ATTACHMENT BOOKLET

ORDINARY COUNCIL MEETING

29 OCTOBER 2025

BOOK 2

LIVERPOOL CITY COUNCIL

LIVERPOOL THE GREAT SOUTH WEST

LIVERPOOL CIVIC TOWER, 50 SCOTT STREET, LIVERPOOL NSW 2170

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Planning Agreement (VPA-39)
Edmondson Park Town Centre

Liverpool City Council (ABN 84 181 182 471) (**Council**)

And

Australand Residential Edmondson Park Pty Limited as trustee for the Australand Residential (Edmondson Park) Trust (ACN 107 356 650) (**Developer**)

Executed Date:

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Planning Agreement
Edmondson Park Town Centre

Parties

Council	**Name**	Liverpool City Council
	Address	Lower Ground Floor 50 Scott Street Liverpool NSW 2170
	ABN	84 181 182 471
Developer	**Name**	Australand Residential Edmondson Park Pty Limited as trustee for the Australand Residential (Edmondson Park) Trust
	Address	Building C, Level 2 1 Homebush Bay Drive Rhodes, NSW 2138
	ABN	107 356 650

Background

A The Developer owns the Land.

B The Developer wishes to carry out the Development.

C The Developer has obtained, applied for, and proposes to apply for further, Development Consents to carry out the Development in line with MOD4 (MP10_0118), which includes the subdivision of part of the Land for residential, commercial, retail and public and community purposes. In October 2017, the Concept Plan Approval was modified, which increased the number of proposed dwellings in the Town Centre from 912 to 1884. The Developer has agreed to make the Development Contributions on and subject to the terms of this document.

Operative Provisions

1 Agreement

The agreement of the parties is set out in the Operative Provisions of this document, in consideration of, among other things, the mutual promises contained in this document.

2 Definitions

2.1 Defined Terms

In this document, words beginning with a capital letter that are defined in Part 1 of **Schedule 2** have the meaning ascribed to them in that schedule.

2.2 Interpretation

The interpretational rules contained in Part 2 of **Schedule 2** apply in the interpretation of this document.

3 Application and operation of document

3.1 Planning Agreement

This document is a planning agreement:

(1) within the meaning set out in section 7.4 of the Act; and

(2) governed by Subdivision 2 of Division 7.1 of Part 7 of the Act.

3.2 Application

This document applies to both the Land and the Development.

3.3 Operation

(1) This document operates from the date it is executed by both parties.

(2) Within ten (10) business days of the commencement of this document, Council must return all forms of security it currently holds to secure the Developer's liability to make development contributions in respect of the Development, including pursuant to the Development Consents referred to in clause 4.1(1). The parties agree to work cooperatively and do all things necessary to facilitate the simultaneous exchange of the security required to be returned by Council under this clause 3.3(2) and any security required to be provided by the Developer under clause 11.1(1).

4 Application of s7.11, s7.12 and Subdivision 2 of Division 7.1 of Part 7

4.1 Application

This document:

(1) satisfies all liabilities to make development contributions under section 7.11 of the Act pursuant to all Development Consents granted in respect of the Development as at the date of this document (being DA-767/2017, DA-779/2017, DA-922/2018, DA-939/2019, DA-1271/2021, DA-114/2024, DA409/2024 and DA574/2024);

(2) otherwise excludes the application of section 7.11 of the Act to the Development; and

(3) excludes the application of section 7.12 of the Act to the Development.

4.2 Consideration of Benefits

Section 7.11(6) of the Act does not apply to the Contributions that are to be carried out or provided pursuant to this document.

4.3 Subdivision 2 of Division 7.1 of Part 7

This document does not exclude the application of Subdivision 2 of Division 7.1 of Part 7 of the Act to the Development.

5 Provision of Contributions

5.1 Designated Land

(1) The Developer must dedicate the Designated Land to Council free of any Encumbrances (other than the Permitted Encumbrances) by the time specified in **Schedule 3**.

(2) The Developer must meet all costs associated with the dedication of the Designated Land in accordance with paragraph (1), including any reasonable costs incurred by Council in relation to that dedication.

(3) For the purpose of this document, Designated Land is dedicated to Council:

(a) if the relevant land is dedicated in a Plan of Subdivision registered at LRS, when that Plan of Subdivision is so registered; or

(b) otherwise when:

(i) a transfer of the relevant Designated Land has been registered by the LRS; and

(ii) all Encumbrances (if any) (other than the Permitted Encumbrances) have been removed from the title of the Designated Land.

(4) Designated Land may be dedicated to Council under this clause 5.1 where a Work proposed to be carried out on the Designated Land has not yet been Completed if Council agrees to that dedication, acting reasonably.

(5) If clause 5.1(4) applies, Council grants to the Developer a non-exclusive licence for the Developer to continue to occupy and use the Designated Land for the purpose of carrying out a Work on the Designated Land.

(6) Council must accept the dedication of the Designated Land under this clause 5.1 where a Work proposed to be carried out on the Designated Land has become Practically Complete.

(7) Council acknowledges that the Designated Land identified in Item Numbers B2 and B3 in **Schedule 3** have already been dedicated to Council in accordance with the terms of this clause 5.1.

5.2 Works

(1) The Developer, at its cost, must:

(a) obtain Development Consent (if required) and any other form of consent required by a relevant Authority, for the construction and use of the Works;

(b) carry out and Complete the Works to the satisfaction of the Council in accordance with this document by the time specified in **Schedule 4**; and

(c) carry out and Complete the Works:

(i) in accordance with the Specifications referred to in **Schedule 4** for the relevant item of Work;

(ii) in accordance with any relevant Development Consent;

(iii) in accordance with the requirements of, or consents issued by, any Authority;

(iv) ensuring that:

(A) all necessary measures are taken to protect people, property, and the Environment;

(B) unnecessary interference with the passage of people and vehicles is avoided;

(C) nuisances and unreasonable noise and disturbances are prevented; and

(D) all relevant laws and regulations with respect to water, air, noise and land pollution (including 'pollution incidents') as defined under the *Protection of the Environment Operations Act 1997* (NSW);

(v) in accordance with any Australian Standards applicable to works of the same nature as each aspect of the Works; and

(vi) in a proper and workmanlike manner complying with current industry practice and standards relating to each aspect of the Works.

(2) Council must be the principal certifier for any item of Works which are to be dedicated to Council under this document.

(3) Once works have commenced, the Specification of any Work that is required to be carried out by the Developer under this document may be varied by written agreement between the Developer and Council, acting reasonably, without the necessity for an amendment to this document.

(4) Without limiting paragraph (2), the:

(a) Developer may make a written request to the Council to approve a variation to the Specification of a Work in order to enable it to comply with the requirements of any Authority or Law imposed in connection with any Approval relating to the carrying out of the Work; and

(b) Council must approve such a variation where the request arises as a consequence of an Approval granted by the Council or other Authority authorised to grant an Approval or, in the case of a Development Consent, the relevant consent authority.

(5) The Council must not unreasonably delay or withhold its approval to a request made by the Developer under paragraph (4) and the parties agree that such a variation will not require an amendment to this document.

(6) Council acknowledges that the Works identified in Item Numbers B2, B3 and B4 in **Schedule 4** have already been completed in accordance with the terms of this clause 5.4 and are Complete for the purposes of this document.

5.3 Contribution Value

If the Developer's actual cost of carrying out the Works, including any costs incurred pursuant to this document, determined at the date on which the Works are Completed, differs from the Contribution Value, then subject to the Works having been sufficiently completed in accordance with this document, neither party will be entitled to claim credit or reimbursement, as the case may be, for the difference.

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5.4 Access to the Land and Developer's obligation

(1) The Developer is to permit the Council, its officers, employees, agents and contractors to enter the Land at any time, upon giving reasonable prior notice, in order to inspect, examine or test any of the Works.

(2) The Developer must enable Council, its officers, employees, agents and contractors access to the location of the Works where this is not the Land, Council land or a public road.

5.5 Monetary Contributions

(1) The Developer must pay the Monetary Contributions by the time specified in **Schedule 5**.

(2) Council agrees as a condition of the Developer's payment of the Monetary Contributions that it will expend the Contributions for the public purposes for which they have been specified in **Schedule 5**.

(3) A monetary development contribution is made for the purposes of this document when Council receives the full amount of the contribution payable under this document in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by Council.

5.6 Deferral of Contributions

(1) Notwithstanding any other provision of this document, if the Developer forms the view at any time, that:

(a) it is unable to Complete any item of the Works or dedicate the relevant Designated Land by the time specified in **Schedules 3** and **4**; or

(b) it believes that there is a risk of damage to any item of the Works if they are delivered by the time required in **Schedule 4**,

(**Deferred Contributions**), then the Developer may seek Council's approval to defer the Completion of the relevant item of the Works and / or dedication of the relevant Designated Land by providing written notice to the Council:

(c) identifying the relevant item of Work and / or Designated Land that the Developer proposes to defer;

(d) specifying the reason for the request to defer the Deferred Contributions; and

(e) identifying the anticipated time for Completion of the relevant item of Work and / or dedication of the Designated Land.

(2) The Council, acting reasonably, must give the Developer a written notice within thirty (30) business days of the date upon which the Developer serves written notice upon Council in accordance with paragraph (1) stating:

(a) whether or not it consents to the deferral of the Deferred Contributions;

(b) the revised date for Completion and / or dedication required by Council; and

(c) any reasonable conditions Council requires with respect to the deferral (including any requirement for additional Security on account of that deferral, but only to the extent necessary to ensure that Council holds security equivalent to the then estimated cost to complete the relevant item of the Works).

(3) If the Council consents to the deferral of the Deferred Works, then the following applies:

(a) The Developer must comply with any conditions required by Council under paragraph (2)(c) above.

(b) Provided the Developer satisfies those conditions, the Developer will not be considered to be in breach of this document as a result of a failure to achieve Completion and / or dedication (as applicable) of the relevant Deferred Contribution by the time specified in this document.

(c) If applicable, any relevant Occupation Certificate may be issued if Completion of a Work or dedication of Designated Land would otherwise have been required prior to the issue of that Occupation Certificate.

(d) Council consents to and agrees to take steps to release and discharge this document from the relevant Land pursuant to clause 12.3.

(e) The time for completion of the Deferred Contribution under this document is the revised date for Completion and / or dedication (as applicable) approved by Council.

6 Detailed Design of Works

6.1 Developer to prepare

In respect of each item of Works in Schedule 4, other than those already commenced or completed at the date of this document, before an application for a Construction Certificate or Subdivision Works Certificate is issued with respect to the relevant item of Work, the Developer must prepare a detailed design for that item of Work and submit the detailed design to Council for approval. The detailed design of Item Numbers B12 and B21A must be prepared in accordance with **Schedule 6**.

6.2 Council to consider and respond

(1) Within twenty one (21) business days of receiving the detailed design, Council must provide written notice to the Developer advising whether:

(a) the detailed design is approved; or

(b) the detailed design is not approved, in which case the relevant notice must include detail of:

(i) the changes, if any, which Council requires to the detailed design in order to ensure it complies with this document; and

(ii) other changes, if any, which Council requires.

(2) Council must act reasonably when considering any detailed design in accordance with this clause 6.2.

(3) If Council does not issue any notice within the time required by paragraph (1), Council will be deemed to have approved the detailed design submitted by the Developer. This procedure does not displace any requirement to obtain, nor fetter Council's discretion in relation to, an approval required under the Act or *Roads Act 1993* in respect of the Works.

6.3 Council and Developer to consult on changes

(1) If Council issues a notice under clause 6.2(1)(b), Council and the Developer will consult with each other, acting reasonably, in order to prepare an amended detailed design which will address the changes required by Council.

(2) If the Developer and Council agree on amendments to the detailed design under paragraph (1) then the Developer must finalise and submit any amended detailed design to Council under clause 6.2.

6.4 If no agreement reached on amended detailed design

If Council and the Developer are unable to agree on any amended detailed design under clause 6.3(2) within fifteen (15) business days of the relevant notice issued by Council under clause 6.2(1)(b), a Dispute has arisen and clause 14 applies.

6.5 Effect of acceptance of detailed design

Acceptance of any detailed design by Council under this clause 6 is not approval of any Construction Certificate for the relevant item of Works.

7 Completion of Works

7.1 Completion

An item of the Works is Complete for the purpose of this document if:

(1) Council has issued a Practical Completion Certificate in respect of that item under clause 7.2; and

(2) the Developer has provided to Council a Maintenance Schedule in respect of that item under clause 7.5; or

(3) in respect of an item of the Works that has been deferred under clause 5.6, all requirements of that clause have been complied with.

7.2 Practical Completion

(1) If the Developer considers that any particular item of the Works is Practically Complete it must serve a notice on Council which:

(a) is in writing;

(b) identifies the particular item of the Works to which it relates; and

(c) specifies the date on which the Developer believes the relevant item of the Works was completed.

(2) Within ten (10) business days of receipt of the notice under paragraph (1), Council must carry out an inspection of the relevant item of the Works and will either:

(a) provide a Practical Completion Certificate to the Developer confirming that the Works are Practically Complete; or

(b) provide written notice to the Developer that Council considers that the relevant item of the Works are not Practically Complete, in which case the notice must also detail:

(i) the reasons why Council does not accept that the relevant item of the Works are Practically Complete; and

(ii) the works Council requires the Developer to perform to allow the relevant item of the Works to become Practically Complete.

(3) Where Council serves a notice on the Developer under paragraph (2)(b), the Developer must:

(a) carry out works required to allow the relevant item of the Works to become Practically Complete in accordance with Council's notice and once it has done so serve a further notice on Council under paragraph (1); or

(b) serve a notice on Council that it disputes the matters set out in Council's notice, in which case a Dispute has arisen and clause 14 applies.

(4) Any item of the Works is not Practically Complete unless a Practical Completion Certificate has been issued with respect to that item.

7.3 Maintenance

(1) As a pre-condition to Completion of any item of the Works, the Developer must provide to Council a schedule setting out the proposed maintenance works and estimated costs for the relevant part of the works over the Maintenance Period (**Maintenance Schedule**).

(2) Within ten (10) business days of receiving the Maintenance Schedule, Council must issue a written notice to the Developer advising of any changes it requires to the Maintenance Schedule, which changes must be reasonable and in accordance with any relevant warranties, plans or standards.

(3) Within ten (10) business days of receiving the Council's notice under paragraph (2), the Developer must provide to Council a final Maintenance Schedule incorporating the changes required by Council.

(4) The item of the Works or any part of that item must be maintained by the Developer in accordance with the Maintenance Schedule for the Maintenance Period.

(5) The Developer must follow relevant Council policies and obtain all Approvals necessary to carry out the maintenance required under this clause.

(6) Subject to any consents required under any law, or any policies of Council, Council must give the Developer and its contractors any access required to carry out maintenance in accordance with the Maintenance Schedule.

7.4 Works as Executed Plans

Within 3 months of the date that Council issues a Practical Completion Certificate with respect to an item of the Works, the Developer must provide to Council any Works as Executed Plans, relevant certificates or consents of any public utility authority, or any other documentation required to be provided with respect to that item of the Works under this document, to Council's satisfaction.

7.5 Acceptance of Works

Council accepts ownership, possession and control of, and risk in the Works (**Handover**) where:

(1) for any Works carried out on Designated Land when:

(a) those Works are Complete; and

(b) the relevant Designated Land has been dedicated to Council; or

(2) for any Works not carried out on Designated Land, when those Works are Complete.

8 Defects Liability and Maintenance Period for Works

8.1 Defects Notice

(1) Where any part of the Works are Completed but those Works contain a material defect which:

(a) materially adversely affects the ordinary use and/or enjoyment of the relevant Works; and

(b) will require rectification works to be performed during the Defects Liability Period as a result of the existence of the material defect,

(**Defect**) Council may issue a defects notice (**Defects Notice**) concerning those Works but only within the Defects Liability Period.

(2) For the avoidance of doubt, an item of the Works that, in the opinion of Council, has not been constructed in accordance with the detailed design for that item of the Works agreed under clause 6 is not a Defect, unless such construction also meets the description of a Defect in paragraph (1).

(3) A Defects Notice must contain the following information:

(a) the nature and extent of the Defect;

(b) the work Council requires the Developer to carry out in order to rectify the Defect; and

(c) the time within which the Defect must be rectified (which must be a reasonable time and not less than ten (10) business days).

8.2 Developer to Rectify Defects

(1) The Developer must rectify the Defects contained within a Defects Notice as soon as practicable after receipt of the Defects Notice.

(2) The Developer must follow the procedure set out in the Defects Notice in order to satisfy of the Defects Notice.

8.3 Right of Council to Step-In

Council, at its absolute discretion, may enter upon the Land for the purpose of satisfying the Defects Notice where the Developer has failed to comply with a Defects Notice but only after giving the Developer five (5) business days written notice of its intention to do so.

8.4 Consequence of Step-In

If Council elects to exercise the step-in rights granted to it under clause 8.3 then:

(1) Council may:

(a) enter upon any part of the Land that it requires access to in order to satisfy the obligations of the Developer in accordance with the Defects Notice; and

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(b) rectify the relevant Defects in accordance with the Defects Notice; and

(2) the Developer must not impede or interfere with Council in undertaking that work.

8.5 Costs of Council

(1) Where Council exercises its step-in rights, Council may:

(a) call upon the Defects Security provided by the Developer pursuant to clause 11 for any reasonable costs in Council rectifying the relevant Defects in accordance with the Defects Notice; and

(b) in the event that the Defects Security does not cover all of Council's costs of rectifying the Defects in accordance with the Defects Notice, Council may recover those additional costs as a debt due in a court of competent jurisdiction.

(2) The provisions of clause 11.6 apply to the release of the Defects Security.

9 Warranties and Indemnities

9.1 Warranties

Subject to clause 22, the Developer warrants to Council that, as at the date of this document, it is:

(1) the legal owner of all of the Land;

(2) able to fully comply with its obligations under this document;

(3) it has full capacity to enter into this document; and

(4) there is no legal impediment to it entering into this document, or performing the obligations imposed under it.

9.2 Indemnity

The Developer indemnifies Council in respect of any Claim that may arise as a result of a Defect, breach of this document, or negligence in connection with the construction of a Work for a period of 12 months commencing on the date that the relevant item of Works is Completed for the purpose of this document, except if, and to the extent that, the Claim arises from:

(1) the negligent acts or omissions of Council;

(2) any change to the management or use of the Work as intended under this document; or

(3) maintenance, replacement or repair of a Work undertaken or any want of maintenance or repair after the issue of the notice referred to in clause 7.2(1).

10 Contamination

10.1 Definitions

For the purpose of this clause 10:

CLM Act means the *Contaminated Land Management Act 1997* (NSW).

Contamination has the meaning given to that term in the CLM Act.

Contaminated means subject to Contamination.

Ed Square Site Audit Statement means the site audit statement (as that term is defined in the CLM Act) dated 27 May 2021, which is attached to this document at **Annexure 2** and relates to that part of the Land described in the statement.

Environment means all components of the earth including:

(a) land, air and water;

(b) any layer of the atmosphere;

(c) flora and fauna;

(d) any organic or inorganic matter;

(e) any living organism; and

(f) any human-made or modified features of structures and areas,

and includes interacting natural ecosystems that include components referred to in paragraphs (a) – (e) of this definition.

Further Ed Square Site Audit Statement means the site audit statement (as that term is defined in the CLM Act) dated 16 May 2024, which is attached to this document at **Annexure 3** and relates to that part of the Designated Land identified in Item Number B12 in **Schedule 3**.

10.2 Site Audit Statements

Council acknowledges that the Ed Square Site Audit Statement and Further Ed Square Site Audit Statement certify that any Contamination that may have existed on that part of the Land to which those Statements relate has been remediated and that part of the Land is suitable for its intended future use at the time that the statements were prepared.

10.3 Warranty

The Developer warrants that at the date of dedication of the Designated Land, the condition of the Designated Land is consistent with that which is described in the Ed Square Site Audit Statement or the Further Ed Square Site Audit Statement (as applicable) and is not otherwise Contaminated. Additionally, the Developer guarantees that no contamination has been contained, by means of a Remediation Action Plan or otherwise, within the designated areas. Council does not accept the containment of any contaminated materials within any land which is to be dedicated for public use.

11 Security

11.1 Provision of Security

(1) Subject to paragraph (2), prior to the issue of a Subdivision Works Certificate or a Construction Certificate (as the case may be) in respect of an item of the Works, the Developer must deliver to Council a Bank Guarantee, Bond or other form of security to the satisfaction of the Council, acting reasonably:

(a) for an amount equivalent to 135% of the Contribution Value of that item of the Works (**Primary Security**); and

(b) for an amount equivalent to 15% of that Contribution Value (**Defects Security**),

(collectively referred to as the **Security**).

(2) The Developer may satisfy its obligations under paragraph (1) (either in whole or in part), by directing Council to retain any security held by Council which is required to be released by Council under this document.

11.2 Replacement of Security

(1) The Developer may replace any Security provided by it at any time, provided that the amount of that replacement is not less than that which is required to be provided under this document.

(2) On receipt of a replacement Security, Council must immediately release the Security being replaced and return it to the Developer.

11.3 Council may call on Security

(1) If the Developer commits an Event of Default as specified in clause 15.3(2):

(a) Council, without limiting any other remedies available to it, may call on the Deferred Works Security provided by the Developer; and

(b) if Council calls on any Security, it may use the amount so paid to it in satisfaction of any reasonable costs incurred by it in remedying the relevant Event of Default.

(2) The provisions of clause 8.5 apply to Council's rights under this document to call on the Defects Security.

11.4 Top up of Security

If Council calls on a Security, Council, by notice in writing to the Developer, may require the Developer to provide a further or replacement Security in an amount that, when added to any unused portion of any Security then held by Council, does not exceed the amount of the Security Council is entitled to hold at that time under this document.

11.5 Release of Primary Security

Council, upon a written request being made by the Developer, must return the Primary Security for an item of the Works within ten (10) business days of such a request being made but only if:

(1) the item of the Works to which the Primary Security relates is Complete; and

(2) Council has not made a legitimate demand against that Primary Security provided by the Developer.

11.6 Release of Defects Security

Council, upon a written request being made by the Developer, must return the Defects Security for an item of the Works within ten (10) business days of such a request being made but only if:

(1) Council has not made or advises the Developer that it intends to make a legitimate demand against the Defects Security provided by the Developer for that item of the Works pursuant to clause 8.5, and

(2) the relevant Defects Liability Period for that item of the Works has ended.

11.7 Compulsory acquisition of the Designated Land

(1) The Developer consents to the compulsory acquisition of the Designated Land:

(a) in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) (**Acquisition Act**); and

(b) on the terms set out in this clause 11.7.

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(2) Council may only acquire the Designated Land compulsorily in accordance with the Acquisition Act if the Developer has committed an Event of Default with respect the dedication of that land under this document.

(3) If Council acquires the Designated Land compulsorily in accordance with the Acquisition Act:

(a) the Developer agrees that the compensation payable to it on account of that acquisition under the Acquisition Act is $1.00; and

(b) Council must complete that acquisition within twelve (12) months of the relevant Event of Default.

(4) The parties agree that the provisions of this clause 11.7 are an agreement with respect to the compulsory acquisition of the Designated Land for the purpose of s30 of the Acquisition Act.

(5) If Council:

(a) acquires the Designated Land under paragraph (3); and

(b) is required to pay any compensation to a third party as a result of that acquisition,

then the Developer must pay Council the amount of that compensation as a Monetary Contribution within ten (10) business days of demand for payment being made by Council.

11.8 Developer must not deal with property

(1) The Developer must not, during the term of this document sell, transfer, mortgage, charge or grant a lease or license or any other right of occupancy or over the Designated Land without first obtaining Council's consent in writing.

(2) Council may, at its absolute discretion, refuse its consent or give consent with conditions.

11.9 Council may withhold Occupation Certificate

Council may withhold the issue of an Occupation Certificate for a Dwelling constructed as part of the Development if, at the relevant time, the Developer has not delivered the Development Contributions required to be delivered prior to the issue of that Occupation Certificate, having regard to the timings in **Schedules 3** and **4** and subject to any deferral of Works under clause 5.6.

12 Registration of this document

12.1 Registration of this document

The Developer acknowledges and agrees that:

(1) this document must be registered on the title to the Registration Land pursuant to section 7.6 of the Act; and

(2) subject to clause 12.2, Council will undertake that registration at the cost of the Developer.

12.2 Obligations of Developer

(1) The Developer, at its own expense, will promptly after this document comes into operation, take all practical steps, and otherwise do anything that the Council reasonably requires, to procure:

(a) the consent of each person who:

(i) has an estate or interest in the Land; or

(ii) is seized or possessed of an estate or interest in the Land; and

(b) the execution of any documents;

to enable the registration of this document in accordance with clause 12.1.

(2) The Developer, at its own expense, will take all practical steps, and otherwise do anything that the Council reasonably requires:

(a) to allow the lodgement of this document with the Registrar-General as soon as reasonably practicable after this document comes into operation but in any event, no later than sixty (60) business days after that date; and

(b) to allow the registration of this document by the Registrar-General in the relevant folios of the Register for the Registration Land as soon as reasonably practicable after this document is lodged for registration.

12.3 Discharge from the Register

The Council:

(1) acknowledges that the Designated Land may be dedicated or transferred under clause 5.1 with this document registered on the Designated Land as a Permitted Encumbrance; and

(2) must promptly do all things necessary and within a period of no more than ten (10) business days of receiving a written request from the Developer to release and discharge this document from the folios of the Register for the Registration Land (or any part of it) if:

(a) the Developer has delivered the Contributions (with respect to the relevant part of the Land if applicable) in accordance with this document, including where Council has agreed to a deferral under clause 5.6;

(b) a Subdivision Certificate is issued in respect of any lot other than a Super Lot; or

(c) this document is terminated or rescinded.

12.4 Lots other than Super Lots

(1) This document is not to remain registered under section 7.6 of the Act in relation to any lot other than a Super Lot, subject to Council being satisfied, acting reasonably and without delay, that the Developer is otherwise in compliance with this document.

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(2) If through error or other reason this document is registered on the title to any lot other than a Super Lot, each party must do such things as are reasonably necessary and as requested by the other to facilitate the release and discharge of this document from the title to that lot.

13 Assignment

13.1 Restriction on Assignment

Other than in accordance with this clause 13 the Developer may not:

(1) Assign any part of the Land; and/or

(2) Assign their rights or obligations under this document.

13.2 Procedure for Assignment

(1) If the Developer:

(a) wishes to Assign any part of the Land; and/or

(b) wishes to Assign its rights or obligations under this document,

then the Developer must:

(c) provide a written request to Council for the consent of Council to the relevant Assignment;

(d) provide Council with any evidence required by Council, acting reasonably, to satisfy Council that the third party in whose favour the Assignment is to be made (**Assignee**) is reasonably capable of performing the obligations under this document that are to be Assigned to it;

(e) obtain written consent of Council to the relevant Assignment; and

(f) at no cost to Council, procure:

(i) the execution by the Assignee of an appropriate deed where the Assignee agrees to be bound by the terms of this document; and

(ii) the provision of all Securities to Council by the Assignee that the Developer is required to provide under this document (and any additional securities if required by Council acting reasonably) at the same time as, or prior to, entering into that deed.

(2) Council is under no obligation to consider granting its consent to any request made by the Developer under paragraph (1)(c) if, at the time the request is made, the Developer is in material breach of this document.

14 Dispute Resolution

14.1 Notice of dispute

(1) If a dispute or lack of certainty between the parties arises in connection with this document or its subject matter (**Dispute**), then either party (**First Party**) must give to the other (**Second Party**) a notice which:

(a) is in writing;

(b) adequately identifies and provides details of the Dispute;

(c) stipulates what the First Party believes will resolve the Dispute; and

(d) designates its representative (**Representative**) to negotiate the Dispute.

(2) The Second Party must, within five (5) Business Days of service of the notice of dispute, provide a notice to the First Party designating as its representative a person to negotiate the Dispute (the representatives designated by the parties being together, the **Representatives**).

14.2 Conduct pending resolution

The parties must continue to perform their respective obligations under this document if there is a Dispute but will not be required to complete the matter the subject of the Dispute, unless the appropriate party indemnifies the other parties against costs, damages and all losses suffered in completing the disputed matter if the Dispute is not resolved in favour of the indemnifying party.

14.3 Further steps required before proceedings

Subject to clauses 14.14 and 14.15 and except as otherwise expressly provided in this document, any Dispute must, as a condition precedent to the commencement of litigation, mediation under clause 14.5 or determination by an expert under clause 14.6, first be referred to the Representatives. The Representatives must endeavour to resolve the dispute within five (5) business days of the date a notice under clause 14.1(2) is served.

14.4 Disputes for mediation or expert determination

If the Representatives have not been able to resolve the Dispute, then the parties must agree within five (5) business days to either refer the matter to mediation under clause 14.5 or expert resolution under clause 14.6.

14.5 Disputes for mediation

(1) If the parties agree in accordance with clause 14.4 to refer the Dispute to mediation, the mediation must be conducted by a mediator agreed by the parties and, if the parties cannot agree within five (5) Business Days, then by a mediator appointed by the President of the Law Society of New South Wales for the time being.

(2) If the mediation referred to in clause 14.5(1) has not resulted in settlement of the Dispute and has been terminated, the parties may agree to have the matter determined by expert determination under clause 14.6.

14.6 Choice of expert

(1) If the Dispute is to be determined by expert determination, this clause 14.6 applies.

(2) The Dispute must be determined by an independent expert in the relevant field:

(a) agreed between and appointed jointly by the parties; or

(b) in the absence of document within five (5) business days after the date that the matter is required to be determined by expert determination, appointed by the President of the Law Society of New South Wales for the time being.

(3) If the parties fail to agree as to the relevant field within five (5) business days after the date that the matter is required to be determined by expert determination, either party may refer the matter to the President of the Law Society of New South Wales for the time being whose decision as to the relevant field is final and binding on the parties.

(4) The expert appointed to determine a Dispute:

(a) must have a technical understanding of the issues in dispute;

(b) must not have a significantly greater understanding of one party's business, functions or operations which might allow the other side to construe this greater understanding as a bias; and

(c) must inform the parties before being appointed of the extent of the expert's understanding of each party's business or operations and, if that information indicates a possible bias, then that expert must not be appointed except with the written approval of the parties.

(5) The parties must promptly enter into a document with the expert appointed under this clause 14.6 setting out the terms of the expert's appointment and role and the fees payable to the expert.

14.7 Directions to expert

(1) In reaching a determination in respect of a dispute under clause 14.6, the independent expert must give effect to the intent of the parties entering into this document and the purposes of this document.

(2) The expert must:

(a) act as an expert and not as an arbitrator;

(b) proceed in any manner as the expert thinks fit without being bound to observe the rules of natural justice or the rules of evidence;

(c) not accept verbal submissions unless both parties are present;

(d) on receipt of a written submission from one party, ensure that a copy of that submission is given promptly to the other party;

(e) take into consideration all documents, information and other material which the parties give the expert which the expert in its absolute discretion considers relevant to the determination of the Dispute;

(f) not be expected or required to obtain or refer to any other documents, information or material (but may do so if the expert so wishes);

(g) issue a draft certificate stating the expert's intended determination (together with written reasons), giving each party ten (10) business days to make further submissions;

(h) issue a final certificate stating the expert's determination (together with written reasons); and

(i) act with expedition with a view to issuing the final certificate as soon as practicable.

(3) The parties must comply with all directions given by the expert in relation to the resolution of the Dispute and must within the time period specified by the expert, give the expert:

(a) a short statement of facts;

(b) a description of the Dispute; and

(c) any other documents, records or information which the expert requests.

14.8 Expert may commission reports

(1) Subject to clause 14.8(2):

(a) the expert may commission the expert's own advisers or consultants (including lawyers, accountants, bankers, engineers, surveyors or other technical consultants) to provide information to assist the expert in making a determination; and

(b) the parties must indemnify the expert for the cost of those advisers or consultants in accordance with clause 14.6(5) of this deed.

(2) The parties must approve the costs of those advisers or consultants in writing prior to the expert engaging those advisers or consultants.

14.9 Expert may convene meetings

(1) The expert must hold a meeting with all of the parties present to discuss the Dispute. The meeting must be conducted in a manner which the expert considers appropriate. The meeting may be adjourned to, and resumed at, a later time in the expert's discretion.

(2) The parties agree that a meeting under clause 14.9(1) is not a hearing and is not an arbitration.

14.10 Other courses of action

If:

(1) the parties cannot agree in accordance with clause 14.4 to refer the matter to mediation or determination by an expert; or

(2) the mediation referred to in clause 14.5 has not resulted in settlement of the dispute, the mediation has been terminated and the parties have not agreed to refer the matter to expert determination within five (5) business days after termination of the mediation,

then either party may take whatever course of action it deems appropriate for the purpose of resolving the Dispute.

14.11 Confidentiality of information provided in dispute resolution process

(1) The parties agree, and must procure that the mediator and the expert agree as a condition of his or her appointment:

(a) subject to clause 14.11(2), to keep confidential all documents, information and other material disclosed to them during or in relation to the mediation or expert determination;

(b) not to disclose any confidential documents, information and other material except:

(i) to a party or adviser or consultant who has signed a confidentiality undertaking; or

(ii) if required by Law or any Authority to do so; and

(c) not to use confidential documents, information or other material disclosed to them during or in relation to the mediation or expert determination for a purpose other than the mediation or expert determination.

(2) The parties must keep confidential and must not disclose or rely upon or make the subject of a subpoena to give evidence or produce documents in any arbitral, judicial or other proceedings:

(a) views expressed or proposals or suggestions made by a party or the mediator or the expert during the expert determination or mediation relating to a possible settlement of the Dispute;

(b) admissions or concessions made by a party during the mediation or expert determination in relation to the Dispute; and

(c) information, documents or other material concerning the dispute which are disclosed by a party during the mediation or expert determination unless such information, documents or facts would be discoverable in judicial or arbitral proceedings.

14.12 Final determination of expert

The parties agree that the final determination by an expert will be final and binding upon them except in the case of fraud or misfeasance by the expert.

14.13 Costs

If any independent expert does not award costs, each party must contribute equally to the expert's costs in making the determination.

14.14 Remedies available under the Act

This clause 14 does not operate to limit the availability of any remedies available to Council under the Act.

14.15 Urgent relief

This clause 14 does not prevent a party from seeking urgent injunctive or declaratory relief concerning any matter arising out of this document.

15 Breach of this document

15.1 Breach Notice

If the Developer breaches this document, Council may serve a notice on the Developer (**Breach Notice**) specifying:

(1) the nature and extent of the alleged breach;

(2) if:

(a) the breach is capable of being rectified other than by the payment of compensation, what Council requires the Developer to do in order to rectify the breach; or

(b) the breach is not capable of being rectified other than by payment of compensation, the amount of compensation Council requires the Developer to pay in order to rectify the breach, and

(3) the time within which Council requires the breach to be rectified, which must be a reasonable time of not less than forty (40) business days.

15.2 Events of Default

The Developer commits an **Event of Default** if it:

(1) fails to comply with a Breach Notice; or

(2) becomes subject to an Insolvency Event.

15.3 Consequences of Events of default

Where the Developer commits an Event of Default, Council may, in addition to any rights it has at Law:

(1) exercise the step in rights so as to carry out any work specified in the relevant Breach Notice; or

(2) call on the Deferred Works Security in the event of a breach of clause 5.6;

(3) call on the Defects Security in the event of a breach of clause 8; or

(4) compulsorily acquire an item of the Designated Land in the event of a failure to dedicate that Land in accordance with the terms of this document.

16 Termination, Rescission or Determination

16.1 Termination

This document terminates when at any time, the parties agree in writing to terminate the operation of this document.

16.2 Consequence of termination

Upon termination of this document:

(1) all future rights and obligations of the parties are discharged; and

(2) all pre-existing rights and obligations of the parties continue to subsist.

16.3 Determination

This Planning Agreement will determine upon the Developer satisfying all of the obligations imposed on it in full.

17 Position of Council

17.1 Consent authority

The parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the terms of the Planning Legislation.

17.2 Document does not fetter discretion

This document is not intended to operate to fetter, in any unlawful manner:

(1) the power of Council to make any Law; or

(2) the exercise by Council of any statutory power or discretion,

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(**Discretion**).

17.3 Severance of provisions

(1) No provision of this document is intended to, or does, constitute any unlawful fetter on any Discretion. If, contrary to the operation of this clause, any provision of this document is held by a court of competent jurisdiction to constitute an unlawful fetter on any Discretion, the parties agree:

(a) they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause 17 is substantially satisfied;

(b) in the event that clause 17.3(1)(a) cannot be achieved without giving rise to an unlawful fetter on a Discretion, the relevant provision is to be severed and the remainder of this document has full force and effect; and

(c) to endeavour to satisfy the common objectives of the parties on relation to the provision of this document which is held to be an unlawful fetter to the extent that it is possible having regard to the relevant court judgment.

(2) Where the Law permits Council to contract out of a provision of that Law or gives Council power to exercise a Discretion, then if Council has in this document contracted out of a provision or exercised a Discretion under this document, then to the extent of this document is not to be taken to be inconsistent with the Law.

17.4 No Obligations

Nothing in this document will be deemed to impose any obligation on Council to exercise any of its functions under the Act in relation to the Development Consents, the Land or the Development in a certain manner.

18 Confidentiality

18.1 Document not Confidential

The terms of this document are not confidential and this document may be treated as a public document and exhibited or reported without restriction by any party.

18.2 Other Confidential Information

(1) The parties acknowledge that:

(a) Confidential Information may have been supplied to some or all of the parties in the negotiations leading up to the making of this document; and

(b) The parties may disclose to each other further Confidential Information in connection with the subject matter of this document.

(c) Subject to paragraphs (2) and (3), each party agrees:

(i) not to disclose any Confidential document received before or after the making of this document to any person without the prior written consent of the party who supplied the Confidential Information; or

(ii) to take all reasonable steps to ensure all Confidential Information received before or after the making of this document is kept confidential and protected against unauthorised use and access.

(2) A party may disclose Confidential Information in the following circumstances:

(a) in order to comply with the Law, or the requirements of any Authority; or

(b) to any of their employees, consultants, advisers, financiers or contractors to whom it is considered necessary to disclose the information, if the employees, consultants, advisers, financiers or contractors undertake to keep the information confidential.

(3) The obligations of confidentiality under this clause do not extend to information which is public knowledge other than as a result of a breach of this clause.

19 GST

19.1 Defined GST Terms

Defined terms used in this clause 19 have the meaning ascribed to them in the GST Law.

19.2 GST to be added to amounts payable

(1) The parties agree, in accordance with Class Ruling CR2013/13, that Contributions required to be made under this document are exempt from GST.

(2) If GST is payable on a Taxable Supply made under, by reference to or in connection with this document, the party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.

(3) This clause does not apply to the extent that the Consideration for the Taxable Supply is expressly agreed to be GST inclusive.

(4) Where a Taxable Supply is being made, the Supplier must issue a Tax Invoice to the recipient of the Taxable Supply at or before the time of payment of the consideration for the supply.

(5) Whenever an adjustment event occurs in relation to any Taxable Supply made under, or in connection with this document, the Supplier must determine the net GST in relation to the supply (taking into account any adjustment) and if the net GST differs from the amount previously paid under clauses 19.2(1)and 19.2(3), the amount of the difference must be paid by, refunded to, or credited to the recipient, as applicable.

(6) Unless otherwise expressly stated, prices or other sums payable or Consideration to be provided under or in accordance with this document are exclusive of GST.

19.3 GST Obligations to Survive Termination

This clause 19 will continue to apply after expiration of termination of this document.

20 Miscellaneous

20.1 Obligation to act in good faith

The parties must at all times:

(1) cooperate and use their best endeavours to give effect to their rights and obligations set out in this document;

(2) not unreasonably delay any action, approval, direction, determination or decision which is required of them;

(3) make approvals or decisions that are required of them in good faith and in a manner consistent with the completion of the transactions set out in this document; and

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(4) be just and faithful in their activities and dealings with the other parties.

20.2 Legal costs

The Developer agrees to:

(1) pay or reimburse the reasonable legal costs and disbursements of Council of the negotiation, preparation, execution, and stamping of this document; and

(2) pay the reasonable legal costs and disbursements referred to in clause 20.2(1) within ten (10) business days of receipt of a Tax Invoice from Council; and

(3) pay or reimburse the legal costs and disbursements of Council arising from any breach or default by the Developer of its obligations under this document.

21 Administrative Provisions

21.1 Notices

(1) Any notice, consent or other communication under this document must be in writing and signed by or on behalf of the person giving it, addressed to the person to whom it is to be given and:

(a) delivered to that person's address;

(b) sent by pre-paid mail to that person's address;

(c) transmitted by facsimile to that person's address; or

(d) emailed to that person's email address.

(2) A notice given to a person in accordance with this clause is treated as having been given and received if:

(a) delivered to a person's address, on the day of delivery if a business day, otherwise on the next business day;

(b) sent by pre-paid mail, on the seventh business day after posting;

(c) transmitted by facsimile to a person's address and a correct and complete transmission report is received, on the day of transmission if a business day, otherwise on the next business day; and

(d) sent by email, and the sender does not receive a delivery failure message from the sender's internet service provider, within a period of 24 hours of the email being sent.

(3) For the purpose of this clause the address of a person is the address set out in clause 21.1(4) or another address of which that person may from time to time give notice to each other person.

(4) For the purposes of this clause, the notice details of each party are:

Liverpool City Council

Address: Ground Floor, 50 Scott Street, Liverpool NSW 2170

Attention: To the CEO of Liverpool City Council

Email: LCC@liverpool.nsw.gov.au

Developer

Address: Level 2, Building C, 1 Homebush Bay Drive, Rhodes, NSW 2138

Attention: Chris Koukoutaris

Email: Chris.Koukoutaris@fraserspropertyproperty.com.au

21.2 Entire agreement

This document is the entire agreement of the parties on the subject matter. All representations, communications and prior agreements in relation to the subject matter are merged in and superseded by this document.

21.3 Waiver

The non-exercise of or delay in exercising any power or right of a party does not operate as a waiver of that power or right, nor does any single exercise of a power or right preclude any other or further exercise of it or the exercise of any other power or right. A power or right may only be waived in writing, signed by the parties to be bound by the waiver.

21.4 Cooperation

Each party must sign, execute and deliver all agreements, documents, instruments and act reasonably and effectively to carry out and give full effect to this document and the rights and obligations of the parties under it.

21.5 Counterparts

This document may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument.

21.6 Amendment

This document may only be amended or supplemented in writing signed by the parties.

21.7 Unenforceability

Any provision of this document which is invalid or unenforceable in any jurisdiction is to be read down for the purposes of that jurisdiction, if possible, so as to be valid or enforceable, and is otherwise capable of being severed to the extent of the invalidity or enforceability, without affecting the remaining provisions of this document or affecting the validity or enforceability of that provision in any other jurisdiction.

21.8 Power of Attorney

Each attorney who executes this document on behalf of a party declares that the attorney has no notice of:

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(1) the revocation or suspension of the power of attorney by the grantor; or

(2) the death of the grantor.

21.9 Governing law

The law in force in the State of New South Wales governs this document. The parties:

(1) submit to the exclusive jurisdiction of the courts of New South Wales and any courts that may hear appeal from those courts in respect of any proceedings in connection with this document; and

(2) may not seek to have any proceedings removed from the jurisdiction of New South Wales on the grounds of *forum non conveniens*.

21.10 Explanatory Note

Pursuant to section 205 of the *Environmental Planning and Assessment Regulation 2021*, the parties agree that any explanatory note is not to be used to assist in construing this document.

22 Trustee Limitation of Liability

(1) The provisions of this clause 22 apply despite anything to the contrary in this document. The Trustee enters into this document in its capacity as trustee of the Trust and in no other capacity.

(2) The parties acknowledge that the Trustee incurs the Trustee Liabilities solely in its capacity as trustee of the Trust and agree that (to the maximum extent permitted by law) the Trustee will cease to have any Trustee Liability if the Trustee ceases for any reason to be trustee of the Trust.

(3) A Trustee Liability may be enforced against the Trustee only to the extent to which:

(i) the Trustee is actually indemnified in respect of that Trustee Liability out of the property of the Trust; and

(b) there is sufficient property held by the Trustee as trustee at the time, which is available to meet that indemnity (after all Trust assets have been allocated to meet the indemnity and any other valid claims).

(4) Subject to clause 22(5), no person will be entitled to:

(i) claim from or commence proceedings against the Trustee in respect of any Trustee Liability in any capacity other than as trustee of the Trust;

(ii) enforce or seek to enforce any judgment in respect of any Trustee Liability against any property of the Trustee other than property held by the Trustee as trustee of the Trust;

(iii) take any steps to procure or support the appointment of a liquidator, administrator or any other similar office holder to the Trustee on the basis of a Trustee Liability, or prove in any liquidation, administration or arrangement of or affecting the Trustee; or

(iv) in respect of a Trustee Liability, appoint or take any steps to procure or support the appointment of a receiver or receiver and manager to any property of the Trustee, other than property which is held by it in its capacity as trustee of the Trust.

(5) The restrictions in clauses 22(3) and 22(4) do not apply to any Trustee Liability to the extent to which there is, whether under a Trust deed or by operation of law, a reduction in the extent of the Trustee's indemnification, or in respect of which the Trustee is not entitled to be indemnified, out of the property of the Trust, as a result of the Trustee's fraud, negligence or breach of trust.

(6) Each party to this document agrees that no act or omission of the Trustee (including any related failure to satisfy any Trustee Liabilities) will constitute fraud, negligence or breach of trust of the Trustee for the purposes of clause 22(5) to the extent to which the act or omission was caused or contributed to by any failure of that party to fulfil its obligations relating to the Trust or by any other act or omission of that party.

(7) No attorney, agent or other person appointed in accordance with this document has authority to act on behalf of the Trustee in a way which exposes the Trustee to any personal liability, and no act or omission of such a person will be considered fraud, negligence or breach of trust of the Trustee for the purposes of clause 22(5).

(8) This limitation of the Trustee's Liability applies despite any other provisions of this document and extends to all Trustee Liabilities of the Trustee in any way connected with any representation, warranty, conduct, omission, agreement or transaction related to this document or its performance.

(9) The Trustee is not obliged to do or refrain from doing anything under this document (including incur any liability) unless the Trustee's Liability is limited in the same manner as set out in clauses 22(1) to (8).

(10) In this clause:

(i) **Trust** means the Australand Residential (Edmondson Park) Trust;

(ii) **Trustee** means Australand Residential Edmondson Park Pty Limited (ACN 107 356 650); and

(iii) **Trustee Liability** means any liability or obligation (of any kind including, without limitation, for negligence, in tort, in equity, or under statute) of the Trustee which arises in any way under or in connection with this document or its performance, or any representation, warranty, conduct, omission, agreement or transaction made under or in connection with this document or its performance.

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Schedule 1– Requirements under s7.4

REQUIREMENT UNDER THE ACT	THIS PLANNING AGREEMENT
Planning instrument and/or development application – (Section 7.4(1)) The Developer has:	
(b) sought a change to an environmental planning instrument.	(a) No
(c) made, or proposes to make, a development application.	(b) Yes
(d) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.	(c) No
Description of land to which this agreement applies – (Section 7.4(3)(a))	See the definition of Land.
Description of change to the environmental planning instrument to which this agreement applies – (Section 7.4(3)(b))	N/A
Description of the development to which this agreement applies – (Section 7.4 (3)(b))	See the Definition of Development.
Application of section 7.11 of the Act – (Section 7.4(3)(d))	Does not apply.
Applicability of section 7.12 of the Act – (Section 7.4(3)(d))	Does not apply.
Applicability of section 7.24 of the Act – (Section 7.4(3)(d))	Does not apply.
Consideration of benefits under this agreement if section 7.11 applies – (Section 7.4(3)(e))	No.
Mechanism for Dispute resolution – (Section 7.4(3)(f))	See clause 13.2(2).
Enforcement of this agreement (Section 7.4(3)(g))	See clause 11.
No obligation to grant consent or exercise functions – (Section 7.4(3)(9))	See clauses 17.2 and 17.4.

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Schedule 2 – Defined Terms and Interpretation

Part 1 – Definitions

Act	means the *Environmental Planning and Assessment Act 1979* (NSW).
Approval	means any approval, consent, licence, permission or the like.
Assign	as the context requires refers to any assignment, sale, transfer, disposition or other assignment of a legal interest.
Authority	means (as appropriate) any: (1) federal, state or local government; (2) department of any federal, state or local government; (3) any court or administrative tribunal; or (4) statutory corporation or regulatory body.
Bank Guarantee	means an irrevocable and unconditional undertaking without any expiry or end date by one of the following trading banks: (1) Australia and New Zealand Banking Group Limited. (2) Commonwealth Bank of Australia. (3) ING Bank (Australia) Limited (4) Macquarie Bank. (5) National Australia Bank Limited. (6) St George Bank Limited. (7) Westpac Banking Corporation. (8) Any other financial institution approved by the Council, in its absolute discretion, in response to a request from the Developer.
Bond	means a documentary performance bond which must be denominated in Australian dollars and be an unconditional undertaking issued by an Australian Prudential Regulation Authority (APRA) regulated authorised deposit taking institution or an insurer authorised by APRA to conduct new or renewal insurance business in Australia that has at all times an investment grade security rating from an industry recognised rating agency.
Claim	any action, demand, cause of action, suit, proceeding, damage, loss, cost, expense or liability.
Completed	means completed in accordance with the requirements of this document. **Complete** and **Completion** have derivative meanings.
Concept Plan Approval	means the Concept Plan Approval MP_0118 granted on 18 August 2011 (as modified) for the development of residential dwellings, the Frasers Town Centre, protection of conservation lands and development of associated infrastructure.

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Confidential Information	means any information and all other knowledge at any time disclosed (whether in writing and orally) by the parties to each other, or acquired by the parties in relation to the other's activities or services which is not already in the public domain and which: (1) is by its nature confidential; (2) is designated, or marked, or stipulated by either party as confidential (whether in writing or otherwise); (3) any party knows or ought to know is confidential; (4) is information which may be reasonably considered to be of a confidential nature.
Contributions	means the Works, the Designated Land and the Monetary Contributions.
Contributions Plan	means the Liverpool Contributions Plan 2008 Edmondson Park and dated January 2008, as amended from time to time.
Contribution Value	means the amount specified in **Schedules 3 and 4** in the column headed "contribution value" for each item of the Contributions.
Defect	has the meaning ascribed to it in clause 8.1.
Defects Notice	has the meaning ascribed to it in clause 8.1.
Defects Liability Period	means twelve (12) months from the date that the relevant Works have been Completed.
Defects Security	has the meaning ascribed to it in clause 11.
Designated Land	means that part of the Land that is proposed to be dedicated to the Council, as identified on the Designated Land Plan.
Development	means the development of the Land, pursuant to the Concept Plan Approval, comprising the construction of the Frasers Town Centre including up to 1,884 Dwellings, retail, commercial space and community uses, and associated infrastructure.
Development Consent	means the consent issued under the Act for the Development.
Dispute	has the meaning ascribed to it in clause 14.1.
Dwelling	means a room, or suite of rooms, occupied or used, or so constructed or adapted, as to be capable of being occupied or used, as a separate domicile to be erected on the Land as part of the Development.
Encumbrance	means in relation to the relevant Designated Land any: (1) reserved in or over an interest in the Designated Land; (a) easements, restrictions, trusts, estates, interests or covenants;

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(b) any management statement which places any obligations on the Council as the owner of the relevant land; and

(2) an interest or power:

(a) arising under, or with respect to, a bio-banking agreement (or biodiversity stewardship agreement, as the case may be);

(b) created or otherwise arising in or over any interest in the Designated Land under any mortgage, charge (whether fixed or floating), pledge, lien, hypothecation, title retention, conditional sale agreement, hire or hire purchase agreement, restriction as to transfer, use or possession, subordination to any right of any other person and any other encumbrance or security interest, or bill of sale; or

(c) by way of security for the payment of a debt or other monetary obligation or the performance of any obligation.

Encumber means to grant an Encumbrance.

Event of Default has the meaning ascribed to it in clause 15.2.

GST Law means *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

Handover has the meaning ascribed to it in clause 7.5.

Insolvency Event means the happening of any of these events:

(1) Except to reconstruct or amalgamate while solvent, a body corporate enters into, or resolves to enter into, a scheme of arrangement, agreement of company arrangement or composition with, or assignment for the benefit of, all or any class of its creditors, or it proposes a reorganisation, moratorium or other administration involving any of them;

(2) A body corporate resolves to wind itself up, or otherwise dissolve itself, or gives notice of intention to do so, except to reconstruct or amalgamate while solvent or is otherwise wound up or dissolved;

(3) A body corporate is or states that it is insolvent;

(4) A body corporate takes any step to obtain protection or is granted protection from its creditors, under any applicable legislation or an administrator is appointed to a body corporate;

(5) A person becomes an insolvent under administration as defined in section 9 of the *Corporations Act 2001* (Cth);

(6) A receiver, manager or receiver and manager is appointed to the Company; or

(7) A body corporate becomes an externally administered body corporate within the meaning of the *Corporations Act 2001* (Cth).

Item Number means the corresponding number to the Contribution in the Contributions Plan.

Land means all land shown on the Public Benefit Plan and known generally as the Frasers Town Centre

LRS means NSW Land Registry Services or any other department or agency that provides the same services.

Maintenance Period means the six (6) month period commencing on the date of Handover.

Maintenance Schedule has the meaning ascribed to it in clause 7.3(1).

Monetary Contributions means the monetary contributions set out in **Schedule 5**.

Occupation Certificate has the same meaning as in the Act.

Permitted Encumbrances means each of:

(1) easements benefitting statutory authorities, encroachments authorised by the Development Consents (or any other related approval) and environmental management requirements including precinct wide utility services provided by non-statutory corporations;

(2) the registration of this document on the relevant folios of the Designated Land; and

(3) any Encumbrance that Council (acting reasonably) agrees in writing are permitted encumbrances.

Planning Legislation means the Act, the *Local Government Act 1993* (NSW) and the *Roads Act 1993* (NSW).

Plan of Subdivision means a registered plan of subdivision within the meaning of section 195 of the *Conveyancing Act 1919* (NSW).

Practically Complete means when a Practical Completion Certificate has been issued with respect to any item of the Works.

Practical Completion Certificate means a written certificate issued by Council confirming that an item of the Works or part of an item of the Works has been completed to Council's satisfaction.

Primary Security has the meaning ascribed to it in clause 11.

Public Benefit Plan means the plan that is attached as **Annexure 1**.

Register is the register maintained by the Registrar General under the *Real Property Act 1900* (NSW).

Registration Land means that part of the Land that is comprised in Lot 101 DP1238023, Lot 2 DP1220978 and Lot 600 DP1308346.

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Security	has the meaning ascribed to it in clause 11.
Specification	for an item of Work means the specifications identified in **Column 4** of **Schedule 4**.
Subdivision Certificate	has the same meaning as in the Act.
Super Lot	means a lot that forms part of the Registration Land which, following registration of a Plan of Subdivision, is intended for further subdivision (including strata or community title subdivision) for residential accommodation or commercial purposes, and includes any part of the Designated Land.
Works	means the works specified or described in **Schedule 4**.
Works as Executed Plan	means a final set of constructed drawings, manuals and survey plans applicable to development in an electronic format compatible to Council systems. Copyright of all and any material must be transferred to Council.

Part 2 - Interpretational Rules

clauses, annexures and schedules	a clause, annexure or schedule is a reference to a clause in or annexure or schedule to this document.
reference to statutes	a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.
singular includes plural	the singular includes the plural and vice versa.
person	the word "person" includes an individual, a firm, a body corporate, a partnership, joint venture, an unincorporated body or association or any government agency.
executors, administrators, successors	a particular person includes a reference to the person's executors, administrators, successors, substitutes (including persons taking by novation) and assigns.
dollars	Australian dollars, dollars, $ or A$ is a reference to the lawful currency of Australia.
calculation of time	if a period of time dates from a given day or the day of an act or event, it is to be calculated exclusive of that day.
reference to a day	a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.
accounting terms	an accounting term is a reference to that term as it is used in accounting standards under the *Corporations Act 2001 (Cth)* or, if not inconsistent with those standards, in accounting principles and practices generally accepted in Australia.
reference to a group of persons	a group of persons or things is a reference to any two or more of them jointly and to each of them individually.
meaning not limited	the words "include", "including", "for example" or "such as" are not used as, nor are they to be interpreted as, words of limitation, and, when introducing an example, do not limit the meaning of the words

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	to which the example relates to that example or examples of a similar kind.
next day	if an act under this document to be done by a party on or by a given day is done after 5.00pm on that day, it is taken to be done on the next day.
next business day	if an event must occur on a stipulated day which is not a business day then the stipulated day will be taken to be the next business day.
time of day	time is a reference to Sydney time.
headings	headings (including those in brackets at the beginning of paragraphs) are for convenience only and do not affect the interpretation of this document.
agreement	a reference to any agreement, document or instrument includes the same as varied, supplemented, novated or replaced from time to time.
Gender	a reference to one gender extends and applies to the other and neuter gender.

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Schedule 3 – Designated Land

Column 1	Column 2	Column 3	Column 4	Column 5
Item Number	**Item**	**Public Purpose**	**Time for Completion**	**Contribution Value**
B2	Bernera Rd (MacDonald Rd) south of The Green Way intersection. Excluding Campbelltown Rd/Bernera Rd (MacDonald Rd) intersection (completed by Transport for NSW) as detailed on the Public Benefit Plan.	Road Reserve	Completed.	$2,558,010
B3	Bernera Rd (MacDonald Rd) north of The Green Way intersection as detailed on the Public Benefit Plan.	Road Reserve	Completed.	$3,834,870
B12	Eastern Park, being Lot 101 DP1238023, and as detailed on the Public Benefit Plan.	Open Space	Prior to the issue of the 1100th Occupation Certificate for a Dwelling in the Development.	$390,000
B21	Town Park as detailed on the Public Benefit Plan.	Open Space	Prior to the issue of the 951st Occupation Certificate for a Dwelling in the Development.	$4,820,000
B21A	Local Park as detailed on the Public Benefit Plan.	Open Space	Prior to the issue of the 951st Occupation Certificate for a Dwelling in the Development.	$2,430,000
B25	Henderson Rd east of Soldiers Parade as detailed on the Public Benefit Plan.	Road Reserve	Prior to the issue of the 1100th Occupation Certificate for a Dwelling in the Development.	$2,090,033

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Schedule 4- Works

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item Number	**Item of Works**	**Public Purpose**	**Specification**	**Time for Completion**	**Contribution Value**
B2	Bernera Rd (MacDonald Rd) south of The Green Way intersection excluding Campbelltown Rd/Bernera Rd (MacDonald Rd) intersection works (completed by Transport for NSW), as identified on the Public Benefit Plan.	Road Reserve	In accordance with: 11022306/CC01 –C, 11022306/CC03 –C, 11022306/CC05 –D, 11022306/CC13 –D, 11022306/CC14 –E, 11022306/CC15 –E, 11022306/CC16 –E, L-BG0001 -03, L-BG0002 -03, L-BG1301 -03, L-BG1302 -03, L-BG1303 -03, L-BG1304 -03, 300067-ESK-029.	Complete.	$1,367,552
B3	Bernera Rd (MacDonald Rd) north of The Green Way intersection as identified on the Public Benefit Plan.	Road Reserve	In accordance with: 11022306/CC01 –C, 11022306/CC03 –C,	Complete.	$3,819,901

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The Draft Planning Agreement (VPA-39)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item Number	**Item of Works**	**Public Purpose**	**Specification**	**Time for Completion**	**Contribution Value**
			11022306/CC05 –D, 11022306/CC13 –D, 11022306/CC14 –E, 11022306/CC15 –E, 11022306/CC16 –E, L-BG0001 -03, L-BG0002 -03, L-BG1301 -03, L-BG1302 -03, L-BG1303 -03, L-BG1304 -03, 300067-ESK-029.		
B4	Retaining wall to support Bernera Rd (MacDonald Rd), as identified on the Public Benefit Plan.	Road Reserve	In accordance with: 6368/C/01B, 6368/C/02B, 6368/C/03B, 6368/C/04B, 6368/C/05B, 6368/C/06B, 6368/C/07B, 6368/C/08B, 6368/C/09B, 11044902/CC12B,	Complete.	$1,799,061

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The Draft Planning Agreement (VPA-39)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item Number	**Item of Works**	**Public Purpose**	**Specification**	**Time for Completion**	**Contribution Value**
			11044902/CC13C, RS-14-30-DET-12/0, RS-14-30-DET-13/0, 11044902/CC10A, 11044902/CC11A, 11044902/CC14A.		
B9	Upgrade of Soldiers Parade between Henderson Road and Campbelltown Road (excluding Soldiers Parade and Campbelltown Road RMS intersection works) as identified on the Public Benefit Plan, including: (a) Construction of 2.5m wide concrete footpaths south of the roundabout. (b) Construction of 2.5m wide concrete footpaths south-west of the roundabout (complete as at the date of this document). (c) Construction of 2.5m wide concrete footpaths north-east of the roundabout. (d) Construction of 3m wide concrete footpaths north-west of the roundabout. (e) Construction of four new raised pedestrian crossings (complete as at the date of this document). (f) Modification and extension of the existing median island and associated roundabout works.	Road Reserve	In accordance with: 011096-INF-VPA-1001-A, 300067-PSK-001 (Markup).	Prior to the issue of the 951st Occupation Certificate for a Dwelling in the Development.	$5,056,130

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The Draft Planning Agreement (VPA-39)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item Number	**Item of Works**	**Public Purpose**	**Specification**	**Time for Completion**	**Contribution Value**
	(g) Landscaping including street trees, mulching and turf. (h) Street lighting (complete as at the date of this document).				
B12	Eastern Park as identified on the Public Benefit Plan, including: (a) Construction of cycle and pedestrian paths. (b) Construction of gravel walking trails. (c) Construction of boardwalk. (d) Landscaping including retention, protection and replanting of vegetation with endemic species. (e) Park furniture including pavilion, benches, exercise stations, bicycle parking and waste bins. (g) Wayfinding and public art including entry signage and interpretation features.	Open Space	In accordance with the Hassell design concept (10 pages) attached to the letter of offer dated 2 June 2025.	Prior to the issue of the 1100th Occupation Certificate for a Dwelling in the Development.	$6,717,274
B21A	Local Park as identified on the Public Benefit Plan, including: (a) Embellishment of approx. 2,639m² park including multi-purpose lawn and informal recreation area. (b) Perimeter landscaping including tree planting and garden beds. (c) Hardscape elements including perimeter benches and footpaths.	Open Space	To be determined in accordance with Council's design and construction specifications.	Prior to the issue of the 951st Occupation Certificate for a Dwelling in the Development.	$1,045,928

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The Draft Planning Agreement (VPA-39)

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item Number	**Item of Works**	**Public Purpose**	**Specification**	**Time for Completion**	**Contribution Value**
B25	Henderson Rd east of Soldiers Parade as identified on the Public Benefit Plan, including: (a) Construction of new road reserve works including pavement, kerb, nature strip and 2.5m wide concrete shared paths along Henderson Pd or alternative location for connection through the Precinct to Eastern Park to be agreed with Council. (b) Construction of a retaining wall along the rail boundary including footing, drainage, safety barrier and certification. (c) Stormwater drainage including pits, pipes and connections. (d) Street lighting. (e) Signage, line marking and landscaping.	Road Reserve	In accordance with: 300067(RP3)-BEW-DA-001 300067(RP3)-BEW-DA-002 300067(RP3)-BEW-DA-101 300067(RP3)-BEW-DA-102 300067(RP3)-BEW-DA-401 300067(RP3)-BEW-DA-402 300067(RP3)-BEW-DA-403 300067(RP3)-BEW-DA-411 300067(RP3)-BEW-DA-501 300067(RP3)-BEW-DA-511 300067(RP3)-BEW-DA-512 300067(RP3)-BEW-DA-513 300067(RP3)-BEW-DA-514 300067(RP3)-BEW-DA-551 300067(RP3)-BEW-DA-552 300067(RP3)-BEW-DA-553 300067(RP3)-BEW-DA-561 300067(RP3)-BEW-DA-562 300067(RP3)-BEW-DA-563 300067(RP3)-BEW-DA-571 300067(RP3)-BEW-DA-601 300067(RP3)-BEW-DA-611 300067(RP3)-BEW-DA-701	Prior to the issue of the 1100th Occupation Certificate for a Dwelling in the Development.	$10,662,084

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Column 1	**Column 2**	**Column 3**	**Column 4**	**Column 5**	**Column 6**
Item Number	**Item of Works**	**Public Purpose**	**Specification**	**Time for Completion**	**Contribution Value**
			300067(RP3)-BEW-DA-702 300067(RP3)-BEW-DA-703 300067(RP3)-BEW-DA-704 300067(RP3)-BEW-DA-705 300067(RP3)-BEW-DA-901 300067(RP3)-BEW-DA-902		
B28	Construction of four new bus stop shelters (two on Macdonald Road and two on Soldiers Parade) as identified in the Public Benefit Plan	Road Reserve	NSW Government Bus Stop – Category C standards and Bus Stop Shelter Type 1 standards.	Prior to the issue of the 951st Occupation Certificate for a Dwelling in the Development.	$369,197

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Schedule 5 – Monetary Contributions

Item	Public Purpose	Time for Completion	Contribution Value
B14 and B21 – Community Centre and embellishment of Town Park	Community Centre and Open Space	To be paid in two tranches, being: (a) $1,000,000 by 30 June 2026, to contribute to design costs; and (b) $6,051,436 by 1 February 2027, to contribute to construction costs.	$7,051,436, being: $6,470,952 to contribute to the delivery of the Community Centre plus $753,839 to contribute to the embellishment of the Town Park Minus $173,355 for development contributions paid by the Developer in respect of DA-621/2016.
B11 – Signalisation of MacDonald Road and General Boulevard	Road Reserve	To be paid in two tranches, being: (a) $20,000 by 1 June 2026; and (b) $580,000, within twenty (20) business days of Council producing evidence to the Developer of an approval issued by Transport for NSW for the signalisation of the MacDonald Road/General Boulevard intersection, but only if such evidence is provided. prior to 31 December 2032.	$600,000

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Schedule 6 – Open Space Works (Design & Cost Management)

1. Design Development and Approval Milestones

1.1. The Developer must prepare and submit detailed design documentation for the Open Space Works to Council for review and written approval at each of the following stages:

a) Project Design Brief – description of functional requirements, including design features and facilities.
b) Concept Design –, layout, key design elements and intent.
c) Preliminary Design (50%) – including materials, indicative levels, and draft cost estimate.
d) Detailed Design (90%) – final construction drawings, levels, finishes, specifications, and cost estimate.
e) Final Design – for construction certification and any relevant Sydney Water approvals.

1.2. Each design submission must include (except design brief):

1. Design plans (plans, sections and 3D imagery) and specifications.
2. A cost estimate prepared by a Quantity Surveyor (QS) or suitably qualified professional, itemised by components (e.g., preliminaries, landscaping, lighting, services, footpaths, play equipment, furniture);
3. The final stage submission should incorporate an initial proposed project timeline (eg. Gantt chart).

1.3. The Developer must not commence any construction work until Council has approved, in writing, the final design documentation and cost estimate.

2. Design Objectives and Standards

2.1. The Developer must ensure the Open Space Works are designed and documented in accordance with:

a) Council's adopted Public Domain Design Guidelines, Open Space Strategy (if available), and any relevant planning or engineering standards;
b) The concept plan approved or endorsed in writing by Council;
c) Industry best practice in safety, accessibility, sustainability, and durability;
d) All relevant and applicable Australian Standards;
e) Council's Civil Works Specifications and Standard Drawings for all civil works and associated infrastructure. In the absence of a relevant Council standard, the applicable Australian Standards must be followed.

2.2. All design documentation must demonstrate consistency with clause 2.1 and incorporate any feedback or requirements issued by Council at any stage of the design development process.

3. Cost Management

3.1. The cost estimate for the Open Space Works is included reasonable allowances under the VPA for preliminaries, design fees, contingencies, and escalation to the proposed delivery timeframe.

3.2. The Developer must not reduce the scope of the Open Space Works as described in Column 2 of **Schedule 4** to remain within budget without Council's prior written consent. Any proposed adjustment must be justified through a value engineering process and must not materially reduce the intended public benefit.

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Execution page

Executed as a deed

Dated:

SIGNED for and on behalf of **Liverpool City Council** (ABN 84 181 182 471) by its Authorised Delegate.

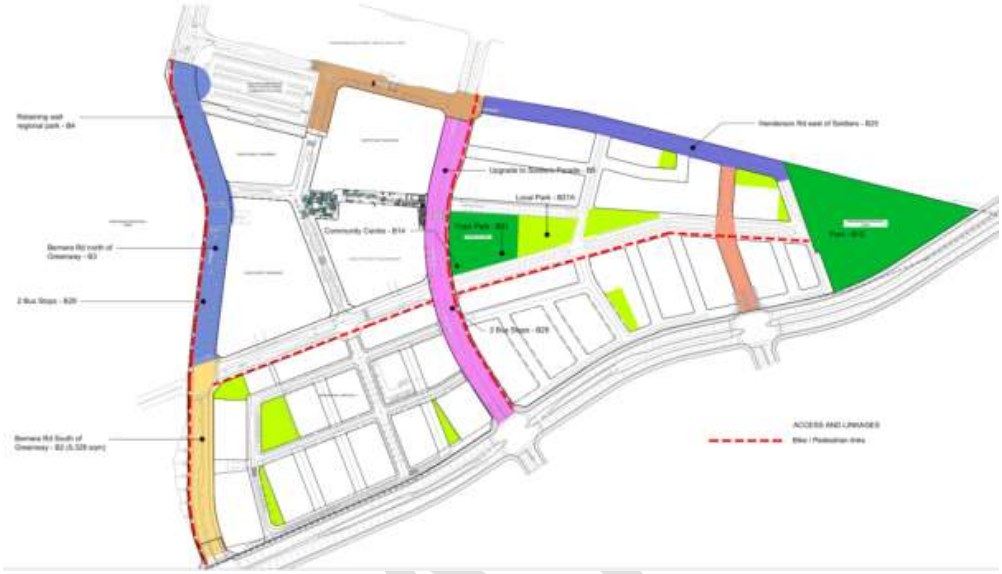
Signature of Authorised Delegate	Witness (Signature)
Name of Authorised Delegate	Witness (Print Name)
Position of Authorised Delegate	Date:

Signed, sealed and delivered on behalf of Australand Residential Edmondson Park Pty Limited as trustee for the Australand Residential (Edmondson Park) Trust (ACN 107 356 650) by its duly authorised attorney under power of attorney dated_____ Registered Book_____No. _____ and by executing this document the attorney states that it has received no notice of revocation of the power of attorney

Attorney (Signature)	Witness (Signature)
Attorney (Print Name)	Witness (Print Name)

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Annexure 1- Public Benefit Plan



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Annexure 2 – Ed Square Site Audit Statement

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NSW Site Auditor Scheme

Site Audit Statement

A site audit statement summarises the findings of a site audit. For full details of the site auditor's findings, evaluations and conclusions, refer to the associated site audit report.

This form was approved under the *Contaminated Land Management Act 1997* on 12 October 2017.

For information about completing this form, go to Part IV.

Part I: Site audit identification

Site audit statement no. 0301-2103

This site audit is a:

❑ statutory audit

☑ non-statutory audit

within the meaning of the *Contaminated Land Management Act 1997*.

Site auditor details

(As accredited under the *Contaminated Land Management Act 1997*)

Name	James Davis		
Company	Enviroview Pty Ltd		
Address	PO Box 327		
	GLADESVILLE NSW	Postcode	2110
Phone	0467 375 481		
Email	james.davis@enviroview.com.au		

Site details

Address	Edmondson Park Frasers Town Centre		
	Campbelltown Road		
	EDMONDSON PARK	Postcode	2174

Site Audit Statement

Property description

(Attach a separate list if several properties are included in the site audit.)

Lots 31-40 DP 1247570, Lots 31-41 DP1243465, Part of Lots 12-13 DP1259655

Lots 14-15 DP1259655 (see attached plan)

Local government area	Liverpool City Council
Area of site (include units, e.g. hectares)	18.734
Current zoning	B4 Mixed Uses (State Environmental Planning Policy (State Significant Precincts) 2005

Regulation and notification

To the best of my knowledge:

the site is the subject of a declaration, order, agreement, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985,* as follows: (provide the no. if applicable)

- ❑ Declaration no.
- ❑ Order no.
- ❑ Proposal no.
- ❑ Notice no.

☑ **the site is not** the subject of a declaration, order, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985*.

To the best of my knowledge:

❑ the site **has** been notified to the EPA under section 60 of the *Contaminated Land Management Act 1997*

☑ the site **has not** been notified to the EPA under section 60 of the *Contaminated Land Management Act 1997*.

Site audit commissioned by

Name	Simon Twiggs		
Company	Frasers Property Pty Ltd		
Address	Level 2, 1C Homebush Bay Drive		
	RHODES	Postcode	2138
Phone	02 9767 2070		
Email	simon.twiggs@fraserspropery.com.au		

Site Audit Statement

Contact details for contact person (if different from above)

Name

Phone

Email

Nature of statutory requirements (not applicable for non-statutory audits)

❑ Requirements under the *Contaminated Land Management Act* 1997
(e.g. management order; please specify, including date of issue)

❑ Requirements imposed by an environmental planning instrument
(please specify, including date of issue)

❑ Development consent requirements under the *Environmental Planning and Assessment Act 1979* (please specify consent authority and date of issue)

❑ Requirements under other legislation (please specify, including date of issue)

Site Audit Statement

Purpose of site audit

☑ **A1** To determine land use suitability

Intended uses of the land: **Residential with accessible soil**

OR

☐ **A2** To determine land use suitability subject to compliance with either an active or passive environmental management plan

OR

(Tick all that apply)

☐ **B1** To determine the nature and extent of contamination

☐ **B2** To determine the appropriateness of:

- ☐ an investigation plan
- ☐ a remediation plan
- ☐ a management plan

☐ **B3** To determine the appropriateness of a **site testing plan** to determine if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*

☐ **B4** To determine the compliance with an approved:

- ☐ **voluntary management proposal** or
- ☐ **management order** under the *Contaminated Land Management Act 1997*

☐ **B5** To determine if the land can be made suitable for a particular use (or uses) if the site is remediated or managed in accordance with a specified plan.

Information sources for site audit

Consultancies which conducted the site investigations and/or remediation:

Golder Associates Pty Ltd, DLA Environmental Services Pty Ltd, ERM

Titles of reports reviewed:

DLA Environmental Services Pty Ltd (November 2015) *Remediation Action Plan, Edmondson Park Town Centre, Campbelltown Road, Ingleburn NSW 2565*. Document Reference: DL3550_S003701, dated 18 November 2015. (DLA, 2015)

ERM (April 2021) *Site Validation Report, Edmondson Park Frasers Town Centre, Edmondson Park NSW 2174.* Document Reference: S010854, dated 9 April 2021. (ERM, 2021)

Reports made available to the Site Auditor and were utilised for context of the background information available for the Site:

Golder Associates Pty Ltd (May 2015) *Environmental Investigation, Proposed Town Centre Development – Edmondson Park, NSW*. Document Reference: 1419891-001-R-Rev1, dated 12 May 2015. (Golder, 2015)

DLA Environmental Services Pty Ltd (October 2015) *Asbestos Quantification Assessment, Edmondson Park Town Centre, Campbelltown Road, Ingleburn NSW 2565.* Document Reference: DL3550_S003468, dated 8 October 2015. (DLA, 2015)

DLA Environmental Services Pty Ltd (January 2017) Letter Report – *Edmondson Park Precinct – Material Recommendation.* Document Reference: DL3550_S006109, dated 27 January 2017. (DLA, 2017a)

DLA Environmental Services Pty Ltd (July 2017) Letter Report – *Edmondson Park Town Centre, Campbelltown Road Ingleburn, NSW 2565 – Contamination Investigation of PFAS in soils.* Document Reference: DL3550_S007131, dated 25 July 2017. (DLA, 2017b)

DLA Environmental Services Pty Ltd (August 2017) *Supplementary Site Investigation, Edmondson Park Town Centre, Campbelltown Road, Ingleburn NSW 2565*. Document Reference: DL3550_S007279, dated August 2017. (DLA, 2017c)

DLA Environmental Services Pty Ltd (January 2018) Letter Report – *Edmondson Park Town Centre, Campbelltown Road Ingleburn, NSW 2565 – Contamination Investigation of PFAS in soils.* Document Reference: DL3550_S007966, dated 8 January 2018. (DLA, 2018a)

DLA Environmental Services Pty Ltd (January 2018) *Baseline Assessment Report, Edmondson Park Town Centre, Campbelltown Road and Soldiers Parade, Edmondson Park, NSW, 2174*. Document Reference: DL4088_S007977, dated January 2018. (DLA, 2018b)

Site audit report details

Title	Site Audit Report
	Edmondson Park Frasers Town Centre, Campbelltown Road,
	Edmondson Park, NSW
Report no. 600187_0301-2103	Date 27 May 2021

Part II: Auditor's findings

Please complete either Section A1, Section A2 or Section B, not more than one section. (Strike out the irrelevant sections.)

- Use **Section A1** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **without the implementation** of an environmental management plan.
- Use **Section A2** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **with the implementation** of an active or passive environmental management plan.
- Use **Section B** where the audit is to determine:
    - (B1) the nature and extent of contamination, and/or
    - (B2) the appropriateness of an investigation, remediation or management plan[1], and/or
    - (B3) the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or
    - (B4) whether the terms of the approved voluntary management proposal or management order have been complied with, and/or
    - (B5) whether the site can be made suitable for a specified land use (or uses) if the site is remediated or managed in accordance with the implementation of a specified plan.

[1] For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

Site Audit Statement

Section A1

I certify that, in my opinion:

The **site is suitable** for the following uses:

(Tick all appropriate uses and strike out those not applicable.)

~~☐ Residential, including substantial vegetable garden and poultry~~

~~☐ Residential, including substantial vegetable garden, excluding poultry~~

☑ Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry

☑ Day care centre, preschool, primary school

☑ Residential with minimal opportunity for soil access, including units

☑ Secondary school

☑ Park, recreational open space, playing field

☑ Commercial/industrial

Other (please specify):

OR

~~I certify that, in my opinion, the **site is not suitable** for any use due to the risk of harm from contamination.~~

Overall comments:

This SAS is in support of earthworks and remediation undertaken under Development Application DA628/2016

Site Audit Statement

~~Section A2~~

~~I certify that, in my opinion:~~

~~Subject to compliance with the **attached** environmental management plan[2] (EMP), the site is suitable for the following uses:~~

~~(Tick all appropriate uses and strike out those not applicable.)~~

~~☐ Residential, including substantial vegetable garden and poultry~~

~~☐ Residential, including substantial vegetable garden, excluding poultry~~

~~☐ Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry~~

~~☐ Day care centre, preschool, primary school~~

~~☐ Residential with minimal opportunity for soil access, including units~~

~~☐ Secondary school~~

~~☐ Park, recreational open space, playing field~~

~~☐ Commercial/industrial~~

~~☐ Other (please specify):~~

_____

~~EMP details~~

~~Title:~~

~~_____~~

~~_____~~

~~Author~~

~~Date:~~

~~EMP summary~~

~~This EMP (attached) is required to be implemented to address residual contamination on the site.~~

~~The EMP: (Tick appropriate box and strike out the other option.)~~

~~☐ requires operation and/or maintenance of **active** control systems[3]~~

~~☐ requires maintenance of **passive** control systems only[3].~~

[2] Refer to Part IV for an explanation of an environmental management plan.
[3] Refer to Part IV for definitions of active and passive control systems.

Site Audit Statement

~~Purpose of the EMP:~~

~~Description of the nature of the residual contamination:~~

~~Summary of the actions required by the EMP:~~

~~How the EMP can reasonably be made to be legally enforceable:~~

~~How there will be appropriate public notification:~~

~~Overall comments:~~

Site Audit Statement

~~Section B~~

~~Purpose of the plan[4] which is the subject of this audit:~~

_____

_____

~~I certify that, in my opinion:~~

~~(B1)~~

☐ ~~The nature and extent of the contamination **has** been appropriately determined~~

☐ ~~The nature and extent of the contamination has not been appropriately determined~~

~~AND/OR (B2)~~

☐ ~~The investigation, remediation or management plan is appropriate for the purpose stated above~~

☐ ~~The investigation, remediation or management plan is not appropriate for the purpose stated above~~

~~AND/OR (B3)~~

☐ ~~The site testing plan:~~

☐ ~~**is** appropriate to determine~~

☐ ~~**is not** appropriate to determine~~

~~if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*~~

~~AND/OR (B4)~~

☐ ~~The terms of the approved voluntary management proposal* or management order** (strike out as appropriate):~~

☐ ~~**have** been complied with~~

☐ ~~**have not** been complied with.~~

~~*voluntary management proposal no.~~

_____

~~**management order no.~~

_____

~~AND/OR (B5)~~

☐ ~~The site **can be made suitable** for the following uses:~~

~~(Tick all appropriate uses and strike out those not applicable.)~~

☐ ~~Residential, including substantial vegetable garden and poultry~~

☐ ~~Residential, including substantial vegetable garden, excluding poultry~~

[4] For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

Site Audit Statement

~~☐ Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry~~

~~☐ Day care centre, preschool, primary school~~

~~☐ Residential with minimal opportunity for soil access, including units~~

~~☐ Secondary school~~

~~☐ Park, recreational open space, playing field~~

~~☐ Commercial/industrial~~

~~☐ Other (please specify):~~

~~IF the site is remediated/managed* in accordance with the following plan (**attached**):~~

~~*Strike out as appropriate~~

~~Plan title~~

~~Plan author~~

~~Plan date No. of pages~~

~~Plan title~~

~~Plan author~~

~~Plan date No. of pages~~

~~SUBJECT to compliance with the following condition(s):~~

~~Overall comments:~~

Part III: Auditor's declaration

I am accredited as a site auditor by the NSW Environment Protection Authority (EPA) under the *Contaminated Land Management Act 1997.*

Accreditation no. 0301

I certify that:

- I have completed the site audit free of any conflicts of interest as defined in the *Contaminated Land Management Act 1997,* and
- with due regard to relevant laws and guidelines, I have examined and am familiar with the reports and information referred to in Part I of this site audit, and
- on the basis of inquiries I have made of those individuals immediately responsible for making those reports and obtaining the information referred to in this statement, those reports and that information are, to the best of my knowledge, true, accurate and complete, and
- this statement is, to the best of my knowledge, true, accurate and complete.

I am aware that there are penalties under the *Contaminated Land Management Act 1997* for wilfully making false or misleading statements.



Signed

Date 27 May 2021

Part IV: Explanatory notes

To be complete, a site audit statement form must be issued with all four parts.

How to complete this form

Part I

Part I identifies the auditor, the site, the purpose of the audit and the information used by the auditor in making the site audit findings.

Part II

Part II contains the auditor's opinion of the suitability of the site for specified uses or of the appropriateness of an investigation, or remediation plan or management plan which may enable a particular use. It sets out succinct and definitive information to assist decision-making about the use or uses of the site or a plan or proposal to manage or remediate the site.

The auditor is to complete either Section A1 or Section A2 or Section B of Part II, **not** more than one section.

Section A1

In Section A1 the auditor may conclude that the land is *suitable* for a specified use or uses OR *not suitable* for any beneficial use due to the risk of harm from contamination.

By certifying that the site is *suitable*, an auditor declares that, at the time of completion of the site audit, no further investigation or remediation or management of the site was needed to render the site fit for the specified use(s). **Conditions must not be** imposed on a Section A1 site audit statement. Auditors may include **comments** which are key observations in light of the audit which are not directly related to the suitability of the site for the use(s). These observations may cover aspects relating to the broader environmental context to aid decision-making in relation to the site.

Section A2

In Section A2 the auditor may conclude that the land is *suitable* for a specified use(s) subject to a condition for implementation of an environmental management plan (EMP).

Environmental management plan

Within the context of contaminated sites management, an EMP (sometimes also called a 'site management plan') means a plan which addresses the integration of environmental mitigation and monitoring measures for soil, groundwater and/or hazardous ground gases throughout an existing or proposed land use. An EMP succinctly describes the nature and location of contamination remaining on site and states what the objectives of the plan are, how contaminants will be managed, who will be responsible for the plan's implementation and over what time frame actions specified in the plan will take place.

By certifying that the site is suitable subject to implementation of an EMP, an auditor declares that, at the time of completion of the site audit, there was sufficient information

satisfying guidelines made or approved under the *Contaminated Land Management Act 1997* (CLM Act) to determine that implementation of the EMP was feasible and would enable the specified use(s) of the site and no further investigation or remediation of the site was needed to render the site fit for the specified use(s).

Implementation of an EMP is required to ensure the site remains suitable for the specified use(s). The plan should be legally enforceable: for example, a requirement of a notice under the CLM Act or a development consent condition issued by a planning authority. There should also be appropriate public notification of the plan, e.g. on a certificate issued under s.149 of *the Environmental Planning and Assessment Act 1979*.

Active or passive control systems

Auditors must specify whether the EMP requires operation and/or maintenance of active control systems or requires maintenance of passive control systems only. Active management systems usually incorporate mechanical components and/or require monitoring and, because of this, regular maintenance and inspection are necessary. Most active management systems are applied at sites where if the systems are not implemented an unacceptable risk may occur. Passive management systems usually require minimal management and maintenance and do not usually incorporate mechanical components.

Auditor's comments

Auditors may also include **comments** which are key observations in light of the audit which are not directly related to the suitability of the site for the use(s). These observations may cover aspects relating to the broader environmental context to aid decision-making in relation to the site.

Section B

In Section B the auditor draws conclusions on the nature and extent of contamination, and/or suitability of plans relating to the investigation, remediation or management of the land, and/or the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or whether the terms of an approved voluntary management proposal or management order made under the CLM Act have been complied with, and/or whether the site can be made suitable for a specified land use or uses if the site is remediated or managed in accordance with the implementation of a specified plan.

By certifying that a site *can be made suitable* for a use or uses if remediated or managed in accordance with a specified plan, the auditor declares that, at the time the audit was completed, there was sufficient information satisfying guidelines made or approved under the CLM Act to determine that implementation of the plan was feasible and would enable the specified use(s) of the site in the future.

For a site that *can be made suitable*, any **conditions** specified by the auditor in Section B should be limited to minor modifications or additions to the specified plan. However, if the auditor considers that further audits of the site (e.g. to validate remediation) are required, the auditor must note this as a condition in the site audit statement. The condition must not specify an individual auditor, only that further audits are required.

Auditors may also include **comments** which are observations in light of the audit which provide a more complete understanding of the environmental context to aid decision-making in relation to the site.

Part III

In **Part III** the auditor certifies their standing as an accredited auditor under the CLM Act and makes other relevant declarations.

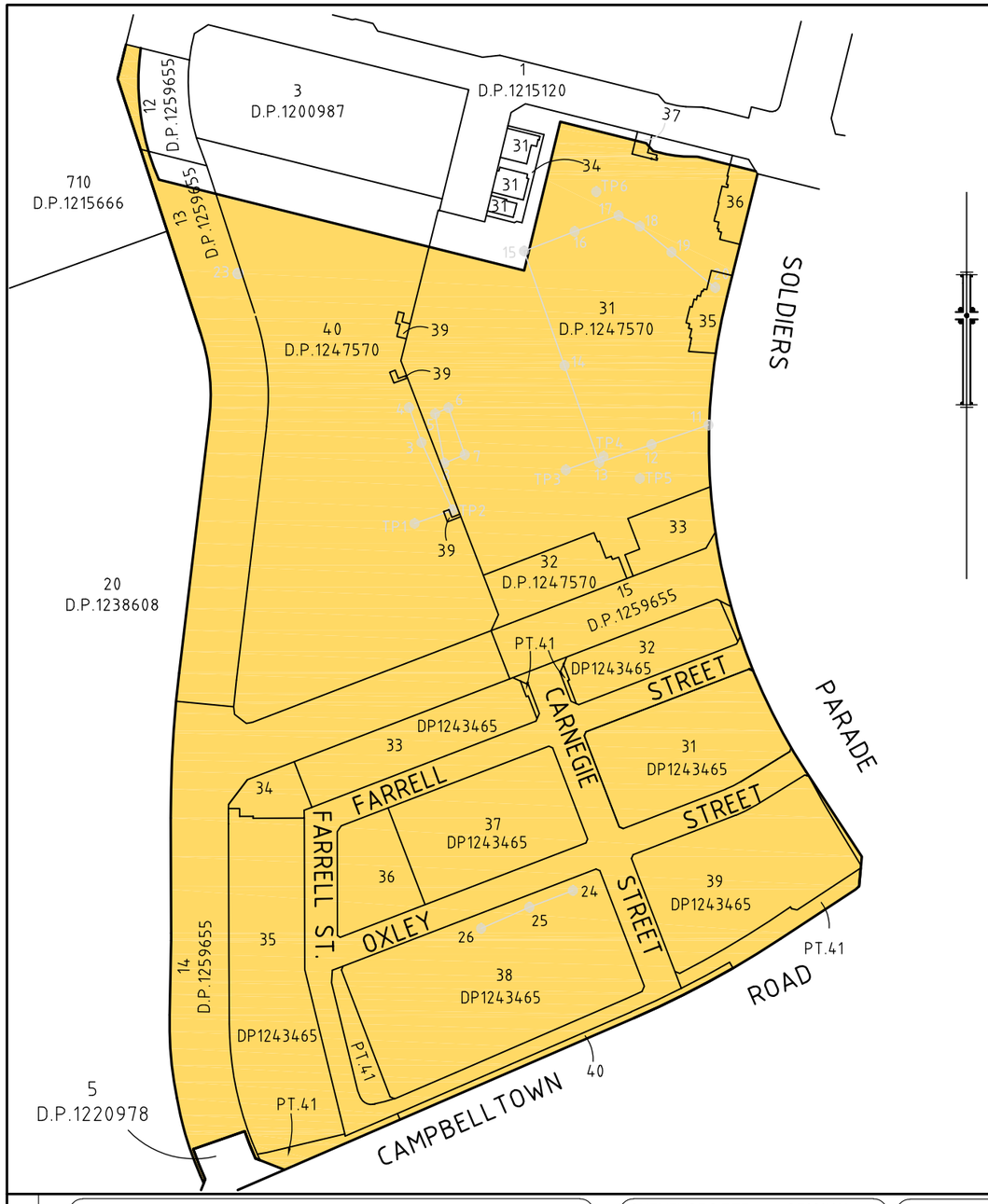
Where to send completed forms

In addition to furnishing a copy of the audit statement to the person(s) who commissioned the site audit, statutory site audit statements must be sent to

- the **NSW Environment Protection Authority**:
  nswauditors@epa.nsw.gov.au or as specified by the EPA

  AND
- the **local council** for the land which is the subject of the audit.

