, Campbelltown-Macarthur.

The focus of this District Plan is to provide for greener, cooler neighbourhoods with housing diversity around key centres and transit nodes, creating a 30-minute city for people who live, work and play in the District.

Key priorities for the Western City District Plan that this planning proposal supports include:

Planning Priority	Statement of Consistency
W1 – Planning for a city supported by infrastructure	The subject site is located in East Leppington where there are suitable connections along Camden Valley Way. The Leppington Train Station has the capacity to provide desirable connection for residents to the Sydney CBD, Parramatta CBD and throughout the Sydney Region.
W3 – Providing services and social infrastructure to meet people’s changing needs	Open spaces and developable land have been provided at the subject site, however, in an enhanced configuration. A variety of open spaces are proposed throughout the site which have been designed to meet best practice principles and to support a variety of uses and recreational types. These spaces have the capacity to provide for an array of embellishments for the social benefit of current and future communities within the East Leppington Precinct.
W4 – Fostering healthy, creative, culturally rich and socially connected communities	The proposal will continue to encourage new residential supply in a location that is well connected to local services, amenities along with infrastructure. The proposal will provide for residential living which would foster healthy and socially connected communities which is supported through an array of open spaces provided throughout the site.
W5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport	The proposal will provide for the ability to accommodate an array of housing types and densities to meet the housing supply of this area and would contribute to the housing targets set by the Greater Sydney Commission.

	<p>The proposal would provide for residential supply in an area that is accessible to jobs, services and public transport. It is also worth noting that the neighborhood center at the site would also provide for future employment opportunities.</p>
<p>W6 – Creating and renewing great places and local centres, and respecting the District’s heritage.</p>	<p>To create a great place, a combination of three elements have been identified in this Plan:</p> <p>(1) Well-designed built environment: The proposal will revitalize the existing vacant land, providing a visually attractive, safe and enjoyable space with a mixture of uses and functions.</p> <p>(2) Social infrastructure and opportunity: The proposed areas of open space have been carefully designed to maximize usability, ensuring a diversity of open space and recreation can be accommodated.</p> <p>The proposal will provide for improved open space areas, landscaping and through-site links which would connect towards areas zoned for open space and to provide for new opportunities for social interaction and connection. Provision of a vibrant neighborhood center will allow for opportunities for social interaction.</p> <p>(3) Fine grain urban form: The proposal provides for through site links and lower level uses with active frontages to interact with the human scale. The proposal seeks to create a sense of place within the subject site and to extend this towards the array of open spaces at the site.</p>
<p>W11 – Growing investment, business opportunity and jobs in strategic centres</p>	<p>The proposal will provide for a new neighborhood centre at the subject site that will attract an array of goods and services within the precinct. This will promote the economic viability of the centre along with creating employment and business opportunities within a thriving locality.</p>
<p>W12 - Protecting and improving the health and enjoyment of the District’s waterways</p>	<p>Land shown as ‘ENV’ at the subject site will be retained and will form part of the diverse areas of open space.</p>
<p>W13 - Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element</p>	<p>Land shown as ‘ENV’ at the subject site will be retained and will form part of the diverse areas of open space. These areas of open space will be maintained at the site and are shaped in a way which promotes usability and functionality.</p>
<p>W14 - Protecting and enhancing bushland and biodiversity</p>	<p>Land shown as ‘ENV’ at the subject site will be retained and will form part of the diverse areas of open space.</p>

W15 – Increasing urban tree canopy cover and delivering Green Grid connections	<p>Land shown as ‘ENV’ at the subject site will be retained and will form part of the diverse areas of open space.</p> <p>A tree line boulevard through the site running east/west will provide for an attractive interface with the public and private domain, along with the provision for new tree plantings.</p>
W16 – Protecting and enhancing scenic and cultural landscapes	The planning proposal will protect the ‘ENV’ portion of land at the site and will not reduce the amount of open space which has been zoned for at the subject site.
W18 – Delivering high quality open space	The planning proposal will deliver high quality open space through its urban design which focusses on creating a sense of place for pedestrians using the appropriate links i.e. the tree lined boulevard along with walking/cycle networks to access the recreational areas of open space for the those who will work, live and visit the site and precinct.
W19 – Reducing carbon emissions and managing energy, water and waste efficiently	The proposal will seek to allow for the provision of well-designed buildings that would complement the character of the recreational spaces and its general surroundings, and would manage energy, water and waste generation in an efficient manner. This will be detailed within individual future development applications.
W20 – Adapting to the impacts of urban and natural hazards and climate change.	<p>The proposal will encourage future development on the subject site to adapt to the impacts of the urban and natural environment while creating opportunities for buildings and spaces which are resilient to climate change.</p> <p>This will be detailed within individual future development applications.</p>