SHEET 1 OF 1



POINT NO:	EAST	NORTH	DESCRIPTION
TP1	302056.590	6238926.916	Telstra Pit / Start of Trench
TP2	302075.731	6238933.710	Telstra Pit / Start of Trench
3	302060.080	6238967.629	Start of Trench
4	302053.851	6238985.190	End of Trench
5	302066.916	6238982.041	Cnr of Hot Spot Zone
6	302073.653	6238985.104	Cnr of Hot Spot Zone
7	302081.841	6238961.491	Cnr of Hot Spot Zone
8	302071.512	6238957.243	Cnr of Hot Spot Zone
TP3	302132.545	6238953.876	Telstra Pit / Start of Trench
TP4	302151.477	6238960.674	Telstra Pit / End of Trench
11	302204.174	6238976.363	Start of Trench
12	302175.608	6238966.534	Point on Trench
13	302149.315	6238957.533	Cnr of Trench
14	302131.912	6239006.244	Point on Trench
15	302111.620	6239063.718	Cnr of Trench
16	302136.968	6239073.569	Point on Trench
17	302159.041	6239081.626	Cnr of Trench
18	302169.205	6239076.224	Point on Trench
19	302185.610	6239063.190	Point on Trench
20	302207.584	6239045.397	End of Trench
TP5	302169.724	6238949.575	Telstra Pit
TP6	302147.841	6239093.584	Telstra Pit
23	301968.098	6239052.460	150 Diameter Pipe
24	302136.153	6238742.653	Pothole Dig
25	302114.265	6238734.225	Pothole Dig
26	302090.040	6238723.606	Pothole Dig

NOTES:
1) LOTS 31-40 DP1247570 ARE STRATUM LOTS LIMITED IN HEIGHT AND DEPTH.
2) LOTS 31-37,39 AND 40 SHOWN ON THIS SKETCH, ARE SHOWN AS PER THE GROUND FLOOR LEVEL OF DP1247570.
3) LOT 38 DP1247570 IS ALSO AFFECTED BY THE AUDIT AREA - SHOWN ON BASEMENT 1 LEVEL OF DP1247570

DA628/2016 VALIDATION AREA
12.82Ha OF FORMER LOT 100 D.P.1238023
BEING PART OF LOTS 31-40 DP1247570,
LOTS 31-41 DP1243465, PART OF LOTS
12-13 DP1259655 & LOTS 14-15 DP1259655

PHILLIP McQUILLAN
REGISTERED SURVEYOR
BEVERIDGE WILLIAMS
447 KENT STREET, SYDNEY 2000
1 - 6 - 2020

Beveridge Williams
Development & Environment Consultants
Registered Surveyors
Sydney: (02) 9283 6677 www.beveridgewilliams.com.au

CAD REFERENCE: 1601480_200601_VALIDATION.DWG

SURVEYORS REF. 1601480 VERSION 1
ORIGINAL SHEET SIZE A3
SURVEYOR: P.M. CHECKED: P.M.
DRAWN: J.G. DATE: 1.06.2020

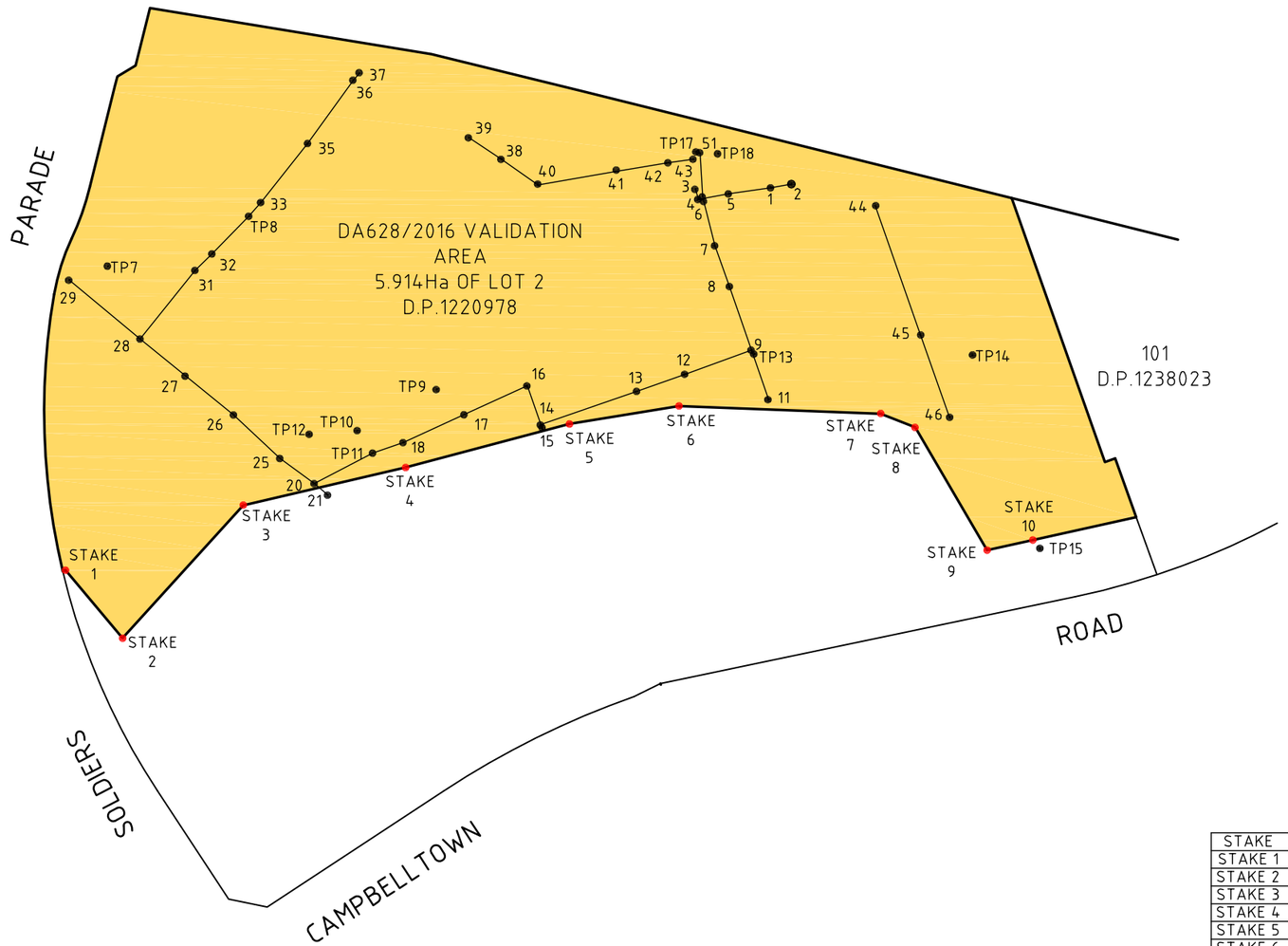
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LENGTHS ARE IN METRES

NOTES:
- CONTRACTOR PROVIDED REMEDIATION POINTS AND COORDINATES HAVE BEEN PLOTTED VIDE TSS SURVEY PLAN "TSS_1006_ASBESTOS ASBUILT LOCATIONS_REV 1_170723"
- HATCHING SHOWS VALIDATION AREA WITHIN FORMER LOT 100 D.P.1238023 (12.82 Ha)

SKETCH OF VALIDATION AREA

WITHIN LOTS 31-41 D.P.1243465, LOTS 12-15 DP1259655, LOTS 31-40 DP1247570
EDMONDSON PARK

SHEET 1 OF 1



No.	EASTING	NORTHING
1	302518.954	6239054.63
2	302527.139	6239056.087
3	302489.172	6239054.172
4	302490.418	6239050.039
5	302502.284	6239052.25
6	302492.48	6239049.279
7	302496.97	6239031.653
8	302502.712	6239015.471
9	302511.385	6238990.588
TP13	302512.54	6238988.999
11	302518.169	6238971.03
12	302485.115	6238981.033
13	302466.122	6238974.291
14	302428.116	6238961.151
15	302428.832	6238959.392
16	302422.805	6238976.548
17	302397.937	6238965.181
18	302373.769	6238954.07
TP11	302361.734	6238949.935
20	302338.633	6238937.873
21	302344.047	6238933.316
TP12	302336.782	6238957.44
TP10	302355.836	6238958.817
TP9	302387.055	6238975.008
25	302325.08	6238947.786
26	302306.751	6238964.993
27	302287.754	6238980.397
28	302269.835	6238994.939
29	302241.795	6239018.286
TP7	302257.052	6239023.625
31	302291.532	6239022.059
32	302298.349	6239028.652
33	302317.606	6239048.949
TP8	302312.764	6239043.427
35	302336.044	6239072.166
36	302354.066	6239097.055
37	302356.526	6239099.979
38	302412.556	6239065.885
39	302399.67	6239074.419
40	302427.077	6239055.764
41	302457.663	6239061.047
42	302478.618	6239064.516
43	302488.312	6239065.938
44	302560.251	6239047.585
45	302578.148	6238996.421
46	302589.584	6238963.943
TP14	302598.604	6238988.529
TP15	302625.422	6238912.216
TP16	302492.068	6239051.176
TP17	302489.573	6239068.924
51	302491.041	6239068.401
TP18	302498.158	6239068.177

STAKES PLACED

STAKE	EASTING	NORTHING
STAKE 1	302240.3	6238903.7
STAKE 2	302262.8	6238876.8
STAKE 3	302310.5	6238929.3
STAKE 4	302374.7	6238944.2
STAKE 5	302439.5	6238961.4
STAKE 6	302482.6	6238968.5
STAKE 7	302562.4	6238965.4
STAKE 8	302576.1	6238960.0
STAKE 9	302604.5	6238911.6
STAKE 10	302622.5	6238915.6

Beveridge Williams
Development & Environment Consultants
Registered Surveyors
Sydney: (02) 9283 6677 www.beveridgewilliams.com.au

CAD REFERENCE: 1601480_200604_DSTBD_VALIDATION.DWG

SURVEYORS REF. 1601480 VERSION 1
ORIGINAL SHEET SIZE A3
SURVEYOR: P.M. CHECKED: P.M.
DRAWN: J.G. DATE: 4.06.2020

SCALE 1:2000
0 20 400 600 800
LENGTHS ARE IN METRES

NOTES:
- CONTRACTOR PROVIDED REMEDIATION POINTS AND COORDINATES HAVE BEEN PLOTTED VIDE TSS SURVEY PLAN "ASBESTOS ASBUILT LOCATIONS_ACM-DLA_REV2_170823"
- HATCHING SHOWS VALIDATION AREA WITHIN LOT 2 D.P.1220978 (5.914 Ha)
- STAKES PLACED BY BEVERIDGE WILLIAMS ON 3/6/2020 ARE WHITE STAKES WITH PINK FLAGGING TAPE. POSITIONS DETERMINED BY VISUAL INSPECTON OF DISTURBED AREA.

SKETCH OF VALIDATION AREA

WITHIN LOT 2 D.P.1220978

EDMONDSON PARK

Annexure 3 – Further Ed Square Site Audit Statement

DRAFT

NSW Site Auditor Scheme

Site Audit Statement

A site audit statement summarises the findings of a site audit. For full details of the site auditor's findings, evaluations and conclusions, refer to the associated site audit report.

This form was approved under the *Contaminated Land Management Act 1997* on 12 October 2017.

For information about completing this form, go to Part IV.

Part I: Site audit identification

Site audit statement no. 0301-2318

This site audit is a:

☑ **statutory audit**

❑ non-statutory audit

within the meaning of the *Contaminated Land Management Act 1997*.

Site auditor details

(As accredited under the *Contaminated Land Management Act 1997*)

Name	James Davis			
Company	Enviroview Pty Ltd			
Address	PO Box 327			
	GLADESVILLE	NSW	Postcode	2110
Phone	0467 375 481			
Email	james.davis@enviroview.com.au			

Site Audit Statement

Site details

Address	Lot 101 Campbelltown Road			
	EDMONDSON PARK	NSW	Postcode	2174

Property description

(Attach a separate list if several properties are included in the site audit.)

Lot 101 of DP 1238023

Local government area	Liverpool City Council
Area of site (include units, e.g. hectares)	1.564 Ha
Current zoning	RE1 – Public Recreation

Regulation and notification

To the best of my knowledge:

❑ **the site is** the subject of a declaration, order, agreement, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985,* as follows: (provide the no. if applicable)

- ❑ Declaration no.
- ❑ Order no.
- ❑ Proposal no.
- ❑ Notice no.

☑ **the site is not** the subject of a declaration, order, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985*.

To the best of my knowledge:

❑ the site **has** been notified to the EPA under section 60 of the *Contaminated Land Management Act 1997*

☑ the site **has not** been notified to the EPA under section 60 of the *Contaminated Land Management Act 1997*.

Site Audit Statement

Site audit commissioned by

Name	Stephen Peters
Company	Australand Residential Edmondson Park Pty Ltd ATF Australand Residential (Edmondson Park) Trust
Address	Level 2, 1C Homebush Bay Drive
	RHODES NSW Postcode 2138
Phone	02 9767 2298
Email	Stephen.Peters@fraserspropery.com.au

Contact details for contact person (if different from above)

Name	
Phone	
Email	

Nature of statutory requirements (not applicable for non-statutory audits)

❑ Requirements under the *Contaminated Land Management Act* 1997
(e.g. management order; please specify, including date of issue)

❑ Requirements imposed by an environmental planning instrument
(please specify, including date of issue)

☑ Development consent requirements under the *Environmental Planning and Assessment Act 1979* (please specify consent authority and date of issue)

Condition of approved Development Application DA-1291/2021 determined by Liverpool City Council on 15 July 2022

❑ Requirements under other legislation (please specify, including date of issue)

Site Audit Statement

Purpose of site audit

☑ **A1** To determine land use suitability

Intended uses of the land: Park, recreational open space , playing field

OR

❑ **A2** To determine land use suitability subject to compliance with either an active or passive environmental management plan

Intended uses of the land:

OR

(Tick all that apply)

❑ **B1** To determine the nature and extent of contamination

❑ **B2** To determine the appropriateness of:

- ❑ an investigation plan
- ❑ a remediation plan
- ❑ a management plan

❑ **B3** To determine the appropriateness of a **site testing plan** to determine if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*

❑ **B4** To determine the compliance with an approved:

voluntary management proposal or

management order under the *Contaminated Land Management Act 1997*

❑ **B5** To determine if the land can be made suitable for a particular use (or uses) if the site is remediated or managed in accordance with a specified plan.

Intended uses of the land:

Information sources for site audit

Consultancies which conducted the site investigations and/or remediation:

Golder Associates Pty Ltd, DLA Environmental Services Pty Ltd, ERM, EI Australia

Titles of reports reviewed:

ERM. Letter Report Re: Lot 101 DP1238023 to Stephen Peters of Fraser Property Australia from Russell Jarman of ERM. Document reference 0449106_S011451, dated 23 February 2024.

EI Australia. Letter Report Re: Re: Asbestos Clearance Inspection at Cnr of Soldiers Parade &Campbelltown Road, Edmondson Park NSW to Mr. Shawn Zaky of Moits Pty Ltd from Emmanuel Woelders of EI Australia Document reference E25885.E11.007_Rev0, dated 23 January 2024.

Other information reviewed, including previous site audit reports and statements relating to the site:

Frank Mohen (Site Auditor) of Aecom. Site Audit Statement (FM95E) and Site Audit Report - Defence Ingleburn Site. Report reference 60152865_SAR_IDS_25JUL11, dated 25 July 2011.

Golder Associates Pty Ltd. Environmental Investigation, Proposed Town Centre Development – Edmondson Park, NSW. Document Reference: 1419891-001-R- Rev1, dated 12 May 2015.

DLA Environmental Services Pty Ltd. Asbestos Quantification Assessment, Edmondson Park Town Centre, Campbelltown Road, Ingleburn NSW 2565. Document Reference: DL3550_S003468, dated 8 October 2015.

DLA Environmental Services Pty Ltd. Letter Report – Edmondson Park Precinct – Material Recommendation. Document Reference: DL3550_S006109, dated 27 January 2017.

DLA Environmental Services Pty Ltd. Letter Report – Edmondson Park Town Centre, Campbelltown Road Ingleburn, NSW 2565 – Contamination Investigation of PFAS in soils. Document Reference: DL3550_S007131, dated 25 July 2017.

DLA Environmental Services Pty Ltd. Supplementary Site Investigation, Edmondson Park Town Centre, Campbelltown Road, Ingleburn NSW 2565. Document Reference: DL3550_S007279, dated August 2017.

DLA Environmental Services Pty Ltd. Letter Report – Edmondson Park Town Centre, Campbelltown Road Ingleburn, NSW 2565 – Contamination Investigation of PFAS in soils. Document Reference: DL3550_S007966, dated 8 January 2018.

Site audit report details

Title	Site Audit Report, Lot 101 Campbelltown Road, Edmondson Park.
Report no.	600227_0301-2318
Date	16 May 2024

Part II: Auditor's findings

Please complete either Section A1, Section A2 or Section B, not more than one section. (Strike out the irrelevant sections.)

- Use **Section A1** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **without the implementation** of an environmental management plan.
- Use **Section A2** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **with the implementation** of an active or passive environmental management plan.
- Use **Section B** where the audit is to determine:
    - (B1) the nature and extent of contamination, and/or
    - (B2) the appropriateness of an investigation, remediation or management plan[1], and/or
    - (B3) the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or
    - (B4) whether the terms of the approved voluntary management proposal or management order have been complied with, and/or
    - (B5) whether the site can be made suitable for a specified land use (or uses) if the site is remediated or managed in accordance with the implementation of a specified plan.

[1] For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

Site Audit Statement

Section A1

I certify that, in my opinion:

The **site is suitable** for the following uses:

(Tick all appropriate uses and strike out those not applicable.)

~~☐ Residential, including substantial vegetable garden and poultry~~

~~☐ Residential, including substantial vegetable garden, excluding poultry~~

☑ **Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry**

☑ **Day care centre, preschool, primary school**

☑ **Residential with minimal opportunity for soil access, including units**

☑ **Secondary school**

☑ **Park, recreational open space, playing field**

☑ **Commercial/industrial**

~~☐ Other (please specify):~~

_____

OR

~~☐ I certify that, in my opinion, the **site is not suitable** for any use due to the risk of harm from contamination.~~

~~Overall comments:~~

_____

_____

_____

_____

_____

~~Section A2~~

~~I certify that, in my opinion:~~

~~Subject to compliance with the **attached** environmental management plan[2] (EMP), the site is suitable for the following uses:~~

~~(Tick all appropriate uses and strike out those not applicable.)~~

- ~~☐ Residential, including substantial vegetable garden and poultry~~
- ~~☐ Residential, including substantial vegetable garden, excluding poultry~~
- ~~☐ Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry~~
- ~~☐ Day care centre, preschool, primary school~~
- ~~☐ Residential with minimal opportunity for soil access, including units~~
- ~~☐ Secondary school~~
- ~~☐ Park, recreational open space, playing field~~
- ~~☐ Commercial/industrial~~
- ~~☐ Other (please specify):~~

~~_____~~

[2] Refer to Part IV for an explanation of an environmental management plan.

Site Audit Statement

~~EMP details~~

Title

Author

Date No. of pages

~~EMP summary~~

~~This EMP (attached) is required to be implemented to address residual contamination on the site.~~

~~The EMP: (Tick appropriate box and strike out the other option.)~~

~~☐ requires operation and/or maintenance of active control systems[3]~~

~~☐ requires maintenance of passive control systems only[3]~~

Purpose of the EMP:

~~Description of the nature of the residual contamination:~~

~~Summary of the actions required by the EMP:~~

~~How the EMP can reasonably be made to be legally enforceable:~~

[3] Refer to Part IV for definitions of active and passive control systems.

Site Audit Statement

~~How there will be appropriate public notification:~~

~~Overall comments:~~

~~Section B~~

~~Purpose of the plan[4] which is the subject of this audit:~~

_____

_____

_____

~~I certify that, in my opinion:~~

~~(B1)~~

☐ ~~The nature and extent of the contamination **has** been appropriately determined~~

☐ ~~The nature and extent of the contamination **has not** been appropriately determined~~

~~AND/OR (B2)~~

☐ ~~The investigation, remediation or management plan **is** appropriate for the purpose stated above~~

☐ ~~The investigation, remediation or management plan **is not** appropriate for the purpose stated above~~

~~AND/OR (B3)~~

☐ ~~The site testing plan:~~

- ☐ ~~**is** appropriate to determine~~
- ☐ ~~**is not** appropriate to determine~~

~~if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*~~

~~AND/OR (B4)~~

☐ ~~The terms of the approved voluntary management proposal* or management order** (strike out as appropriate):~~

- ☐ ~~**have** been complied with~~
- ☐ ~~**have not** been complied with.~~

~~*voluntary management proposal no.~~

~~**management order no.~~

~~AND/OR (B5)~~

~~The site **can be made suitable** for the following uses:~~

~~(Tick all appropriate uses and strike out those not applicable.)~~

☐ ~~Residential, including substantial vegetable garden and poultry~~

☐ ~~Residential, including substantial vegetable garden, excluding poultry~~

[4] For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

Site Audit Statement

~~☐ Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry~~

~~☐ Day care centre, preschool, primary school~~

~~☐ Residential with minimal opportunity for soil access, including units~~

~~☐ Secondary school~~

~~☐ Park, recreational open space, playing field~~

~~☐ Commercial/industrial~~

~~☐ Other (please specify):~~

~~IF the site is remediated/managed* in accordance with the following plan (**attached**):~~

~~*Strike out as appropriate~~

~~Plan title~~

~~Plan author~~

~~Plan date No. of pages~~

~~SUBJECT to compliance with the following condition(s):~~

~~Overall comments:~~

Part III: Auditor's declaration

I am accredited as a site auditor by the NSW Environment Protection Authority (EPA) under the *Contaminated Land Management Act 1997.*

Accreditation no. 0301

I certify that:

- I have completed the site audit free of any conflicts of interest as defined in the *Contaminated Land Management Act 1997,* and
- with due regard to relevant laws and guidelines, I have examined and am familiar with the reports and information referred to in Part I of this site audit, and
- on the basis of inquiries I have made of those individuals immediately responsible for making those reports and obtaining the information referred to in this statement, those reports and that information are, to the best of my knowledge, true, accurate and complete, and
- this statement is, to the best of my knowledge, true, accurate and complete.

I am aware that there are penalties under the *Contaminated Land Management Act 1997* for wilfully making false or misleading statements.

Signed 

Date 16 May 2024

Part IV: Explanatory notes

To be complete, a site audit statement form must be issued with all four parts.

How to complete this form

Part I

Part I identifies the auditor, the site, the purpose of the audit and the information used by the auditor in making the site audit findings.

Part II

Part II contains the auditor's opinion of the suitability of the site for specified uses or of the appropriateness of an investigation, or remediation plan or management plan which may enable a particular use. It sets out succinct and definitive information to assist decision-making about the use or uses of the site or a plan or proposal to manage or remediate the site.

The auditor is to complete either Section A1 or Section A2 or Section B of Part II, **not** more than one section.

Section A1

In Section A1 the auditor may conclude that the land is *suitable* for a specified use or uses OR *not suitable* for any beneficial use due to the risk of harm from contamination.

By certifying that the site is *suitable*, an auditor declares that, at the time of completion of the site audit, no further investigation or remediation or management of the site was needed to render the site fit for the specified use(s). **Conditions must not be** imposed on a Section A1 site audit statement. Auditors may include **comments** which are key observations in light of the audit which are not directly related to the suitability of the site for the use(s). These observations may cover aspects relating to the broader environmental context to aid decision-making in relation to the site.

Section A2

In Section A2 the auditor may conclude that the land is *suitable* for a specified use(s) subject to a condition for implementation of an environmental management plan (EMP).

Environmental management plan

Within the context of contaminated sites management, an EMP (sometimes also called a 'site management plan') means a plan which addresses the integration of environmental mitigation and monitoring measures for soil, groundwater and/or hazardous ground gases throughout an existing or proposed land use. An EMP succinctly describes the nature and location of contamination remaining on site and states what the objectives of the plan are, how contaminants will be managed, who will be responsible for the plan's implementation and over what time frame actions specified in the plan will take place.

By certifying that the site is suitable subject to implementation of an EMP, an auditor declares that, at the time of completion of the site audit, there was sufficient information satisfying guidelines made or approved under the *Contaminated Land Management Act 1997*

(CLM Act) to determine that implementation of the EMP was feasible and would enable the specified use(s) of the site and no further investigation or remediation of the site was needed to render the site fit for the specified use(s).

Implementation of an EMP is required to ensure the site remains suitable for the specified use(s). The plan should be legally enforceable: for example, a requirement of a notice under the CLM Act or a development consent condition issued by a planning authority. There should also be appropriate public notification of the plan, e.g. on a certificate issued under s.149 of *the Environmental Planning and Assessment Act 1979*.

Active or passive control systems

Auditors must specify whether the EMP requires operation and/or maintenance of active control systems or requires maintenance of passive control systems only. Active management systems usually incorporate mechanical components and/or require monitoring and, because of this, regular maintenance and inspection are necessary. Most active management systems are applied at sites where if the systems are not implemented an unacceptable risk may occur. Passive management systems usually require minimal management and maintenance and do not usually incorporate mechanical components.

Auditor's comments

Auditors may also include **comments** which are key observations in light of the audit which are not directly related to the suitability of the site for the use(s). These observations may cover aspects relating to the broader environmental context to aid decision-making in relation to the site.

Section B

In Section B the auditor draws conclusions on the nature and extent of contamination, and/or suitability of plans relating to the investigation, remediation or management of the land, and/or the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or whether the terms of an approved voluntary management proposal or management order made under the CLM Act have been complied with, and/or whether the site can be made suitable for a specified land use or uses if the site is remediated or managed in accordance with the implementation of a specified plan.

By certifying that a site *can be made suitable* for a use or uses if remediated or managed in accordance with a specified plan, the auditor declares that, at the time the audit was completed, there was sufficient information satisfying guidelines made or approved under the CLM Act to determine that implementation of the plan was feasible and would enable the specified use(s) of the site in the future.

For a site that *can be made suitable*, any **conditions** specified by the auditor in Section B should be limited to minor modifications or additions to the specified plan. However, if the auditor considers that further audits of the site (e.g. to validate remediation) are required, the auditor must note this as a condition in the site audit statement. The condition must not specify an individual auditor, only that further audits are required.

Auditors may also include **comments** which are observations in light of the audit which provide a more complete understanding of the environmental context to aid decision-making in relation to the site.

Part III

In **Part III** the auditor certifies their standing as an accredited auditor under the CLM Act and makes other relevant declarations.

Where to send completed forms

In addition to furnishing a copy of the audit statement to the person(s) who commissioned the site audit, statutory site audit statements must be sent to

- the **NSW Environment Protection Authority**:
  nswauditors@epa.nsw.gov.au or as specified by the EPA

  AND
- the **local council** for the land which is the subject of the audit.

Planning Proposal

Lot 2 Newbridge Road, Moorebank

Proposed amendment of Liverpool Local Environmental Plan 2008 to rezone land and amend development standards on land located at Lot 2 Newbridge Road, Moorebank

Lot 2 in DP 1278607

July 2025

LIVERPOOL CITY COUNCIL

LIVERPOOL THE GREAT SOUTH WEST

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Foreword

This is a Council initiated Planning Proposal. This report has been prepared following the 26 July 2023 Council Meeting which resolved to prepare a Planning Proposal to rezone the site based on a previous development application which approved a heavy industrial use on the subject site.

Introduction

This Planning Proposal applies to Lot 2 Newbridge Road, Moorebank (Lot 2 in DP 1278607), owned by EQ Riverside Pty Ltd. The subject site has development consent issued in 2015 by the now former Planning Assessment Commission for a heavy industrial land use being a Material Recycling Facility (i.e. a Concrete Crushing Facility).

The site was sold in 2018 and in 2020 the current land owners submitted a Planning Proposal (RZ-2/2020) seeking to amend the Liverpool Local Environmental Plan 2008 (LLEP 2008) for residential, commercial and public recreation land uses. The proposal was deemed to not demonstrate strategic or site specific merit, and the site was deemed not suitable for residential land uses given environmental constraints present on site including contamination, flooding and evacuation, biodiversity, traffic and access and bushfire. Further, an Economic Impact Assessment by SGS was undertaken by Council and concluded that the site was not suitable for a specialised discount retail outlet centre and had limited suitability as a bulky goods centre.

At its Ordinary Meeting of Council on 26 July 2023, Council resolved the following:

> "*That Council:*
> 1. *Receives and notes this report.*
>
> 2. *Notes that the site has an approved heavy industrial use (resource recovery facility – concrete crushing) that was approved under part 3a in 2015, and this rezoning seeks to reflect a more appropriate land zoning with respect to its approved use and the current zoning.*
>
> 3. *Directs the staff to prepare a planning proposal to rezone the site to E4 General industrial use (mainly being the portion of the site that is cleared); and a zoning which sees an RE2 zoning (private recreation) of the foreshore consistent with the land use to the north and south of the site. Working from the river, the first 40m from the foreshore is to be RE2 and the remaining of the site to be E4 General industrial.*
>
> 4. *Notes that, once drafted, the planning proposal will be reported to the Liverpool Local Planning Panel for advice and to a future Council meeting for a decision on whether to seek a Gateway determination from the Department of Planning and Environment."*

A Council initiated Planning Proposal has been prepared which seeks to amend the LLEP 2008 in the following manner:

1. Rezone the site from C2 Environmental Conservation to C2 Environmental Conservation, E4 General Industrial and RE1 Public Recreation;

2. Introduce a 20m Height of Building for the proposed E4 General Industrial part of the site; and

3. Introduce a nil Floor Space Ratio for the proposed E4 General Industrial and RE1 Public Recreation zoning parts of the site.

This planning proposal is prepared in accordance with the Department of Planning and Environment's LEP Making Guideline (August 2023).

Background

History of Materials Recycling Facility use on the site

During the commencement of the now repealed *Liverpool Local Environmental Plan 1997* (LLEP 1997), the site owner at the time made a submission to Council to permit a material recycling facility on the site. The LLEP 1997 come into force on 29 August 1997 and did not include this additional use on the site. In 2002 Council adopted the non-statutory "Moorebank Structure Plan" which recommended that the site and part of the land to the north be used as a material recycling facility with open space.

In September 2005, the subject site was rezoned to part 1(a)–Rural and part 7(c)– Environmental Protection – Conservation and included a new clause in Schedule 4 to enable part of the site to be used for the purposes of a materials recycling yard.

In 2005, a Major Developments Application was lodged which sought approval for a Materials Recycling Facility with an annual capacity of 500,000 tonnes.

On 29 August 2008, the *Liverpool Local Environmental Plan 2008* (LLEP 2008), came into force and rezoned the site to E2 Environmental Conservation, and included the following clause in Schedule 1 Additional Permitted Uses:

11 Use of certain land at Moorebank in Zone E2

(1) This clause applies to Lot 6, DP 1065574 in Zone E2 Environmental Conservation at Newbridge Road, Moorebank.

(2) Development for the purposes of a resource recovery facility is permitted with consent.

(3) This clause is repealed on 1 September 2018.

The Major Development Application lodged in 2005 was delayed until 2015 due to issues raised, and in September 2015 the former Planning Assessment Commission approved the development. In May 2017, the Land and Environmental Court reviewed the consent due to an objector appeal by Liverpool City Council and Benedict (Landowner to the north). The Land and Environmental Court dismissed the appeal and consent remains granted. In 2018, the subject site was sold from the previous landowner (Nexus) to the current landowner.

History of previous Planning Proposal (RZ-2/2020)

A previous Planning Proposal (RZ-2/2020) was initiated by the owner of the subject site seeking to amend LLEP 2008 by way of amending the sites zoning, height of building (HOB) and Floor Space Ratio (FSR) to facilitate approximately 2,000 apartments, community facilities, retail/food and drink premises, a foreshore walkway and series of ecological and recreational parks.

Following review of the Planning Proposal, Council staff formed the recommendation that the proposal did not demonstrate site specific or strategic merit and that the site was unsuitable for the proposed land uses. The Local Planning Panel on 30 November 2020 agreed with Council officers' conclusion that the proposal,

did not demonstrate sufficient strategic and site specific merit. The Panel recommended that the Planning Proposal not proceed to a Gateway determination.

The subject site is one of 5 sites located within the precinct known as Moorebank East (refer to Site Description). On 10 December 2020, the Department of Planning, Industry and Environment (now Department of Planning, Housing and Infrastructure (DPHI)) issued a letter to Council stating that no Planning Proposals would be considered for the Moorebank East Precinct, until the finalisation of Council's Regional Flood Evacuation Study. In this regard at the Council meeting held on 16 December 2020, Council resolved to defer the proposal until the finalisation of the flood study. The Georges River Regional Flood Evacuation Study was finalised in March 2022. Since December 2020 various discussions, including workshops, have occurred with Council and the proponent, Council and external stakeholders including DPHI and the proposal was referred to various Council meetings, as follows:

- **29 June 2022**: Council resolved to prepare an issues and options report on a suitable Employment zone given the constraints on residential development;
- **27 July 2022**: Council further resolved to narrow the scope of report to investigate two scenarios being a place based retail type scenario and a modern business park type scenario; and
- **28 September 2022**: Council resolved to only investigate the place based retail type scenario.

A compilation of all Council resolutions is provided at **Attachment 5**. An Economic Impact Assessment Report was undertaken by an SGS Economics which concluded that the case for retailing at Moorebank East is stronger for a homemaker/bulky goods centre than a specialised/discount retail outlet. However, the report found that neither scenario performs well against policy and market tests.

At the 26 July 2023 Council meeting, the following staff recommendation was considered by Council:

"That Council:

1. *Receives and notes this report and the SGS Economics and Planning to prepare an Economic Impact Assessment.*
2. *Provides advisory support to the proponent in developing future plans for the subject site that address the following constraints:*
   - *Flooding and evacuation;*
   - *Biodiversity;*
   - *Traffic;*
   - *Contamination; and*
   - *Bushfire."*

Council resolved (refer to Introduction section above) that the site has an approved heavy industrial use (Resource Recovery Facility – Concrete Crushing) that was approved under Part 3A in 2015, and to direct staff to prepare a Planning Proposal to rezone the site to E4 General Industrial use for the portion of the site that is cleared, and a recreation use, which would enable a continuous publicly accessible walkway along the Georges River foreshore.

Report Structure

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) with consideration of the DPHI (Previously Department of Planning and Environment 'Local Environmental Plan Making Guideline' (August 2023). Accordingly, the proposal is discussed in the following parts:

- Site Description
- Statutory Planning Framework
- Part 1 – A Statement of the Objectives and Intended Outcome
- Part 2 – Explanation of Provisions
- Part 3 – Justification
- Part 4 – Mapping
- Part 5 – Community Consultation
- Part 6 – Project timeline

Site Description

Moorebank East Precinct

The Moorebank East Precinct is a collection of sites that are largely undeveloped and located along the western bank of the Georges River, on the eastern border of the Liverpool Local Government Area (LGA). The precinct is bounded by the Georges River to the east, Brighton Lakes Golf Club to the south, Wurrungwuri Reserve to the west and Newbridge Road to the north.

For simplicity, the precinct has been divided into five distinct sites **(A to E as shown below in Figure 1).**

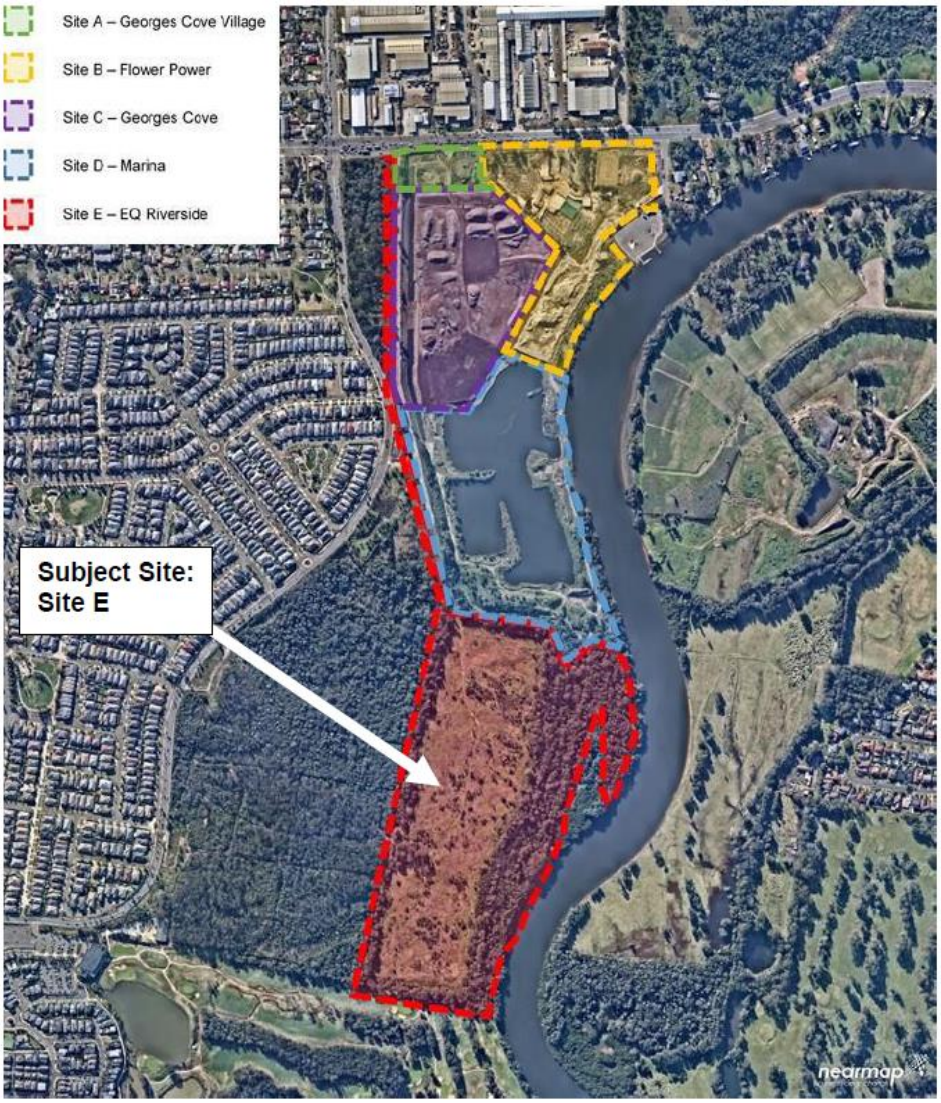


Figure 1: Aerial view of the Moorebank East precinct and subject site (Site E). (Source: Nearmap)

- Site A: Lot 1 of 146 Newbridge Road: Fronting Newbridge Road. Zoned E3 Productivity Support. Planning Proposal (RZ-9/2017) currently under assessment for an additional Schedule 1 (Additional Permitted Uses) clause to permit the use of a supermarket on the subject site with a 4,000sqm Gross Floor Area.

- Site B: 124 Newbridge Road (known as former Flower Power site): Zoned Part E3 Productivity Support, part RE1 Public Recreation and part RE2 Private Recreation. The site is not subject to any Planning Proposal.

- Site C: (Lot 2 of 146 Newbridge Road): Currently zoned R3 Medium Density Residential. No Planning Proposal under assessment. Various DA's and subdivision certificates to develop approximately 179 semi attached terrace dwellings. Site contains one road and one separate pedestrian access/evacuation bridge connecting the lot, over the access handle of Lot 2 (subject site of this Planning Proposal) to Brickmakers Drive.

- Site D: Lot 3 146 Newbridge Road: Previous development approval for use of part of the site as a Public Marina. The site is not subject to any Planning Proposal.

- Site E: Lot 2 Newbridge Road: This lot is subject of this Planning Proposal.



Figure 2: Context map of the subject precinct (Source Nearmap).

The Subject Site

The subject site (Site E) is known as 'the Concrete Crushers site'. It is located at Lot 2 Newbridge Road and is legally described as Lot 2 in DP 1278607. The subject site is bound by the Georges River to the east, Wurrungwuri Reserve and low density residential to the west, Site D (Marina site) to the north and further to the north is a large General Industrial area within Chipping Norton, and Brighton Lakes Golf Course to the south.

The subject site is currently entirely zoned C2 Environmental Conservation and has no Height of Building development standard, and a Floor Space Ratio of 0.01:1. The subject site contains a disused non-putrescible landfill which operated across the site between 1972 and 1979. The site contains and is also adjacent to, good condition vegetation that includes threatened ecological communities and some coastal wetlands along the banks of the river.

The subject site has an area of approximately 217,943.05m^2 (21.79 Ha). Of this site area, the site contains a large predominantly cleared rectangular section with an area of approximately 110,000m^2 (11Ha), which is approximately 165m wide (east to west) and 654m in length (north to south).

The site contains one access point being an access handle from Newbridge Road and is a dirt pathway approximately 9.6m wide, 862m in length and approximately 9,240m^2 in area.

A 12m wide combined pedestrian and vehicle bridge is located above the subject allotment's dirt vehicle access handle (approximately 281m south of Newbridge Road). The bridge, known as Promontory Way, was approved under DA-24/2017, and services Lot 2 of DP 1246745 (146 Newbridge Road, Moorebank), which is zoned R3 Medium Density Residential and is to contain approximately 179 semi attached dwellings which are currently being constructed on the site. The bridge leads from these dwellings to Brickmakers Drive.

The subject site is approximately 3.65km east of Liverpool CBD and 4km east of Liverpool Railway station. The nearest bus stop from the Newbridge Road access handle for the subject site is approximately 173m to the east of the subject site and is serviced by the M90 bus route.



Figure 3: Aerial view of the subject site outlined in red. (Source: Nearmap)

The subject site has the following environmental constraints as per table 1 below:

Table 1: Environmental Constrains of the subject site

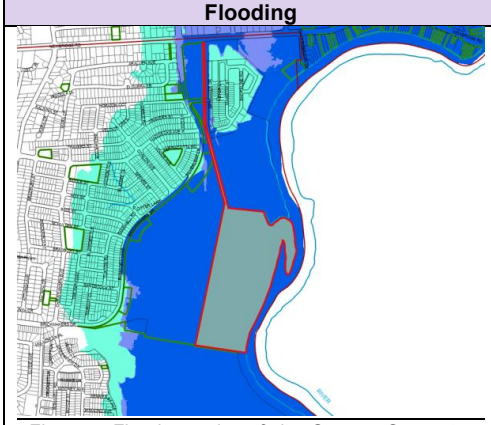
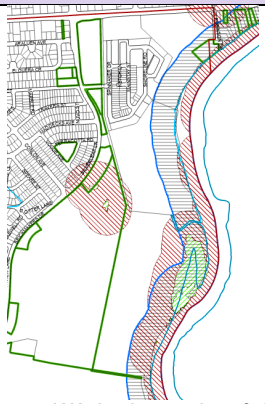
Flooding	Coastal Wetlands
 *Figure 4: Flood mapping of site. Source: Geocortex* Council mapping indicates that the site is affected by flooding from the Georges River and the site is categorised as high-risk flood zone. The depths of flooding of the property are significantly high. Under the 1%AEP (1 in 100 year) event, depth of flooding of the site is as high as 5.5 metres and increases up to 10 metres under the PMF event.	 *Figure 5: Coastal Wetlands mapping of site. Source: Geocortex* The site is located within an ecologically significant area for bushland, wetlands and waterway. The site is partially identified as being within proximity area for coastal wetlands (Highlighted green) and coast environment area (Dark blue line) and Coastal Wetlands proximity Area (Red hatched area. This part of the site is to remain zoned C2 – Environmental Conservation.
Bushfire	**Environmentally Significant Land**
 *Figure 6: Bushfire mapping of site. Source: Geocortex* The subject site is identified as Bushfire prone Land for both Vegetation Category 1 (Red) and Vegetation Category 3 (Orange).	 *Figure 7: Environmentally significant land mapping of site. Source: Geocortex* Sections of the site identified as Environmentally significant land (ESL) highlighted green are proposed to remain zoned C2 – Environmental Conservation. The part of the site proposed to be rezoned to E4 – General Industrial is not identified as ESL.
Biodiversity	**Threatened Ecological Communities (BC Act)**



Figure 8: Biodiversity mapping of site. Source: Geocortex

The part of the site highlighted light yellow and light red contains biodiversity. This part of the site is to remain zoned C2 Environmental Conservation.



Figure 9: Threatened Ecological Communities mapping of site. Source: Geocortex

The part of the site highlighted light red contains threatened Ecological Communities (BC Act) and identified as endangered. This part of the site is to remain zoned C2 Environmental Conservation.

Contamination

The subject site is identified as being contaminated due to previous uses of the site including that the property is a disused non-putrescible landfill which operated across the majority of the site between 1972 and 1979 and off-site migration of groundwater contaminants (primarily ammonia and heavy metals) and landfill gas is occurring on-site.

Statutory Planning Framework

Liverpool Local Environmental Plan 2008

The subject site is zoned C2 Environmental Conservation in accordance with the zoning map of the LLEP 2008 **(Refer to Figure 10).**

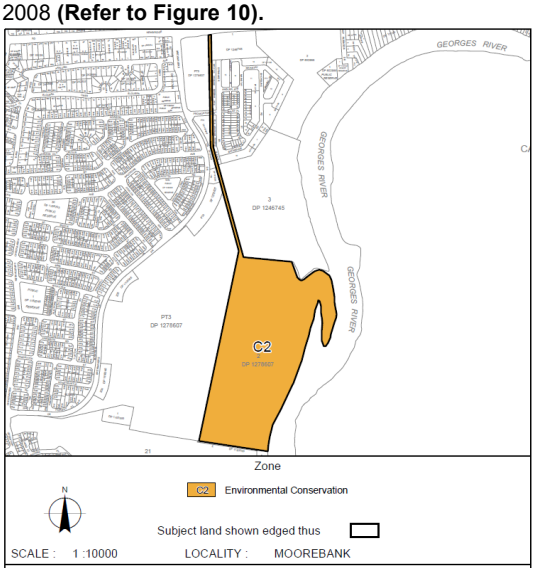


Figure 10: Existing land use zoning in the LLEP 2008

The objectives of the C2 Environmental Conservation zone are:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*
- *To enable the recreational enjoyment, cultural interpretation or scientific study of the natural environment.*

At the 26 July 2023 Council meeting, Council resolved to note that the site has an approved heavy industrial use (Resource Recovery Facility – Concrete Crushing) and for Council staff to prepare a Planning Proposal to rezone the site to part E4 General Industrial and part RE2 Private Recreation.

Upon review of the subject site against the suitability of the 26 July 2023 Council resolution, this Planning Proposal seeks to rezone the site to E4 General Industrial, RE1 Public Recreation, and C2 Environmental Conservation. The objectives of the proposed zones are consistent with the intended land use of each part.

Delegation of plan making functions

It is anticipated that the DPHI will be delegated as the Local Plan Making Authority to undertake plan making functions pursuant to Section 3.36 of the *Environmental Planning and Assessment Act 1979*.

Part 1 – Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the *Liverpool Local Environmental Plan 2008* at Lot 2 Newbridge Road, Moorebank to:

- Facilitate an appropriate and less intensive industrial land use (General Industrial), compared to the development consent issued by the former Planning Assessment Commission in 2015 for a Resource Recovery Facility (Materials Recycling Facility – Concrete Crushing), thereby addressing future land use conflict which would result from a heavy industrial development;
- Enable employment opportunities on the site;
- Conserve significant biodiversity of the subject site and surrounds by retaining a conservation zone where significant vegetation exists; and
- Provide a public recreation area for the purposes of a boardwalk along the Georges River foreshore to connect with the wider Moorebank East precinct.

The proposed rezoning of the site from C2 Environmental Conservation zones to part E4 General Industrial, part RE1 Public Recreation and part C2 Environmental Conservation zones enables each part of the sites intended future land use to be consistent with the objectives of the proposed zoning.

Part 2 – Explanation of provisions

The objectives of this planning proposal will be achieved through changes proposed to the LLEP 2008 land use zoning and development standards of the land identified in Table 2 below:

Table 2: Summary of Existing and Proposed provisions

LLEP 2008	Existing	Proposed
Land Use Zone	C2 Environmental Conservation	E4 General Industrial C2 Environmental Conservation RE1 Public Recreation
Height of Building	Nil	E4: 20m C2: Nil RE1: Nil
Floor Space Ratio	0.01:1	E4: Nil C2: 0.01:1 RE1: Nil

Part 3 – Justification

Section A – Need for the planning proposal

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

The Planning Proposal is not a result of any strategic planning statement, strategic study or report. It is the result of the 26 July 2023 Council resolution directing Council staff to prepare a Planning Proposal to amend the *Liverpool Local Environmental Plan 2008* at Lot 2 Newbridge Road, Moorebank, to provide for a more appropriate and less intensive land use, compared with the development consent issued by the former Planning Assessment Commission in 2015 (for a Resource Recovery Facility). Additionally, it is to retain significant biodiversity values on the site and provide for a publicly accessible boardwalk along the Georges River foreshore.

The Planning Proposal aligns with the relevant provisions of state and regional strategic documents which seek to protect, increase and enhance ecologically significant land, publicly accessible land and industrial land. Additionally, the proposal is aligned with Council strategies and studies. These documents include the following:

- Greater Sydney Regional Plan – A Metropolis of Three Cities
- Western City District Plan
- Relevant S9.1 Ministerial Directions
- Local Strategic Planning Statement - Connected Liverpool 2040
- Liverpool Industrial and Employment Lands Strategy

3.2 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 best means of achieving the objectives and intended outcomes as indicated in Part 1 of this Planning Proposal. There are no alternative processes to achieve the intent of this Planning Proposal due to the current planning controls that apply to the site under the LLEP 2008.

The Planning Proposal is the best means of facilitating the identified objectives and intended outcomes for the specific circumstances of the site, being a significant land holding with strong Council and community opposition to an approved heavy industrial land use (Material Recycling Facility).

The Planning Proposal provides the opportunity for a more appropriate land use for the site given the sites (and adjoining sites) heavy bushland with ecological significance, and environmental constraints of the site regarding flooding and contamination, and the sites close proximity to residential and public land uses.

The Planning Proposal provides an opportunity to facilitate a general industrial land use to generate jobs for the growing Moorebank East precinct, and Liverpool Local Government Area population whilst providing opportunities for public environmental facilities (boardwalk) and protects the ecological significant bushland adjoining and on the site.

Section B – Relationship to strategic planning framework

The DPHI notes that a key factor in determining whether a Planning Proposal should proceed to Gateway determination should be its strategic merit and site-specific merit. It is considered that the Planning Proposal meets these tests as outlined in the following sections.

3.3 Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

a. Strategic Merit

The Planning Proposal is broadly consistent with relevant regional, sub-regional and district plans and strategies. The most relevant State and District plans that guide the land use direction for the site, are:

- Greater Sydney Regional Plan – A Metropolis of Three Cities
- Western City District Plan

Greater Sydney Regional Plan – A Metropolis of Three Cities

The current metropolitan strategy applicable to the site is the NSW Government's Greater Sydney Region Plan (2018). Relevant directions from the metropolitan strategy are noted at table 3 below.

Table 3: Consistency with the Regional Plan

Greater Sydney Region Plan - A Metropolis of Three Cities	
Direction	**Comment**
A city supported by infrastructure	
Objective 1. Infrastructure supports the three cities	The subject site is located on the eastern fringe of the Liverpool Local Government Area. The site is located with access fronting and providing access to a major arterial road network and is approximately 2km west of Henry Lawson Drive which provides access to and from the M4 and M5 Motorways and Bankstown Airport. The site is approximately 4.4km east of the under construction Moorebank Intermodal providing which is focused as a major employment transport hub by both road and rail transport.
Objective 2. Infrastructure aligns with forecast growth – growth infrastructure compact	
Objective 3. Infrastructure adapts to meet future needs	
Objective 4. Infrastructure use is optimised	
A city for people	
Objective 6. Services and infrastructure meet communities' changing needs.	The Planning Proposal includes a portion of the site as RE1 Public Recreation, to enable a connected boardwalk through the Moorebank East Precinct predominantly along the Georges River foreshore. The vision is to enable a continuous path/cycleway from Glenfield to Voyager Point via Casula, Liverpool CBD, Chipping Norton and the Moorebank East precinct. The public amenity proposed through the subject site will enable a form of active transport and health and social improvements to future residents and the broader Liverpool LGA. The boardwalk will permit a walkable
Objective 7. Communities are healthy, resilient and socially connected.	

Greater Sydney Region Plan - A Metropolis of Three Cities	
Direction	**Comment**
	precinct and allow the precinct to be connected physically, socially and economically.
A city of great places	
Objective 12. Great places that bring people together. Objective 13. Environmental heritage is identified, conserved and enhanced.	The Moorebank East precinct comprising of 5 large sites provides the opportunity to celebrate the Georges River foreshore and provide significant community facilities such as a board walk and marina whilst protecting the natural environment of the Georges River foreshore and the ecologically significant bushland. The Planning Proposal enables the Moorebank East Precinct and Georgea River foreshore to be accessible by active transport including walking and cycling and provides the opportunity to enable greater public amenity to the wider Moorebank East Precinct whilst providing jobs and housing opportunities within the precinct.
A well-connected city	
Objective 14. A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities Objective 16. Freight and logistics network is competitive and efficient. Objective 17. Regional connectivity is enhanced Objective 23. Industrial and urban services land is planned, retained and managed. Objective 24. Economic sectors are targeted for success	The site is located with access fronting and providing access to a major arterial road network and is approximately 2km west of Henry Lawson Drive which provides access to and from the M4 and M5 Motorways and Bankstown Airport. The site is approximately 4.4km east of the under construction Moorebank Intermodal, and 30m from the Newbridge Road access handle of the site to the southern edge of the Chipping Norton Industrial Precinct fronting Newbridge Road, which means the proposed industrial area will be well connected to similar uses. The Planning Proposal will provide employment opportunities for the growing Moorebank East precinct and wider Metropolitan Sydney population whilst minimising impact to residential, community and environmental land uses.
A city in its landscape	
Objective 25. The coast and waterways are protected and healthier. Objective 27. Biodiversity is protected, urban bushland and remnant vegetation is enhanced Objective 29. Environmental, social and economic values in	The site and adjoining sites contain heavy bushland with ecological significance and environmental constraints such as flooding, bushfire, and significant vegetation. The Planning Proposal provides the opportunity for a less intensive land use compared to the Concrete Crushing Facility, thereby having a lesser impact on the natural environment. The C2 Environmental Conservation zone is proposed to be retained in areas of the site which contain significant biodiversity and

Greater Sydney Region Plan - A Metropolis of Three Cities	
Direction	**Comment**
rural areas are protected and enhanced. Objective 30. Urban tree canopy cover is increased. Objective 31. Public open space is accessible, protected and enhanced.	environmental significance including along the Georges River foreshore and the sites existing access handle to ensure this area continues to be protected. Further environmental protection and increased urban tree canopy cover opportunities can be explored through a future site specific development control plan for the subject site. Public open space on the site will be accessible and enhanced. The site is not currently accessible by active transport or the general public. The proposal will enable access through the site with a continuous connection along the Georges river foreshore and add social, economic and health benefits for the communities of Glenfield, Casula, Liverpool CBD, Chipping Norton, the Moorebank East precinct and Voyager Point.
A resilient city	
Objective 36. People and places adapt to climate change and future shocks and stresses. Objective 37. Exposure to natural and urban hazards is reduced. Objective 38. Heatwaves and extreme heat are managed.	It has been demonstrated that the site is unsuitable for residential land uses. A general industrial use is of a lesser land use intensity compared to the heavy industrial use, and a positive outcome for the development of the site, as exposure to natural hazards is reduced by having transient employment population on the site, rather than a permanent residential population. Urban hazards are reduced, as the land use conflict between future residential development nearby and the concrete crushing facility is mitigated.

Western City District Plan (WCDP)

The site is located within the Western City District and the applicable District Plan is the Western City District Plan (2018), as established by the former Greater Sydney Commission in March 2018. The Western City District Plan provides a series of priorities and actions to guide development and expected growth throughout the district. Relevant priorities and actions are outlined in Table 4 below:

Table 4: Consistency with the District Plan

Western City District Plan	
Planning Priority	**Comment**
Infrastructure and collaboration	
Planning Priority W1 Planning for a city supported by infrastructure.	As previously noted, the subject site has access to Newbridge Road, and is in proximity to Henry Lawson Drive, providing access to and from the M4 and M5 Motorways and Bankstown Airport. The proposed industrial development is also in proximity to the Moorebank Intermodal Precinct which is a major employment transport hub by both road and rail transport.

Western City District Plan	
Planning Priority	**Comment**
Liveability	
Planning Priority W3 Providing services and social infrastructure to meet people's changing needs.	The Planning Proposal provides the opportunity for a more appropriate land use given the strong Council and community opposition to an approved heavy industrial land use (Material Recycling Facility) and the non-suitability of the site for residential purposes. The development of a Concrete Crushing Facility will result in land use conflict for the future residents in Moorebank East Precinct, as well as existing residents in Moorebank. The proposed general industrial use will have a significantly less impact, as well as positive outcomes of providing continuous public access along the Georges River which will benefit the growing population.
Planning Priority W6 Creating and renewing great places and local centres, and respecting the District's heritage.	
Productivity	
Planning Priority W7 Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western parkland City.	The site is located with access fronting and providing access to a major arterial road network and is approximately 2km west of Henry Lawson Drive which provides access to and from the M4 and M5 Motorways and Bankstown Airport. The site is approximately 4.4km east of the under construction Moorebank Intermodal providing which is focused as a major employment transport hub by both road and rail transport. The site is located near the existing industrial precinct of Chipping Norton. The Planning Proposal provides an opportunity to generate jobs for the growing Moorebank East precinct and Liverpool Local Government Area population.
Planning Priority W10 Maximising freight and logistics opportunities and planning and managing industrial and urban services land.	
Planning Priority W11 Growing investment, business opportunities and jobs in strategic centres.	
Sustainability	
Planning Priority W12 Protecting and improving the health and enjoyment of the district's waterways.	The Planning Proposal provides the opportunity for a more appropriate land use for the site given the sites and adjoining sites heavy bushland with ecological significance and environmental constraints of the site regarding flooding and contamination and the sites close proximity to residential and public land uses. The Planning Proposal provides an opportunity to provide opportunities for public environmental facilities (boardwalk) and protects the ecological significant bushland adjoining and on the site.
Planning Priority W14 Protecting and enhancing bushland and biodiversity.	
Planning Priority W15 Increasing urban tree canopy cover and delivering green grid connections.	

Western City District Plan	
Planning Priority	**Comment**
Planning Priority W18 Delivering high quality open space	Future environmental protection and increased urban tree canopy cover opportunities can be available with the sites development in the future, as Conservation and Recreation zones are proposed on the site.
Planning Priority W20 Adapting to the impacts of urban and natural hazards and climate change.	

Local Strategy

Assessment of the proposal with regards to the Local Strategic Planning Statement (LSPS) and the Liverpool Industrial and Employment Lands Strategy is detailed below.

b. Site Specific Merit

In addition to meeting at least one of the strategic merit criteria, a Planning Proposal is required to demonstrate site-specific merit against the following criteria below.

Does the proposal give regard and assess impacts to the natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources or hazards)?

Refer to Parts 3.4 and 3.5 below for assessment.

Does the proposal give regard and assess impacts to services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision?

The site is currently undeveloped and has no built environment use. It is anticipated that should a Gateway determination be issued, Gateway conditions will include referral to infrastructure utilities such as electricity distributor, Sydney Water and Transport for New South Wales.

Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Liverpool Local Strategic Planning Statement (LSPS)

The Local Strategic Planning Statement (LSPS) is Council's long-term plan to shape Liverpool's future which will help guide the development of Liverpool's suburbs and balance the need for housing, jobs and services as well as parks, open spaces and the natural environment. Assessment of consistency with the LSPS is as below at Table 5.

Table 5: Consistency with LSPS

Connected Liverpool 2040 - Local Strategic Planning Statement (LSPS)	
Planning Priority	**Comment**
Livability	
Planning Priority 5 A vibrant, mixed-use and walkable 24-hour City Centre with the Georges River at its heart.	The Planning Proposal demonstrates the opportunity for the subject site to provide employment opportunities within close proximity of an existing and future urban growth precinct, in a way which is less intrusive on the surrounding natural and built environment including bushland, waterways, and residential land uses than the existing approved material recycling heavy industrial land use. Further the Planning Proposal provides greater opportunity for public recreational uses such as a boardwalk and public activation of the Georges River Foreshore area by introduction of a RE1 zoning, which meets these planning priorities, as a continuous pathway between Glenfield to Voyager Point via Casula, Liverpool CBD, Chipping Norton and the Moorebank East precinct which provides for active recreation opportunities for the community.
Planning Priority 6 High-quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth	
Planning Priority 9 Safe, healthy and inclusive places shaping the wellbeing of the Liverpool community.	
Productivity	
Planning Priority 11 An attractive environment for local jobs, business, tourism and investment.	The Planning Proposal provides an employment opportunity within close proximity to Moorebank East urban development area and Moorebank Town Centre. The planning proposal meets Liverpool's future needs for industrial land, as there is a shortage of serviceable industrial land. The planning proposal will continue to deliver industrial uses (of a less intrusive general industrial nature), and there will be no loss of industrial land if the existing development consent does not proceed.
Planning Priority 12 Industrial and employment lands meet Liverpool's future needs.	
Sustainability	
Planning Priority 14 Bushland and waterways are celebrated, connected, protected and enhanced.	The Planning Proposal provides an opportunity for public environmental facilities (boardwalk) and protects the ecological significant bushland adjoining and on the site. The RE1 Public Recreation walkway will connect residents in the eastern part of the LGA along the Georges River.
Planning Priority 15 A green, sustainable, resilient and water-sensitive city.	

Liverpool Industrial and Employment Lands Strategy

Assessment of consistency with the Liverpool Industrial and Employment Lands Strategy is as below in Table 6.

Table 6: Consistency with Liverpool Industrial and Employment Lands Strategy

Liverpool Industrial and Employment Lands Strategy	
Strategies	**Comment**
1. Review development standards and objectives for industrial land	The proposal nominates no Floor Space Ratio and a maximum Height of Building of 20m for the portion of the site proposed to be rezoned to E4 General Industrial. The proposed height of building is consistent with the existing material recycling facility approval on the site and other E4 General Industrial precincts within the Liverpool Local Government Area and enables economic opportunities on the site whilst protecting and minimising impacts upon the surrounding environment, housing and public open spaces, including visual impacts. The proposed no floor space ratio ensures that development on the site remains feasible with bulk and scale impacts and impacts on the surrounding land uses minimised through the Liverpool Development Control Plan, including setbacks.
2. Review and manage employment land within the eastern portion of the Liverpool LGA.	Liverpool is growing rapidly with a population that requires more businesses and jobs. The Liverpool Local Government Area (LGA) is undergoing transformation with the Western Sydney International (Nancy-Bird Walton) Airport and surrounding Aerotropolis. The subject site is located on the eastern fringe of the Liverpool Local Government Area. The site is located with access fronting and providing access to a major arterial road network and is approximately 2km west of Henry Lawson Drive which provides access to and from the M4 and M5 Motorways and Bankstown Airport. The Liverpool Industrial and Employment Lands Strategy notes demand for greater industrial precincts and the proposal provides the opportunity for employment within the increasing population of the Moorebank East Precinct and wider Liverpool LGA. Further the proposal does not provide any loss of industrial land as the portion of the site proposed to be rezoned E4 General Industrial is as per the existing material recycling facility approval on the site.
5. Increase industrial development density, efficiency and colocation.	The subject site is located within proximity to other industrial precincts including the under construction Moorebank Intermodal and Chipping Norton industrial precinct.

Liverpool Industrial and Employment Lands Strategy	
Strategies	**Comment**
6. Prioritise public domain improvements and landscaping within industrial precincts.	The site includes retention of C2 Environmental Conservation zoning for the environmentally significant portion of the site and includes proposed RE1 zoning for the purposes of a public pathway/boardwalk. The site is visioned that a future Development Application will provide significant landscaping opportunities and a public accessible area to enable a strong transition between the industrial, environmental and public accessible sections of the site.
7. Improve connectivity to industrial precincts.	The proposal includes rezoning part of the site to RE1 Public Recreation for the purposes of a public accessible pathway/boardwalk to enable public access and active transport opportunities along the Georges River foreshore.
8. Introduce Innovation Precincts within suitable locations in the Liverpool LGA.	A portion of the site is proposed to be rezoned to E4 General Industrial which permits land uses including general and light industries, industrial retail outlets, local distribution premises and warehouse or distribution centres.
Guiding Criteria for Planning Proposals	
1. Any rezoning application is to result in a sustainable increase in jobs.	Given the sites unsuitability for residential land uses, the Planning Proposal provides the opportunity for a more appropriate land use than the approved heavy industrial use (Material Recycling Facility) and generate economic employment opportunity to the Liverpool LGA. An Economic Impact Assessment Report has been completed and is submitted with the Planning Proposal. The Planning Proposal through the E4 General Industrial and RE1 Public Recreation provides the opportunity for transition and avoiding land use conflicts between industrial and public land whilst creating jobs and economic benefit and enabling rejuvenation of the Georges River Foreshore public domain and enabling sustainable transport choices, including walking and cycling.
2. Rezoning proposals must be supported by an Economic Impact Study.	
3. Proposals must be designed to avoid land use conflict.	
4. Proposals are to demonstrate that new development will facilitate sustainable transport choices.	
5. Proposals must contribute to and improve the public domain.	
6. Proposals for the adaptive re-use of older industrial stock must consider and respect existing character.	

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

Several State Environmental Planning Policies (SEPPs) apply to the land. The consistency of the Planning Proposal with pertinent SEPPs has been provided in Table 7 below. SEPPs which the Planning Proposal will not materially impact nor undermine are omitted from the table.

Table 7: Consistency with State Environmental Planning Policies

State Environmental Planning Policies	
Policy	*Comment*
SEPP (Biodiversity and Conservation) 2021	The site is located within an ecologically significant area for bushland, wetlands and waterways. The part of the site containing significant bushland and along the waterway foreshore is proposed to remain zoned C2 Environmental Conservation. The predominantly cleared rectangular portion of the site is proposed to be rezoned to E4 General Industrial, which is the part of the land of which a heavy industrial use being the concrete crushing Material Recycling Facility is already approved on. In this regard minimal tree removal is expected should a future development application be lodged for an industrial use on the subject site. Further, prior and during the assessment of the now superseded Planning Proposal RZ-2/2020 the following technical studies were submitted to Council: - Flora and Fauna Assessment Report 2020 for remainder of site; - Georges Fair Vegetation Management Plan 2009 (applies to now residential area to the west of the subject site known as Georges Fair); - Arcadis Ecological Constraints Map – Submitted April 2021; and - Technical memo prepared by Ecoplanning dated March 2021 outlining the constraints and opportunities associated with land. The subject Planning Proposal was referred internally to Council's Natural Environment section who provided comments indicating that the property has significant biodiversity values of which the areas of highest value are generally within the area proposed to be retained as C2. Further, Council's Natural Environment section stated that there are portions of the site that are highly disturbed, with minimal biodiversity values. These areas are likely to offer development potential, if the development can be done in a manner that doesn't compromise the overall biodiversity values of the property. A future Development Application will be required to demonstrate an assessment against the SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	The requirements of this SEPP can be addressed at DA stage.
State Environmental Planning Policy (Planning Systems) 2021	Given the size of the area of site proposed to be rezoned to General Industrial land use, the development is likely to have a capital investment value of more than $30 million and in this regard, would be defined as Regionally Significant Development.
State Environmental Planning Policy (Industry and	The requirements of this SEPP can be addressed at DA stage.

State Environmental Planning Policies	
Policy	*Comment*
Employment) 2021	
State Environmental Planning Policy (Resilience and Hazards) 2021	The site is located within an ecologically significant area for bushland, wetlands and waterways. The part of the site containing significant bushland and along the waterway foreshore is proposed to remain zoned C2 Environmental Conservation. The subject site is partially identified as being within proximity area for coastal wetlands, coast environment area and Coastal Wetlands proximity Area. The area proposed to be rezoned to E4 General Industrial is the part of the land of which a heavy industrial use being the concrete crushing Material Recycling Facility is already approved on. In this regard minimal impact to any bushland or the river foreshore area is expected should a future development application be lodged for an industrial use on the subject site. A future development application will be required to demonstrate an assessment against the SEPP.
State Environmental Planning Policy (Sustainable Buildings) 2022	The requirements of this SEPP can be addressed at DA stage if applicable.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Given the site fronts Newbridge Road, Moorebank which is identified as a classified road, a future DA would trigger this SEPP and the *Roads Act 1993* and require referral to Transport for New South Wales (TfNSW). It is noted that the Planning Proposal will be referred to TfNSW at the state agency referral stage. In this regard the planning proposal is deemed to adequality satisfy the requirements of the SEPP.

3.4 Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?

Table 8: Ministerial Direction Consistency

Direction	Comment	Consistency
1. Planning Systems		
1.1 Implementation of Regional Plans	The proposal is predominantly consistent with the Greater Sydney Region Plan. The complete assessment of the proposal against Greater Sydney Region Plan is provided in Table 3.	Consistent
3. Biodiversity and Conservation		
3.1 Conservation Zones	The subject site is currently zoned entirely C2 Environmental Conservation. The proposal includes retention of the C2 Environmental Conservation zone to areas of the site with significant ecologically habitat such as significant bushland and along the waterway foreshore.	Consistent

Direction	Comment	Consistency
	The direction requires the Planning Proposal include provisions which facilitate the protections and conservation of environmentally sensitive areas and not reduce the conservation standards that apply to the land. The only part of the site proposed to be rezoned to E4 General Industrial is for the predominantly cleared rectangular section of the land with low biodiversity value and of which already has approval for a heavy industrial land use. Minimal tree removal is expected should a future development application be lodged for an industrial use on the subject site. The sensitive land will retain the existing C2 zoning, where it is applicable to the attributes of the site. In this regard the Planning Proposal is deemed to satisfy the requirements of the ministerial direction.	
3.2 Heritage Conservation	An Aboriginal Heritage Due Diligence Assessment Report was submitted with the lodgement of the previous planning proposal (RZ-2/2020) in 2020 (**Attachment 20**). It is noted that the recommendations of the 2020 Aboriginal Heritage Due Diligence Assessment Report recommend that based on pockets of the study area having the potential to contain subsurface artefacts, an Aboriginal Cultural Heritage Assessment should be prepared at the Development Dpplication stage. Further the report recommends that an archaeological assessment including detailed field survey with Aboriginal stakeholders and archaeological test excavation should be undertaken to inform archaeological values across the developable area. This matter can be addressed at the Development Application stage. As the Planning Proposal is proposing a less intensive industrial use to what is already permissible, this is deemed to be of minor significance, and the Planning Proposal is satisfies the requirements of the ministerial direction.	Consistent
3.6 Strategic Conservation Planning	This direction applies to all relevant planning authorities when preparing a Planning Proposal that relates to land that, under the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, is identified as avoided land or a strategic conservation area. In accordance with the SEPP Strategic Conservation Planning Avoided Land Map and the Strategic Conservation Area Map applicable for the subject site, the subject site is not identified as avoidable land a strategic conservation area.	Not applicable

Direction	Comment	Consistency
3.7 Public Bushland	The subject site is currently zoned entirely C2 Environmental Conservation. The proposal includes retention of the C2 Environmental Conservation to areas of the site with significant ecologically habitat such as significant bushland and along the waterway foreshore. The Planning Proposal gives priority to retaining public bushland and provides for balanced environmental, economic and social benefits for the subject site. In this regard the Planning Proposal is deemed to adequality satisfy the requirements of the ministerial direction.	Consistent
4. Resilience and Hazards		
4.1 Flooding	Council mapping indicates that the site is affected by flooding from the Georges River and the site is currently categorised as a high-risk flood zone. Under the 1% AEP (1 in 100 year) event, depth of flooding of the site is as high as 5.5 metres and increases up to 10 metres under the PMF event. The Planning Proposal was previously forwarded to the DPHI for a Gateway Request in December 2023. The DPHI Gateway Adequacy assessment outcome advised that the Planning Proposal does not contain sufficient information to address the requirements of Section 9.1 Direction 4.1 Flooding and requested for a technical report to address the requirements listed in the Section 9,1 Direction 4.1 Flooding. In this regard, a Flood Impact Risk Assessment report inclusive of a Flood Emergency Response Plan has been undertaken which demonstrates that flooding and evacuation can be appropriately addressed and are now submitted with the Planning Proposal.	Consistent
4.2 Coastal Management	This direction applies when a Planning Proposal applies to land that is within the coastal zone, as defined under the *Coastal Management Act 2016* - comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area - and as identified by chapter 2 of the *State Environmental Planning Policy (Resilience and Hazards) 2021*. The subject site is partially identified as being within proximity area for coastal wetlands. Clause 2 of the ministerial direction states that, '*A planning proposal must not rezone land which would enable increased development or more intensive land-use on land'*. The subject site has development consent for a heavy industrial land use and the planning proposal proposes retention of the C2 Environmental Conservation to areas of the	Justifiably inconsistent

Direction	Comment	Consistency
	site with significant ecologically habitat such as significant bushland and along the waterway foreshore. The sections of the site identified as being within proximity area for coastal wetlands and coast environment area map as per figure 5 are not proposed to be rezoned and are proposed to remain C2 Environmental Conservation. In this regard the Planning Proposal is deemed to adequality satisfy the requirements of the ministerial direction.	
4.3 Planning for Bushfire Protection	This direction applies to all Local Government Areas when a relevant planning authority prepares a Planning Proposal that will affect, or is in proximity to, land mapped as bushfire prone land. The direction states that '*In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made'*. In this regard, should a Gateway Determination be issued, Council will undertake consultation with the NSW Rural Fire Service. In this regard the Planning Proposal is deemed to adequality satisfy the requirements of the ministerial direction at this stage of the plan making process.	Consistent
4.4 Remediation of Contaminated Land	The ministerial direction applies when a Planning Proposal authority prepares a Planning Proposal that applies to land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out. Table 1 of the contaminated land planning guidelines includes landfill sites. The subject site is identified as being contaminated due to previous uses of the site including that the property is a disused non-putrescible landfill which operated across the majority of the site between 1972 and 1979 and off-site migration of groundwater contaminants (primarily ammonia and heavy metals) and landfill gas is occurring on-site. Further the ministerial direction states that, *'Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines'*. As the site has an approved heavy industrial use and the planning proposal proposes to rezone to E4 General Industrial only the part of the site of which the heavy industrial use is	Consistent

Direction	Comment	Consistency
	approved to be built upon, it is anticipated that remediation and mitigation measures can be developed on the site to support a general industrial land use. A Preliminary Site Investigation Report is to be prepared post Gateway Determination to meet the requirements of this direction.	
4.5 Acid Sulphate Soils	Acid Sulphate Soils to be addressed at Development Application stage.	Satisfactory subject to assessment at DA stage
5. Transport and Infrastructure		
5.1 Integrating Land Use and Transport	This direction applies to all relevant planning authorities when preparing a Planning Proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, employment, village or tourist purposes and therefore applies to the planning proposal. The Planning Proposal is deemed to be consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001). The subject site is also located within close proximity of the Chipping Norton industrial precinct to the north, M5 motorway providing connection to the M7 to the south east and another point of access to the M5 and Moorebank Intermodal precinct to the south west of the subject site. The sites location satisfies the objectives of the ministerial direction providing for the efficient movement of freight. In this regard the Planning Proposal is deemed to adequality satisfy the requirements of the ministerial direction.	Consistent
5.2 Reserving Land for Public Purposes	This ministerial directions applies as the planning proposal will create a zone or a provision relating to land for public purposes (Proposed RE1 zoning). The Planning Proposal nominates land to be zoned RE1 Public Recreation for the purposes of a public accessible boardwalk adjacent to the Georges River Foreshore Attachment 5 (Georges River Proposed Cycle Path Map). The portion of the site proposed to be rezoned RE1 Public Recreation will require acquisition by Council.	Consistent
7. Industry and Employment		
7.1 Business and Industrial Zones	This ministerial direction applies to all relevant planning authorities when preparing a Planning Proposal that will affect land within an existing or proposed Employment zone	Consistent

Direction	Comment	Consistency
	(including the alteration of any existing Employment zone boundary). The Planning Proposal proposes for part of the site to be zoned E4 General Industrial as the site has approval for a heavy industrial use and the site is unsuitable for residential development. The proposal is consistent with the Liverpool Industrial and Employment Lands Strategy. In this regard the planning proposal is deemed to adequality satisfy the requirements of the ministerial direction.	

Section C – Environmental, social and economic impact

3.4 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?

The predominantly cleared rectangular shaped portion of the land contains low ecological constraints. The subject site has an approved heavy industrial use for a material recycling facility within the predominantly cleared rectangular shaped portion of the land. The remainder of the site containing medium to high ecological constraints is to remain zoned C2 Environmental Conservation as is existing. A portion of the predominantly cleared rectangular shaped portion of the land containing low ecological constraints is proposed to be zoned RE1 for the purposes of a continuous walkway along the Georges River.

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

The Planning Proposal proposes retention of the C2 Environmental Conservation to areas of the site with significant ecologically habitat such as significant bushland and along the waterway foreshore. The only part of the site proposed to be rezoned to E4 General Industrial is for the predominantly cleared rectangular section of the land with low biodiversity value and of which already has approval for a heavy industrial land use.

The proposed E4 General Industrial zoning aims to ensure a less intensive industrial use occurs on the site which presents less risk to both the natural and built environment and the proposal aims to facilitate the protection and conservation of environmentally sensitive areas on the site.

Significant biodiversity

The site is located within an ecologically significant area for bushland, wetlands and waterways. The part of the site containing significant bushland and along the waterway foreshore is proposed to remain zoned C2 Environmental Conservation. The subject site is partially identified as being within proximity area for coastal wetlands, coast environment area, and Coastal Wetlands proximity Area, as noted in **Figure 5**.

The predominantly cleared rectangular portion of the site is proposed to be rezoned to E4 General Industrial, which corresponds to the part of the land of which a heavy industrial use being the concrete crushing Material Recycling Facility is already approved on (refer to **Attachment 2**). In this regard minimal tree removal is expected should a future development application be lodged for an industrial use on the subject site.

The subject Planning Proposal was referred to Council's Natural Environment section who provided comments indicating that the property has significant biodiversity values of which the areas of highest value appear to generally be within the area proposed to be retained as C2. Further, Council's Natural Environment section stated that there are portions of the site that are highly disturbed, with minimal biodiversity values. These areas can then therefore offer development potential (i.e. general industrial uses). Any future development approval would assess the site to ensure development occurs in a manner that doesn't compromise the overall biodiversity values of the property.

Flooding

Council mapping indicates that the site is affected by flooding from the Georges River and the site is currently categorised as high-risk flood zone. Under the 1% AEP (1 in 100 year) event, depth of flooding of the site is as high as 5.5m and increases up to 10m under the Probable Maximum Flood event.

The only part of the site proposed to be rezoned to E4 General Industrial is for the predominantly cleared rectangular section of the land with low biodiversity value and of which already has approval for a heavy industrial land use. The proposed E4 General Industrial zoning aims to ensure a less intensive industrial use occurs on the site which presents less risk to both the natural and built environment and the proposal aims to facilitate the protection and conservation of environmentally sensitive areas on the site.

The Planning Proposal was previously forwarded to the DPHI for a Gateway Request in December 2023. The DPHI Gateway Adequacy assessment outcome advised that the Planning Proposal does not contain sufficient information to address the requirements of Section 9.1 Direction 4.1 Flooding and requested for a technical report to address the requirements listed in the Section 9,1 Direction 4.1 Flooding.

In this regard, a Flood Impact Risk Assessment report inclusive of a Flood Emergency Response Plan have been undertaken which demonstrate that flooding and evacuation can be appropriately addressed and are now submitted with the Planning Proposal.

The Planning provides an opportunity for greater consideration with regards to flooding, including mitigation and evacuation measures, for the subject site than the existing development consent for the previous Development Application (Material Recycling Facility (Concrete Crushing)), issued by the previous Planning Assessment Commission on the subject site.

As previous approval was granted for a more intensive use, it is anticipated that consideration of flooding will be further considered at the Development Application stage.

Bushfire Prone Land

As more intensive uses have been approved on the site, and the proposed use is not a sensitive land use, this constraint can be addressed at development assessment stage. Should a Gateway Determination be issued, Council will undertake consultation with the NSW Rural Fire Service.

Contaminated Land

The subject site is identified as being contaminated due to previous uses of the site, including the previous use as a disused non-putrescible landfill which operated across the majority of the site between 1972 and 1979, and off-site migration of groundwater contaminants (primarily ammonia and heavy metals) and landfill gas is occurring on-site.

As the site has an approved heavy industrial use and the Planning Proposal does not propose rezoning to sensitive uses (e.g. residential), it is anticipated that remediation and mitigation measures can be developed on the site to support a general industrial land use.

A Preliminary Site Investigation Report is to be prepared post Gateway Determination, to meet the requirements of Ministerial Directions.

3.6 Does the proposal give regard and assess impacts to existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates?

The subject site has development consent for a heavy industrial land use and the Planning Proposal proposes to apply the E4 General Industrial to the cleared area of the site, where this heavy industrial use has been approved.

The Planning Proposal has been developed specifically in relation to the future uses of land in the vicinity of the site. The future residential area in Moorebank East precinct (as well as existing residential uses in Moorebank) will be adversely affected by a Concrete Crushing Facility, which would result in land use conflict, including amenity, noise, dust and traffic.

The Planning Proposal will enable alternate industrial type development that would have significantly less of an adverse impact on these sensitive receivers in the area, and will provide benefit by enabling continuous walking track along the Georges River.

Traffic & Access

The subject site currently contains one vehicular access point being a dirt pathway providing site access to and from Newbridge Road. The vehicular access pathway is approximately 9.6m wide, 862m in length and approximately 9,240m^2 in area. Approximately 281m south of Newbridge Road, is an approximately 12m wide combined pedestrian and vehicle bridge which is located above the subject allotment's dirt vehicle access handle.

Given that the site has development consent for a heavy industrial land use and the proposal proposes to rezone to E4 General Industrial, the site access is satisfactory for a General Industrial development.

Further, as the existing site access adjoins Newbridge Road, which is a classified road, should a Gateway determination be issued by DPE, the proposal would be referred to Transport for New South Wales for commentary.

Any future Development Application for the subject site would be required to submit a Transport Impact Assessment Report and Plan of Management. The application would be reviewed by Council's Transport Planner and a future development application would again be referred to Transport for New South Wales for review. This would ensure that a future Development Application for a general industrial land use on the subject site can provide adequate access for trucks, emergency vehicles, pedestrians, bicycles and cars and adequate aisle widths, swept paths and turning areas.

Heritage

An Aboriginal Heritage Due Diligence Assessment Report was submitted with the lodgement of the superseded Planning Proposal (RZ-2/2020) in 2020. It is noted that the recommendations of the 2020 Aboriginal Heritage Due Diligence Assessment Report recommend that based on pockets of the study area

having the potential to contain subsurface artefacts, an Aboriginal Cultural Heritage Assessment should be prepared at the development application stage.

Further the report recommends that an archaeological assessment including detailed field survey with Aboriginal stakeholders and archaeological test excavation should be undertaken to inform archaeological values across the developable area.

Given existing development consent on the site, and retention of conservation zoned land, it is deemed that this matter can be addressed at the Development Application stage.

Acoustics, visual privacy and bulk and scale

The subject site currently does not contain a maximum height of building. The Planning Proposal proposes to amend the Liverpool Local Environmental Plan 2008 for the portion of the site proposed to be rezoned to E4 General Industrial to include a maximum height of building of 20m.

Given that the proposed E4 General Industrial portion of the site is at a minimum of approximately 100m from the nearest proposed residential land use of Georges Cove Marina site to the north and approximately 280m to the existing residential land uses of Georges Fair to the west of the site, the proposed height is expected to have minimal impact on surrounding residential and public land uses.

Any future Development Application for the subject site would be required to submit a Noise Impact Assessment Report and Plan of Management regarding hours of operation, vehicle and operation noise and noise during construction and any impacts from a General Industrial land use on the subject site to proposed and existing residential land uses be reviewed internally by Council's Environmental Health section.

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

Economic effects

The Planning Proposal will result in positive economic impacts, with the delivery of industrial uses, on a cleared parcel of land being approximately 110,000m^2. This will provide additional employment opportunities to the increasing population of the Moorebank East Precinct and wider Liverpool Local Government Area. As there is an industrial use already approved on the site, the rezoning will not result in a loss of industrial land, but rather the provision of more appropriate industrial uses, which avoid land use conflict.

The Planning Proposal was previously forwarded to the DPHI for a Gateway Request in December 2023. The DPHI Gateway Adequacy assessment outcome advised that it would be considered best practice if this Planning Proposal was supported by an economic study demonstrating the need for additional industrial floorspace at this location considering the site is not identified in Council's strategic planning framework for industrial uses.

In this regard, an Economic Impact Assessment report has been undertaken which is supportive of the proposal and this report is now submitted with the Planning Proposal.

Social effects

The Planning Proposal will result in significantly greater positive social benefits compared to the existing scenario. General industrial land uses are less intrusive compared for the approved Concrete Crushing

Facility, which would have severe amenity impacts on existing and future residential uses and sensitive receivers.

Measures to ensure the privacy and noise impacts from a future general industrial use to existing and future residential and public spaces can be addressed at a Development Application stage. The impacts during the construction stage can be appropriately mitigated through standard plans of management, including a construction management transport plan.

Positive social impacts include provision of diverse employment opportunities for the growing population of the Moorebank East Precinct and wider Liverpool Local Government Area. In addition to employment uses, the recreation uses will have broad positive social outcomes for the eastern part of the LGA, through the continuous connection between Glenfield to Voyager Point via Casula, Chipping Norton and the Moorebank East precinct.

Section D – State and Commonwealth interests

3.8 Is there adequate public infrastructure for the planning proposal?

The site is currently undeveloped and has no built environment use. The site was previously used for landfill purposes. An Infrastructure Gap Analysis Report dated November 2019 was submitted with the original Planning Proposal. It is anticipated that should a Gateway Determination be issued, Gateway Conditions will include referral to Infrastructure utilities such as electricity distributor, Sydney Water and Transport for New South Wales.

If a Gateway determination is issued, a site specific local contributions plan will be developed to ensure a funding mechanism is established for supportive local infrastructure.

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

Consultation will be undertaken with relevant State, Commonwealth and any other relevant public authorities should a Gateway determination be issued.

Should a Gateway determination be issued. The following relevant public authorities are identified for consultation:

- Transport for New South Wales;
- Conservation Programs, Heritage and Regulation Group (CPHR)
- NSW State Emergency Services (NSW SES);
- Sydney Water
- NSW Rural Fire Service (RFS);
- Bankstown Airport; and
- Any other relevant service providers.

Part 4 – Mapping

To facilitate the proposed changes, the following LLEP 2008 maps are to be amended:

Land Use

- 4900_COM_LZN_015_020_20210318

Height of Building

- 4900_COM_HOB_015_020_20230823

Floor Space Ratio

- 4900_COM_FSR_015_020_20230823

The existing and the proposed changes to the LLEP 2008 are shown in the maps below.

Zoning Maps

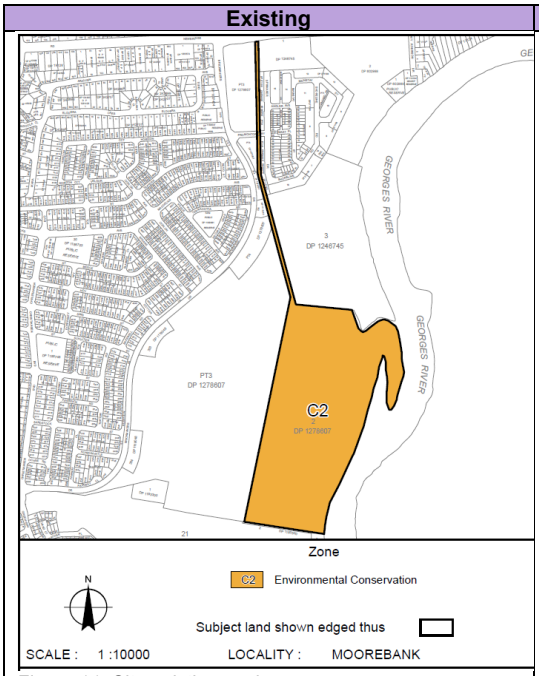


Figure 11: Site existing zoning

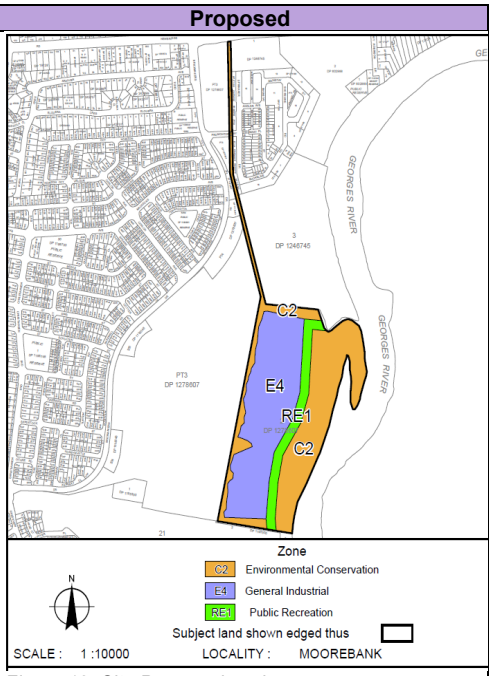
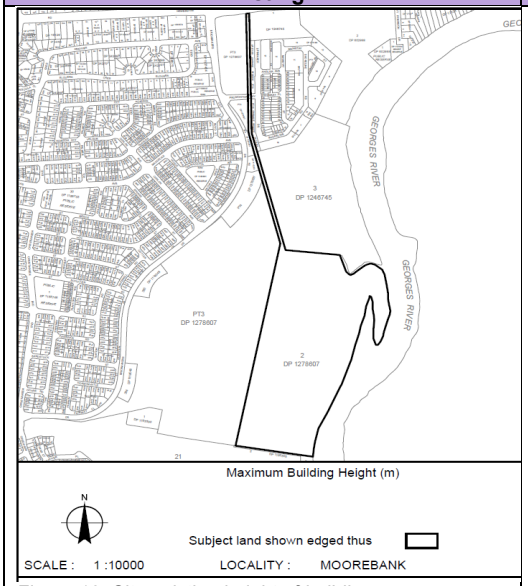
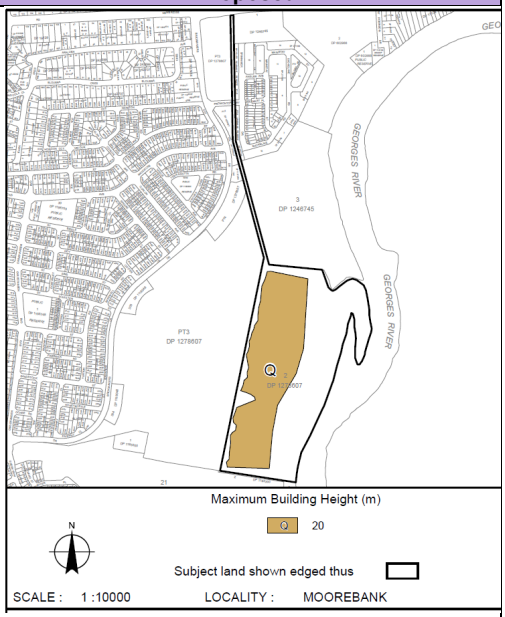
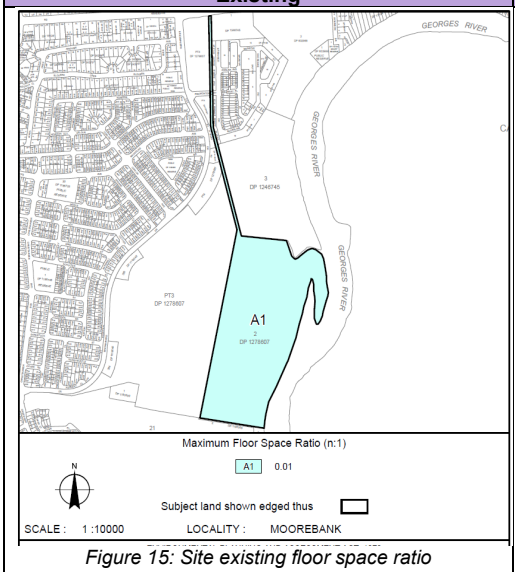
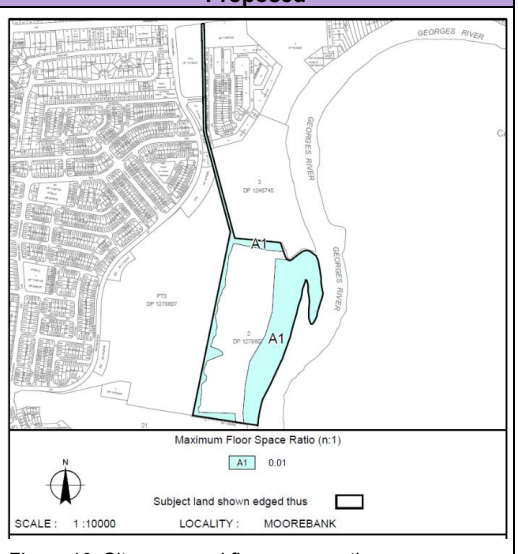


Figure 12: Site Proposed zoning

Height of Building Maps

Existing	Proposed
	
Figure 13: Site existing height of building	*Figure 14: Site proposed height of building*

Floor Space Ratio Maps

Existing	Proposed
	
Figure 15: Site existing floor space ratio	*Figure 16: Site proposed floor space ratio*

Part 5 – Community Consultation

Schedule 1, Clause 4 of the *Environmental Planning & Assessment Act 1979* requires the relevant planning authority to consult with the community in accordance with the Gateway determination. As such should a Gateway determination be issued, the Planning Proposal will be publicly exhibited for at least 28 days. The Planning Proposal exhibition will also be carried out in accordance with Council's Community Participation Plan.

At a minimum, the notification of the public exhibition of the Planning Proposal is expected to involve:

- Notification on the Liverpool City Council website.
- Letters to properties and landowners within the vicinity of the site.

Part 6 – Project Timeline

The previous actions and an anticipated project timeline are shown in table 9.

Table 9: Anticipated Project Timeline

Timeframe	Action
July 2023	Council resolved for Council staff to prepare planning proposal.
August – October 2023	Council assessment of Planning Proposal and preparation of Planning Proposal and Local Planning Panel Report.
November 2023	Presentation of Planning Proposal to Liverpool Local Planning Panel.
December 2023	Presentation of Planning Proposal to Council meeting, to proceed with seeking Gateway determination request.
December 2023	Gateway determination request to Department of Planning and Environment (DPE) and gateway request
December 2023	Gateway Request Adequacy assessment outcome issued by the DPHI advising that the Planning Proposal is required to undertake a Flood Impact Risk Assessment report and Economic Impact Assessment report before being resubmitted to the DPHI for a Gateway request.
February 2024	Planning Proposal considered by Council to proceed with the Flood Impact Risk Assessment report and Economic Impact Assessment report required by the DPHI prior to resubmission of the Planning proposal for a Gateway request.
March 2024 - June 2025	Flood Impact Risk Assessment report and Economic Impact Assessment report undertaken.
July 2025	Resubmission of the Planning proposal to the DPHI for Gateway request.
October 2025	Anticipated date of Gateway Determination issued by the DPHI.
November 2025 – May 2026	Undertake requirements/conditions of Gateway Determination including additional technical studies, state agency consultation and public exhibition.
June - July 2026	Consideration of submissions and presentation of post exhibition Planning Proposal to Council meeting.
August 2026	Planning Proposal will be forwarded to the DPHI.
August 2026 – October 2026	Legal drafting and making of the plan.

Attachments

1. Timeline History of site and previous Planning Proposal RZ-2-2020.
2. Planning Assessment Commission report, development consent, modification consent and architectural plans - September 2015 and May 2016.
3. NSW Land and Environment Court Decision for Material Recycling Facility – 8 May 2017.
4. RZ-2-2020 - Local Planning Panel Report and meeting minutes - 30 November 2020.
5. Consolidated Council Resolutions from previous PP - RZ-2-2020.
6. Department of Planning and Environment Letter to Council regarding Moorebank East Precinct – December 2020.
7. Georges River Proposed Cycle Path Map.
8. BMT Georges River Flood Study - January 2020.
9. BMT Georges River Flood Study Mapping – 2020.
10. Georges River Regional Flood Evacuation Study - 17 March 2022.
11. RZ-5-2023 - Lot 2 Newbridge Road Moorebank - Council Report and Meeting Minutes - 13 December 2023.
12. DPHI adequacy assessment Decision Rationale - PP-2023-2852.
13. Economic Impact Assessment Report - 29 November 2024.
14. Flood Impact Risk Assessment Report – 13 June 2025.
15. Previous PP-RZ-2-2020-Survey Plans.
16. Previous PP-RZ-2-2020-Bushfire Assessment Report.
17. Previous PP-RZ-2-2020-Interim Advice for preliminary review of remediation strategy.
18. Previous PP-RZ-2-2020-Technical Memo regarding constraints and opportunities.
19. Previous PP-RZ-2-2020-Preliminary Biodiversity Development Assessment Report.
20. Previous PP-RZ-2-2020-Arcadis Ecological Constraints Map.
21. Previous PP-RZ-2-2020-Infrastructure Gap Analysis Report.
22. Previous PP-RZ-2-2020-Social Impact Assessment.
23. Previous PP-RZ-2-2020-Aboriginal Heritage Due Diligence Assessment.
24. Previous PP-RZ-2-2020-Traffic Impact Assessment Report.

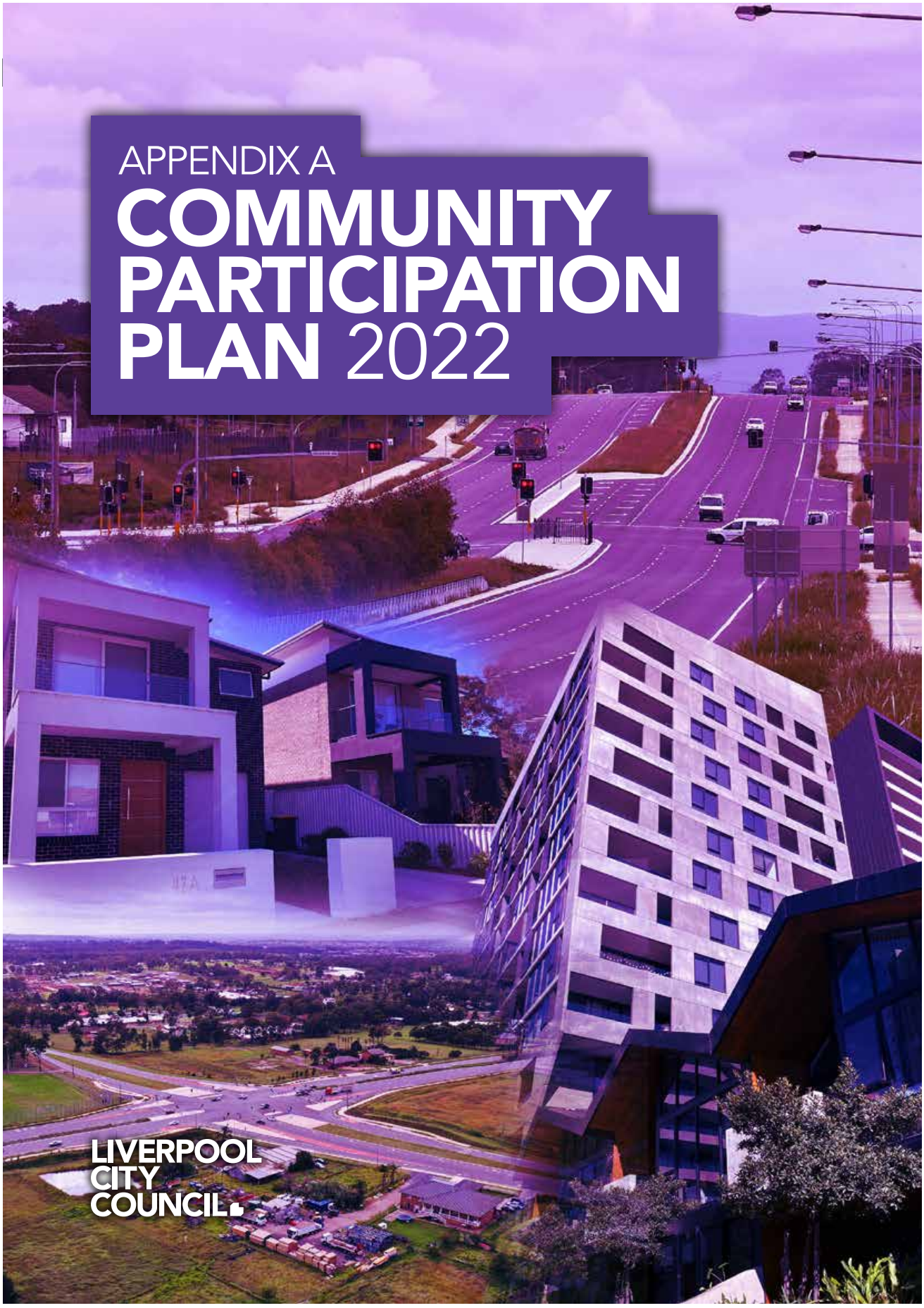

APPENDIX A
COMMUNITY PARTICIPATION PLAN 2022
LIVERPOOL CITY COUNCIL



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Community Participation Plan 2022

1. PURPOSE/ OBJECTIVES

The Liverpool *Community Participation Plan* (CPP) sets out when and how Council will engage with its communities across all the planning functions it performs.

Council, when exercising its planning functions, will:

- provide opportunities for members of the community to participate in planning decisions to achieve better planning outcomes, in an open and transparent process;
- ensure the community understands how and when they can participate in planning decisions;
- ensure that the needs and concerns of the community are identified and addressed when possible;
- ensure Council's strategic planning reflects the aspirations of the community and
- ensure Council meets its legislative requirements in regards to community notification engagement and consultation.

The *Environmental Planning & Assessment Act 1979* (the Act) outlines the principles that Council must include in the CPP. These principles are:

- The community has a right to be informed about planning matters that affect it.
- Council (including the relevant planning authorities) should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- Planning information will be in plain language, easily accessible and in a form that facilitates community participation in planning.
- The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- Community participation should be inclusive and Council (including the relevant planning authorities) should actively seek views that are representative of the community.
- Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.
- Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been considered).
- Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.



2. ABBREVIATIONS (where applicable)

EP&A Act	Environmental Planning & Assessment Act 1979
CPP	Community Participation Plan
DCP	Development Control Plan
GIPA	Government Information Public Access
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
NSW	New South Wales
VPA	Voluntary Planning Agreement

3. RELEVANT LEGISLATIVE REQUIREMENTS

Environmental Planning & Assessment Act 1979 (Section 2.23 and Schedule 1)

Environmental Planning and Assessment Regulation 2021

4. LAND TO WHCH THE PLAN APPLIES

This Plan applies to all land within the Liverpool Local Government Area (LGA).

5. COMMUNITY PARTICIPATION IN THE PLANNING SYSTEM

Liverpool City Council recognises community participation throughout the planning system is not only your right, it also delivers better planning results for the people of Liverpool. Ultimately, our responsibility is to deliver the objectives of the *Environmental Planning and Assessment Act 1979* (EP&A Act) including the promotion of orderly and economic use of land, facilitating ecologically sustainable development and promoting social and economic wellbeing.

Community participation is an overarching term covering how we inform, engage and consult the community in our work under the EP&A Act, including plan making and decisions making on proposed development. The level and extent of community participation will vary depending on the scope of the proposal under consideration and the potential impact of the decision. The community may be considered anyone who is affected by planning decisions. This may include individuals and their family network, new emerging and existing, community groups, Aboriginal communities, peak bodies representing a range of interests, businesses and their employees, local government, and State and Commonwealth government agencies.



The diagram below explains the relationship between the CPP and other supporting documents and policies:

Figure 1 Relationship between Strategic Documents



6. WHAT PLANNING FUCTIONS DOES THE COMMUNITY PARTICIPATION PLAN APPLY TO?

6.1. Development Applications

Council planning officers, the Liverpool Local Planning Panel and the Sydney Western City Planning Panel make planning decisions on a range of development applications. The elected Mayor and Councilors do not make decision on Development Applications under NSW law. When making decisions on these developments, consideration is given to whether development proposals are in accordance with the zone objectives and development standards in the Liverpool Local Environmental Plan or State Environmental Planning Policies and development controls within the Development Control Plan as well as public interest and other applicable policies and guidelines. Development applications may be for residential, commercial or industrial development, subdivision, change of use or other development proposals

6.2 Strategic Planning

Council plays a vital role in planning for the majority of land uses within the Liverpool Local Government Area. Strategic Planning is the general term used for the branch of town planning which seeks to regulate land use and infrastructure in an efficient and ethical way. More specifically, strategic planning relates to the management of land use plans, land release, renewal of established areas, rezonings, the formulation of Development Control Plans (DCP's), major development projects, and associated strategic environmental and urban policy.

6.3 Voluntary Planning Agreement

A Voluntary Planning Agreement (also known as a Planning agreement PA or VPA) is a written offer made by a developer to Council to dedicate land, make monetary contributions, provide a material public benefit for a



public purpose or a combination of any or all. A VPA can only be considered where there is an instrument change or to land where a Development Application (DA) is proposed**.**

A public purpose includes the provision of:

a) a public amenities or public services
b) affordable housing
c) transport or other infrastructure relating to the land
d) recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure relating to land
e) the monitoring of planning impacts of development
f) the conservation or enhancement of the natural environment**.**

6.4 Local Infrastructure Contribution Plans

If Council is satisfied that development within the LGA will or is likely to require the provision or increase the demand for public amenities and public services, Council may grant consent subject to a condition requiring

a) the payment of a monetary contribution; or
b) the dedication of land free of costs
c) or both

These items of land, public works and public services are identified in what are known as Contribution plans as governed under section 7.11 or section 7.12 of the EP&A Act. Contribution plans are the financial framework between strategic planning and infrastructure delivery within growth or development areas. There are different plans for different catchment by ultimately contributions apply across all of the LGA.

7. COMMUNITY PARTICIPATION – DEVELOPMENT APPLICATIONS

A Development Application is a formal application for development that requires consent under the EP&A Act. It is usually made to Council and consists of standard application forms, supporting technical reports and plans.

7.1 Objectives

a) Provide a framework for the exhibition of development applications, applications to modify development consents and applications for review of development determinations.
b) Identify which development applications that will be exhibited.
c) Identify which development applications will not be exhibited because of their scale or limited environmental impact.
d) Provide an opportunity for public participation in the development application process.
e) Establish a clear process and expectations of how public submissions are considered in the development application process.
f) Facilitate the efficient processing of development applications without unreasonably compromising the opportunity for public participation.
g) Ensure exhibition of development applications is carried out in accordance with the EP&A Act and Regulation.
h) Ensure that there is consistency in the exhibition of similar development applications.



7.2 Consultation Channels

Council will communicate opportunities for participation in the development assessment process using methods including:

- Notices on the land
- Letters to adjoining or potentially affected landowners and occupiers; and
- Council's ePlanning portal.

7.3 Consultation Feedback

In all instances, Council will encourage the community to lodge written submissions (either electronically or physically) which will be considered prior to the determination of a development application.

7.4 Levels of Community Participation

There are three levels of community participation that a development application may be subject to. These are:

- Notified Development – where Council notifies people in writing advising of the submission of a development application. The notification period commences when the letter of notification is mailed to recipients. The conclusion of the notification period is based on the required number of consecutive days (as outlined in this Plan), inclusive of weekends, following the commencement of the notification period. For the purposes of this Plan, Public Holidays that apply to the State of NSW are excluded from the notification period.
- Advertised Development – where Council, in addition to notification, advertises the development application on Council's website and places a sign on the subject land advising of the submission of a development application. The commencement of the exhibition period is taken to be the day the notice is first published on Council's website. The conclusion of the exhibition period is based on the required number of consecutive days (as outlined in this Plan), inclusive of weekends, following the commencement of the exhibition period. For the purposes of this Plan, Public Holidays that apply to the State of NSW are excluded from the exhibition period.
- No consultation – applying to applications of minor complexity, where no notification or advertising is necessary.

The level of consultation required is specified in Table 1 and 2 and will be dependent on the land use and/or structure proposed. The land uses in Table 1 and 2 are defined in the Liverpool LEP 2008.

Note: Where a development is not listed in Table 1 or 2, Council will determine the most appropriate notification procedure using the tables as a guide.

It will remain at the discretion of the Manager of Development Assessment to decide whether to exhibit any application considered to have sufficient community interest or where the history of the site warrants consultation. Council or the relevant consent authority has the discretion to determine if additional notification requirements apply (i.e notification letter, display of notices on land, display on website and length of exhibition).



Exhibition or notification during the Christmas / New Year period

Public exhibition and/or notification periods over the traditional Christmas / New Year period will be extended so as not to include the period between 20 December and 10 January (inclusive).

Notification requirements for development applications subject to an amendment

Amended documentation lodged during the assessment process and approved by the consent authority will be publicly exhibited in the same way as the application was originally exhibited. This is to occur where, in the opinion of Council or the relevant consent authority, the amendments intensify or change the external impact of the development

Notification requirements for Council-related Development Applications:

Recent legislative changes to the Act, set to commence on 3 April 2023, requires Council related development applications to be exhibited for a minimum of 28 days, and defines them under Schedule 1, Clause 9b as:

Council-related development applications means a development application, for which a council is the consent authority, that is –

- *a) Made by or on behalf of the council, or*
- *b) For development on land –*
  - *I. Of which the council is an owner, a lessee or a licensee, or*
  - *II. Otherwise vested in or under the control of the council*
    Note: land vested in or under the control of the council includes public land within the meaning of the Local Government Act 1993.

The Act also requires the exhibition material to be accompanied by:

a) A statement specifying how council will manage the conflict of interest that may arise in connection with the application because the council is the consent authority, or
b) statement that the council has no management strategy for the application

This policy therefore requires such Development Applications to be exhibited in accordance with these provisions from 3 April 2023.

Public exhibition and/or notification periods over the traditional Christmas / New Year period will be extended so as not to include the period between 20 December and 10 January (inclusive).

7.5 Development Applications that will be advertised

The following types of development applications will be advertised via Councils website and will include direct notification to landowners and occupiers within the specified distance (unless not specified) as well as a sign on the development site



Table 1 Land Use and Extent of Notification (Advertised Development):

Land Use/Purpose	Extent of Notification to properties within a certain distance (metres)
Airport	**1000m (Rural zones)** **500m (All other zones)**
Airstrip	**1000m (Rural zones)** **500m (All other zones)**
Amusement centre	**500m (Rural zones)** **200m (All other zones)**
Backpackers' accommodation	**50m**
Boarding houses	**100m**
Caravan parks	**50m**
Cemetery	**1000m (Rural zones)** **200m (All other zones)**
Co-living housing	**100m**
Crematorium	**1000m (Rural zones)** **200m (All other zones)**
Depot*	**100m**
Educational establishments	**500m (Rural zones)** **200m (All other zones)**
Extractive industries	**1000m (Rural zones)** **200m (All other zones)**
Freight transport facility*	**100m**
Hazardous industries	**500m**
Hazardous storage establishments	**1000m (Rural zones)** **200m (All other zones)**
Heavy industry	**200m**
Helipad	**500m**
Heliports	**200m (Rural zones)** **100m (All other zones)**
Hospitals	**75m (Rural zones)** **200m (All other zones)**
Hotel or motel accommodation	**75m**
Industries*	
Intensive livestock agriculture	**500m**
Landscaping materials supplies	**500m (Rural zones)** **250m (All other zones)**
Liquid fuel depot	**500m (Rural zones)**
Specialised retail premises	**200m (All other zones)**
Marinas	**200m**
Market*	**200m (Rural zones)** **75m (All other zones)**
Mines	**1000m**
Offensive industries	**200m**



Offensive storage establishments	**200m (Rural zones)** **200m (All other zones)**
Open cut mine	**200m (Rural zones)** **75m (All other zones)**
Passenger transport facility	**75m**
Places of public worship	**1000m (Rural zones)** **200m (All other zones)**
Pubs	**75m**
Recreation facilities (major)*	**200m**
Recreation facilities (outdoor)*	**500m (Rural zones)** **100m (All other zones)**
Registered clubs	**500m (Rural zones)** **200m (All other zones)**
Resource recovery facility	**200m**
Restricted premises	**200m**
Service stations	**500m (Rural zones)** **200m (All other zones)**
Sewage treatment works	**500m (Rural zones)** **200m (All other zones)**
Sex service premises	**200m**
Stock and sale yards	**500m (Rural zones)** **200m (All other zones)**
Telecommunication facilities	**1000m (Rural zones)** **300m (All other zones)**
Timber Yard	
Vehicle body repair workshop*	**100m**
Vehicle repair station*	**100m**
Vehicle sales or hire premises*	**100m**
Warehouse and distribution centres*	**100m**

**Only in instances where the land use is being proposed as part of a <u>new</u> application on land adjacent to a Residential Zone (excluding change of use applications)*

Note: *Where a development application includes elements which are both advertised and notified, the whole application shall be advertised.*

What is the minimum advertising period?	**14 days**
(28 days for designated development. Note designated development is defined in the EP&A Act and Re	



7.6 Development Applications that will be notified

Table 2 lists the types of development applications that will be notified to adjacent and adjoining landowners and occupiers, or to properties within the specified distance by mail. Figure 2 outlines how adjoining and adjacent properties will be notified. Notification distances specified in this section may be extended, if in the opinion of Council, greater notification is required.

Figure 2 Notification to adjoining & adjacent land

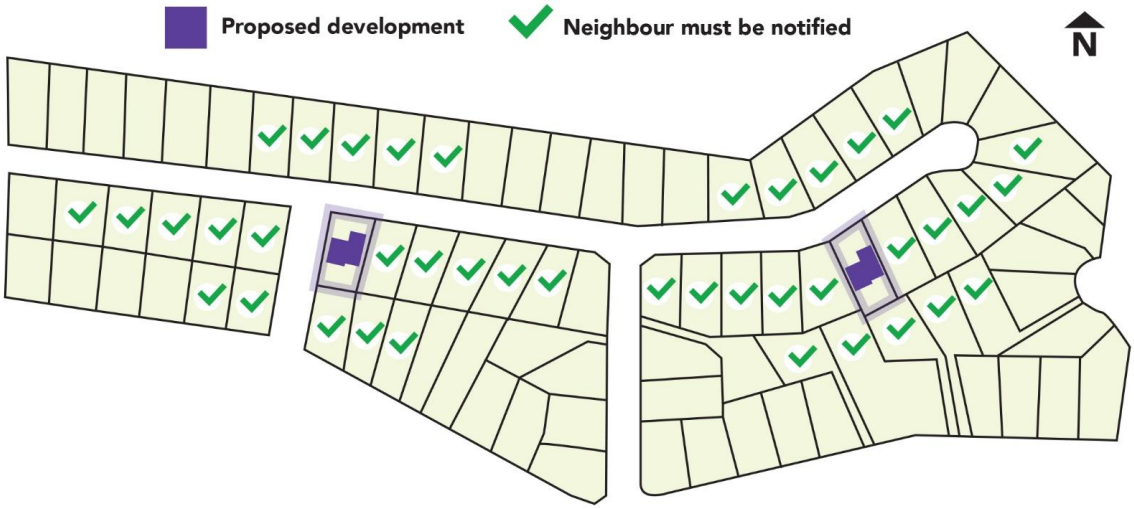




Table 2 Land Use and Extent of Notification (Notified)

Land Use/Purpose	Extent of Notification to properties within a certain distance (metres). Where no distance is identified, notification is to occur to adjoining and adjacent land
Advertisements	75m (Residential zones only)
Advertising Structure	75m (Residential zones only)
Agricultural produce industry	200m
Agriculture	
Animal boarding or training establishments	500m (Rural zones) 75m (All other zones)
Attached dwellings	
Aquaculture	200m
Bed & breakfast premises	
Boat building and repair facility	
Boat shed	
Car parks	
Cellar door premises	
Centre based child care facilities	75m
Commercial premises	
Community facility	75m
Dairy (pasture based)	
Dual occupancy	
Entertainment facility	500m (Rural zones) 200m (All other zones)
Exhibition village	
Feedlot	
Fill	
Flood mitigation works	1000m (Rural zones) 200m (All other zones)
Funeral home	1000m (Rural zones) 200m (All other zones)
Group home	75m
Health consulting rooms	
Hostels	75m
Independent living units	
Light industry	
Livestock processing industry	200m
Manor House	
Medical centre	200m (Rural zones) 75m (All other zones)
Mixed use development	75m



Mortuary	**1000m (Rural zones)** **200m (All other zones)**
Multi dwelling housing	**75m**
Public administration buildings	
Recreation facilities (indoor)	
Residential care facilities	
Residential flat buildings	**75m**
Restricted dairy	
Sawmill or log processing works	
Secondary Dwelling	
Self - storage	
Semi - detached dwelling	
Seniors housing	
Serviced apartments	**75m**
Shop top housing	**75m**
Subdivisions (lots less than 300sqm)	
Take away food or drink premises	**100m (outside Liverpool City Centre)**
Terrace	
Tourist and visitor accommodation	**200m (Rural zones)** **75m (All other zones)**
Transport depot	**200m (All other zones)**
Truck depot	**200m (All other zones)**
Veterinary hospitals	
Waste or resource management facility	**1000m (Rural zones)** **200m (All other zones)**
Waste or resource transfer station	**1000m (Rural zones)** **200m (All other zones)**
Waterbody (artificial)	**500m (Rural zones)** **50m (All other zones)**
Water Storage Facility	**500m**

Note: Where a development application includes elements which are both notified and non-notified, the whole application shall be notified.

What is the minimum notification period?	**14 days**

7.7 Development Applications that will not be notified

This Plan identifies types of development that do not require advertising or notification given their scale or limited environmental impacts. In addition, some types of development do not need development consent from Council and therefore there is no pathway for formal community participation under this Plan.

This Plan does not relate to applications that fall within the following categories:



a) Development which is exempt development under the provisions of Clause 3.1 Exempt Development of the Liverpool LEP and/or any applicable State Environmental Planning Policy.
b) Development which is complying development under the provisions of Clause 3.2 Complying Development of the Liverpool LEP and/or any applicable State Environmental Planning Policy.

A development application for the following types of development will **NOT** be exhibited due to their scale or limited environmental impacts.

- Awnings, pergolas, swimming pools, outbuildings and the like, which are considered to be in keeping with accepted community standards and the existing local environment.
- Internal works, where there is no change to the external configuration of the building in shape or height.
- Temporary land sales offices that are to be erected for a period no greater than 12 months.
- Applications where the person to be notified is also the applicant.
- Dwelling houses and alterations to existing dwellings

In the Liverpool City Centre:

- Small scale commercial premises (no more than 4 storeys)
- Change of use from business premises to business premises
- Change of use from retail premises to retail premises
- Restaurants and cafes
- Take away food and drink premises or food and drink premises

A modification application is generally exempt from notification provided that the application only involves amending a minor error, misdescription or miscalculation.

If, in the opinion of the Council or the consent authority, the proposed modification has the potential to increase the impact of the development on adjoining or nearby land or development, the application will be notified or advertised in accordance with the provisions of Table 1 or 2 and the Environmental Planning and Assessment Act 1979**.**

7.8 Designated Development

Designated Development applications will be advertised on Councils website and notified to adjacent and adjoining landowners and occupiers, and relevant public authorities.

What is the minimum exhibition period?	**28 days**



7.9 Review of determinations or decisions

What is a review of determination or decision?

Where Council has refused a development application or imposed conditions, an applicant may be able to apply for a review of determination under Section 8.2 of the EP&A Act. The Act requires the review to be completed within 6 months from the date of determination of the development application.

Will all applications be notified?

Applications under Section 8.2 of the Act are to be notified to persons who previously made a submission where the Development Application is amended in a material way and where Council considers that the development is likely to have the potential to increase impacts compared to the application previously considered.

What is the minimum exhibition period?	14 days

Notification letters:

Where required by tables in this section, the notification letter must provide the following information:

a) A description (including the address of the land to which the development application relates);
b) A description of the proposed development.
c) The name of the applicant.
d) The name of contact person through which enquiries can be directed; and
e) The letter must specify that any person may make a submission in writing to Council in relation to the development application, and that submissions may be made available for the community to view. Where the submission is by way of objection, the grounds of objection/s must be specified in the submission.

8. COMMUNITY PARTICIPATION – STRATEGIC PLANNING

Council develops a range of long-term plans and strategies for specific areas or development issues. Many of these plans and strategies will become Council policy after community consultation and will be implemented through Council's planning controls. Some Strategies and Plans also require endorsement from Government Agencies and support the Greater Sydney Region Plan and the Western City District Plan.

Examples include:

- This Plan (the Community Participation Plan)
- Liverpool Local Strategic Planning Statement
- Land use strategies and studies relating to specific development issues, for example:
    - Housing
    - Employment lands
    - Rural lands
    - Heritage
- Local Environmental Plan



- Development Control Plans
  - Contribution Plans

8.1 Objectives

a) Provide a framework for the public exhibition of strategic planning documents.
b) Provide an opportunity for public participation in the strategic planning process.
c) Establish a clear process and expectations of how public views are considered in the strategic planning process.
d) Identify strategic planning documents that will be placed on public exhibition.

To ensure community participation is carried out in accordance with the EP&A Act and Regulation.

8.2 Consultation Approach

The consultation approach taken by Council will vary depending on the site and complexity of the proposal. Council will communicate opportunities for participation in the strategic planning process including but not limited to:

- Social media posts
- Letters to key stakeholders
- Flyers in rates notices
- Letterbox flyers
- Council email banners
- Public displays in the Council's Customer Service Centre, library, shopping centres or other community venues or events
- Council's website

8.3 Consultation Tools

Council will use a range of consultation tools to enable participation and opportunities to provide input including:

- Workshop and focus groups
- Public meetings and information sessions
- Discussion papers
- Online participation through Councils Liverpool Listens website
- Request for written submissions through a public exhibition process

8.4 Consultation Feedback

In all instances, Council will encourage the community to lodge written submissions in addition to feedback received through one of the other methods above.

8.5 Exhibition of notification during the Christmas period

Public exhibition and/or notification periods over the traditional Christmas / New Year period will be extended so as not to include the period between 20 December and 10 January (inclusive).



9. COMMUNITY PARTICIPATION – LOCAL STRATEGIC PLANNING STATEMENT

What is a Local Strategic Planning Statement?

The Local Strategic Planning Statement (LSPS) is the 20-year vision for land-use in the Liverpool LGA, the special character and values that are to be preserved and how change will be managed into the future.

The LSPS will implement actions from the Greater Sydney Region Plan and the Western City District Plan, as well as Council's own priorities identified in the Community Strategic Plan, land use strategies and other studies that support the growth of the City.

The statement will shape how the development controls in the Local Environmental Plan evolve over time to meet the community's needs, with the LEP the main planning tool to deliver the Council and community's plan.

What is the minimum exhibition period?	**28 days**



10. COMMUNITY PARTICIPATION – LOCAL ENIVONMENTAL PLAN

What is a Local Environmental Plan (LEP)?

The LEP guides planning decisions for the Liverpool LGA. It does this through zoning and development controls, which provide a framework for the way land can be used. The LEP is the main planning tool to shape the future of communities and ensure local development is appropriate.

A planning proposal is required to amend the LEP. A planning proposal must demonstrate the strategic merit of the proposed LEP amendment. A planning proposal is submitted to the NSW Department of Planning and Environment for a Gateway determination. A Gateway determination will identify whether there is merit in the proposed amendment proceeding further in the plan making process.

A Gateway determination will determine:

- Whether or not to proceed with the planning proposal
- Whether or not to impose conditions
- The minimum public exhibition period
- For large scale planning proposals, Council will also exhibit the planning proposal for **28 days** prior to a Council decision on whether to endorse the planning proposal for a Gateway determination. Feedback from the community will be incorporated into a report to Council.

What is the minimum exhibition period?	**28 days**
(or the time period specified in the Gateway determination)	

11. COMMUNITY PARTICIPATION PLAN – DEVELOPMENT CONTROL PLAN

What is a Development Control Plan?

A DCP is prepared by Council and applies to specific types of development or areas of land and provides detailed development guidelines and controls.

Council will periodically amend the DCP to introduce new controls relating to specific development types, to reflect legislative changes or to clarify the intent of an existing control.

What is the minimum exhibition period?	**28 days**



12. COMMUNITY PARTICIPATION – LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

What is a Local Infrastructure Contributions Plan?

Local Infrastructure Contributions Plans allow Council to charge and levy contributions on development for land within the Liverpool LGA. These contributions assist in the provision of essential social and service infrastructure and land to meet demand created by the development. Council will periodically review and revise the plans triggered by population growth, rezoning of additional land, acquisition of land and property, completion of works or to create new schedule of works to reflect Councils infrastructure priority.

What is the minimum exhibition period?	**28 days**

13. COMMUNITY PARTICIPATION – PLANNING AGREEMENTS

What is a Planning Agreement?

A planning agreement (also known as a voluntary planning agreement (VPA)) is an offer by a developer to Council to dedicate land, make monetary contributions, or provide any other material public benefit, to be used for or applied towards a public purpose.

Planning agreements are entered into in relation to a state significant or local development application or an amendment to the LEP or SEPP through a planning proposal application.

What is the minimum exhibition period?	**28 days**



14. SUBMISSIONS

14.1 Submissions

The submission period is the stated exhibition period, calculated in accordance with this Community Participation Plan.

14.2 Making a submissions

Any person is entitled to make a submission which may object to or support a planning matter within the public exhibition period, whether or not a notification letter has been forwarded to the person. Submissions must be made in writing and delivered to the Council either by electronic mail (email), an online submission via Council's website, or by post. All submissions received within the public exhibition period will be considered by Council.

Submissions should include the following:

a) The reasons for objection or support.
b) Submissions must be in writing, be addressed to the Chief Executive Officer, clearly indicating the names, addresses of the person(s) making the submission, quote the development application number (if relevant), the subject matter, and clearly state the address of the property.
c) Submissions must include the postal address or email of person(s) making submissions so they can be notified in advance if the matter is to be considered by a Planning Panel or by Council at a Council meeting (for strategic planning matters only). This information will remain public and may be included in reports to Council.
d) If persons who lodge submissions do not wish their personal information to be made public, the submission is to clearly make a statement to that effect, however their name and suburb (if available) will remain public.
e) Council will consider making a submission confidential, however, the submission must make a statement to that effect and clearly outline the reasons the submission should be confidential.

14.3 Petitions

Where a petition is received in respect of a development application or strategic planning project, the head petitioner or, where not nominated, the first petitioner will be acknowledged for the purpose of future contact as to the progress of the application. Only the head petitioner, or first petitioner, will be advised of any related meeting times or receive written confirmation of the determination of an application or outcome of the matter.

It should be noted a petition is equal to 1 submission.

14.4 Strata Building

A notice to a body corporate is taken to be a notice to the owner of each lot or leaseholder within the parcel concerned. If land is owned or occupied by more than one person, a notice to one owner and/or one occupier is taken to be a written notice to all the owners or occupiers of that land.



14.5 Disclosure of submissions

Submissions may be accessed by the public by way of a Government Information Public Access (GIPA) request (fee payable) to Council. Also, if the proposal is reported to a Council meeting, the issues raised in that submission will be summarised in the Council report and the submission will be attached to the report.

14.6 Referral of submissions to the applicant

A summary of the submissions will be forwarded to the applicant who will be encouraged to address the issues raised in the submissions.

14.7 Referral of submissions to the applicant

A copy of all submissions received will be forwarded to the Secretary of the Department of Planning and Environment at the end of the notification period.

14.8 Submissions received after the exhibition period

Council will allow a further period of 2 business days following the closure of the exhibition period to receive submissions. This allows for written submissions that have been posted to be received and processed by Council's records management team.

Submissions received within this 2-day period will be considered as it were received during the public exhibition or notification period.

Submissions received after the additional 2-day period may be considered in determining the application.

For development applications which are to be considered at a Local Planning Panel meeting for determination, submissions received after the writing of the report (generally 14 days prior to the meeting date) will be placed on the development application file and forwarded to the panel members for consideration



AUTHORISED BY
TBC

EFFECTIVE FROM
This date is the date the policy is adopted by Council resolution. (TBC)

DEPARTMENT RESPONSIBLE:
City Planning (Planning and Compliance)

REVIEW DATE
The policy must be reviewed every two years or more frequently depending on its category or if legislative or policy changes occur.

VERSIONS
The current and previous version of the policy should be set out in the following table.

Version	Amended by	Changes made	Date	TRIM Number
2	City Planning			

THIS POLICY HAS BEEN DEVELOPED IN CONSULTATION WITH
In this section please identify all the groups consulted with in the preparation of the policy such as members of Council staff, management, Councillor's, community members, other government departments etc. You should consult with the Governance Coordinator before the policy is considered by the Chief Executive Officer or the elected Council.

ATTACHMENTS
N/A.

If you do not understand this document, please ring the Telephone Interpreter Service (131 450) and ask them to contact Council (1300 362 170). Office hours are 8.30am to 5.00pm, Monday to Friday.

ARABIC

إذا لم تستطع فهم هذا الطلب ، الرجاء الاتصال بخدمة الترجمة الهاتفية على رقم 131 450 واسألهم أن يتصلوا بالبلدية على رقم 1300 362 170 . دوام ساعات العمل هي من الساعة 8.30 صباحًا إلى 5.00 بعد الظهر من الاثنين إلى الجمعة.

CHINESE

如您看不懂此信 / 申請書，請打電話給「電話翻譯服務台」(131 450)，請他們聯絡市政廳(市政廳電話 1300 362 170)。市政廳辦公時間，星期一至星期五，上午八時三十分至下午五時。

CROATIAN

Ako ne razumijete ovo pismo/aplikaciju, molimo nazovite Službu prevodilaca i tumača (Translating and Interpreting Service - na broj 131 450) i zamolite ih da nazovu Općinu (na 1300 362 170). Radno vrijeme je od 8.30 ujutro do 5.00 popodne, od ponedjeljka do petka.

GERMAN

Wenn Sie diesen Brief/Antrag nicht verstehen können, rufen Sie bitte den Telefon Dolmetscher Dienst (Telephone Interpreter Service) (131 450) an und lassen Sie sich vom Personal mit dem Gemeinderat (Council) in Verbindung setzen (1300 362 170). Geschäftsstunden sind von 8:30 bis 17:00 Uhr, montags bis freitags.

GREEK

Αν δεν καταλαβαίνετε αυτή την επιστολή/αίτηση, σας παρακαλούμε να τηλεφωνήσετε στην Τηλεφωνική Υπηρεσία Διερμηνέων (131 450) και να τους ζητήσετε να επικοινωνήσουν με το Δημοτικό Συμβούλιο (1300 362 170). Τα γραφεία του είναι ανοιχτά από τις 8.30π.μ. μέχρι τις 5.00μ.μ. από Δευτέρα μέχρι και Παρασκευή.

HINDI

अगर आप इस पत्र/आवेदन को पढ़कर समझ नहीं पा रहे हैं तो कृपया टेलीफ़ोन संवाद-सहायक सेवा (131 450) को फ़ोन करें और उनसे काउंसिल (1300 362 170) से संपर्क करने को कहें। कार्यालय का समय सोमवार से शुक्रवार तक प्रातः ८:३० बजे से सायं ५:०० तक है।

ITALIAN

Se non comprendi questa lettera/questo modulo di domanda, telefona al Servizio traduzioni e interpreti al numero 131 450 chiedendo di essere messo in contatto con il Comune (telefono 1300 362 170). Orario d'ufficio: ore 8.30 -17.00, dal lunedi al venerdi.

KHMER

បើលោកអ្នកមិនយល់ពីអត្ថន័យឬការប្រតិបត្តិនេះទេ សូមទូរស័ព្ទទៅសេវាបកប្រែភាសាតាមទូរស័ព្ទ (លេខ 131 450) ហើយស្នើសុំឲ្យគេទាក់ទងសាលាក្រុង (លេខ 1300 362 170)។ ពេលម៉ោងធ្វើការគឺម៉ោង 8 កន្លះព្រឹកដល់ម៉ោង 5 ល្ងាច ពីថ្ងៃច័ន្ទដល់ថ្ងៃសុក្រ

MACEDONIAN

Ако не го разбирате ова писмо/апликација, ве молиме да се јавите во Телефонската преведувачка служба на 131 450 и замолете ги да стапат во контакт со Општината на 1300 362 170. Работното време е од 8.30 часот наутро до 5.00 часот попладне од понеделник до петок.

MALTESE

Jekk ma tifhimx din l-ittra/applikazzjoni, jekk jogħġbok ċempel lis-Servizz ta' l-Interpretu bit-Telefon (131 450) u itlobhom jikkuntattjaw il-Kunsill (1300 362 170). Il-ħinijiet ta' l-Uffiċċju huma mit-8.30a.m. sal-5.00p.m., mit-Tnejn sal-Ġimgħa.

POLISH

Jeśli nie rozumiesz treści niniejszego pisma/podania, zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service) pod numer 131 450 I poproś o telefoniczne skontaktowanie się z Radą Miejską pod numerem 1300 362 170. Godziny urzędowania: 08.30-17.00 od poniedziałku do piątku.

SERBIAN

Ако не разумете ово писмо/апликацију, молимо вас да назовете Телефонску преводилачку службу (131 450) и замолите их да контактирају Општину (1300 362 170). Радно време је од 8.30 ујутро до 5.00 поподне, од понедељка до петка.

SPANISH

Si Ud. no entiende esta carta/solicitud, por favor llame al Servicio Telefónico de Intérpretes (131 450) y pídales que llamen a la Municipalidad (Council) al 1300 362 170. Las horas de oficina son de 8:30 am a 5:00 pm, de lunes a viernes.

TURKISH

Bu mektubu veya müracaatı anlayamazsanız, lütfen Telefon Tercüme Servisi'ne (131 450) telefon ederek Belediye ile (1300 362 170) ilişkiye geçmelerini isteyiniz. Çalışma saatleri Pazartesi - Cuma günleri arasında sabah saat 8:30 ile akşam 5:00 arasıdır.

VIETNAMESE

Nếu không hiểu thư/đơn này, xin Quý Vị gọi cho Telephone Interpreter Service (Dịch Vụ Thông Dịch Qua Điện Thoại), số 131 450, và nhờ họ liên lạc với Council (Hội Đồng), số 1300 362 170. Giờ làm việc là 8 giờ 30 sáng đến 5 giờ 00 chiều, Thứ Hai đến Thứ Sáu.

LIVERPOOL CITY COUNCIL

For further information

Visit Us
Customer Service Centre
Shop R1, 33 Moore Street, Liverpool, NSW 2170
Open Monday - Friday, 8.30am - 5pm

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1300 36 2170
Calling from interstate: (02) 8711 7000
National Relay Service (NRS): 133 677
(for hearing and speech impaired customers)

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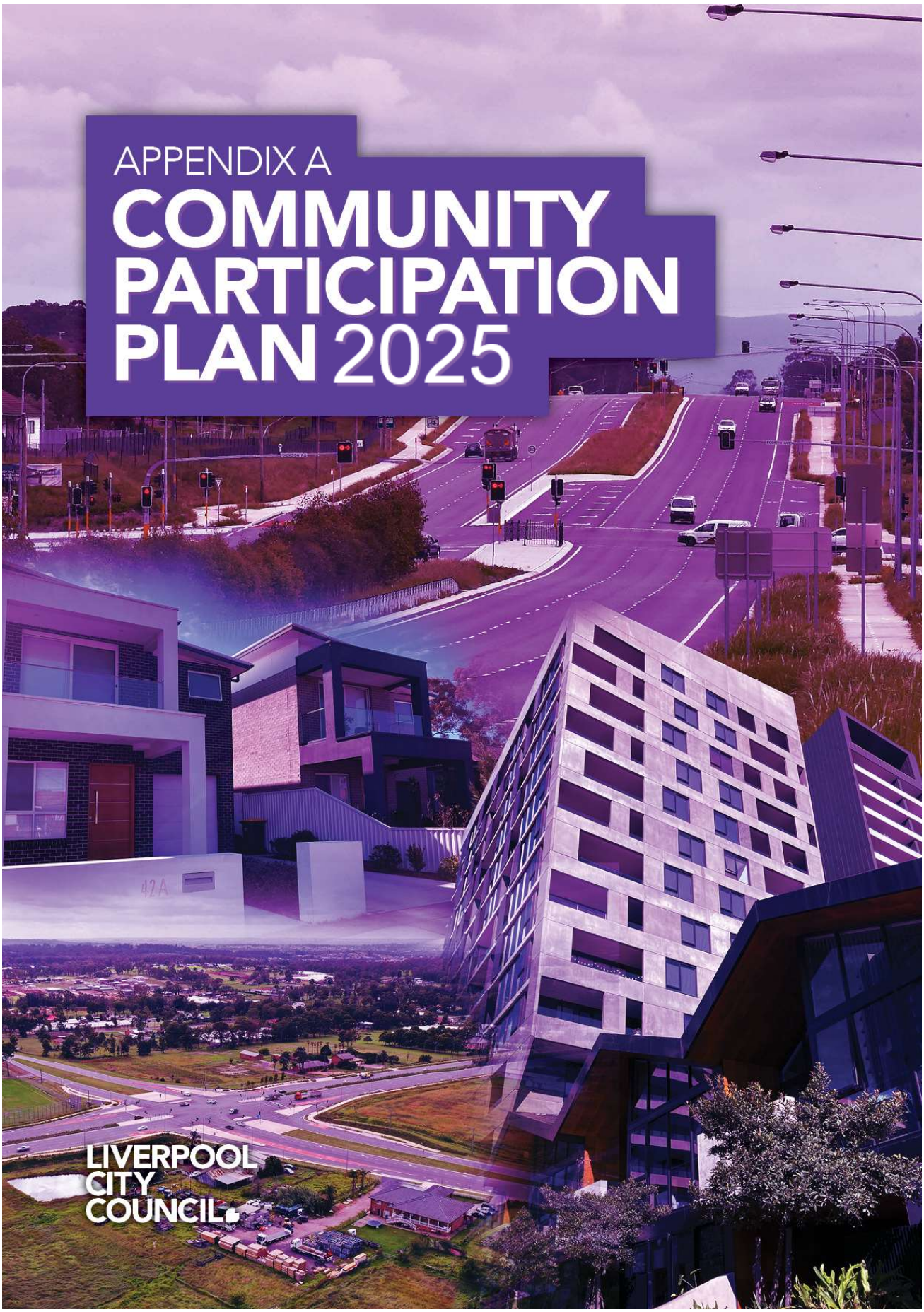

APPENDIX A
COMMUNITY PARTICIPATION PLAN 2025
LIVERPOOL CITY COUNCIL



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Community Participation Plan 2022

1. PURPOSE/ OBJECTIVES

The Liverpool *Community Participation Plan* (CPP) sets out when and how Council will engage with its communities across all the planning functions it performs.

Council, when exercising its planning functions, will:

- provide opportunities for members of the community to participate in planning decisions to achieve better planning outcomes, in an open and transparent process;
- ensure the community understands how and when they can participate in planning decisions;
- ensure that the needs and concerns of the community are identified and addressed when possible;
- ensure Council's strategic planning reflects the aspirations of the community and
- ensure Council meets its legislative requirements in regards to community notification engagement and consultation.

The *Environmental Planning & Assessment Act 1979* (the Act) outlines the principles that Council must include in the CPP. These principles are:

- The community has a right to be informed about planning matters that affect it.
- Council (including the relevant planning authorities) should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- Planning information will be in plain language, easily accessible and in a form that facilitates community participation in planning.
- The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- Community participation should be inclusive and Council (including the relevant planning authorities) should actively seek views that are representative of the community.
- Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.
- Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been considered).
- Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.



2. ABBREVIATIONS (where applicable)

EP&A Act	Environmental Planning & Assessment Act 1979
CPP	Community Participation Plan
DCP	Development Control Plan
GIPA	Government Information Public Access
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
NSW	New South Wales
VPA	Voluntary Planning Agreement

3. RELEVANT LEGISLATIVE REQUIREMENTS

Environmental Planning & Assessment Act 1979 (Section 2.23 and Schedule 1)

Environmental Planning and Assessment Regulation 2021

4. LAND TO WHCH THE PLAN APPLIES

This Plan applies to all land within the Liverpool Local Government Area (LGA).

5. COMMUNITY PARTICIPATION IN THE PLANNING SYSTEM

Liverpool City Council recognises community participation throughout the planning system is not only your right, it also delivers better planning results for the people of Liverpool. Ultimately, our responsibility is to deliver the objectives of the *Environmental Planning and Assessment Act 1979* (EP&A Act) including the promotion of orderly and economic use of land, facilitating ecologically sustainable development and promoting social and economic wellbeing.

Community participation is an overarching term covering how we inform, engage and consult the community in our work under the EP&A Act, including plan making and decisions making on proposed development. The level and extent of community participation will vary depending on the scope of the proposal under consideration and the potential impact of the decision. The community may be considered anyone who is affected by planning decisions. This may include individuals and their family network, new emerging and existing, community groups, Aboriginal communities, peak bodies representing a range of interests, businesses and their employees, local government, and State and Commonwealth government agencies.



The diagram below explains the relationship between the CPP and other supporting documents and policies:

Figure 1 – Relationships between Strategic Documents



6. WHAT PLANNING FUCTIONS DOES THE COMMUNITY PARTICIPATION PLAN APPLY TO?

6.1 Development Applications

Council planning officers, the Liverpool Local Planning Panel and the Sydney Western City Planning Panel make planning decisions on a range of development applications. The elected Mayor and Councillors do not make decision on Development Applications under NSW law. When making decisions on these developments, consideration is given to whether development proposals are in accordance with the zone objectives and development standards in the Liverpool Local Environmental Plan or State Environmental Planning Policies and development controls within the Development Control Plan as well as public interest and other applicable policies and guidelines. Development applications may be for residential, commercial or industrial development, subdivision, change of use or other development proposals.

6.2 Strategic Planning

Council plays a vital role in planning for the majority of land uses within the Liverpool Local Government Area. Strategic Planning is the general term used for the branch of town planning which seeks to regulate land use and infrastructure in an efficient and ethical way. More specifically, strategic planning relates to the management of land use plans, land release, renewal of established areas, rezonings, the formulation of Development Control Plans (DCP's), major development projects, and associated strategic environmental and urban policy.



6.3 Voluntary Planning Agreement

A Voluntary Planning Agreement (also known as a Planning agreement PA or VPA) is a written offer made by a developer to Council to dedicate land, make monetary contributions, provide a material public benefit for a public purpose or a combination of any or all. A VPA can only be considered where there is an instrument change or to land where a Development Application (DA) is proposed.

A public purpose includes the provision of:

a) a public amenities or public services
b) affordable housing
c) transport or other infrastructure relating to the land
d) recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure relating to land
e) the monitoring of planning impacts of development
f) the conservation or enhancement of the natural environment.

6.4 Local Infrastructure Contribution Plans

If Council is satisfied that development within the LGA will or is likely to require the provision or increase the demand for public amenities and public services, Council may grant consent subject to a condition requiring

a) the payment of a monetary contribution; or
b) the dedication of land free of costs
c) or both

These items of land, public works and public services are identified in what are known as Contribution plans as governed under section 7.11 or section 7.12 of the EP&A Act. Contribution plans are the financial framework between strategic planning and infrastructure delivery within growth or development areas. There are different plans for different catchment by ultimately contributions apply across all of the LGA.

7. COMMUNITY PARTICIPATION – DEVELOPMENT APPLICATIONS

A Development Application is a formal application for development that requires consent under the EP&A Act. It is usually made to Council and consists of standard application forms, supporting technical reports and plans.

7.1 Objectives

a) Provide a framework for the exhibition of development applications, applications to modify development consents and applications for review of development determinations.
b) Identify which development applications that will be exhibited.
c) Identify which development applications will not be exhibited because of their scale or limited environmental impact.
d) Provide an opportunity for public participation in the development application process.
e) Establish a clear process and expectations of how public submissions are considered in the development application process.



f) Facilitate the efficient processing of development applications without unreasonably compromising the opportunity for public participation.
g) Ensure exhibition of development applications is carried out in accordance with the EP&A Act and Regulation.
h) Ensure that there is consistency in the exhibition of similar development applications.

7.2 Consultation Channels

Council will communicate opportunities for participation in the development assessment process using methods including:

- Notices on the land
- Letters to adjoining or potentially affected landowners and occupiers; and
- Council's ePlanning portal.

7.3 Consultation Feedback

In all instances, Council will encourage the community to lodge written submissions (either electronically or physically) which will be considered prior to the determination of a development application.

7.4 Levels of Community Participation

There are three levels of community participation that a development application may be subject to. These are:

- Notified Development – where Council notifies people in writing advising of the submission of a development application. The notification period commences when the letter of notification is mailed to recipients. The conclusion of the notification period is based on the required number of consecutive days (as outlined in this Plan), inclusive of weekends, following the commencement of the notification period. For the purposes of this Plan, Public Holidays that apply to the State of NSW are excluded from the notification period.
- Advertised Development – where Council, in addition to notification, advertises the development application on Council's website and places a sign on the subject land advising of the submission of a development application. The commencement of the exhibition period is taken to be the day the notice is first published on Council's website. The conclusion of the exhibition period is based on the required number of consecutive days (as outlined in this Plan), inclusive of weekends, following the commencement of the exhibition period. For the purposes of this Plan, Public Holidays that apply to the State of NSW are excluded from the exhibition period.
- No consultation – applying to applications of minor complexity, where no notification or advertising is necessary.

The level of consultation required is specified in **Table 1** will be dependent on the land use and/or structure proposed. The land uses are defined in the Liverpool LEP 2008.

Note: Where a development is not listed in **Table 1,** Council will determine the most appropriate notification procedure using the tables as a guide.



It will remain at the discretion of the Manager of Development Assessment to decide whether to exhibit any application considered to have sufficient community interest or where the history of the site warrants consultation. Council or the relevant consent authority has the discretion to determine if additional notification requirements apply (i.e. notification letter, display of notices on land, display on website and length of exhibition).

Exhibition or notification during the Christmas / New Year period

Public exhibition and/or notification periods over the traditional Christmas / New Year period will be extended so as not to include the period between 20 December and 10 January (inclusive).

Notification requirements for development applications subject to an amendment

Amended documentation lodged during the assessment process and approved by the consent authority will be publicly exhibited in the same way as the application was originally exhibited. This is to occur where, in the opinion of Council or the relevant consent authority, the amendments intensify or change the external impact of the development

Notification requirements for Council-related Development Applications:

Council related development applications are to be exhibited for a minimum of 28 days, and defines them under Schedule 1, Clause 9b as:

Council-related development applications means a development application, for which a council is the consent authority, that is –

- *a) Made by or on behalf of the council, or*
- *b) For development on land –*
  - *I. Of which the council is an owner, a lessee or a licensee, or*
  - *II. Otherwise vested in or under the control of the council*
    Note: land vested in or under the control of the council includes public land within the meaning of the Local Government Act 1993.

The Act also requires the exhibition material to be accompanied by:

a) A statement specifying how council will manage the conflict of interest that may arise in connection with the application because the council is the consent authority, or
b) statement that the council has no management strategy for the application

Public exhibition and/or notification periods over the traditional Christmas / New Year period will be extended so as not to include the period between 20 December and 10 January (inclusive).



7.5 How Development Applications notifications are measured

Council will either notify adjoining properties or specify a distance for the extent of neighbour notification. Adjoining properties is land which has a common boundary or is directly opposite an application site, or is separated by a pathway, driveway or similar throughfare as seen in **Figure 2.**

Figure 2 – Adjoining land selected around the site



Where Council specifies a distance for the extent of neighbour notification, the extent is measured from the boundary of the application site as seen in **Figure 3** and **Figure 4.**

Figure 3 – 50m extent around the boundary of the site.





Figure 4 – 75m extent around the boundary of the site.



Note: Notwithstanding the above, notification distances specified in this section may be extended, if in the opinion of Council, greater notification is required.

7.6 Development Applications that will be notified

To ensure that all residents will be appropriately notified when a development application is lodged, a distance has been specified for neighbour notifications based on the potential impacts and land use zone of the proposed site.

Distances have been developed based on whether the proposed development site is in a rural or other zone. Rural zones typically have larger lots and therefore require a greater notification distance to notify the appropriate number of neighbours. Rural zones include:

- RU1 Primary Production
- RU2 Rural Landscape
- RU4 Primary Production Small Lots
- RU6 Transition
- R5 Large Lot Residential
- Agribusiness

Note these zones that are currently in force across the Liverpool LGA and may be subject to change. Other Zones includes all other zones besides the listed Rural Zones.

Table 1 below lists the types of development applications that will be notified to landowners and occupiers, and outlines the distances by rural zones and other zones.



Table 1 – Notification Table

Land Use/Purpose	Advertised on Council's website and sign posted	Extent of Notification to properties within a certain distance (metres)	
		Rural Zones	All Other Zones
Commercial and Related Development			
Amusement centre	Y	100m	50m
Commercial premises	N	100m	Adjoining Land
Entertainment facility	N	500m	200m
Funeral home	N	1000m	200m
Landscaping materials supplies	Y	100m	50m
Market*	Y	200m	75m
Public administration buildings	N	100m	Adjoining Land
Pubs	Y	100m	75m
Registered clubs	Y	500m	200m
Restricted premises	Y	200m	200m
Service stations	Y	500m	200m
Sex service premises	Y	200m	200m
Specialised retail premises	Y	100m	50m
Take away food or drink premises	N	100m (outside Liverpool City Centre)	50m (outside Liverpool City Centre)
Timber Yard	Y	100m	Adjoining Land
Vehicle sales or hire premises*	Y	100m	75m
Community Infrastructure and Related Development			
Centre based childcare facilities	N	100m	75m
Community facility	N	100m	50m
Educational establishments	Y	500m	200m
Health consulting rooms	N	100m	Adjoining Land
Hospitals	Y	200m	100m
Medical centre	N	100m	50m
Places of public worship	Y	1000m	200m
Recreation facilities (indoor)	N	100m	Adjoining Land



Recreation facilities (major)*	Y	200m	200m
Recreation facilities (outdoor)*	Y	500m	100m
Veterinary hospitals	N	100m	Adjoining Land
Industrial and Related Development			
Boat building and repair facility	N	100m	Adjoining Land
Boat shed	N	100m	Adjoining Land
Depot*	Y	100m	50m
Freight transport facility*	Y	100m	50m
Hazardous industries	Y	500m	500m
Hazardous storage establishments	Y	1000m	200m
Heavy industry	Y	200m	100m
Industries*	Y	100m	Adjoining Land
Liquid fuel depot	Y	500m	Adjoining Land
Offensive industries	Y	200m	200m
Offensive storage establishments	Y	200m	200m
Resource recovery facility	Y	200m	200m
Self - storage	N	100m	Adjoining Land
Sewage treatment works	Y	500m	200m
Transport depot	N	100m	75m
Truck depot	N	100m	75m
Vehicle body repair workshop*	Y	100m	75m
Vehicle repair station*	Y	100m	75m
Warehouse and distribution centres*	Y	100m	75m
Waste or resource management facility	N	200m	100m
Waste or resource transfer station	N	200m	100m
Water Storage Facility	N	200m	100m
Other Development			
Advertisements	N	100m	75m (Residential Zones)
Advertising Structure	N	100m	75m (Residential Zones)
Airport	Y	1000m	500m
Airstrip	Y	1000m	500m
Car parks	N	100m	Adjoining Land



Cemetery	Y	1000m	200m
Crematorium	Y	200m	100m
Exhibition village	N	100m	Adjoining Land
Fill	N	100m	Adjoining Land
Flood mitigation works	N	200m	100m
Helipad	Y	200m	100m
Heliports	Y	200m	100m
Marinas	Y	200m	200m
Mortuary	N	1000m	200m
Passenger transport facility	Y	100m	50m
Subdivisions	N	100m	50m
Telecommunication facilities	Y	1000m	200m
Waterbody (artificial)	N	100m	50m
Primary Industries and Related Development			
Agricultural produce industry	N	200m	100m
Agriculture	N	100m	Adjoining Land
Animal boarding or training establishments	N	500m	75m
Aquaculture	N	200m	200m
Cellar door premises	N	100m	Adjoining Land
Dairy (pasture based)	N	100m	Adjoining Land
Extractive industries	Y	200m	100m
Feedlot	N	100m	Adjoining Land
Intensive livestock agriculture	Y	200m	100m
Light industry	N	100m	Adjoining Land
Livestock processing industry	N	200m	100m
Mines	Y	1000m	1000m
Open cut mine	Y	200m	75m
Restricted dairy	N	100m	Adjoining Land
Sawmill or log processing works	N	100m	Adjoining Land
Stock and sale yards	Y	500m	200m
Residential and Related Development			
Attached dwellings	N	100m	50m



Boarding houses	Y	100m	100m
Co-living housing	Y	100m	100m
Dual occupancy	N	100m	Adjoining Land
Dwelling House	N	Not required	Not required
Group home	N	100m	75m
Independent living units	N	100m	50m
Manor House	N	100m	50m
Mixed use development	N	100m	75m
Multi dwelling housing	N	100m	50m
Residential care facilities	N	100m	50m
Residential flat buildings	N	100m	75m
Secondary Dwelling	N	100m	Adjoining Land
Semi - detached dwelling	N	100m	Adjoining Land
Seniors housing	N	100m	50m
Shop top housing	N	100m	75m
Tourist and Visitor and Related Development			
Backpackers' accommodation	Y	100m	50m
Bed and breakfast premises	N	100m	50m
Caravan parks	Y	100m	50m
Hostels	N	100m	50m
Hotel or motel accommodation	Y	100m	75m
Serviced apartments	N	100m	50m
Tourist and visitor accommodation	N	100m	50m

*Only in instances where the land use is being proposed as part of a new application on land adjacent to a Residential Zone (excluding change of use applications)

Note: Where a development application includes elements which are both notified and non-notified, or both advertised and notified, the whole application shall be notified and advertised.

What is the minimum advertising period?	**14 days**
28 days for designated development, designated development is defined in the EP&A Act and Regs.	
What is the minimum notification period?	**14 days**



7.7 Development Applications that will not be notified

This Plan identifies types of development that do not require advertising or notification given their scale or limited environmental impacts. In addition, some types of development do not need development consent from Council and therefore there is no pathway for formal community participation under this Plan.

This Plan does not relate to applications that fall within the following categories:

a) Development which is exempt development under the provisions of Clause 3.1 Exempt Development of the Liverpool LEP and/or any applicable State Environmental Planning Policy.
b) Development which is complying development under the provisions of Clause 3.2 Complying Development of the Liverpool LEP and/or any applicable State Environmental Planning Policy.

A development application for the following types of development will **NOT** be exhibited due to their scale or limited environmental impacts.

- Awnings, pergolas, swimming pools, outbuildings and the like, which are considered to be in keeping with accepted community standards and the existing local environment.
- Internal works, where there is no change to the external configuration of the building in shape or height.
- Temporary land sales offices that are to be erected for a period no greater than 12 months.
- Applications where the person to be notified is also the applicant.
- Dwelling houses and alterations to existing dwellings

In the Liverpool City Centre:

- Small scale commercial premises (no more than 4 storeys)
- Change of use from business premises to business premises
- Change of use from retail premises to retail premises
- Restaurants and cafes
- Take away food and drink premises or food and drink premises

A modification application is generally exempt from notification provided that the application only involves amending a minor error, misdescription or miscalculation.

If, in the opinion of the Council or the consent authority, the proposed modification has the potential to increase the impact of the development on adjoining or nearby land or development, the application will be notified or advertised in accordance with the provisions of

Table *1* and the Environmental Planning and Assessment Act 1979.

7.8 Designated Development

Designated Development applications will be advertised on Councils website and notified to adjacent and adjoining landowners and occupiers, and relevant public authorities.

What is the minimum notification period?	28 days



7.9 Review of determinations or decisions

What is a review of determination or decision?

Where Council has refused a development application or imposed conditions, an applicant may be able to apply for a review of determination under Section 8.2 of the EP&A Act. The Act requires the review to be completed within 6 months from the date of determination of the development application.

Will all applications be notified?

Applications under Section 8.2 of the Act are to be notified to persons who previously made a submission where the Development Application is amended in a material way and where Council considers that the development is likely to have the potential to increase impacts compared to the application previously considered.

Notification letters

Where required by tables in this section, the notification letter must provide the following information:

a) A description (including the address of the land to which the development application relates);
b) A description of the proposed development.
c) The name of the applicant.
d) The name of contact person through which enquiries can be directed; and
e) The letter must specify that any person may make a submission in writing to Council in relation to the development application, and that submissions may be made available for the community to view. Where the submission is by way of objection, the grounds of objection/s must be specified in the submission.

8. COMMUNITY PARTICIPATION – STRATEGIC PLANNING

Council develops a range of long-term plans and strategies for specific areas or development issues. Many of these plans and strategies will become Council policy after community consultation and will be implemented through Council's planning controls. Some Strategies and Plans also require endorsement from Government Agencies and support the Greater Sydney Region Plan and the Western City District Plan.

Examples include:

- This Plan (the Community Participation Plan)
- Liverpool Local Strategic Planning Statement
- Land use strategies and studies relating to specific development issues, for example:
    - Housing
    - Employment lands
    - Rural lands
    - Heritage
- Local Environmental Plan
- Development Control Plans



- Contribution Plans

8.1 Objectives

a) Provide a framework for the public exhibition of strategic planning documents
b) Provide an opportunity for public participation in the strategic planning process.
c) Establish a clear process and expectations of how public views are considered in the strategic planning process.
d) Identify strategic planning documents that will be placed on public exhibition.
e) To ensure community participation is carried out in accordance with the EP&A Act and Regulation.

8.2 Consultation Approach

The consultation approach taken by Council will vary depending on the site and complexity of the proposal. Council will communicate opportunities for participation in the strategic planning process including but not limited to:

- Social media posts
- Letters to key stakeholders
- Flyers in rates notices
- Letterbox flyers
- Council email banners
- Public displays in the Council's Customer Service Centre, library, shopping centres or other community venues or events
- Council's website

8.3 Consultation Tools

Council will use a range of consultation tools to enable participation and opportunities to provide input including:

- Workshop and focus groups
- Public meetings and information sessions
- Discussion papers
- Online participation through Councils Liverpool Listens website
- Request for written submissions through a public exhibition process

8.4 Consultation Feedback

In all instances, Council will encourage the community to lodge written submissions in addition to feedback received through one of the other methods above.



8.5 Exhibition of notification during the Christmas period

Public exhibition and/or notification periods over the traditional Christmas / New Year period will be extended so as not to include the period between 20 December and 10 January (inclusive).

9. COMMUNITY PARTICIPATION – LOCAL STRATEGIC PLANNING STATEMENT

What is a Local Strategic Planning Statement?

The Local Strategic Planning Statement (LSPS) is the 20-year vision for land-use in the Liverpool LGA, the special character and values that are to be preserved and how change will be managed into the future.

The LSPS will implement actions from the Greater Sydney Region Plan and the Western City District Plan, as well as Council's own priorities identified in the Community Strategic Plan, land use strategies and other studies that support the growth of the City.

The statement will shape how the development controls in the Local Environmental Plan evolve over time to meet the community's needs, with the LEP the main planning tool to deliver the Council and community's plan.

What is the minimum notification period?	**28 days**

10. COMMUNITY PARTICIPATION – LOCAL ENIVONMENTAL PLAN

What is a Local Environmental Plan (LEP)?

The LEP guides planning decisions for the Liverpool LGA. It does this through zoning and development controls, which provide a framework for the way land can be used. The LEP is the main planning tool to shape the future of communities and ensure local development is appropriate.

A planning proposal is required to amend the LEP. A planning proposal must demonstrate the strategic merit of the proposed LEP amendment. A planning proposal is submitted to the NSW Department of Planning and Environment for a Gateway determination. A Gateway determination will identify whether there is merit in the proposed amendment proceeding further in the plan making process.

A Gateway determination will determine:

- Whether or not to proceed with the planning proposal
- Whether or not to impose conditions
- The minimum public exhibition period
- For large scale planning proposals, Council will also exhibit the planning proposal for 28 days prior to a Council decision on whether to endorse the planning proposal for a Gateway determination. Feedback from the community will be incorporated into a report to Council.

What is the minimum exhibition period? (or the time period specified in the Gateway determination)	**28 days**



11. COMMUNITY PARTICIPATION PLAN – DEVELOPMENT CONTROL PLAN

What is a Development Control Plan?

A DCP is prepared by Council and applies to specific types of development or areas of land and provides detailed development guidelines and controls.

Council will periodically amend the DCP to introduce new controls relating to specific development types, to reflect legislative changes or to clarify the intent of an existing control.

What is the minimum exhibition period?	28 days

12. COMMUNITY PARTICIPATION – LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

What is a Local Infrastructure Contributions Plan?

Local Infrastructure Contributions Plans allow Council to charge and levy contributions on development for land within the Liverpool LGA. These contributions assist in the provision of essential social and service infrastructure and land to meet demand created by the development. Council will periodically review and revise the plans triggered by population growth, rezoning of additional land, acquisition of land and property, completion of works or to create new schedule of works to reflect Councils infrastructure priority.

What is the minimum exhibition period?	28 days

13. COMMUNITY PARTICIPATION – PLANNING AGREEMENTS

What is a Planning Agreement?

A planning agreement (also known as a voluntary planning agreement (VPA)) is an offer by a developer to Council to dedicate land, make monetary contributions, or provide any other material public benefit, to be used for or applied towards a public purpose.

Planning agreements are entered into in relation to a state significant or local development application or an amendment to the LEP or SEPP through a planning proposal application.

What is the minimum exhibition period?	28 days



14. SUBMISSIONS

14.1 Submissions

The submission period is the stated exhibition period, calculated in accordance with this Community Participation Plan.

14.2 Making a submissions

Any person is entitled to make a submission which may object to or support a planning matter within the public exhibition period, whether or not a notification letter has been forwarded to the person. Submissions must be made in writing and delivered to the Council either by electronic mail (email), an online submission via Council's website, or by post. All submissions received within the public exhibition period will be considered by Council.

Submissions should include the following:

a) The reasons for objection or support.
b) Submissions must be in writing, be addressed to the Chief Executive Officer, clearly indicating the names, addresses of the person(s) making the submission, quote the development application number (if relevant), the subject matter, and clearly state the address of the property.
c) Submissions must include the postal address or email of person(s) making submissions so they can be notified in advance if the matter is to be considered by a Planning Panel or by Council at a Council meeting (for strategic planning matters only). This information will remain public and may be included in reports to Council.
d) If persons who lodge submissions do not wish their personal information to be made public, the submission is to clearly make a statement to that effect, however their name and suburb (if available) will remain public.
e) Council will consider making a submission confidential, however, the submission must make a statement to that effect and clearly outline the reasons the submission should be confidential.

14.3 Petitions

Where a petition is received in respect of a development application or strategic planning project, the head petitioner or, where not nominated, the first petitioner will be acknowledged for the purpose of future contact as to the progress of the application. Only the head petitioner, or first petitioner, will be advised of any related meeting times or receive written confirmation of the determination of an application or outcome of the matter.

It should be noted a petition is equal to 1 submission.

14.4 Strata Building

A notice to a body corporate is taken to be a notice to the owner of each lot or leaseholder within the parcel concerned. If land is owned or occupied by more than one person, a notice to one owner and/or one occupier is taken to be a written notice to all the owners or occupiers of that land.



14.5 Disclosure of submissions

Submissions may be accessed by the public by way of a Government Information Public Access (GIPA) request (fee payable) to Council. Also, if the proposal is reported to a Council meeting, the issues raised in that submission will be summarised in the Council report and the submission will be attached to the report.

14.6 Referral of submissions to the applicant

A summary of the submissions will be forwarded to the applicant who will be encouraged to address the issues raised in the submissions.

14.7 Referral of submissions to the applicant

A copy of all submissions received will be forwarded to the Secretary of the Department of Planning and Environment at the end of the notification period.

14.8 Submissions received after the exhibition period

Council will allow a further period of 2 business days following the closure of the exhibition period to receive submissions. This allows for written submissions that have been posted to be received and processed by Council's records management team.

Submissions received within this 2-day period will be considered as it were received during the public exhibition or notification period.

Submissions received after the additional 2-day period may be considered in determining the application.

For development applications which are to be considered at a Local Planning Panel meeting for determination, submissions received after the writing of the report (generally 14 days prior to the meeting date) will be placed on the development application file and forwarded to the panel members for consideration



AUTHORISED BY
TBC

EFFECTIVE FROM
This date is the date the policy is adopted by Council resolution. (TBC)

DEPARTMENT RESPONSIBLE:
City Planning (Planning and Compliance)

REVIEW DATE
The policy must be reviewed every two years or more frequently depending on its category or if legislative or policy changes occur.

VERSIONS
The current and previous version of the policy should be set out in the following table.

Version	Amended by	Changes made	Date	TRIM Number
3	*City Planning (Strategic Planning)*	*Amendments made to the notification distances for Development Applications. Table 2 and 3 were consolidated into Table 1. Minor formatting changes such as indenting, layout and margins. New figures to demonstrate how neighbour notifications for Development Applications are measured.*	*May 2025.*	*076301.2025*
4	*City Planning (Strategic Planning)*	*Minor grammar amendments following exhibition of draft in August 2025.*	*September 2025.*	*306939.2025*

THIS POLICY HAS BEEN DEVELOPED IN CONSULTATION WITH
In this section please identify all the groups consulted with in the preparation of the policy such as members of Council staff, management, Councillor's, community members, other government departments etc. You should consult with the Governance Coordinator before the policy is considered by the Chief Executive Officer or the elected Council.

ATTACHMENTS
N/A.

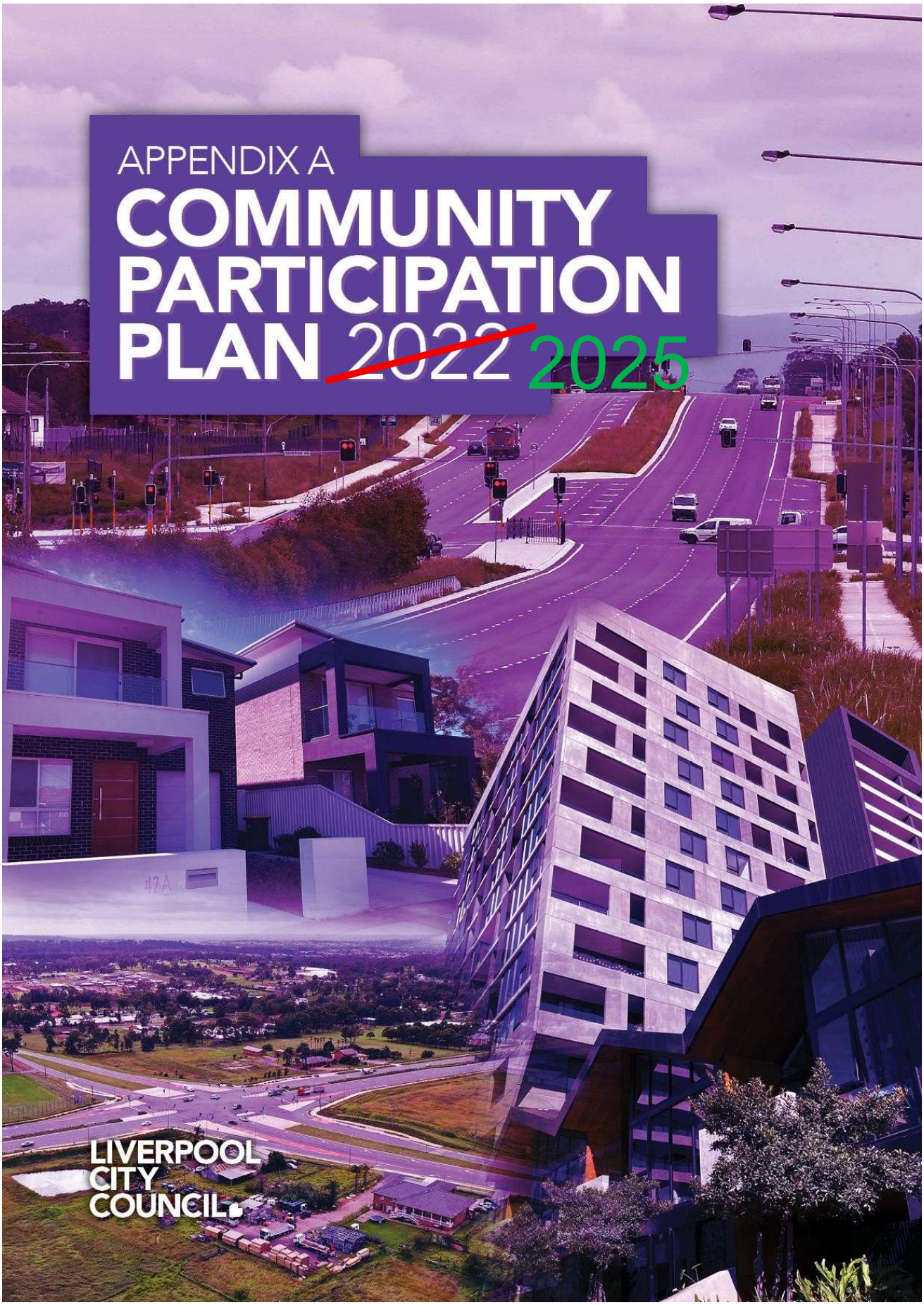

APPENDIX A
COMMUNITY PARTICIPATION PLAN 2022 2025
LIVERPOOL CITY COUNCIL



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Community Participation Plan 20252022

1. PURPOSE/ OBJECTIVES

The Liverpool *Community Participation Plan* (CPP) sets out when and how Council will engage with its communities across all the planning functions it performs.

Council, when exercising its planning functions, will:

- provide opportunities for members of the community to participate in planning decisions to achieve better planning outcomes, in an open and transparent process;
- ensure the community understands how and when they can participate in planning decisions;
- ensure that the needs and concerns of the community are identified and addressed when possible;
- ensure Council's strategic planning reflects the aspirations of the community and
- ensure Council meets its legislative requirements in regards to community notification engagement and consultation.

The *Environmental Planning & Assessment Act 1979* (the Act) outlines the principles that Council must include in the CPP. These principles are:

- The community has a right to be informed about planning matters that affect it.
- Council (including the relevant planning authorities) should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- Planning information will be in plain language, easily accessible and in a form that facilitates community participation in planning.
- The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- Community participation should be inclusive and Council (including the relevant planning authorities) should actively seek views that are representative of the community.
- Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.
- Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been considered).
- Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.



2. ABBREVIATIONS (where applicable)

EP&A Act	Environmental Planning & Assessment Act 1979
CPP	Community Participation Plan
DCP	Development Control Plan
GIPA	Government Information Public Access
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
NSW	New South Wales
VPA	Voluntary Planning Agreement

3. RELEVANT LEGISLATIVE REQUIREMENTS

Environmental Planning & Assessment Act 1979 (Section 2.23 and Schedule 1)

Environmental Planning and Assessment Regulation 2021

4. LAND TO WHCH THE PLAN APPLIES

This Plan applies to all land within the Liverpool Local Government Area (LGA).

5. COMMUNITY PARTICIPATION IN THE PLANNING SYSTEM

Liverpool City Council recognises community participation throughout the planning system is not only your right, it also delivers better planning results for the people of Liverpool. Ultimately, our responsibility is to deliver the objectives of the *Environmental Planning and Assessment Act 1979* (EP&A Act) including the promotion of orderly and economic use of land, facilitating ecologically sustainable development and promoting social and economic wellbeing.

Community participation is an overarching term covering how we inform, engage and consult the community in our work under the EP&A Act, including plan making and decisions making on proposed development. The level and extent of community participation will vary depending on the scope of the proposal under consideration and the potential impact of the decision. The community may be considered anyone who is affected by planning decisions. This may include individuals and their family network, new emerging and existing, community groups, Aboriginal communities, peak bodies representing a range of interests, businesses and their employees, local government, and State and Commonwealth government agencies.



The diagram below explains the relationship between the CPP and other supporting documents and policies:

Figure 1 – Relationships between Strategic Documents



6. WHAT PLANNING FUCTIONS DOES THE COMMUNITY PARTICIPATION PLAN APPLY TO?

6.1 Development Applications

Council planning officers, the Liverpool Local Planning Panel and the Sydney Western City Planning Panel make planning decisions on a range of development applications. The elected Mayor and Councilors do not make decision on Development Applications under NSW law. When making decisions on these developments, consideration is given to whether development proposals are in accordance with the zone objectives and development standards in the Liverpool Local Environmental Plan or State Environmental Planning Policies and development controls within the Development Control Plan as well as public interest and other applicable policies and guidelines. Development applications may be for residential, commercial or industrial development, subdivision, change of use or other development proposals.

6.2 Strategic Planning

Council plays a vital role in planning for the majority of land uses within the Liverpool Local Government Area. Strategic Planning is the general term used for the branch of town planning which seeks to regulate land use and infrastructure in an efficient and ethical way. More specifically, strategic planning relates to the management of land use plans, land release, renewal of established areas, rezonings, the formulation of Development Control Plans (DCP's), major development projects, and associated strategic environmental and urban policy.

6.3 Voluntary Planning Agreement

A Voluntary Planning Agreement (also known as a Planning agreement PA or VPA) is a written offer made by a developer to Council to dedicate land, make monetary contributions, provide a material public benefit



for a public purpose or a combination of any or all. A VPA can only be considered where there is an instrument change or to land where a Development Application (DA) is proposed.

A public purpose includes the provision of:

a) a public amenities or public services
b) affordable housing
c) transport or other infrastructure relating to the land
d) recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure relating to land
e) the monitoring of planning impacts of development
f) the conservation or enhancement of the natural environment.

6.4 Local Infrastructure Contribution Plans

If Council is satisfied that development within the LGA will or is likely to require the provision or increase the demand for public amenities and public services, Council may grant consent subject to a condition requiring

a) the payment of a monetary contribution; or
b) the dedication of land free of costs
c) or both

These items of land, public works and public services are identified in what are known as Contribution plans as governed under section 7.11 or section 7.12 of the EP&A Act. Contribution plans are the financial framework between strategic planning and infrastructure delivery within growth or development areas. There are different plans for different catchment by ultimately contributions apply across all of the LGA.

7. COMMUNITY PARTICIPATION – DEVELOPMENT APPLICATIONS

A Development Application is a formal application for development that requires consent under the EP&A Act. It is usually made to Council and consists of standard application forms, supporting technical reports and plans.

7.1 Objectives

a) Provide a framework for the exhibition of development applications, applications to modify development consents and applications for review of development determinations.
b) Identify which development applications that will be exhibited.
c) Identify which development applications will not be exhibited because of their scale or limited environmental impact.
d) Provide an opportunity for public participation in the development application process.
e) Establish a clear process and expectations of how public submissions are considered in the development application process.
f) Facilitate the efficient processing of development applications without unreasonably compromising the opportunity for public participation.
g) Ensure exhibition of development applications is carried out in accordance with the EP&A Act and Regulation.
h) Ensure that there is consistency in the exhibition of similar development applications.



7.2 Consultation Channels

Council will communicate opportunities for participation in the development assessment process using methods including:

- Notices on the land
- Letters to adjoining or potentially affected landowners and occupiers; and
- Council's ePlanning portal.

7.3 Consultation Feedback

In all instances, Council will encourage the community to lodge written submissions (either electronically or physically) which will be considered prior to the determination of a development application.

7.4 Levels of Community Participation

There are three levels of community participation that a development application may be subject to. These are:

- Notified Development – where Council notifies people in writing advising of the submission of a development application. The notification period commences when the letter of notification is mailed to recipients. The conclusion of the notification period is based on the required number of consecutive days (as outlined in this Plan), inclusive of weekends, following the commencement of the notification period. For the purposes of this Plan, Public Holidays that apply to the State of NSW are excluded from the notification period.
- Advertised Development – where Council, in addition to notification, advertises the development application on Council's website and places a sign on the subject land advising of the submission of a development application. The commencement of the exhibition period is taken to be the day the notice is first published on Council's website. The conclusion of the exhibition period is based on the required number of consecutive days (as outlined in this Plan), inclusive of weekends, following the commencement of the exhibition period. For the purposes of this Plan, Public Holidays that apply to the State of NSW are excluded from the exhibition period.
- No consultation – applying to applications of minor complexity, where no notification or advertising is necessary.

The level of consultation required is specified in Table 1 ~~Table and Table 2~~ and will be dependent on the land use and/or structure proposed. The land uses ~~Table and Table 2~~ are defined in the Liverpool LEP 2008.

Note: Where a development is not listed in Table 1 ~~Table and Table 2~~, Council will determine the most appropriate notification procedure using the tables as a guide.

It will remain at the discretion of the Manager of Development Assessment to decide whether to exhibit any application considered to have sufficient community interest or where the history of the site warrants consultation. Council or the relevant consent authority has the discretion to determine if additional notification requirements apply (i.e notification letter, display of notices on land, display on website and length of exhibition).



Exhibition or notification during the Christmas / New Year period

Public exhibition and/or notification periods over the traditional Christmas / New Year period will be extended so as not to include the period between 20 December and 10 January (inclusive).

Notification requirements for development applications subject to an amendment

Amended documentation lodged during the assessment process and approved by the consent authority will be publicly exhibited in the same way as the application was originally exhibited. This is to occur where, in the opinion of Council or the relevant consent authority, the amendments intensify or change the external impact of the development

Notification requirements for Council-related Development Applications:

~~Recent legislative changes to the Act, set to commence on 3 April 2023, requires~~ Council related development applications are to be exhibited for a minimum of 28 days, and defines them under Schedule 1, Clause 9b as:

Council-related development applications means a development application, for which a council is the consent authority, that is –

- *a) Made by or on behalf of the council, or*
- *b) For development on land –*
  - *I. Of which the council is an owner, a lessee or a licensee, or*
  - *II. Otherwise vested in or under the control of the council*

  Note: land vested in or under the control of the council includes public land within the meaning of the Local Government Act 1993.

The Act also requires the exhibition material to be accompanied by:

a) A statement specifying how council will manage the conflict of interest that may arise in connection with the application because the council is the consent authority, or
b) statement that the council has no management strategy for the application.

~~This policy therefore requires such Development Applications to be exhibited in accordance with these provisions from 3 April 2023.~~

Public exhibition and/or notification periods over the traditional Christmas / New Year period will be extended so as not to include the period between 20 December and 10 January (inclusive).



7.5 How Development Applications notifications are measured ~~Development Applications that will be advertised~~

Council will either notify adjoining properties or specify a distance for the extent of neighbour notification. Adjoining properties is land which has a common boundary or is directly opposite an application site, or is separated by a pathway, driveway or similar throughfare as seen in **Figure 2.**

Figure 2 – Adjoining land



Where Council specifies a distance for the extent of neighbour notification, the extent is measured from the boundary of the application site as seen in **Figure 3** and **Figure 4.**



Figure 3 – 50m extent around the boundary of the site.



Figure 4 – 75m extent around the boundary of the site.



Note: Notwithstanding the above, notification distances specified in this section may be extended, if in the opinion of Council, greater notification is required.



~~The following types of development applications will be advertised via Councils website and will include direct notification to landowners and occupiers within the specified distance (unless not specified) as well as a sign on the development site.~~

~~*Table 1 Land Use and Extent of Notification (Advertised Development):*~~

~~Land Use/Purpose~~	~~Extent of Notification to properties within a certain distance (metres)~~
~~Airport~~	~~1000m (Rural zones) 500m (All other zones)~~
~~Airstrip~~	~~1000m (Rural zones) 500m (All other zones)~~
~~Amusement centre~~	~~500m (Rural zones) 200m (All other zones)~~
~~Backpackers' accommodation~~	~~50m~~
~~Boarding houses~~	~~100m~~
~~Caravan parks~~	~~50m~~
~~Cemetery~~	~~1000m (Rural zones) 200m (All other zones)~~
~~Co-living housing~~	~~100m~~
~~Crematorium~~	~~1000m (Rural zones) 200m (All other zones)~~
~~Depot*~~	~~100m~~
~~Educational establishments~~	~~500m (Rural zones) 200m (All other zones)~~
~~Extractive industries~~	~~1000m (Rural zones) 200m (All other zones)~~
~~Freight transport facility*~~	~~100m~~
~~Hazardous industries~~	~~500m~~
~~Hazardous storage establishments~~	~~1000m (Rural zones) 200m (All other zones)~~
~~Heavy industry~~	~~200m~~
~~Helipad~~	~~500m~~
~~Heliports~~	~~200m (Rural zones) 100m (All other zones)~~
~~Hospitals~~	~~75m (Rural zones) 200m (All other zones)~~
~~Hotel or motel accommodation~~	~~75m~~
~~Industries*~~	
~~Intensive livestock agriculture~~	~~500m~~
~~Landscaping materials supplies~~	~~500m (Rural zones) 250m (All other zones)~~
~~Liquid fuel depot~~	~~500m (Rural zones)~~
~~Specialised retail premises~~	~~200m (All other zones)~~
~~Marinas~~	~~200m~~
~~Market*~~	~~200m (Rural zones) 75m (All other zones)~~



~~Mines~~	~~1000m~~
~~Offensive industries~~	~~200m~~
~~Offensive storage establishments~~	~~200m (Rural zones)~~ ~~200m (All other zones)~~
~~Open cut mine~~	~~200m (Rural zones)~~ ~~75m (All other zones)~~
~~Passenger transport facility~~	~~75m~~
~~Places of public worship~~	~~1000m (Rural zones)~~ ~~200m (All other zones)~~
~~Pubs~~	~~75m~~
~~Recreation facilities (major)*~~	~~200m~~
~~Recreation facilities (outdoor)*~~	~~500m (Rural zones)~~ ~~100m (All other zones)~~
~~Registered clubs~~	~~500m (Rural zones)~~ ~~200m (All other zones)~~
~~Resource recovery facility~~	~~200m~~
~~Restricted premises~~	~~200m~~
~~Service stations~~	~~500m (Rural zones)~~ ~~200m (All other zones)~~
~~Sewage treatment works~~	~~500m (Rural zones)~~ ~~200m (All other zones)~~
~~Sex service premises~~	~~200m~~
~~Stock and sale yards~~	~~500m (Rural zones)~~ ~~200m (All other zones)~~
~~Telecommunication facilities~~	~~1000m (Rural zones)~~ ~~300m (All other zones)~~
~~Timber Yard~~	
~~Vehicle body repair workshop*~~	~~100m~~
~~Vehicle repair station*~~	~~100m~~
~~Vehicle sales or hire premises*~~	~~100m~~
~~Warehouse and distribution~~	~~100m~~

~~*Only in instances where the land use is being proposed as part of a new application on land adjacent to a Residential Zone (excluding change of use applications)~~

~~**Note:** Where a development application includes elements which are both advertised and notified, the whole application shall be advertised.~~ ~~advertising period? 14 days~~

~~What is the minimum advertising period? 14 days~~

~~(28 days for designated development. Note designated development is defined in the EP&A Act and Re~~

7.6 ~~Development Applications that will be notified~~ Development Applications that will be advertised



~~Table 2 lists the types of development applications that will be notified to adjacent and adjoining landowners and occupiers, or to properties within the specified distance by mail. Figure 2 outlines how adjoining and adjacent properties will be notified. Notification distances specified in this section may be extended, if in the opinion of Council, greater notification is required. Figure 2 Notification to adjoining & adjacent land~~

~~Figure 2 Notification to adjoining & adjacent land~~



~~Land Use/Purpose~~	~~Extent of Notification to properties within a certain distance (metres). Where no distance is identified, notification is to occur to adjoining and adjacent land~~
~~Advertisements~~	~~75m (Residential zones only)~~
~~Advertising Structure~~	~~75m (Residential zones only)~~
~~Agricultural produce~~	~~200m~~
~~Agriculture~~	
~~Animal boarding or training establishments~~	~~500m (Rural zones)75m (All other zones)~~
~~Attached dwellings~~	
~~Aquaculture~~	~~200m~~
~~Bed & breakfast premises~~	
~~Boat building and repair~~	
~~Boat shed~~	
~~Car parks~~	
~~Cellar door premises~~	
~~Centre based child care~~	~~75m~~



~~Commercial premises~~	
~~Community facility~~	~~75m~~
~~Dairy (pasture based)~~	
~~Dual occupancy~~	
~~Entertainment facility~~	~~500m (Rural zones)~~ ~~200m (All other zones)~~
~~Exhibition village~~	
~~Feedlot~~	
~~Fill~~	
~~Flood mitigation works~~	~~1000m (Rural zones)~~ ~~200m (All other zones)~~
~~Funeral home~~	~~1000m (Rural zones)~~ ~~200m (All other zones)~~
~~Group home~~	~~75m~~
~~Health consulting rooms~~	
~~Hostels~~	~~75m~~
~~Independent living units~~	
~~Light industry~~	~~75m~~
~~Livestock processing industry~~	~~200m~~
~~Manor House~~	
~~Medical centre~~	~~200m (Rural zones)~~ ~~75m (All other zones)~~
~~Mixed use development~~	~~75m~~
~~Mortuary~~	~~1000m (Rural zones)~~ ~~200m (All other zones)~~
~~Multi dwelling housing~~	~~75m~~
~~Public administration~~	
~~Recreation facilities~~	
~~Residential care facilities~~	
~~Residential flat buildings~~	~~75m~~
~~Restricted dairy~~	
~~Sawmill or log processing~~	
~~Secondary Dwelling~~	
~~Self - storage~~	
~~Semi - detached dwelling~~	
~~Seniors housing~~	
~~Serviced apartments~~	~~75m~~
~~Shop top housing~~	~~75m~~
~~Subdivisions (lots less than 300sqm)~~	
~~Take away food or drink~~	~~100m (outside Liverpool City Centre)~~
~~Terrace~~	
~~Tourist and visitor accommodation~~	~~200m (Rural zones)~~ ~~75m (All other zones)~~



~~Transport depot~~	~~200m (All other zones)~~
~~Truck depot~~	~~200m (All other zones)~~
~~Veterinary hospitals~~	
~~Waste or resource management facility~~	~~1000m (Rural zones)~~ ~~200m (All other zones)~~
~~Waste or resource transfer station~~	~~1000m (Rural zones)~~ ~~200m (All other zones)~~
~~Waterbody (artificial)~~	~~500m (Rural zones)~~ ~~50m (All other zones)~~
~~Water Storage Facility~~	~~500m~~

~~**Note:** Where a development application includes elements which are both notified and non-notified, the whole application shall be notified.~~

~~What is the minimum notification period?~~	~~14 days~~

To ensure that all residents will be appropriately notified when a development application is lodged, a distance has been specified for neighbour notifications based on the potential impacts and land use zone of the proposed site.

Distances have been developed based on whether the proposed development site is in a rural or other zone. Rural zones typically have larger lots and therefore require a greater notification distance to notify the appropriate number of neighbours. Rural zones include:

- RU1 Primary Production
- RU2 Rural Landscape
- RU4 Primary Production Small Lots
- RU6 Transition
- R5 Large Lot Residential
- Agribusiness

Note these zones that are currently in force across the Liverpool LGA and may be subject to change. Other Zones includes all other zones besides the listed Rural Zones.

Table 1 below lists the types of development applications that will be notified to landowners and occupiers, and outlines the distances by rural zones and other zones.

Table 1 – Notification Table

Land Use/Purpose	Advertised on Council's	Extent of Notification to properties within a certain distance (metres)



	website and sign posted	Rural Zones	All Other Zones
Commercial and Related Development			
Amusement centre	Y	100m	50m
Commercial premises	N	100m	Adjoining Land
Entertainment facility	N	500m	200m
Funeral home	N	1000m	200m
Landscaping materials supplies	Y	100m	50m
Market*	Y	200m	75m
Public administration buildings	N	100m	Adjoining Land
Pubs	Y	100m	75m
Registered clubs	Y	500m	200m
Restricted premises	Y	200m	200m
Service stations	Y	500m	200m
Sex service premises	Y	200m	200m
Specialised retail premises	Y	100m	50m
Take away food or drink premises	N	100m (outside Liverpool City Centre)	50m (outside Liverpool City Centre)
Timber Yard	Y	100m	Adjoining Land
Vehicle sales or hire premises*	Y	100m	75m
Community Infrastructure and Related Development			
Centre based childcare facilities	N	100m	75m
Community facility	N	100m	50m
Educational establishments	Y	500m	200m
Health consulting rooms	N	100m	Adjoining Land
Hospitals	Y	200m	100m
Medical centre	N	100m	50m
Places of public worship	Y	1000m	200m
Recreation facilities (indoor)	N	100m	Adjoining Land
Recreation facilities (major)*	Y	200m	200m
Recreation facilities (outdoor)*	Y	500m	100m
Veterinary hospitals	N	100m	Adjoining Land



Industrial and Related Development			
Boat building and repair facility	N	100m	Adjoining Land
Boat shed	N	100m	Adjoining Land
Depot*	Y	100m	50m
Freight transport facility*	Y	100m	50m
Hazardous industries	Y	500m	500m
Hazardous storage establishments	Y	1000m	200m
Heavy industry	Y	200m	100m
Industries*	Y	100m	Adjoining Land
Liquid fuel depot	Y	500m	Adjoining Land
Offensive industries	Y	200m	200m
Offensive storage establishments	Y	200m	200m
Resource recovery facility	Y	200m	200m
Self - storage	N	100m	Adjoining Land
Sewage treatment works	Y	500m	200m
Transport depot	N	100m	75m
Truck depot	N	100m	75m
Vehicle body repair workshop*	Y	100m	75m
Vehicle repair station*	Y	100m	75m
Warehouse and distribution centres*	Y	100m	75m
Waste or resource management facility	N	200m	100m
Waste or resource transfer station	N	200m	100m
Water Storage Facility	N	200m	100m
Other Development			
Advertisements	N	100m	75m (Residential Zones)
Advertising Structure	N	100m	75m (Residential Zones)
Airport	Y	1000m	500m
Airstrip	Y	1000m	500m
Car parks	N	100m	Adjoining Land
Cemetery	Y	1000m	200m
Crematorium	Y	200m	100m
Exhibition village	N	100m	Adjoining Land



Fill	N	100m	Adjoining Land
Flood mitigation works	N	200m	100m
Helipad	Y	200m	100m
Heliports	Y	200m	100m
Marinas	Y	200m	200m
Mortuary	N	1000m	200m
Passenger transport facility	Y	100m	50m
Subdivisions	N	100m	Adjoining Land
Telecommunication facilities	Y	1000m	200m
Waterbody (artificial)	N	100m	50m
Primary Industries and Related Development			
Agricultural produce industry	N	200m	100m
Agriculture	N	100m	Adjoining Land
Animal boarding or training establishments	N	500m	75m
Aquaculture	N	200m	200m
Cellar door premises	N	100m	Adjoining Land
Dairy (pasture based)	N	100m	Adjoining Land
Extractive industries	Y	200m	100m
Feedlot	N	100m	Adjoining Land
Intensive livestock agriculture	Y	200m	100m
Light industry	N	100m	Adjoining Land
Livestock processing industry	N	200m	100m
Mines	Y	1000m	1000m
Open cut mine	Y	200m	75m
Restricted dairy	N	100m	Adjoining Land
Sawmill or log processing works	N	100m	Adjoining Land
Stock and sale yards	Y	500m	200m
Residential and Related Development			
Attached dwellings	N	100m	50m
Boarding houses	Y	100m	100m
Co-living housing	Y	100m	100m
Dual occupancy	N	100m	Adjoining Land



Dwelling House	N	Not required	Not required
Group home	N	100m	75m
Independent living units	N	100m	50m
Manor House	N	100m	50m
Mixed use development	N	100m	75m
Multi dwelling housing	N	100m	50m
Residential care facilities	N	100m	50m
Residential flat buildings	N	100m	75m
Secondary Dwelling	N	100m	Adjoining Land
Semi - detached dwelling	N	100m	Adjoining Land
Seniors housing	N	100m	50m
Shop top housing	N	100m	75m
Tourist and Visitor and Related Development			
Backpackers' accommodation	Y	100m	50m
Bed and breakfast premises	N	100m	50m
Caravan parks	Y	100m	50m
Hostels	N	100m	50m
Hotel or motel accommodation	Y	100m	75m
Serviced apartments	N	100m	50m
Tourist and visitor accommodation	N	100m	50m

**Only in instances where the land use is being proposed as part of a new application on land adjacent to a Residential Zone (excluding change of use applications)*

Note: Where a development application includes elements which are both notified and non-notified, or both advertised and notified, the whole application shall be notified and advertised.