Western Sydney City Deal

The Commonwealth of Australia and the NSW Government jointly recognises Western Sydney as a “*unique region with a richly diverse community*”.

The Western Sydney City Deal was signed on 4 March 2018 and forms a 20 year agreement between the Federal, State and the local governments of Blue Mountains, Hawkesbury, Camden, **Liverpool**, Campbelltown, Penrith, Fairfield and Wollondilly to deliver transformative deal for Western Sydney. This Western Sydney City Deal builds on the Australian Government’s \$5.3billion investment in the Western Sydney Airport and includes measures to maintain and enhance this region’s unique character by improving infrastructure and liveability.

The Western Sydney City Deal identified Liverpool as:

“One of Australia’s oldest towns, Liverpool in 2018 is a city on the move, with 100 new residents arriving each week. With a skilled multicultural community, Liverpool is poised to take advantage of the opportunities that Sydney’s new international airport, and the future Western Parkland City, will provide.”

The Western Sydney City Deal includes commitments across three levels of government with six commitments:

1. Connectivity
2. Jobs for the future
3. Skills and Education
4. Planning and Housing
5. Liveability and Environment
6. Governance

This Planning Proposal aligns with three of the six commitments by providing for employment opportunities and new housing supply in proximity to excellent public transport infrastructure along with the existing and future amenities for the East Leppington Precinct, along with improved liveability by promoting a lifestyle precinct with a focus on connectivity and the array of public open spaces, their design, functionality and usability.

4. Is this planning proposal consistent with a council's local strategy or other local strategic plan?

As discussed above and below, the site is within the South West Priority Growth Area and State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the site. The current zoning of the site has been determined under the East Leppington Precinct Structure Plan 2013 (NSW Department of Planning & Environment). The proposal simply fine tunes the zoning boundaries to achieve a better outcome.

Liverpool Residential Development Strategy (2008)

Liverpool Council adopted the Liverpool Residential Development Strategy (RDS) in 2008. The RDS seeks to establish directions for housing Liverpool's population over the next 25 years (to 2033) and identify areas and opportunities to accommodate residential development in the LGA.

The RDS advocated the approach of concentrating "*new residential development in areas that are highly accessible by public transport and close to business centres which provide goods and services to the community.*"

The strategy was designed to achieve the Department's (then) target of 20,000 dwellings in the existing urban area by:

- *provide different types of housing than are currently available within Liverpool;*
- *provide new housing options in different locations in Liverpool; and*
- *create certainty for development, making it simpler and more attractive.*

The strategy further emphasised on the desire of residents remaining within the area supporting the case for a range of housing types and sizes to meet the changing needs of the residents at different life stages. These include higher density housing being concentrated around centres and transport interchanges, and to locate a greater concentration of population within reach of services and employment opportunities.

The planning proposal meets these requirements, as it will allow for the subject site to provide for a housing supply with a mix of dwelling types that is located within the East Leppington Precinct.

As part of the overall redevelopment of East Leppington it is anticipated that approximately 4,450 new dwellings will be accommodated that will house approximately 14,700 new residents. One local centre and one village Centre have also been provisioned for in the precinct.

The East Leppington Precinct and subject site also benefits from a number of proximate employment nodes including the Liverpool CBD and the Western Sydney Employment Area. The Leppington Train Station has the capacity to provide desirable connection for residents to the Sydney CBD, Parramatta CBD and throughout the Sydney Region.

Willowdale Shopping Centre will provide for a positive amenity within the precinct allowing access to range of goods and services for current and future residents.

The Precinct will provide for new homes in a location that is proximate to employment opportunities, health services, public transport infrastructure, schools along with goods and services.

The provision for an increase to the diverse residential supply will improve housing affordability to the area, providing for supply options that are adjacent to public open space, encouraging opportunities for healthy living and recreational activities.

Our Home, Liverpool 2027: Community Strategic Plan

This Plan sets out the long-term plan for the community of Liverpool. The Plan defines the vision and Four (4) Directions for the community of Liverpool and forms the overarching plan that sets the direction for Council, government stakeholders, businesses, the not-for-profit sector and residents.

The Four (4) Directions are:

- Direction 1 – Creating Connection
- Direction 2 – Strengthening and Protecting Our Environment
- Direction 3 – Creating Opportunity
- Direction 4 – Leading Through Collaboration

The planning proposal is considered to meet this strategy and the Four (4) Directions through delivering a liveable site and supporting and promoting a robust economy.

The subject site is located within East Leppington and forms part of the South West Growth Centre of Sydney which is a broader area undergoing rapid expansion. The precinct and subject site also benefits from a number of proximate employment nodes including the Liverpool CBD and the Western Sydney Employment Area. The Leppington Train Station has the capacity to provide desirable connection for residents to the Sydney CBD, Parramatta CBD and throughout the Sydney Region.

The open space arrangement has been carefully designed to meet the best practise principles and will provide a heightened amenity for those who live, visit and work within the precinct. Public spaces with appropriate embellishments will be provided. This ensures a variety of usability for open space areas which appeals to a wide array of community members.

It is noted that as part of this proposal, it is sought to change reference to the maximum gross floor area of 2,500m² applying to retail premises within the Neighbourhood Centre as outlined in Clause 6.4 In Appendix 8 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to reflect the maximum 4,800m² being sought. This provides for greater economic opportunity at the subject site.

An enhancement to the employment opportunities at the site and within the precinct will be provided. This will offer a beneficial economic impact as additional retail floor area to improve

opportunity for local business to thrive and for a diverse array of goods and services to be provided for the community.

A community consultation process will be implemented in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.

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

As previously stated, State Environmental Planning Policy (Sydney Region Growth Centres) 2006 was implemented in 2006 with the aim of co-ordinating the release of land for residential, employment and other urban development in the North West Growth Centre, the South West Growth Centre and the Wilton Priority Growth Area. The Policy includes precinct plans for the different areas. The precinct plan applying to Liverpool, encompassing East Leppington, is the Liverpool Growth Centres Precinct Plan 2013.

The South West is now a priority growth area. The Department of Planning & Environment is assisting the local councils with building new communities in precincts like Oran Park, Turner Road, East Leppington, Austral and Leppington North, Edmondson Park and Catherine Fields.

The planning will help to better connect new suburbs with the planned second Sydney airport at Badgerys Creek and the Broader Western Sydney Employment Area.

The Department of Planning & Environment states the new revitalised community at East Leppington will benefit from up to 4,450 new homes and the delivery of local amenities close to transport options, including:

- A new local centre and village centre.
- 26 hectares of open space and recreation areas.
- New primary school and community centre.
- Retention of Scenic Hills area.
- Upgrades to major roads, including Camden Valley Way and Denham Court Road.
- Leppington House archaeological site protected as a local park.
- Protection of Existing Native Vegetation, Cumberland Plain Woodland and a threatened species.
- Improved connections to encourage walking and cycling.

East Leppington will benefit from its close proximity to the new Leppington Station and proposed Leppington Major Centre, which will provide access to jobs, shopping, entertainment, community and government services.

The Department has prepared the Liverpool Growth Centre Precincts Development Control Plan. Schedule 3 of this Plan applies specifically to the East Leppington Precinct. The site has been zoned under the East Leppington Precinct Structure Plan 2013.

The Planning Proposal is consistent with the vision for the East Leppington Precinct, which is to see the Precinct provide for:

- A range of residential densities, housing types and affordability options to meet the needs of a diverse and growing community.
- Detached housing comprising the majority of residential development, with medium density development located close to the Centres and along bus routes with areas of higher amenity with larger lots on the periphery of the Precinct.