What is the minimum advertising period?	**14 days**
28 days for designated development, designated development is defined in the EP&A Act and Regs.	
What is the minimum notification period?	**14 days**



7.7 Development Applications that will not be notified

This Plan identifies types of development that do not require advertising or notification given their scale or limited environmental impacts. In addition, some types of development do not need development consent from Council and therefore there is no pathway for formal community participation under this Plan.

This Plan does not relate to applications that fall within the following categories:

a) Development which is exempt development under the provisions of Clause 3.1 Exempt Development of the Liverpool LEP and/or any applicable State Environmental Planning Policy.
b) Development which is complying development under the provisions of Clause 3.2 Complying Development of the Liverpool LEP and/or any applicable State Environmental Planning Policy.

A development application for the following types of development will **NOT** be exhibited due to their scale or limited environmental impacts.

- Awnings, pergolas, swimming pools, outbuildings and the like, which are considered to be in keeping with accepted community standards and the existing local environment.
- Internal works, where there is no change to the external configuration of the building in shape or height.
- Temporary land sales offices that are to be erected for a period no greater than 12 months.
- Applications where the person to be notified is also the applicant.
- Dwelling houses and alterations to existing dwellings

In the Liverpool City Centre:

- Small scale commercial premises (no more than 4 storeys)
- Change of use from business premises to business premises
- Change of use from retail premises to retail premises
- Restaurants and cafes
- Take away food and drink premises or food and drink premises

A modification application is generally exempt from notification provided that the application only involves amending a minor error, misdescription or miscalculation.

If, in the opinion of the Council or the consent authority, the proposed modification has the potential to increase the impact of the development on adjoining or nearby land or development, the application will be notified or advertised in accordance with the provisions of Table and the Environmental Planning and Assessment Act 1979.

7.8 Designated Development

Designated Development applications will be advertised on Councils website and notified to adjacent and adjoining landowners and occupiers, and relevant public authorities.

What is the minimum notification period?	28 days



7.9 Review of determinations or decisions

What is a review of determination or decision?

Where Council has refused a development application or imposed conditions, an applicant may be able to apply for a review of determination under Section 8.2 of the EP&A Act. The Act requires the review to be completed within 6 months from the date of determination of the development application.

Will all applications be notified?

Applications under Section 8.2 of the Act are to be notified to persons who previously made a submission where the Development Application is amended in a material way and where Council considers that the development is likely to have the potential to increase impacts compared to the application previously considered**.**

Notification letters:

Where required by tables in this section, the notification letter must provide the following information:

a) A description (including the address of the land to which the development application relates);
b) A description of the proposed development.
c) The name of the applicant.
d) The name of contact person through which enquiries can be directed; and
e) The letter must specify that any person may make a submission in writing to Council in relation to the development application, and that submissions may be made available for the community to view. Where the submission is by way of objection, the grounds of objection/s must be specified in the submission.

8. COMMUNITY PARTICIPATION – STRATEGIC PLANNING

Council develops a range of long-term plans and strategies for specific areas or development issues. Many of these plans and strategies will become Council policy after community consultation and will be implemented through Council's planning controls. Some Strategies and Plans also require endorsement from Government Agencies and support the Greater Sydney Region Plan and the Western City District Plan.

Examples include:

- This Plan (the Community Participation Plan)
- Liverpool Local Strategic Planning Statement
- Land use strategies and studies relating to specific development issues, for example:
    - Housing
    - Employment lands
    - Rural lands
    - Heritage
- Local Environmental Plan



- Development Control Plans
    - Contribution Plans

8.1 Objectives

a) Provide a framework for the public exhibition of strategic planning documents.
b) Provide an opportunity for public participation in the strategic planning process.
c) Establish a clear process and expectations of how public views are considered in the strategic planning process.
d) Identify strategic planning documents that will be placed on public exhibition.
e) To ensure community participation is carried out in accordance with the EP&A Act and Regulation.

8.2 Consultation Approach

The consultation approach taken by Council will vary depending on the site and complexity of the proposal. Council will communicate opportunities for participation in the strategic planning process including but not limited to:

- Social media posts
- Letters to key stakeholders
- Flyers in rates notices
- Letterbox flyers
- Council email banners
- Public displays in the Council's Customer Service Centre, library, shopping centres or other community venues or events
- Council's website

8.3 Consultation Tools

Council will use a range of consultation tools to enable participation and opportunities to provide input including:

- Workshop and focus groups
- Public meetings and information sessions
- Discussion papers
- Online participation through Councils Liverpool Listens website
- Request for written submissions through a public exhibition process

8.4 Consultation Feedback

In all instances, Council will encourage the community to lodge written submissions in addition to feedback received through one of the other methods above.



8.5 Exhibition of notification during the Christmas period

Public exhibition and/or notification periods over the traditional Christmas / New Year period will be extended so as not to include the period between 20 December and 10 January (inclusive).

9. COMMUNITY PARTICIPATION – LOCAL STRATEGIC PLANNING STATEMENT

What is a Local Strategic Planning Statement?

The Local Strategic Planning Statement (LSPS) is the 20-year vision for land-use in the Liverpool LGA, the special character and values that are to be preserved and how change will be managed into the future.

The LSPS will implement actions from the Greater Sydney Region Plan and the Western City District Plan, as well as Council's own priorities identified in the Community Strategic Plan, land use strategies and other studies that support the growth of the City.

The statement will shape how the development controls in the Local Environmental Plan evolve over time to meet the community's needs, with the LEP the main planning tool to deliver the Council and community's plan.

What is the minimum notification period?	**28 days**

10. COMMUNITY PARTICIPATION – LOCAL ENIVONMENTAL PLAN

What is a Local Environmental Plan (LEP)?

The LEP guides planning decisions for the Liverpool LGA. It does this through zoning and development controls, which provide a framework for the way land can be used. The LEP is the main planning tool to shape the future of communities and ensure local development is appropriate.

A planning proposal is required to amend the LEP. A planning proposal must demonstrate the strategic merit of the proposed LEP amendment. A planning proposal is submitted to the NSW Department of Planning and Environment for a Gateway determination. A Gateway determination will identify whether there is merit in the proposed amendment proceeding further in the plan making process.

A Gateway determination will determine:

- Whether or not to proceed with the planning proposal
- Whether or not to impose conditions
- The minimum public exhibition period
- For large scale planning proposals, Council will also exhibit the planning proposal for 28 days prior to a Council decision on whether to endorse the planning proposal for a Gateway determination. Feedback from the community will be incorporated into a report to Council.



What is the minimum exhibition period? (or the time period specified in the Gateway determination)	**28 days**

11. COMMUNITY PARTICIPATION PLAN – DEVELOPMENT CONTROL PLAN

What is a Development Control Plan?

A DCP is prepared by Council and applies to specific types of development or areas of land and provides detailed development guidelines and controls.

Council will periodically amend the DCP to introduce new controls relating to specific development types, to reflect legislative changes or to clarify the intent of an existing control.

What is the minimum exhibition period?	**28 days**



12. COMMUNITY PARTICIPATION – LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

What is a Local Infrastructure Contributions Plan?

Local Infrastructure Contributions Plans allow Council to charge and levy contributions on development for land within the Liverpool LGA. These contributions assist in the provision of essential social and service infrastructure and land to meet demand created by the development. Council will periodically review and revise the plans triggered by population growth, rezoning of additional land, acquisition of land and property, completion of works or to create new schedule of works to reflect Councils infrastructure priority.

What is the minimum exhibition period?	**28 days**

13. COMMUNITY PARTICIPATION – PLANNING AGREEMENTS

What is a Planning Agreement?

A planning agreement (also known as a voluntary planning agreement (VPA)) is an offer by a developer to Council to dedicate land, make monetary contributions, or provide any other material public benefit, to be used for or applied towards a public purpose.

Planning agreements are entered into in relation to a state significant or local development application or an amendment to the LEP or SEPP through a planning proposal application.

What is the minimum exhibition period?	**28 days**

14. SUBMISSIONS

14.1 Submissions

The submission period is the stated exhibition period, calculated in accordance with this Community Participation Plan.

14.2 Making a submissions

Any person is entitled to make a submission which may object to or support a planning matter within the public exhibition period, whether or not a notification letter has been forwarded to the person. Submissions must be made in writing and delivered to the Council either by electronic mail (email), an online submission via Council's website, or by post. All submissions received within the public exhibition period will be considered by Council.

Submissions should include the following:



a) The reasons for objection or support.
b) Submissions must be in writing, be addressed to the Chief Executive Officer, clearly indicating the names, addresses of the person(s) making the submission, quote the development application number (if relevant), the subject matter, and clearly state the address of the property.
c) Submissions must include the postal address or email of person(s) making submissions so they can be notified in advance if the matter is to be considered by a Planning Panel or by Council at a Council meeting (for strategic planning matters only). This information will remain public and may be included in reports to Council.
d) If persons who lodge submissions do not wish their personal information to be made public, the submission is to clearly make a statement to that effect, however their name and suburb (if available) will remain public.
e) Council will consider making a submission confidential, however, the submission must make a statement to that effect and clearly outline the reasons the submission should be confidential.

14.3 Petitions

Where a petition is received in respect of a development application or strategic planning project, the head petitioner or, where not nominated, the first petitioner will be acknowledged for the purpose of future contact as to the progress of the application. Only the head petitioner, or first petitioner, will be advised of any related meeting times or receive written confirmation of the determination of an application or outcome of the matter.

It should be noted a petition is equal to 1 submission.

14.4 Strata Building

A notice to a body corporate is taken to be a notice to the owner of each lot or leaseholder within the parcel concerned. If land is owned or occupied by more than one person, a notice to one owner and/or one occupier is taken to be a written notice to all the owners or occupiers of that land.

14.5 Disclosure of submissions

Submissions may be accessed by the public by way of a Government Information Public Access (GIPA) request (fee payable) to Council. Also, if the proposal is reported to a Council meeting, the issues raised in that submission will be summarised in the Council report and the submission will be attached to the report.

14.6 Referral of submissions to the applicant

A summary of the submissions will be forwarded to the applicant who will be encouraged to address the issues raised in the submissions.

14.7 Referral of submissions to the applicant

A copy of all submissions received will be forwarded to the Secretary of the Department of Planning and Environment at the end of the notification period.



14.8 Submissions received after the exhibition period

Council will allow a further period of 2 business days following the closure of the exhibition period to receive submissions. This allows for written submissions that have been posted to be received and processed by Council's records management team.

Submissions received within this 2-day period will be considered as it were received during the public exhibition or notification period.

Submissions received after the additional 2-day period may be considered in determining the application.

For development applications which are to be considered at a Local Planning Panel meeting for determination, submissions received after the writing of the report (generally 14 days prior to the meeting date) will be placed on the development application file and forwarded to the panel members for consideration



AUTHORISED BY
TBC

EFFECTIVE FROM
This date is the date the policy is adopted by Council resolution. (TBC)

DEPARTMENT RESPONSIBLE:
City Planning (Planning and Compliance)

REVIEW DATE
The policy must be reviewed every two years or more frequently depending on its category or if legislative or policy changes occur.

VERSIONS
The current and previous version of the policy should be set out in the following table.

Version	Amended by	Changes made	Date	TRIM Number
3	*City Planning (Strategic Planning)*	*Amendments made to the notification distances for Development Applications. Table 2 and 3 were consolidated into Table . Minor formatting changes such as indenting, layout and margins. New figures to demonstrate how neighgbour notifications for Development Applications are measured.*	*May 2025.*	*076301.2025*

THIS POLICY HAS BEEN DEVELOPED IN CONSULTATION WITH
In this section please identify all the groups consulted with in the preparation of the policy such as members of Council staff, management, Councillor's, community members, other government departments etc. You should consult with the Governance Coordinator before the policy is considered by the Chief Executive Officer or the elected Council.

ATTACHMENTS
N/A.

COUNCIL AGENDA

ORDINARY COUNCIL MEETING

24 April 2024

BOOK 1

LIVERPOOL CITY COUNCIL

LIVERPOOL THE GREAT SOUTH WEST

LIVERPOOL CIVIC TOWER COUNCIL CHAMBERS
LEVEL 1, 50 SCOTT STREET
LIVERPOOL NSW 2170

LIVERPOOL CITY COUNCIL

You are hereby notified that an **Ordinary Council Meeting** of Liverpool City Council will be held at the **LIVERPOOL CIVIC TOWER COUNCIL CHAMBERS, LEVEL 1, 50 SCOTT STREET, LIVERPOOL NSW 2170** on **Wednesday, 24 April 2024** commencing at 2:00pm. Doors to the Chambers will open at 1.50pm.

Liverpool City Council Meetings are livestreamed onto Council's website and remain on Council's website for a period of 12 months. If you have any enquiries, please contact Council and Executive Services on 8711 7441.

Hon John Ajaka
CHIEF EXECUTIVE OFFICER

Statement of Ethical Obligations

Oath or Affirmation of Office

In taking the Oath or Affirmation of Office, each Councillor has made a commitment to undertake the duties of the office of councillor in the best interests of the people of Liverpool and Liverpool City Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Conflicts of Interest

A councillor who has a conflict of interest in any matter with which the council is concerned, and who is present at a meeting of the council when the matter is being considered, must disclose the interest and the nature of the interest to the meeting as soon as practicable. Both the disclosure and the nature of the interest must be recorded in the minutes of the Council meeting where the conflict of interest arises. Councillors should ensure that they are familiar with Parts 4 and 5 of the Code of Conduct in relation to their obligations to declare and manage conflicts of interests.

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Council in Closed Session

The following items are listed for consideration by Council in Closed Session with the public excluded, in accordance with the provisions of the Local Government Act 1993 as listed below:

CONF 01 Transfer/Dedication to Council as Public Road - Pt Lot 100 in DP 1049508 Moorebank Avenue, Moorebank

ORDER OF BUSINESS

Reason: *Item CONF 01 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

CONF 02 Purchase of Lot 169 DP 1240562 Aries Street & Lot 240 DP 1273155 Tenth Avenue, Austral for RE1 Public Recreation

Reason: *Item CONF 02 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

CONF 03 Compulsory Acquisition of Lot 1 DP 1224201, 275 Jardine Drive, Edmondson Park for RE1 Public Recreation

Reason: *Item CONF 03 is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Close

PLAN 07	**Planning Proposal to amend the Liverpool Local Environmental Plan 2008 at 146 Newbridge Road Moorebank - Georges Cove Village**

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	107145.2024
Report By	Stephen Peterson - Senior Strategic Planner
Approved By	Mark Hannan - Acting Director Planning & Compliance

EXECUTIVE SUMMARY

In October 2017, Council received a Planning Proposal from EMM Consulting Pty Ltd on behalf of Tanlane Pty Ltd for 146 Newbridge Road, Moorebank (Lot 1 DP 1246745). At the time of lodgment, the subject site was zoned B6 Enterprise Corridor and the Planning Proposal sought to amend the *Liverpool Local Environmental Plan 2008* (LLEP 2008) by way of the inclusion of an additional Schedule 1 (Additional Permitted Uses) Clause to:

- Permit the land uses of a 'child care centre', 'seniors housing' and 'health care facility';
- Increase the Height of Buildings (HOB) from 15m to 30m; and
- Increase the Floor Space Ratio (FSR) from 0.75:1 to 2:1.

This would have enabled a stepped shop top housing development of between five (5) to nine (9) storeys in height.

The Planning Proposal was referred to the Liverpool Local Planning Panel on 29 June 2020 and to the Ordinary Meeting of Council on 30 September 2020. The Planning Proposal (Amendment 87) was then forwarded in November 2020 to the former Department of Planning and Environment (now known as NSW Department of Planning, Housing and Infrastructure (DPHI)).

In December 2020, the DPHI provided a letter to Council (**Attachment 2**), outlining that Council was to resubmit the subject Planning Proposal, and others within the Moorebank East Precinct, upon completion of the Georges River Regional Flood Study, due to unresolved NSW Government Agency concerns regarding flooding and evacuation.

In March 2022, the Georges River Regional Flood Evacuation Study was completed.

In April 2023, Council staff held a meeting with the DPHI regarding the subject Planning Proposal and others lodged for the Moorebank East Precinct.

In May 2023, the DPHI provided advice to Council with requirements to be addressed for Planning Proposals within the Precinct. In this regard, Council received amended documentation in October 2023. A copy the amended Planning Proposal Justification Report is provided in **Attachment 1**.

The Planning Proposal has been amended by the Proponent, and in its current form, seeks to amend the Liverpool LEP 2008 by way of a new Schedule 1 (Additional permitted use) Clause to permit retail premises with a maximum Gross Floor Area of 4,000m^2. The Planning Proposal further nominates that the proposed retail premises, with a Gross Floor Area of 4,000m^2, is for the purpose of a 'supermarket'.

Under the LLEP 2008, the land use of a 'supermarket' falls under the initial term of a 'shop'. A 'shop' falls under the term of 'retail premises'. Furthermore, 'retail premises' falls under the parent term of a 'commercial premises'.

The LLEP 2008 already includes a Schedule 1 Clause (clause 35) permitting a 'commercial premises' land use on the subject site, however Clause 7.23 (which applies to the subject site) limits the Gross Floor Area for each 'retail premises' on the site to a maximum of 1,600 m^2. As the Planning Proposal seeks a 'shop' (Supermarket) with a Gross Floor Area of 4,000m^2, the Planning Proposal is required.

In addition, the LLEP 2008 Clause 4.6 (Exceptions to development standards) does not enable a variation of Clause 7.23 of LLEP 2008, i.e. the Consent Authority cannot consider a variation for a retail premises on the subject site having a Gross Floor Area greater than 1,600m^2.

As the land use of a 'commercial premises' (of which a supermarket falls under), is already permissible on the subject site, it is recommended that the Proponent update the Planning Proposal Justification Report prior to Gateway seeking to amend Part 7, Division 2 of the LLEP 2008 to permit the land use of a 'Shop' with a maximum Gross Floor Area of 4,000m^2 on the subject site.

The Proposal no longer includes residential development, and also contains updated justification in relation to flood impacts and flood mitigation. Following a Council staff assessment of the updated information provided, it is considered that the Planning Proposal has sufficient strategic and site-specific merit to proceed to the DPHI for a Gateway determination.

The Proposal, including flooding and vehicular access, will be further discussed with the relevant NSW Government Agencies once Gateway is issued. It is recommended that Council endorses the Planning Proposal to proceed for Gateway determination.

Should a Gateway determination be issued by the DPHI, it is recommended that an amended site-specific Development Control Plan (DCP) be prepared to support the Planning Proposal. The draft DCP amendment would need to be endorsed "in principle" by Council prior to the exhibition of the entire Planning Proposal package.

RECOMMENDATION

That Council:

1. Endorses "in principle" the amended Planning Proposal for 146 Newbridge Road, Moorebank (Lot 1 DP 1246745) to amend Part 7, Division 2 of the *Liverpool Local Environmental Plan 2008* to permit the land use of a 'Shop' with a maximum Gross Floor Area of 4,000m^2;

2. Requests the Proponent updates the Planning Proposal Justification Report, in-line with Recommendation 1 of this Resolution, prior to forwarding the Planning Proposal to the Department of Planning, Housing and Infrastructure for a Gateway determination;

3. Delegates to the CEO authority to make any minor amendments to the Planning Proposal if required;

4. Upon receiving an amended Planning Proposal Justification Report from the Proponent, forwards the Planning Proposal to the Department of Planning, Housing and Infrastructure pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979* for a Gateway determination;

5. Subject to Gateway determination, prepares a site-specific Development Control Plan (DCP) and undertakes community consultation for the Planning Proposal and site-specific DCP in accordance with the conditions of the Gateway determination and the Liverpool Community Participation Plan 2022; and

6. Receives a further Report on the outcomes of public exhibition and community consultation.

REPORT

Moorebank East Precinct



Figure 1 - Context map of the subject precinct (Source Nearmap)

The Moorebank East Precinct is a collection of sites that are largely undeveloped and located along the western bank of the Georges River on the eastern border of the Liverpool LGA. The precinct is bounded by the Georges River to the east, Brighton Lakes Golf Club to the south, Wurrungwuri Reserve to the west and Newbridge Road to the north.

The Site and Locality

The subject site is known as 146 Newbridge Road Moorebank and is shown in figure 2 below. The site is approximately 17,226m^2 in area and fronts the southern side of Newbridge Road of which traffic flows towards the Liverpool CBD. The subject site is approximately 3.65km east of Liverpool CBD and 4km east of Liverpool railway station. The nearest bus stop is located on Newbridge Road (adjacent to the subject site) and is serviced by the M90 bus route.



Figure 2 - Aerial view of the Moorebank East precinct and the subject site outlined in red (Source: Nearmap)

Surrounding the subject site are the following neighbouring sites:

- **North**: Newbridge Road, Moorebank. The road is a major arterial road under the care and control of Transport for NSW.

- **South (immediate)**: Lot 2 (Georges Cove) of 146 Newbridge Road which is currently under construction to deliver approximately 179 dwellings within a community titled development;

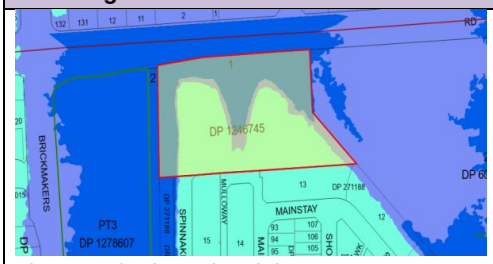
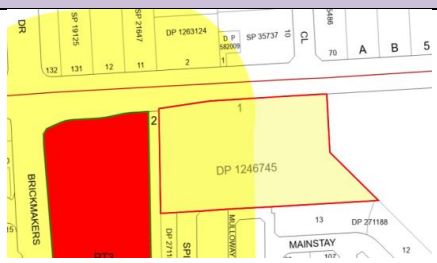
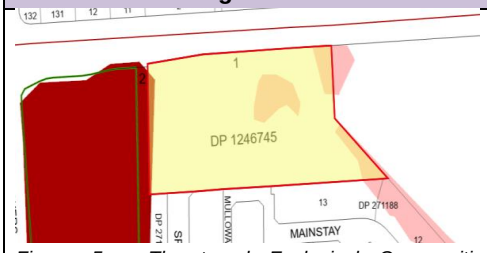
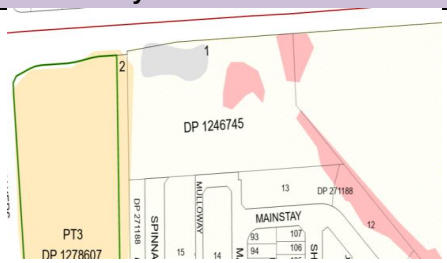
- **South (further)**: Lot 3 (Georges Cove Marina). The Marina is currently under development and a Planning Proposal is under assessment to facilitate approximately 4x eight storey residential flat buildings for a total of approximately 319 apartments and 21x 3 storey terraces. Further south is the EQ Riverside-Concrete Crushers site which benefits from previous heavy industrial use and is subject to a Council initiated Planning Proposal to rezone part of the site to E4-General Industrial;

- **East**: The Georges River, Previous Flower Power site (Subject to Planning Proposal RZ-4/2017) and Canterbury-Bankstown LGA;

- **West**: Council's Wurrungwuri Reserve, Brickmakers Drive and Georges Fair residential area.

The subject property is under the single ownership of Tanlane Pty Ltd. It contained a former sand mining operation by Benedict Sands, which has reached the end of its life cycle. Works at the subject site have occurred from early to mid-2020, including the demolition of a dilapidated dwelling fronting Newbridge Road, earthworks including significant cut and large scale tree removal. The subject site has the following environmental constraints as per Table 1 below:

Table 1 - Summary of Environmental Constraints

Flooding	**Bushfire**
 *Figure 3 - Flood mapping of site. Source: Geocortex* The site is affected by flooding from the Georges River, is within the flood planning area and the site is categorised as part low, part medium and part high flood risk, i.e. 1 in 100 and Probable Maximum Flood.	 *Figure 4 - Bushfire mapping of site. Source: Geocortex* The subject site is partially identified as Bushfire Prone Land mainly on the western side. The majority of the site highlighted yellow identifies vegetation buffer of 30m and 100m.
Threatened Ecological Communities	**Biodiversity**
 *Figure 5 - Threatened Ecological Communities mapping of site. Source: Geocortex* The western boundary of the site contains Endangered Threatened Ecological Communities (BC Act).	 *Figure 6 - Biodiversity mapping of site. Source: Geocortex* The site is mapped as containing Forest Red Gum - Rough-barked apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion (Light red) and unclassified (grey).
Contamination	
The subject site is identified as being contaminated due to previous uses of the site including sand extraction via dredging and dry extraction methods on the site since 1993. Lot 3 is subject of an approved Marina development. The Marina development application was approved with various Environmental Impact Assessments, Site Audit Reports and statements, and remediation strategies and Action Plans. This report concluded that the site is contaminated as per the EP&A Act 1979 definition, however the subject allotment can be remediated to be suitable to accommodate the Marina development as well as high density residential uses with minimal opportunities for soil access.	

Background

Existing Voluntary Planning Agreement (VPA)

The subject site previously was one allotment known as 146 Newbridge Road, Moorebank. 146 Newbridge Road Moorebank is currently subdivided into 3 allotments with the subject allotment known as Lot 1.

A VPA (Council reference: VPA-11) was entered into on 11 June 2008 which applies to all 3 lots which form 146 Newbridge Road Moorebank. Of note, the VPA restricts the total Gross Floor Area of Lot 1 (Subject site) only to 11,500m^2.

Previous public exhibition of Planning Proposal

At its meeting on 27 July 2020, Council resolved to exhibit all Planning Proposals that have been lodged within Moorebank (excluding the Site C Marina, as it had already been supported by Council) in accordance with Council's Community Participation Plan. The exhibition period concluded on 10 September 2020 with two submissions being received, including one objection.

Previous Planning Proposal sought amendments

In 2017, the Planning Proposal sought to amend LLEP 2008 by way of the inclusion of an additional Schedule 1 (Additional Permitted Uses) clause to permit the land uses of a 'child care centre', 'seniors housing' and 'health care facility', increase the height of buildings (HOB) from 15m to 30m and to increase the floor space ratio (FSR) from 0.75:1 to 2:1.

In 2020 the proposal was amended and sought to amend the FSR from 0.75:1 to 1.88:1 and to increase the HOB from 15 metres to 25 metres. The proposal further sought to amend Schedule 1 of the LLEP 2008 to allow the use of a 'health care facility' (medical centre) and a retail premises with a maximum Gross Floor Area (GFA) of 4,200m² on the site only. This would facilitate mixed use development, including 126 residential apartments, neighbourhood retail and commercial facilities, including a medical centre, grocery shops and a gym.

It is noted that all the previous amendments sought at the time of lodgment of the Planning Proposal are no longer being sought.

DPHI Employment Zone Reform

At lodgement in 2017, the subject site was zoned B6 Enterprise Corridor which permitted the land use of 'retail premises' and 'shop top housing'. On 26 April 2023, DPHI introduced Employment Zone Reforms. As part of the reforms, the previous B5 Business Development and B6 Business Enterprise zones were repealed and both became known as E3 Productivity Support zones.

As the new E3 Productivity Support zone comprised of two previous zones, which permitted different land uses, the reforms also introduced area mapping of which in this case land previously zoned B5 Business Development includes reference to 'Area E' and land previously zoned B6 Business Enterprise includes reference to 'Area A' throughout LLEP 2008.

Under the land use zone E3 Productivity Support, the land use of a 'Retail Premises' and 'Shop Top Housing' are no longer permitted with consent. The Liverpool LEP 2008 includes clause 35 under Schedule 1 (Additional Permitted Uses) which continues to permit 'Commercial Premises' in the E3 Productivity Support 'Area A' zone (i.e. the subject site). The land use term of 'Shop' is encompassed by the 'Retail Premises' term, which is under the parent term of a 'Commercial Premises'.

Proposed Amendments to the *Liverpool Local Environmental Plan 2008*

As of October 2023, the Planning Proposal no longer seeks to amend the HOB or FSR development standards and no longer seeks to permit the Additional Permitted Use of shop top housing, child care centre, seniors housing or a health care facility on the subject site.

The Planning Proposal in its current form submitted by the Proponent, seeks to amend Liverpool LEP 2008 by way of a new Schedule 1 (Additional permitted use) clause to permit a retail premises with a maximum Gross Floor Area of 4,000m^2. The Planning Proposal further nominates that the proposed retail premises, with a Gross Floor Area of 4,000m^2, is for the purpose of a 'supermarket'.

Council staff note that the land use of a supermarket falls under the LLEP 2008 term of a 'shop'. Under LLEP 2008, a 'shop' falls under the term 'retail premises' and a 'retail premises', falls under the parent term of a 'commercial premises'.

Further, Council staff note that the land use of 'commercial premises' is already permissible on the subject site under LLEP 2008 (Schedule 1 clause 35) however that LLEP 2008 clause 7.23, limits the Gross Floor Area for a 'retail premises' on the subject site to a maximum of 1,600m^2. Clause 4.6 of LLEP 2008 does not allow Clause 7.23 of LLEP 2008 to be varied as part of development consent.

As demonstrated above, as that the land use of a 'supermarket' is already permissible on the subject site, however is restricted to a maximum Gross Floor Area of 1,600m^2, the current Planning Proposal request, as recommended by Council staff, seeks to amend LLEP 2008 in the following manner:

- Include an additional clause under Part 7, Division 2 (Additional Local Provisions – Other provisions) to enable development on the site of a 'Shop' (For the purpose of a Supermarket) with a maximum Gross Floor Area of 4,000m^2.

The Planning Proposal is supported by the following reports and plans:

- Planning Proposal report prepared by EMM Consulting;
- Revised Architectural package prepared by Rothelowman;
- Revised Flood Impact Assessment and Flood Emergency Response Plan by Tooker and Associates;
- Revised Bushfire Constraints Assessment prepared by ABPP;
- Addendum Traffic Impact Assessment Report prepared by EMM;
- Social Impact Assessment Addendum prepared by EMM; and
- Economic Impact Assessment Report prepared by LocationIQ.

These documents are available on Council's Eplanning Portal at the following link: (Liverpool Council Eplanning - RZ-9/2017 - Lot 1 - 146 Newbridge Road Moorebank - Georges Cover Village)

The architectural plans demonstrate a development comprising a 3-storey building with a ground floor supermarket and parking/loading areas and 2 storeys above comprising parking and light industrial and office uses.

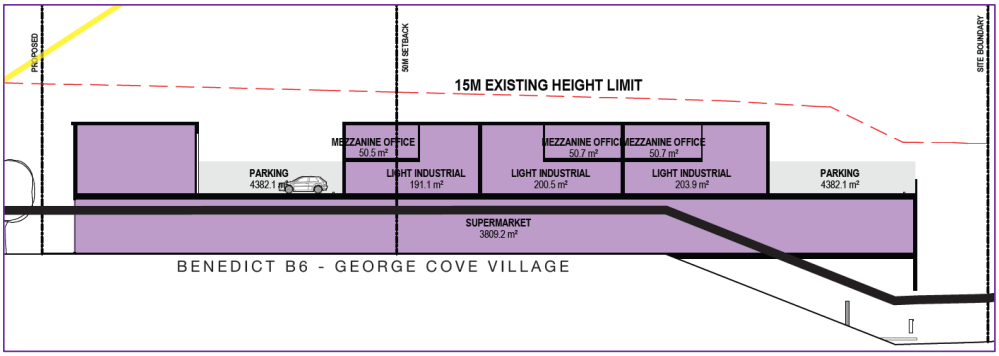


Figure 7 – Side view of proposal looking west (Source: Rothelowman Planning Proposal Design Report)

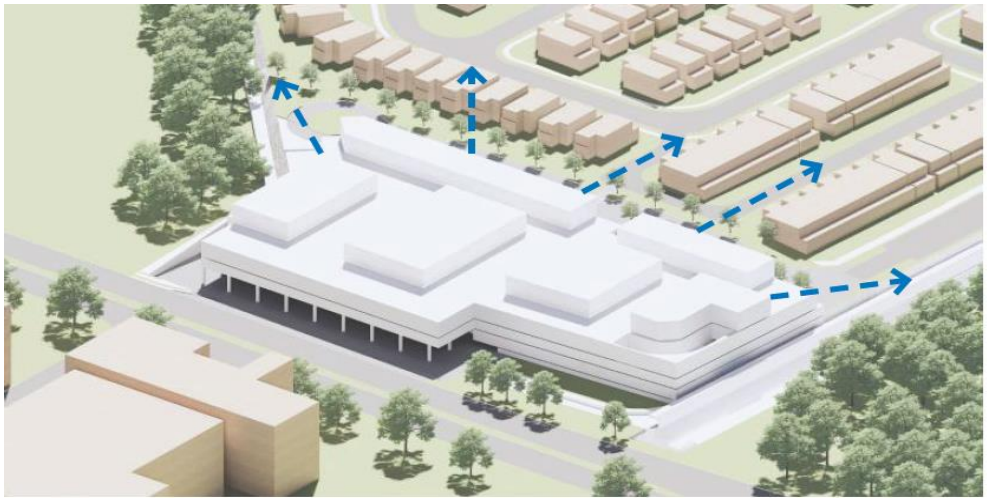


Figure 8 – 3D Aerial view of proposal as viewed from Newbridge Road frontage (Source: Rothelowman Planning Proposal Design Report)



Figure 9 – 3D Aerial view of proposal as viewed from Newbridge Road frontage (Source: Rothelowman Planning Proposal Design Report)

Planning Assessment

Consistency with Strategies and advice of the Liverpool Local Planning Panel

The proposal has been assessed against the Region Plan (Greater Sydney Regional Plan - A Metropolis of Three Cities), District Plan (Western City District Plan) and relevant strategies including Council's adopted Local Strategic Planning Statement (LSPS) and the Liverpool Local Housing Strategy 2020.

The proposal in its previous form (which included retail) was referred in June 2020 to the Liverpool Local Planning Panel (LLPP). The LLPP provided advice to Council that that the Planning Proposal has strategic and site-specific merit and should proceed to a Gateway determination.

The Council meeting report and resolution from the 30 September 2020 meeting (available on Council's Eplanning Portal) provides further comment regarding the Local Planning Panel meeting.

The proposal in its current form continues to demonstrate consistency with the Region Plan and the District Plan including the District Plan planning priority W3 (Providing services and social infrastructure to meet people's changing needs) and W5 (Providing housing supply, choice and affordability, with access to jobs, services and public transport).

The proposal is consistent with the relevant local strategies including Council's adopted Local Strategic Planning Statement (LSPS) and the Liverpool Local Housing Strategy 2020, including Planning Priority 6 of the LSPS – to create high-quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth.

The proposal provides the opportunity for a retail premises being a supermarket, to be developed on the site of an adequate size to service the current and future population and visitors of the Moorebank East precinct and vicinity, whilst not impacting upon existing retail, including supermarkets, within the vicinity of the subject site and provides employment opportunities.

Flooding and Evacuation

As per Figure 3 above, Council mapping indicates that the site is affected by flooding from the Georges River, is within the flood planning area and the site is categorized as part low, part medium and part high flood risk, (i.e. 1 in 100 and PMF).

An updated Flood Impact Assessment and Flood Emergency Response Plan report were submitted to Council to support the current form of the Planning Proposal request. The report is made in conjunction with current Council and State agency policies including current Ministerial Directions, DPE draft Shelter in Place Guidelines, current Planning Circulars, 2022

Flood Enquiry Report recommendations and the Georges River Regional Flood Study undertaken in 2022.

The Report states that the 1:100 flood planning level is RL 5.6m ADH and PMF flood level is RL 10.2m AHD.

The report further provides the following levels:

- Ground Level - Loading dock area with a level of RL 2.5m AHD;
- Elevated ground level - Elevated loading dock and open area for extra flood storage with a level of RL 3.4m AHD;
- Level 1 - Retail car parking with a level of RL 7m AHD;
- Level 2 - Supermarket and retail specialty shops with a level of RL 10.2m AHD; and
- Level 3 - Light industrial uses with a level of RL 15.2m AHD.

The Report states that in the case of flooding, the vehicular evacuation route from the site is via roads which are flood free during a 1:100 flood event, being from the DCP collector road (Sprinkler Drive) located to the immediate south of the subject site between subject Lot 1 and Lot 2, to the road bridge known as Promontory Way, and onto Brickmakers Drive providing access to either Newbridge Road or Nuwarra Road.

The Report states that in the case of flooding, the pedestrian evacuation route from the site is via the DCP Road (Sprinkler Drive) into the Mirvac Georges Cove Residences residential area, and via the high level pedestrian bridge leading to Paine Park, and then to flood-free land along Horizon Circuit towards Nuwarra Road.

The report concludes that, *'The proposed E3-zoned retail and light industrial/commercial development proposed in this PP for site A has been designed to exceed the State and Local Government requirements for flood management including considering the recent recommendations for the 2022 Flood Enquiry and revisions to the flood-related State and Council Planning requirements. It also complements the adjacent and recently approved development sites at Georges Cove Marina (site D) and Mirvac Georges Cove Residences (site C). There is sufficient vehicular and pedestrian infrastructure to provide safe flood evacuation. There is also a fall-back emergency, the shelter-in-place option available above PMF flood levels (if required) and additionally, the same option is provided in the approved Georges Cove Marina (site D) and Mirvac Georges Cove Residences (site C) developments'.*

Council assessment note that the Planning Proposal is achievable by implementing necessary flood control measures, however, the site faces substantial challenges with evacuation in the event of a flood.

Access to the proposed supermarket includes, but is not limited to, is via Newbridge Road, which is prone to frequent flooding and subsequent road closures. The Planning Proposal has

relied on the flood evacuation route of the Moorebank Cove residence (Site C), which is through Brickmakers drive.

Further, Council staff note the completed Georges River Flood Evacuation Study undertaken by Molino Stewart, recommends restricting further developments in the Moorebank East area, particularly as the existing infrastructure in the area is unable to provide safe flood evacuation from the proposed rezoning site. It is noted that the Planning Proposal carries the risk of necessitating a substantial boost in government expenditure on both road infrastructure and emergency management services and may contradict with Ministerial Direction 4.1 (Flooding).

Should the proposal be referred to DPHI for a Gateway request, a condition of the Gateway request is expected to involve consultation with the NSW State Emergency Services (SES). Further it is noted that the proposed development of a 'supermarket' is currently permissible on the site and the proposal seeks to increase the Gross Floor Area of the 'supermarket' only. Further it is expected that access to the future supermarket site can be closed in advance of predicted flood events as no residential land use is proposed on the site.

Vehicular Access and Impact upon road network

LDCP 2008 Part 2.10 (Development in Moorebank East) applies to the subject site and includes a collector street (Link Road) as per Figure 11 below (orange) which is partially constructed.



Figure 10 – LDCP 2008 Part 2.10 Link Road outlined in orange providing access from Brickmakers Drive in the West to Davey Robinson Drive to the east (Source: LDCP 2008)

The Planning Proposal includes an Addendum Traffic Impact Assessment report based on the proposed land use of the site. The report proposes vehicular access for the site as follows:

- *Newbridge Road* – Two vehicular access points are proposed, with one being left in access for light and heavy vehicles, and one being left out for heavy vehicles only. Both provide ingress and egress in a forward direction for vehicles. Light vehicles exit via Sprinkler Avenue.

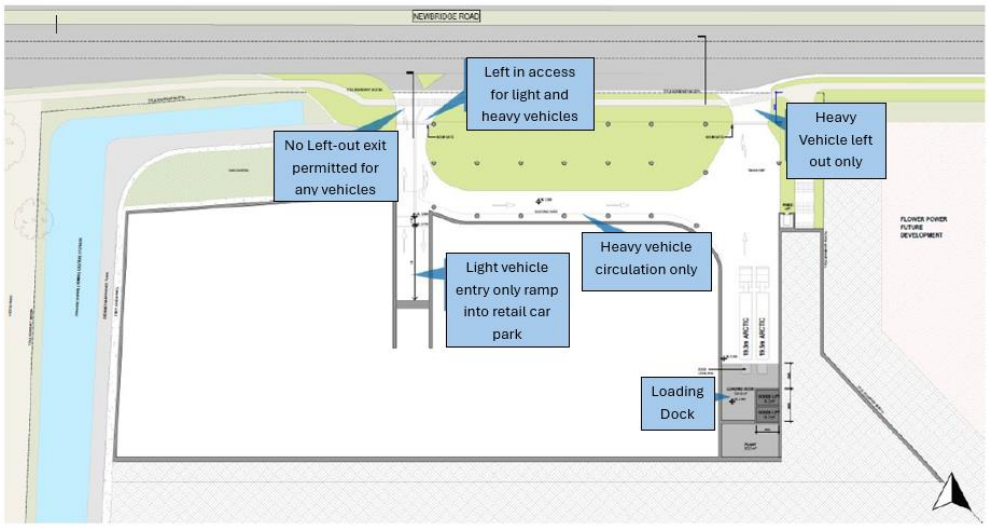


Figure 11 – Newbridge Road proposed light and heavy vehicle entry/exit points. Source: Addendum Traffic Impact Assessment Report prepared by EMM Consulting.

- *Sprinkler Drive (LDCP 2008 Collector Road) located to the immediate south of the subject site between subject Lot 1 and Lot 2* – Two vehicular access points with one being entry and exit for the proposed light industrial carpark, and one driveway being in/out for the retail car park. This road provides in/out access to Brickmakers Drive via the road bridge known as Promontory, Way and may in the future provide access to Davey Robinson Drive/Newbridge Road subject to progression of various other Planning Proposals.

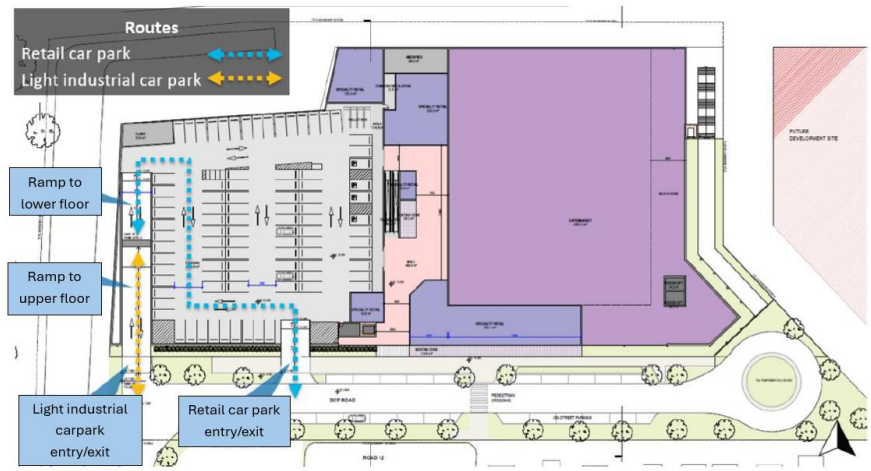


Figure 12 – Sprinkler Avenue proposed entry/exit points. Source: Addendum Traffic Impact Assessment Report prepared by EMM Consulting

Site Specific Development Control Plan (DCP)

Due to multiple Planning Proposals within the Moorebank East precinct and proposed land uses within the precinct, the existing Liverpool DCP 2008, Part 2.10 (Moorebank East Benedict Sands), is required to be updated. It is recommended if a Gateway determination is issued, for the DCP to be amended in consultation with the Proponent to reflect the proposed land use of the site.

The site specific DCP will include design controls such as building design treatments, activation elevations particularly fronting Newbridge Road and the southern access road, integration of vehicles and pedestrians, waste areas, open space, landscaping, tree planting, street and wall art, and any flooding/traffic/vehicular access related controls required.

Next Steps

If Council supports the Planning Proposal request, it will be submitted to DPHI seeking a Gateway determination. It is noted this will be an amended Planning Proposal to seek the proposed Local Provision clause within Part 7, Division 2 of the LLEP 2008, instead of Schedule 1 Additional Permitted Use (as currently proposed within the Proponents Planning Proposal).

Should a Gateway determination be issued by DPHI, it is recommended that the preparation of an amended site specific DCP be undertaken to support the Planning Proposal. The draft DCP amendment will need to be endorsed in principle by Council prior to the exhibition of the entire Planning Proposal package.

Subject to the above, public agency and community consultation can occur in accordance with the Gateway determination and Councils Community Participation Plan.

Following consultation, a further report will be prepared for Council prior to proceeding with the making of any amendment to the LEP and DCP.

Conclusion

It is considered that the Planning Proposal has sufficient strategic and site-specific merit to proceed to DPHI for a Gateway determination. The complex constrains of the site regarding vehicular access, traffic impacts on the road network and flooding can be further discussed and resolved post Gateway with the relevant State Agencies. It is recommended that Council endorses the Planning Proposal to proceed to a Gateway determination.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	There are no environmental considerations.
Social	There are no social considerations.
Civic Leadership	There are no civic leadership considerations.
Legislative	Division 3.4 (Environmental Planning Instruments – LEPs) of *Environmental Planning and Assessment Act 1979*
Risk	The risk is deemed to be Low. If Council does not support the Planning Proposal request, there is a risk that the landowner will seek a review of Council's decision by the Sydney Western City Planning Panel. The risk is considered within Council's risk appetite.

ATTACHMENTS

1. Planning Proposal - October 2023 (Under separate cover)
2. DPE Letter to Council – December 2020 (Under separate cover)
3. Request For Information Letter dated June 2023 (Under separate cover)
4. ASIC and Title Search (Under separate cover) **CONFIDENTIAL**

OTHER DOCUMENTS

The following documentation is available on Council's Eplanning Portal at the following link:
Liverpool Council Eplanning - RZ-9/2017 - Lot 1 - 146 Newbridge Road Moorebank - Georges Cover Village

A. Local Planning Panel Report and Advice - 29 June 2020
B. Council Report and Resolution - 30 Sept 2020
C. Georges Cove Village concept design and architectural statement - October 2023
D. Flood Impact Assessment and Flood Emergency Response Plan - July 2023
E. Economic Impact Assessment Report - July 2023
F. Traffic Impact Assessment Report Addendum - October 2023
G. Traffic Impact Assessment Report - 9 October 2017
H. Social Impact Assessment Addendum - July 2023
I. Social Impact Assessment Report - 13 October 2017
J. Detailed Site Investigation for DA-24-2017 - March 2016
K. Remediation Action Plan for DA-24-2017 - May 2017
L. Ecological Impact Assessment - 14 December 2016
M. Bushfire Constraints Assessment - 26 July 2023
N. Georges River Regional Flood Evacuation Study - March 2022
O. Pre gateway exhibition submissions – August - September 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 24 APRIL 2024

PRESENT:
Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Dr Green
Councillor Hadid OAM
Councillor Harle
Councillor Kaliyanda
Councillor Karnib (online)
Councillor Macnaught
Councillor Rhodes
Hon John Ajaka, Chief Executive Officer
Mr Farooq Portelli, Director Corporate Support
Ms Tina Bono, Director Community & Lifestyle
Mr Mark Hannan, Acting Director Planning & Compliance
Ms Michelle Mcilvenny, Director Customer Experience & Business Performance
Mr Shayne Mallard, Director City Futures
Mr Jason Breton, Director Operations
Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
Mr Vishwa Nadan, Chief Financial Officer
Ms Noelle Warwar, Manager Community Standards
Mr John Lac, Manager Project Delivery
Ms M'Leigh Brunetta, Manager Civic and Executive Services
Ms Melissa Wray, Councillor Executive and Support Officer
Ms Susan Ranieri, Coordinator Council and Executive Services

The meeting commenced at 2.04pm.

STATEMENT REGARDING WEBCASTING OF MEETING

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice (other than the Public Forum Section), the meeting is being livestreamed.

.....

Chairperson

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION

The Prayer of the Council was read by Father Paul Monkerud from All Saints Catholic Church.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

COUNCILLORS ATTENDING REMOTELY

Clr Karnib has requested permission to attend this meeting via MS Teams.

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Green**

That Clr Karnib be granted permission to attend the meeting via MS Teams.

On being put to the meeting the motion was declared CARRIED.

APOLOGIES

NIL.

CONDOLENCES

NIL.

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Macnaught** **Seconded: Clr Hadid**

That the minutes of the Ordinary Meeting held on 27 March 2024 be confirmed as a true record of that meeting.

On being put to the meeting the motion was declared CARRIED.

DECLARATIONS OF INTEREST

NIL.

Mayor Mannoun left the meeting at 6.20pm and Clr Macnaught, as the Deputy Mayor became the Chairperson.

ITEM NO: PLAN 07
FILE NO: 107145.2024
SUBJECT: Planning Proposal to amend the Liverpool Local Environmental Plan 2008 at 146 Newbridge Road Moorebank - Georges Cove Village

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Hadid**

That Council:

1. Endorses "in principle" the amended Planning Proposal for 146 Newbridge Road, Moorebank (Lot 1 DP 1246745) to amend Part 7, Division 2 of the *Liverpool Local Environmental Plan 2008* to permit the land use of a 'Shop' with a maximum Gross Floor Area of 4,000m^2;

2. Requests the Proponent updates the Planning Proposal Justification Report, in-line with Recommendation 1 of this Resolution, prior to forwarding the Planning Proposal to the Department of Planning, Housing and Infrastructure for a Gateway determination;

3. Delegates to the CEO authority to make any minor amendments to the Planning Proposal if required;

4. Upon receiving an amended Planning Proposal Justification Report from the Proponent, forwards the Planning Proposal to the Department of Planning, Housing and Infrastructure pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979* for a Gateway determination;

5. Subject to Gateway determination, prepares a site-specific Development Control Plan (DCP) and undertakes community consultation for the Planning Proposal and site-specific DCP in accordance with the conditions of the Gateway determination and the Liverpool Community Participation Plan 2022; and

6. Receives a further Report on the outcomes of public exhibition and community consultation.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion**.**

Note: Mayor Mannoun was not in the Chambers when this item was voted on.





Georges Cove Village

Modified Planning Proposal | 146 Newbridge Road, Moorebank

Prepared for Benedict Industries Pty Limited
June 2025









creating opportunities

Georges Cove Village

Modified Planning Proposal | 146 Newbridge Road, Moorebank

Prepared for Benedict Industries Pty Limited
June 2025

EMM Sydney
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Georges Cove Village

Modified Planning Proposal | 146 Newbridge Road, Moorebank

Report Number

J17103 RP2

Client

Benedict Industries Pty Limited

Date

6 June 2025

Version

v6 Final

Approved by



Phil Towler
Associate Director

This report has been prepared in accordance with the brief provided by Benedict Industries Pty Limited and, in its preparation, EMM has relied upon the information collected at the times and under the conditions specified in this report. All findings, conclusions or recommendations contained in this report are based on those aforementioned circumstances. The contents of this report are private and confidential. This report is only for Benedict Industries Pty Limited's use in accordance with its agreement with EMM and is not to be relied on by or made available to any other party without EMM's prior written consent. Except as permitted by the *Copyright Act 1968* (Cth) and only to the extent incapable of exclusion, any other use (including use or reproduction of this report for resale or other commercial purposes) is prohibited without EMM's prior written consent. Except where expressly agreed to by EMM in writing, and to the extent permitted by law, EMM will have no liability (and assumes no duty of care) to any person in relation to this document, other than to Benedict Industries Pty Limited (and subject to the terms of EMM's agreement with Benedict Industries Pty Limited).
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Executive summary

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

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

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

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

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1 Introduction

1.1 Overview

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

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

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

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

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

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

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

1.2 Background

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

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

Note that the earlier planning proposal sought:

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

These are no longer proposed.

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

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

1.3 Employment zone reforms

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

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

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

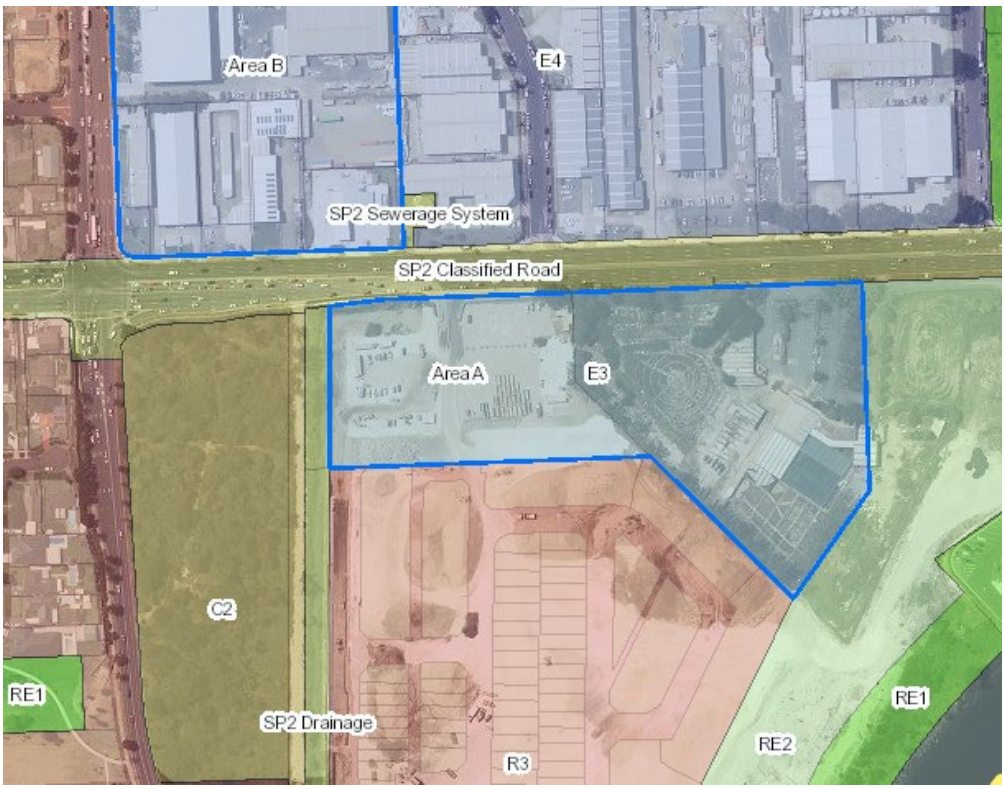


Figure 1.1 Area A

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

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

1.4 Structure of the report

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

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

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

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

2 Site characteristics

2.1 The site and surrounds

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

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

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

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

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

2.2 Existing land use

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

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


NEWBRIDGE ROAD
1//DP1246745
GOVERNOR MACQUARIE DRIVE
BUNGARRA CRESCENT
BALANADA AVENUE
PAT DAVIN CLOSE
RIVERSIDE ROAD
DAVE MORRISON DRIVE
ARALUEN AVENUE
ELOUERA CRESCENT
BRICKMAKERS DRIVE
SPINNAKER DRIVE
MULLOWAY LANE
ANGLER AVENUE
SHORELINE ROAD
KETCH LANE
HORIZON CIRCUIT
PROMONTORY WAY
MARBLE HEAD ROAD
TRAVERS STREET
Georges River
PENRITH
PARRAMATTA
SYDNEY
LIVERPOOL
CAMDEN
SITE LOCATION
KEY
Site boundary
Cadastral boundary
Named waterbody
INSET KEY
Major road
NPWS reserve
State forest
Project location
Georges Cove Village
146 Newbridge Road, Moorebank
Modified Planning Proposal
Figure 2.1
Source: EMM (2023); ABS (2021); DCSSS (2023); GA (2009); MetroMap (2023)
0
100
200
m
GDA2020 MGA Zone 56
N
creating opportunities



Land zoning

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

EMM
creating opportunities

3 Part 1 – Objectives and intended outcomes

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

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

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

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

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

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

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

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

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

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

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

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

5 Part 3 – Justification

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

5.1 Need for the planning proposal

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

5.1.1 Local strategic planning statement, strategic studies and reports

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

i Liverpool Local Strategic Planning Statement

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

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

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

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

ii Liverpool Community Strategic Plan 2022-2032

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

Key strategies and goals for the CSP include:

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

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

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

5.1.2 The best means of achieving the objectives or intended outcomes

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

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

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

5.2 Relationship to strategic planning framework

Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies?

5.2.1 Applicable regional or district plans and strategies

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

i Greater Sydney Region Plan

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

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

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

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

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

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

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

ii Western City District Plan

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

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

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

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

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

The District Plan meets these requirements by:

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

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

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

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

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

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

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

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

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

W9 Growing and strengthening the metropolitan cluster

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

5.2.2 Strategic merit

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

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

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

5.2.3 Liverpool Local Strategic Planning Statement

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

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

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

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

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

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

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

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

5.2.4 State and regional strategies and studies

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

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

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

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

Key principles in the roadmap include:

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

The planning proposal aligns with these principles.

ii Liverpool Economic Development Strategy 2022-2032

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

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

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

iii Future Transport Strategy

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

The Strategy works to deliver three high level outcomes:

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

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

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

iv Active Transport Strategy

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

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

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

5.2.5 State Environmental Planning Policies

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

Table 5.1 SEPPs and relevant deemed SEPPs

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

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

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

5.2.6 Ministerial Directions

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

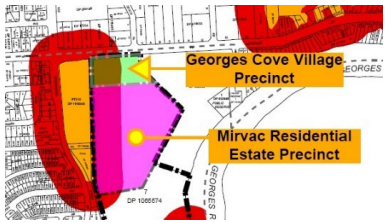
Table 5.2 Relevant local planning directions

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

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

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

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

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

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

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

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

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

5.3 Section C - Environmental, social and economic impact

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

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

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

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

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

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

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

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

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

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

5.3.2 Other resources

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

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

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

i Contamination

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

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

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

ii Flood

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

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

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

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

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

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

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

iii Bushfire

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

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

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

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

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

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

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

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

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

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

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

iv Traffic

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

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

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

a Key considerations and methodology

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

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

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

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

- Georges Cove residences
- Georges Cove Marina (residential)

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

Intersection performance was modelled using SIDRA Intersection 9.1 software.

b Findings

The SIDRA traffic analysis shows the following:

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

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

v Acid sulfate soils

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

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

The site is characterised as having the following:

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

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

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

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

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

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

5.3.4 Parking

The proposal enables sufficient parking for both employees and visitors.

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

A breakdown of the LFA calculations is provided below.

Supermarket

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

Level 3 – 3,809.2 m^2

Total – 3,914.1 m^2

Specialty Retail

Level 3 – 1,045 m^2

Total – 1,045 m^2

Commercial/Industrial

Level 4 – 4,382.1 m^2

Level 5 – 1,252.9 m^2

Total – 5,635 m^2

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

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

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

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

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

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

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

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

Table 5.3 Parking requirements

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

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

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

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

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

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

Table 5.4 Disability and motor cycle parking schedule

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

Note #1: Industrial and retail spaces include accessible

5.3.5 Overshadowing

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

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

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

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

5.3.6 Social and economic effects

i Social impacts

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

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

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

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

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

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

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

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

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

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

ii Economic impacts

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

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

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

Retail related impacts identified include the following:

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

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

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

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

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

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

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

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

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

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

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

5.3.7 Effects on land in the vicinity of the site

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

Table 5.5 Existing approved and likely future uses

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

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

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

Section D – Infrastructure (Local, State and Commonwealth)

Is there adequate public infrastructure for the planning proposal?

5.3.8 Public infrastructure for the planning proposal

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

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

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

5.4 State and Commonwealth interests

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

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

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

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

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

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

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

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

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

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

i NSW Rural Fire Services

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

ii NSW State Emergency Services

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

In summary, the SES noted that:

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

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

Table 5.6 SES matters raised

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

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

a Evacuation capacity

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

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

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

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

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

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

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

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

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

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

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

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

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

- The planning proposal does not seek to increase the building height of floor space ratio of the site, nor does it seek to introduce any additional land uses to the site which are not already permissible.
- The planning proposal seeks to allocate greater floor space to a non-residential land use than what is currently permitted on site (4000 m^2 vs 1600 m^2) and as such reduces the potential residential yield of the subject site.
- The planning proposal does not propose to allocate any floor space to a residential land use and proposes commercial and light industries land use only, however residential land use is permissible on the subject site regardless of the planning proposal.
- Evacuation risks from the proposed non-residential land uses can be adequately managed and mitigated at the Development Application stage by way of measures including a Plan of Management, Flood Evacuation Plan, Flood Impact Assessment Report along with stringent conditions of development consent (eg – closure of the centre (including cars and pedestrian access) well in advance of flood events through implementation measures such as boom gates and barriers to car and pedestrian access.

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

b Support for emergency management planning

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

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

Evacuation

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

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

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

Risk to life

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

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

Risk to property

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

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

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

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

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

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

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

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

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

Effective flood warning

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

Ongoing flood awareness in the community

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

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

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

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

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

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

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

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

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

iv Transport for NSW

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

Table 5.7 Responses to TfNSW correspondence

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

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

6 Part 4 – Maps

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

7 Part 5 – Community consultation

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

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

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

8 Part 6 – Project timeline

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

Table 8.1 Project timeline

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

9 Closing

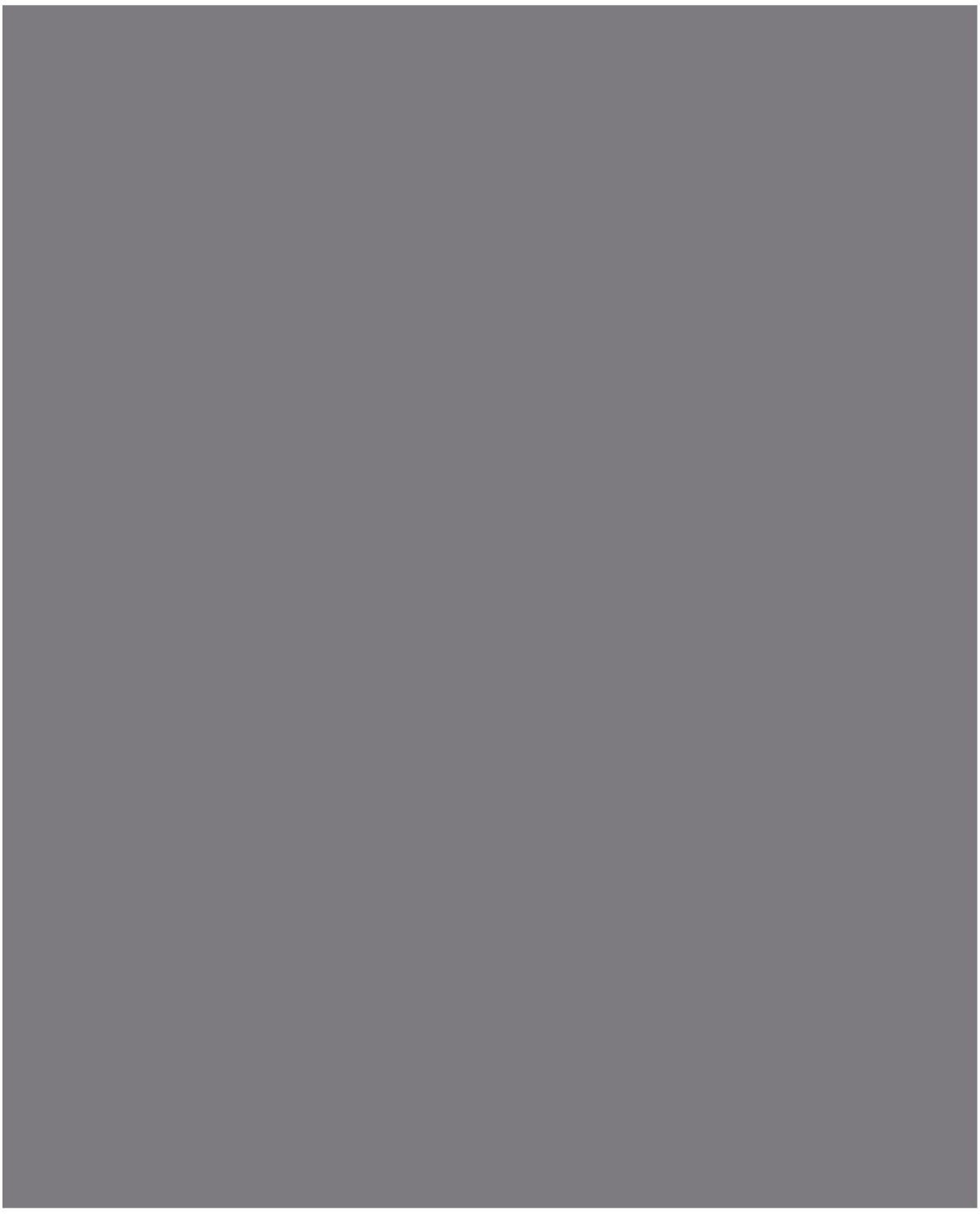
This planning proposal seeks to amend Liverpool Local Environmental Plan 2008 to enable the development of a full-line supermarket at 146 Newbridge Road, Moorebank. It has been prepared in accordance with section 3.33 (previously section 55) of the EP&A Act and relevant guidelines from DPE, aligns with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

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

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

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

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





rothelowman

Brisbane, Melbourne, Sydney
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Planning Proposal

Georges Cove Village

146 Newbridge Rd, Moorebank

March 2025



Project Contact

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Principal

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Client
Benedict Industries
33-39 Riverside Road
Chipping Norton, NSW

Architecture
Rothelowman
Level 1, 241 Commonwealth St
Surry Hills, NSW, 2010

Traffic Consultant
Ason Group
Suite 1202, Level 12, 220 George Street
Sydney, NSW, 2000

Town Planning
Emmconsulting
Suite 01, Ground Floor, 20 Chandos Street, St Leonards,
NSW, 2065

1.0 Architectural Statement

1.01 Project Summary

Project Details

3 Storey Mixed Use Development comprising a total of 10 387.4m^2 of GFA

Project uses include:

- Light Industries: 4903.0m^2 NLA
- Retail: 5326.7m^2 NLA including 3800m^2 Supermarket
- Associated carparking and driveway circulation spaces

The Site
146 Newbridge Road, Moorebank, NSW

The Opportunity
Create the Village Centre for the New Georges Cove Precinct. Located at the north end of the precinct, the development proposes a mixed use retail development to provide the services and retail required for the new community, equipped with a diversity of light industry options to accompany the low density Mirvac estate.

The Proposed Development
The Georges Cove Village development comprises large format supermarket, and supporting specialty retail, along with commercial office space suitable for medical and other uses.

Above the retail level is proposed as Light industry Units to provide a diverse arrangement of employment based uses suitable for the surrounding precinct.

Taking advantage of the sloping land towards Newbridge Road, the carparking and loading dock are located on the Newbridge Road level.

The design proposal seeks to amend the permitted uses to include provision for a Supermarket development, in order to serve the needs of the new residents in the precinct, and the broader Moorebank area.



2.0 Urban Context and Site Analysis / 2.01 Site Location

The site is located on Newbridge Road, Moorebank, at the north end of the New Georges Cove residential area.

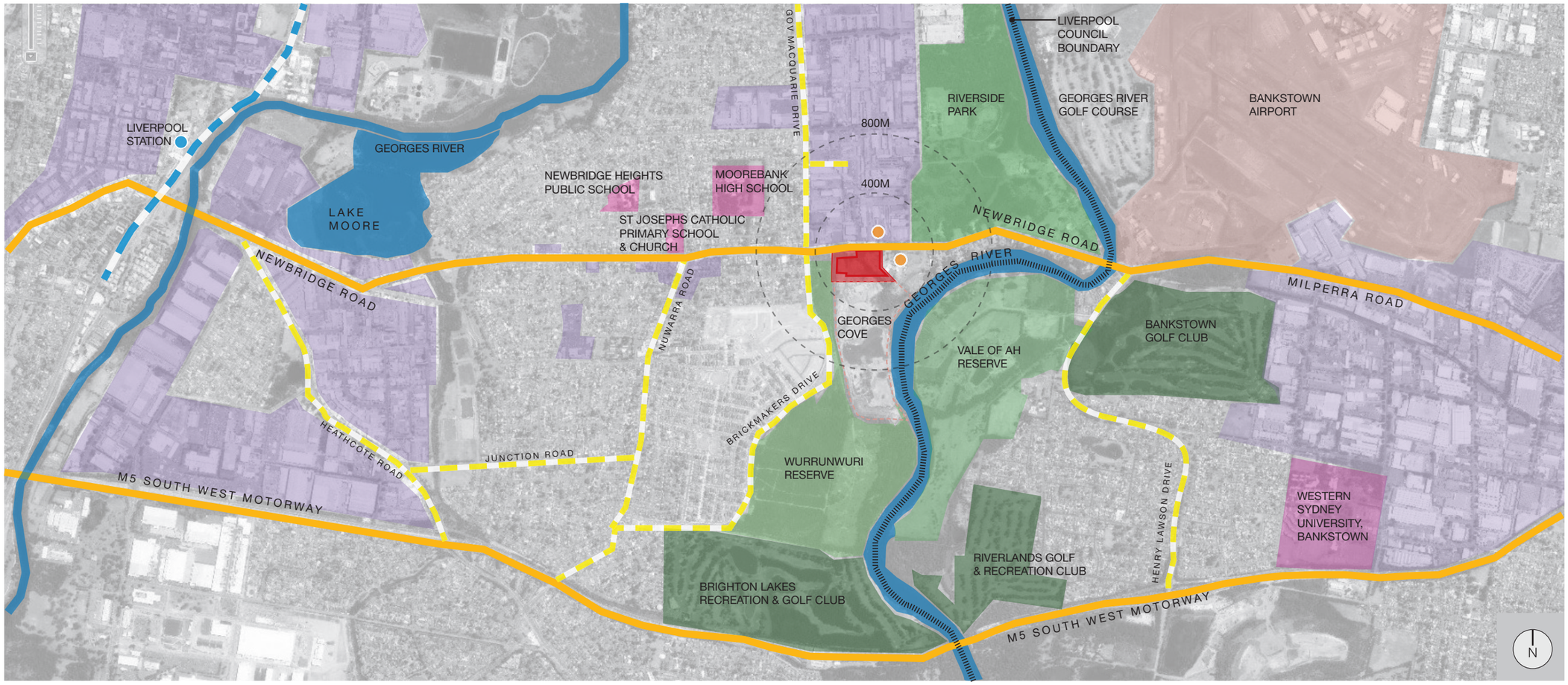
To the north across Newbridge Road is the Chipping Norton industrial estate. To the west landscape reserve and Brickmakers Drive. To the south is the Georges Cove residential development. And to the east is Flower Power Nursery.

Legend (Zones)

- Commercial Buildings
- Major Schools / Universities
- Golf Courses
- Parks & Open Spaces
- Bankstown Airport

Legend

- Subject Site
- Major Road
- Local Access Road
- Train Route
- Train Station
- Bus Stop
- Bike Path
- City Cycle Station



2.0 Urban Context and Site Analysis

2.02 Existing Planning Controls

The existing planning controls permit small neighbourhood retail shops and shop top housing.

It is proposed to amend the planning controls on the site as follows

The Proposal:

- Amendment to part 7 of Liverpool LEP 2008 to permit a supermarket on the site with a maximum gross floor area of 4,000 square meters

- Current site area: 17 184m^2
- FSR for site: 0.75:1
- GFA cap as per Voluntary Planning Agreement is 11 500m^2

- Proposed GFA at 10 387m^2 equates to an FSR of 0.60:1

Land Zoning



Legend

- C1 - Natural Parks and Nature Reserves
- C2 - Environmental Conservation
- C3 - Environmental Management
- E1 - Local Centre
- E2 - Commercial Centre
- E3 - Productivity Support
- E4 - General Industrial
- E5 - Heavy Industrial
- MU1 - Mixed Use
- R1 - General Residential
- R2 - Low Density
- R3 - Medium Density Residential
- R4 - High Density Residential
- R5 - Large Lot Residential
- RE1 - Public Recreation
- RE2 - Private Recreation
- RU1 - Primary Production
- RU2 - Rural Landscape
- RU4 - Primary Production Small Lots
- SP1 - Special Activities
- SP2 - Infrastructure
- W1 - Natural Waterways

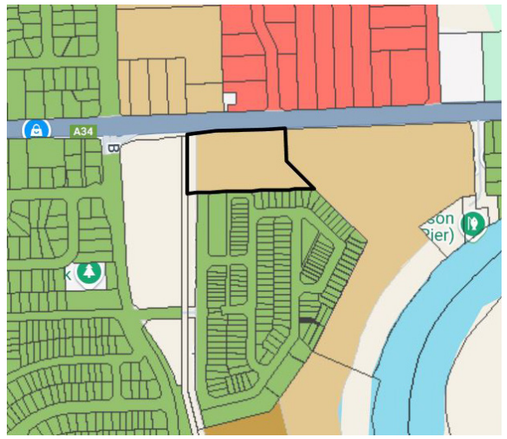
Floor Space Ratio



Legend (n:1)

- A1 -0.01
- A2 - 0.1
- A3 - 0.15
- A4 - 0.25
- D - 0.5
- F - 0.6
- G - 0.65
- I - 0.75
- N - 1.0
- P - 1.2
- S1 - 1.5
- S2 - 1.7
- S3 - 1.9
- T1 - 2.0
- T2 - 2.15
- U - 2.5
- V1 - 3.0
- V2 - 3.3
- W1 - 3.5
- W2 - 3.6
- W3 - 3.7
- X - 4.0
- Z - 5.0
- AA - 6.0

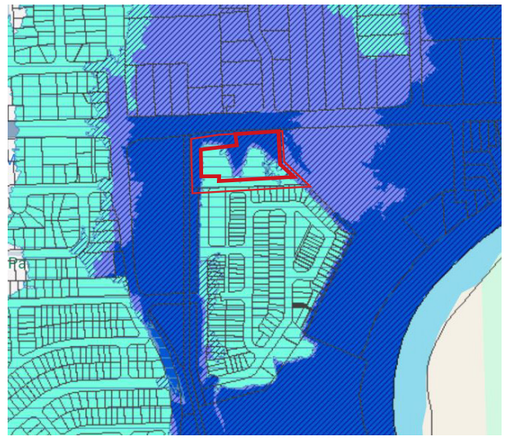
Height of Buildings



Legend (m)

- A - 3.0m
- I - 8.5m
- M - 12.0m
- N - 14.0m
- O - 15.0m
- P - 18.0m
- Q - 20.0
- R - 21.0m
- S - 24.0m
- T1 - 25.0m
- T2 - 28.0m
- T3 - 29.0m
- U - 30.0m
- V - 35.0m
- X1 - 45.0m
- X2 - 46.0m
- Z1 - 56.0m
- Z2 - 58.0m
- AA1 - 65.0m
- AA2 - 68.0m
- AA3 - 76.0m
- AA4 - 77.0m
- AB - 80.0m
- AC - 100.0m
- Y - 50.0m

Flood Planning



Legend (m)

- Low flood risk
- Medium flood risk
- High flood risk

Flood Inundation (Austral, Kemps Creek, Badgerys Creek and Nepean River)

- Indicative extent of inundation for 1% AEP flood
- Indicative extent of inundation for 5% AEP flood
- Indicative extent of 1% floodway
- Indicative extent of PMF

N

2.0 Urban Context and Site Analysis / 2.03 Existing Site Photographs





View 1
Looking South from Eastern boundary on Newbridge Road



View 2
Looking South-West from Newbridge Road



View 3
Looking North-East from Entrance



View 4
Looking South from Entrance



View 5
Looking South-West from Entrance



View 6
Looking South from Western boundary on Newbridge Road

3.0 Design Evolution & Response / 3.01 Road Network & Access

The site currently has a slip lane with left in, and left out from Newbridge Road.

The proposal encompasses:

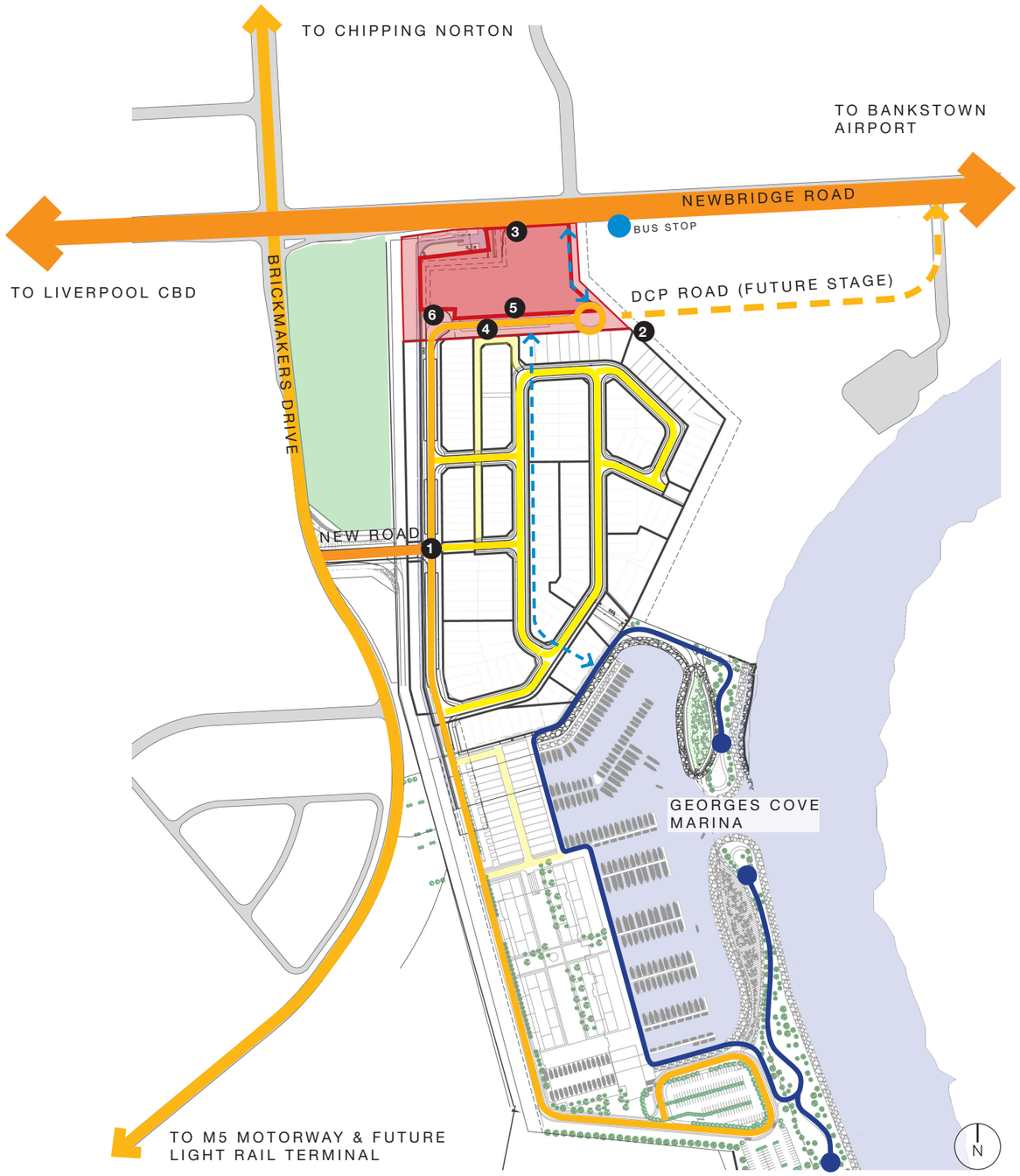
- Extension of existing slip lane to Newbridge Rd along frontage
- Entry + exit for heavy vehicles from Newbridge Rd
- Entry only for retail/commercial customer vehicles from Newbridge Rd
- All other traffic access from the new DCP road to the South

Legend

	Subject Site
	Collector Street 20m
	Main Access Street 15m
	Other Local Access Street
	Pedestrian Walkways
	Foreshore Walk

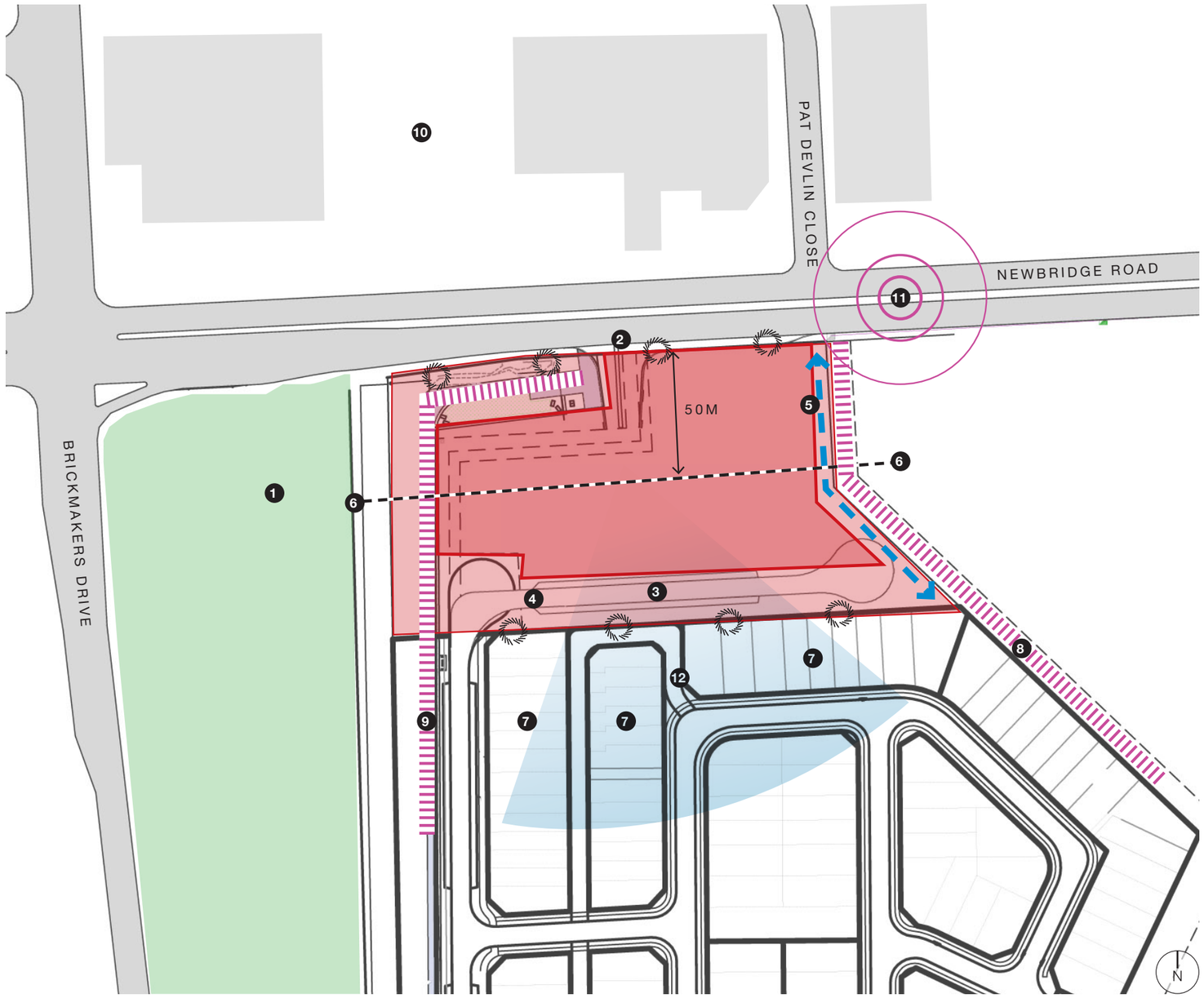
Vehicular Network

1	Site is connected to Brickmakers Drive through Mirvac Estate. This is flood free access
2	Future connection through development sites to the east
3	Existing driveway access to site proposed to provide entry + exit for trucks, and entry only for cars
4	DCP road provided on site (connection)
5	Access + exit for residential vehicles
6	Access + exit for retail vehicles



3.0 Design Evolution & Response / 3.02 Key Design Considerations

The following key opportunities and constraints on the site have been dealt with as part of the design response.



Opportunities

1	Landscape outlook
2	Vehicular access to Newbridge Road
3	New DCP road providing level address
4	Significant cross fall enables sleeving of carpark to residential area, and elevation of building above flood planning levels
5	Pedestrian Public Cross Link connecting Newbridge Rd to New Road and residential areas

Constraints

6	50 metre setback for residential development
7	Future residential development to the South
8	Service easement to East
9	Drainage channel to West
10	Adjacent industrial estate
11	Noise + amenity constraints of Newbridge Rd lie to North of site
12	Significant local views exist due South of site

Legend

	Subject Site
	High Point
	Low Point
	Pedestrian Walkway
	Drainage Channel Easement

3.0 Design Evolution & Response / 3.03 Approved Subdivision Plan

Approved subdivision of lots:

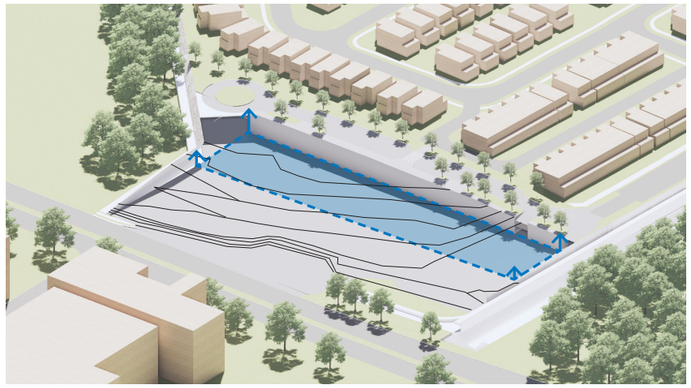


3.0 Design Evolution & Response / 3.04 Massing Concept

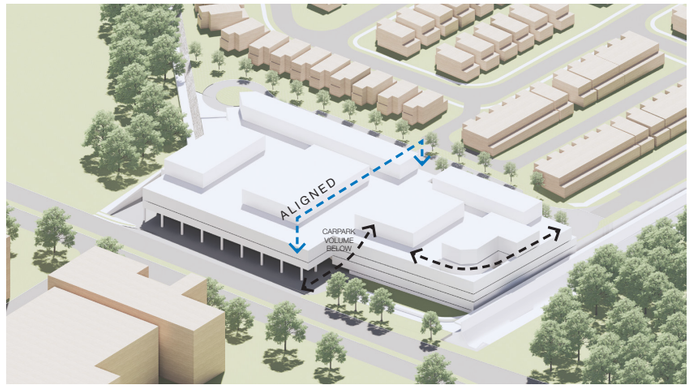
Concept diagrams outlining strategy behind massing and connection to the site. The design aims to work with the existing topography constraints to maximise yield without compromising space. The street network has defined the retail frontage, creating opportunity for communal street interactions and tucking away parking.

The pedestrian network has been enhanced with curated massing blocks that work with the existing height plane. These light industries are positioned above the retail to make the most of the views around the precinct.

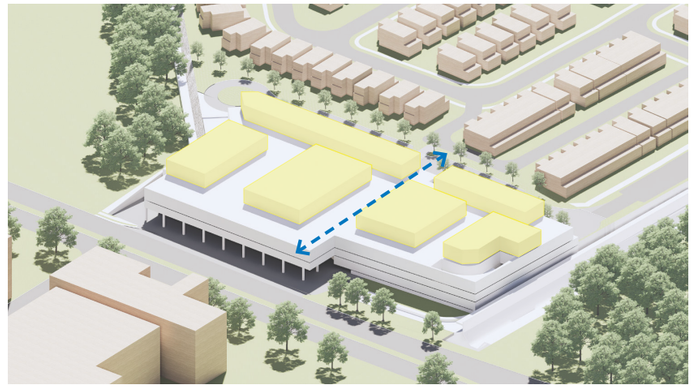
A buffer between Newbridge Road and pedestrian areas is created with the strategic positioning of the loading dock and ramp.



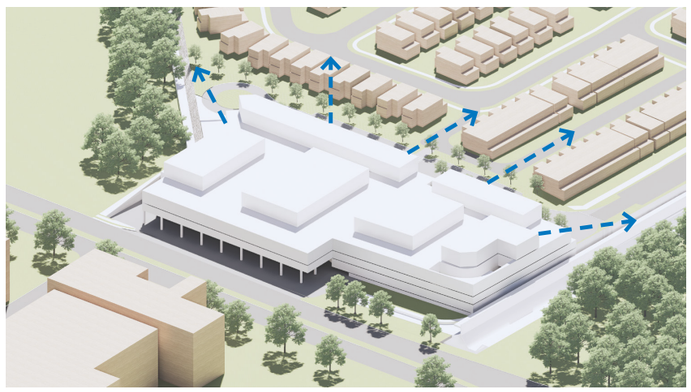
1:
Proposed site topography; Lift all carparking above Flood Planning Level



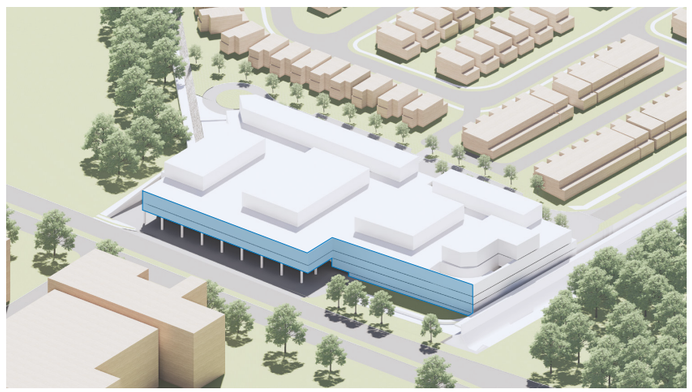
2:
Set main retail level to Georges Cove street network; creating carpark volume



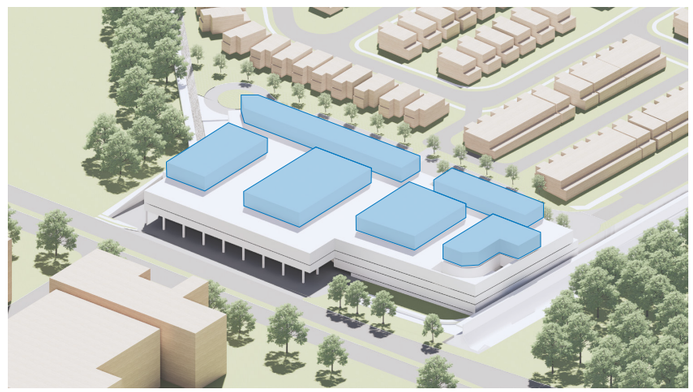
3:
Draw in the surrounding street and pedestrian network



4:
Light industries positioned above capturing views



5:
Loading dock and ramp positioned on Newbridge Road to create a buffer



6:
Articulate light industry forms to allow for views and solar access to South

3.0 Design Evolution & Response / 3.05 Site - Flooding

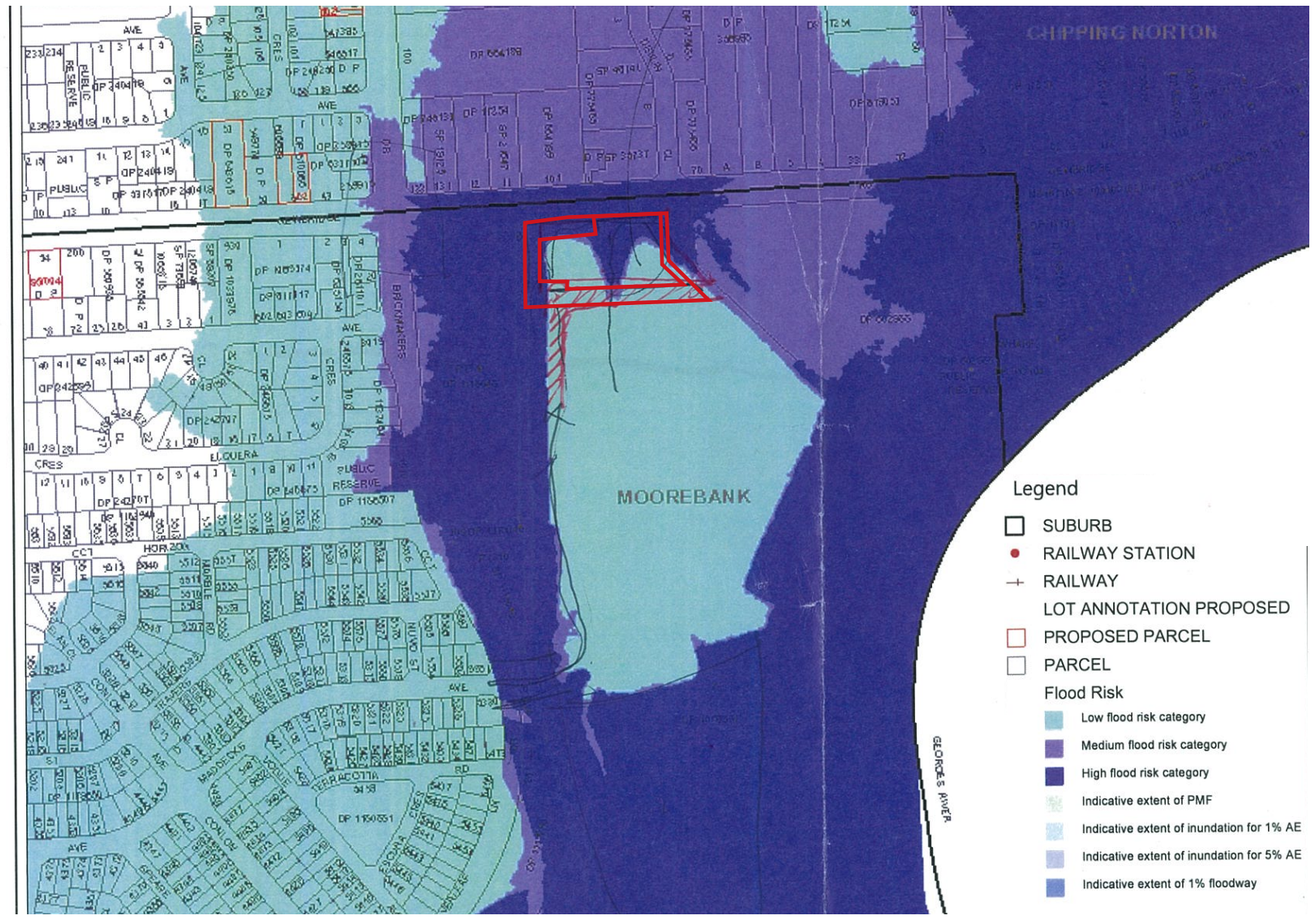
The subject site is flood affected according to Liverpool Council Modelling. The proposed development has been sited above the flood planning level throughout. The proposed critical levels are:

- Loading dock RL 3.0m
- Lower retail parking RL 4.6m
- Retail parking RL 10.3m

All levels are above minimum RL flood planning levels.

The carpark is proposed as a suspended slab to allow for limited disruption to the current flood movement patterns. The loading dock apron will be below this level, matching current site level.