- A Local Centre in the south providing a mix of retail, commercial and community services to cater for the needs of local residents in the Campbelltown part of the precinct. Located off Camden Valley Way it will be highly accessible and surrounded by medium density residential and mixed use development.
- A Neighbourhood Centre to the north serve the daily needs of the local community in the Liverpool part of the Precinct.
- A public domain that will include for the Liverpool part precinct: passive recreation opportunities maximised along the Bonds Creek riparian corridor; or where possible, remnant vegetation retained in public parks; and open space close to medium density housing and the neighbourhood centre.
- The incorporation of principles of ecological sustainability and measures to ensure that the important historic, environmental and visual elements of the Precinct are recognised and protected for future generations.

The Precinct will still achieve these principles through the re-allocation of open space, residential development and retail space.

The other relevant state environmental planning policies include State Environmental Planning Policy (SEPP) No. 55 - Remediation of Land, and SEPP No. 65 - Design Quality of Residential Apartment Development.

SEPP No. 55 specifies that a consent authority must not consent to the carrying out of development on land unless it has considered whether the land is, or is likely to be contaminated, and if the land is, or is likely to be contaminated, whether the land requires remediation before the land is developed for the proposed use.

The site has an established history of rural uses, and has been rezoned to B1 Neighbourhood Centre, R3 Medium Density Residential, RE1 Public Recreation, SP2 Local Drainage and Water Supply, and R2 Low Density Residential.

Development Applications will be required for the development of the site and SEPP No. 55 will need to be addressed in these future applications.

SEPP No. 65 aims to improve the design quality of residential apartment development in New South Wales (NSW). The Policy is to be considered in the assessment of all residential apartment building developments, comprising of three (3) or more storeys and incorporating at least four (4) apartments.

SEPP No. 65 requires consideration of a range of design quality principles including context, scale, built form, density, resource, energy and water efficiency, landscape, amenity, safety and security, social dimensions, and aesthetics.

Any future development of the R3 Medium Density Residential land for apartment buildings will be the subject of assessment pursuant to the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

The following table lists the current State Environmental Planning Policies and Sydney Regional Environmental Plans (being deemed SEPPs) and consistency of the planning proposal:

State Environmental Planning Policy	Statement of Consistency
No.1 – Development Standards	Not applicable.
No. 14 – Coastal Wetlands	Not applicable.
No 19—Bushland in Urban Areas	Not applicable.
No 21—Caravan Parks	Not applicable.
No 26—Littoral Rainforests	Not applicable.
No 30—Intensive Agriculture	Not applicable.
No 33—Hazardous and Offensive Development	Not applicable.
No 36—Manufactured Home Estates	Not applicable.
No 44—Koala Habitat Protection	Not applicable.
No 47—Moore Park Showground	Not applicable.
No 50—Canal Estate Development	Not applicable.
No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
No 55—Remediation of Land	This will be considered under future individual development applications.
No 62—Sustainable Aquaculture	Not applicable.
No 64—Advertising and Signage	This proposal does not contradict or hinder the application of this SEPP.
No 65—Design Quality of Residential Apartment Development	This will be considered under future individual development applications.
No 70—Affordable Housing (Revised Schemes)	Not applicable.
No 71—Coastal Protection	Not applicable.
State Environmental Planning Policy (Affordable Rental Housing) 2009	This proposal does not hinder any operations of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	This proposal does not inhibit any operations of this SEPP. This will be considered in further detail under future individual development applications.
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	Not applicable.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not applicable.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	The proposal does not inhibit any operations of this SEPP.
State Environmental Planning Policy (Infrastructure) 2007	Not applicable.
State Environmental Planning Policy (Integration and Repeals) 2016	Not applicable.
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable.