Refer to detailed flood study for additional information.



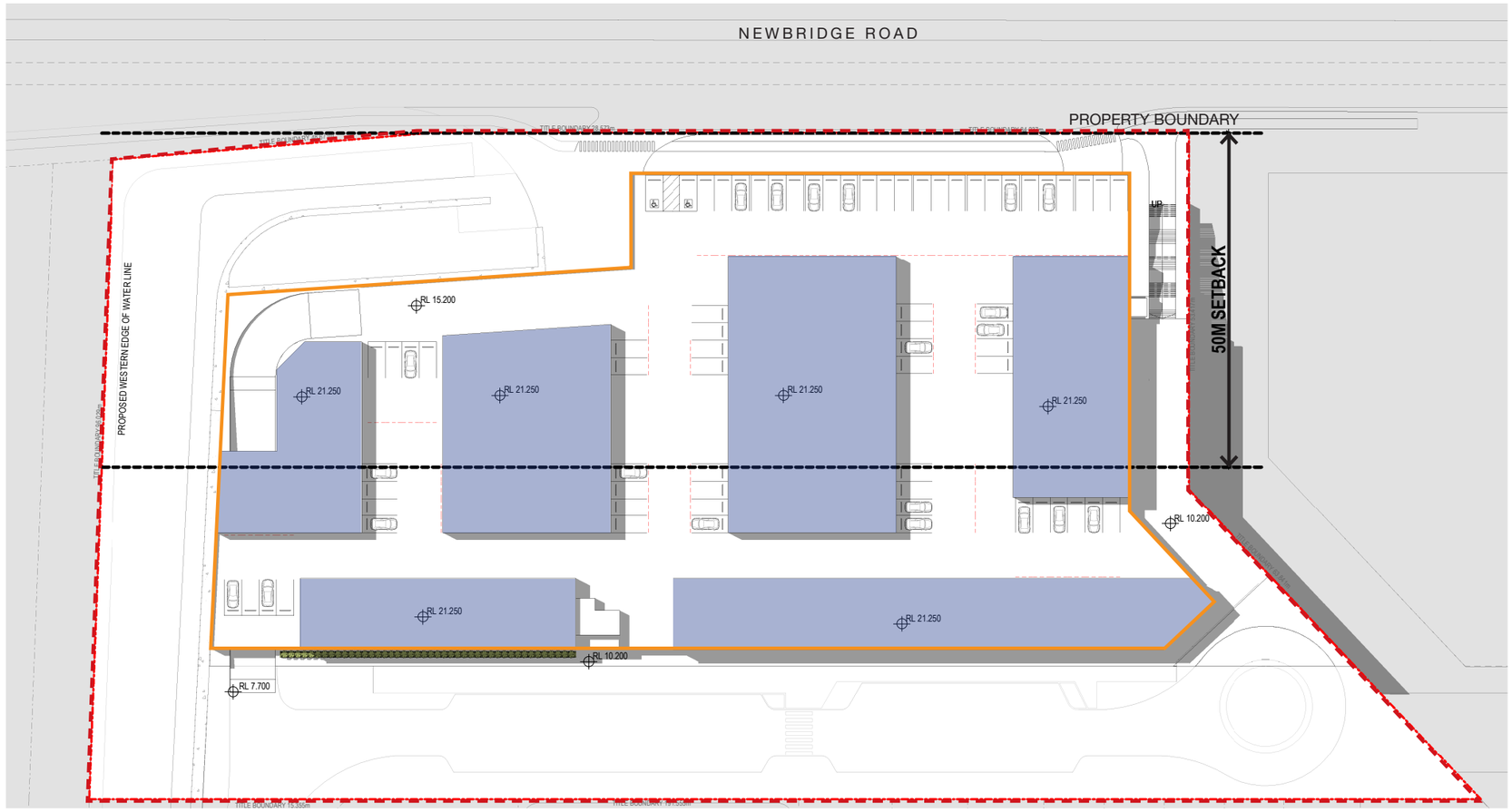
3.0 Design Evolution & Response / 3.06 50m Setback

No residential uses are proposed within the existing 50m setback to Newbridge Rd. Non-residential uses are proposed within the setback, in accordance with the controls and to act as an additional buffer to traffic noise.

Legend

- Subject Site
- Retail Below
- Light Industries

Top View



BENEDICT B6
MASSING ENVELOPE



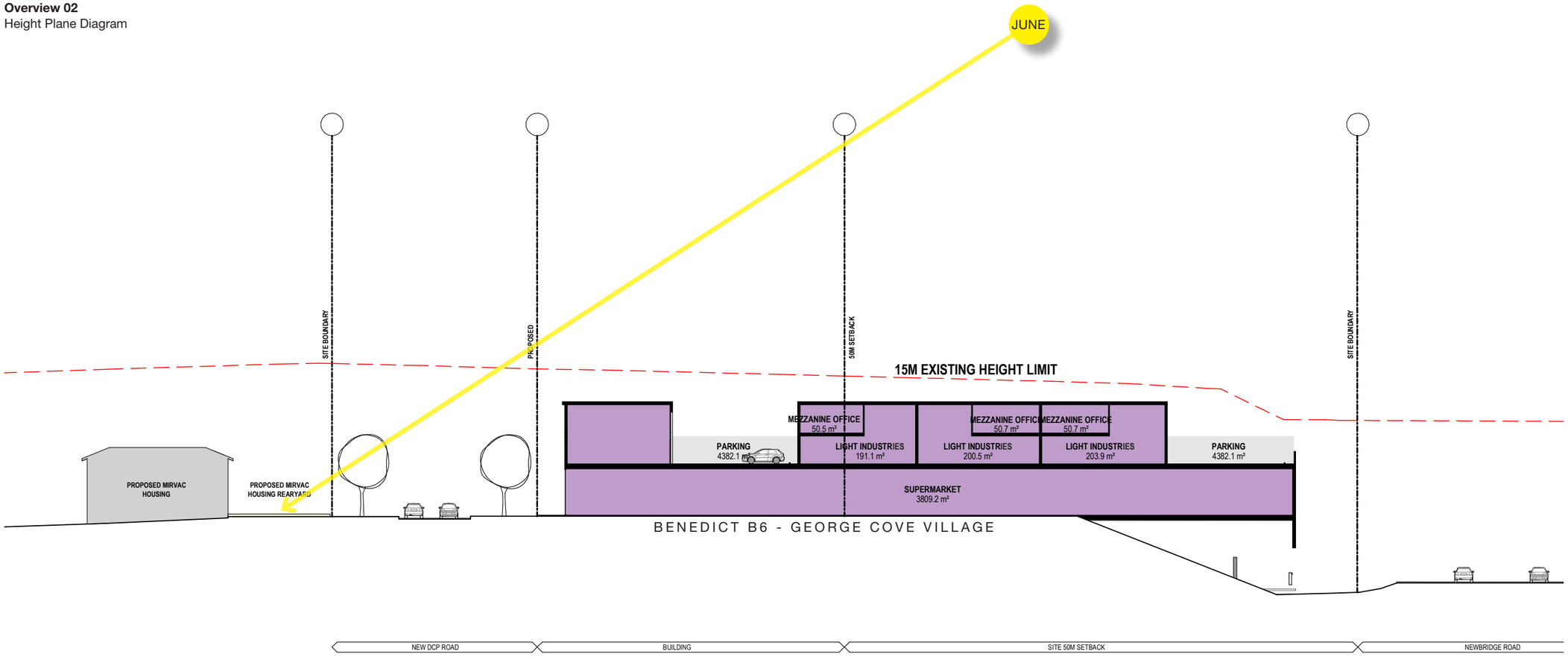
Overview 01
Looking East towards proposal

Overview 02
Height Plane Diagram

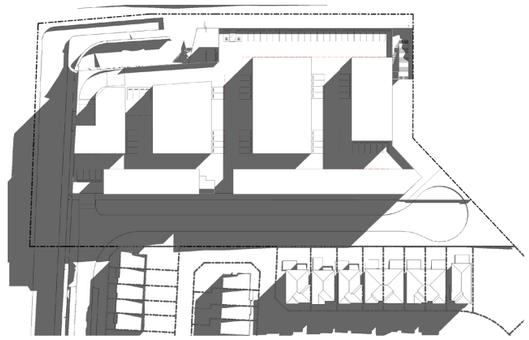
The subject site has been analysed with regard to:

- Solar access to sites to South
- Visual impact of development from North to South (see overleaf for view)

No Additional height is proposed as part of this application, with the development sitting entirely within the existing 15m height limit.



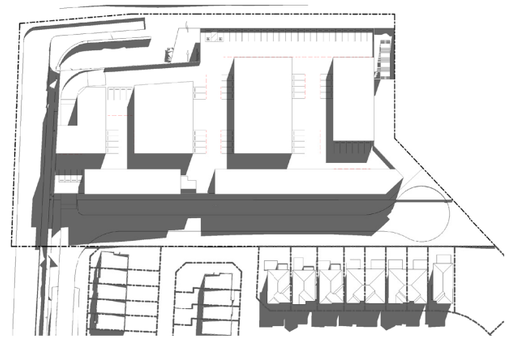
3.0 Design Evolution & Response / 3.08 Solar Analysis



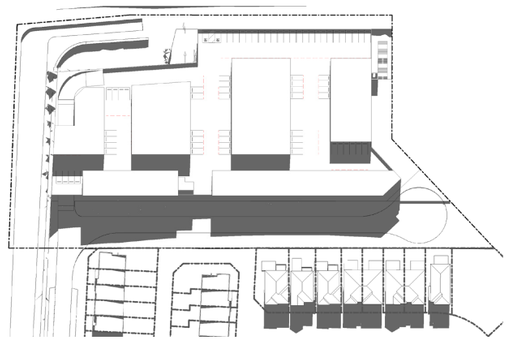
June 22nd
09 00



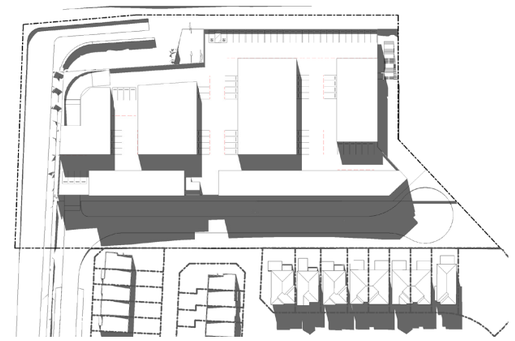
June 22nd
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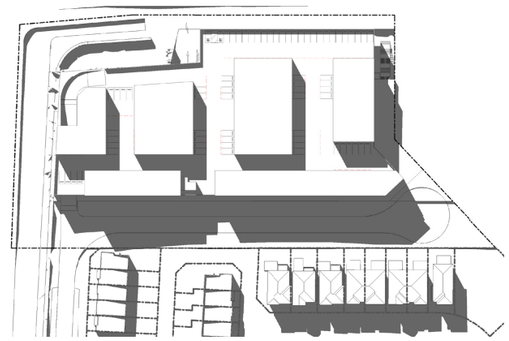
June 22nd
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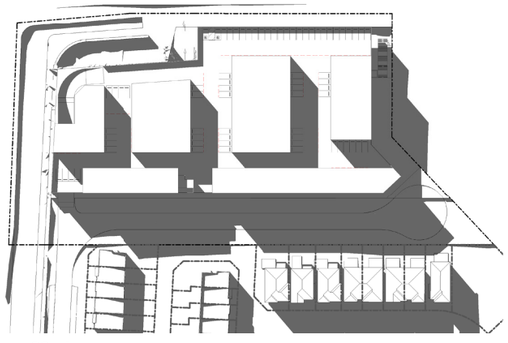
June 22nd
12 00



June 22nd
13 00



June 22nd
14 00



June 22nd
15 00

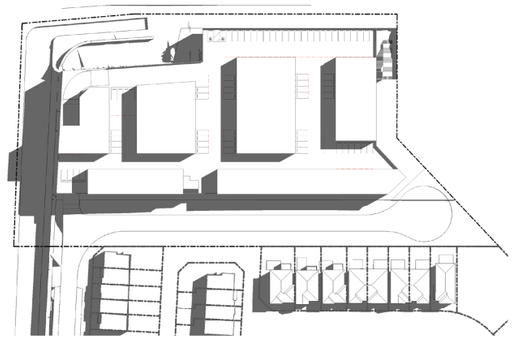
The proposed massing configuration has been attuned to maximise solar access to the residential housing to the south. The low rise light industry units are orientated to create these shadow profiles with the Southern linear blocks set to not create overshadowing to the neighbouring houses.

The majority of overshadowing generated by the development is cast onto the densely landscaped sites to the West/South-West.

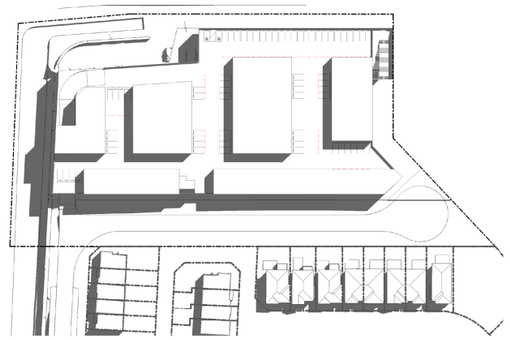
The entirety of the development has a height that creates no additional shadow cast into the rear yards of the housing in the Mirvac Estate.

Detailed shadow studies for each dwelling is contained in Architectural Drawings.

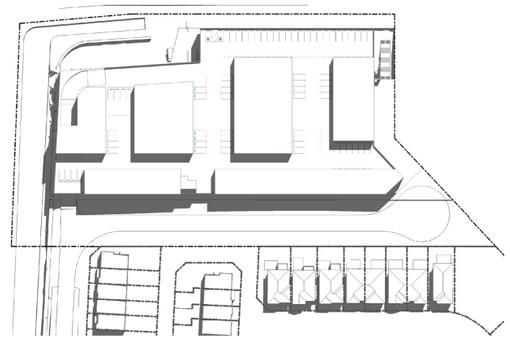
3.0 Design Evolution & Response / 3.09 Solar Analysis



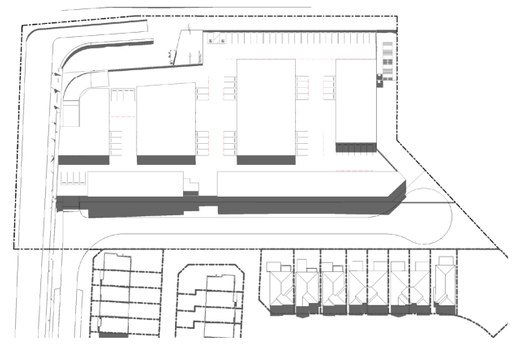
September 21st
09 00



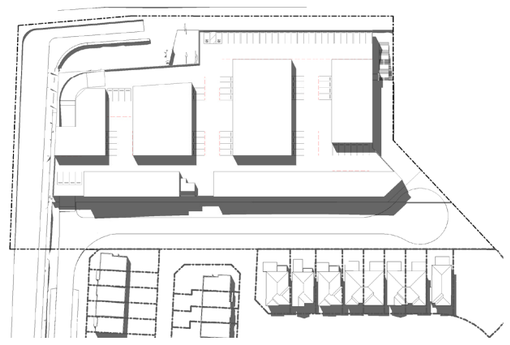
September 21st
10 00



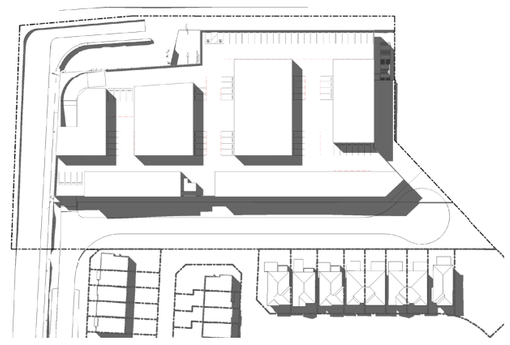
September 21st
11 00



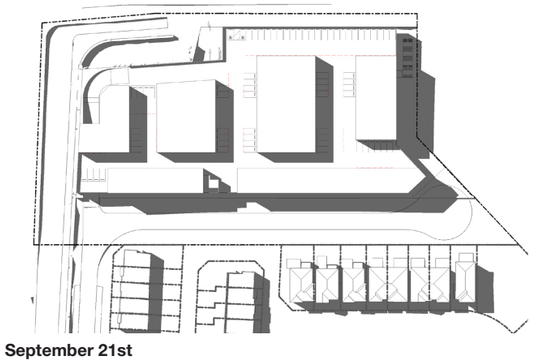
September 21st
12 00



September 21st
13 00



September 21st
14 00

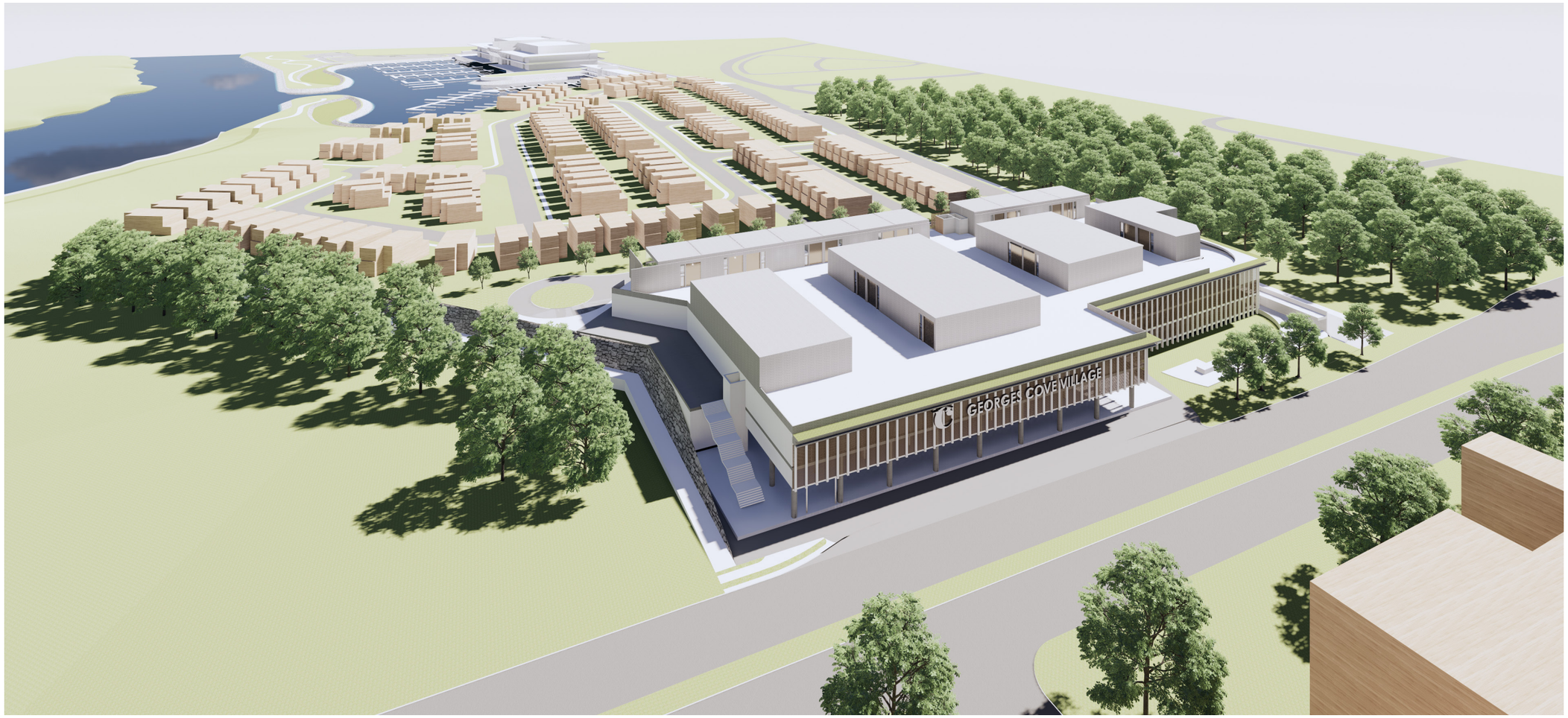


September 21st
15 00

At the solar Equinox, no shadows cast from the proposed development will land on the primary private open spaces of the dwelling houses in the Mirvac Estate.

4.0 Design Proposal / 4.01 Perspective

Overview 01
Perspective



4.0 Design Proposal / 4.02 Perspective

Overview 02
Perspective



Overview 03
Perspective



Overview 04
Perspective



Street Interface
Perspective



4.0 Design Proposal / 4.06 Perspective

Retail Entry
Elevation



4.0 Design Proposal / 4.07 Perspective

Retail Entry
Perspective



Facade Detail
Elevation



DEVELOPMENT SUMMARY

LEVEL	PARKING	NLA COMMERCIAL	NLA RETAIL	CIRCULATION/ SERVICES
LEVEL 1 - DOCK	0.0 m²	0.0 m²	0.0 m²	216.9 m²
LEVEL 2 - PARKING	5786.1 m²	0.0 m²	0.0 m²	479.3 m²
LEVEL 3 - SUPERMARKET	2794.6 m²	3809.2 m²	1045.0 m²	862.7 m²
LEVEL 4 - LIGHT INDUSTRIES	4382.1 m²	3859.3 m²	0.0 m²	96.3 m²
LEVEL 5 - LIGHT INDUSTRIES MEZZANINE	0.0 m²	1252.9 m²	0.0 m²	0.0 m²
	12962.8 m²	8921.4 m²	1045.0 m²	1655.2 m²

GFA SCHEDULE

NAME	AREA
Core	83.0 m²
GFA_Light Industries	4691.6 m²
GFA_Retail/Commercial	1585.0 m²
GFA_Supermarket	3797.6 m²
Services	230.2 m²
	10387.4 m²

GFA SUMMARY

LEVEL	GFA
LEVEL 1 - DOCK	83.0 m²
LEVEL 2 - PARKING	376.7 m²
LEVEL 3 - SUPERMARKET	5324.1 m²
LEVEL 4 - LIGHT INDUSTRIES	3306.6 m²
LEVEL 5 - LIGHT INDUSTRIES MEZZANINE	1297.0 m²
	10387.4 m²

AREA	PERMISSIBLE FSR	PERMISSIBLE GFA
17218.4 m²	0.75	12913.8 m²

Area Schedule (NLA - RETAIL)

Level	Area
LEVEL 3 - SUPERMARKET	5326.7 m²
	5326.7 m²

Area Schedule (NLA - LIGHT INDUSTRIES)

Level	Area
LEVEL 4 - LIGHT INDUSTRIES	3630.6 m²
LEVEL 5 - LIGHT INDUSTRIES MEZZANINE	1272.4 m²
	4903.0 m²



SHEET LIST

No.	TITLE	REV.
SK00.00	DEVELOPMENT SUMMARY	P4
SK00.01	SITE PLAN	P8
SK00.02	CONTEXT PLAN	P3
SK01.01	LEVEL 1 - DOCK	P8
SK01.02	LEVEL 2 - CARPARK	P7
SK01.03	LEVEL 3 - RETAIL	P7
SK01.04	LEVEL 4 - LIGHT INDUSTRIES	P4
SK01.05	LEVEL 5 - MEZZANINE OFFICE	P3
SK01.06	LEVEL 6 - ROOF	P3
SK02.01	SECTIONS	P4
SK03.01	WINTER SOLSTICE	P3
SK03.02	EQUINOX	P3
SK05.01	GFA PLANS	P6
SK05.02	NLA PLANS	P6

PARKING SCHEDULE

LEVEL	CARPARKS				CAR PARKING	MOTORBIKE PARKING
	INDUSTRIAL	INDUSTRIAL (ACCESSIBLE)	RETAIL	RETAIL (ACCESSIBLE)		
LEVEL 2 - PARKING	0	0	182	4	182	5
LEVEL 3 - SUPERMARKET	0	0	97	4	97	5
LEVEL 4 - LIGHT INDUSTRIES	72	2	0	0	72	0
	72	2	279	8	351	10

Area Schedule (NLA - RETAIL PARKING RATE)

Area	Parking Rate (RETAIL)
5326.7 m²	266

Area Schedule (NLA - LIGHT INDUSTRIES PARKING...

Area	Parking Rate
4903.0 m²	140

Area Schedule (NLA - FACTORY PARKING RATE)

Area	Parking Rate
4903.0 m²	65

Liverpool DCP:

1 disabled parking per 100 retail/commercial

Current Light Industries LFA: 4923.5m²

1 carpark per **35m²** of **Office LFA**

1 carpark per **75m²** of **Factory/Warehouse LFA**

Current Retail LFA: 5331.7m²

1 carpark per **20m²** of **Retail LFA**

LINK:
https://eplanning.liverpool.nsw.gov.au/Pages/Plan/Book.aspx?exhibit=OnlineControls&hid=4992&s=b6+enterprise+corridor

Liverpool Development Control Plan 2008 > Part 1 (General Controls for all Development) > 20 (Car Parking and Access) > 20.3 (On site parking)

PLANNING PROPOSAL

Revisions

P1	20.12.22	FOR CLIENT REVIEW	DM
P2	31.03.23	FOR CLIENT REVIEW	DM
P3	26.07.23	FOR CLIENT REVIEW	DM
P4	21.03.25	FOR INFORMATION	HDF

21/03/2025 11:48:58 AM

Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **DEVELOPMENT SUMMARY**

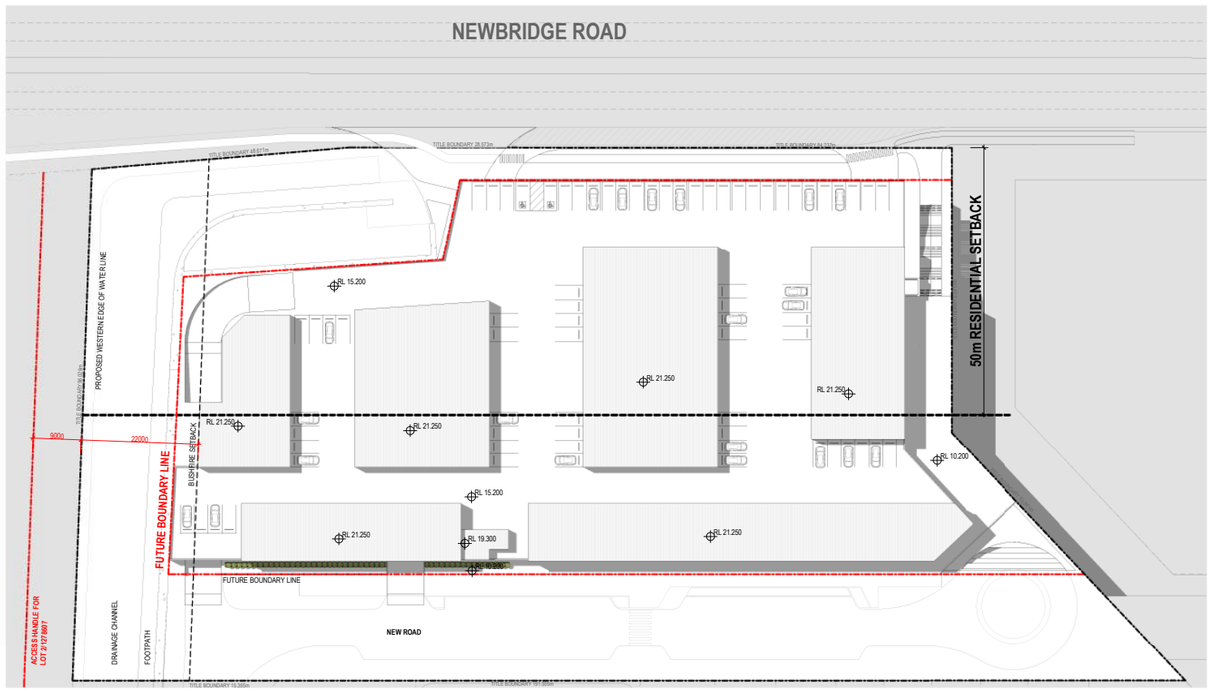
Project No: **214205** Date: **20.12.22** Author: **DM** Scale: @ A1

Drawing No: **SK00.00 P4**

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SITE PLAN - 50m Setback

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Revisions			
P4	28.08.19	FOR CLIENT REVIEW	JLi
P5	20.12.22	FOR CLIENT REVIEW	DM
P6	31.03.23	FOR CLIENT REVIEW	DM
P7	26.07.23	FOR CLIENT REVIEW	DM
P8	21.03.25	FOR INFORMATION	HDF

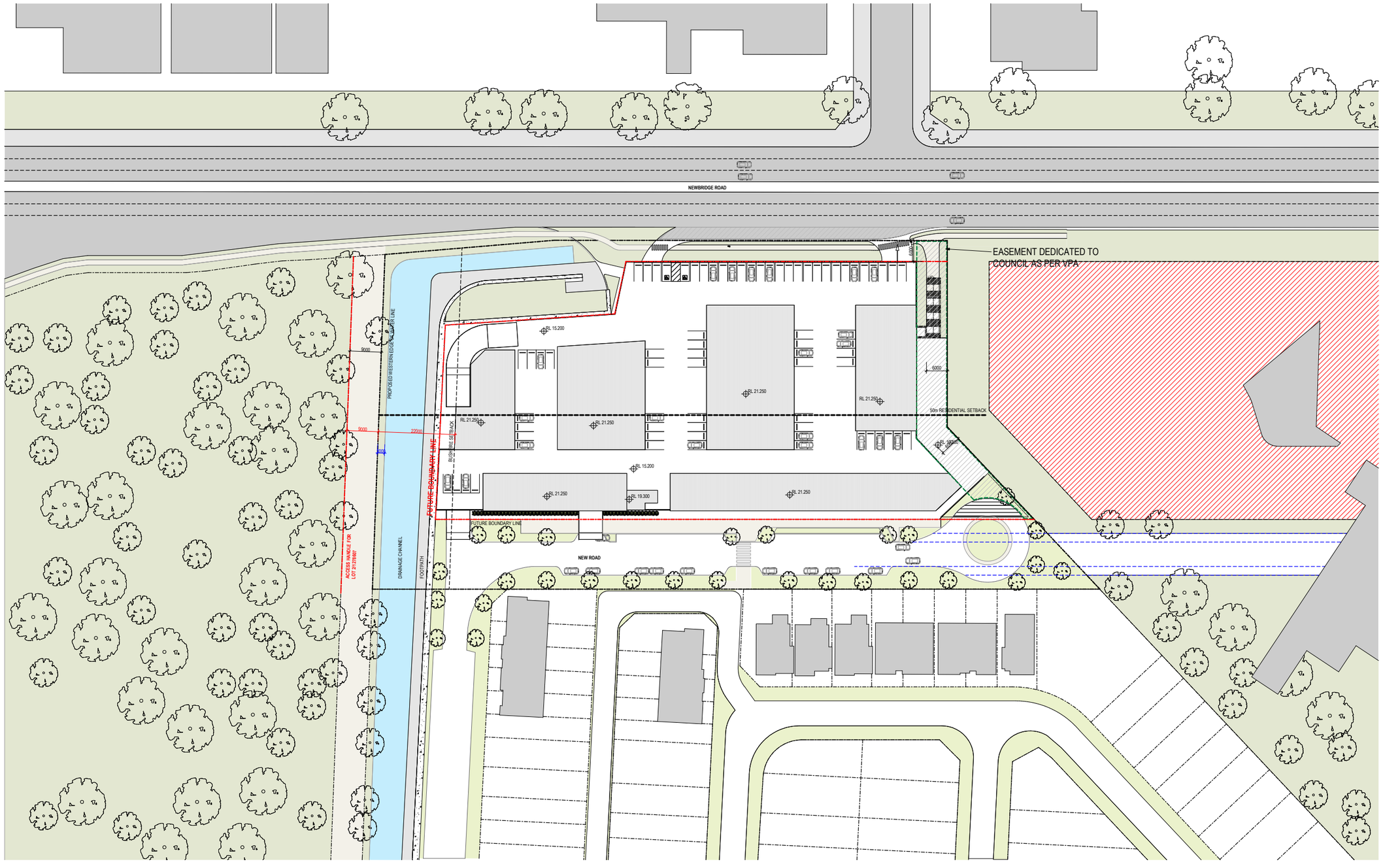
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Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **SITE PLAN**
Project No: **214205**
Date: **20.12.22**
Author: **DM**
Scale: @ A1: **1 : 500**
Drawing No: **SK00.01 P8**

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Revisions			
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P2	24.05.19	FOR INFORMATION	JG
P3	21.03.25	FOR INFORMATION	HDF

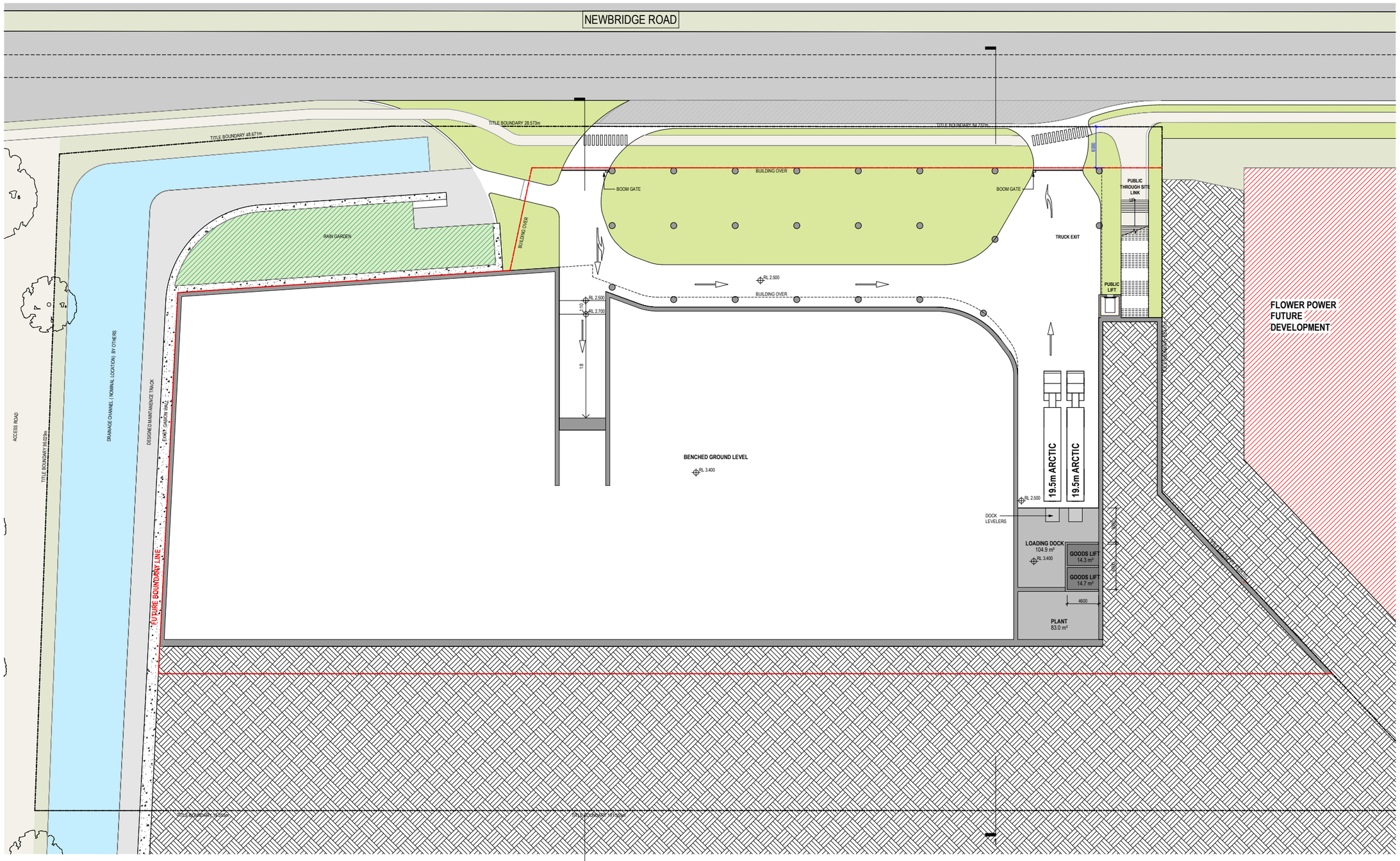
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Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **CONTEXT PLAN**
Project No: **214205**
Date: **11/05/2017**
Author: **AK**
Scale: @ A1: **1 : 500**
Drawing No.: **SK00.02 P3**

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P4	28.08.19	FOR CLIENT REVIEW	JLi
P5	20.12.22	FOR CLIENT REVIEW	DM
P6	31.03.23	FOR CLIENT REVIEW	DM
P7	26.07.23	FOR CLIENT REVIEW	DM
P8	21.03.25	FOR INFORMATION	HDF

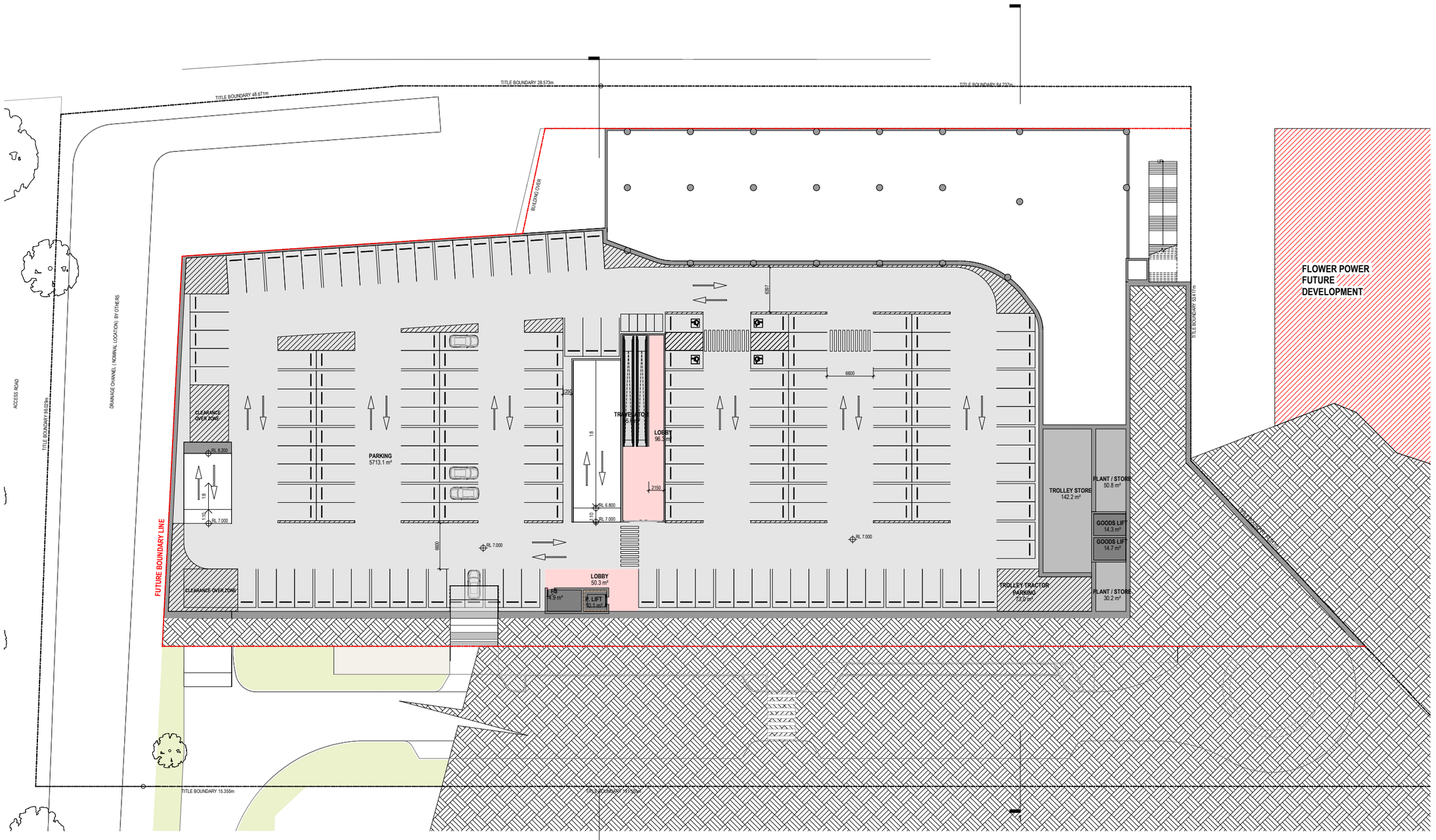
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Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **LEVEL 1 - DOCK**
Project No: **214205**
Date: **20.12.22**
Author: **DM**
Scale: @ A1: **1 : 250**
Drawing No: **SK01.01 P8**

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P3	19.08.19	FOR CLIENT REVIEW	JLi
P4	28.08.19	FOR CLIENT REVIEW	JLi
P5	20.12.22	FOR CLIENT REVIEW	DM
P6	31.03.23	FOR CLIENT REVIEW	DM
P7	26.07.23	FOR CLIENT REVIEW	DM

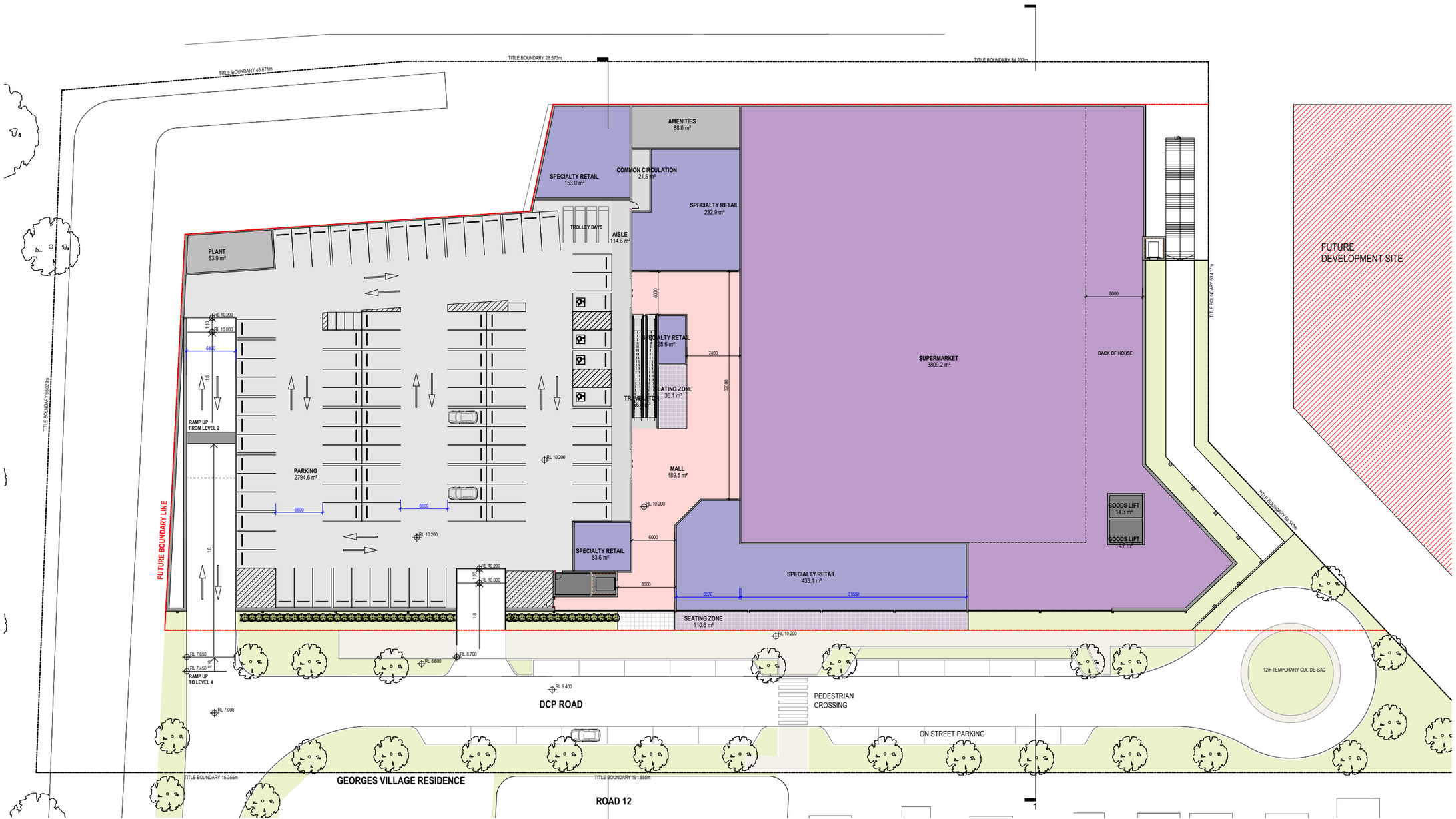
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Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **LEVEL 2 - CARPARK**
Project No.: **214205**
Date: **20.12.22**
Author: **DM**
Scale: @ A1: **1 : 250**
Drawing No.: **SK01.02 P7**

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	P4	28.08.19	FOR CLIENT REVIEW	JLi
	P5	20.12.22	FOR CLIENT REVIEW	DM
	P6	31.03.23	FOR CLIENT REVIEW	DM
	P7	26.07.23	FOR CLIENT REVIEW	DM

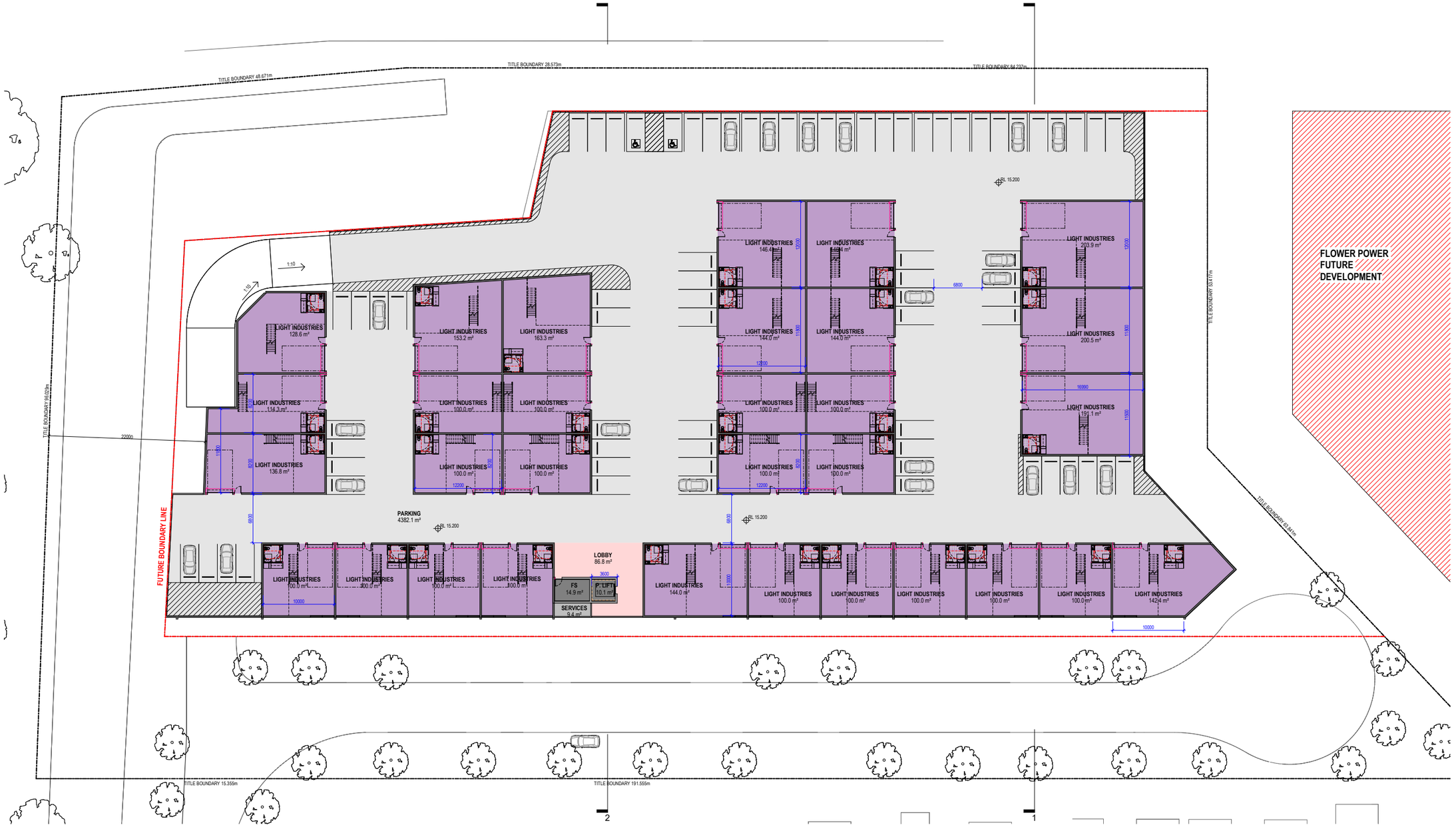
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Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **LEVEL 3 - RETAIL**
Project No: **214205**
Date: **20.12.22**
Author: **DM**
Scale: @ A1: **1 : 250**
Drawing No: **SK01.03 P7**

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TITLE BOUNDARY 48.671m
TITLE BOUNDARY 28.573m
TITLE BOUNDARY 84.237m
TITLE BOUNDARY 53.417m
TITLE BOUNDARY 83.843m
TITLE BOUNDARY 98.029m
TITLE BOUNDARY 15.355m
TITLE BOUNDARY 191.555m
FUTURE BOUNDARY LINE
FLOWER POWER
FUTURE
DEVELOPMENT
SL 15.200
1:10
LIGHT INDUSTRIES 128.6 m²
LIGHT INDUSTRIES 153.2 m²
LIGHT INDUSTRIES 163.3 m²
LIGHT INDUSTRIES 146.4 m²
LIGHT INDUSTRIES 144 m²
LIGHT INDUSTRIES 203.9 m²
LIGHT INDUSTRIES 144.0 m²
LIGHT INDUSTRIES 200.5 m²
LIGHT INDUSTRIES 114.3 m²
LIGHT INDUSTRIES 100.0 m²
LIGHT INDUSTRIES 100.0 m²
LIGHT INDUSTRIES 136.8 m²
LIGHT INDUSTRIES 100.0 m²
LIGHT INDUSTRIES 100.0 m²
LIGHT INDUSTRIES 100.0



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Revisions

P1	20.12.22	FOR CLIENT REVIEW	DM
P2	31.03.23	FOR CLIENT REVIEW	DM
P3	26.07.23	FOR CLIENT REVIEW	DM

21/03/2025 11:49:11 AM

Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **LEVEL 5 - MEZZANINE OFFICE**

Project No: **214205**

Date: **20.12.22**

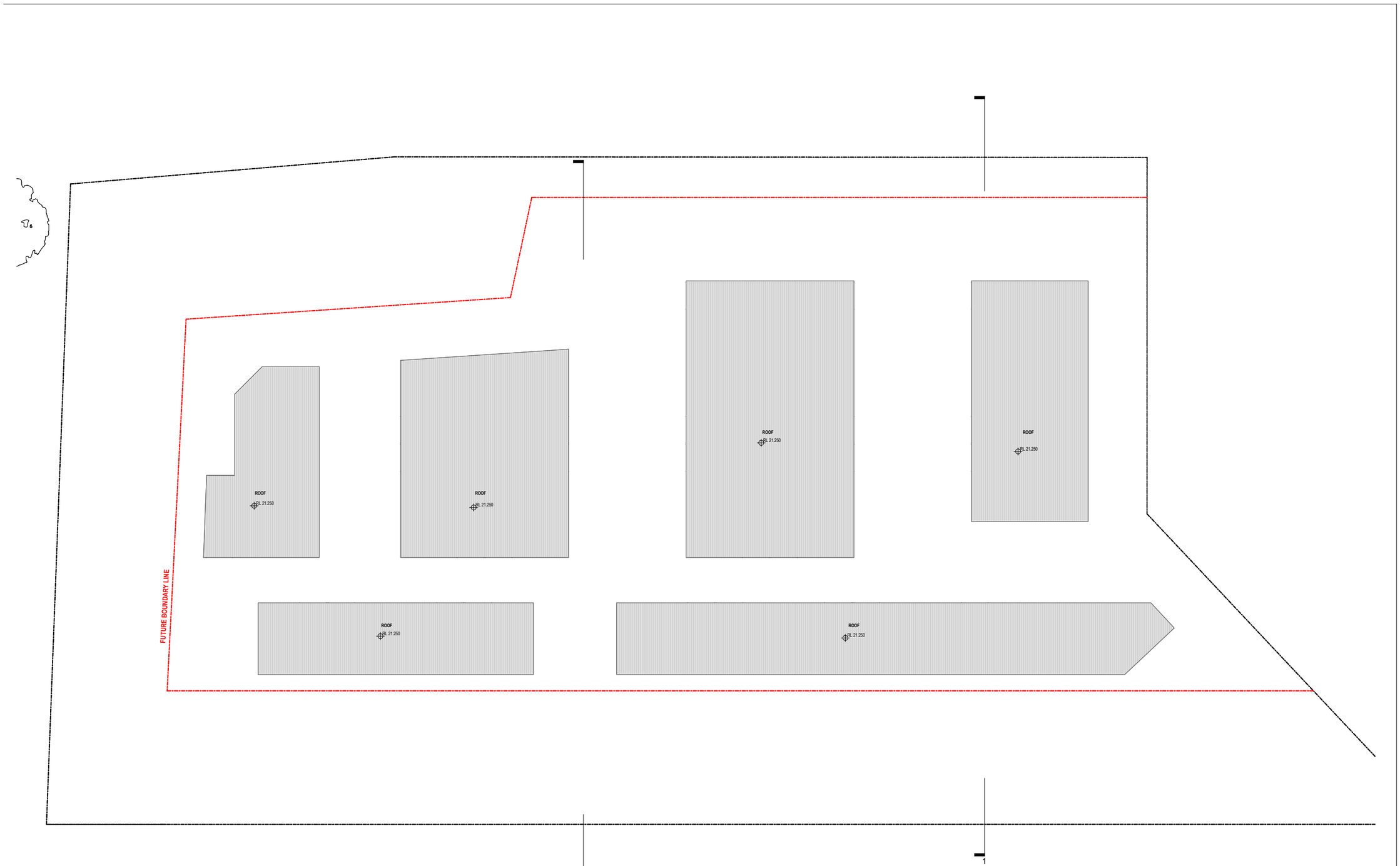
Author: **DM**

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Drawing No: **SK01.05 P3**

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P2	31.03.23	FOR CLIENT REVIEW	DM
P3	26.07.23	FOR CLIENT REVIEW	DM

21/03/2025 11:49:11 AM

Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **LEVEL 6 - ROOF**

Project No: **214205**

Date: **20.12.22**

Author: **DM**

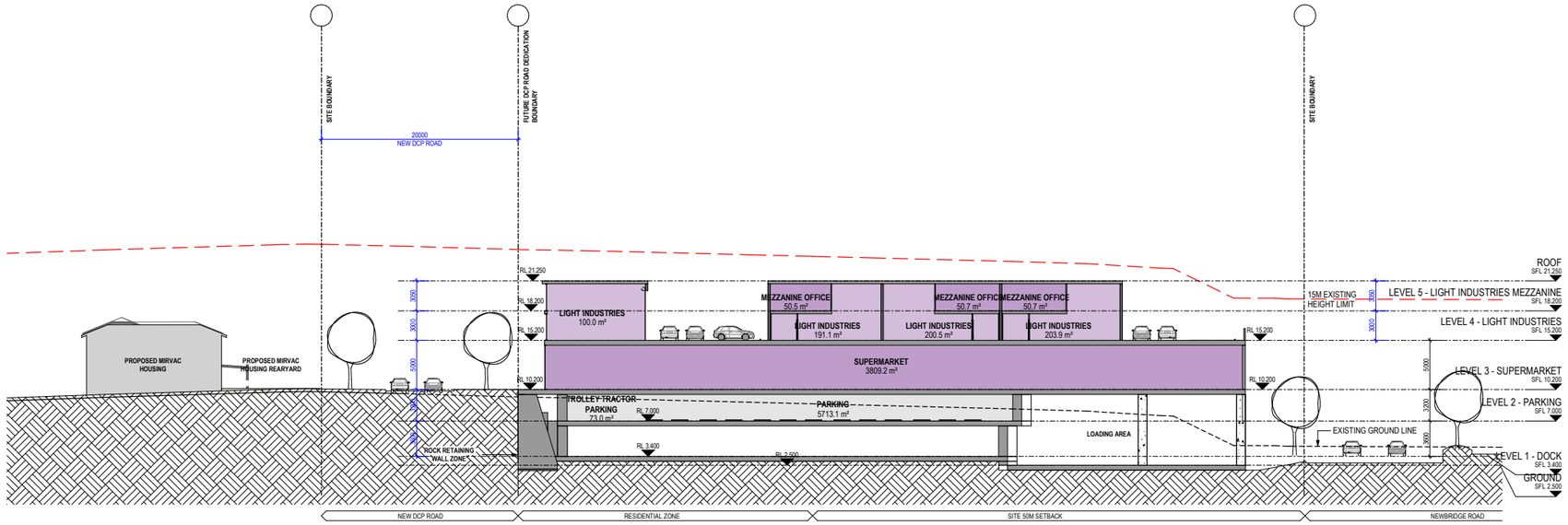
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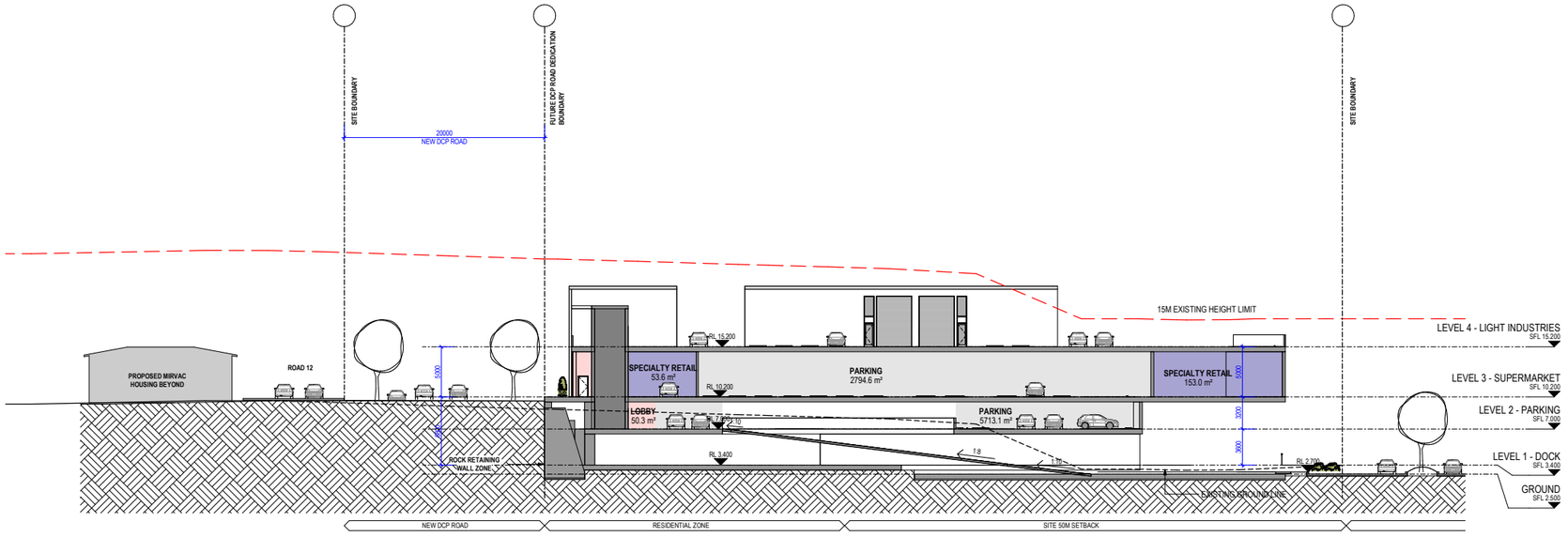
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SECTION_1



SECTION_2

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P3	26.07.23	FOR CLIENT REVIEW	DM
P4	21.03.25	FOR INFORMATION	HDF

21/03/2025 11:49:12 AM

Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **SECTIONS**

Project No: **214205**

Date: **20.12.22**

Author: **DM**

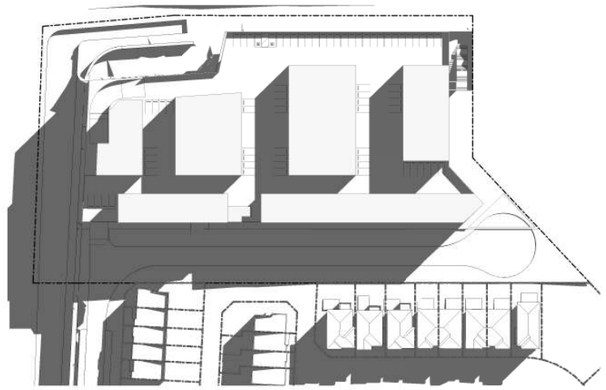
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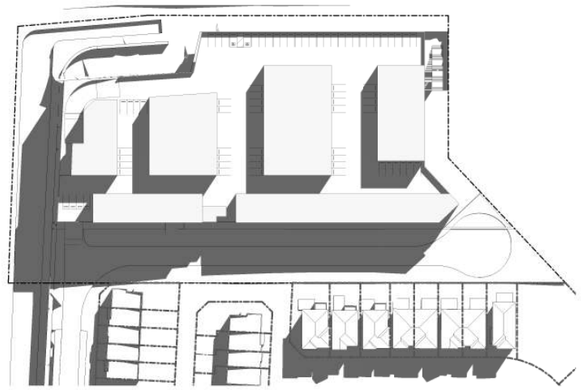
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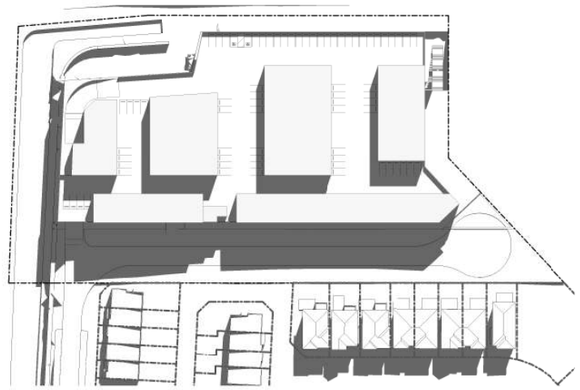
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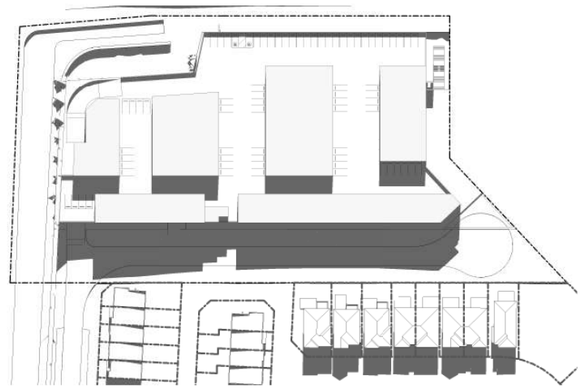
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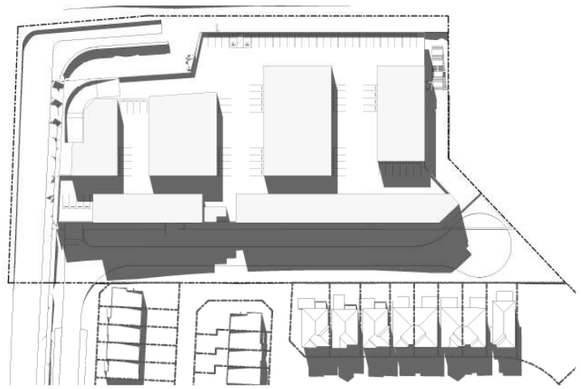
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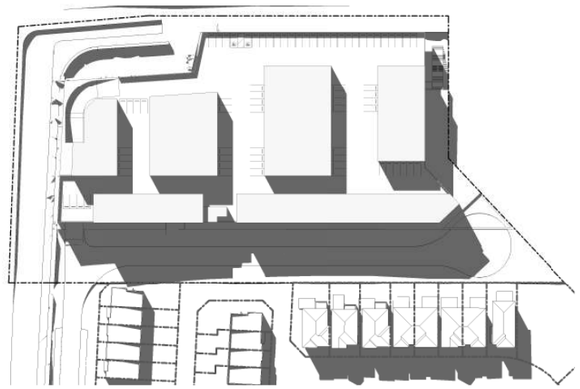
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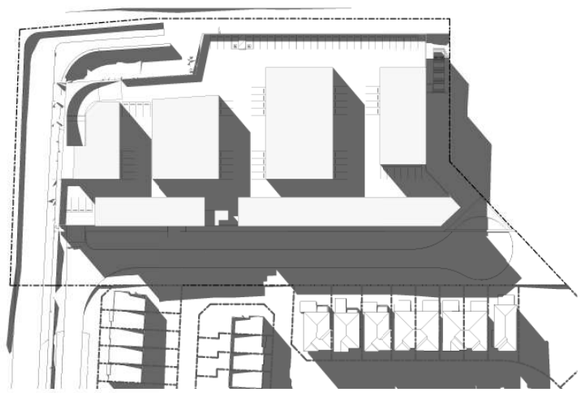
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1300 JUN22



1400 JUN22



1500 JUN22

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Revisions

P1	20.12.22	FOR CLIENT REVIEW	DM
P2	31.03.23	FOR CLIENT REVIEW	DM
P3	26.07.23	FOR CLIENT REVIEW	DM

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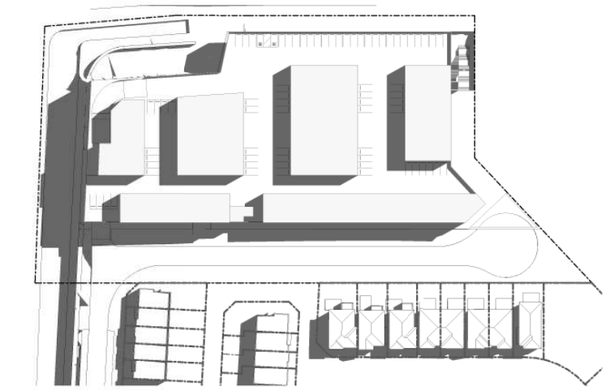
Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

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Project No: **214205**
Date: **20.12.22**
Author: **DM**
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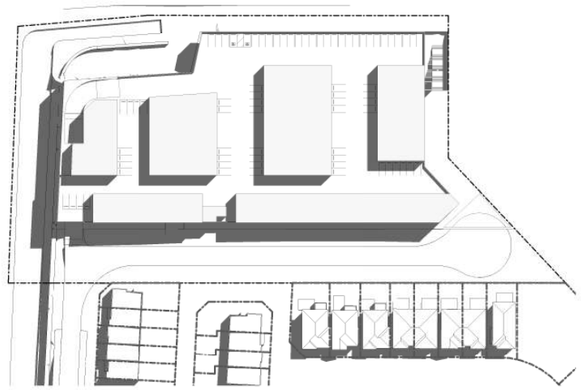
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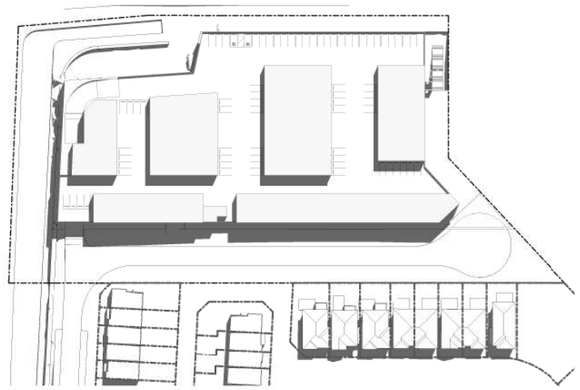
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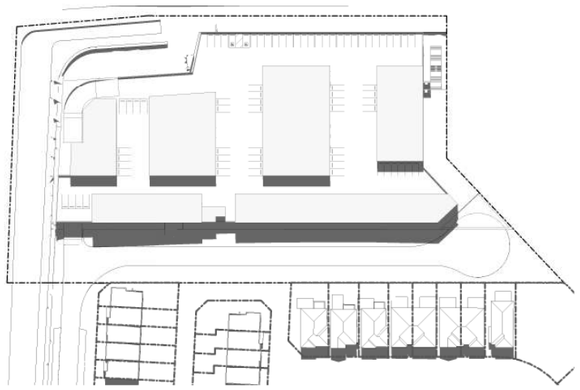
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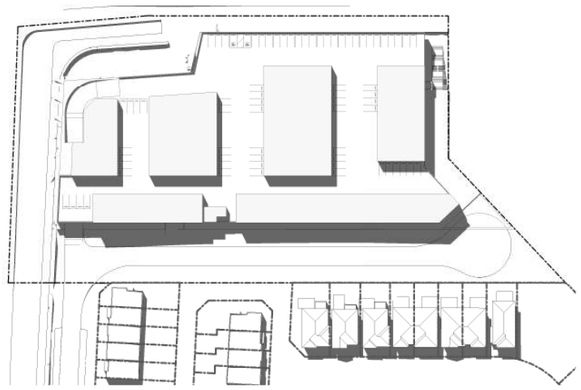
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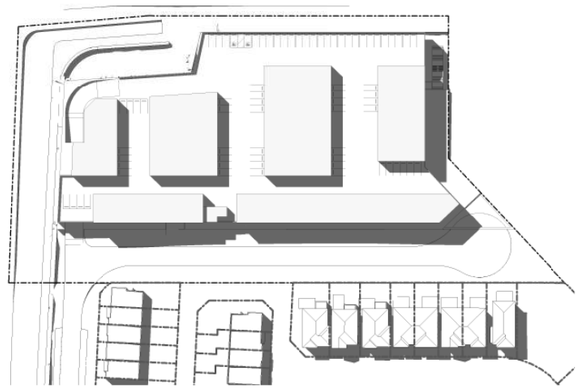
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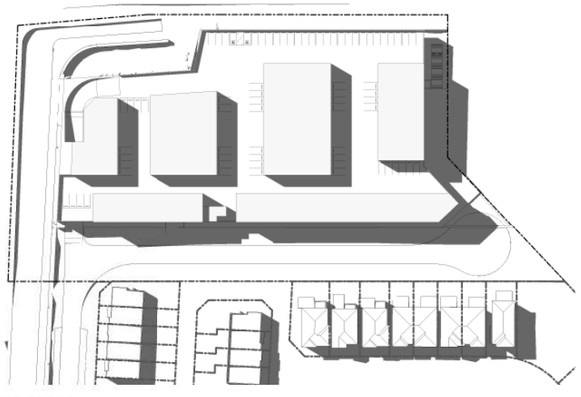
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1500 SEP22

PLANNING PROPOSAL

Revisions			
P1	20.12.22	FOR CLIENT REVIEW	DM
P2	31.03.23	FOR CLIENT REVIEW	DM
P3	26.07.23	FOR CLIENT REVIEW	DM

21/03/2025 11:49:30 AM

Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **EQUINOX**

Project No: **214205**

Date: **20.12.22**

Author: **DM**

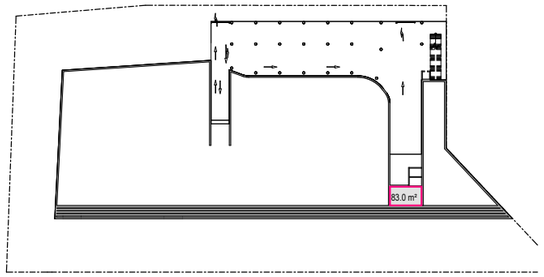
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Drawing No: **SK03.02 P3**

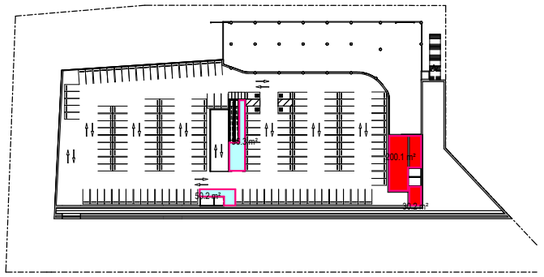
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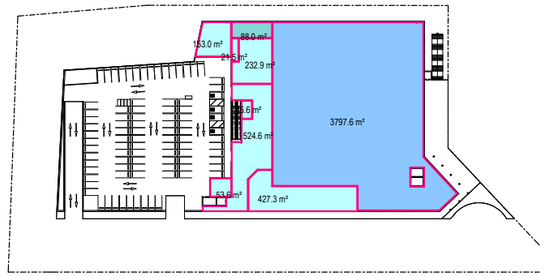
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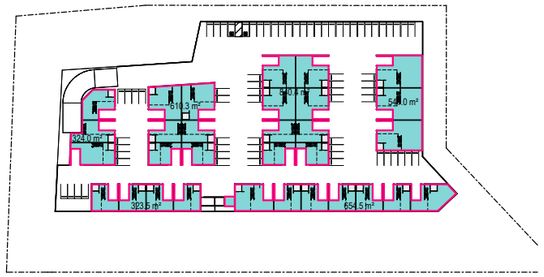
LEVEL 1 - DOCK



LEVEL 2 - PARKING



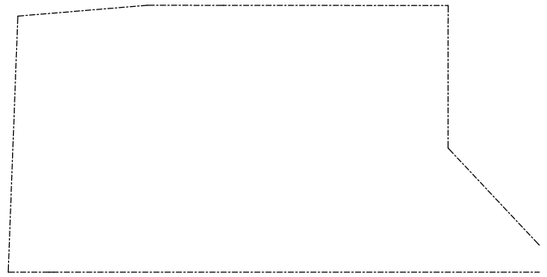
LEVEL 3 - SUPERMARKET



LEVEL 4 - LIGHT INDUSTRIES



LEVEL 5 - LIGHT INDUSTRIES
MEZZANINE



LEVEL 6 - ROOF

GFA SUMMARY

LEVEL	GFA
LEVEL 1 - DOCK	83.0 m²
LEVEL 2 - PARKING	376.7 m²
LEVEL 3 - SUPERMARKET	5324.1 m²
LEVEL 4 - LIGHT INDUSTRIES	3306.6 m²
LEVEL 5 - LIGHT INDUSTRIES MEZZANINE	1297.0 m²
	10387.4 m²

GFA SCHEDULE

NAME	AREA
Core	83.0 m²
GFA_Light Industries	4691.6 m²
GFA_Retail/Commercial	1585.0 m²
GFA_Supermarket	3797.6 m²
Services	230.2 m²
	10387.4 m²

AREA DEFINITIONS:

RESIDENTIAL:
Draft Strata Area - measured to inside finished face of corridor walls, parti walls and external walls.

OFFICE:
Net Lettable Area - measured as per the PCA method of measurement.

RETAIL:
Gross Lettable Area Retail - measured as per the PCA method of measurement.

GFA:
Gross Floor Area - measured as defined by the relevant LEP (Local Environmental Plan).

GBA:
Gross Building Area - measured to the slab edge of the building at all floor levels as the total enclosed and unenclosed area of the building.

*For preliminary feasibility purposes. Areas are not to be used for purpose of lease or sale agreements. Layouts may not comply with building regulations or other regulatory requirements. The information contained in this schedule is believed to be correct at the time of printing. Areas are generally measured in accordance with the Property Council of Australia Method of Measurement.

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P5	26.07.23	FOR CLIENT REVIEW	DM
P6	21.03.25	FOR INFORMATION	HDF

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Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **GFA PLANS**

Project No: **214205**

Date: **20.12.22**

Author: **DM**

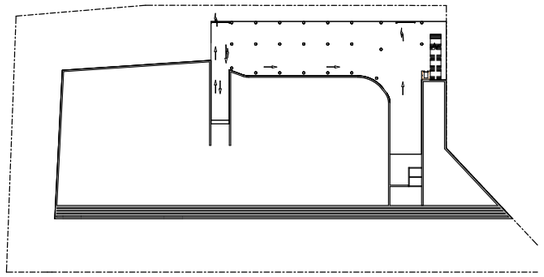
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Drawing No: **SK05.01 P6**

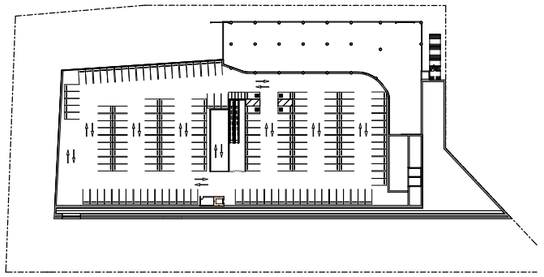
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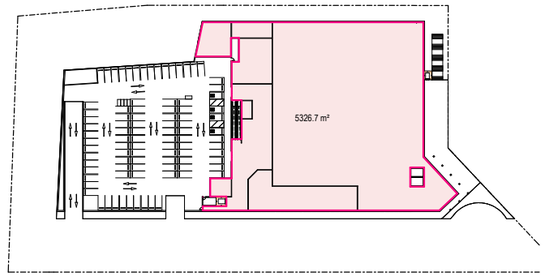
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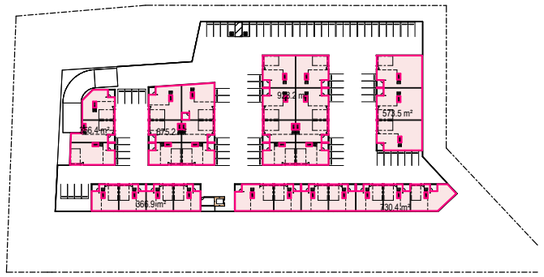
LEVEL 1 - DOCK



LEVEL 2 - PARKING



LEVEL 3 - SUPERMARKET



LEVEL 4 - LIGHT INDUSTRIES



LEVEL 5 - LIGHT INDUSTRIES MEZZANINE

Area Schedule (NLA - RETAIL)

Level	Area
LEVEL 3 - SUPERMARKET	5326.7 m²
	5326.7 m²

Area Schedule (NLA - LIGHT INDUSTRIES)

Level	Area
LEVEL 4 - LIGHT INDUSTRIES	3630.6 m²
LEVEL 5 - LIGHT INDUSTRIES MEZZANINE	1272.4 m²
	4903.0 m²

Area Schedule (NLA - RETAIL PARKING RATE)

Area	Parking Rate (RETAIL)
5326.7 m²	266

Area Schedule (NLA - LIGHT INDUSTRIES PARKING...

Area	Parking Rate
4903.0 m²	140

Area Schedule (NLA - FACTORY PARKING RATE)

Area	Parking Rate
4903.0 m²	65

Liverpool DCP:

1 disabled parking per 100 retail/commercial

Current Light Industries LFA: 4923.5m²

1 carpark per **35m²** of **Office LFA**

1 carpark per **75m²** of **Factory/Warehouse LFA**

Current Retail LFA: 5331.7m²

1 carpark per **20m²** of **Retail LFA**

LINK:
https://eplanning.liverpool.nsw.gov.au/Pages/Plan/Book.aspx?exhibit=OnlineControls&hid=4992&s=b6+enterprise+corridor

Liverpool Development Control Plan 2008 > Part 1 (General Controls for all Development) > 20 (Car Parking and Access) > 20.3 (On site parking)

PLANNING PROPOSAL

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Project: **GEORGES COVE VILLAGE**
146 Newbridge Rd
MOOREBANK, NSW

Drawing: **NLA PLANS**

Project No: **214205**

Date: **20.12.22**

Author: **DM**

Scale: @ A1: **1 : 1000**

Drawing No: **SK05.02 P6**

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Liverpool Development Control Plan 2008

Part 2.10

Moorebank East Precinct

September 2025

Part 2.10 must be read in conjunction with Part 1

Refer to Part 6 for development in the E3 zone.

LIVERPOOL CITY COUNCIL

LIVERPOOL THE GREAT SOUTH WEST

Liverpool Development Control Plan 2008

Part 2.10 Moorebank East Precinct

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1. Preliminary

Applies to

1. Part 2.10 applies to the land, shown in Figure 1 which comprises of:

Moorebank East Precinct site	Lot and DP	Address
Site A	LOT 1 DP 1246745	Lot 1, 146 Newbridge Road Moorebank
Site B	LOT 2 DP 602988	124 Newbridge Road Moorebank
Site C	LOT 2 DP 1246745	Lot 2, 146 Newbridge Road Moorebank
Site D	LOT 3 DP 1246745	Lot 3, 146 Newbridge Road Moorebank
Site E	LOT 2 DP 1278607	Lot 2 Newbridge Road Moorebank

2. Part 1 applies to the land shown in Figure 1.
3. Parts 3.1 – 3.7 do not apply to the land.
4. Part 3.8 applies.
5. Additional controls on land zoned E3 Productivity Support in this locality are in Part 6.



Figure 1: Land to which this plan applies

Background

Moorebank East Precinct

The Moorebank East Precinct is a collection of five sites that are located along the western side of the Georges River, on the eastern border of the Liverpool Local Government Area (LGA).

The precinct is bounded by the Georges River to the east, Brighton Lakes Golf Club to the south, Wurrungwuri Reserve to the west and Newbridge Road to the north.

The Moorebank East precinct has historically been used as follows:

Site	**Historical Land Use**
124 Newbridge Road:	Previous retail uses including a garden centre and landscaping material supplies
146 Newbridge Road:	Previous sand extraction industry.
Lot 2 Newbridge Road:	Contains a former non-putrescible landfill which operated across the site between 1972 and 1979.

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2. Objectives and Social, Environmental and Economic Benefits

Applies to

The following objectives apply to all sites within the Moorebank East Precinct.

Objectives

Accessibility

To ensure a clear relationship between accessibility and land use by:

a) Promoting a movement system that gives appropriate priority to: walking, cycling, public transport, and private vehicles.

b) Guaranteeing a movement system that relates accessibility demand to location of development type.

c) Ensuring that servicing can be carried out appropriately.

d) Ensuring movement priorities, traffic speeds and street and road designs are appropriate to the location and give priority to pedestrians and children.

e) Guaranteeing adequate accessibility for emergency vehicles.

f) Building upon existing movement patterns and infrastructure by utilising the existing street layout.

g) Providing safe access during flooding events.

Social Benefits

To establish affordable and accessible facilities and resources that allow people to maintain wellbeing, live and recreate by:

a) Ensuring that development creates a 'people place' by giving priority to people and human relationships through housing mix and safety.

b) To increase the range of housing opportunities available.

Environmental Benefits

To ensure a clean, safe and healthy environment that builds on existing resources and produces quality built and natural assets by:

a) Establishing appropriate drainage and floodplain management that contributes positively to the area.

b) Developing solutions to manage environmental issues on-site.

c) Ensuring that waste disposal is effective and efficient and that recycling is utilised at every opportunity.

d) Ensuring a high standard of water and air pollution management and water quality.

e) Maintaining and enhancing the quality of the natural environment.

f) Connecting and enhancing vegetation corridors and providing links between the Western Sydney regional parkland and the Hinchinbrook Creek Corridor.

g) Promoting the conservation of flora and fauna, including the retention of Cumberland Plain Woodland.

h) Promoting the development of place and a quality built environment with people and human relationships as a central consideration.

i) To ensure that future development will not detract from the level of residential amenity and environmental quality enjoyed by residents of adjoining properties

j) To ensure that future residents and occupants of the site will enjoy a high standard of residential amenity and environmental quality

k) To ensure that future development responds sympathetically to existing streetscape, riverscape and townscape values

l) To provide a possible location for a commercial centre and recreational facilities

Economic Benefits

To establish economic capital that is accessible and meets the needs of the community by:

a) Ensuring appropriate accessibility to employment.

b) Ensuring infrastructure is sufficient to meet current and predicted need.

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3. Controls for Public Domain

Applies to

The following objectives and development controls apply to all sites within the Moorebank East Precinct.

3.1 Street Network

Background

The Moorebank East precinct is to be an accessible precinct with a clearly identifiable hierarchy of streets. There is to be a network of active transport paths that will help connect the precinct to the immediate surrounding areas including to Newbridge Road and Brickmakers Drive.

Objectives

a) To provide for attractive residential and commercial street environments.

b) To ensure safe, efficient and direct access to commercial, residential and recreational areas.

c) To provide for an efficient circulation of bus services and convenient pedestrian access.

d) To minimise the amount of through traffic in residential areas.

e) To ensure safety for pedestrians.

f) To guarantee adequate accessibility for emergency vehicles.

g) To integrate development with the surrounding public transport network.

Controls

1. The road layout for Moorebank East is to be consistent with Figure 2.
2. Street sections are to comply with Figures 3 – 4.
3. The street network is to be clearly legible with signposts showing street names and property numbers.
4. Street layouts at key locations are to be designed to ensure pedestrian safety.
5. Kerb ramps are required at all intersections where footpaths are provided
6. Footpaths must be provided along at least one side of every street.
7. A street network plan is to be submitted for all subdivision applications showing street and intersection types and any other proposed street treatments.
8. Local streets shall front open space and avoid back fences to open space and other public areas.
9. All plans must indicate street types and intersection treatments.
10. Pedestrian access shall be provided from Lot 2 of 146 Newbridge Road to Newbridge Road, Moorebank via Lot 1 of 146 Newbridge Road Moorebank.
11. Driveways are not to be located with 6m of the tangent point of any intersection.

12. Barrier kerbs shall be used:
    - On any street frontage to open space.
    - At all intersections (between the potential driveway location on one frontage to the potential driveway location on the alternative street frontage).
    - Barrier kerb shall be installed for the entire length of bus zones and for 10m on the approach of the bus stop.
13. Roll kerbs may be used in other locations to the above.

14. Street Types

    The following streets are provided:

Collector Street (Link Road)

This street provides a connection between Brickmakers Drive and Davy Robinson Drive.

Local Streets

These streets are designed for slow residential traffic. The road reserve is 15m wide.



Figure 2: Street Network

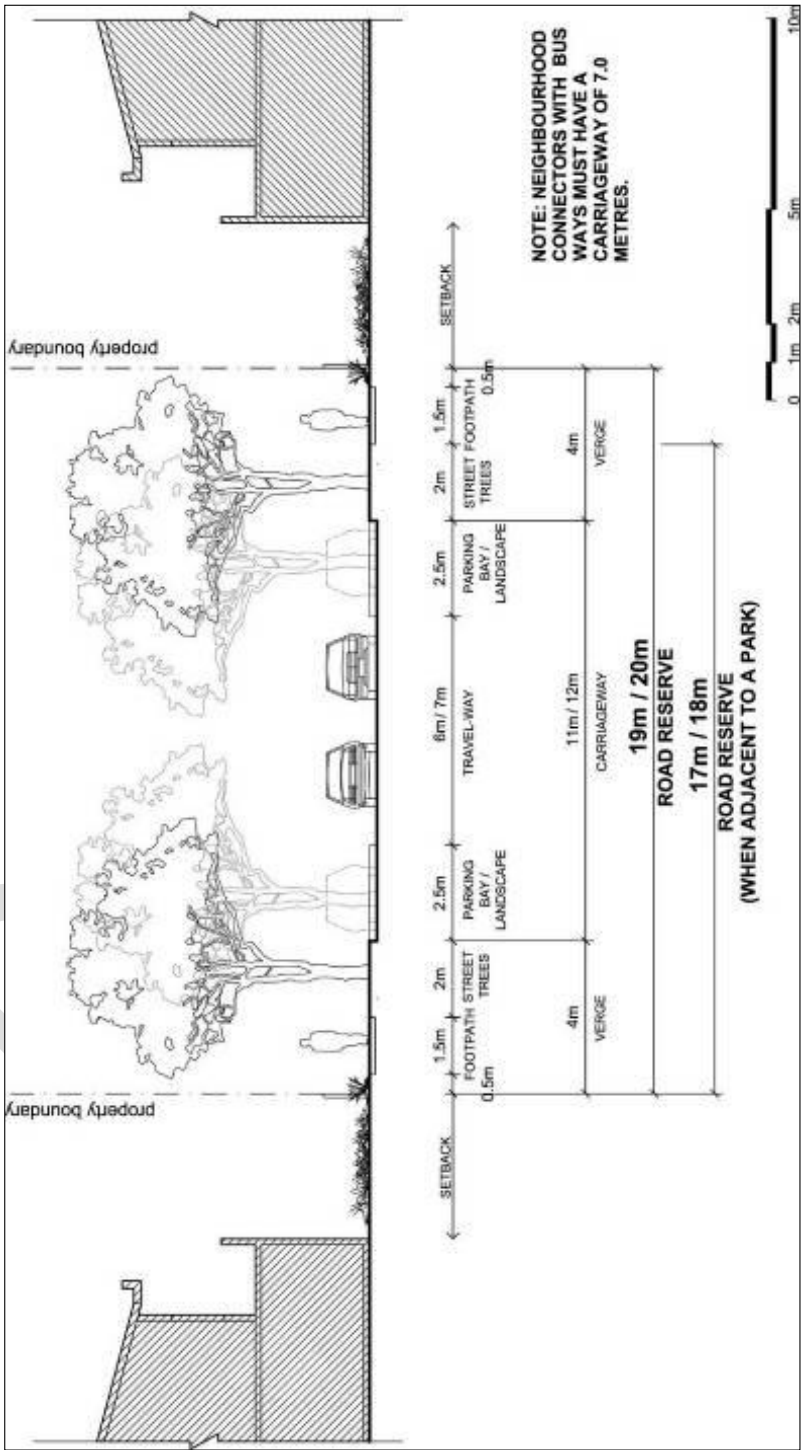


Figure 3: Collector Street

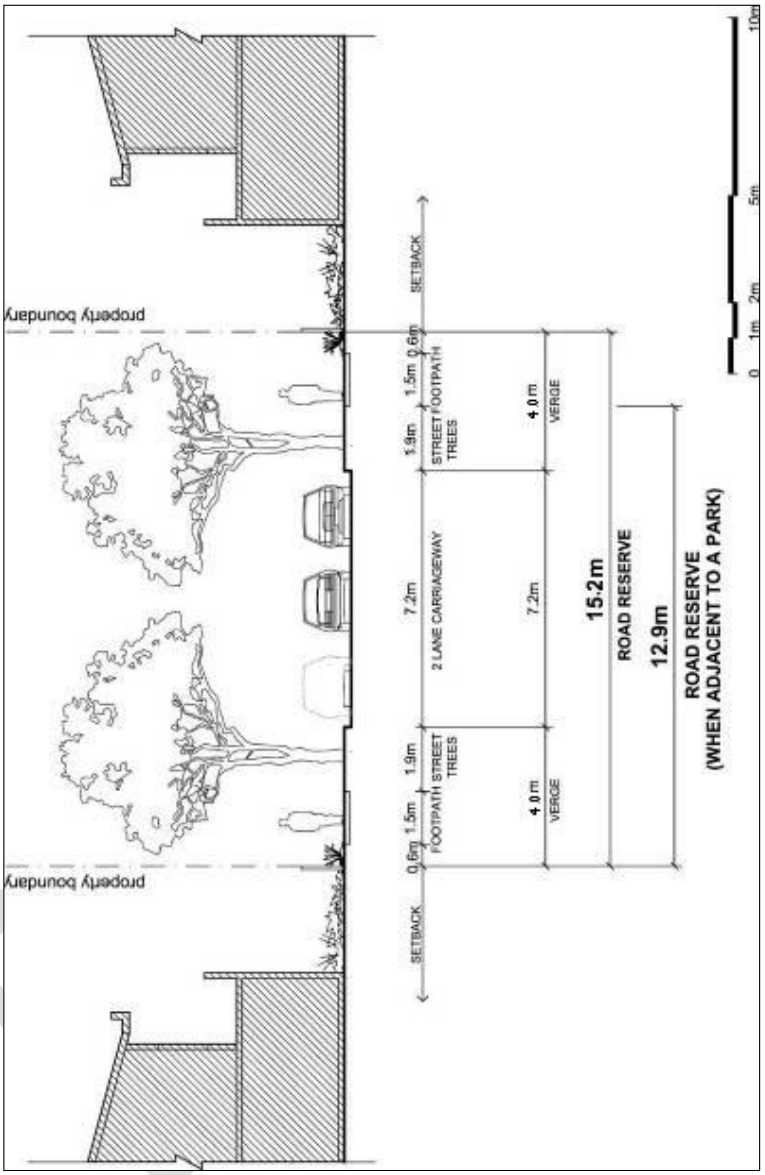


Figure 4: Local Street

3.2 Pedestrian and Cyclist Amenity

Background

Pedestrian and Cycle facilities in public spaces provide for linkages to social and cultural activities and educational facilities and should be characterised by excellence of design appropriate to the area.

Vehicle crossings over footpaths need to be managed and minimised to ensure that they do not detract from the quality of the public domain, disrupt pedestrian or cycle movement, or threaten user safety.

Objectives

a) To encourage walking and cycling as opposed to the use of private vehicles for local trips.

b) To provide a permeable and interconnected network of streets and pathways that gives safe, convenient and legible access both within and beyond the site.

c) To minimise and prevent, where possible, vehicular crossings over a pedestrian or cyclist pathways.

Controls

1. Vehicle access to developments is to be designed and located to minimise conflicts with pedestrians and cyclists on footpaths, particularly along high volume pedestrian streets.
2. Wherever practicable, vehicle access to developments is to be a single crossing, perpendicular to the kerb alignment.
3. Where practical, pedestrian and cycle paths in open space areas should be located close to streets on the edge of open spaces to take advantage of street lighting and allow for casual surveillance by residents and drivers. Where this is not practical, paths should be well - lit and visible from the road.
4. Pedestrian and cycle paths are to link the key facilities within and outside the area, such as the open space network.
5. Shared pedestrian/cycle links, cycle ways public roads and lanes are to be clearly and frequently signposted to indicate their shared status.
6. Designated cycle lanes on streets are to be clearly indicated by line – markings on the road surface and/or by signs beside the road.
7. Shared pedestrian and cycle paths are to be a minimum of 2.5m wide.
8. Designated pedestrian – only paths are to be a minimum of 1.5m wide.
9. Pedestrian and Cycle facilities in public spaces are to be safe, well lit, clearly defined, functional and accessible to all. An appropriate level of pedestrian lighting to ensure security and contribute to the legibility of streets.
10. Pedestrian and cycle paths, and pedestrian refuge islands are to be designed to be fully accessible by all in terms of access points and gradients, in accordance with AS 1428:1 – 4.

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3.3 Streetscape and Street Trees

Background

Street furniture should maximise pedestrian comfort, convenience and amenity. Further street furniture should create visual harmony and be used to define spaces, streets, paths and gateways. Opportunities for public art in significant public domain locations should be explored as part of the development process.

Objectives

a) To create a sense of identity for the area.

b) To enhance public spaces so that they are vibrant, safe and welcoming.

c) To facilitate cultural identity through art and design in public places.

d) To create quality streetscapes that is visually attractive and integrates with surrounding street layout.

Controls

Street Furniture

1. Street furniture is to be incorporated into the design of all public spaces and should be consistent in design and style.
2. Street furniture is to be located so as not to impede mobility in accordance with AS 1428:1 - 4.
3. The location and detailing of all proposed street furniture is to be indicated on the Landscape Plan, to be submitted with a development application.

Street Tree Planting

4. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street.
5. One street tree shall be planted for each residential dwelling created.
6. Street trees shall be planted along the street frontage for any non-residential development.
7. Street trees shall be planted prior to the release of a subdivision certificate.
8. Trees shall be provided with protection to ensure their survival during the construction of buildings in the street. Refer to Figure 5 for details.
9. Trees and shrubs on individual streets must be of a uniform species. On streets adjacent to bushland, species indigenous to the area must be planted.
10. Intensive planting shall be provided along the Collector Street (Spinnaker Drive) between Lot 1 and Lot 2 of 146 Newbridge Road Moorebank.

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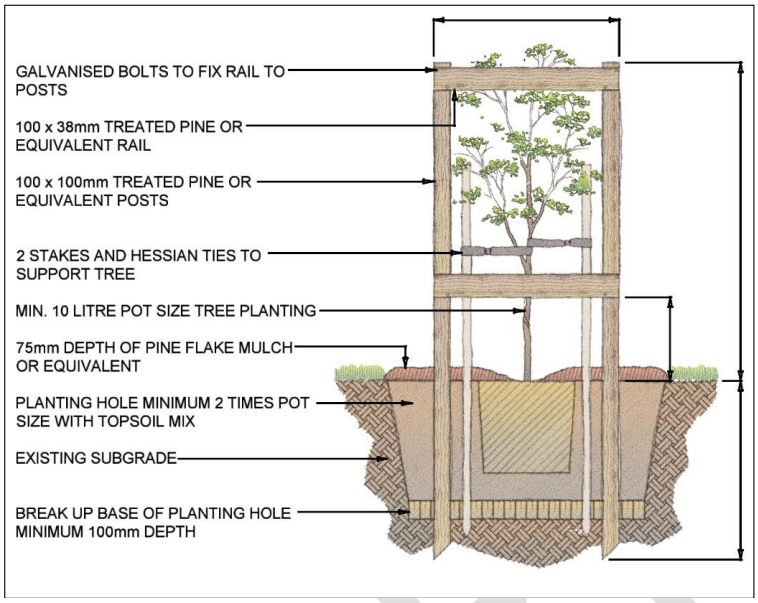


Figure 5: Tree Protection

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3.4 Open Space

Background

Public Open Spaces can play an important role in meeting recreational and social needs. Public Open Space within the Moorebank East precinct should include continuous foreshore access and pedestrian and cycle connections throughout.

Public spaces should be designed to promote vibrant social interaction, civic pride and a sense of public ownership and belonging. Landscaped areas and open space within the public domain play a major role in setting the character of the locality. These areas should make the neighbourhood pleasant and welcoming to be convenient to the needs of the community.

Objectives

a) To provide public access to the Georges River Foreshore for residents.

b) To ensure adequate provision and distribution of public space to meet the need of the residents.

c) To provide for adequate links between major open space, community, recreational, and retail facilities.

Controls

1. Direct public active transport access (Pedestrian, bicycle etc) is to be provided between all lots of 146 Newbridge Road and 124 Newbridge Road Moorebank, particularly providing access to, and along, the Georges River Foreshore.
2. Public active transport access (Pedestrian, bicycle etc) is to be provided, along the western boundary of Lot 3 of 146 Newbridge Road Moorebank, to the Georges River foreshore.
3. Local parks provided within residential areas, are to be a focal point for development and activity.
4. Ensure that development which surrounds open space is orientated towards the park to offer casual surveillance.
5. Perimeter streets should be provided to all parks on at least three sides of the park. Where a street frontage is not provided the development must front the park to provide surveillance.
6. Sufficient lighting to be provided within local parks.

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3.5 Views and View Sharing

Background

The Moorebank East Precinct provides opportunity for views of the natural environment including the Georges River. It is important to ensure that there are equitable opportunities for residential lots to be designed around the natural environment of the precinct and surrounding area.

Objectives

a) To provide for equitable view sharing.

b) To provide for a subdivision pattern that maximises view points.

c) That view points should be located prior to subdivision.

Controls

1. View corridors are to be identified, maintained and improved where possible.

3.6 Foreshore Access

Objective

To provide public access to land along the Georges River foreshore for the community and Council maintenance equipment.

Controls

1. A 10m wide access shall be dedicated free of charge to Council to link a public road with land zoned RE1 - Public Recreation along the Georges River foreshore at the northern end of 146 Newbridge Road Moorebank to permit access by the public and Council maintenance vehicles.
2. A right of way access shall be provided free of charge to Council to link a public road with land zoned RE1 - Public Recreation along the Georges River foreshore at the southern end of 146 Newbridge Road Moorebank to permit access by the public and Council maintenance vehicles.

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3.7 Drainage

Objective

To provide appropriate on-site stormwater system which can be economically maintained.

Controls

1. Sites within the Moorebank East Precinct should be generally drained towards the Georges River.
2. An onsite detention basin is required to avoid any increase in peak stormwater discharge from the drain on the western boundary of the Moorebank East precinct.
3. Gross pollutant traps and water quality control ponds are to be provided to remove suspended sediment, nutrients and bacteria.

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4. Controls and objectives for site A - Lot 1, 146 Newbridge Road Moorebank

Applies to

The following objectives and development controls apply to Lot 1 of 146 Newbridge Road Moorebank only.

4.1 Landscaping

Objectives

a) To ensure non-residential development is constructed to be compatible with local public spaces and residential development.

b) To minimise the impact of bulk and scale of non-residential development on residential development, roads and open spaces.

c) To minimise large hard surface areas to reduce urban heat.

d) To provide tree canopy to align with Council's Tree Management Policy and a Technical Guideline.

Controls

1. Trees are to be planted along the northern elevation (Newbridge Road) and southern elevation (Spinnaker Drive) which grow to a minimum height of 8m.
2. A minimum of 10% of the site area is to be tree canopy cover.
3. The species of trees to be planted on site and the trees nominated locations are not to impact upon sight lines for pedestrians and vehicles, including trucks, entering or exiting the site.
4. A Landscape Plan prepared by a suitably qualified Landscape Architect is to be submitted with the initial development application for construction which nominates the location, type, container size and mature height of all trees to be planted.
5. The initial development application for construction of any building on the subject site is to be lodged with an Ecological Assessment which includes the biodiversity values of the site including vegetation in the eastern and western parts of Lot 1 mapped as Threatened Ecological Community (TEC) Castlereagh Ironbark Forest.
6. Any development application is to include measures to mitigate indirect impacts upon the C2 Environmental Conservation zone land to the west of the subject site including shading, runoff, littering and trampling.
7. Potential direct and indirect impacts to threatened species or threatened ecological communities are avoided or minimised, and any unavoidable impacts should be offset in accordance with the Biodiversity Offset Scheme.

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4.2 External colours and finishes

Objectives

a) To ensure non-residential development is compatible with residential development and open space areas.

b) To minimise opportunities for graffiti.

c) To provide pleasant spaces for the community.

d) A high-quality standard of development is carried out.

e) Visual, acoustic and privacy amenity is retained to adjoining residential developments.

Controls

1. All external walls including the east and west elevation side walls are to be either painted, finished with artwork or incorporate architectural features (I.e windows or cladding).
2. No external wall is to be left blank (I.e: As natural concrete or similar).
3. Any Pylons/support posts, including Pylons within parking areas are to be painted or finished with artwork.
4. Public art is to be provided which is integrated into the design and function of the development to embellish and enliven the public domain.
5. Any public art provided on site is to be designed in consultation with a local artist.
6. Car parking areas, loading/unloading docks, roller doors or to be designed to not be intrusive from the public domain (road, public space etc).
7. Louvers or similar are to be used for void areas/levels.
8. Any building fronting the southern elevation (Spinnaker Drive) is to include active frontages (Such as pedestrian access, windows and balconies).
9. Buildings are to be designed to minimise overshadowing to the private open space of residential dwellings including residential dwellings to the south adjoining Spinnaker Drive.

4.3 External lighting and security

Objectives

a) To ensure external lighting is not obtrusive upon residential developments, pedestrians or vehicles.

b) To minimise light pollution.

Controls

1. Any external lighting is to be in accordance with the relevant Australian Standards, including for brightness, and is not to be obtrusive upon residential developments, pedestrians or vehicles.

2. No flashing lights or flashing electronic signage, is permitted on site or any building.
3. Security measures such as boom gates, fencing and gates are to be provided on all levels to ensure that the site is secured to exclude public pedestrians and vehicles outside hours of operation.
4. Vehicle and pedestrian access to the lower ground floor (loading dock level) and top level (light Industry) are to be restricted to between 5:00am and 10:00pm. Security measures (Such as boom gates, fencing and gates) are to be implemented to ensure that the levels are inaccessible outside of these hours.
5. Security cameras and alarms are to be provided on site, particularly to all vehicle parking and loading/unloading areas.
6. Security deterrents such as warning signs are to be provided in highly visible areas of the site on all levels.
7. The void area on the lower ground floor fronting Newbridge Road is to include security lighting.
8. A Plan of Management is to be submitted with any development application for the site.
9. The site, inclusive of non-active frontages (I.e: The lower ground floor fronting Newbridge Road) is to demonstrate design considerations to ensure the site is adequately designed in accordance with CPTED Principles.

4.4 External site fencing

Objectives

a) To ensure fencing provides adequate security.

b) To ensure fencing is compatible with the surrounding area including traffic, pedestrians, open space and residential developments.

Controls

1. All boundary fencing is to be a maximum of 1.8m high.
2. No Chainwire, Colourbond fencing or similar fencing material is permitted.
3. All boundary fencing is to be open ‘pool type’ fencing in black colour or similar and is not to impact upon flood paths.
4. Details of boundary fencing fronting Newbridge Road are to be provided to Transport for New South Wales for comment.

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4.5 Flood management

Objectives

a) To ensure safe evacuation of visitors and staff during flood events.

b) To ensure access to the site is closed during flood events.

c) To ensure waste and debris is mitigated during time of flood.

Controls

1. Stormwater runoff during the pre-construction, construction, and post-construction phases is not to directly discharge into the permanent water body. Effective mitigation measures are be implemented to prevent potential environmental impacts.
2. Rainwater harvesting measures are to be incorporated as part of any development to enhance sustainable water use and reduce runoff.
3. Urban runoff is to be captured and diverted into a biofiltration system before being released into the main water body.
4. Treated stormwater is to only enter the water body at low energy or velocity to prevent erosion and sedimentation issues.
5. An Operational Plan of Management is to be submitted with any development application. The Operational Plan of Management is to include, however is not limited to, measures to ensure:
    - That the site is evacuated prior to an imminent flood, including visitors and staff.
    - No vehicles are to be on site during periods of flood.
    - No access to the site by pedestrians or vehicles is permitted during periods of flood.
    - Boom gates or similar are to be provided to restrict access to the site during times of flood.
    - Buildings are to be constructed of flood compatible materials including to any plant and service rooms.
    - Signage, lights or similar warning systems are to be implemented on site to warn visitors that access to the site is closed due to potential flood event.
    - A schedule is to be developed and submitted with any development application for regular maintenance and testing of flood gates, alarms, flood compatible materials, plant rooms and the like.
6. Future development of the site shall be carried out in compliance with Council's DCP and Flood Risk Management Manual (2023) (As amended/superseded).
7. A Flood Impact Risk Assessment report is to be submitted with the initial development application for construction on the site with recommendations regarding flood events including evacuation prior to flood events occurring. Shelter in Place is not permitted for the site.
8. A comprehensive Flood Emergency Response Plan (FERP) must be prepared to ensure the safe evacuation of people during floods up to and including the Probable Maximum Flood. The FERP is to be generally consistent with the FERP prepared by Tooker + Associates within section 15 of the Flood Impact

Assessment and Flood Emergency Response Plan, prepared by Tooker + Associates dated May 2025.

9. The FERP should be developed in consideration of the findings from the Georges River Evacuation Modelling report by Molino Stewart (March 2022) and comply with the NSW Flood Manual (2023) toolkit: 'Support for Emergency Management Planning Guideline EM01' (As amended/superseded). The NSW State Emergency Service (NSW SES) should be consulted during the preparation of the FERP.
10. All levels/areas (Including any waste storage and loading/unloading areas) of the development are to include, at a minimum, loudspeakers and visual warning systems capable to alert staff and visitors on site during an emergency (I.e: Flooding).
11. The initial development application for construction on the site is to be referred to the NSW State Emergency Services for correspondence.

4.6 Traffic management

Objectives

a) To ensure safe, efficient and direct access to commercial, residential and recreational areas.

b) To provide for an efficient circulation of bus services and convenient pedestrian access.

c) To minimise the amount of through traffic in residential areas.

Controls

1. Vehicular movements, including entry and exit points, for any development application are to be designed in consultation with Transport for New South Wales. A maximum of one combined vehicular crossover for entry and exit is permitted on Newbridge Road, Moorebank.
2. Traffic control signals, as required by DA-611/2018 and DA-611/2018/A, are to be constructed and operational at the intersection of Brickmakers Drive and Promontory Way, prior to any Occupation Certificate for any development on the subject site being issued.
3. Architectural plans are to demonstrate that active transport modes (I.e Walking or cycling) facilitate connection to the broader Moorebank East Precinct and are designed so as to encourage use and benefit from casual surveillance.
4. All vehicles are to enter and exit the site in a forward direction.
5. Light vehicles (I.e: Cars) are to enter and exit from Spinnaker Drive, Moorebank only.
6. All heavy rigid vehicles (Trucks etc) are to enter and exit from Newbridge Drive only. The initial development application is to be submitted satisfying section 2.119 (Development with frontage to classified road) within State Environmental Planning Policy (Transport and Infrastructure) 2021 (As amended).
7. A minimum of 1 raised pedestrian crossing is to be provided on Spinnaker Drive, Moorebank adjacent to the subject site.

4.7 Waste management

Objectives

a) To ensure waste collection does not impact upon residential developments, pedestrians, vehicles.

b) To minimise waste impacts upon the vicinity.

Controls

1. A construction waste management plan is to be provided with any development application.
2. An Operational Plan of Management is to be submitted with any development application. The Operational Plan of Management is to include, however is not limited to, the measures to ensure:
    - All commercial and industrial waste services (Including supplying and collection of bins) are to be implemented by a licensed private waste contractor (or multiple contractors).
    - A private waste service to any commercial or industrial premise must be in place at all times while the non-residential uses are operating.
    - Waste services must be delivered with a frequency sufficient to avoid negative health outcomes, such as the breeding of insects, or the generation of odours associated with decay.
    - No waste bins or materials awaiting disposal, recycling or processing are to be placed in any public place, including on kerbsides, nature strips, footpaths or any part of any public road.
    - The collection of waste and storage of waste bins is not to impact upon traffic movements on site and not to be located in allocated parking spaces.
    - All shopping trolleys must be 'geo-fenced' (I.e: Automatic locking mechanism of the shopping trolley wheels) once the shopping trolleys reach the boundary of the site.
    - Waste storage areas, including the bins, are to be completely enclosed and vermin proof. Lids of the bins are to remain closed unless waste is being added to the bin
    - Signage, being predominantly picture based, is to be fitted within each premises waste area and within any waste area for the site to easily identify where different typed of waste is to be disposed of.
    - No litter is to be left on the ground either in the bin room or external areas. Car park areas are to be cleaned for litter at a minimum of twice per week.
    - Customer bins within premises are to be emptied regularly to avoid overflow.
    - Waste impacts and shopping trolleys are adequately managed to minimise amenity concerns to the surrounding area.

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3. Each retail premises is to demonstrate a dedicated internal waste area of a sufficient size for the size and operation of the premises and is to include separate waste and recycling bins.
4. Any stormwater pits or trench drains within the waste storage areas, or within 15 metres of where waste or recycling will be emptied into a waste removal truck, must be fitted with a 'fine grade' drain cover, to prevent the ingress of items of litter into the stormwater system.

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5. Controls and objectives for site B - 124 Newbridge Road Moorebank

Applies to

This section applies to site B – 124 Newbridge Road Moorebank (Lot 2 DP 602988) only.

5.1 Removal of Fill

Background

The Moorebank East precinct is to be an accessible precinct with a clearly identifiable hierarchy of streets. There is to be a network of active transport uses that will help connect the precinct to the immediate surrounding areas including to Newbridge Road and Brickmakers Drive.

Objectives

a) To ensure flooding impacts are minimised on the community.

b) To ensure safety for pedestrians, vehicles and the vicinity.

c) To guarantee adequate accessibility for emergency vehicles.

Controls

1. Any Development Application on Site B (124 Newbridge Road Moorebank - Lot 2 DP 602988) is to include provisions for the removal of 35,000m^3 of fill from the area indicated in **Figure 6**.

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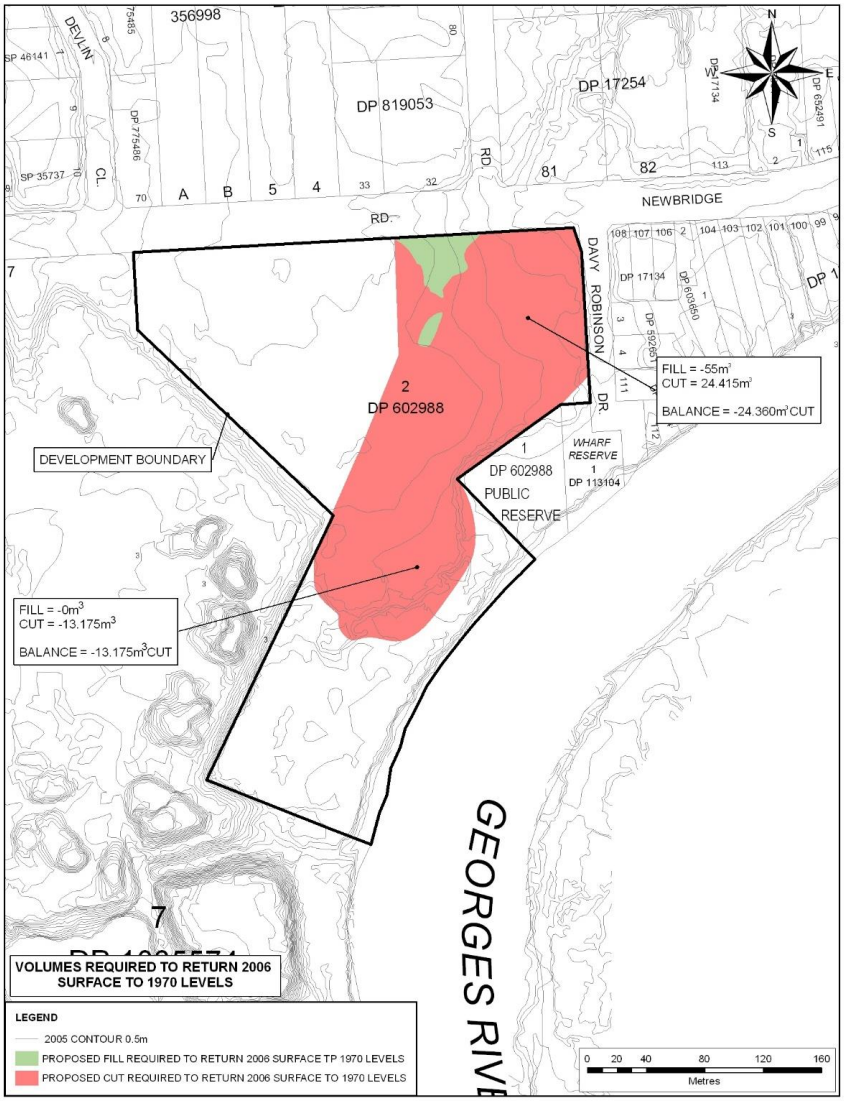


Figure 6: Area of fill to be removed

6. Controls and objectives for site C - Lot 2, 146 Newbridge Road Moorebank

Applies to

The following objectives and development controls under section 3 (Controls for public domain) apply to all sites within the Moorebank East Precinct.

6.1 Subdivision, Frontage and Allotment Size

Objectives

a) To provide a range and mix of lot sizes to suit a variety of dwellings types distributed throughout the area.

b) To locate higher density in places of greatest amenity, such as near parks, other open spaces and along transport nodes.

c) To ensure that the density of development and siting of dwellings maintain a high standard of privacy.

d) To ensure lots are oriented to optimise solar access to facilitate micro-climate management, including the application of energy conservation principles.

e) To ensure all dwellings address the street.

f) To ensure that lot size and dimensions take into consideration the physical characteristics of the land, in a way, which promotes retention of existing vegetation and reduces the incidence of damaging earthworks and retaining wall construction.

g) To ensure passive surveillance of public space through the effective and functional layout designs of new developments.

h) To ensure that the dwelling siting minimises impacts on views from adjacent existing residential development.

Controls

1. 25% of lots must be 300sqm or greater
2. At least 25% of lots must be less than 300sqm
3. Any lot greater than 400sqm should have a frontage of at least 12m.
4. All development needs to be in accordance with Council's adopted residential subdivision design principles.

Dwelling Mix

Objectives

a) To ensure development provides a mix of dwelling types and sizes to accommodate a range of household types and needs.

b) To provide for a variety of residential dwelling mix, sizes and layouts within each residential development.

Controls

1. A maximum of 216 dwellings are permitted on the site.

2. Subdivision, lot sizes and orientation are to address the principles in Figures 7 and 8.

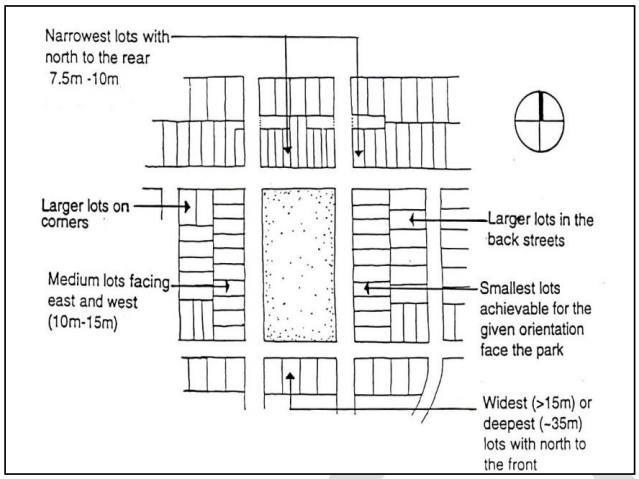


Figure 7 Highest density generally located in accessible places with highest amenity

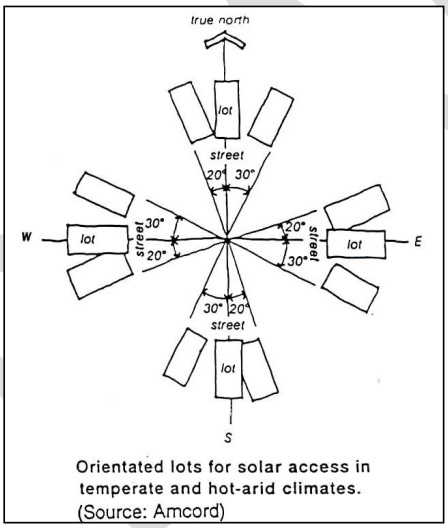


Figure 8 Lot Orientation

3. Lot sizes and dimensions are to take into account the slope of the land to minimise earthworks/retaining wall construction and the retention of existing trees.
4. Minimum allotment width is 6m.
5. Any application for subdivision creating allotments of 6m width must be accompanied by an application for a dwelling house on each of those allotments.
6. On east-west lots, houses and private open space are to be sited generally in accordance with Figure 9.

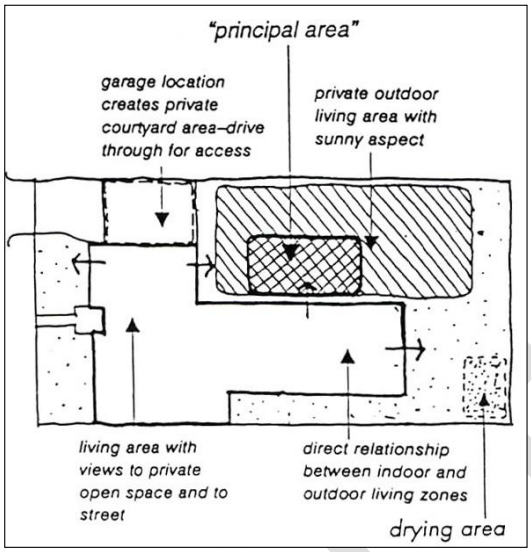


Figure 9 Private open space considerations on an east-west lot

6.2 Site Planning

Objectives

a) To ensure that the dwelling house is sensitive to site attributes, such as streetscape character, natural landform, drainage, existing vegetation, land capability, slope, solar access and if relevant, heritage items.

b) To ensure privacy for residents and neighbours.

Controls

1. The dwelling layout must be designed around the site attributes such as slope, existing vegetation, land capability and/or solar access (See Figure 10).
2. There must be a direct link from at least one living area to the principal private open space.
3. The siting of windows of habitable rooms on the first floor shall minimise overlooking to the principal private open space of neighbouring properties.
4. Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate. Refer to Water cycle management in Part 1 of Liverpool DCP.

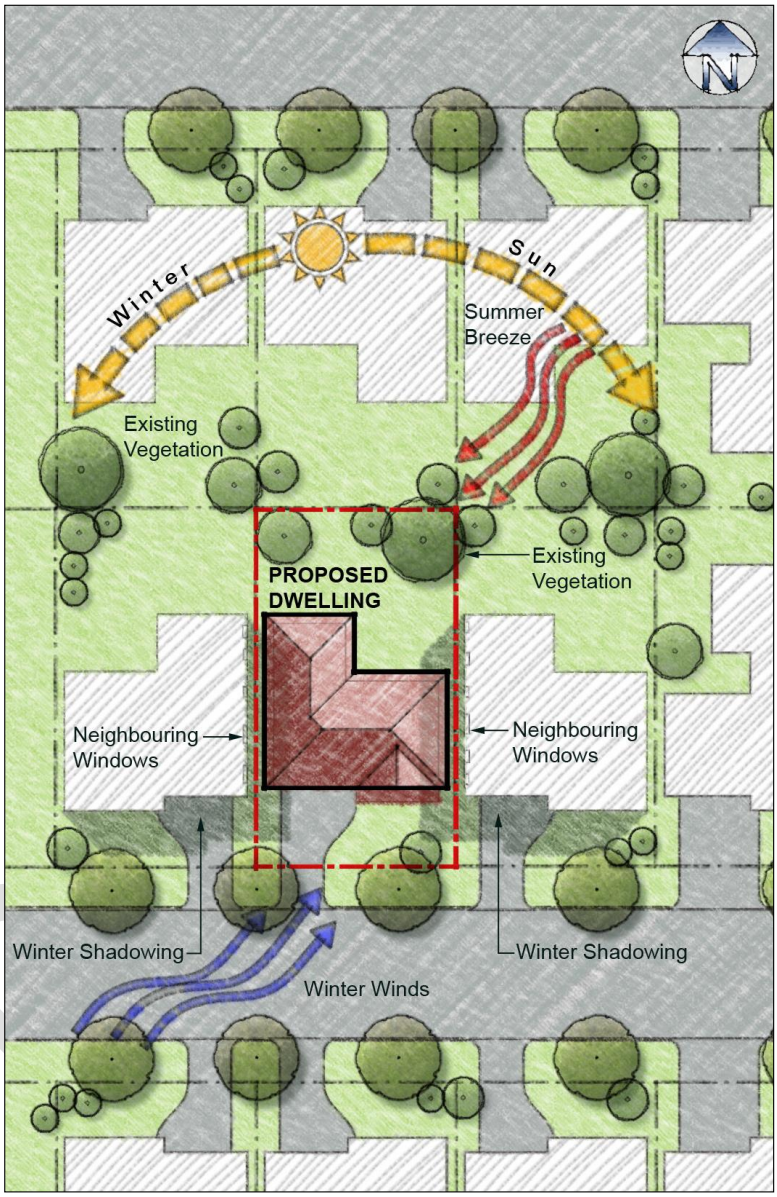


Figure 10 Site Analysis

6.3 Setbacks

Front and Secondary Setbacks

Objectives

a) To ensure appropriate front setbacks.

b) To contribute to the creation of attractive and memorable streetscapes that has a consistent character.

c) To reduce the potential visual effects of garages on dwelling facades and streetscapes.

d) To provide adequate space for landscaping or open space.

Controls

1. Dwelling houses shall be setback in accordance with Table 1.

Table 1 Setbacks

Height	Front Setback	Secondary Setback
Ground floor	4.5m	2.5m
First floor	5.5m	2.5m

2. Garages must be set back a minimum of 1m behind the main face of the dwelling. (The main face is the first wall of a habitable room)
3. Verandahs, balconies, eaves and other sun control devices may encroach on the minimum front and secondary setback by up to 1m.
4. The secondary setback is the longest length boundary.
5. Garages that address the secondary frontage must a have minimum setback of 5.5m.
6. Corner sites shall provide a frontage to both streets and should articulate their corner location with an architectural feature such as a wrap around verandah, bay window, corner entry or roof feature.

Side and Rear Setbacks

Objectives

a) To maximise private amenity within the dwelling.

b) To minimise the impacts of development on neighbouring properties in regard to views, privacy and overshadowing.

c) To ensure that dwellings are sited so as to provide for solar access and both visual and acoustic privacy.

Controls

1. Dwellings shall be setback from the side and rear boundaries in accordance with Table 2.

Table 2 Side and Rear Setbacks

Item	Side Setback	Rear Setback
Single storey dwelling houses	0.9m	5.0m
Second storey component of dwelling houses	1.2m	8.0m
Living room doors (including family rooms and rumpus rooms)	4.0m	5.0m

Note: Building encroachments may only occur if it is seen as beneficial for open space, solar access and the internal layout of the dwelling. The dwellings living areas should open out to open space.

Zero lot lines

1. Walls are generally to be 180mm clear of the side boundary to allow for gutter and eaves overhang.
2. The length of a zero lot line wall is limited to 50% of the adjacent side wall boundary.
3. No windows are permitted in a zero lot line wall.
4. A maintenance easement of at least 700 mm shall be provided on the adjoining boundary.

6.4 Landscaped Area and Private Open Space

Landscaped area is defined in Liverpool LEP 2008.

Private open space is an area within the site (usually at the rear) that is set aside for outdoor activities. Clotheslines, BBQ areas, pergola (unroofed structure), patio, garden sheds and pools can be included in the private open space.

Principal Private open space is an area that is directly accessible from at least one living room and is included in the private open space calculations (the principal private open space area may be paved or sealed).

Landscaped Area

Objectives

a) To provide an area to allow vegetation to mature.

b) To reduce the impact to neighbouring properties and natural waterways from stormwater runoff.

c) To reduce the amount of impervious areas.

d) To enhance the existing streetscape and soften the visual appearance of the dwelling.

e) To maximise the amount of landscaped area within the front setback of the dwelling.

f) Note: All proposed developments require a landscape plan to be submitted with the development application.

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Controls

1. A minimum of 20% of the site area shall consist of Landscaped Area, this may include lawn, deep rooted trees, garden beds and mulched areas.
2. A minimum unincumbered area of 5 x 6m shall be provided in rear setback to accommodate deep rooted trees.
3. A minimum of 50% of the front setback area shall be landscaped area.
4. A minimum unincumbered area of 3 x 5m shall be provided in front setback to accommodate deep rooted trees.

Private Open Space

Objectives

a) To ensure that a minimum amount of Private Open Space is provided for outdoor activities.

b) To ensure that Private Open Space is clearly defined for private use.

c) To ensure that Private Open Space is private, landscaped, screened from overlooking and receives an adequate amount of solar access.

Controls

1. Each dwelling must provide a minimum of 50 m^2 of Private Open Space.
2. Areas less than 2.5m in width does not qualify as Private Open Space.
3. Private open space areas are not permitted within the primary street setbacks.
4. The Private Open Space shall include the principal private open space, which is directly accessible from the main living area of a dwelling with a minimum dimension of 4 x 6 m
5. The Principal Private Open Space must receive 3 hours of sunlight to at least 50% of the area between 9:00am and 5:00pm on 21 June.

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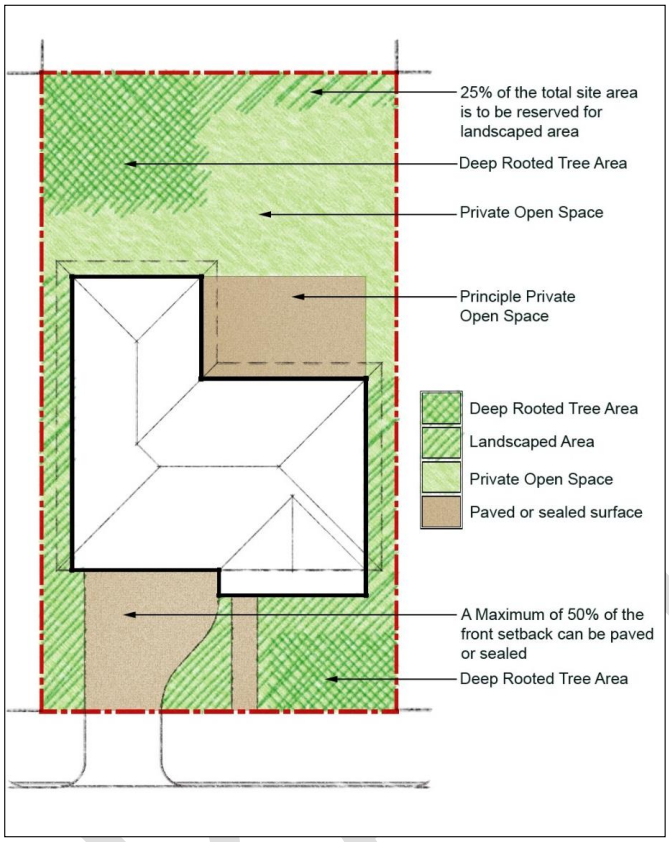


Figure 11 Landscaped Area

6.5 Cut and Fill, Building Design, Streetscape and Layout

Cut and Fill of Land

Objectives

a) To reduce the incidence of change in natural ground levels.

b) To encourage the architectural designs of dwellings which suit the contours of the land.

c) To provide controls for cut and fill of land designed to minimise the incidence of soil erosion and subsequent sedimentation of waterways.

d) To ensure that development on adjoining properties is not threatened or prejudiced by proposed cut and fill practices.

e) To discourage and eliminate, where possible, the construction of retaining walls on allotment boundaries.

f) To minimise overshadowing of neighbouring dwellings, their private open space or any solar panelling.

Controls

1. The maximum cut on a site must not exceed 600mm.
2. All retaining wall structures shall be masonry construction and designed by a suitably qualified person, or constructed as specified by the manufacturer of the product. The retaining wall shall be constructed wholly inside (within) the boundary of the site.
3. All slab constructions for dwellings that are above natural ground level are to be constructed using dropped edge beams to retain fill. The maximum fill within the confines of the slab must not exceed 1 m. All fill must be contained within the dwelling footprint.
4. Contaminated fill, either imported or found on site is not permitted.

   Note: In the event of approval being granted to the erection of retaining wall(s) to contain proposed cut, Council will require the completion of such retaining wall(s) PRIOR TO the release of the occupation certificate.
5. Where an applicant considers that an allotment has characteristics which warrant exemption from this policy, an application for exemption may be made by the submission of a development application to Council for consideration. In addition to normal requirements the submission should include:
   - A plan showing existing contours (at 0.5m intervals) of the subject site and all adjoining sites.
   - A plan showing future contours (after proposed cut and fill) of the subject site and all adjoining sites.
   - Full details of any proposed retaining wall(s).

   Note: In the event of approval being granted to the erection of retaining wall(s) to contain proposed cut and fill, Council will require the completion of such retaining wall(s) PRIOR TO the commencement of any building works.

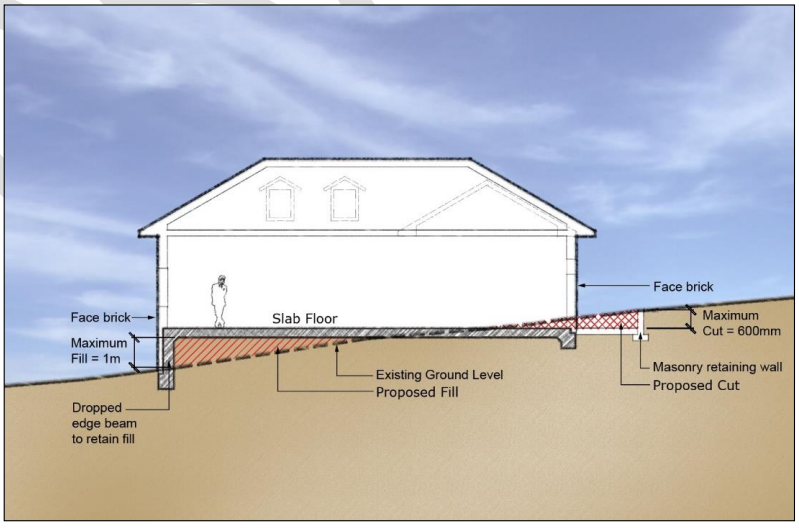


Figure 12 Cut and Fill requirements for a dwelling

Building Design and Appearance

Objectives

a) To encourage designs that will enhance the character of the neighbourhood.

b) To promote variation of building facade and design.

c) The building enhances the streetscape through the use of suitable built form design and landscaping.

d) To ensure buildings address all street frontages.

e) To discourage garages and in particular garage doors, from visually dominating the streetscape.

f) To ensure that the building design, detailing, colour and finish shall add visual interest to the street and shall compliment the street.

g) To ensure habitable rooms address the street.

h) To encourage balconies over garages in two storey dwellings.

Controls

Dwellings

1. All dwellings are to be orientated to the street (See Figure 13).
2. The front pedestrian entrance must be visible from the street.
3. The front Building facades shall be articulated, this articulation may include front porches, entries, wall indents, changes in finishes, balconies and/or verandahs.
4. For two storey developments, the side walls shall be articulated if the wall has a continuous length of over 10m.
5. Eave overhang must provide for sun shading and protect windows and doors. Eaves should have a minimum overhang of 400 mm and be provided to a minimum of 70% of the dwelling.
6. Dwellings that face two street frontages or a street and public space must address both frontages by the use of verandahs, balconies, windows or similar modulating elements.
7. Balconies facing the street on two storey dwellings are encouraged (See Figure 13).

Two storey dwellings

To break up the bulk of two storey dwellings balconies built above garages are encouraged

Garages and Carports

1. The maximum width of garage doors or carports must be no greater than 50% of the building frontage width.
2. Garages and carports must be designed to be the minor element of the façade.

3. Garage roofs shall be incorporated into the roof design of the house. Separate roofs for garages are discouraged, unless actually separated from the dwelling.
4. Garages and carports are to be compatible with the building design in terms of height, roof form, detail, materials and colours.
5. Carports may be built in front of the garage *only if* the carport is:
   - No larger than 5.5 x 6m.
   - Built of a similar colour and materials of the house.
   - Setback 2m from the front property boundary.
   - Compatible with the local streetscape.
6. The conversion of garages to living space may only be permitted if:
   - At least one car parking space is provided behind the front setback.
   - The additional living area does not result in the building exceeding the maximum permitted floor space ratio.



Figure 13 Example of Building Appearance (Indicative Only – Not to Scale)

Internal Design of Dwellings

Objectives

a) The internal design must contribute to personal safety and to the protection of property by permitting casual surveillance of public spaces from private windows and entries.

b) To provide passive surveillance from rooms addressing the street or any adjoining open space.

c) To locate amenity rooms (such as laundries, bathrooms, toilets) to the side and rear of the development.

d) To encourage the internal design of the dwelling to take advantage of cross ventilation.

e) That each dwelling shall provide a sufficient amount of storage for elements such as garden and sports equipment.

Controls

1. All dwellings shall have habitable rooms located to the front of the dwelling for security and surveillance to the street.
2. Living rooms should take advantage of northern aspects.
3. Access to private open space must be from at least one living room.
4. The internal layout of the dwelling must incorporate cross ventilation.
5. Bathrooms, ensuites, laundries and walk in wardrobes should be located to the side or rear of the dwelling.
6. Each dwelling must provide a minimum storage area of $8m^3$.
7. Locate active use rooms or habitable rooms with windows overlooking communal/public areas (e.g. playgrounds, gardens).
8. The main living area must receive at least 3 hours of sunlight between 9.00am and 5.00pm on 21 June.

6.6 Landscaping and Fencing

Objectives

a) To retain existing mature trees within the site in a way which ensures their ongoing health and vitality.

b) To provide privacy, summer shade and allow winter sun.

c) To enhance the existing streetscape and visual appearance of dwellings.

d) To encourage landscaping that is appropriate to the natural, cultural and heritage characteristics of its locality.

e) To ensure the visual impact of development is minimised and integrated into the streetscape.

Controls

1. A minimum of one tree is to be provided within the front setback area of every residential dwelling. This may include existing trees that are to be retained within the front setback area. Newly planted trees are to have a minimum pot size of five litres.
2. Trees planted on the northern side of private open space and habitable rooms are to be deciduous.
3. Planting of vegetation at the front of higher density development must consider the need for passive surveillance. Excessively dense vegetation that creates a visual barrier must be avoided.
4. Any tree with a mature height over 8 m should be planted a minimum distance of 3 m from the building or utility services.
5. A landscape plan must be lodged with all Das, and is to provide the following details
    - The location of any existing trees on the property, specifying those to be retained and those to be removed.

- The location of any trees on adjoining properties that are likely to be damaged as a result of excavations of other site works.
- The position of each shrub and tree species proposed to be planted.

Fencing

Objectives

b) To provide a clear transition between public and private areas.

c) To provide a visual element within the streetscape.

d) To ensure fencing enhances the streetscape.

Controls

1. Wall finishes must have low reflectivity.
2. Where noise insulation is required, consider the installation of double-glazing or other noise attenuation measures at the front of the building rather than construction of a high solid form fence.

Primary Frontage

1. The maximum height of a front fence is 1.2m.
2. Fences should not prevent surveillance by the dwelling's occupants of the street or communal areas.
3. The front fence must be 30% transparent.
4. Front fences shall be constructed in masonry, timber, metal picket fencing and/or vegetation and must be compatible with the proposed design of the dwelling.
5. The maximum height of the front fence is 1.2m.

Secondary Frontage

1. Side fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped (see Figure 13).
2. For side walls or fences along the secondary frontage, a maximum height of 1.2m is required for the first 9m measured from the front boundary, the remaining fence / wall may then be raised to a maximum of 1.8m (see Figure 12). The secondary setback is the longest length boundary.
3. Side fencing must not be constructed of sheet metal.

Boundary Fences

1. The maximum height of side boundary fencing within the setback to the street is 1.2m.
2. Boundary fences shall be lapped and capped timber or metal sheeting.



Figure 14 Fence types

6.7 Car Parking and Access

Car Parking

Background

The provision of on-site parking is required for all residential allotments. On-site parking is to be provided in a way that does not compromise the appearance of dwellings from the street.

Objectives

a) To provide sufficient and convenient parking for residents and visitors.

b) To ensure that parked vehicles do not create traffic or pedestrian hazards, and do not degrade landscaped areas such as grass verges.

c) To reduce the visual impact of garages, carports and parking areas on the streetscape and improve dwelling presentation.

Controls

1. Two car parking spaces shall be provided for each dwelling.

2. At least one car parking must be provided behind the front setback.
3. A car parking space is to have a minimum dimension of 2.5 x 5.5m.
4. A single garage is to be a minimum of 3m wide internally and unobstructed.
5. All parking spaces for adaptable housing units shall comply with *AS 2890:1* for disabled car parking.

Internal Driveways

Background

Where private driveways are used they are designed to minimise their impact on the streetscape and on the environment.

Objectives

a) To provide safe and convenient access to garages, carports and parking areas.

b) To create a pleasant, low maintenance place.

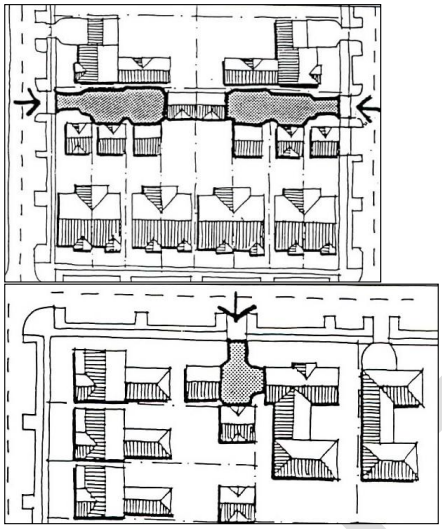
c) To ensure clearly defined public and private spaces, such that driveways are for the sole use of residents.

d) To ensure casual surveillance of private driveways from dwellings and from the street

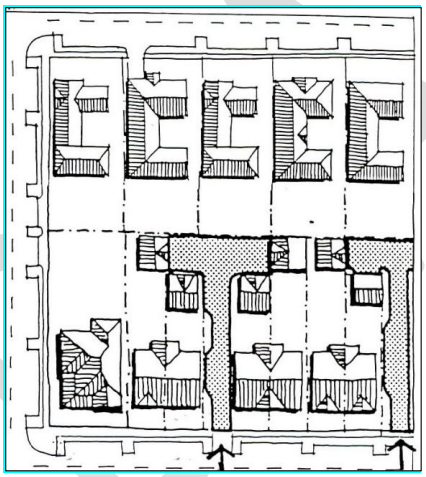
e) To minimise conflict between pedestrians and vehicles at the junction of driveways and footpaths.

Controls

1. The driveway crossing the verge between the property boundary and the kerb is to have a maximum width of 5.5m.
2. Driveways are to have soft landscaped areas on either side, suitable for infiltration.
3. Private driveways are to have the smallest configuration possible to serve the required parking facilities and vehicle turning movements.
4. Private driveways are to be constructed as one of three general types, depending on block geometry and garages to be accessed. (See Figure 13).
5. Higher density development fronting to collector streets is to have rear access through laneways, car courts and the like. Developers are to identify opportunities for rear lanes parallel to collector streets.
6. Corner lots on collector streets are to have access from the street perpendicular to the collector street.
7. At the street entry, the driveway is to be landscaped to have low visual impact and be clearly distinguishable as private access only.
8. Landscaping at driveways should not block lines of sight for pedestrians, cyclists and vehicles.



TYPE 1 – CLOSE
- **Preferable**



TYPE 2 – T-SHAPED
- **Driveway should be from frontage road of the narrow lot dwellings**
- **Use where block geometry or available road frontage precludes "close".**

Figure 15 Private Driveway Options

6.8 Amenity and Environmental Impact

Overshadowing

Objective

To minimise overshadowing of neighbouring dwellings and their private open space.

Controls

Adjoining properties must receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least:

- One living room, rumpus room or the like.
- 50% of the private open space.

Privacy

Objective

To site and design buildings in a manner which protects the visual privacy of adjoining dwellings and their private open space.

Controls

1. Habitable room windows facing side boundaries are to be offset by at least 1m from any habitable room windows in an adjoining dwelling (See Figure 16).
2. Habitable room windows on the first floor that face the side boundary are to avoid unreasonable overlooking by having a minimum sill height of 1.5m, except where they face a street or public open space (See Figure 16).
3. Building siting, window location, balconies and fencing must consider the importance of the privacy of on site and adjoining buildings and private open spaces.
4. Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties.

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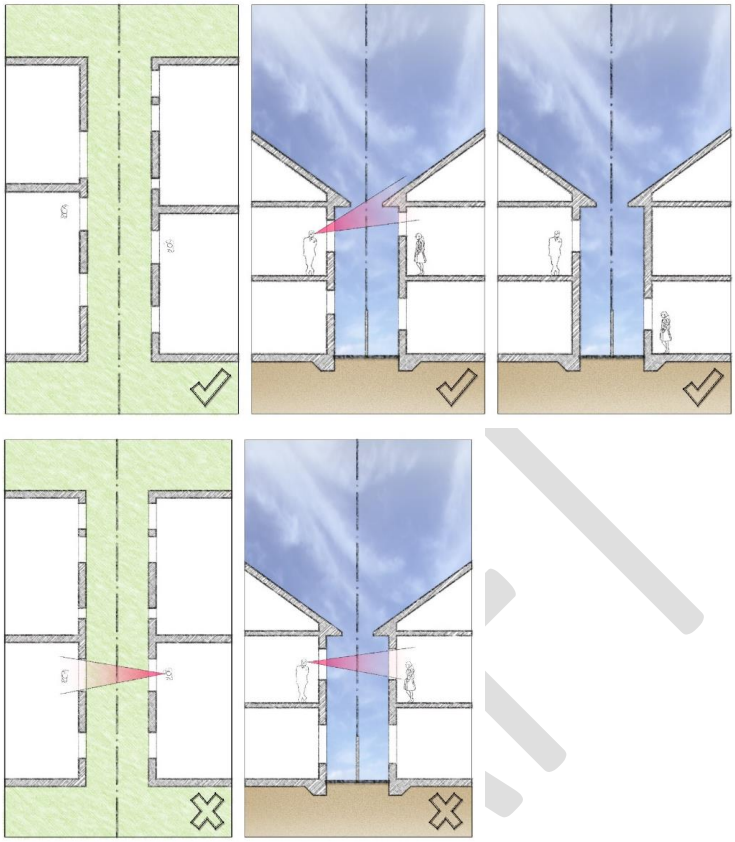


Figure 16 Privacy and Amenity

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Acoustic Privacy

Objective

To ensure appropriate noise and vibration attention measures are incorporated into residential development.

Controls

1. Noise attenuation measures should be incorporated into building design to ensure acoustic privacy between on-site and adjoining buildings.
2. Developments in areas adversely impacted upon by traffic related noises must incorporate the appropriate noise and vibration mitigation measures into the design in terms of the site layout, building materials and design, orientation of the buildings and location of sleeping and recreation areas.
3. Where party walls are provided they must be carried to the underside of the roof and be constructed in accordance with Part F5 of the *Building Code of Australia*.
4. The proposed buildings must comply with the Environment Protection Authority criteria and the current relevant Australian Standards for noise and vibration and quality assurance.

6.9 Site Services

Objectives

a) To ensure that the required services are provided.

b) To ensure that the services provided are easily protected or maintained.

Controls

Letterboxes

1. Letterboxes shall to be provided for each dwelling on site, easily accessible from the street, able to be securely locked and provided in accordance with Australia Post's requirements.
2. Freestanding letterbox structures should be designed and constructed of materials that relate to the main building.
3. Residential numbering should be attached to the letterbox so that it is clearly visible from the street frontage. Numbers should be 75mm in height, reflective and in contrast to the backing material.

Waste management

1. Waste disposal facilities shall be provided for development involving residential flat buildings or shop top housing. These shall be located adjacent to the driveway entrance to the site or at the rear if a rear lane is provided.
2. Any structure involving waste disposal facilities shall be located as follows:
    - Setback m from the front boundary to the street.
    - Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.

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- Not be located adjacent to an adjoining residential property.
- Details of the design of waste disposal facilities are shown in Part 1.

Frontage works and damage to Council infrastructure

1. Where a footpath, road shoulder or new or enlarged access driveway is required to be provided this shall be provided at no cost to Council.
2. Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.
3. Where there are no existing street trees in front of the site and contributions have not been collected for street tree planting it may be a condition of consent that street trees be provided in the footpath area immediately in front of the site.

Electricity Sub Station

In some cases it may be necessary to provide an electricity sub station at the front of the development adjacent to the street frontage. This will involve dedication of the area as a public road to allow access by the electricity provider. The front boundary treatment used elsewhere on the street frontage

6.10 Secondary Dwellings (Granny Flats)

Objective

To provide housing choice within a standard residential lot for the use of a separate dwelling within the existing title.

Controls

1. A Secondary dwelling can be a maximum of one storey high, unless the granny flat is above the garage facing a rear laneway, where the Secondary dwelling must be one storey high above the garage.
2. A Secondary dwelling should be attached to the main dwelling, as provided by Part 2 of the DCP. However, Council may consider applications for detached granny flats on a merit base.
3. A Secondary dwelling should compliment the main dwelling design by using the same style of construction and a similar colour.

Note: Secondary dwellings are included in the overall floor space ratio of a property, and only one Secondary dwelling is permitted per lot.

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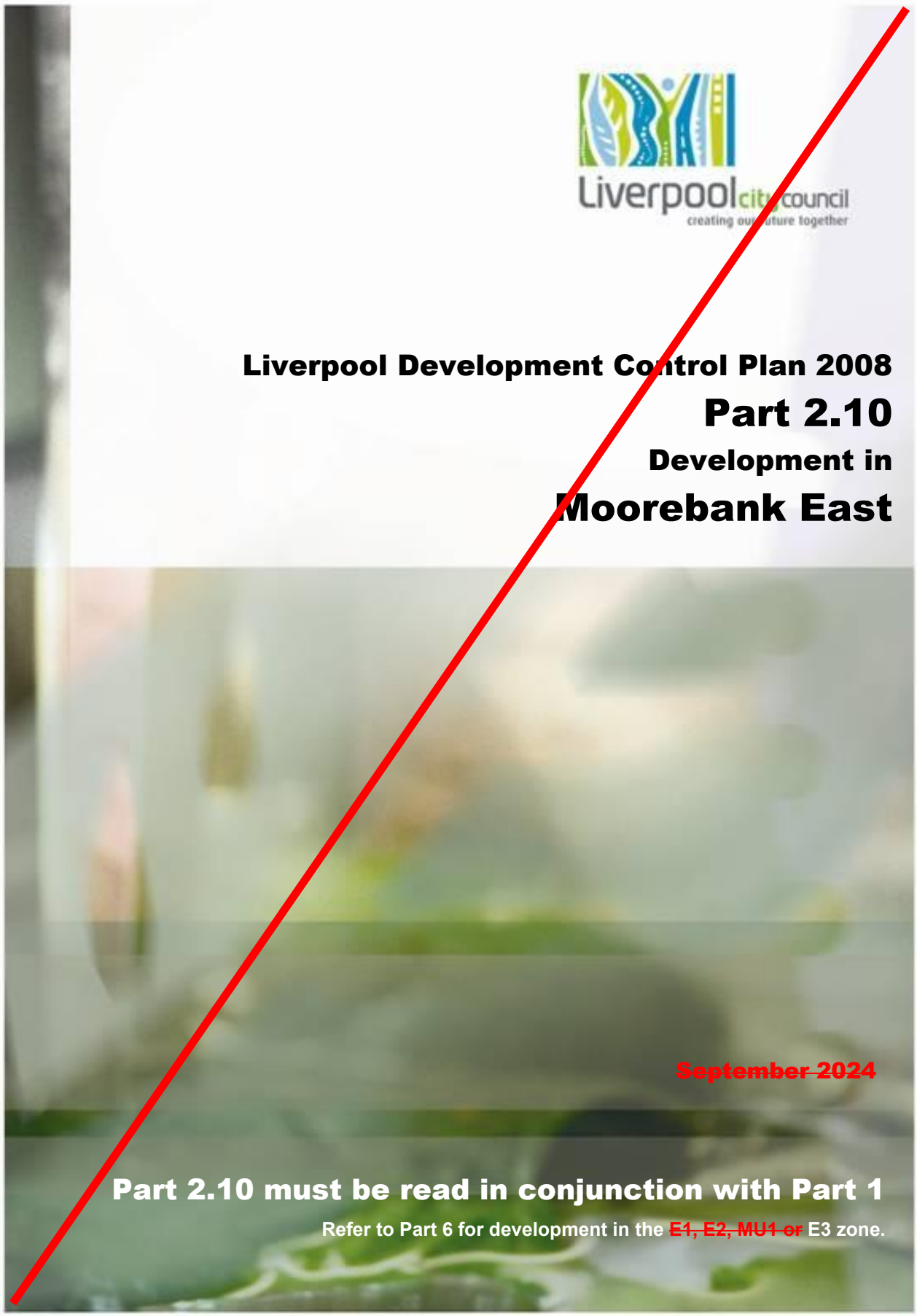
NRS 133 677 (for hearing and speech impaired callers only)

Key for the text colours

This document provides all the proposed changes to the existing Part 2.10 of the Liverpool Development Control Plan 2008. Different text colours are used to enhance the legibility as explained in Table 1 below.

Table 1 – Key for the text colours

Text colours	Reason/Interpretation
Black text	Either: - Existing text to remain in existing section or - Existing text relocated to a new section.
Red text with strikethrough	Existing text to be deleted.
Green text	New text added.
Blue Text	Text deleted (Strikethrough) or added post exhibition.


Liverpool city council
creating our future together
Liverpool Development Control Plan 2008
Part 2.10
Development in
Moorebank East
~~September 2024~~
Part 2.10 must be read in conjunction with Part 1
Refer to Part 6 for development in the ~~E1, E2, MU1 or~~ E3 zone.

Liverpool Development Control Plan 2008

Part 2.10

Moorebank East Precinct

June September 2025

Part 2.10 must be read in conjunction with Part 1

Refer to Part 6 for development in the E3 zone.

LIVERPOOL CITY COUNCIL

LIVERPOOL THE GREAT SOUTH WEST

Liverpool Development Control Plan 2008

Part 2.10 Moorebank East Precinct

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1. Preliminary

Applies to

~~1.Part 2.10 applies to the land, shown in Figure 1.~~

1. Part 2.10 applies to the land, shown in Figure 1 which comprises of:

Moorebank East Precinct site	Lot and DP	Address
Site A	LOT 1 DP 1246745	Lot 1, 146 Newbridge Road Moorebank
Site B	LOT 2 DP 602988	124 Newbridge Road Moorebank
Site C	LOT 2 DP 1246745	Lot 2, 146 Newbridge Road Moorebank
Site D	LOT 3 DP 1246745	Lot 3, 146 Newbridge Road Moorebank
Site E	LOT 2 DP 1278607	Lot 2 Newbridge Road Moorebank

2. Part 1 applies to the land shown in Figure 1.
3. Parts 3.1 – 3.7 do not apply to the land.
4. Part 3.8 ~~also~~ applies. ~~for non-residential development on the land.~~
5. Additional controls on land zoned ~~E1, E2, MU1 or~~ E3 Productivity Support in this locality are in Part 6.



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Figure 1: Land to which this plan applies

Background

~~The site currently consists of a landscape and garden supplies business and sand extraction industry adjoining the Georges River.~~

~~The sand extraction industry has reached the end of its economic life. Landfill has been placed over some of the site to a level above the 1% flood on the Georges River. It is proposed to be redeveloped for residential and business uses with possibly private recreation along the foreshore.~~

~~The landscape and garden supplies business is proposed to redevelop.~~

Moorebank East Precinct

The Moorebank East Precinct is a collection of five sites that are located along the western side of the Georges River, on the eastern border of the Liverpool Local Government Area (LGA).

The precinct is bounded by the Georges River to the east, Brighton Lakes Golf Club to the south, Wurrungwuri Reserve to the west and Newbridge Road to the north.

The Moorebank East precinct has historically been used as follows:

Site	**Historical Land Use**
124 Newbridge Road:	Previous retail uses including a garden centre and landscaping material supplies

146 Newbridge Road:	Previous sand extraction industry.
Lot 2 Newbridge Road:	Contains a former non-putrescible landfill which operated across the site between 1972 and 1979.

~~***Voluntary Planning Agreement***~~

~~Two Voluntary Planning Agreements also apply to the site.~~

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2. Objectives and Social, Environmental and Economic Benefits

Applies to

The following objectives apply to all sites within the Moorebank East Precinct.

Objectives

Accessibility

To ensure a clear relationship between accessibility and land use by:

a) Promoting a movement system that gives appropriate priority to: walking, cycling, public transport, and private vehicles.

b) Guaranteeing a movement system that relates accessibility demand to location of development type.

c) Ensuring that servicing can be carried out appropriately.

d) Ensuring movement priorities, traffic speeds and street and road designs are appropriate to the location and give priority to pedestrians and children.

e) Guaranteeing adequate accessibility for emergency vehicles.

f) Building upon existing movement patterns and infrastructure by utilising the existing street layout.

g) Providing safe access during flooding events.

Social Benefits

To establish affordable and accessible facilities and resources that allow people to maintain wellbeing, live and recreate by:

a) Ensuring that development creates a 'people place' by giving priority to people and human relationships through housing mix and safety.

b) To increase the range of housing opportunities available.

Environmental Benefits

To ensure a clean, safe and healthy environment that builds on existing resources and produces quality built and natural assets by:

a) Establishing appropriate drainage and floodplain management that contributes positively to the area.

b) Developing solutions to manage environmental issues on-site.

c) Ensuring that waste disposal is effective and efficient and that recycling is utilised at every opportunity.

d) Ensuring a high standard of water and air pollution management and water quality.

e) Maintaining and enhancing the quality of the natural environment.

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f) Connecting and enhancing vegetation corridors and providing links between the Western Sydney regional parkland and the Hinchinbrook Creek Corridor.

g) Promoting the conservation of flora and fauna, including the retention of Cumberland Plain Woodland.

h) Promoting the development of place and a quality built environment with people and human relationships as a central consideration.

i) To ensure that future development will not detract from the level of residential amenity and environmental quality enjoyed by residents of adjoining properties

j) To ensure that future residents and occupants of the site will enjoy a high standard of residential amenity and environmental quality

k) To ensure that future development responds sympathetically to existing streetscape, riverscape and townscape values

l) To provide a possible location for a commercial centre and recreational facilities

Economic Benefits

To establish economic capital that is accessible and meets the needs of the community by:

a) Ensuring appropriate accessibility to employment.

b) Ensuring infrastructure is sufficient to meet current and predicted need.

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~~2~~3. Controls for Public Domain

Applies to

The following objectives and development controls apply to all sites within the Moorebank East Precinct.

~~2~~3.1 Street Network

Background

~~It is envisaged that Moorebank East will an accessible place with a clearly identifiable hierarchy of streets. There will be a network of footpaths and cycleway that will help connect the precinct to the immediate surrounding areas. The proposed precinct is to comprise a network and hierarchy of streets that link the site with the surrounding urban fabric. A road link from Brickmakers Drive is proposed to link to Davy Robinson Drive, although this is not envisaged to be a short cut from Newbridge Road.~~

The Moorebank East precinct is to be an accessible precinct with a clearly identifiable hierarchy of streets. There is to be a network of active transport paths that will help connect the precinct to the immediate surrounding areas including to Newbridge Road and Brickmakers Drive.

Objectives

a) To provide for attractive residential and commercial street environments.

b) To ensure safe, efficient and direct access to commercial, residential and recreational areas.

c) To provide for an efficient circulation of bus services and convenient pedestrian access.

d) To minimise the amount of through traffic in residential areas.

e) To ensure safety for pedestrians.

f) To guarantee adequate accessibility for emergency vehicles.

g) To integrate development with the surrounding public transport network.

Controls

~~1.Subdivision of the land shall be in accordance with Figure 2.~~

~~2.Subdivision of the land shall incorporate a link road between Brickmakers Drive and Davy Robinson Drive as shown on Figure 2. The link road shall be a minimum 20m wide and be able to accommodate a bus route.~~

1. The road layout for Moorebank East is to be consistent with Figure 2.
2. Street sections are to comply with Figures 3 – 4.

~~4.Flood free access via a road bridge from Brickmakers Drive shall be provided prior to any subdivision of Lot 7 DP 1065574.~~

3. The street network is to be clearly legible with signposts showing street names and property numbers.
4. Street layouts at key locations are to be designed to ensure pedestrian safety.

5. Kerb ramps are required at all intersections where footpaths are provided
6. Footpaths must be provided along at least one side of every street.
7. A street network plan is to be submitted for all subdivision applications showing street and intersection types and any other proposed street treatments.
8. Local streets shall front open space and avoid back fences to open space and other public areas.
9. All plans must indicate street types and intersection treatments.

~~12. A direct road connection is to be provided from the Road Bridge through the Residential to the private open space.~~

~~13. A pedestrian access shall be provided from land in the R3 zone through the B6 zone through to Newbridge Road.~~

10. Pedestrian access shall be provided from Lot 2 of 146 Newbridge Road to Newbridge Road, Moorebank via Lot 1 of 146 Newbridge Road Moorebank.
11. Driveways are not to be located with 6m of the tangent point of any intersection.
12. Barrier kerbs shall be used:
    - On any street frontage to open space.
    - At all intersections (between the potential driveway location on one frontage to the potential driveway location on the alternative street frontage).
    - Barrier kerb shall be installed for the entire length of bus zones and for 10m on the approach of the bus stop.
13. Roll kerbs may be used in other locations to the above.
14. Street Types

    The following streets are provided:

Collector Street (Link Road)

This street provides a connection between Brickmakers Drive and Davy Robinson Drive.

Local Streets

These streets are designed for slow residential traffic. The road reserve is 15m wide.

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Figure 2: Street Network

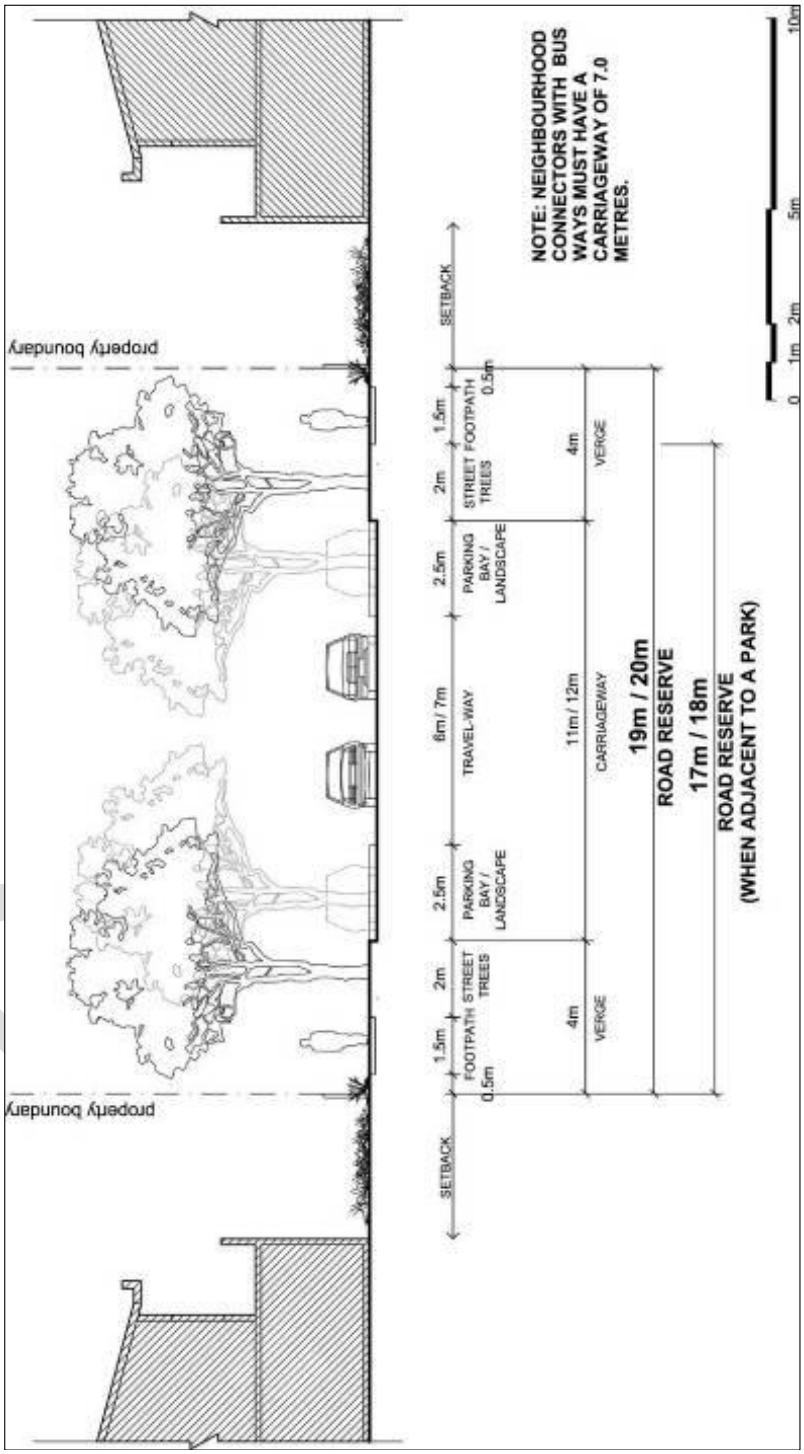


Figure 3: Collector Street

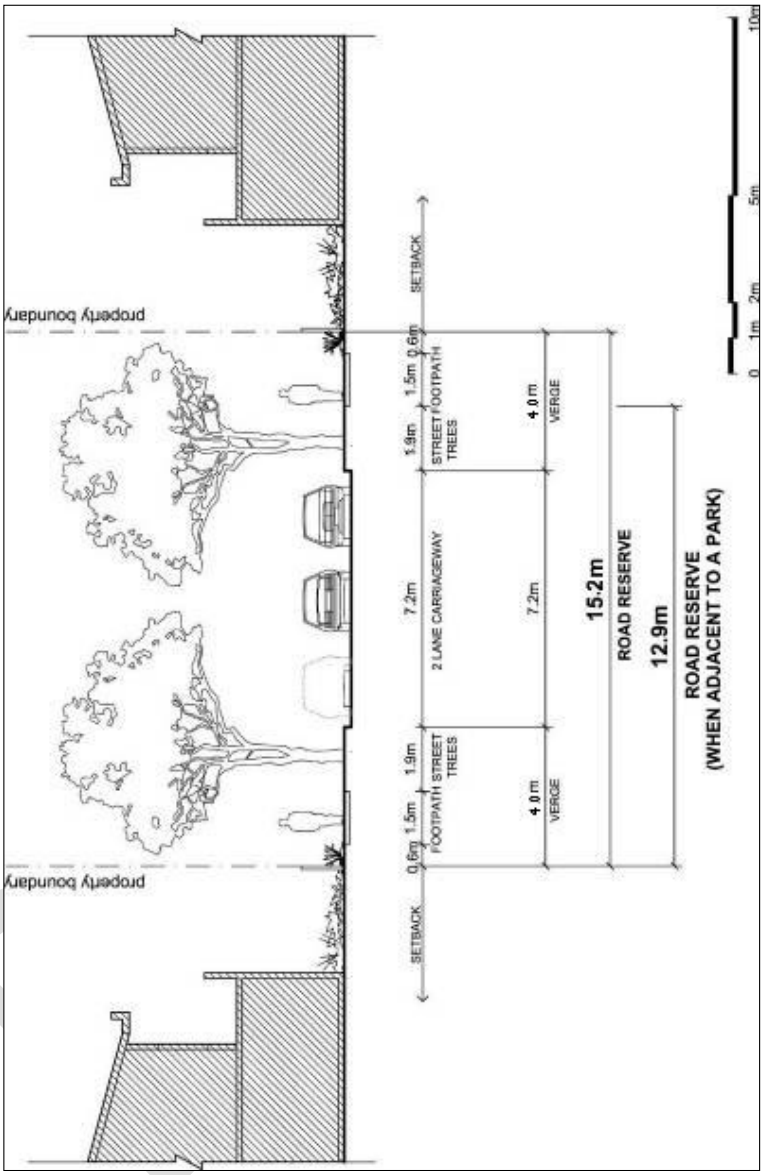


Figure 4: Local Street

~~2~~3.2 Pedestrian and Cyclist Amenity

Background

Pedestrian and Cycle facilities in public spaces provide for linkages to social and cultural activities and educational facilities and should be characterised by excellence of design appropriate to the area.

Vehicle crossings over footpaths need to be managed and minimised to ensure that they do not detract from the quality of the public domain, disrupt pedestrian or cycle movement, or threaten user safety.

Objectives

a) To encourage walking and cycling as opposed to the use of private vehicles for local trips.

b) To provide a permeable and interconnected network of streets and pathways that gives safe, convenient and legible access both within and beyond the site.

c) To minimise and prevent, where possible, vehicular crossings over a pedestrian or cyclist pathways.

Controls

1. Vehicle access to developments is to be designed and located to minimise conflicts with pedestrians and cyclists on footpaths, particularly along high volume pedestrian streets.
2. Wherever practicable, vehicle access to developments is to be a single crossing, perpendicular to the kerb alignment.
3. Where practical, pedestrian and cycle paths in open space areas should be located close to streets on the edge of open spaces to take advantage of street lighting and allow for casual surveillance by residents and drivers. Where this is not practical, paths should be well - lit and visible from the road.
4. Pedestrian and cycle paths are to link the key facilities within and outside the area, such as the open space network.
5. Shared pedestrian/cycle links, cycle ways public roads and lanes are to be clearly and frequently signposted to indicate their shared status.
6. Designated cycle lanes on streets are to be clearly indicated by line – markings on the road surface and/or by signs beside the road.
7. Shared pedestrian and cycle paths are to be a minimum of 2.5m wide.
8. Designated pedestrian – only paths are to be a minimum of 1.5m wide.
9. Pedestrian and Cycle facilities in public spaces are to be safe, well lit, clearly defined, functional and accessible to all. An appropriate level of pedestrian lighting to ensure security and contribute to the legibility of streets.
10. Pedestrian and cycle paths, and pedestrian refuge islands are to be designed to be fully accessible by all in terms of access points and gradients, in accordance with AS 1428:1 – 4.

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~~2~~3.3 Streetscape and Street Trees

Background

Street furniture should maximise pedestrian comfort, convenience and amenity. Further street furniture should create visual harmony and be used to define spaces, streets, paths and gateways. Opportunities for public art in significant public domain locations should be explored as part of the development process.

Objectives

a) To create a sense of identity for the area.

b) To enhance public spaces so that they are vibrant, safe and welcoming.

c) To facilitate cultural identity through art and design in public places.

d) To create quality streetscapes that is visually attractive and integrates with surrounding street layout.

Controls

Street Furniture

1. Street furniture is to be incorporated into the design of all public spaces and should be consistent in design and style.
2. Street furniture is to be located so as not to impede mobility in accordance with AS 1428:1 - 4.
3. The location and detailing of all proposed street furniture is to be indicated on the Landscape Plan, to be submitted with a development application.

Street Tree Planting

4. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street.
5. One street tree shall be planted for each residential dwelling created.
6. Street trees shall be planted along the street frontage for any non-residential development.
7. Street trees shall be planted prior to the release of a subdivision certificate.
8. Trees shall be provided with protection to ensure their survival during the construction of buildings in the street. Refer to Figure 5 for details.
9. Trees and shrubs on individual streets must be of a uniform species. On streets adjacent to bushland, species indigenous to the area must be planted.
10. Intensive planting shall be provided along the Collector Street (Spinnaker Drive) between Lot 1 and Lot 2 of 146 Newbridge Road Moorebank.

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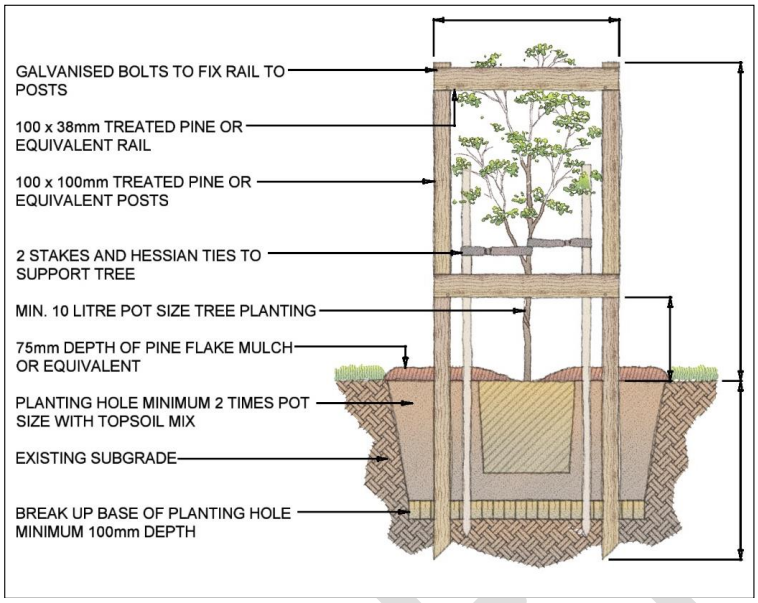


Figure 5: Tree Protection

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~~2~~3.4 Open Space

Background

Public Open Spaces can play an important role in meeting recreational and social needs. Public Open Space within the Moorebank East precinct should include continuous foreshore access and pedestrian and cycle connections throughout.

Public spaces should be designed to promote vibrant social interaction, civic pride and a sense of public ownership and belonging. Landscaped areas and open space within the public domain play a major role in setting the character of the locality. These areas should make the neighbourhood pleasant and welcoming to be convenient to the needs of the community.

Objectives

a) To provide public access to the Georges River Foreshore for residents.

b) To ensure adequate provision and distribution of public space to meet the need of the residents.

c) To provide for adequate links between major open space, community, recreational, and retail facilities.

Controls

1. Direct public active transport access (Pedestrian, bicycle etc) is to be provided between all lots of 146 Newbridge Road and 124 Newbridge Road Moorebank, particularly providing access to, and along, the Georges River Foreshore.
2. Public active transport access (Pedestrian, bicycle etc) is to be provided, along the western boundary of Lot 3 of 146 Newbridge Road Moorebank, to the Georges River foreshore.
3. Local parks provided within residential areas, are to be a focal point for development and activity.
4. Ensure that development which surrounds open space is orientated towards the park to offer casual surveillance.
5. Perimeter streets should be provided to all parks on at least three sides of the park. Where a street frontage is not provided the development must front the park to provide surveillance.
6. Sufficient lighting to be provided within local parks.

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~~2~~3.5 Views and View Sharing

Background

The Moorebank East Precinct provides opportunity for views of the natural environment including the Georges River. It is important to ensure that there are equitable opportunities for residential lots to be designed around the natural environment of the precinct and surrounding area.

Objectives

a) To provide for equitable view sharing.

b) To provide for a subdivision pattern that maximises view points.

c) That view points should be located prior to subdivision.

Controls

1. View corridors are to be identified, maintained and improved where possible.

~~2~~3.6 Foreshore Access

Objective

To provide public access to land along the Georges River foreshore for the community and Council maintenance equipment.

Controls

1. A 10m wide access shall be dedicated free of charge to Council to link a public road with land zoned RE1 - Public Recreation along the Georges River foreshore at the northern end of 146 Newbridge Road Moorebank to permit access by the public and Council maintenance vehicles.
2. A right of way access shall be provided free of charge to Council to link a public road with land zoned RE1 - Public Recreation along the Georges River foreshore at the southern end of 146 Newbridge Road Moorebank to permit access by the public and Council maintenance vehicles.

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~~2~~3.7 Drainage

Objective

To provide appropriate on-site stormwater system which can be economically maintained.

Controls

1. Sites within the Moorebank East Precinct should be generally drained towards the Georges River.
2. An onsite detention basin is required to avoid any increase in peak stormwater discharge from the drain on the western boundary of the Moorebank East precinct.
3. Gross pollutant traps and water quality control ponds are to be provided to remove suspended sediment, nutrients and bacteria.

~~2.8~~ Removal of Fill

Any Development Application ~~on Corner Lot 2 DP 602988~~ is to include provisions for the removal of 35,000m^3 of fill from the area indicated in Figure 6.

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4. Controls and objectives for site A - Lot 1, 146 Newbridge Road Moorebank

4.1 Landscaping

Objectives

a) To ensure non-residential development is constructed to be compatible with local public spaces and residential development.

b) To minimise the impact of bulk and scale of non-residential development on residential development, roads and open spaces.

c) To minimise large hard surface areas to reduce urban heat.

d) To provide tree canopy to align with Council's Tree Management Policy and a Technical Guideline.

Controls

1. Trees are to be planted along the northern elevation (Newbridge Road) and southern elevation (Spinnaker Drive) which grow to a minimum height of 8m.
2. A minimum of 10% of the site area is to be tree canopy cover.
3. The species of trees to be planted on site and the trees nominated locations are not to impact upon sight lines for pedestrians and vehicles, including trucks, entering or exiting the site.
4. A Landscape Plan prepared by a suitably qualified Landscape Architect is to be submitted with the initial development application for construction which nominates the location, type, container size and mature height of all trees to be planted.
5. The initial development application for construction of any building on the subject site is to be lodged with an Ecological Assessment which includes the biodiversity values of the site including vegetation in the eastern and western parts of Lot 1 mapped as Threatened Ecological Community (TEC) Castlereagh Ironbark Forest.
6. Any development application is to include measures to mitigate indirect impacts upon the C2 Environmental Conservation zone land to the west of the subject site including shading, runoff, littering and trampling.
7. Potential direct and indirect impacts to threatened species or threatened ecological communities are avoided or minimised, and any unavoidable impacts should be offset in accordance with the Biodiversity Offset Scheme.

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4.2 External colours and finishes

Objectives

a) To ensure non-residential development is compatible with residential development and open space areas.

b) To minimise opportunities for graffiti.

c) To provide pleasant spaces for the community.

d) A high-quality standard of development is carried out.

e) Visual, acoustic and privacy amenity is retained to adjoining residential developments.

Controls

1. All external walls including the east and west elevation side walls are to be either painted, finished with artwork or incorporate architectural features (I.e windows or cladding).
2. No external wall is to be left blank (I.e: As natural concrete or similar).
3. Any Pylons/support posts, including Pylons within parking areas are to be painted or finished with artwork.
4. Public art is to be provided which is integrated into the design and function of the development to embellish and enliven the public domain.
5. Any public art provided on site is to be designed in consultation with a local artist.
6. Car parking areas, loading/unloading docks, roller doors or to be designed to not be intrusive from the public domain (road, public space etc).
7. Louvers or similar are to be used for void areas/levels.
8. Any building fronting the southern elevation (Spinnaker Drive) is to include active frontages (Such as pedestrian access, windows and balconies).
9. Buildings are to be designed to minimise overshadowing to the private open space of residential dwellings including residential dwellings to the south adjoining Spinnaker Drive.

4.3 External lighting and security

Objectives

a) To ensure external lighting is not obtrusive upon residential developments, pedestrians or vehicles.

b) To minimise light pollution.

Controls

1. Any external lighting is to be in accordance with the relevant Australian Standards, including for brightness, and is not to be obtrusive upon residential developments, pedestrians or vehicles.

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2. No flashing lights or flashing electronic signage, is permitted on site or any building.
3. Security measures such as boom gates, fencing and gates are to be provided on all levels to ensure that the site is secured to exclude public pedestrians and vehicles outside hours of operation.
4. Vehicle and pedestrian access to the lower ground floor (loading dock level) and top level (light Industry) are to be restricted to between 5:00am and 10:00pm. Security measures (Such as boom gates, fencing and gates) are to be implemented to ensure that the levels are inaccessible outside of these hours.
5. Security cameras and alarms are to be provided on site, particularly to all vehicle parking and loading/unloading areas.
6. Security deterrents such as warning signs are to be provided in highly visible areas of the site on all levels.
7. The void area on the lower ground floor fronting Newbridge Road is to include security lighting.
8. A Plan of Management is to be submitted with any development application for the site.
9. The site, inclusive of non-active frontages (I.e: The lower ground floor fronting Newbridge Road) is to demonstrate design considerations to ensure the site is adequately designed in accordance with CPTED Principles.

4.4 External site fencing

Objectives

a) To ensure fencing provides adequate security.

b) To ensure fencing is compatible with the surrounding area including traffic, pedestrians, open space and residential developments.

Controls

1. All boundary fencing is to be a maximum of 1.8m high.
2. No Chainwire, Colourbond fencing or similar fencing material is permitted.
3. All boundary fencing is to be open 'pool type' fencing in black colour or similar and is not to impact upon flood paths.
4. Details of boundary fencing fronting Newbridge Road are to be provided to Transport for New South Wales for comment.

4.5 Flood management

Objectives

a) To ensure safe evacuation of visitors and staff during flood events.

b) To ensure access to the site is closed during flood events.

c) To ensure waste and debris is mitigated during time of flood.

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Controls

1. Stormwater runoff during the pre-construction, construction, and post-construction phases is not to directly discharge into the permanent water body. Effective mitigation measures are be implemented to prevent potential environmental impacts.
2. Rainwater harvesting measures are to be incorporated as part of any development to enhance sustainable water use and reduce runoff.
3. Urban runoff is to be captured and diverted into a biofiltration system before being released into the main water body.
4. Treated stormwater is to only enter the water body at low energy or velocity to prevent erosion and sedimentation issues.
5. An Operational Plan of Management is to be submitted with any development application. The Operational Plan of Management is to include, however is not limited to, the measures to ensure:
    - That the site is evacuated prior to an imminent flood, including visitors and staff.
    - No vehicles are to be on site during periods of flood.
    - No access to the site by pedestrians or vehicles is permitted during periods of flood.
    - Boom gates or similar are to be provided to restrict access to the site during times of flood.
    - Buildings are to be constructed of flood compatible materials including to any plant and service rooms.
    - Signage, lights or similar warning systems are to be implemented on site to warn visitors that access to the site is closed due to potential flood event.
    - A schedule is to be developed and submitted with any development application for regular maintenance and testing of flood gates, alarms, flood compatible materials, plant rooms and the like.
6. Future development of the site shall be carried out in compliance with Council's DCP and Flood Risk Management Manual (2023) (As amended/superseded).
7. A Flood Impact Risk Assessment report is to be submitted with the initial development application for construction on the site with recommendations regarding flood events including evacuation prior to flood events occurring. Shelter in Place is not permitted for the site.
8. A comprehensive Flood Emergency Response Plan (FERP) must be prepared to ensure the safe evacuation of people during floods up to and including the Probable Maximum Flood. The FERP is to be generally consistent with the FERP prepared by Tooker + Associates within section 15 of the Flood Impact Assessment and Flood Emergency Response Plan, prepared by Tooker + Associates dated May 2025.
9. The FERP should be developed in consideration of the findings from the Georges River Evacuation Modelling report by Molino Stewart (March 2022) and comply with the NSW Flood Manual (2023) toolkit: 'Support for Emergency Management

Planning Guideline EM01' (As amended/superseded). The NSW State Emergency Service (NSW SES) should be consulted during the preparation of the FERP.

10. All levels/areas (Including any waste storage and loading/unloading areas) of the development are to include, at a minimum, loudspeakers and visual warning systems capable to alert staff and visitors on site during an emergency (I.e: Flooding).

11. The initial development application for construction on the site is to be referred to the NSW State Emergency Services for correspondence. ~~Any correspondence received within 30 days from date of the referral is to be considered in a development application.~~

4.6 Traffic management

Objectives

a) To ensure safe, efficient and direct access to commercial, residential and recreational areas.

b) To provide for an efficient circulation of bus services and convenient pedestrian access.

c) To minimise the amount of through traffic in residential areas.

Controls

1. Vehicular movements, including entry and exit points, for any development application are to be designed in consultation with Transport for New South Wales. A maximum of one combined vehicular crossover for entry and exit is permitted on Newbridge Road, Moorebank.

2. Traffic control signals as required by DA-611/2018 and DA-611/2018/A, are to be constructed and operational at the intersection of Brickmakers Drive and Promontory Way, prior to any Occupation Certificate for any development on the subject site being issued.

3. Architectural plans are to demonstrate that active transport modes (I.e Walking or cycling) facilitate connection to the broader Moorebank East Precinct and are designed so as to encourage use and benefit from casual surveillance. All vehicles are to enter and exit the site in a forward direction.

4. All vehicles are to enter and exit the site in a forward direction.

5. Light vehicles (I.e: Cars) are to enter and exit from Spinnaker Drive, Moorebank only.

6. All heavy rigid vehicles (Trucks etc) are to enter and exit from Newbridge Drive only. The initial development application is to be submitted satisfying section 2.119 (Development with frontage to classified road) within State Environmental Planning Policy (Transport and Infrastructure) 2021 (As amended).

7. A minimum of 1 raised pedestrian crossing is to be provided on Spinnaker Drive, Moorebank adjacent to the subject site.

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4.7 Waste management

Objectives

a) To ensure waste collection does not impact upon residential developments, pedestrians, vehicles.

b) To minimise waste impacts upon the vicinity.

Controls

1. A construction waste management plan is to be provided with any development application.
2. An Operational Plan of Management is to be submitted with any development application. The Operational Plan of Management is to include, however is not limited to, the measures to ensure:
    - All commercial and industrial waste services (Including supplying and collection of bins) are to be implemented by a licensed private waste contractor (or multiple contractors).
    - A private waste service to any commercial or industrial premise must be in place at all times while the non-residential uses are operating.
    - Waste services must be delivered with a frequency sufficient to avoid negative health outcomes, such as the breeding of insects, or the generation of odours associated with decay.
    - No waste bins or materials awaiting disposal, recycling or processing are to be placed in any public place, including on kerbsides, nature strips, footpaths or any part of any public road.
    - The collection of waste and storage of waste bins is not to impact upon traffic movements on site and not to be located in allocated parking spaces.
    - All shopping trolleys must be 'geo-fenced' (I.e: Automatic locking mechanism of the shopping trolley wheels) once the shopping trolleys reach the boundary of the site.
    - Waste storage areas, including the bins, are to be completely enclosed and vermin proof. Lids of the bins are to remain closed unless waste is being added to the bin
    - Signage, being predominantly picture based, is to be fitted within each premises waste area and within any waste area for the site to easily identify where different typed of waste is to be disposed of.
    - No litter is to be left on the ground either in the bin room or external areas. Car park areas are to be cleaned for litter at a minimum of twice per week.
    - Customer bins within premises are to be emptied regularly to avoid overflow.
    - Waste impacts and shopping trolleys are adequately managed to minimise amenity concerns to the surrounding area.

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3. Each retail premises is to demonstrate a dedicated internal waste area of a sufficient size for the size and operation of the premises and is to include separate waste and recycling bins.
4. Any stormwater pits or trench drains within the waste storage areas, or within 15 metres of where waste or recycling will be emptied into a waste removal truck, must be fitted with a 'fine grade' drain cover, to prevent the ingress of items of litter into the stormwater system.

5. Controls and objectives for site B - 124 Newbridge Road Moorebank

Applies to

This section applies to site B – 124 Newbridge Road Moorebank (Lot 2 DP 602988) only.

5.1 Removal of Fill

Objectives

a) To ensure flooding impacts are minimised on the community.
b) To ensure safety for pedestrians, vehicles and the vicinity.
c) To guarantee adequate accessibility for emergency vehicles.

Controls

1. Any Development Application on Site B (124 Newbridge Road Moorebank - Lot 2 DP 602988) is to include provisions for the removal of 35,000m^3 of fill from the area indicated in **Figure 6.**

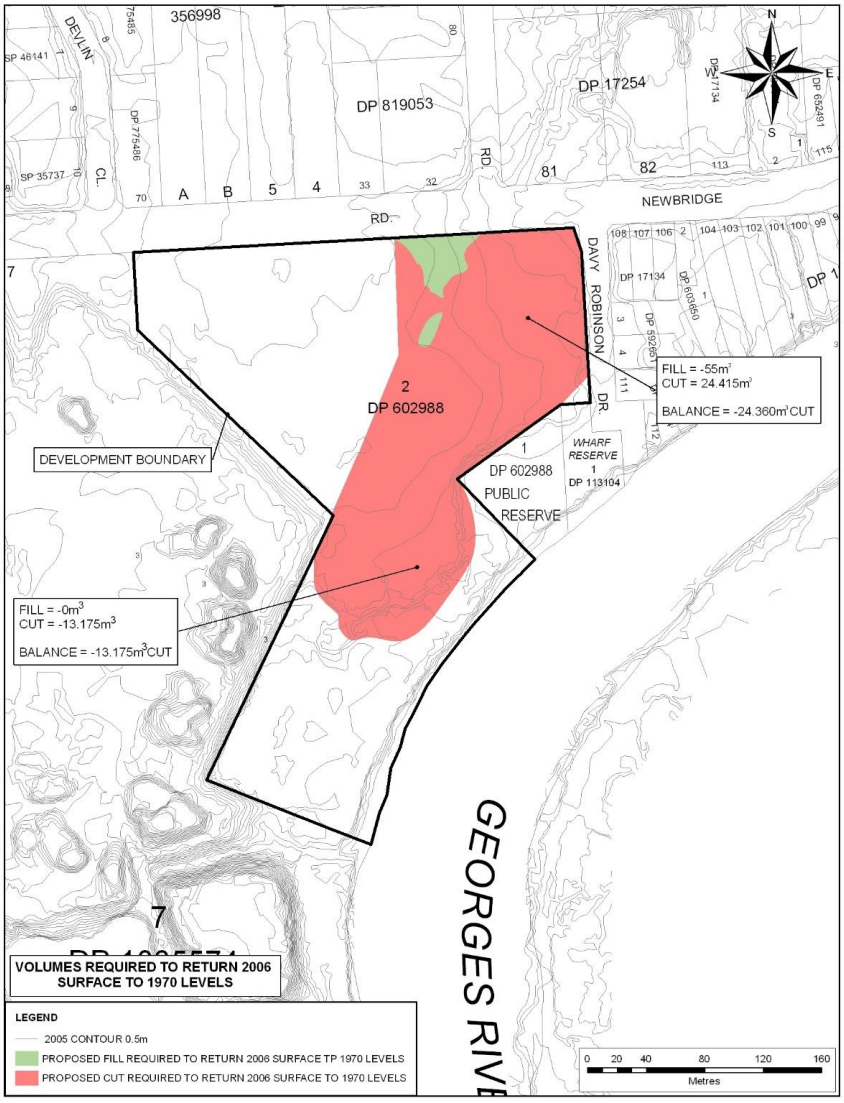


Figure 6: Area of fill to be removed

~~3. Controls for Private Domain~~

6. Controls and objectives for site C - Lot 2, 146 Newbridge Road Moorebank

~~3~~6.1 Subdivision, Frontage and Allotment Size

Objectives

a) To provide a range and mix of lot sizes to suit a variety of dwellings types distributed throughout the area.

b) To locate higher density in places of greatest amenity, such as near parks, other open spaces and along transport nodes.

c) To ensure that the density of development and siting of dwellings maintain a high standard of privacy.

d) To ensure lots are oriented to optimise solar access to facilitate micro-climate management, including the application of energy conservation principles.

e) To ensure all dwellings address the street.

f) To ensure that lot size and dimensions take into consideration the physical characteristics of the land, in a way, which promotes retention of existing vegetation and reduces the incidence of damaging earthworks and retaining wall construction.

g) To ensure passive surveillance of public space through the effective and functional layout designs of new developments.

h) To ensure that the dwelling siting minimises impacts on views from adjacent existing residential development.