State Environmental Planning Policy	Statement of Consistency
State Environmental Planning Policy (Kurnell Peninsula) 1989	Not applicable.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	Not applicable.
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	Not applicable.
State Environmental Planning Policy (Rural Lands) 2008	Not applicable.
State Environmental Planning Policy (State and Regional Development) 2011	Not applicable.
State Environmental Planning Policy (State Significant Precincts) 2005	Not applicable.
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	Not applicable.
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	The South West is now a priority growth area. East Leppington has been zoned to respond to the expected increases in residential and commercial development.
State Environmental Planning Policy (Three Ports) 2013	Not applicable.
State Environmental Planning Policy (Urban Renewal) 2010	Not applicable.
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Not applicable.
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not applicable.
No.1 – Development Standards	Not applicable.
Greater Metropolitan Regional Environmental Policy No. 2 – Georges River Catchment	The proposal is consistent with the planning principles outlined in this REP and will be considered in further detail under future development applications.

In addition, the following Sydney Regional Environmental Plans are not relevant to the Planning Proposal:

- Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas);
- Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995);
- Sydney Regional Environmental Plan No 16—Walsh Bay;
- Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997);
- Sydney Regional Environmental Plan No 24—Homebush Bay Area;
- Sydney Regional Environmental Plan No 26—City West;

- Sydney Regional Environmental Plan No 30—St Marys;
- Sydney Regional Environmental Plan No 33—Cooks Cove; and
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 Directions)?

The following tables outline the Ministerial Directions s.9.1 (previously s.117) of the Environmental Planning and Assessment Act, 1979.

No.	Title	Comment
1. Employment and Resources		
1.1	Business and Industrial Zones	As detailed, the economic assessment undertaken by Peter Leyshon concludes that it is considered reasonable for the retail floorspace provision proposed on the site to be increased to at least 3,250 - 4,000m ² Nett Leasable Area from its current recommended 2,500m ² . This takes into consideration the increased passing trade along Camden Valley Way. This proposal to expand the Neighbourhood Centre zone to the northern boundary of the site is consistent with the Direction.
1.2	Rural zones	Not applicable.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4	Oyster Aquaculture	Not applicable.
1.5	Rural Lands	Not applicable.
2. Environment and Heritage		
2.1	Environmental Protection Zones	The Ecological & Riparian Issues & Assessment Report prepared by F Dominic Fanning finds that there are no ecological or riparian impediments to the approval of the Planning Proposal for the subject site.
2.2	Coastal Conservation	Not applicable.
2.3	Heritage Conservation	Not applicable.
2.4	Recreational Vehicle Areas	Not applicable.
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	There is no adverse impact to land within these zones.
3. Housing, Infrastructure and Urban Development		
3.1	Residential Zones	The objectives of this direction are:

No.	Title	Comment
		<p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p> <p>The replanning of the open space and Neighbourhood Centre zone allows for the R3 Medium Residential Zone to be expanded, which will provide for increased housing in a new growth area. This allows for increased choice in the housing market, making efficient use of infrastructure for the precinct, and potentially facilitate a high quality design.</p>
3.2	Caravan Parks and Manufactured Home Estates	Not applicable.
3.3	Home Occupants	Not applicable.
3.4	Integrating Land Use and Transport	The Planning Proposal is consistent with the aims and objectives relating to urban consolidation. The site is located within the East Leppington release area and has excellent access to Camden Valley Way which provide connectivity to regional and sub-regional centres.
3.5	Development Near Licenced Aerodromes	Not applicable.
4. Hazard and Risk		
4.1	Acid Sulfate Soils	The land is not affected by acid sulfate soils under the relevant maps.
4.2	Mine Subsidence and Unstable Land	The land is not affected by mine subsidence and unstable land.
4.3	Flood Prone Land	Having regard to the flooding constraints arising from Bonds Creek and the stormwater constraints arising from the unnamed tributary, it is the opinion of Bewsher Consulting that the planning proposal for the site will not result in adverse flooding or stormwater impacts.
4.4	Planning for Bushfire Protection	The land is not identified as bushfire prone land under Liverpool LEP maps.
5. Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable.

No.	Title	Comment
5.2	Sydney Drinking Water Catchments	Not applicable.
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5	Development in the vicinity of Ellalong Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Revoked 18 June 2010.
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008. See amendment Direction 5.1)	Revoked 10 July 2008.
5.7	Central Coast	Revoked 10 July 2008. See amended Direction 5.1.
5.8	Second Sydney Airport: Badgerys Creek	The subject site is not affected by the ANEF Contours of the future Western Sydney Airport
5.9	North West Rail Link Corridor Strategy	Not applicable.
5.10	Implementation of Regional Plans	Not applicable.
6. Local Plan Making		
6.1	Approval and Referral Requirements	The Direction specifies the general concurrence, consultation and referral mechanisms, and the Planning Proposal will satisfy those requirements.
6.2	Reserving Land for Public Purposes	<p>Clouston Associates have undertaken a review of the proposed open space zoning for the site, to establish whether its location and layout is optimal and whether an alternative open space zoning arrangement would meet the DP&E objectives whilst permitting a more viable development for the whole of the site.</p> <p>Clouston Associates finds that the relationship of the open space as currently required results in an un-versatile space that offers a poor relationship to the retail centre. There is opportunity to reshape the open space so that it has a better and</p>

No.	Title	Comment
		more direct relationship with the retail centre, thereby improving activation. The reconfiguration also provides a more functional and versatile open space area.
6.3	Site Specific Provisions	The Direction specifies the general content of an environmental planning instrument must not introduce any development standards or requirements in addition to those that already apply in the existing or proposed zone. This will be met.
7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	The Direction specifies that a Planning Proposal shall be consistent with the Metropolitan Strategy. In the circumstances, the Planning Proposal will reasonably contribute to subregional housing targets and facilitate orderly retail development while providing usable and functional public open space.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable.

Section C – Environmental, social and economic impact

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

No threatened plant species have been recorded on the site, and none are likely to occur given the nature and condition of the site. There are no threatened ecological communities on the site. The Ecological & Riparian Issues & Assessment Report prepared by F Dominic Fanning finds that there are no ecological or riparian impediments to the approval of the Planning Proposal for the subject site.

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

Any substantial environmental impacts can be appropriately dealt with as part of the assessment of the individual development applications for development within the site.

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

The Planning Proposal will reasonably contribute to subregional housing and employment targets, and facilitate the implementation of the Precinct Plan's vision regarding the strategic direction for the site and immediate surrounds.

In addition to the above, the Planning Proposal will provide a net community benefit in the form of the replanned public open space which now meets best practice principles and benchmarks.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

The site will be serviced by all necessary public infrastructures as development of the site and the broader East Leppington precinct occurs.

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

Any comments from State and Commonwealth public authorities can be responded to if required.

This section is to be completed following Gateway Determination. The Gateway Determination will determine the consultation required.

In addition, a Planning System Circular (PS 16-004) was issued by the Department of Planning & Environment in August 2016 for the purpose of advising Council's and the public about changes to the independent review processes as they relate to plan-making decisions under Part 3 of the Environmental Planning and Assessment Act 1979. As part of this circular it is highlighted that the key factor in determining whether a proposal should proceed to Gateway determination is its strategic merit.

This Strategic Merit Test has been strengthened and proposals will now be assessed to determine if they are in accordance with the following:

3. Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan or Corridor/precinct plans applying to the site, including any draft regional district or corridor/precinct plans released for public comment; or

Refer to Section 4.3 of this Planning Proposal Report.

4. Consistent with a relevant local strategy that has been endorsed by the department; or

The Liverpool Residential Development Strategy 2008 is the highest level, strategic planning document that has been endorsed by the Department of Planning & Environment. This Liverpool Residential Development Strategy 2008 has been detailed under Section 4.3 of this Planning Proposal Report and the planning proposal is considered to be consistent with the outcomes and the approach advocated by the Liverpool Residential Development Strategy 2008.

5. Responding to a change in circumstances, such as investing in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

Refer to Section 4.3 of this Planning Proposal Report.

5. MAPPING

This part of the Planning Proposal deals with the maps associated with the East Leppington Precinct Plan that are to be amended to facilitate the necessary changes. The proposed changes to the maps are detailed under Part 4.2.1 of this report. The following maps under State Environmental Planning Policy (Sydney Regional Growth Centres) 2006 are proposed to be amended.