Controls

1. 25% of lots must be 300sqm or greater
2. At least 25% of lots must be less than 300sqm
3. Any lot greater than 400sqm should have a frontage of at least 12m.
4. All development needs to be in accordance with Council's adopted residential subdivision design principles.

Dwelling Mix

Objectives

a) To ensure development provides a mix of dwelling types and sizes to accommodate a range of household types and needs.

b) To provide for a variety of residential dwelling mix, sizes and layouts within each residential development.

Controls

1. A maximum of 216 dwellings are permitted on the site.
2. Subdivision, lot sizes and orientation are to address the principles in Figures 7 and 8.

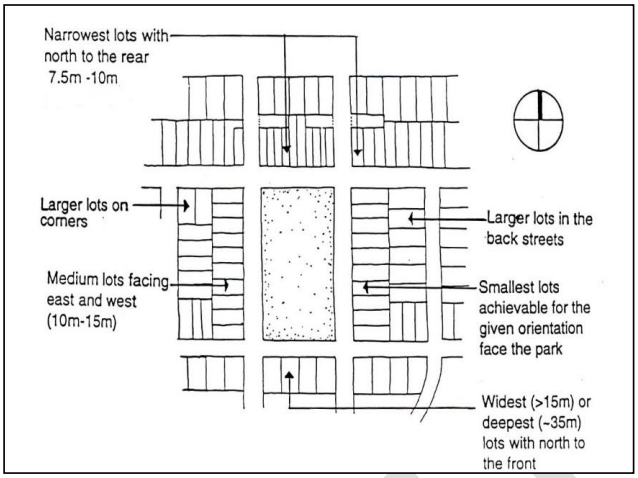


Figure 7 Highest density generally located in accessible places with highest amenity

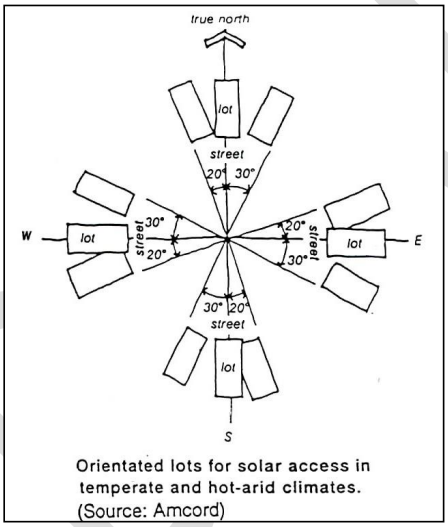


Figure 8 Lot Orientation

3. Lot sizes and dimensions are to take into account the slope of the land to minimise earthworks/retaining wall construction and the retention of existing trees.
4. Minimum allotment width is 6m.
5. Any application for subdivision creating allotments of 6m width must be accompanied by an application for a dwelling house on each of those allotments.
6. On east-west lots, houses and private open space are to be sited generally in accordance with Figure 9.

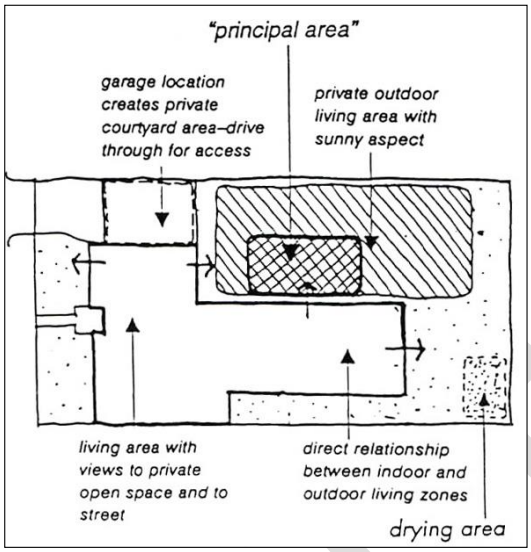


Figure 9 Private open space considerations on an east-west lot

~~3~~6.2 Site Planning

Objectives

a) To ensure that the dwelling house is sensitive to site attributes, such as streetscape character, natural landform, drainage, existing vegetation, land capability, slope, solar access and if relevant, heritage items.

b) To ensure privacy for residents and neighbours.

Controls

1. The dwelling layout must be designed around the site attributes such as slope, existing vegetation, land capability and/or solar access (See Figure 10).
2. There must be a direct link from at least one living area to the principal private open space.
3. The siting of windows of habitable rooms on the first floor shall minimise overlooking to the principal private open space of neighbouring properties.
4. Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate. Refer to Water cycle management in Part 1 of Liverpool DCP.

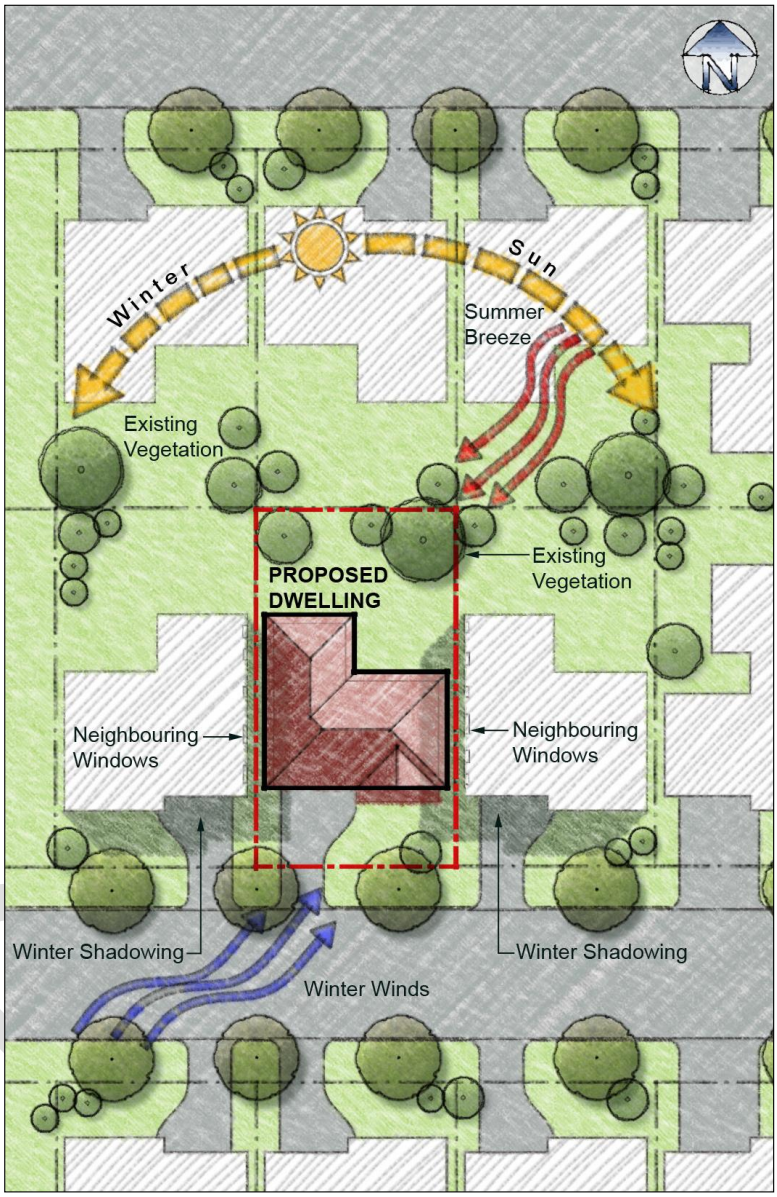


Figure 10 Site Analysis

~~3~~6.3 Setbacks

Front and Secondary Setbacks

Objectives

a) To ensure appropriate front setbacks.

b) To contribute to the creation of attractive and memorable streetscapes that has a consistent character.

c) To reduce the potential visual effects of garages on dwelling facades and streetscapes.

d) To provide adequate space for landscaping or open space.

Controls

1. Dwelling houses shall be setback in accordance with Table 1.

Table 1 Setbacks

Height	Front Setback	Secondary Setback
Ground floor	4.5m	2.5m
First floor	5.5m	2.5m

2. Garages must be set back a minimum of 1m behind the main face of the dwelling. (The main face is the first wall of a habitable room)
3. Verandahs, balconies, eaves and other sun control devices may encroach on the minimum front and secondary setback by up to 1m.
4. The secondary setback is the longest length boundary.
5. Garages that address the secondary frontage must a have minimum setback of 5.5m.
6. Corner sites shall provide a frontage to both streets and should articulate their corner location with an architectural feature such as a wrap around verandah, bay window, corner entry or roof feature.

Side and Rear Setbacks

Objectives

a) To maximise private amenity within the dwelling.

b) To minimise the impacts of development on neighbouring properties in regard to views, privacy and overshadowing.

c) To ensure that dwellings are sited so as to provide for solar access and both visual and acoustic privacy.

Controls

1. Dwellings shall be setback from the side and rear boundaries in accordance with Table 2.

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Table 2 Side and Rear Setbacks

Item	Side Setback	Rear Setback
Single storey dwelling houses	0.9m	5.0m
Second storey component of dwelling houses	1.2m	8.0m
Living room doors (including family rooms and rumpus rooms)	4.0m	5.0m

Note: Building encroachments may only occur if it is seen as beneficial for open space, solar access and the internal layout of the dwelling. The dwellings living areas should open out to open space.

Zero lot lines

1. Walls are generally to be 180mm clear of the side boundary to allow for gutter and eaves overhang.
2. The length of a zero lot line wall is limited to 50% of the adjacent side wall boundary.
3. No windows are permitted in a zero lot line wall.
4. A maintenance easement of at least 700 mm shall be provided on the adjoining boundary.

~~3~~6.4 Landscaped Area and Private Open Space

Landscaped area is defined in Liverpool LEP 2008.

Private open space is an area within the site (usually at the rear) that is set aside for outdoor activities. Clotheslines, BBQ areas, pergola (unroofed structure), patio, garden sheds and pools can be included in the private open space.

Principal Private open space is an area that is directly accessible from at least one living room and is included in the private open space calculations (the principal private open space area may be paved or sealed).

Landscaped Area

Objectives

a) To provide an area to allow vegetation to mature.

b) To reduce the impact to neighbouring properties and natural waterways from stormwater runoff.

c) To reduce the amount of impervious areas.

d) To enhance the existing streetscape and soften the visual appearance of the dwelling.

e) To maximise the amount of landscaped area within the front setback of the dwelling.

f) Note: All proposed developments require a landscape plan to be submitted with the development application.

Controls

1. A minimum of 20% of the site area shall consist of Landscaped Area, this may include lawn, deep rooted trees, garden beds and mulched areas.
2. A minimum unincumbered area of 5 x 6m shall be provided in rear setback to accommodate deep rooted trees.
3. A minimum of 50% of the front setback area shall be landscaped area.
4. A minimum unincumbered area of 3 x 5m shall be provided in front setback to accommodate deep rooted trees.

Private Open Space

Objectives

a) To ensure that a minimum amount of Private Open Space is provided for outdoor activities.

b) To ensure that Private Open Space is clearly defined for private use.

c) To ensure that Private Open Space is private, landscaped, screened from overlooking and receives an adequate amount of solar access.

Controls

1. Each dwelling must provide a minimum of 50 m^2 of Private Open Space.
2. Areas less than 2.5m in width does not qualify as Private Open Space.
3. Private open space areas are not permitted within the primary street setbacks.
4. The Private Open Space shall include the principal private open space, which is directly accessible from the main living area of a dwelling with a minimum dimension of 4 x 6 m
5. The Principal Private Open Space must receive 3 hours of sunlight to at least 50% of the area between 9:00am and 5:00pm on 21 June.

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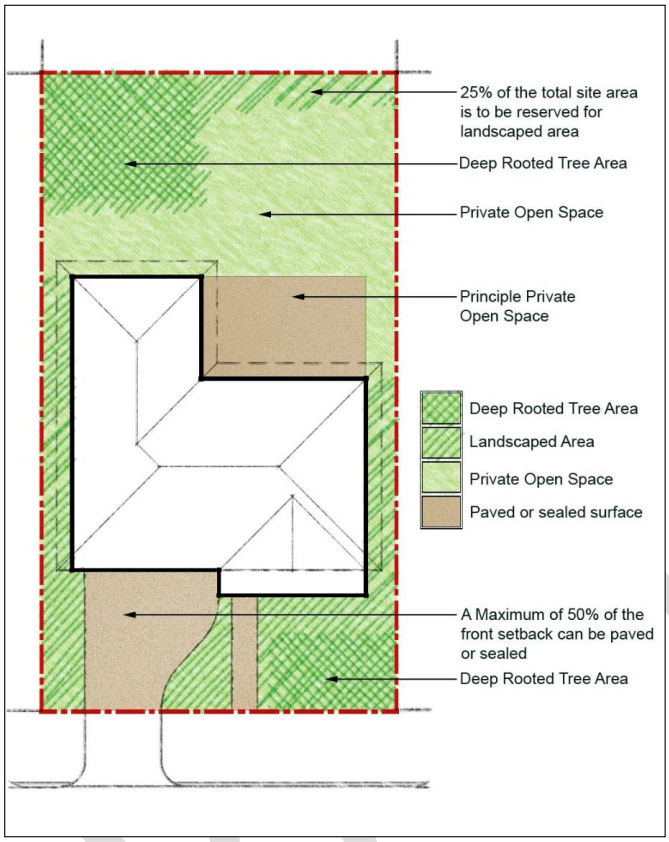


Figure 11 Landscaped Area

~~3~~6.5 Cut and Fill, Building Design, Streetscape and Layout

Cut and Fill of Land

Objectives

a) To reduce the incidence of change in natural ground levels.

b) To encourage the architectural designs of dwellings which suit the contours of the land.

c) To provide controls for cut and fill of land designed to minimise the incidence of soil erosion and subsequent sedimentation of waterways.

d) To ensure that development on adjoining properties is not threatened or prejudiced by proposed cut and fill practices.

e) To discourage and eliminate, where possible, the construction of retaining walls on allotment boundaries.

f) To minimise overshadowing of neighbouring dwellings, their private open space or any solar panelling.

Controls

1. The maximum cut on a site must not exceed 600mm.
2. All retaining wall structures shall be masonry construction and designed by a suitably qualified person, or constructed as specified by the manufacturer of the product. The retaining wall shall be constructed wholly inside (within) the boundary of the site.
3. All slab constructions for dwellings that are above natural ground level are to be constructed using dropped edge beams to retain fill. The maximum fill within the confines of the slab must not exceed 1 m. All fill must be contained within the dwelling footprint.
4. Contaminated fill, either imported or found on site is not permitted.

   Note: In the event of approval being granted to the erection of retaining wall(s) to contain proposed cut, Council will require the completion of such retaining wall(s) PRIOR TO the release of the occupation certificate.
5. Where an applicant considers that an allotment has characteristics which warrant exemption from this policy, an application for exemption may be made by the submission of a development application to Council for consideration. In addition to normal requirements the submission should include:
   - A plan showing existing contours (at 0.5m intervals) of the subject site and all adjoining sites.
   - A plan showing future contours (after proposed cut and fill) of the subject site and all adjoining sites.
   - Full details of any proposed retaining wall(s).

   Note: In the event of approval being granted to the erection of retaining wall(s) to contain proposed cut and fill, Council will require the completion of such retaining wall(s) PRIOR TO the commencement of any building works.

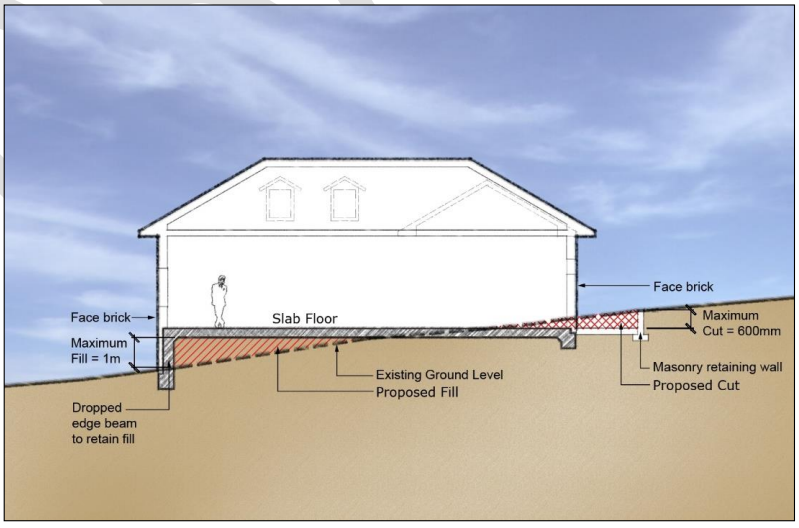


Figure 12 Cut and Fill requirements for a dwelling

Building Design and Appearance

Objectives

a) To encourage designs that will enhance the character of the neighbourhood.

b) To promote variation of building facade and design.

c) The building enhances the streetscape through the use of suitable built form design and landscaping.

d) To ensure buildings address all street frontages.

e) To discourage garages and in particular garage doors, from visually dominating the streetscape.

f) To ensure that the building design, detailing, colour and finish shall add visual interest to the street and shall compliment the street.

g) To ensure habitable rooms address the street.

h) To encourage balconies over garages in two storey dwellings.

Controls

Dwellings

1. All dwellings are to be orientated to the street (See Figure 13).
2. The front pedestrian entrance must be visible from the street.
3. The front Building facades shall be articulated, this articulation may include front porches, entries, wall indents, changes in finishes, balconies and/or verandahs.
4. For two storey developments, the side walls shall be articulated if the wall has a continuous length of over 10m.
5. Eave overhang must provide for sun shading and protect windows and doors. Eaves should have a minimum overhang of 400 mm and be provided to a minimum of 70% of the dwelling.
6. Dwellings that face two street frontages or a street and public space must address both frontages by the use of verandahs, balconies, windows or similar modulating elements.
7. Balconies facing the street on two storey dwellings are encouraged (See Figure 13).

Two storey dwellings

To break up the bulk of two storey dwellings balconies built above garages are encouraged

Garages and Carports

1. The maximum width of garage doors or carports must be no greater than 50% of the building frontage width.
2. Garages and carports must be designed to be the minor element of the façade.

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3. Garage roofs shall be incorporated into the roof design of the house. Separate roofs for garages are discouraged, unless actually separated from the dwelling.
4. Garages and carports are to be compatible with the building design in terms of height, roof form, detail, materials and colours.
5. Carports may be built in front of the garage *only if* the carport is:
   - No larger than 5.5 x 6m.
   - Built of a similar colour and materials of the house.
   - Setback 2m from the front property boundary.
   - Compatible with the local streetscape.
6. The conversion of garages to living space may only be permitted if:
   - At least one car parking space is provided behind the front setback.
   - The additional living area does not result in the building exceeding the maximum permitted floor space ratio.



Figure 13 Example of Building Appearance (Indicative Only – Not to Scale)

Internal Design of Dwellings

Objectives

a) The internal design must contribute to personal safety and to the protection of property by permitting casual surveillance of public spaces from private windows and entries.

b) To provide passive surveillance from rooms addressing the street or any adjoining open space.

c) To locate amenity rooms (such as laundries, bathrooms, toilets) to the side and rear of the development.

d) To encourage the internal design of the dwelling to take advantage of cross ventilation.

e) That each dwelling shall provide a sufficient amount of storage for elements such as garden and sports equipment.

Controls

1. All dwellings shall have habitable rooms located to the front of the dwelling for security and surveillance to the street.
2. Living rooms should take advantage of northern aspects.
3. Access to private open space must be from at least one living room.
4. The internal layout of the dwelling must incorporate cross ventilation.
5. Bathrooms, ensuites, laundries and walk in wardrobes should be located to the side or rear of the dwelling.
6. Each dwelling must provide a minimum storage area of $8m^3$.
7. Locate active use rooms or habitable rooms with windows overlooking communal/public areas (e.g. playgrounds, gardens).
8. The main living area must receive at least 3 hours of sunlight between 9.00am and 5.00pm on 21 June.

~~3~~6.6 Landscaping and Fencing

Objectives

a) To retain existing mature trees within the site in a way which ensures their ongoing health and vitality.

b) To provide privacy, summer shade and allow winter sun.

c) To enhance the existing streetscape and visual appearance of dwellings.

d) To encourage landscaping that is appropriate to the natural, cultural and heritage characteristics of its locality.

e) To ensure the visual impact of development is minimised and integrated into the streetscape.

Controls

1. A minimum of one tree is to be provided within the front setback area of every residential dwelling. This may include existing trees that are to be retained within the front setback area. Newly planted trees are to have a minimum pot size of five litres.
2. Trees planted on the northern side of private open space and habitable rooms are to be deciduous.
3. Planting of vegetation at the front of higher density development must consider the need for passive surveillance. Excessively dense vegetation that creates a visual barrier must be avoided.
4. Any tree with a mature height over 8 m should be planted a minimum distance of 3 m from the building or utility services.
5. A landscape plan must be lodged with all Das, and is to provide the following details
    - The location of any existing trees on the property, specifying those to be retained and those to be removed.

- The location of any trees on adjoining properties that are likely to be damaged as a result of excavations of other site works.
- The position of each shrub and tree species proposed to be planted.

Fencing

Objectives

b) To provide a clear transition between public and private areas.

c) To provide a visual element within the streetscape.

d) To ensure fencing enhances the streetscape.

Controls

1. Wall finishes must have low reflectivity.
2. Where noise insulation is required, consider the installation of double-glazing or other noise attenuation measures at the front of the building rather than construction of a high solid form fence.

Primary Frontage

1. The maximum height of a front fence is 1.2m.
2. Fences should not prevent surveillance by the dwelling's occupants of the street or communal areas.
3. The front fence must be 30% transparent.
4. Front fences shall be constructed in masonry, timber, metal picket fencing and/or vegetation and must be compatible with the proposed design of the dwelling.
5. The maximum height of the front fence is 1.2m.

Secondary Frontage

1. Side fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped (see Figure 13).
2. For side walls or fences along the secondary frontage, a maximum height of 1.2m is required for the first 9m measured from the front boundary, the remaining fence / wall may then be raised to a maximum of 1.8m (see Figure 12). The secondary setback is the longest length boundary.
3. Side fencing must not be constructed of sheet metal.

Boundary Fences

1. The maximum height of side boundary fencing within the setback to the street is 1.2m.
2. Boundary fences shall be lapped and capped timber or metal sheeting.



Figure 14 Fence types

~~3~~6.7 Car Parking and Access

Car Parking

Background

The provision of on-site parking is required for all residential allotments. On-site parking is to be provided in a way that does not compromise the appearance of dwellings from the street.

Objectives

a) To provide sufficient and convenient parking for residents and visitors.

b) To ensure that parked vehicles do not create traffic or pedestrian hazards, and do not degrade landscaped areas such as grass verges.

c) To reduce the visual impact of garages, carports and parking areas on the streetscape and improve dwelling presentation.

Controls

1. Two car parking spaces shall be provided for each dwelling.

2. At least one car parking must be provided behind the front setback.
3. A car parking space is to have a minimum dimension of 2.5 x 5.5m.
4. A single garage is to be a minimum of 3m wide internally and unobstructed.
5. All parking spaces for adaptable housing units shall comply with *AS 2890:1* for disabled car parking.

Internal Driveways

Background

Where private driveways are used they are designed to minimise their impact on the streetscape and on the environment.

Objectives

a) To provide safe and convenient access to garages, carports and parking areas.

b) To create a pleasant, low maintenance place.

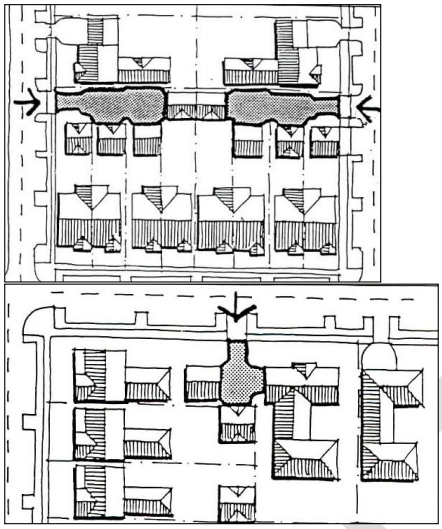
c) To ensure clearly defined public and private spaces, such that driveways are for the sole use of residents.

d) To ensure casual surveillance of private driveways from dwellings and from the street

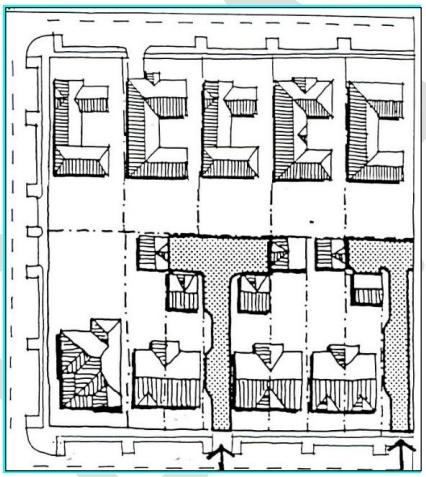
e) To minimise conflict between pedestrians and vehicles at the junction of driveways and footpaths.

Controls

1. The driveway crossing the verge between the property boundary and the kerb is to have a maximum width of 5.5m.
2. Driveways are to have soft landscaped areas on either side, suitable for infiltration.
3. Private driveways are to have the smallest configuration possible to serve the required parking facilities and vehicle turning movements.
4. Private driveways are to be constructed as one of three general types, depending on block geometry and garages to be accessed. (See Figure 13).
5. Higher density development fronting to collector streets is to have rear access through laneways, car courts and the like. Developers are to identify opportunities for rear lanes parallel to collector streets.
6. Corner lots on collector streets are to have access from the street perpendicular to the collector street.
7. At the street entry, the driveway is to be landscaped to have low visual impact and be clearly distinguishable as private access only.
8. Landscaping at driveways should not block lines of sight for pedestrians, cyclists and vehicles.



TYPE 1 – CLOSE
- **Preferable**



TYPE 2 – T-SHAPED
- **Driveway should be from frontage road of the narrow lot dwellings**
- **Use where block geometry or available road frontage precludes "close".**

Figure 15 Private Driveway Options

~~3~~6.8 Amenity and Environmental Impact

Overshadowing

Objective

To minimise overshadowing of neighbouring dwellings and their private open space.

Controls

Adjoining properties must receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least:

- One living room, rumpus room or the like.
- 50% of the private open space.

Privacy

Objective

To site and design buildings in a manner which protects the visual privacy of adjoining dwellings and their private open space.

Controls

1. Habitable room windows facing side boundaries are to be offset by at least 1m from any habitable room windows in an adjoining dwelling (See Figure 16).
2. Habitable room windows on the first floor that face the side boundary are to avoid unreasonable overlooking by having a minimum sill height of 1.5m, except where they face a street or public open space (See Figure 16).
3. Building siting, window location, balconies and fencing must consider the importance of the privacy of on site and adjoining buildings and private open spaces.
4. Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties.

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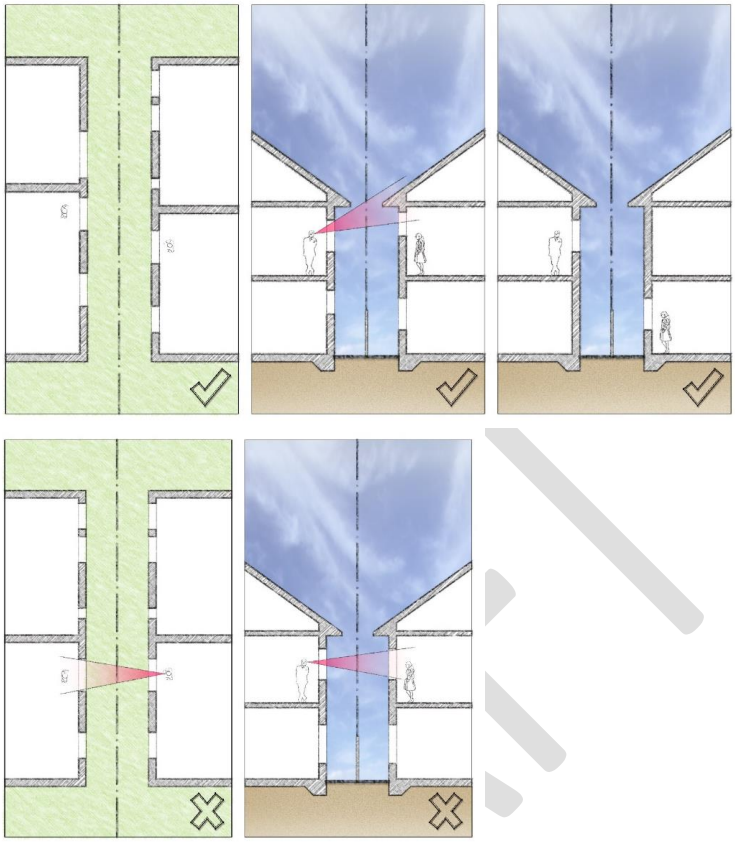


Figure 16 Privacy and Amenity

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Acoustic Privacy

Objective

To ensure appropriate noise and vibration attention measures are incorporated into residential development.

Controls

1. Noise attenuation measures should be incorporated into building design to ensure acoustic privacy between on-site and adjoining buildings.
2. Developments in areas adversely impacted upon by traffic related noises must incorporate the appropriate noise and vibration mitigation measures into the design in terms of the site layout, building materials and design, orientation of the buildings and location of sleeping and recreation areas.
3. Where party walls are provided they must be carried to the underside of the roof and be constructed in accordance with Part F5 of the *Building Code of Australia*.
4. The proposed buildings must comply with the Environment Protection Authority criteria and the current relevant Australian Standards for noise and vibration and quality assurance.

~~3~~6.9 Site Services

Objectives

a) To ensure that the required services are provided.

b) To ensure that the services provided are easily protected or maintained.

Controls

Letterboxes

1. Letterboxes shall to be provided for each dwelling on site, easily accessible from the street, able to be securely locked and provided in accordance with Australia Post's requirements.
2. Freestanding letterbox structures should be designed and constructed of materials that relate to the main building.
3. Residential numbering should be attached to the letterbox so that it is clearly visible from the street frontage. Numbers should be 75mm in height, reflective and in contrast to the backing material.

Waste management

1. Waste disposal facilities shall be provided for development involving residential flat buildings or shop top housing. These shall be located adjacent to the driveway entrance to the site or at the rear if a rear lane is provided.
2. Any structure involving waste disposal facilities shall be located as follows:
   - Setback m from the front boundary to the street.
   - Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.

- Not be located adjacent to an adjoining residential property.
- Details of the design of waste disposal facilities are shown in Part 1.

Frontage works and damage to Council infrastructure

1. Where a footpath, road shoulder or new or enlarged access driveway is required to be provided this shall be provided at no cost to Council.
2. Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.
3. Where there are no existing street trees in front of the site and contributions have not been collected for street tree planting it may be a condition of consent that street trees be provided in the footpath area immediately in front of the site.

Electricity Sub Station

In some cases it may be necessary to provide an electricity sub station at the front of the development adjacent to the street frontage. This will involve dedication of the area as a public road to allow access by the electricity provider. The front boundary treatment used elsewhere on the street frontage

~~3~~6.10 Secondary Dwellings (Granny Flats)

Objective

To provide housing choice within a standard residential lot for the use of a separate dwelling within the existing title.

Controls

1. A Secondary dwelling can be a maximum of one storey high, unless the granny flat is above the garage facing a rear laneway, where the Secondary dwelling must be one storey high above the garage.
2. A Secondary dwelling should be attached to the main dwelling, as provided by Part 2 of the DCP. However, Council may consider applications for detached granny flats on a merit base.
3. A Secondary dwelling should compliment the main dwelling design by using the same style of construction and a similar colour.

Note: Secondary dwellings are included in the overall floor space ratio of a property, and only one Secondary dwelling is permitted per lot.

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NRS 133 677 (for hearing and
speech impaired callers only)

Sent: Thursday, 11 September 2025 10:29 AM

Hi Stephen,

Thank you for your email.

TfNSW has reviewed the assessment and Council's subsequent email comments received on 4 September 2025 (below) and 8 September 2025 (attached). Transport generally accepts that this addresses the issues of our previous submission dated 26 August 2025 (attached) or proposes how these matters (ie. such as access) will be addressed as part of any future Development Application (DA) and via a site specific DCP. Hence, the planning pathway put forward by Council is considered satisfactory.

For any further enquiries, please contact Land Use Planner

Kind regards,

Land Use Planner – Strategic Land Use – Eastern
Transport Planning
Planning, Integration and Passenger
Transport for NSW

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Good afternoon

The upgrade of the Promontory Way/Brickmakers Drive intersection to be traffic signals, is currently imposed by conditions imposed within the development consent issued for the Georges Cove Marina development application (DA-611/2018 and as modified by DA-611/2018/A). Both DA-611/2018 and DA-611/2018/A development consents are attached for reference.

The conditions are imposed within the development consent (As modified) to ensure that the intersection is upgraded to be a traffic signal intersection prior to any Occupation Certificate (I.E: Use) of the Marina development associated with the development application.

Specifically, the traffic signal intersection upgrade is tied to development consent conditions:
General Conditions
- Condition 2 (General Terms of Approval) of DA-611/2018/A.
- Condition 3 of DA-611/2018.

Prior to Construction Certificate
- Condition 54 (Access, Car Parking and Manoeuvring - General) of DA-611/2018/A.
- Condition 54A (Access, Car Parking and Manoeuvring - General) of DA-611/2018/A.
- Condition 54B (Access, Car Parking and Manoeuvring - General) of DA-611/2018/A.
- Condition 56 (Access, Car Parking and Manoeuvring - General) of DA-611/2018/A
- Condition 63D (Access, Car Parking and Manoeuvring - General) of DA-611/2018/A.

During Construction
- Condition 95 of DA-611/2018
- Condition 96 of DA-611/2018.
- Condition 99A (Access, Car Parking and Manoeuvring - General) of DA-611/2018/A.

Prior to Issue of Occupation Certificate
- Condition 139 (Public Road Access) of DA-611/2018/A.
- Condition 140 of DA-611/2018.

Conditions to the same effect, in consultation with TfNSW (as concurrence from TfNSW will be required at the development application stage), can be imposed within any development consent issued for any development on the site subject to PP-2024-0963.

This will ensure that the intersection of Promontory Way/Brickmakers Drive is upgraded to be a traffic signal intersection, at full cost to the developer, prior to the use of either the Marina development site (Lot 3 of 146

Newbridge Road Moorebank - DA-611/2018 and DA-611/2018/A) or Georges Cove Village site (Subject to PP-2024-0963 – Lot 1 of 146 Newbridge Road Moorebank) (Prior to the issuing of an Occupation certificate 9Use) of whichever development is constructed first).

Any further clarification please feel free to give me a call.

Kind regards,

Senior Strategic Planner

LIVERPOOL CITY COUNCIL

Customer Service: 1300 36 2170 | 33 Moore Street Liverpool, NSW 2170, Australia

www.liverpool.nsw.gov.au



We acknowledge the traditional custodians of the land that now resides within Liverpool City Council's boundaries, the Darug and Dharaw

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From:
Sent: Monday, 8 September 2025 11:27 AM

Hi

Thank you for the email.

Just to clarify with point 4 as the provision of new traffic signals at Brickmakers Drive/Promontory Way intersection, TfNSW is keen to understand the planning tools which will ensure infrastructure upgrade proceeds.

Can Council please send to TfNSW a copy of the Planning Agreement that Council has in relation to the provision of signals related to the other DA (ie. DA-611-2018).

Kind regards,

Land Use Planner – Strategic Land Use – Eastern
Transport Planning
Planning, Integration and Passenger
Transport for NSW

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Hi

Thank you for meeting with Council yesterday afternoon.

As discussed during the meeting, following review of the revised TfNSW advised dated 26 August 2025, Council's formed conclusion is that point 1 is noted and points 2 to 5 can be addressed through the site specific development control plan (Site specific DCP) being developed in conjunction with the Planning Proposal and at the future development application (DA) stage, as any future DA for the subject site would be required to be referred to TfNSW for concurrence.

Points 2 and 3

- The Planning Proposal does not approve any technical studies or concept architectural plans. The Planning Proposal is to only develop a clause within the Liverpool Local Environmental Plan to permit a retail premises on the site with a gross floor area of 4,000sqm instead of 1,600sqm. A retail premises is already permitted on the site. As such a future DA may propose a different scheme/design to that as shown on the concept architectural plans provided for the Planning Proposal.
- At the future DA stage, the DA seeks approval for design including access through seeking approval for architectural plans, technical studies, management plans, etc.
- Council will develop controls within the draft site specific DCP regarding access. Council's view is for heavy vehicle access to be via Newbridge Road (1 vehicle crossover) and light vehicles via Spinnaker Avenue.
- As concurrence is required from TfNSW at the DA Stage, the information/issues raised under points 2 and 3 (Such as gradient assessment and turning paths analysis for the largest vehicle) of the revised TfNSW advice dated 26 August 2025, can be raised at the DA stage, prior to TfNSW granting concurrence for the DA.

  The onus is on the Applicant for the DA to demonstrate that heavy vehicle access from Spinnaker Avenue and on site manoeuvring through the DA design (Such as access from Spinnaker Avenue to the onsite loading bay) is not practicable and safe as per section 2.119 of State Environmental Planning Policy (Transport and Infrastructure) 2021.

The onus is also on the applicant at the DA stage to demonstrate that access from Newbridge Road will not adversely affect the safety, efficiency and ongoing operation of Newbridge Road as per section 2.119 of State Environmental Planning Policy (Transport and Infrastructure) 2021

- Should the applicant at the DA stage propose vehicle access from Newbridge Road and not demonstrate the requirements of TfNSW including the requirements of section 2.119 of State Environmental Planning Policy (Transport and Infrastructure) 2021, then TfNSW would not grant concurrence and the DA would be recommended for refusal. It is noted that concurrence from TfNSW overrides a Council DCP control.

Point 4

- As discussed during the meeting, any future DA for the subject site would need to propose the upgrade of the Brickmakers Drive/promontory Way intersection to traffic signals.

  Any development consent issued for any future DA on the subject site would have a condition for the upgrade of the Brickmakers Drive/promontory Way intersection to traffic signals, that would be required to be satisfied prior to occupation of any development on the subject site (I.e: Prior to any shop being permitted to trade on the subject site) (Same as DA-611-2018 for Lot 3 of 146 Newbridge Road Moorebank – Georges Cove Marina site). Whichever DA is completed first, would need to comply with the condition. This ensures the traffic signal intersection upgrade occurs regardless if DA-611/2018 is undertaken or not.

The development consent for a future DA on the subject site would contain a condition for funding of the traffic signal intersection to be at full cost to the developer for the subject site.

Point 5

- As discussed, point 5 is noted. The Planning proposal does not approve any design/plans, setbacks etc. Point 5 can be considered and addressed at the future DA stage.

As advised during the meeting, it is appreciated if TfNSW can provide a response and advise if the above pathway forward is satisfactory no later than Friday 12 September 2025 due to the Gateway completion date and as the Planning proposal has already had 2 completion date extensions.

Any questions please feel free to give me a call.

Regards,

LIVERPOOL CITY COUNCIL
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Transport for NSW

26 August 2025

TfNSW Reference: SYD24-01832-03
Council Reference: PP-2024-963

Mr Jason Breton
Acting Chief Executive Officer
Liverpool City Council
Locked Bag 7064,
Liverpool BC, NSW 1871

Attention: Senior Strategic Planner

RE: MODIFIED PLANNING PROPOSAL – GEORGES COVE VILLAGE - 146 Newbridge Road, Moorebank - PP-2024-963

Dear Mr Breton,

Thank you for referring the above Amended Planning Proposal to Transport for NSW (TfNSW). TfNSW appreciates the opportunity to provide comment on the Modified Planning Proposal, to inform Council's assessment of the proposal.

Thank you for forwarding to TfNSW additional documentation (emailed 25 June 2025) as requested within the TfNSW Gateway correspondence dated 20 December 2024 including providing revised SIDRA files received from the proponent.

TfNSW has now reviewed the additional documentation provided including:

- Response Letter to Transport for New South Wales Gateway Correspondence – December
- 2024 for Planning Proposal PP-2024-963 (Liverpool Council, 24/06/25);
- Amended Architectural Plans (Rothelowman, dated 21/03/25);
- Georges Cove Village Modified Planning Proposal Report (EMM, dated 06/06/25);
- Planning Proposal RZ-9/2017 - Traffic matter (EMM, 27/05/25).
- EMM response to TfNSW Operational Transport Forecasting Team comments (received from Council via email 11/07/25)
- SIDRA files (Received from Liverpool Council, 25/06/25).

Detailed comments are provided in **Attachment 'A'** for Council's further consideration.

To summarise, the Planning Proposal has outstanding issues, yet to be resolved. TfNSW requires these to be addressed prior to the plan being made.

Thank you for the opportunity to provide comment on the Planning Proposal. Should you have any questions or further enquiries in relation to this matter, would be pleased to take your call on

Yours sincerely,

A/ Senior Manager Strategic Land Use (Western)
Transport Planning / Planning, Integration and Passenger

Attachment A – TfNSW's comments on the Modified Planning Proposal

1. The additional information provided have addressed the modelling concerns of TfNSW 'Operational Transport Forecasting Team' per TfNSW correspondence of 20 December 2024. Any additional modelling requirements is subject to the outcome of the access issues discussed below.

2. The preference of TfNSW is for all vehicular access to the site to be via Promontory Way. For alternate access arrangements to be considered for heavy vehicle (ie. from Newbridge Road), the proponent must provide the evidence demonstrating access is not possible for heavy vehicle via Promontory Way. This should be substantiated with gradient assessment and turning paths analysis for the largest vehicle proposed to access the site.

3. Any future access approval to/from Newbridge Road to be granted by TfNSW is subject to the acceptance of a suitable access driveway design and modelling that reflects the approved access location.

   The proposed access to the site is unacceptable in the current form noting that the revised proposal now includes a **left in movement for light and heavy vehicles,** and a **left out for heavy only**. This raises the following concerns:

   - It will produce a slip lane that acts simultaneously as a deceleration lane and an acceleration lane.
   - The heavy vehicles leaving the site will cross over with cars and heavy vehicles entering the site, adding to the conflicts in the acceleration/deceleration lane.
   - It is unclear what measures will be in place to prevent light vehicles using the "heavy vehicles" exit onto Newbridge Road.
   - The proposed acceleration/deceleration lane will end about 30m east of the existing west bound left turn lane into Brickmakers Drive with this outcome problematic. Any driveway crossover provided must be setback from the traffic signals at Newbridge Road/Governor Macquarie Drive/Brickmaker Drive.
   - Heavy vehicles exiting the site may be tempted to cross 3 lanes of westbound traffic on Newbridge Rd to get over into the right turn lane into Governor Macquarie Drive. That would be highly problematical.

4. While it is noted in the planning report that *"in accordance with the Georges Cove Marina Consent (DA-611/2018), the intersection (of Brickmakers Dr/Promontory Way) must be signalised prior to marina operations"*, TfNSW needs to be provided details from Council or the proponent to provide certainty of the mechanism for funding and delivery of the proposed traffic signals at Brickmakers Dr/Promontory Way intersection, especially given the assumption in the revised modelling of this intersection acting as a signalised intersection.

5. As a minimum. there is to be no net loss of public domain space (and set back) from the road reserve to the property boundary. Please refer to Council DCP controls to determine if greater frontage setbacks are required.

   Further, any additional land required to provide access to the site through driveway crossover, turning lanes, acceleration/deceleration lanes or any other infrastructure required to service the development (ie. verge, bus shelter/stop, footpath, shared cyleway, street tree, street lighting), is to be provided from the site as dedicated land and documented in a concept plan,

prior to any TfNSW approval. Swept paths analysis is to be provided in support of any accepted access design to the site.

Transport for NSW

20 December 2024

TfNSW Reference: SYD24-01832
Council Reference: PP-2024-963

Mr Jason Breton
Acting Chief Executive Officer
Liverpool City Council
Locked Bag 7064,
Liverpool BC, NSW 1871

Attention: Senior Strategic Planner

RE: MODIFIED PLANNING PROPOSAL – GEORGES COVE VILLAGE - 146 Newbridge Road, Moorebank - PP-2024-963

Dear Mr Breton,

Thank you for referring the above modified Planning Proposal to Transport for NSW (TfNSW). TfNSW appreciates the opportunity to provide comment on the modified Planning Proposal, to inform Council's assessment of the proposal.

It is understood that this modified proposal will include amending the Liverpool LEP 2008 to allow for a retail premises of 4,000m^2 including a major supermarket. The Liverpool LEP currently imposes a maximum gross floor area of 1,600m^2 for retail premises. Further, a 371 space car park is also proposed in the revised plan to cater for the supermarket. In addition, 3,519m2 of Light Industrial (office) is to be provided as part of the modified proposal. A reduction of several land uses is also proposed including residential, commercial (office), medical and childcare. There will also be a significant reduction in the GFA for speciality shops. The change in land use is understood to be considered more appropriate due to the issues raised by State Emergency Services in relation to flood evacuation from the Georges River. It is noted that this modified planning proposal will not include any net increase to GFA, only a change to the land uses provided.

TfNSW has now reviewed the Planning Proposal and the supporting transport assessment including:

- Georges Cove Village Modified Planning Proposal | 146 Newbridge Road, Moorebank – Document by EMM Consulting – 24 October 2024.
- Traffic Impact Assessment Report Addendum by EMM Consulting - October 2023.

Detailed comments are provided in **Attachment 'A'** for Council's further consideration, noting a number of outstanding issues to be resolved by the proponent to progress the modified planning proposal, specifically that the traffic modelling is not "fit for purpose" and requires revision to accurately identify potential impacts from the proposal.

Thank you for the opportunity to provide comment on the Planning Proposal. Should you have any questions or further enquiries in relation to this matter, would be pleased to take your call on

Yours sincerely,

A/Senior Manager Strategic Land Use (Western and Central)
Transport Planning
Planning Integration and Passenger

Attachment A – TfNSW's comments on the Modified Planning Proposal

1. Access arrangements

TfNSW advises that the current design for access to the site via Newbridge Road is not acceptable. Design amendments are required that consider safety and amenity of the site. Refer to the issues below:

- TfNSW understands that the traffic modelling needs to be revised (as per comments below). Upon receipt of the revised modelling, an acceptable access design should be submitted for our consideration. The design of the access into the site must address pedestrian and bicycle safety and amenity concerns including vehicle speed, line of site and pedestrian priority in line with the RTA Guide to Traffic Generating Developments (2002) and the Guide to Transport Impact Assessment (2024).

2. Transport Infrastructure

The planning proposal/TA does not provide any details of a contribution or a mechanism for the delivery of key infrastructure needed to provide access to the site. There is insufficient information provided regarding funding of any upgrades required for proper access to the site.

Revised modelling is to be provided which will inform future infrastructure requirements of the site.

It is noted that there is a reference to an existing Voluntary Planning Agreement (VPA) in place in the documentation of the modified planning proposal. There is however no copy or detail of the VPA provided as part of the exhibited information. A copy of the VPA is to be provided to TfNSW for understanding relevance.

3. Active Transport/Public Transport

- The development should be reflective of NSW Futures and NSW Active Transport Strategy including:

  - Delivering integrated land use and transport planning connecting people to their local metro centre and strategic centres within 30 minutes by public transport.
  - Enable 15-minute neighbourhoods.
  - Deliver connected and continuous cycling networks.
  - Promote safer and better precincts and main streets.

- Precincts are to be designed to encourage Active and Public Transport use to the site and must comply with the minimum requirements of:

  - Cycleway Design Toolbox
  - Walking Space Guide
  - Network Planning in Precincts Guide

4. Traffic Operations

TfNSW advises that there are concerns regarding a number of proposed arrangements. These include:

- Minimal analysis has been provided detailing the change in traffic generation and change in parking to be provided under the modified planning proposal. It is not clear if less traffic or more traffic is generated by the change in land use. It is also unclear what is the net change in parking with the modified planning proposal?
- It is unclear, if the evacuation capacity requirement of the precinct has been addressed including the comments made by SES dated 21 May 2024. This includes confirming whether new infrastructure is required to provide sufficient capacity for evacuation and other SES requirements?
- The performance and future design of the intersection at Newbridge Road / Governor Macquarie Drive / Brickmakers Drive requires further consideration. It is noted that the queue length would extend beyond the driveway access to the site (westbound) which appears will impact access to the site and prevent the access functioning in an acceptable manner.
- It is not clear, how the signalisation of Brickmakers Drive / Promontory Way intersection is to be funded. If it is to be funded by the developer, then a mechanism to enable this to occur needs to be documented. It is noted that the modelling provided has included signals as an assumption. Additional information is to be provided to clarify this matter.
- Any upgraded TCS approval will be required to meet the warrants assessment and other approvals by TfNSW. Additional traffic modelling will be required to inform the design of intersection upgrades within and external to the site. This modelling will inform both design and delivery costs of the project and could increase costs where intersection widening, and land acquisitions may be required. It is also noted that pedestrian lanterns are to be included on all legs of any new traffic signals that would be provided.
- The modelling appears inconsistent with a number of the latest design modifications including access restrictions into the site from Newbridge Road and the uncertainty regarding new signals at Brickmakers Drive / Promontory Way and at Newbridge Road / Davy Robinson Drive intersection.

See Table 4.1 as an example of the modelling assumptions made.

Table 4.1 Inclusions in Scenario A and Scenario B

Scenario	Signalised Newbridge Rd/ Governor Macquarie Dr/ Brickmakers Dr	Signalised Brickmakers Dr/ Promontory Way	Signalised Newbridge Rd/ Davy Robinson Dr	Left in from Newbridge Road to Georges Cove Village for light and heavy vehicles	Left out from Georges Cove Village to Newbridge Road for heavy vehicles	Left out from Georges Cove Village to Newbridge Road for light vehicles
A	Yes	Yes	No	Yes	Yes	No
B	Yes	Yes	Yes	Yes	Yes	No

Any changes as specified above will also create significant changes to traffic flow assumptions that need to be tested as part of updated modelling.

5. Modelling

It has been assessed by TfNSW that there are a number of deficiencies in the modelling work provided which need attention (see Attachment 'B' including items 1-8, 10). Note, the item numbers relate to the table item numbers.

The modelling issues need to be addressed for the modelling to be considered 'fit for purpose'. TfNSW recommends that Council requests the proponent provide an updated transport and traffic modelling report prior to finalisation of the amended Planning Proposal.

In summary the main issues of concern include:

- There seems to be several inconsistencies between the reporting and the SIDRA files provided for analysis.
- The report does not document the calibration / validation undertaken for the existing SIDRA models.
- The report does not seem to provide any detail of how the future traffic is to be changed within the study area. Additionally, the future year scenario is required for determining the traffic impact to road network from the development.

All of these issues are reported in Attachment 'B' and must be addressed in full prior to TfNSW being satisfied with this amended Planning Proposal.

Attachment B – TfNSW Modelling Comments

Transport for NSW

TfNSW Operational Transport Forecasting Team
George Cove Village - Modified Planning Proposal
Adeendum Traffic Impact Assessment Report and SIDRA modelling Review
EMM
27 November, 2024

The following sections comprise a summary of TfNSV operational traffic modelling team's review comments for the 'Adeendum Traffic Impact Assessment Report and SIDRA modelling Review', prepared by EMM for the 'George Cove Village - Modified Planning Proposal' project.

To provide clarity on the scale of issues identified, a categorisation approach to the review will be used based on the following three level criteria:
→ ***Major*** *– issue needs addressing before using the model and will have an impact on model analysis and recommendations.*
→ ***Medium*** *– issues are localised and are likely to result in a small variation of the model analysis and recommendations but would not impact on the decision process.*
→ ***Minor*** *– issues are minor or remote to main area of investigation and would not be expected to impact on model analysis and should be considered for correction at subsequent updates.*
→ *Note – A note provided by the reviewer where no action is required.*

This approach ensures that the review has captured the likely impact of issues identified and prioritises them to help in formulating corrective actions. In isolation, medium or minor issues would not have considerable impacts on the modelling results, but combined they have the potential to impact the model's performance.

The specific documents and traffic model(s) provided for the review are outlined in Table 1.

Table 1 Reviewed Materials

Material	File Description	Received date	File Name
Model	SIDRA model	13-November-2024	JI7193 B6 Planning Proposal Moorebank_SIDRA 9.1 v3.sip9
Report	Report	13-November-2024	20241030 - Gateway Request - Attachment 11 - Traffic Impact Assessment Report - 9 October 2017_PP-2024-963.pdf
Report	Report	13-November-2024	20241030 - Gateway Request - Attachment 12 - Traffic Impact Assessment Report Addendum - October 2023_PP-2024-963.pdf

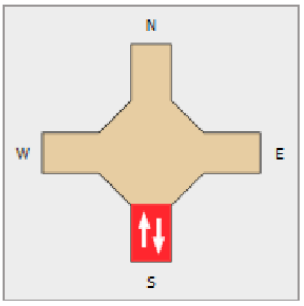
Table 2 provides a summary of the review comments for both the model and report.

Table 2: summary of the review comments for both the model and report.

Item	Material	Section	Comment	Priority	Modeller Response	Reviewer Response
1	Model / Report	Volume / Section 3.3	No Buses had been modelled in all scenarios. However it could have no or minimal impact in results due to only 1 bus route along the corridor.	Note		
2	Model	Pedestrian	All scenarios include very low pedestrian demand, with AM and PM volumes (1 pedestrian per hour) remaining the same in both existing and future year models. Are these figures based on traffic survey data? Higher pedestrian activity is expected from the proposed development. The SIDRA model does not account any delays caused by traffic yielding to pedestrians which will underestimated the impact / delay at the intersection.	Medium		
3	Model	Phasing & Timing	Red right turn arrow at site, please confirm if filter right option is available from Newbridge Rod (West) and Gov Macquarie Dr at site?	Medium		
4	Model	Phasing & Timing	Default intergreen time (6 seconds) were used for all signals. It need to be reviewed to reflect the SCATS setting at site.	Minor		
5	Model	Phasing & Timing	Newbridge Rd (W) allows right turns during phase A as a filter right option, which is sufficient given the very low right turn demand (2 vehicles in the current AM peak). However, this arrangement creates a safety concern when the right turn demand increases to approximately 100 vehicles in the Dev AM peak scenarios and 70 vehicles in the Dev PM peak scenarios. Diamond phase is expected to be used. Review is needed.	Medium		
6	Model	Parameter settings	HV PCU values for all models have been left at the default of 1.65 whereas the RMS modelling guidelines recommend increasing this value to 2.	Minor		
7	Model	Model Coding	The report does not document the calibration / validation undertaken for the existing SIDRA models. Additionally, the DoS of a results are above 1.0 for the existing models.	Major		
8	Model	Model Coding	According to TfNSV policy, pedestrian crossings should be available for all movements at the proposed new signalized intersection at Promontory Way and Brickmakers Drive. However pedestrian bridge across Brickmakers Drive could be offset the crossing at south approach.	Medium		
9	Model / Report	Future year scenarios	The report does not seem to provide any detail of how the future traffic to be changed within the study area. Additionally, the future year scenario is required for determining the traffic impact to road network from the development.	Major		
10	Model / Report	Table 4.1	Left out from George Cove Village to Newbridge Rd for heavy vehicles didn't include in scenario A & B.	Minor		
11	Report	Trip Generation	The trip generation rates are generally acceptable. Discounts have been applied for pass-by trips and for linked trips (ie going to more than one of the retail shops).	Note		
12	Report	Trip Distribution	The AM IN/OUT split is 70%/30% which is acceptable and reflects the incoming workforce. However, the PM IN/OUT split is 50%/50% which is not agreed with. It should reflect the outflow of the workers, and be 30%/70%. The retail component has no impact on the split, as all inbound and outbound trips generally occur within a single hour. Correcting the incorrect PM split will increase the outbound movements, and impact the SIDRA modelling.	Medium		
13	Report	P.33	There is no mention in the report exactly what the "efficiencies" are that could improve the performance of the oversaturated Newbridge / Gov Macq Dr / Brickmakers junction, even after the development traffic is included. This point needs to be explored further.	Minor		
14	Report	P.33	Clearly any reduction in demand at Newbridge / Brickmakers / Gov Macq Dr will improve conditions there. However, there is no mention of what the impact of a new set of signals would be on the existing free-flow junction of Newbridge Rd / Davy Robinson Dr. Any modelling of the development's true impacts must have a footprint large enough to include this intersection as well so that we can see how much additional delay cost is being imposed on through traffic by the imposition of a new set of signals.	Medium		

Item 2

Approach Selector



Brickmakers Drive

☐ Diagonal Crossing

Movement Definitions

Main Crossing

○ None
◉ Full Crossing
○ Staged Crossing
☐ Stage 1 ☐ Stage 2

Slip/Bypass Lane Crossing

☐ Signalised Slip/Bypass Lane Crossing
☐ Unsignalised (Zebra) Slip/Bypass Lane Crossin

Slip/Bypass lane pedestrian crossing options will b
Control parameters specified for the approach slip/

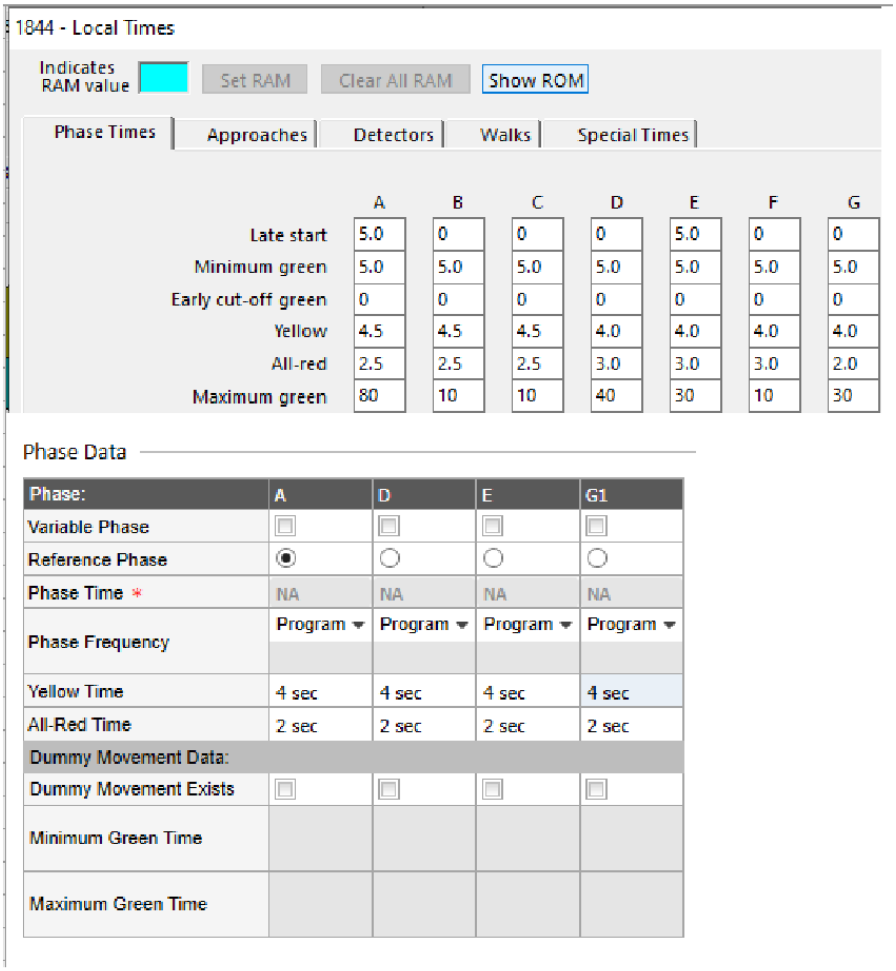
Volume Data

	Full Crossing
Movement ID	P1
Volume (Per 60 Minutes)	1 ped
Peak Flow Factor	95.0 %
Flow Scale (Constant)	100.0 %
Growth Rate (per year)	2.0 %

Item 3



Item 4



1844 - Local Times

Indicates RAM value | Set RAM | Clear All RAM | Show ROM

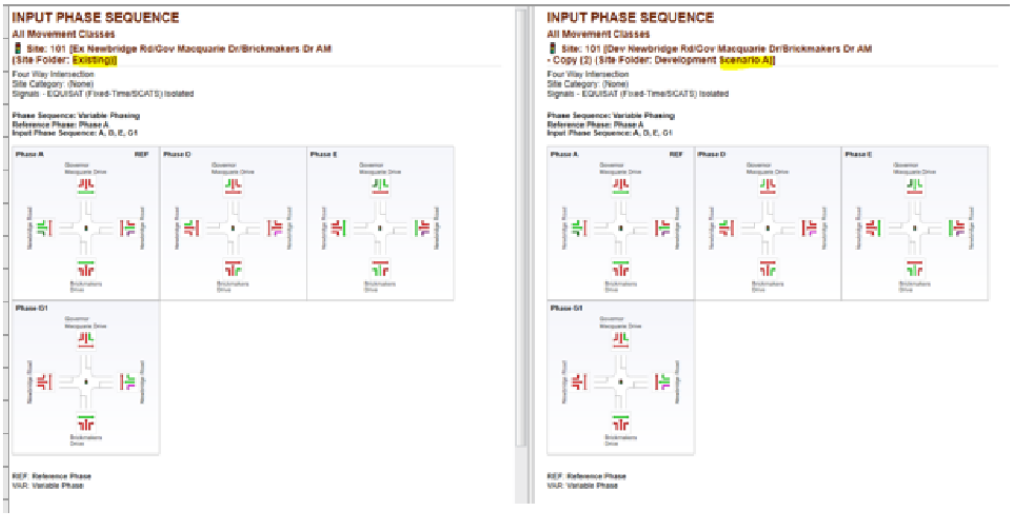
Phase Times | Approaches | Detectors | Walks | Special Times

	A	B	C	D	E	F	G
Late start	5.0	0	0	0	5.0	0	0
Minimum green	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Early cut-off green	0	0	0	0	0	0	0
Yellow	4.5	4.5	4.5	4.0	4.0	4.0	4.0
All-red	2.5	2.5	2.5	3.0	3.0	3.0	2.0
Maximum green	80	10	10	40	30	10	30

Phase Data

Phase:	A	D	E	G1
Variable Phase	☐	☐	☐	☐
Reference Phase	◉	○	○	○
Phase Time *	NA	NA	NA	NA
Phase Frequency	Program	Program	Program	Program
Yellow Time	4 sec	4 sec	4 sec	4 sec
All-Red Time	2 sec	2 sec	2 sec	2 sec
Dummy Movement Data:				
Dummy Movement Exists	☐	☐	☐	☐
Minimum Green Time				
Maximum Green Time				

Item 5


INPUT PHASE SEQUENCE
All Movement Classes
Site: 101 [Ex Newbridge Rd/Gov Macquarie Dr/Brickmakers Dr AM
(Site Folder: Existing)]
Four Way Intersection
Site Category: (None)
Signals - EQUISAT (Fixed-Time/SCATS) Isolated
Phase Sequence: Variable Phasing
Reference Phase: Phase A
Input Phase Sequence: A, D, E, G1
REF Reference Phase
VAR Variable Phase
INPUT PHASE SEQUENCE
All Movement Classes
Site: 101 [Dev Newbridge Rd/Gov Macquarie Dr/Brickmakers Dr AM
- Copy (2) (Site Folder: Development Scenario A)]
Four Way Intersection
Site Category: (None)
Signals - EQUISAT (Fixed-Time/SCATS) Isolated
Phase Sequence: Variable Phasing
Reference Phase: Phase A
Input Phase Sequence: A, D, E, G1
REF Reference Phase
VAR Variable Phase

Item 6

Passenger Car Equivalents

Movement Class	pcu / veh
Light Vehicles (LV)	1.0
Heavy Vehicles (HV)	1.65

Item 7

MOVEMENT SUMMARY

Site: 101 [Ex Newbridge Rd/Gov Macquarie Dr/Brickmakers Dr AM (Site Folder: Existing)]

Output produced by SIDRA INTERSECTION Version: 9.0.3.210

Network: N101 [Ex AM (Network Folder: General)]

Four Way Intersection
Site Category: (None)
Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 140 seconds (Site User-Given Phase Times)

Vehicle Movement Performance

Mov ID	Turn	Mov Class	Demand Flows [Total veh/h]	Demand Flows [HV] %	Arrival Flows [Total veh/h]	Arrival Flows [HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh]	95% Back Of Queue [Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Brickmakers Drive															
1	L2	All MCs	6	0.0	6	0.0	0.696	79.7	LOS F	11.6	82.6	1.00	0.85	1.04	25.9
2	T1	All MCs	163	1.9	163	1.9	* 0.696	65.1	LOS E	11.6	82.6	1.00	0.85	1.04	24.8
3	R2	All MCs	488	2.2	488	2.2	0.696	79.6	LOS F	18.6	132.4	1.00	1.01	1.26	18.9
Approach			660	2.1	660	2.1	0.696	75.9	LOS F	18.6	132.4	1.00	0.97	1.20	14.9
East: Newbridge Road															
4	L2	All MCs	357	3.2	357	3.2	0.252	7.4	LOS A	2.8	20.3	0.19	0.62	0.19	48.8
5	T1	All MCs	896	12.5	896	12.5	0.273	13.6	LOS A	9.4	72.9	0.50	0.44	0.50	56.9
6	R2	All MCs	589	8.4	589	8.4	* 1.177	256.7	LOS F	37.7	283.2	1.00	1.39	2.19	8.8
Approach			1844	9.4	1844	9.4	1.177	98.1	LOS F	37.7	283.2	0.68	0.78	0.97	18.2
North: Governor Macquarie Drive															
7	L2	All MCs	589	13.4	589	13.4	0.501	49.1	LOS D	14.3	111.7	0.88	0.82	0.88	29.2
8	T1	All MCs	101	1.0	101	1.0	0.456	62.8	LOS E	6.5	45.6	0.94	0.77	0.96	28.5
9	R2	All MCs	95	45.7	95	45.7	0.305	45.3	LOS D	4.3	42.1	0.89	0.76	0.89	31.2
Approach			696	15.6	696	15.6	0.501	58.6	LOS D	14.3	111.7	0.89	0.80	0.89	24.1
West: Newbridge Road															
10	L2	All MCs	149	21.1	149	21.1	* 0.894	38.9	LOS C	48.6	368.6	1.00	0.99	1.11	33.9
11	T1	All MCs	1917	8.8	1917	8.8	0.894	69.2	LOS E	48.6	367.5	1.00	0.99	1.11	24.5
12	R2	All MCs	2	0.0	2	0.0	0.886	56.3	LOS D	0.1	0.6	0.68	0.64	0.68	32.2
Approach			2068	9.7	2068	9.7	0.894	68.5	LOS E	48.6	368.6	1.00	0.99	1.11	25.9
All Vehicles			5268	9.4	5268	9.4	1.177	79.7	LOS F	48.6	368.6	0.84	0.89	1.04	20.7

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Network Data dialog (Override Site Data tab).
Vehicle movement LOS values are based on average delay per movement.
Intersection and Approach LOS values are based on average delay for all vehicle movements.
Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).
Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Green.
Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.
Arrival Flows used in performance calculations are adjusted to include any initial Queued Demand and Upstream Capacity Constraint effects.

* Critical Movement (Signal Timing)

MOVEMENT SUMMARY

Site: 101 [Ex Newbridge Rd/Gov Macquarie Dr/Brickmakers Dr PM (Site Folder: Existing)]

Output produced by SIDRA INTERSECTION Version: 9.0.3.210

Network: N101 [Ex PM (Network Folder: General)]

Four Way Intersection
Site Category: (None)
Signals - EQUISAT (Fixed-Time/SCATS) Isolated Cycle Time = 140 seconds (Site User-Given Phase Times)

Vehicle Movement Performance

Mov ID	Turn	Mov Class	Demand Flows [Total veh/h]	Demand Flows [HV] %	Arrival Flows [Total veh/h]	Arrival Flows [HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh]	95% Back Of Queue [Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Brickmakers Drive															
1	L2	All MCs	35	3.0	35	3.0	0.566	37.6	LOS C	7.6	54.3	0.92	0.75	0.92	27.1
2	T1	All MCs	92	2.3	92	2.3	0.386	61.9	LOS E	7.6	54.3	0.92	0.75	0.92	27.0
3	R2	All MCs	336	1.6	336	1.6	* 1.067	156.6	LOS F	17.3	122.7	1.00	1.32	1.83	6.2
Approach			462	1.8	462	1.8	1.067	128.9	LOS F	17.3	122.7	0.96	1.17	1.58	10.1
East: Newbridge Road															
4	L2	All MCs	647	1.0	647	1.0	0.483	48.7	LOS D	11.8	83.1	0.36	1.16	0.36	35.7
5	T1	All MCs	1969	4.6	1969	4.6	* 1.128	195.6	LOS F	48.4	293.8	1.00	1.67	1.91	11.6
6	R2	All MCs	554	10.5	554	10.5	* 0.656	58.8	LOS E	18.4	79.1	0.95	0.85	0.95	32.8
Approach			3201	4.9	3201	4.9	1.128	140.8	LOS F	48.4	293.8	0.86	1.42	1.42	14.1
North: Governor Macquarie Drive															
7	L2	All MCs	536	2.6	536	2.6	0.312	20.5	LOS B	8.4	60.0	0.66	0.75	0.66	36.1
8	T1	All MCs	236	0.4	236	0.4	* 0.879	59.9	LOS E	15.2	107.1	0.99	0.83	0.99	29.9
9	R2	All MCs	160	7.9	160	7.9	0.489	48.4	LOS D	8.7	65.4	0.92	0.79	0.92	33.4
Approach			932	2.9	932	2.9	0.879	35.3	LOS C	15.2	107.1	0.79	0.78	0.79	30.5
West: Newbridge Road															
10	L2	All MCs	127	28.1	127	28.1	0.948	61.7	LOS E	39.0	300.4	1.00	1.12	1.29	26.5
11	T1	All MCs	1336	5.8	1336	5.8	0.948	88.5	LOS F	48.8	299.7	1.00	1.13	1.28	18.1
12	R2	All MCs	23	0.0	23	0.0	0.096	83.6	LOS F	0.8	5.4	0.82	0.69	0.82	32.1
Approach			1486	7.6	1486	7.6	0.948	86.1	LOS F	48.8	300.4	1.00	1.12	1.27	19.2
All Vehicles			6081	5.0	6081	5.0	1.128	110.3	LOS F	48.8	300.4	0.89	1.23	1.30	16.1

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Network Data dialog (Override Site Data tab).
Vehicle movement LOS values are based on average delay per movement.
Intersection and Approach LOS values are based on average delay for all vehicle movements.
Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).
Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Green.
Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.
Arrival Flows used in performance calculations are adjusted to include any initial Queued Demand and Upstream Capacity Constraint effects.

* Critical Movement (Signal Timing)

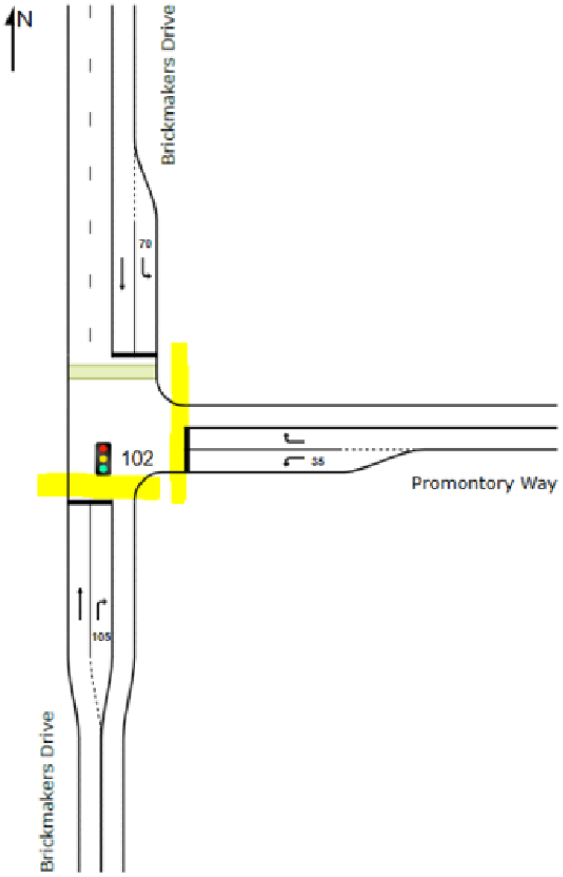
Item 8

SITE LAYOUT

Site: 102 [Dev Brickmakers Dr/Promontory Way AM - Copy (2) (Site Folder: Development Scenario A)]

Signalised intersection
Site Category: (None)
Signals - EQUISAT (Fixed-Time/SCATS) Coordinated

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.



Item 10


NETWORK LAYOUT
Network: N101 [Dev A AM GCV+cumul excl. DCP Road connection (Network Folder: General)]
New Network
Network Category: (None)
Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.
N


NETWORK LAYOUT
Network: N101 [Dev B AM GCV+cumul incl. DCP Road connection (Network Folder: General)]
New Network
Network Category: (None)
Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.
N



PLANNING PROPOSAL JUSTIFICATION REPORT

1411 THE NORTHERN ROAD BRINGELLY
LOT 6 DP 1217784

PROPOSED NEW CLAUSE UNDER SCHEDULE 1 –

PERMITTED USE FOR A SERVICE STATION

NOVEMBER 2024


EG

PLANNING PROPOSAL JUSTIFICATION REPORT

1411 THE NORTHERN ROAD BRINGELLY (LOT 6 DP 1217784)

PROPOSED NEW CLAUSE UNDER SCHEDULE 1 – PERMITTED USE FOR A SERVICE STATION

NOVEMBER 2024

Report Stage	Date	Author	Reviewed
Draft	01/11/22	D. Brajuha Planning Director	Dr S. Geha Managing Director
Final **Updated**	09/02/23 22/05/23	D. Brajuha Planning Director	Dr S. Geha Managing Director
Updated	12/9/24	D.Brajuha Planning Director	Dr S. Geha Managing Director
Updated	22/10/24	D. Brajuha Planning Director	Dr S. Geha Managing Director

Updated	1/11/24	D. Brajuha Planning Director	Dr S. Geha Managing Director

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Executive Summary

The Planning Proposal seeks the property at 1411 The Northern Road Bringelly (Lot 6 DP 1217784) be included as a Key Site as part of a new Clause in Schedule 1 – Additional Permitted Uses of *Liverpool Local Environmental Plan 2008* (*Liverpool LEP 2008),* to permit a Service Station.

The Site has a total area of 2.1 hectares and a 180-m-wide frontage to The Northern Road. The Site is located less than 1 km away from the boundary of the new Western Sydney International (Nancy-Bird Walton) Airport, and only 150 m from the edge of the Aerotropolis. It is also less than 3.5 km south of the proposed Western Sydney International Cargo Precinct. Importantly, the Site is located within the Dwyer Road Precinct, an initial precinct, which was earmarked by the New South Wales Department of Planning & Environment (NSW DPE) to be rezoned to ENT-Enterprise, as part of the *Western Sydney Aerotropolis Plan (2022)*. The suggested inclusion of the additional use on the Site, will simply expedite what is already envisaged for the land in the *Western Sydney Aerotropolis Plan*, noting that land directly across the Site on The Northern Road, has already been re-zoned to ENT- Enterprise, pursuant to *State Environmental Planning Policy (Precincts-Western Parkland City) 2021.*

Given that the new Western Sydney Airport is due to open in 2026 for both passengers and freight (i.e. in less than three years' time), there is a clear imperative for the Airport to have such important functional supporting services, at locations such as this one. Additionally, the proposed use will ensure the long-term location of permanent employment on the Site. The new employment uses for the Site have been verified by market-led interest from Service-

Station operators who all have expressed strong intent in locating here, once the land is appropriately zoned.

The Proposal is fully aligned with the strategic vision for the Western Sydney Aerotropolis and the Proposal has clear public benefits such that:

1. The Proposal will have a Capital Investment Value of approximately $11.9 million and will create 6 additional direct jobs in the operational phase compared with the current Site uses. The proposed development will also create a number of new jobs during the construction and related industries during the construction phase and for the economy generally once they are completed.
2. The Proposal responds to the lack of planned service stations in the Aerotropolis, particularly those that link with north-bound traffic on The Northern Road;
3. The Proposal is significant and complementary to the 24-hour operations of the new Western Sydney Airport;
4. The Proposal and the Site upon which it is located, are set within an attractive and convenient location that will serve both workers and residents of South-Western Sydney. Such sites will be essential in creating employment opportunities in the West and in delivering the 30-Minute City.
5. The Site is located in an ideal position on the Northern Road, providing connectivity to Bradfield City Centre and a Service Station for vehicles leaving Bradfield and turning right from Badgerys's Creek Road which is approximately 500m from the Site.

EG is of the view that this Planning Proposal, is appropriate, timely, and logical, not only in the strategic planning for long-term employment in the Area, but also critical to the success of the Precinct. It will also be significant given its size, in delivering the objectives of *The*

Greater Sydney Region Plan - A Metropolis of Three Cities; The Central City District Plan; and the *Liverpool Local Strategic Planning Statement 2020* (LSPS).

The findings of this Planning Proposal, supported by the appended technical reports, conclude that all future proposed land-uses, can be successfully accommodated, with minimal impacts on the Site's surrounds. It is therefore recommended that the Planning Proposal be progressed to the NSW Department of Planning, Housing and Infrastructure (NSW DPHI), to issue a Gateway Determination.

1.0 Introduction

EG Advisory has prepared this Planning Justification Report in relation to a Planning Proposal, on behalf of the Owners of the land at 1411 The Northern Road, Bringelly (the Site). This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (*EP&A Act, 1979*). The Planning Proposal seeks the property at 1411 The Northern Road Bringelly (Lot 6 DP 1217784) be included as a Key Site as part of a new Clause within Schedule 1 – Additional Permitted Uses of *Liverpool Local Environmental Plan 2008* (*Liverpool LEP 2008),* to permit a Service Station.

The Site's legal description is Lot 6 DP 1217784, having a total area of 2.1 hectares and a 180-m-wide frontage to The Northern Road. The Site is positioned approximately only 2 km away from the boundary of the new Western Sydney Airport, and just 60 m from the Aerotropolis Core Precinct. This is land that has already been zoned Enterprise, pursuant to *State Environmental Planning Policy- Western Parkland City*.

The Site is currently zoned RU4 - Primary Production Small Lots, pursuant to the provisions of *Liverpool LEP 2008*. The Site being strategically located, fronting The Northern Road and adjacent to the Aerotropolis Core, makes it a perfect location for development that can support the Aerotropolis' operation.

This land therefore fulfils an important strategic role in supporting the function of the new Aerotropolis. This is especially so, given the property's location within the Dwyer Road Precinct, which will also ultimately be rezoned in the future to ENT - Enterprise as part of the *Western Sydney Aerotropolis Plan,* prepared by the NSW Department of Planning, Industry and Environment in 2022.

A service station use is already permissible in the ENT - Enterprise Zone pursuant to *State Environmental Planning Policy (Precincts - Western Parkland City) 2021*. The inclusion of

additional uses on the Site will simply expedite what is already envisaged for the land in the *Western Sydney Aerotropolis Plan (2022).* To confirm the Site's suitability, full investigations have already been carried out. These have identified the key characteristics and constraints of the land. These investigations have formed the basis of a detailed Site Analysis, used in the preparation of this Planning Proposal.

The Project will have a total Capital Investment Value (CIV) of $11.9 Million (based on about 17,000 sqm of GIA). Based on the amount and nature of floorspace entailed in the Proposed Development, it will provide 6 jobs for the Service Station during the operational phase with the potential for up to 150 indirect and ancillary jobs and 220 jobs during construction.

This Planning Proposal has been prepared, with regard to "*A Guide to Preparing Planning Proposals"*, as set out by the Department of Planning and Environment (DPIE) 2022.

The Planning Proposal is structured as follows:

Section 1 - Introduction.

Section 2 - Location & Site Identification - provides a description of the Site and context.

Section 3 - Existing Planning Framework - provides a summary of the current relevant strategic planning policies and directions.

Section 4 - Development Concept - provides a description of the Proposed Concept Design,

Section 5 - Planning Proposal, including:

Part 1: Objectives and intended outcomes - a statement of the objectives of the proposed instrument;

Part 2: Explanation of provisions - an explanation of the provisions that are to be included in the proposed instrument;

Part 3: Justification - Consideration of the Site's strategic and potential site-specific merit, outcomes, and the process for their implementation;

Part 4: Effect of the Planning Proposal and the area to which it applies;

Part 5: Consultation - details of the consultation that is to be undertaken on the Planning Proposal; and

Part 6: Project Timeline - project timeline to detail the anticipated timeframe for the LEP making process in accordance with the benchmarks in the LEP Making Guidelines.

2.0 Location & Site Identification

The land to which this Planning Proposal relates, is located at 1411 The Northern Road Bringelly (the Site), within the Liverpool Local Government Area. The Site's legal description is Lot 6 DP 1217784 and has a total area of 2.1 hectares. In a regional context, Bringelly is located approximately 45 km south-west of the Sydney Central Business District (CBD); approximately 2 km south of the new Western Sydney International (Nancy-Bird Walton) Airport; and is only 150 m from the edge of Aerotropolis. The Site is located on the western side of The Northern Road Bringelly, approximately 550 metres north-west of Badgerys Creek Road. The Northern Road is deemed a Transport for NSW Classified Road, according to Transport for NSW (TfNSW).

The Northern Road is a main road that traverses north-south, connecting Richmond Road in the north and Narellan Road in the south and will become the main connection through the future Aerotropolis Core area. Specifically, the Site is located along the Peter Brock Drive to Mersey Road section of upgraded roadway, which opened to traffic in 2020.

The Site has a significant frontage of 180 metres to The Northern Road, a southern boundary of 165 metres; an eastern boundary of 85 metres; and a western boundary of 170 metres. The Site is strategically located approximately 2 km from the boundary of the new Western Sydney International (Nancy-Bird Walton) Airport. It also has excellent access to several major transport routes. In regard to services, reticulated water and sewer are located nearby and electricity and telecommunications services, are also both available at the Site.

The Site is generally clear of vegetation, apart from a single-storey rural-residential dwelling. The Site has a low-grade slope, from north-west to south-west, with surrounding land being

generally flat. There is a dam in the south-west corner of the Site. There is a single vehicular access is to The Northern Road, on the north-western corner of the Site.

The surrounds are already undergoing a full transition from rural uses to an urbanised precinct. The Site is not affected by the Land Reservation Acquisition Map in *State Environmental Planning Policy (SEPP) Precincts - Western Parkland City 2021*.

Please refer to **Figure 1** and **Figure 2** overleaf, for the Site Location Plan and Aerial View of the Site respectively. **Figures 3 to 5** show photos of the Site and surrounds. **Figure 6** (overleaf) depicts the Site's within the *Western Sydney Aerotropolis Plan*, prepared by the, then, NSW Department of Planning and Environment, 2022.

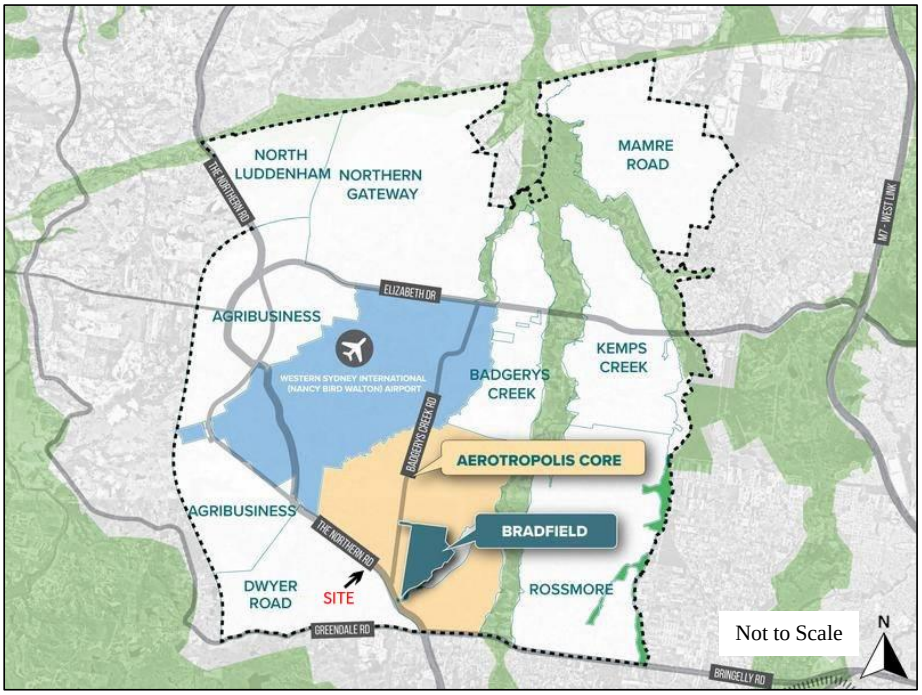


Figure 1 - Site Location Plan, (NSW Department of Planning and Environment, 2022).

The Site is located on The Northern Road, at the southern edge of the Aerotropolis Precinct, at the edge of The Dwyer Road Precinct.



Figure 2 - Aerial View of Site and surrounds showing urban context (Source: Near Maps).



Figure 3 - Aerial view of Site, view generally north-west, Image courtesy of Badgerys Creek Property, 2022.



Figure 4 - Aerial view of Site, view generally north. Image courtesy of Badgerys Creek Property, 2022.



Figure 5 - Existing single storey dwelling on site. Image courtesy of Badgerys Creek Property, 2022.

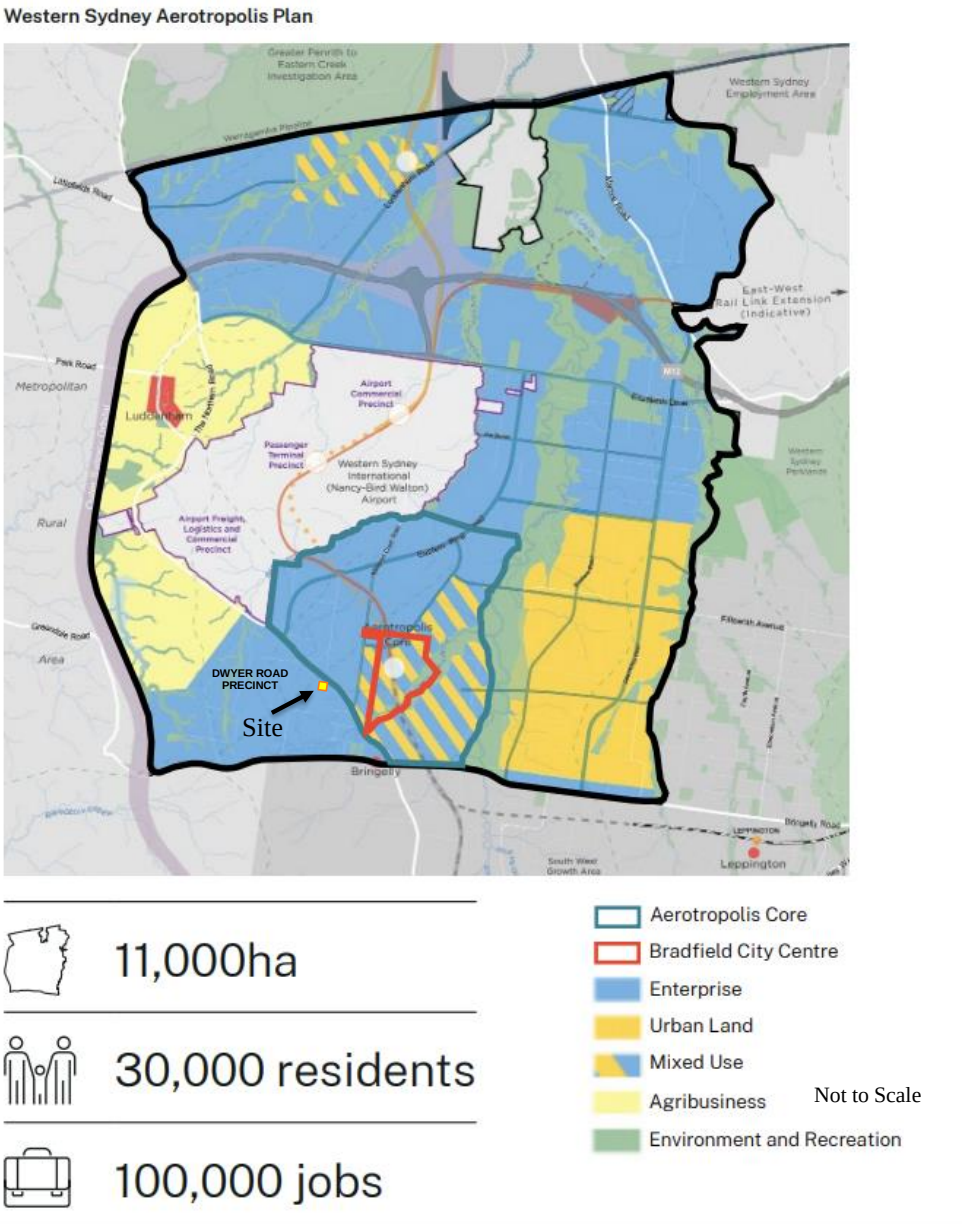


Figure 6 – **Bradfield City Centre Masterplan, Sept 2024 (Source: NSW DPE).**

The Site is located on the city centre masterplan (**Figure 7** above). The Site is located on the Northern Road, approximately 500m from Badgery's Creek Road which will connect to the future local roads in Bradfield City Centre.

3.0 Existing Planning Framework

The following section sets out the main legislative controls as they relate to the Site and their significance to the desired outcomes of the Site.

3.1 Liverpool Local Environmental Plan 2008

Liverpool LEP 2008 is the principal environmental instrument applicable to the Site and was gazetted on 22nd September 2010. The zoning of the Site, including the relevant objectives, standards and provisions of *Liverpool LEP 2008*, are discussed below.

The aims of the *Liverpool LEP 2008* are quoted below:

(1) This Plan aims to make local environmental planning provisions for land in Liverpool in accordance with the relevant standard environmental planning instrument under Section 3.20 of the EP&A Act, 1979.

(2) The particular aims of this Plan are as follows:

(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,

(a) to encourage a range of housing, ***employment,*** *recreation and services to meet the needs of existing and future residents of Liverpool,*

(b) to foster economic, environmental and social well-being so that Liverpool continues to develop as a sustainable and prosperous place to live, work, study and visit,

(c) to provide community and recreation facilities, maintain suitable amenity and offer a variety of quality lifestyle opportunities to a diverse population,

(d) to strengthen the regional position of the Liverpool city centre as the service and employment centre for Sydney's south-west region,

(e) to concentrate intensive land uses and trip-generating activities in locations most accessible to public transport and centres,

(f) to promote the efficient and equitable provision of public services, infrastructure and amenities,

(g) to conserve, protect and enhance the environmental and cultural heritage of Liverpool,

(h) to protect, connect, maintain and enhance the natural environment in Liverpool, and promote ecologically sustainable development which takes into account the environmental constraints of the land,

(i) to minimise risk to the community in areas subject to environmental hazards, particularly flooding and bush fires, by managing development in sensitive areas,

(j) to promote a high standard of urban design that responds appropriately to the desired future character of areas,

(k) to improve public access along waterways and vegetated corridors while ensuring the natural environmental values of riparian and bushland corridors and the habitat they provide are protected and enhanced,

(l) to improve public transport accessibility, and facilitate the increased use of public transport, cycling and pedestrian activity,

(m) to enhance the amenity and positive characteristics of established residential areas,

(n) to ensure the agricultural production potential of rural land and prevent its fragmentation, and

(o) to encourage development opportunities for business and industry so as to deliver local and regional employment growth.

The most relevant objectives of *Liverpool LEP 2008* are highlighted above in bold. The Planning Proposal is consistent with all the relevant objectives of *Liverpool LEP 2008*. The Site is located in an optimal location, adjacent to the new Western Sydney Aerotropolis. The Proposal will therefore deliver additional jobs, close to the new Western Sydney Airport, as planned by both the State and Liverpool Council.

3.1.1 Site's Current Zoning

The Site is currently zoned in the *Liverpool LEP 2008* as RU4 - Primary Production Small Lots (Refer to **Figure 7** overleaf**).** The intended use of the Site for a Service Station with ancillary retail commercial use, is not currently listed as being Permitted With Consent within the RU4 - Primary Production Small Lots Zone. The objectives of the Zone and Permitted Uses are listed in **Table 1** below.

Zone RU4- Primary Production Small Lots	
1 Objectives of Zone	• To enable sustainable primary industry and other compatible land uses.
	• To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
	• To minimise conflict between land uses within this zone and land uses within adjoining zones.
2 Permitted without Consent	Extensive agriculture; Home-based child-care; Home Occupations
3 Permitted with Consent	Agriculture; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Entertainment facilities; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Helipads; Home businesses; Home industries; Landscaping material supplies; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Veterinary hospitals; Water recreation structures

4 Prohibited	Any development not specified in Item 2 or 3.

Table 1 - Zoning table, RU4 Primary Production Small Lots.