- South West Growth Centre Land Zoning Map (Sheet LZN_013)
- South West Growth Centre Height of Buildings Map (Sheet HOB_013)
- South West Growth Centre Land Reservation Acquisition Map (Sheet LRA_013)
- South West Growth Centre Residential Density Map (Sheet RDN_013)

Furthermore, the following maps are also required to be amended. The changes of which are detailed under Part 4.2.2 of this report.

- Figure 2-1: Indicative Layout Plan contained within Schedule Three – East Leppington Precinct (Liverpool) DCP.
- Figure 3-2: Desired future layout of the Neighbourhood Centre contained within Schedule Three – East Leppington Precinct (Liverpool) DCP.
- Figure 2-13 Pedestrian and Cycle Network contained within Schedule Three, East Leppington Precinct (Liverpool) DCP.

All other DCP maps in Schedule 3 – East Leppington Precinct (Liverpool DCP) would need to be amended to reflect the site and zoning reconfigurations detailed earlier in this report:

- Figure 2-3: Key elements of water cycle management and ecology strategy.
- Figure 2-10: Potential noise attenuation measures.
- Figure 2-11: Residential structure.
- Figure 2-12: Precinct road hierarchy.
- Figure 2-19: Desired future subdivision layout – Very Low Density Residential – Upper Canal.
- Figure 3-1: Location of Neighbourhood Centre.
- Figure 3-2: Desired future layout of the Neighbourhood Centre.

Reference is made to Appendix J of this report which depicts the amended maps pertaining to the relevant SEPP Maps, Figure 2-1 and Figure 3-2 as described within this report.

6. COMMUNITY CONSULTATION

The community consultation process will be implemented in accordance with Section 3.34 of the Environmental Planning and Assessment Act, 1979.

This section will be completed following Gateway Determination.

The Gateway Determination will determine the level of public consultation required.

7. CONCLUSION

The Planning Proposal has been extensively considered by our team of consultants, relating to economic issues, flooding, ecological and riparian issues, and open space planning.

Leyshon Consulting has identified that the proposed extension of the Neighbourhood Centre zoning to the northern boundary of the site will factor in the expected growth of the locality. Given the current and future expansion of residential development within the South West Growth Centre, and the location of the site on a major traffic route, the demand on retail floor space from passing traffic has not been fully considered in the 2013 East Leppington Employment and Retail Study prepared by SGS Economics and Planning.

Having regard to the flooding constraints arising from Bonds Creek and the stormwater constraints arising from the unnamed tributary, it is the opinion of Bewsher Consulting that the planning proposal for the site will not result in adverse flooding or stormwater impacts.

The Ecological & Riparian Issues & Assessment Report prepared by F Dominic Fanning finds that there are no ecological or riparian impediments to the approval of the Planning Proposal for the site.

Clouston Associates finds that the odd-shaped open space as currently indicated on the Precinct Plan is not versatile and has a small frontage to the retail centre. There is opportunity to reshape the open space so that it has a better and more direct relationship with the retail centre, thereby improving activation. The reconfiguration also provides a more functional and versatile open space area and provides a direct connection through a tree lined avenue between the creek parkland corridor to the east and the Neighbourhood Centre at the western end of the site.

Overall, the proposal has strong strategic merit as demonstrated in this report.

Appendix A Letter from Council dated 2 March 2019

Appendix B Traffic Assessment prepared by Dobinson & Associates Pty Ltd dated 5 July 2019

Appendix C Open Space Planning Report prepared by
Clouston & Associates dated 05/07/2019

Appendix D Review of Appropriate Floorspace Provision
prepared by Leyshon Consulting Pty Ltd dated
May 2018

Appendix E Letter of Flooding Advice prepared by Bewsher Consulting dated 11 July 2019

Appendix F Planning Proposal – Ecological Issues Report
including Appendices prepared by Gunninah
dated 30 July 2019

Appendix G Supplementary Advice – Proposed East
Leppington Centre – Prepared by Leyshon
Consulting Pty Ltd dated 23 March 2020

Appendix H Urban Design Statement – Prepared by Benson
McCormack Architecture dated March 2020

Appendix I Social Impact Assessment Report prepared by
Judith Stubbs & Associates dated 27 March
2020

Appendix J Mapping