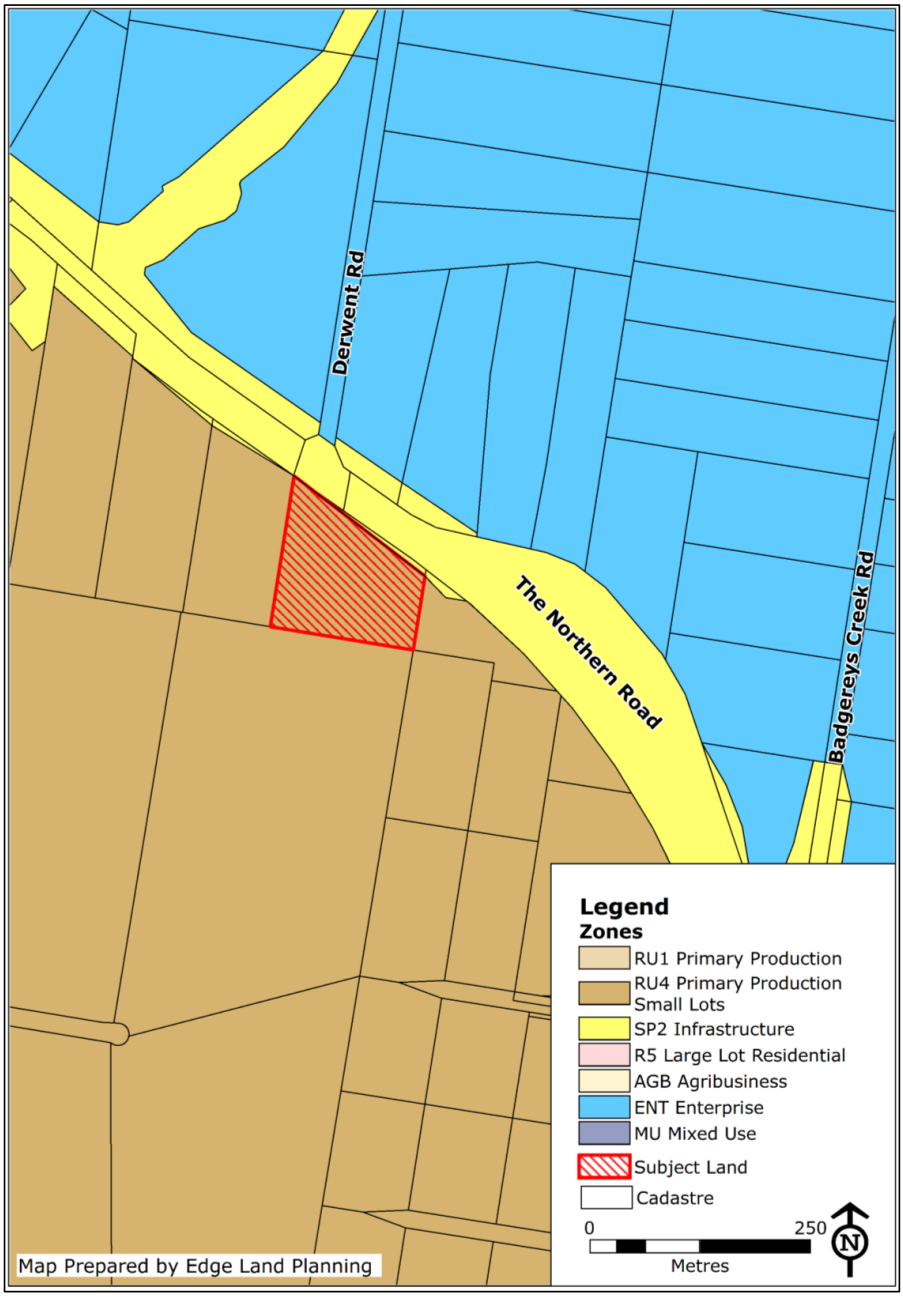


Figure 7 - *Liverpool LEP 2008*- Land Zoning Map RU4- Primary Production Small Lots. Source Edge Land Planning.

Note that **Figure 7** clearly shows the Site on the southern side of The Northern Road. The land directly opposite the Site, is already zoned ENT-Enterprise pursuant to the *State Environmental Planning Policy- Precincts (Western City Parkland) 2021*.

3.1.2 Liverpool Local Environmental Plan 2008- Provisions

The **Table 2** below provides an overview of the key local planning controls contained in *Liverpool LEP 2008*, in relation to the Subject Site.

Clause/Standard	**Provision**
Zoning	RU4- Primary Production Small Lots - refer to Section 3.1.1.
Clause 4.1 - Minimum Lot Size	Clause 4.1 - Minimum Lot Size. The Site is subject to a 10-hectare minimum lot size control. There is no change proposed to the Minimum Lot Size, as the Planning Proposal is to permit an additional use on the Site.
Clause 4.3 - Height of Building	The Site is not subject to a Building Height control.
Clause 4.4 - Floor Space Ratio	The Site is not subject to a Floor Space Ratio control.
Clause 5.10 - Heritage Conservation	The Site is not a Heritage Item nor is it located within a Heritage Conservation Area. The nearest heritage item is Item 7 - Bringelly Public School Group, which is located approximately 2 km south-east of the Site. The Site is not located within sufficient distance to the heritage item to cause any impacts.

Clause 7.6 - Environmentally Significant Land	The property is not identified as being Environmentally Significant Land.
Clause 7.7 - Acid Sulphate Soils	Not Applicable
Clause 7.8 - Flood Planning	The Site is not Flood-Affected. Refer to **Figure 10** overleaf.
Clause 7.9 - Foreshore Building Line	Not Applicable.
Clause 7.17 - Airspace Operations	The Site is affected by the 6 km Lighting Intensity Radius. This is not relevant to the Proposal.
Clause 7.24 - Dual occupancies in Zones RU1, RU2 and RU4	Not Applicable. It is not intended to develop the Site for Dual Occupancy Development.
Schedule 1 - Additional Permitted Use	*X Use of certain land for service station* *(1) This clause applies to land shown coloured yellow on the Key Sites Map.* *(2) Development for the following purposes is permitted with consent—* *(a) service station.* The Site intended to be proposed to be included as a Key Site, and a new Key Site Map for this Site has been prepared in **Figure 11.**

Table 2 - Provisions of *Liverpool LEP 2008.*



Figure 9 - *Liverpool LEP 2008* Lot Size Map, AB1 10 ha.

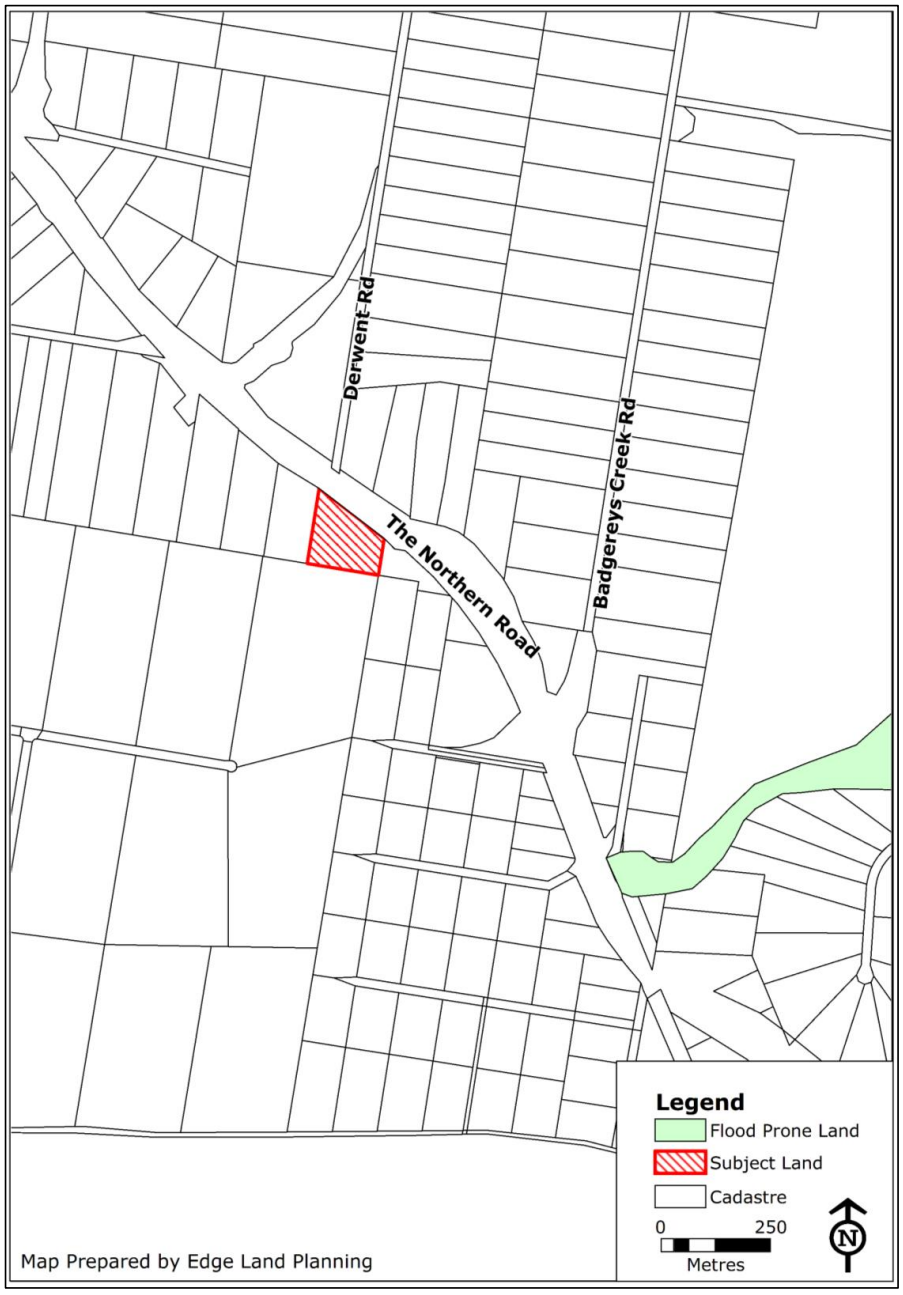


Figure 10 - *Liverpool LEP 2008* Flood Planning Area Map. The Site is not flood affected.

(Not to scale)

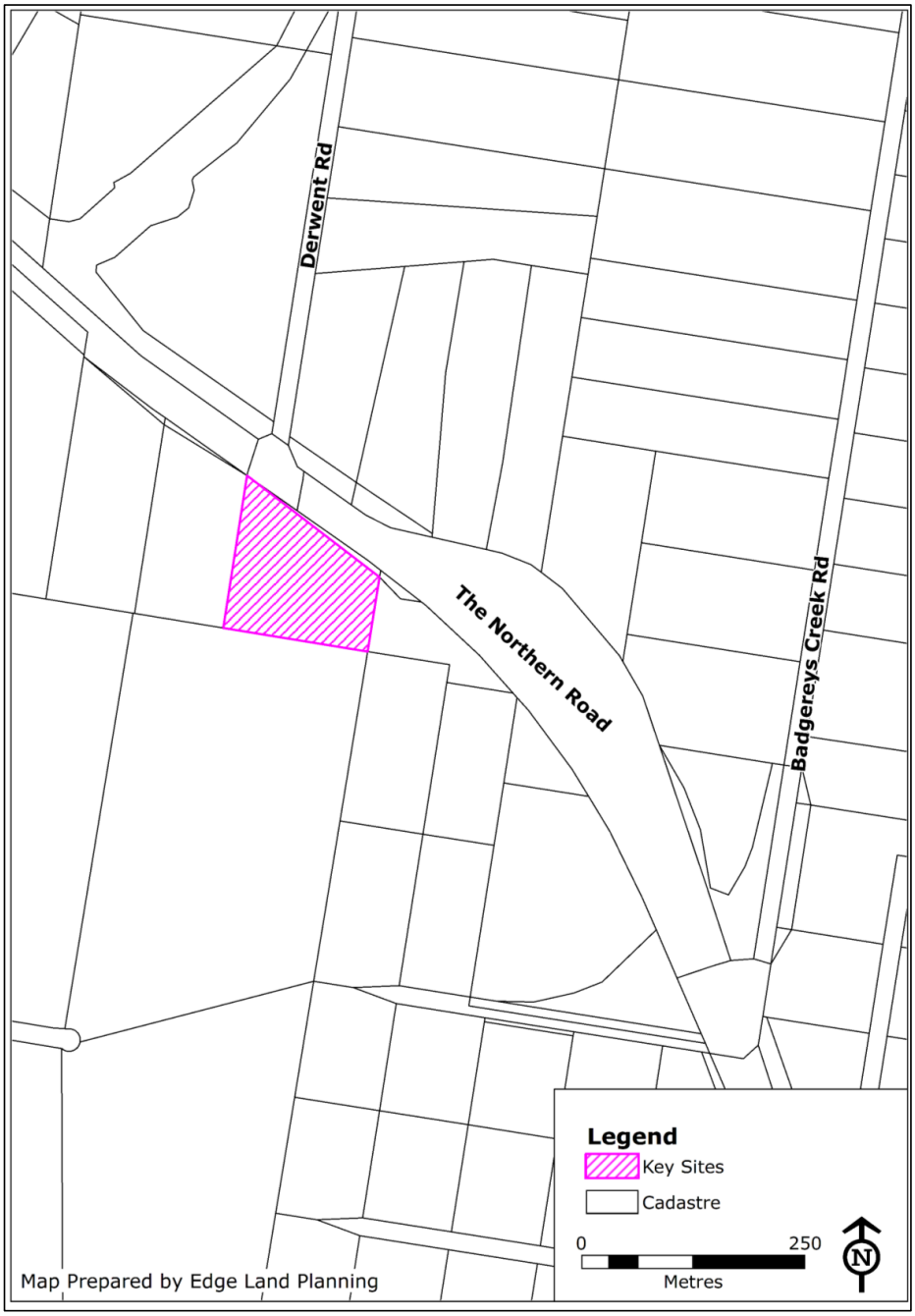


Figure 11 - The Site could be included as a Key Site, pursuant to a new Clause within Schedule 1 of *Liverpool LEP 2008.*

4.0 Proposed Concept: Service Station

The Proposed Concept is shown in **Figure 12** below.

The proposed addition of the Site as part of the Key Sites Map as a new Clause within Schedule 1 - Additional Permitted Uses of the LEP, has been conceived in line with market demand. The addition of the Site within Schedule 1 of the LEP as part of the Key Site Map, seeks to facilitate redevelopment of the land to permit a Service Station on the Site. The detailed design of the Service Station will be subject to a Development Application; however, an indicative concept plan has been prepared by EG which shows the following features:

1. A Service Station with 12 double-sided bowser pumps for passenger vehicles, in addition to hardstand parking and circulation areas;
2. Ancillary commercial use (200 m^2 service station retail shop)

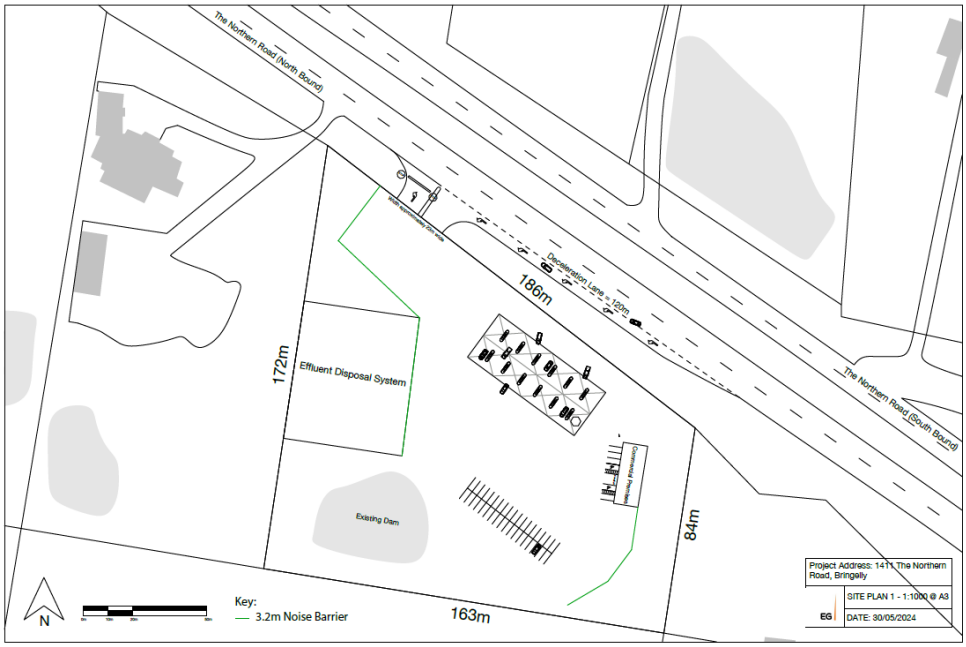


Figure 12 - Proposed Site Layout (EG, 2024), Refer also to Appendix 1.

5.0 Planning Proposal

5.1 PART 1: OBJECTIVES AND OUTCOMES

Objectives

The Objectives of this Planning Proposal are to:

1. Permit a Service Station on the subject land as a permissible land-use with consent, through the use of a new Clause: - *Use of Certain Land for Service Stations*, within Schedule 1 - Additional Permitted Uses of the *Liverpool LEP 2008.* Service Stations are not currently permissible as land-uses within the RU4- Primary Production Small Lots Zoning. It is understood that the LEP is currently being reviewed and the exact new Clause number will be specified at a later date.

The following definition in the *Liverpool LEP 2008* is applicable:

Service Station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following: -

(a) the ancillary sale by retail of spare parts and accessories for motor vehicles,

(b) the cleaning of motor vehicles,

(c) installation of accessories,

(d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),

(e) the ancillary retail selling or hiring of general merchandise or services or both.

Intended Outcomes

The intended objectives can be fully achieved, by including the Site as part of the "Key Sites Map" in a new Clause within Schedule 1 *Liverpool LEP 2008*, in order to permit with development consent over Lot 6 DP 1217784, the development of a Service Station.

5.2 PART 2: EXPLANATION OF PROVISIONS

5.2.1 LOCAL ENVIRONMENTAL PLAN

Schedule 1 of *Liverpool LEP 2008* provides a list of land parcels where specific land uses are permitted, in addition to those listed in the Land Use Tables to the LEP. Schedule 1 identifies the affected land, the additional land use, and in some cases, conditions applying to the additional permissibility.

In this case, it is proposed to have the Site included on the Key Sites Map in a new Clause within Schedule 1 - Additional Permitted Uses of *Liverpool LEP 2008*, will permit development, to include a Service Station on Lot 6 DP 1217784 (subject land), for land shown on the Key Sites Map. Please see **Figure 11** for a Map of this new Key Site.

The new Key Sites Map for the Site will identify the Subject Land with an additional permitted use. The proposed Objectives, will be achieved as per **Table 3** below:

Proposed Amendment / Inclusion	**Explanation of Provision**
Land Zoning Map	No change to the Land Zoning Map. The Planning Proposal will introduce an additional use of Service Station under a new Clause within Schedule 1- Additional Permitted Uses.

Height of Building Map	No change to the Height of Building Map. A maximum Height of 5 m would be required to accommodate the height of the canopy of the Service Station.
Floor Space Ratio Map	No change to the Floor Space Ratio Map.
Minimum Lot Size Map	No change to the Minimum Lot Size Map.
Schedule 1	Z Use of certain land for service station. (1) This clause applies to land shown coloured yellow on the Key Sites Map. (2) Development for the following purposes is permitted with consent— (a) service station. We propose that the Site be included as a Key Site, as shown in **Figure 11**. The LEP already contains a number of Schedule 1 items, none of which affect the subject land.

Table 3 - Proposed changes to *Liverpool LEP 2008.*

5.2.2 DEVELOPMENT CONTROL PLAN

We note that the existing *Liverpool Development Control Plan 2008 (Liverpool DCP 2008)* does not apply to a Service Station in Rural Zones. A site-specific DCP is not proposed, however, as the Site, at 2.1ha, is not large enough in size to warrant its own separate Development Control Plan. Instead, it is proposed to amend the existing Part 5 Development

in Rural and Environmental E3 Zones, of the *Liverpool DCP 2008*, to include the required objectives and controls for the proposed development. These controls can include site coverage; landscaping requirements and other general development controls that will not be captured in a new Clause within Schedule 1 of *Liverpool LEP 2008.*

5.3 PART 3: JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

The following information provides the detailed assessment of the Proposal, as per the *LEP Making Guidelines*, as set out by the NSW Department of Planning & Environment, 2022.

SECTION A - NEED FOR THE PLANNING PROPOSAL

1. Is the Planning Proposal a Result of an Endorsed Local Strategic Planning Statement, Strategic Study or Report?

Response: Yes; the Property was originally located within part of the initial the Dwyer Road Precinct, which will ultimately be zoned to ENT- Enterprise, as part of the *Western Sydney Aerotropolis Plan.* This has been publicly exhibited by the, then, NSW Department of Planning and Environment (2022).

The South-West Growth Centre Structure Plan (Edition 3) as published on the NSW Planning Portal (September 2024) also shows land immediately surrounding the Site to be planned for industrial and employment uses. All intended uses currently being considered for the Site, are already permissible in the ENT - Enterprise Zone, pursuant to *State Environmental Planning Policy (Precincts - Western Parkland City) 2021*. The inclusion of additional uses on the Site will simply expedite what is already envisaged for the land in the *Western Sydney Aerotropolis Plan (2022).* This information has already been published and made publicly available.

2. Is the Planning Proposal the Best Means of Achieving the Objectives or Intended Outcomes, or is there a Better Way?

Response: The Planning Proposal is the best approach to achieve the intended outcomes. It is the most efficient and timely approach to include the Site as a 'Key Site'. It will enable the full future development of the Site for a Service Station development to occur in line with the State and Local Government objectives for the Precinct. The Site is located in proximity to an existing and growing South-Western Sydney residential population, with access and transport options to local and regional road and rail infrastructure. The development of the Site will support the growing residential population in South-West Sydney and encourage additional employment opportunities in the locality. It will greatly support the new Airport; add to regional and local employment; and help achieve the broader objectives of the 30-minute City, by placing new employment near residents and facilities.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. Will the Planning Proposal give effect to the objectives and actions of the applicable Regional or District Plan or Strategy (including any exhibited Draft Plans or Strategies)?

The Site has clear strategic merit, within both State and Local Strategic documents. A comprehensive review of all relevant NSW Government Strategies has been undertaken by EG to determine the level of consistency of the proposed development against the current strategic planning framework as it relates to this Site. This has included a review of:

- *The Greater Sydney Region Plan - A Metropolis of Three Cities*;
- Sub Regional Planning – *The Central City District Plan*;
- and *Liverpool Local Strategic Planning Statement* (LSPS) – (2020).



An overview of the key strategic priorities, both at the Local and at State Government levels, as relevant to the Site, is provided below. The relevant State and District Plans that guide the land-use direction for the Site are:

1. *Greater Sydney Regional Plan - A Metropolis of Three Cities and*
2. *Western City District Plan.*

1. <u>The Greater Sydney Region Plan- A Metropolis of Three Cities</u>

The Greater Sydney Region Plan - A Metropolis of Three Cities, is the overarching strategic document for growing and shaping the Greater Sydney Area. The Plan sets a 40-year vision (to 2056) for the Greater Sydney Region and establishes a 20-year plan to manage growth and change in Sydney encompassing social, economic and environmental matters.

A Metropolis of Three Cities- The Greater Sydney Region Plan aims to rebalance growth and create benefits that are shared equitably between residents across Greater Sydney. The Plan is predicated on a Vision of "Three Cities" allowing residents to live within 30 minutes of their places of employment: education and health facilities and services.

Further, the Plan seeks to be integrated with the accompanying *State Infrastructure Strategy 2018-2038* and *Future Transport Strategy*.

The Proposal is totally in line with the 30-minute City and is also consistent with all the key directions in respect of infrastructure and collaboration, livability, productivity and sustainability. The Proposal's merits, as measured against State objectives, may be summarised as follows in **Table 4**

A CITY SUPPORTED BY INFRASTRUCTURE	
Objective	**Comment**
Objective 4 - Infrastructure use is optimized- The infrastructure to service the proposed development at the density proposed is generally readily available and does not require major augmentation.	The requisite infrastructure to service the proposed development is generally readily available and does not require significant augmentation.
A CITY FOR PEOPLE	
Objective	**Comment**
Objective 6 - Services and infrastructure meet communities' changing needs.	The proposed development will service both the future residential and worker populations, which are expected to increase as the Aerotropolis develops.
Objective 7: Communities are healthy, resilient and socially connected.	The service station facilities to be provided on Site will provide a much-needed service close to where people live. In addition, there will be additional employment opportunities that are not currently provided on the Site.

Objective 22 - Investment and business activity in centres.	The proposal will create new jobs, help diversify income streams and increase revenue especially in the local area, but also in supporting the new Airport and Aerotropolis.

Table 4 - Site Objectives and proposal outcomes.

2. <u>Western City District Plan</u>

Sub-regional planning is intended to direct the implementation of *A Plan for Growing Sydney* across Sydney's five sub regions. These include: Western City; Central City; North; Eastern City; and South. The Site falls within the *Western City District Plan*. District Plans were finalised by the Greater Sydney Commission in March 2018 and identify priorities and actions for each District.

The implementation of all District Plans, including the *Western City District Plan* (of which the Site forms part of), at the Local Level, is done through the implementation of the provisions of *Section 3.4 of the EP&A, Act, 1979* which imposes a requirement on all Councils when preparing Planning Proposals "to give effect to the District Plan".

The Western City Sub-region covers eight local government areas: Blue Mountains; Hawkesbury; Penrith; Camden; Campbelltown; Fairfield; Liverpool and Wollondilly.

The inclusion of additional uses on the Site is consistent with the following key Planning Priorities of the *Western City District Plan.* The Site is in the Liverpool Local Government Area and is therefore subject to the Provisions of the *Western City District Plan*. The

Provisions of this Plan and the Site's compatibility with them, are summarized in **Table 5** below:

Planning Priorities	Compliance with Priority
2.1 Planning Priority W1 - Planning for a City supported by infrastructure.	Many businesses would require prominent main road and highly accessible locations as opposed to internalised locations. The proposed development will complement any development which will occur within the Aerotropolis. The Proposal will support choice and convenience for local residents, visitors and the workforce. As it currently stands, the facility would be the only petrol station on The Northern Road between Oran Park and South Penrith and would provide the most convenient offer to vehicles travelling north along The Northern Road.
2.2 Planning Priority W5 - Providing housing supply, choice and affordability, with access to jobs: services and public transport.	The Proposal will service new housing development in the area by providing much-needed amenity, a service station; and making it accessible to visitors and residents. The Proposal would also permanently support a more diverse workforce. The Proposal would also undoubtedly support the workforce that would be involved in construction and development programs across the Western Sydney Aerotropolis; Western Sydney International Airport; and South-West Growth Area. It would also help create a future permanent workforce within these areas. The South-West Growth Area and Aerotropolis are major growth areas of Sydney and are quite important as

	such. The Main Trade Area Population is already 31,400 but is projected to increase by more than 3,300 residents per year over the next 15 years. The Proposed Service Station is ideally located to provide new and meaningful employment to satisfy this growing demand. It will also deliver local employment in a new location where transport infrastructure has been constructed within the subject Site perfectly located adjacent to the Aerotropolis and in close proximity to the South-West Growth Area. In accordance with the Economic Impact Assessment Report for the Site, prepared by Gap Advisory (May 2022), there are a number of Service Stations within the area, though there is no facility located on The Northern Road, in either direction, between South Penrith and Bringelly Road. To the south of Bringelly Road, there is only one future Service Station planned. Therefore, there is a clear spatial gap for a Service Station development north of Bringelly Road, on The Northern Road. The Site fills this market need. Importantly, when built and operational the Site will provide jobs in proximity to future land release areas and growth area which will enable residents to live within 30-minutes of their places of employment.

Table 5 - Planning Priorities and Outcomes.

4. Is the Planning Proposal consistent with the Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed Local Strategy or Strategic Plan?

Connected Liverpool 2040 Local Strategic Planning Statement (*LSPS*), is Council's long-term plan to shape Liverpool's future. This strategy is designed to help guide the development of suburbs and balance the need for housing, jobs and services.

EG is of the view that the Proposal is consistent with Council's *LSPS* and *Centres & Corridors Strategy*. A summary of compliance with *Liverpool LSPS* are summarised in **Table 6** below.

LSPS Objective	Consistency	Merits of Proposal
Local Planning Priority 11: An attractive environment for local jobs, business, tourism and investment	Yes	The Site is highly suited to the envisaged employment uses. This is strongly borne by the market response to the service station proposed on the Site. The Economic Impact Assessment report prepared by Gap Advisory (2022), refer to **Appendix 2**) concludes that there is strong market demand for the uses proposed in the Planning Proposal. This is further supported by market-led interest from major fuel operators. The Site is also in proximity (3.5 km) to the proposed Western Sydney International

		Cargo Precinct and will supplement its operations.
Local Planning Priority 12: Industrial and Employment	Yes	The Proposal would be expected to support a direct operational workforce of around 6 persons and provide a large amount of indirect employment through the construction of the service station and associated amenities. The Proposal would provide much-needed amenity to support both residents and workers within the broader Aerotropolis precinct.
Local Planning Priority 13: A Viable 24-hour Western Sydney International Airport growing to reach its Potential	Yes	The proposed development would support a curfew free economy by providing 24-hour refuelling options for vehicles.

Table 6 - Consistency with Liverpool Council LSPS (2021)

The *Liverpool Economic Development Strategy 2019-2029*, which forms part of Council's *Centres and Corridors Strategy*, details the economic priorities, actions and targets for Liverpool Council that guide the development of the Liverpool LGA's economy. The

Proposal contributes to this strategy by key features of how the Proposal conforms to this Economic Strategy and summarised in **Table 7** below.

Features	Consistency	Comment
1. Land use planning which balances economic opportunities with environmental requirements	Yes	This land is highly suited for employment-generating use provided for the Site.
2. Improved freight and passenger transport with continued investment in infrastructure projects by the public and private sector	Yes	The Site's envisaged uses respond directly and perfectly to the freight, transport and economic needs of the sub-region and the Aerotropolis and airport functions located across the road. Very few sites in the vicinity are able to do so immediately.
3. A growing and trained workforce to support contemporary business needs	Yes	A large amount of market research has been conducted to determine both final users and potential occupiers for the Site. Also, a number of enquiries from a major fuel operators have been received for the service station and they are ready for an immediate financial commitment, as the Site can permit the Service Station use envisaged.

Table 7 - Liverpool Economic Development Strategy 2019.

As is evident from **Table 7** above, the Proposed Development satisfies the key intent of the *Liverpool Economic Development Strategy 2019-2029.*

5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

Other than those examined and detailed herein, there are no additional State or regional studies or strategies applicable to the Site.

6. Is the Planning Proposal consistent with the applicable SEPPs?

A full assessment has been undertaken of this Planning Proposal, against all relevant State Environmental Planning Policies (SEPPs) and a summary is provided in the **Table 8** below.

State Environmental Planning Policy (SEPPS) 2021	**Consistent**	**Comment**
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	The Proposal has been designed having regard to the requirements of the State *Environmental Planning Policy (Transport and Infrastructure) 2021.* The Proposed Development is supported by a Traffic Impact Statement prepared by Traffix demonstrating that the proposal will not result in any unreasonable impacts upon to the local

		road network. It is expected that a referral to Transport for NSW would be required. Preliminary comments from Transport for NSW have already been received in relation to the initial Proposal. The three major corridors that are identified in Chapter 4 of the SEPP and they are: Sydney Metro – Western Sydney Airport line; South-West Rail Link Extension, and Western Sydney Freight Line (Stage One). The Proposal does not impact on any of these corridors, however given the Site's proximity to the Western Sydney International Cargo Precinct (approximately 3.5 km south), it will service trucks and vehicles accessing and using the Freight Terminal.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	The Site is zoned RU4- Primary Production Small Lots and is located within the Liverpool Local Government Area. As a result, the SEPP applies. However, it is not proposed to remove

		any vegetation as part of this Planning Proposal. Future development is not foreseen to have any significant ecological impacts, as most of the Site is currently managed grassland. Endangered Ecological Communities have not been identified on the Site.
State Environmental Planning Policy (Primary Production) 2021	N/A	It is not proposed to use the land for Primary Production. The Site has been earmarked to be re-zoned to ENT-Enterprise in the future, which validates that the land is no longer suited for primary production uses.
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	The aim of this Policy is to ensure the appropriate management and remediation of contaminated land. Contamination, if any is found, can be further addressed and mitigation measures implemented for future development, at the time of DA lodgement.
State Environmental Planning Policy (Industry and Employment) 2021	N/A	Not Applicable as the Site is not located within Precincts identified in the *State Environmental Planning Policy-(Industry and Employment) 2021.*

State Environmental Planning Policy (Resources and Energy) 2021	N/A	Not Applicable to this Proposal.
State Environmental Planning Policy (Planning Systems) 2021	N/A	Not Applicable to this Proposal.
State Environmental Planning Policy (Precincts - Regional) 2021	N/A	Not Applicable to this Proposal.
State Environmental Planning Policy (Precincts - Eastern Harbour City) 2021	N/A	Not Applicable to this Proposal.
State Environmental Planning Policy (Precincts - Central River City) 2021	N/A	Not Applicable to this Proposal.
State Environmental Planning Policy (Precincts - Western Parkland City) 2021 **Chapter 4 Western Sydney Aerotropolis**	Yes	Currently, the Site is zoned RU4-Primary Production Small Lots pursuant to the *Liverpool LEP 2008.* Currently the Site is not located within the SEPP (Precincts- Western Parkland City) 2021 boundary.

		The Site is located on the western side of the Northern Road, immediately opposite the southern edge of the Aerotropolis Core precinct boundary as shown on the *Western Sydney Aerotropolis Precinct Plan (2022)*. This Plan has been prepared by the NSW Department of Planning and Environment (2022). The Site is located within the initial Dwyer Road Precinct which will be zoned Enterprise however does not currently form part of the SEPP. Under this future zoning, the development of a Service Station is permissible. The Proposed Development will supplement the Western Sydney Airport operation (in particular the Western Sydney International Airport Cargo Precinct) and the surrounding enterprise land uses. The Site is highly suited to the envisaged employment uses. This is strongly borne by the market response to the service

		station proposed on the Site. The Site is located in the Northern Road. The Proposed Development will be able to satisfy the public utility infrastructure requirements because it suffices the orderly and transformational development in the long-term.
State Environmental Planning Policy SEPP (Precincts - Regional) 2021	N/A	Not Applicable to this Proposal.
State Environmental Planning Policy (Housing) 2021	N/A	Not Applicable to this Proposal.
State Environmental Planning Policy (Building Sustainability Index BASIX) 2004	N/A	Not Applicable to this Proposal.
State Environmental Planning Policy (Sustainable Buildings) 2022	N/A	Not Applicable to this Proposal.
State Environmental Planning Policy (Exempt	N/A	Not Applicable to this Proposal.

and Complying Development Codes) 2008		
State Environmental Planning Policy (Major Infrastructure Corridors) 2020	N/A	Not Applicable to this Proposal

Table 8 - Proposed Concept's Consistency with relevant SEPPs.

7. Is the Planning Proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?

An assessment has been undertaken of the Planning Proposal against all relevant Section 9.1 Directions. Consistency with the Directions is summarised in **Table 9** below.

Focus Area 1: Planning Systems	
Ministerial Direction	**Justification**
1.1 Implementation of Regional Plans	Consistency with the *Western Sydney Aerotropolis Plan* and *Greater Sydney Region Plan - A Metropolis of Three Cities* is demonstrated in Section B of this Report.
1.2 Development of Aboriginal Land Council land	Not Applicable.
1.3 Approval and Referral requirements	The Planning Proposal does not contravene the objectives of the Direction
1.4 Site Specific Provisions	The Planning Proposal will be initiated by a Schedule 1 - Addition to *Liverpool LEP 2008.*

Focus Area 1: Planning Systems - Place-based	
Ministerial Direction	**Justification**
1.10 Implementation of the Western Sydney Aerotropolis Plan	The proposed addition of the Site will not impact the achievement of the objectives, planning principles and priorities of the *Western Sydney Aerotropolis Plan.* The proposed development is in line with the Desired Future Outcome for the Dwyer Road Precinct, which is expected to be allocated in an Enterprise Zone. A service station is a permissible land use under the Enterprise Zoning.
Focus Area 3: Biodiversity and Conservation	
Ministerial Direction	**Justification**
3.1 Conservation Zones	Not Applicable
3.2 Heritage Conservation	Not Applicable
3.3 Sydney Drinking Water Catchments	Not Applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not Applicable
3.5 Recreation Vehicle Areas	Not Applicable
3.6 Strategic Conservation Planning	Not Applicable
Focus Area 4: Resilience and Hazards	

Ministerial Direction	Justification
4.1 Flooding	Not Applicable
4.2 Coastal Management	Not Applicable
4.3 Planning for Bushfire Protection	A Bushfire Report prepared by Travers and Ecology has been submitted with the application.
4.4 Remediation of Contaminated Land	Not Applicable
4.5 Acid Sulfate Soil	Not Applicable
4.6 Mine Subsidence and Unstable Land	The Site is not on Mine Subsidence or unstable land.
Focus Area 5 – Transport and Infrastructure	
Ministerial Direction	**Justification**
5.1 Integrating Land-Use and Transport	The Site is located approximately 2 km west of the new Western Sydney Airport. Having such important functional services at this location, will be essential in allowing the new Airport and the Aerotropolis to deliver their core service functions. This will also ensure the long-term viability of permanent employment on the Site.
5.2 Reserving Land for Public Purposes	The Planning Proposal does not propose to create, alter or reduce any existing zoning or reservation for public purposes on the land.

5.3 Development near Regulated Airports and Defence Airfields	The Site is located approximately 2 km west of the new Western Sydney Airport. The Proposal will not affect the operation of any regulated Airports.
5.4 Shooting Ranges	Not Applicable.
Focus Area 6 - Housing	
Ministerial Direction	**Justification**
6.1 Residential Zones	Not Applicable
6.2 Caravan Parks and Manufactured Home Estates	Not Applicable.
Focus Area 7 - Industry and Employment	
Ministerial Direction	**Justification**
7.1 Business and Industrial Zones	The Planning Proposal will support new employment to the local communities. It will also encourage employment growth for future facilities by creating a new convenient setting for employment.
7.2 Reduction in non-hosted short-term rental accommodation period	Not Applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable.

Focus Area 8 - Resources and Energy	
Ministerial Direction	**Justification**
8.1 Mining, Petroleum Production and Extractive Industries	Not Applicable
Focus Area 9 - Primary Production	
Ministerial Direction	**Justification**
9.1 Rural Zones	The Direction states that a Planning Proposal must not rezone land from a rural zone to a residential, business, industrial or tourist zone. This application does not rezone land, rather will facilitate "a Schedule 1 - Additional Permitted Use". The land is clearly unproductive for agricultural purposes having not been used for that purpose over 60 years. The lack of productivity can be deduced from the lands inclusion in the Dwyer Precinct which is earmarked to be zoned for employment purposes (ENT Zone).
9.2 Rural Lands	Not applicable as it applies to LGA's outside of Greater Metropolitan Sydney.
9.3 Oyster Aquaculture	Not Applicable.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable.

Table 9 - Consolidated Ministerial Directions and Justifications.

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8. 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?

The Site was previously used for agricultural purposes. The Site has been cleared for many years and has a mixed both native and non-native grassland vegetation cover. The Site has a low-grade slope from north-west to south-east, with the surrounding land being generally flat. There is a dam in the south-west corner of the Site.

The Site is surrounded predominately by rural and rural-residential land uses. Vegetation exists surrounding the site, varying between grassland, small patches of remnant vegetation and non-native and weed vegetation. Future development will require the clearing of all vegetation from the Site. The impact, however, is considered low, as the majority of the Site is currently deemed to be managed grassland (Keystone Ecology, 2023).

An Ecological Constraints Report has been prepared by Keystone Ecology (**Appendix 6**) and confirms that the site does not contain any ecological values of note. The general absence of ecological constraints is properly reflected in the relevant strategic planning documents. The biodiversity features of the Site provide no additional constraint to an Enterprise land zoning and subsequent development for a service station. No Endangered Ecological Communities (EECs) have been identified on the Site.

An initial search was also conducted on the Aboriginal Heritage Information System (AHIMS) by Heritage NSW. The study by Heritage NSW, has concluded that there are no identified Aboriginal sites of significance within 50 m of the Site.

9. Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?

The Site is not mapped as being Flood affected.

The Proposal is located on land identified as bushfire prone (mostly Vegetation Category 3 and part Vegetation Buffer (100 m) adjacent to The Northern Road) on the Liverpool City *Council Bushfire Prone Land Map.* A Bushfire Report prepared by Travers Ecology Bushfire & Ecology (see **Appendix 5**) has been submitted with the application. The Assessment has concluded that additional uses on the Site and future development of the Lot, can comply with the planning requirements of *Planning for Bush Fire Protection 2019.*

10. Has the Planning Proposal adequately addressed any social and economic effects?

In facilitating jobs and skills for the city, the *Greater Sydney Region Plan,* identifies retaining, managing and planning for industrial and urban services land, as a Key Priority. The Western Parkland City is clearly a tremendous asset to Greater Sydney, particularly in areas yet to be zoned or serviced, which will support the investment and business opportunities created by the Western Sydney (Nancy-Bird Walton) International Airport.

The inclusion of the additional uses on the Site proves a much-needed functional requirement for fuelling and convenience retail. There is also registered strong market demand from end-users for the service station. This has been validated by the Economic Assessment Report (2022) prepared by Gap Advisory (**Appendix 2**), as well as a supporting letter from a major fuel operator expressing strong interest in the Site. As explained earlier in this report, there is currently no facility located on The Northern Road, between South Precinct in Bringelly Road. This is a critical function in this emerging area, as it will address the current lack of facilities and services for heavy vehicles in the area.

A Social Impact Assessment has been prepared by Sarah George Consulting (2024) (see **Appendix 9**). The Report concludes that: The proposal to permit the future use of the site as a service station unlikely to generate any significant adverse social impacts because the proposal provides an opportunity for the site to be used as a service station providing convenient access to fuel and convenience items in a location where there are currently no nearby service stations, and which is located proximate to the new International Airport and Aerotropolis for residents, workers, visitors and tourists.

The proposal will not result in any material changes to the population or the characteristics of the population, nor will it generate any negative impacts in respect of crime and safety.

The Social Impact Assessment of the Planning Proposal to include the additional uses on the subject site to permit the future use of the site at 1411 The Northern Road, Bringelly as a service station, is unlikely to generate any significant negative social impacts and is likely to generate a number of positive social impacts. There is nothing about the proposal from a social planning perspective that would warrant refusal of the application.

SECTION D - INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

11. Is there adequate public infrastructure for the Planning Proposal?

There are significant Public and Private major infrastructure commitments already proposed to service the Western Sydney (Nancy-Bird Walton) International Airport. This includes significant road upgrades and public transport projects, to support new economic activity and the future employment of the Site and surrounding areas. The Site's close proximity to the new airport, creates a unique and timely opportunity for the renewal of a highly accessible Site. The Site is also ready immediately to be developed for its intended uses.

A detailed analysis of the surrounding road network, in relation to the addition of the anticipated traffic generation as a result of the Proposal, have been performed by Traffix (2022) and is included in the submitted Report (refer to **Appendix 7**).

SECTION E – STATE AND COMMONWEALTH INTERESTS

12. What are the views of State and Commonwealth public authorities and government agencies consulted in order to inform the Gateway Determination?

It is envisaged that the State and Commonwealth public authorities listed below, would be consulted, pending the outcome of a Gateway Determination. Council would be responsible for the consultation with both the State and Federal Agencies in accordance with Section 57 of the *EP&A Act, 1979.* In this regard, it is considered that the following authorities would need to comment formally as part of the Planning Proposal:

1. NSW Rural Fire Service;
2. WaterNSW;
3. Transport for NSW;
4. Sydney Water; and
5. NSW Department of Planning, Housing and Infrastructure.

Comments from Transport for NSW were sought and received for the Project in 2022.

The following comments were received from Transport for NSW on 29 November 2022.

- *The Proposal should demonstrate strategic alignment with the relevant region or District Plan, Precinct Plan (Aerotropolis) or Council's endorsed planning strategies. As outlined in the DPE Plan Making Guidelines (September 2022), it is encouraged where a proposal fails to adequately demonstrate strategic merit, the Planning Proposal Authority is unlikely to progress the proposal despite any site-specific merit it may have. This is certainly not the case in this instance, as the Proposal satisfies both strategic and site-specific merit.*
- *The proposal should give consideration to TfNSW's Future Transport Strategy (released in 2022) and demonstrate consistency with Local Planning Direction 5.1 – Integrating Transport and its supporting policies.*

- *In accordance with Section 2.119 of State Environmental Planning Policy (Transport and Infrastructure) 2021, future access points to The Northern Road should be minimised and consolidated. Due to the Site being part of an unplanned precinct, the cumulative impact on the network by other properties fronting The Northern Road is not considered. TfNSW strongly recommends that an Access Management Plan that is consistent with the primary traffic function of The Northern Road and alternative lower priority access are investigated (i.e. Indicative Layout Plan).*
- *Future public transport improvements along The Northern Road are currently being investigated and yet to be finalised. Proposed mitigation measure (i.e. deceleration lane) is likely to impact the planned improvements. Should the Proposal proceed to Gateway, future investigations would be required to ensure there will be no impacts on future public transport improvements.*
- *There is no current Government commitment or funding to allow for widening for 3 lanes for general traffic in each direction.*

Further engagement was undertaken with TfNSW in May 2024, following a request from Liverpool City Council, with a letter received from TfNSW on 3 May 2024. The letter noted the following:

TfNSW has reviewed the submitted documentation and notes the 'proposal' and seeks to amend the Liverpool Local Environmental Plan 2008:

- *To rezone the site from RU4 Primary Production to an Employment zone not identified in the proposal to allow the development of:*
  - *Approximately 7,400 m2 service station including pumps, canopy, shops and hardstand area.*
  - *Approximately 250 m2 service station shop.*

- *Approximately 250 m2 fast food shop; and*
- *Approximately 9,000 m2 of light industrial units for business serving the Aerotropolis.*

TfNSW does not support the proposal for the above listed land uses. TNSW policy only allows access off a State Road for a service station. Access to the other uses must be from the local road network and physically separated for traffic.

TfNSW is prepared to consider a left in/left out access arrangement on The Northern Road to the potential future service station only, given they are service centres cater primarily for passing traffic.

Please note, any agreement on this access arrangement would be on the condition that there is no vehicular connection between the proposed service station and other proposed premises on site. Vehicle access to other uses should be provided from local road network.

Following the advice from Transport for NSW, EG have amended the concept plan and Planning Proposal.

Advice was also sought from Sydney Water, following a request from Liverpool City Council, in May 2024. A feasibility letter from Sydney Water was received on May 28, 2024, which can be summarised as follows:

1. Potable Water – trunk water main delivery is due in late 2027. This will align with the construction timeframe for the project.
2. Sewer – delivery of sewer infrastructure will be in 2031. The downstream sewer pump station is required for the Bradfield Town Centre so it will be made available in 2029. The carrier extension to the rest of Thomsons Creek will then follow. An on-site waste management system is proposed to be constructed on the land until the Site can be connected to the sewer system in 2031.

EG considers that the above comments support broadly the Proposal's intentions and priorities. All matters of strategic and site-specific merit have been addressed in this Planning Justification Report.

Site-Specific Merit

In addition to meeting strategic merit criteria, a Planning Proposal is required to demonstrate site-specific merit. EG believes that the Proposal does have unique offerings and possesses strong site-specific strategic merit. The location of the Site is highly suitable for a Service Station development for the following reasons:

1. The Site has a wide frontage of 180 m on The Northern Road - a main road, with ample room for access on and off the road.
2. The Northern Road is a major commuter route for those working in South-West Sydney. The Site is perfectly located to serve this purpose and is an attractive and convenient location that would service commuters in this location.
3. There is a lack of sites located on roads that can service north-bound traffic to the new Western Sydney Airport, noting that the sites that are currently zoned for this kind of development are located on roads which service South-bound traffic.
4. Sites currently zoned for Service Stations are all clustered on the Aerotropolis side. This creates a need for a facility on the western side of the Northern Road, thereby raises issues regarding safety, convenience, and access. This has been confirmed through market enquiry.
5. The Proposed Development, would be the final service station Northbound before the Western Sydney International Cargo Precinct, making it ideal for trucks to refuel before picking up freight.

6. The proposed development incorporates a Left-in-Left-out System, which is the ideal model for a Service Station. Research by Traffix (See Traffix Traffic Assessment in App.4) has shown that a Left-in, Left-out Service Station, has the lowest level of incidents.

7. There are three signalised intersections on the northern side of The Northern Road which are located at Badgerys Creek Road, Derwent Road and Mersey Road. These intersections do provide excellent access and exit to passing traffic. However, some of the corner sites do not allow vehicles to continue traveling north bound on The Northern Road. This is of great significance, given that the proposed Freight terminal, is located only 2 km north on The Northern Road. In addition, forcing heavy vehicles to turn onto a local road on the opposite side of the road, is not considered to be a major inconvenience, rather a serious safety hazard, especially for heavy vehicles. Therefore, by allowing Service Stations on both sides of The Northern Road, safety and convenience would both be greatly improved thereby improving safety and the number of potential traffic incidents.

Figure 13 below shows the location of existing Service Stations in the vicinity of the Site. This figure shows that within the vicinity of the Site, there are no service stations to be found and the distance in between the two nearest service stations is 37 km away from each other.

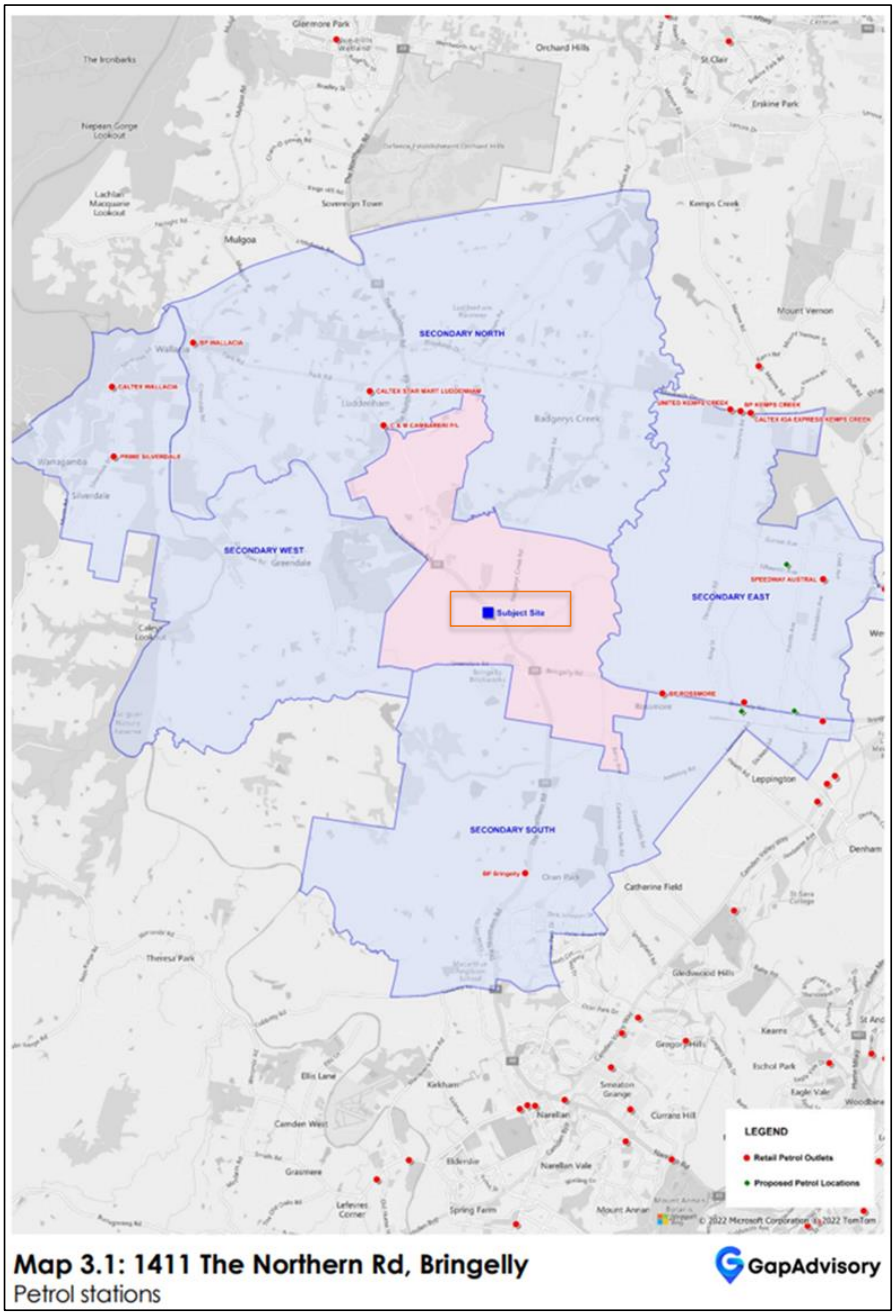


Figure 13 - Map of existing service stations in the vicinity of the Site (GapAdvisory, 2022).

5.4 PART 4 - EFFECT OF PLANNING PROPOSAL

Mapping

The Planning Proposal seeks to be included, as a Key Site as part of a new Clause within Schedule 1 to *Liverpool Local Environmental Plan 2008* (*Liverpool LEP 2008*), to enable the Site to be developed for an employment-generating use as a Service Station. Accordingly, a new Key Site Map (**Figure 11**), showing our Site, has been included as part of this Planning Proposal.

5.5 PART 5 - CONSULTATION

The requirement for this Consultation is determined by the *EP&A Act 1979.* The minimum requirements for this consultation are identified in Section 4.5 of *A Guide to Preparing Local Environmental Plans,* prepared by the NSW Department of Planning and Environment.

The requirements set out in Section 4.5, relate to the notification requirements and the material that is to be made available for exhibition.

Should the Planning Proposal be supported, Council may request that the Planning Proposal be exhibited for a period of 28 days and include:

- Hard copies at Council's Administration building and relevant Libraries;
- Electronic copy on Council's website;
- Notification letters to surrounding and nearby property owners;
- Notification letters to relevant State agencies and other authorities nominated by the NSW Department of Planning, Industry and Environment (but not limited to).

At the close of the consultation period, Council may consider all submissions received and present a report to the elected Council, for its endorsement of the Planning Proposal before

proceeding to finalisation of the inclusion of the Site within the 'Key Sites'. This process would be acceptable to the Applicant.

5.6 PART 6 - PROJECT TIMELINE

Table 10 below outlines the estimated timeframes allocated for each action for the Project Timeline, as currently estimated by EG. The allocated times are estimates based on the tasks and the responsibility of parties involved. The estimated times may alter during the life of the Proposed Project but are reasonable indications at this point in time.

Item	Action	Estimated Timeframe	Responsibility
1.	Anticipated date of Gateway Determination	4 months	Department of Planning, Industry & Environment
2.	Anticipated completion of required technical studies.	Prior to Exhibition	Consultant
3.	Government agency consultation	2-month period	Agencies
4.	Public exhibition period.	1 month period	Council
5.	Date of Public Hearing	N/A	Council, if required.
6.	Consideration of Submissions	2 months	Council
7.	Assessment of Proposal post-exhibition	2 months	Council
8.	Report to Council	1 month	Council

9.	Final Planning Proposal prepared	1 month	Council
10.	Submission to Department for finalisation of LEP	1 month	Council
11.	Anticipated date Relevant Planning Authority will make the LEP	1 month	Council (if under delegation)
12.	Anticipated date Council will forward the final Planning Proposal to Department for notification.	1 month	Council
13.	Anticipated date LEP will be notified.	1 month	Parliamentary Counsel and DPIE

Table 10 - Indicative Project Timeline

Please note that after a Gateway Determination is issued, a further period of community consultation in the form of public exhibition will be held.

5.7 ENVIRONMENTAL ASSESSMENT

This Section provides an environmental assessment of the proposed development, that will be facilitated by this Planning Proposal. A summary of the key environmental constraints is provided below.

5.7.1 - Servicing and Wastewater

A Service Infrastructure Assessment has been prepared by Land Partners, refer to **Appendix 3.** In regard to servicing, reticulated water and sewer are located nearby. Electricity and telecommunications services are also both available at the Site. There is no Sydney Water potable water reticulation system currently services this property. A substantial new Sydney Water DN600 trunk main has already been constructed approximately 700 m to the south-east of the Site, at the intersection of The Northern Road and Badgerys Creek Road. Refer to the Servicing Assessment in **Appendix 3.**

The Site has not yet been serviced for sewerage infrastructure by Sydney Water. According to Land Partners (2022), the inclusion of the additional uses on the Site, would be able to accommodate a temporary on-site sewage wastewater management system, until the Sydney Water infrastructure is provided. Any on-site sewage wastewater management system proposed for the Site, would comply with all of the provisions of the *Liverpool City Council On-Site Sewage Management Standard 2021*, the *Sydney Catchment Authority 2012, Designing and Installing Onsite Wastewater Systems* and the *NSW Health 2001, Septic Tank and Collection Well Accreditation Guidelines.*

A supplementary Wastewater Assessment has been prepared by Mertens (2024). The report prepared by Mertens (2024) in **Appendix 4** has confirmed that:

1. The connection to the Sydney Water reticulated sewer will be available in approximately 2030/31. The development should be connected to Sydney Water's reticulated sewer servicing the local area once this becomes available.
2. On-site wastewater management is feasible with a dedicated effluent disposal area and reserve. Preliminary high level sizing estimates indicate that at least 684 m^2 would likely be required for subsurface drip irrigation of treated effluent based on the limiting factor of nitrogen assimilation. This requirement is subject to detailed site investigations and land capability assessment and detailed development design.

3. Temporary pump out of wastewater is feasible with LCC support, however, is unlikely to be required given the availability of Site area to accommodate an onsite effluent disposal system.

There is an area of up to 4,600 m^2 available for an on-site sewage management system, which would be ample for this treatment bed and its size would allow compliance with all Council setback distances, as specified in their Development Control Plan. There is also an option to use an aerated treatment system, which would reduce the area required even further. The characteristics of these soils for any temporary treatment area, could be specified in the Development Application as development consent conditions. Likewise, the area and treatment type, could also be specified in a future development application and in the development consent conditions.

5.7.2 - Bushfire & Ecology

Travers Bushfire & Ecology has undertaken a Bushfire Protection Assessment for the Proposal (refer **Appendix 5**).

The assessment by Travers Bushfire & Ecology, found that though bushfire can potentially affect the Site from grassland vegetation from the east, west and south, the overall fire risk from this vegetation, after considering fire history, climate and available mitigation options, is comparatively low.

The Proposal is located on land identified as Bushfire Prone on the Liverpool City Council Bushfire Prone Land Map. *Planning for Bush Fire Protection 2019* identifies matters for consideration for Planning Proposals that will impact on, or are in proximity to, land mapped as Bushfire Prone. The Assessment has concluded that the inclusion of the additional uses on the Site and future development of the Lot, can comply with the planning requirements of *Planning for Bush Fire Protection 2019.*

The Proposal is subject to the requirements of Section 9.1(2) of the *Environmental Planning and Assessment Act 1979* (*EP&A Act, 1979*), which requires Council to consult with the Commissioner of the NSW Rural Fire Service (RFS) and to take into account any requirements of, or comments by, the Commissioner related to section 4.4.1 of *Planning for Bushfire Protection 2019.*

The Site can accommodate Asset Protection Zones within its boundaries with a minimum of environmental disturbance, while still providing viable options for a number of designs and development types. In order to comply with *Planning for Bushfire Protection* requirements, a temporary 88B easement agreement would be entered into with neighbouring landholders, to ensure temporary management of APZs adjacent to the Site, until any grassland bushfire threat is removed.

An Ecological Constraints Report has also been prepared by Keystone Ecology (**Appendix 6**) and confirms that the Site does not contain any important ecological values of note. The general absence of ecological constraints is properly reflected in Council's relevant Strategic Planning Documents. The biodiversity features of the Site provide no additional constraints to an Enterprise land zoning and subsequent development for a service station. Endangered ecological communities have not been identified on the Site.

5.7.3 - Traffic

A Traffic Assessment has been performed and it reflects that the Site is well connected to the surrounding road network, having convenient connections to The Northern Road, which is the main north-south connection through the Western Sydney region and the future Enterprise Area. The Traffic Report prepared by Traffix is detailed in full in **Appendix 7**. The report indicates that the Concept Development, would require a total of some 129 off-



street parking spaces and that the Site is large enough to accommodate such a parking provision.

The Subject Site is approximately 1 km away from the intersection of the Eastern Ring Road. The Proposed Service Station has been flagged to facilitate north-bound traffic en-route to the new Western Sydney International (Nancy-Bird Walton) Airport. The large frontage to The Northern Road would allow the utilisation of ramps for freight vehicles.

The layout of the proposed carparking areas associated with the proposal including driveways, grades, turning paths, sight distance requirements will be in accordance with Australian Standards. A deceleration lane is likely to be required for the proposed access from The Northern Road.

5.7.4 - Acoustic

Acoustic Consultants SLR (2024) were engaged to assess the potential operational noise emissions from the service station development (refer **Appendix 8** for the updated Acoustic Report). The Assessment was recently updated to focus on the noise impacts as a result of the sole use of the Site as a service station, predicted on a 24/7 basis. The operational noise levels modelled are predicted to comply with all relevant criteria. All receivers under both standard and noise-enhancing weather conditions showed acceptable levels of noise.

With reasonable and feasible mitigation measures implemented on the site, operational noise levels are predicted to comply with the relevant criteria under standard and noise-enhancing weather conditions at all receivers except for R1. Following the implementation of all reasonable a feasible mitigation measures there is a predicted 1 dB residual exceedance of the night-time PNTL at R1 under noise enhancing weather conditions. In accordance with the Noise Policy for Industry, the significance of this residual exceedance is considered negligible and would not warrant receiver-based treatment or controls.

Night-time sleep disturbance criteria are predicted to be met at all nearby residential receivers except for R1 under standard weather conditions, and all nearby residential receivers except for R1, R3, R4, R5, and R6. These noise levels are unlikely to cause awakening reactions. There is predicted to be less than a 1 dB increase in traffic noise levels due to increased traffic accessing the site, which, according to the RNP, is unlikely to be discernible and would not require consideration of mitigation. Nonetheless, it has been recommended that a 3.2m high noise barrier wall could be erected to the east and west of the property driveway and hardstand areas as shown in the figure below. Final details would be the subject of a Development Application.

5.7.5 - Contamination

The current use on the Site is rural-residential. This type of use does not give rise to the likelihood of contamination. Given that a service station land use is classified as a potentially contaminating activity, this matter is best considered as part of a future DA.

5.8 VOLUNTARY PLANNING AGREEMENT

In accordance with Section 7.4 of the *Environmental Planning & Assessment Act, 1979*, the Proponent is committed to entering into a suitable Voluntary Planning Agreement (VPA) that is appropriate for the development and its context, as well as paying all relevant Section 7.11 Contributions.

6.0 Conclusion

After a thorough site investigation, EG has prepared this Planning Justification Report seeking that the Site be included as a Key Site, as part of a new Clause within Schedule 1 – Additional Permitted Use to *Liverpool Local Environmental Plan 2008.* This would enable the property at 1411 The Northern Road Bringelly (Lot 6 DP 1217784), to be developed for a Service Station. This Planning Proposal to include the Site on the Key Sites Map as part of a new Clause in Schedule 1 'Additional Permitted Uses' in the *Liverpool LEP 2008*, has been prepared in accordance with all the relevant provisions of the *Environmental Planning & Assessment Act, 1979*. It has also considered all the applicable Local Planning Directions and the Guidelines for the preparation of the Liverpool LEP (2020) amendments. EG strongly believes that the Site at 1411 The Northern Road Bringelly, possesses strong strategic merit for a change of use, based on its location, employment-generating capacity and compelling Site-Specific merit.

The current RU4 - Primary Production - Small Lots zoning does not permit the uses required to support the adjoining Western Sydney Aerotropolis. There are however no currently zoned sites that would permit a service station use which are located on the southern side of The Northern Road. The Site, given its of 2.1 hectares and a 180-m wide frontage is a significant asset and has an important role to play in supporting the purpose and function of both The Northern Road and the district in which it is located. The employment generated by this Proposal, would greatly benefit the Aerotropolis and the new Western Sydney International (Nancy-Bird Walton) Airport.

All site investigations carried out at this Site, demonstrate that the Site is ideally located to support the operation of many other surrounding development and will provide new



employment opportunities and services to locals in the vicinity and in the region. It would also create a real benefit for a range of other new businesses and employment opportunities.

The Proposal is totally consistent with State, Regional and Local Strategic Planning plans. It is more specifically consistent with the Directions for a Greater Sydney; *Greater Sydney Region Plan*; *Western City District Plan*; and *Liverpool LSPS (2021).*

Given that the Western Sydney International (Nancy-Bird Walton) Airport is due to open in 2026, EG believes that there are many compelling reasons, as to why the inclusion of the additional uses should be supported for the creation of new employment. The Site will prove essential for the proper and orderly operation of The Aerotropolis. Additionally, given the strong market demand and the employment-generating uses envisaged, the Site would be highly suited to many of the support functions required in 2026 by the Airport's operation. It is therefore considered that the inclusion of the additional uses on this Site would be economically viable and is in the Public Interest.

APPENDIX 1 - SITE LAYOUT PLAN

APPENDIX 2 - ECONOMIC IMPACT ASSESSMENT

APPENDIX 3 - SERVICING REPORT

APPENDIX 4 - WASTEWATER REPORT

APPENDIX 5 - BUSHFIRE PROTECTION REPORT

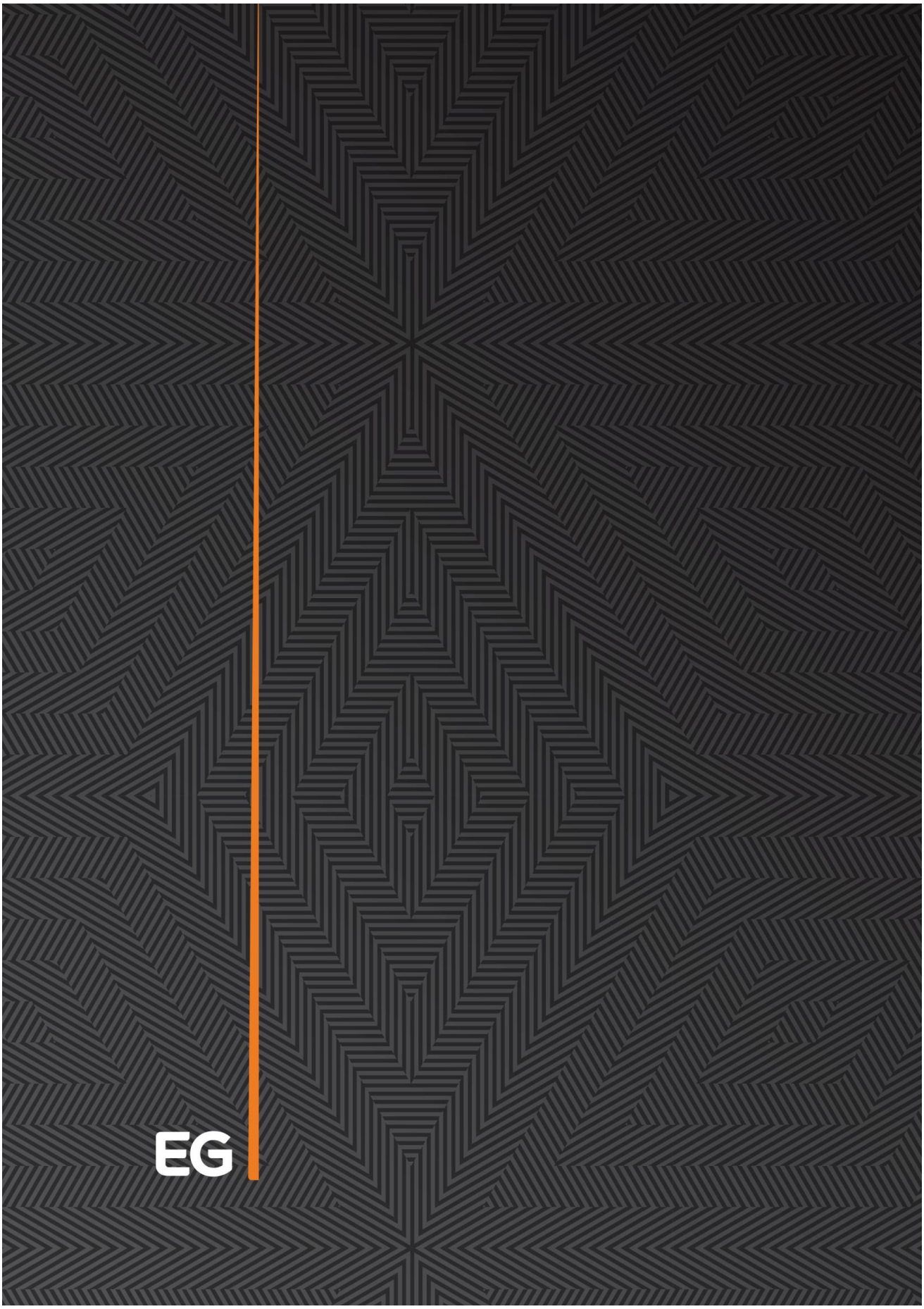
APPENDIX 6 - ECOLOGY REPORT

APPENDIX 7 - TRAFFIC REPORT

APPENDIX 8 - ACOUSTIC REPORT

APPENDIX 9 – SOCIAL IMPACT ASSESSMENT


EG


EG

Planning Agreement

1411 The Northern Road, Bringelly, NSW 2556

EG Property Group Pty Ltd (**Developer**)

Liverpool City Council (**Council**)

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Planning Agreement Parties

Lot 6 DP 1217784, 1411 The Northern Road, Bringelly

Council	**Name**	Liverpool City Council
	Address	Ground Floor 50 Scott Street Liverpool NSW 2170
	ABN	84 181 182 471
Developer	**Name**	EG Property Group
	Address	Governor Philip Tower, Level 1, Farrer Place, Sydney NSW 2000
	ABN	59 120 324 245

Background

A The Landowner owns the Land.

B The Developer wishes to carry out the Development.

C The Developer has applied, or proposes to apply, for the Instrument Change.

D The Developer has agreed to make the Development Contributions on and subject to the terms of this document.

Operative Provisions

1 Agreement

The agreement of the parties is set out in the Operative Provisions of this document, in consideration of, among other things, the mutual promises contained in this document.

2 Definitions

2.1 Defined Terms

In this document, words beginning with a capital letter that are defined in Part 1 of **Schedule 2** have the meaning ascribed to them in that schedule.

2.2 Interpretation

The interpretational rules contained in Part 2 of **Schedule 2** apply in the interpretation of this document.

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3 Application and operation of document

3.1 Planning Agreement

This document is a planning agreement:

(1) within the meaning set out in s7.4 of the Act; and

(2) governed by Subdivision 2 of Part 7 of the Act.

3.2 Application

This document applies to both the Land and the Development.

3.3 Operation

This document operates from the date it is executed by both parties.

4 Application of s7.11 & s7.12

4.1 Application

This document excludes the application of section 7.11 or section 7.12 of the Act to the Development.

4.2 Consideration of Benefits

Section 7.11(6) of the Act does not apply to the Contributions that are to be carried out or provided pursuant to this document.

4.3 Section 7.24

This document does not exclude the application of s7.24 to the Development.

5 Provision of Contributions

5.1 Access to the Land and location of Works

(1) The Developer is to permit the Council, its officers, employees, agents and contractors to enter the Land at any time, upon giving reasonable prior notice, in order to inspect, examine or test any of the Works.

(2) The Developer must enable Council, its officers, employees, agents and contractors access to the location of the Works where this is not the Land, Council land or a public road.

5.2 Monetary Contributions

(1) Subject to clause 5.3 the Developer must pay the Monetary Contributions by the time specified in **Schedule 3**.

(2) A monetary development contribution is made for the purposes of this document when Council receives the full amount of the contribution payable under this document in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by Council.

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5.3 Indexation of Amounts payable by Developer

The Monetary Contributions are to be increased (with the calculation to be made as from the date any such amount is due to be paid under this document) in accordance with the following formula:

$$A = B \times \frac{C}{D}$$

where:

A = the indexed amount;

B = the relevant amount as set out in this document;

C = the Index most recently published before the date that the relevant payment or the calculation with respect to the relevant amount is to be made; and

D = the Index most recently published before the commencement date of this document.

If **A** is less than **B**, then the amount of the relevant Monetary Contribution will not change.

6 Developer Warranties and Indemnities

6.1 Warranties

The Developer warrants to Council that it is:

(1) legally and beneficially entitled to the Land;

(2) able to fully comply with its obligations under this document;

(3) it has full capacity to enter into this document; and

(4) there is no legal impediment to it entering into this document, or performing the obligations imposed under it.

7 Security

7.1 Provision of Security

(1) Subject to paragraph (2), prior to the issue of a Construction Certificate in respect of the Development, the Developer must deliver to Council separate Bank Guarantees, bonds or other forms of security to the satisfaction of the Council:

(a) for the amount equivalent to the sum of the Contribution Values (**Primary Security**) for all items of Work which are required to be Completed prior to the issue of a Subdivision Certificate or an Occupation Certificate with respect to that part of the Development to which the relevant Construction Certificate relates; and

(b) for an amount equivalent to fifteen (15%) of the sum of those Contribution Values (**Defects Security**),

(collectively referred to as the **Security**).

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(2) The Developer may satisfy its obligations under paragraph (1) (either in whole or in part), by directing Council to retain any Security held by Council which is required to be released by Council under this document.

7.2 Replacement of Security

(1) The Developer may replace any Security provided by it at any time, provided that the amount of that replacement is not less than that which is required to be provided under this document.

(2) On receipt of a replacement Security, Council must immediately release the Security being replaced and return it to the Developer.

7.3 Council may call on Security

(1) If the Developer commits an Event of Default, Council, without limiting any other remedies available to it, may call on any Security provided by the Developer.

(2) If Council calls on any Security, it may use the amount so paid to it in satisfaction of any costs incurred by it in remedying the relevant Event of Default.

7.4 Top up of Security

If Council calls on the Security, Council, by notice in writing to the Developer, may require the Developer to provide a further or replacement Security in an amount that, when added to any unused portion of any Security then held by Council, does not exceed the amount of the Security Council is entitled to hold at that time under this document.

7.5 Release of Primary Security

Unless:

(1) Council has made or intends to make a demand against any Security provided by the Developer;

(2) the Development Contributions on account of which that Security was provided have not been made; or

(3) the Developer is in breach of this document at the relevant time,

Council, upon a written request being made by the Developer, must return the Primary Security within ten (10) business days of such a request being made.

7.6 Release of Defects Security

Unless:

(1) Council has made or intends to make a demand against any Security provided by the Developer for that Stage;

(2) the relevant Defects Liability Period has not expired; or

(3) the Developer is in breach of this document at the relevant time,

Council, upon a written request being made by the Developer, must return the Defects Security within ten (10) business days of such a request being made.

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7.7 Indexation of value of Contribution Value

(1) The Contribution Values for the Works and any Security provided for the Works will be indexed quarterly in accordance with all Groups CPI Sydney provided by the Australian Bureau of Statistics.

(2) The Developer must ensure that the Security held by Council at all times equals the indexed amount notified to the Developer by Council.

7.8 Council may withhold Subdivision Certificate

(1) The Developer may only make, or cause, suffer or permit the making of, an application for a Subdivision Certificate in respect of the Development if, at the date of the application, the Developer is not in breach of its obligation to make any Contribution under this document.

(2) Council may withhold the issue of a Subdivision Certificate if, at the relevant time, the Developer is in breach of any obligation to make any Contribution under this document until such time as:

(a) the breach is rectified; or

(b) Council calls upon the Security provided by the Developer in respect of the Contribution to which the breach relates.

8 Registration of this document

8.1 Registration of this document

The Developer acknowledges and agrees that:

(1) this document must be registered on the title to the Land pursuant to section 7.6 of the Act; and

(2) subject to clause 8.2, Council will undertake that registration at the cost of the Developer.

8.2 Obligations of Developer

(1) The Developer, at its own expense, will promptly after this document comes into operation, take all practical steps, and otherwise do anything that the Council reasonably requires, to procure:

(a) the consent of each person who:

(i) has an estate or interest in the Land; or

(ii) is seized or possessed of an estate or interest in the Land;

(b) the execution of any documents; and

(c) the production of the relevant duplicate certificates of title,

to enable the registration of this document in accordance with clause 8.1.

(2) The Developer, at its own expense, will take all practical steps, and otherwise do anything that the Council reasonably requires:

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(a) to allow the lodgement of this document with the Registrar-General as soon as reasonably practicable after this document comes into operation but in any event, no later than sixty (60) business days after that date; and

(b) to allow the registration of this document by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this document is lodged for registration.

8.3 Discharge from the Register

The Council will provide a release and discharge of this document so that it may be removed from the folios of the Register for the Land (or any part of it) when:

(1) the obligations under this document have been satisfied; or

(2) if this document is terminated or rescinded.

9 Assignment

9.1 Restriction on Assignment

Other than in accordance with this clause 9 the Developer may not:

(1) Assign any part of the Land; and/or

(2) Assign their rights or obligations under this document.

9.2 Procedure for Assignment

(1) If the Developer:

(a) wishes to Assign any part of the Land; and/or

(b) wishes to Assign its rights or obligations under this document,

then the Developer must:

(c) provide a written request to Council for the consent of Council to the relevant Assignment;

(d) provide Council with any evidence required by Council, acting reasonably, to satisfy Council that the third party in whose favour the Assignment is to be made (**Assignee**) is reasonably capable of performing the obligations under this document that are to be Assigned to it;

(e) obtain written consent of Council to the relevant Assignment; and

(f) at no cost to Council, procure:

(i) the execution by the Assignee of an appropriate deed where the Assignee agrees to be bound by the terms of this document; and

(ii) the provision of all Securities to Council by the Assignee that the Developer is required to provide under this document (and any additional securities if required by Council acting reasonably) at the same time as, or prior to, entering into that deed.

(2) Council is under no obligation to consider granting its consent to any request made by the Developer under paragraph (1)(c) if, at the time the request is made, the Developer is in breach of this document.

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10 Dispute Resolution

10.1 Notice of dispute

(1) If a dispute or lack of certainty between the parties arises in connection with this document or its subject matter (**Dispute**), then either party (**First Party**) must give to the other (**Second Party**) a notice which:

(a) is in writing;

(b) adequately identifies and provides details of the Dispute;

(c) stipulates what the First Party believes will resolve the Dispute; and

(d) designates its representative (**Representative**) to negotiate the Dispute.

(2) The Second Party must, within five (5) Business Days of service of the notice of dispute, provide a notice to the First Party designating as its representative a person to negotiate the Dispute (the representatives designated by the parties being together, the **Representatives**).

10.2 Conduct pending resolution

The parties must continue to perform their respective obligations under this document if there is a Dispute but will not be required to complete the matter the subject of the Dispute, unless the appropriate party indemnifies the other parties against costs, damages and all losses suffered in completing the disputed matter if the Dispute is not resolved in favour of the indemnifying party.

10.3 Further steps required before proceedings

Subject to clauses 10.14 and 10.15 and except as otherwise expressly provided in this document, any Dispute must, as a condition precedent to the commencement of litigation, mediation under clause 10.5 or determination by an expert under clause 10.6, first be referred to the Representatives. The Representatives must endeavour to resolve the dispute within five (5) Business Days of the date a notice under clause 10.1(2) is served.

10.4 Disputes for mediation or expert determination

If the Representatives have not been able to resolve the Dispute, then the parties must agree within five (5) Business Days to either refer the matter to mediation under clause 10.5 or expert resolution under clause 10.6.

10.5 Disputes for mediation

(1) If the parties agree in accordance with clause 10.4 to refer the Dispute to mediation, the mediation must be conducted by a mediator agreed by the parties and, if the parties cannot agree within five (5) Business Days, then by a mediator appointed by the President of the Law Society of New South Wales for the time being.

(2) If the mediation referred to in paragraph (1) has not resulted in settlement of the Dispute and has been terminated, the parties may agree to have the matter determined by expert determination under clause 10.6.

10.6 Choice of expert

(1) If the Dispute is to be determined by expert determination, this clause 10.6 applies.

(2) The Dispute must be determined by an independent expert in the relevant field:

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(a) agreed between and appointed jointly by the parties; or

(b) in the absence of document within five (5) Business Days after the date that the matter is required to be determined by expert determination, appointed by the President of the Law Society of New South Wales for the time being.

(3) If the parties fail to agree as to the relevant field within five (5) Business Days after the date that the matter is required to be determined by expert determination, either party may refer the matter to the President of the Law Society of New South Wales for the time being whose decision as to the relevant field is final and binding on the parties.

(4) The expert appointed to determine a Dispute:

(a) must have a technical understanding of the issues in dispute;

(b) must not have a significantly greater understanding of one party's business, functions or operations which might allow the other side to construe this greater understanding as a bias; and

(c) must inform the parties before being appointed of the extent of the expert's understanding of each party's business or operations and, if that information indicates a possible bias, then that expert must not be appointed except with the written approval of the parties.

(5) The parties must promptly enter into an document with the expert appointed under this clause 10.6 setting out the terms of the expert's determination and the fees payable to the expert.

10.7 Directions to expert

(1) In reaching a determination in respect of a dispute under clause 10.6, the independent expert must give effect to the intent of the parties entering into this document and the purposes of this document.

(2) The expert must:

(a) act as an expert and not as an arbitrator;

(b) proceed in any manner as the expert thinks fit without being bound to observe the rules of natural justice or the rules of evidence;

(c) not accept verbal submissions unless both parties are present;

(d) on receipt of a written submission from one party, ensure that a copy of that submission is given promptly to the other party;

(e) take into consideration all documents, information and other material which the parties give the expert which the expert in its absolute discretion considers relevant to the determination of the Dispute;

(f) not be expected or required to obtain or refer to any other documents, information or material (but may do so if the expert so wishes);

(g) issue a draft certificate stating the expert's intended determination (together with written reasons), giving each party ten (10) Business Days to make further submissions;

(h) issue a final certificate stating the expert's determination (together with written reasons); and

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(i) act with expedition with a view to issuing the final certificate as soon as practicable.

(3) The parties must comply with all directions given by the expert in relation to the resolution of the Dispute and must within the time period specified by the expert, give the expert:

(a) a short statement of facts;

(b) a description of the Dispute; and

(c) any other documents, records or information which the expert requests.

10.8 Expert may commission reports

(1) Subject to paragraph (2):

(a) the expert may commission the expert's own advisers or consultants (including lawyers, accountants, bankers, engineers, surveyors or other technical consultants) to provide information to assist the expert in making a determination; and

(b) the parties must indemnify the expert for the cost of those advisers or consultants in accordance with clause 10.6(5) of this deed.

(2) The parties must approve the costs of those advisers or consultants in writing prior to the expert engaging those advisers or consultants.

10.9 Expert may convene meetings

(1) The expert must hold a meeting with all of the parties present to discuss the Dispute. The meeting must be conducted in a manner which the expert considers appropriate. The meeting may be adjourned to, and resumed at, a later time in the expert's discretion.

(2) The parties agree that a meeting under paragraph (1) is not a hearing and is not an arbitration.

10.10 Other courses of action

If:

(1) the parties cannot agree in accordance with clause 10.4 to refer the matter to mediation or determination by an expert; or

(2) the mediation referred to in clause 10.5 has not resulted in settlement of the dispute, the mediation has been terminated and the parties have not agreed to refer the matter to expert determination within five (5) Business Days after termination of the mediation,

then either party may take whatever course of action it deems appropriate for the purpose of resolving the Dispute.

10.11 Confidentiality of information provided in dispute resolution process

(1) The parties agree, and must procure that the mediator and the expert agree as a condition of his or her appointment:

(a) subject to paragraph (2), to keep confidential all documents, information and other material disclosed to them during or in relation to the mediation or expert determination;

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(b) not to disclose any confidential documents, information and other material except:

(i) to a party or adviser or consultant who has signed a confidentiality undertaking; or

(ii) if required by Law or any Authority to do so; and

(c) not to use confidential documents, information or other material disclosed to them during or in relation to the mediation or expert determination for a purpose other than the mediation or expert determination.

(2) The parties must keep confidential and must not disclose or rely upon or make the subject of a subpoena to give evidence or produce documents in any arbitral, judicial or other proceedings:

(a) views expressed or proposals or suggestions made by a party or the mediator or the expert during the expert determination or mediation relating to a possible settlement of the Dispute;

(b) admissions or concessions made by a party during the mediation or expert determination in relation to the Dispute; and

(c) information, documents or other material concerning the dispute which are disclosed by a party during the mediation or expert determination unless such information, documents or facts would be discoverable in judicial or arbitral proceedings.

10.12 Final determination of expert

The parties agree that the final determination by an expert will be final and binding upon them except in the case of fraud or misfeasance by the expert.

10.13 Costs

If any independent expert does not award costs, each party must contribute equally to the expert's costs in making the determination.

10.14 Remedies available under the Act

This clause 10 does not operate to limit the availability of any remedies available to Council under the Act.

10.15 Urgent relief

This clause 10 does not prevent a party from seeking urgent injunctive or declaratory relief concerning any matter arising out of this document.

11 Breach of this document

11.1 Breach Notice

If the Developer breaches this document, Council may serve a notice on the Developer (**Breach Notice**) specifying:

(1) the nature and extent of the alleged breach;

(2) if:

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(a) the breach is capable of being rectified other than by the payment of compensation, what Council requires the Developer to do in order to rectify the breach; or

(b) the breach is not capable of being rectified other than by payment of compensation, the amount of compensation Council requires the Developer to pay in order to rectify the breach, and

(3) the time within which Council requires the breach to be rectified, which must be a reasonable time of not less than forty (40) business days.

11.2 Events of Default

The Developer commits an **Event of Default** if it:

(1) fails to comply with a Breach Notice; or

(2) becomes subject to an Insolvency Event.

11.3 Consequences of Events of default

Where the Developer commits an Event of Default, Council may, in addition to any rights it has at Law:

(1) exercise the Step in Rights so as to carry out any work specified in the relevant Breach Notice; or

(2) call on the Security to the extent of any compensation claimed in a Breach Notice and not paid by the Developer.

12 Termination, Rescission or Determination

12.1 Termination

This document terminates in the following events:

(1) The parties agree in writing to terminate the operation of this document at any time.

(2) Council serves notice on the Developer terminating this Planning Agreement where the Developer has failed to comply with a notice issued in accordance with clause 11.1.

(3) The Development Consent lapses.

12.2 Consequence of termination

Upon termination of this Planning Agreement:

(1) all future rights and obligations of the parties are discharged; and

(2) all pre-existing rights and obligations of the parties continue to subsist.

12.3 Determination

This Planning Agreement will determine upon the Developer satisfying all of the obligations imposed on it in full.

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13 Position of Council

13.1 Consent authority

The parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the terms of the Planning Legislation.

13.2 Document does not fetter discretion

This document is not intended to operate to fetter, in any unlawful manner:

(1) the power of Council to make any Law; or

(2) the exercise by Council of any statutory power or discretion,

(**Discretion**).

13.3 Severance of provisions

(1) No provision of this document is intended to, or does, constitute any unlawful fetter on any Discretion. If, contrary to the operation of this clause, any provision of this document is held by a court of competent jurisdiction to constitute an unlawful fetter on any Discretion, the parties agree:

(a) they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause 13 is substantially satisfied; and

(b) in the event that paragraph (1)(a) cannot be achieved without giving rise to an unlawful fetter on a Discretion, the relevant provision is to be severed and the remainder of this document has full force and effect; and

(c) to endeavour to satisfy the common objectives of the parties on relation to the provision of this document which is held to be an unlawful fetter to the extent that it is possible having regard to the relevant court judgment.

(2) Where the Law permits Council to contract out of a provision of that Law or gives Council power to exercise a Discretion, then if Council has in this document contracted out of a provision or exercised a Discretion under this document, then to the extent of this document is not to be taken to be inconsistent with the Law.

13.4 No Obligations

Nothing in this document will be deemed to impose any obligation on Council to exercise any of its functions under the Act in relation to the Instrument Change, the Land or the Development in a certain manner.

14 Confidentiality

14.1 Document not Confidential

The terms of this document are not confidential and this document may be treated as a public document and exhibited or reported without restriction by any party.

14.2 Other Confidential Information

(1) The parties acknowledge that:

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(a) Confidential Information may have been supplied to some or all of the parties in the negotiations leading up to the making of this document; and

(b) The parties may disclose to each other further Confidential Information in connection with the subject matter of this document.

(c) Subject to paragraphs (2) and (3), each party agrees:

(i) not to disclose any Confidential document received before or after the making of this document to any person without the prior written consent of the party who supplied the Confidential Information; or

(ii) to take all reasonable steps to ensure all Confidential Information received before or after the making of this document is kept confidential and protected against unauthorised use and access.

(2) A party may disclose Confidential Information in the following circumstances:

(a) in order to comply with the Law, or the requirements of any Authority; or

(b) to any of their employees, consultants, advisers, financiers or contractors to whom it is considered necessary to disclose the information, if the employees, consultants, advisers, financiers or contractors undertake to keep the information confidential.

(3) The obligations of confidentiality under this clause do not extend to information which is public knowledge other than as a result of a breach of this clause.

15 GST

15.1 Defined GST Terms

Defined terms used in this clause 15 have the meaning ascribed to them in the GST Law.

15.2 GST to be Added to Amounts Payable

(1) If GST is payable on a Taxable Supply made under, by reference to or in connection with this document, the party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.

(2) This clause does not apply to the extent that the Consideration for the Taxable Supply is expressly agreed to be GST inclusive.

(3) Unless otherwise expressly stated, prices or other sums payable or Consideration to be provided under or in accordance with this document are exclusive of GST.

15.3 GST Obligations to Survive Termination

This clause 15 will continue to apply after expiration of termination of this document.

16 Miscellaneous

16.1 Obligation to act in good faith

The parties must at all times:

(1) cooperate and use their best endeavours to profitably and professionally give effect to their rights and obligations set out in this document;

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(2) not unreasonably delay any action, approval, direction, determination or decision which is required of them;

(3) make approvals or decisions that are required of them in good faith and in a manner consistent with the completion of the transactions set out in this document; and

(4) be just and faithful in their activities and dealings with the other parties.

16.2 Legal costs

The Developer agrees to:

(1) pay or reimburse the reasonable legal costs and disbursements of Council of the negotiation, preparation, execution, and stamping of this document;

(2) pay the reasonable legal costs and disbursements referred to in paragraph (1) within ten (10) business days of receipt of a Tax Invoice from Council; and

(3) pay or reimburse the legal costs and disbursements of Council arising from the ongoing administration and enforcement of this document including any breach or default by the Developer of it obligations under this document.

17 Administrative Provisions

17.1 Notices

(1) Any notice, consent or other communication under this document must be in writing and signed by or on behalf of the person giving it, addressed to the person to whom it is to be given and:

(a) delivered to that person's address;

(b) sent by pre-paid mail to that person's address; or

(c) transmitted by facsimile to that person's address.

(2) A notice given to a person in accordance with this clause is treated as having been given and received:

(a) if delivered to a person's address, on the day of delivery if a Business Day, otherwise on the next Business Day;

(b) if sent by pre-paid mail, on the third Business Day after posting; and

(c) if transmitted by facsimile to a person's address and a correct and complete transmission report is received, on the day of transmission if a Business Day, otherwise on the next Business Day.

(3) For the purpose of this clause the address of a person is the address set out in this document or another address of which that person may from time to time give notice to each other person.

17.2 Entire Document

This document is the entire agreement of the parties on the subject matter. All representations, communications and prior agreements in relation to the subject matter are merged in and superseded by this document.

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17.3 Waiver

The non-exercise of or delay in exercising any power or right of a party does not operate as a waiver of that power or right, nor does any single exercise of a power or right preclude any other or further exercise of it or the exercise of any other power or right. A power or right may only be waived in writing, signed by the parties to be bound by the waiver.

17.4 Cooperation

Each party must sign, execute and deliver all agreements, documents, instruments and act reasonably and effectively to carry out and give full effect to this document and the rights and obligations of the parties under it.

17.5 Counterparts

This document may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument.

17.6 Amendment

This document may only be amended or supplemented in writing signed by the parties.

17.7 Unenforceability

Any provision of this document which is invalid or unenforceable in any jurisdiction is to be read down for the purposes of that jurisdiction, if possible, so as to be valid or enforceable, and is otherwise capable of being severed to the extent of the invalidity or enforceability, without affecting the remaining provisions of this document or affecting the validity or enforceability of that provision in any other jurisdiction.

17.8 Power of Attorney

Each attorney who executes this document on behalf of a party declares that the attorney has no notice of:

(1) the revocation or suspension of the power of attorney by the grantor; or

(2) the death of the grantor.

17.9 Governing law

The law in force in the State of New South Wales governs this document. The parties:

(1) submit to the exclusive jurisdiction of the courts of New South Wales and any courts that may hear appeal from those courts in respect of any proceedings in connection with this document; and

(2) may not seek to have any proceedings removed from the jurisdiction of New South Wales on the grounds of *forum non conveniens*.

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Schedule 1– Requirements under s7.4

REQUIREMENT UNDER THE ACT	THIS PLANNING AGREEMENT
Planning instrument and/or development application – (Section 7.4(1)) The Developer has:	
(a) sought a change to an environmental planning instrument.	(a) Yes
(b) made, or proposes to make, a Development Application.	(b) Yes
(c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.	(c) Yes
Description of land to which this agreement applies – (Section 7.4(3)(a))	Lot 6 DP 1217784, 1411 The Northern Road, Bringelly.
Description of change to the environmental planning instrument to which this agreement applies – (Section 7.4(3)(b))	Amend Schedule 1 of the Liverpool LEP to permit a 'service station' use, with development consent.
Application of section 7.11 of the Act – (Section 7.4(3)(d))	Does not apply
Applicability of section 7.12 of the Act – (Section 7.4(3)(d))	Does not apply
Consideration of benefits under this agreement if section 7.11 applies – (Section 7.4(3)(e))	Refer to clause 4.2 of the Planning Agreement.
Mechanism for Dispute resolution – (Section 7.4(3)(f))	See clause 10.
Enforcement of this agreement (Section 7.4(3)(g))	See clause 7.
No obligation to grant consent or exercise functions – (Section 7.4(3)(9))	See clause 12.

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Schedule 2 – Defined Terms and Interpretation

Part 1 – Definitions

Act	means the *Environmental Planning and Assessment Act 1979* (NSW).
Assign	as the context requires refers to any assignment, sale, transfer, disposition, declaration of trust over or other assignment of a legal and/or beneficial interest.
Authority	means (as appropriate) any: (1) federal, state or local government; (2) department of any federal, state or local government; (3) any court or administrative tribunal; or (4) statutory corporation or regulatory body.
Bank Guarantee	means an irrevocable and unconditional undertaking without any expiry or end date by one of the following trading banks: (1) Australia and New Zealand Banking Group Limited. (2) Commonwealth Bank of Australia. (3) Macquarie Bank. (4) National Australia Bank Limited. (5) St George Bank Limited. (6) Westpac Banking Corporation. (7) Any other financial institution approved by the Council, in its absolute discretion, in response to a request from the Developer.
Claim	against any person any allegation, action, demand, cause of action, suit, proceeding, judgement, debt, damage, loss, cost, expense or liability howsoever arising and whether present or future, fixed or unascertained, actual or contingent whether at law, in equity, under statute or otherwise.
Completed	means completed in accordance with the requirements of this document.
Confidential Information	means any information and all other knowledge at any time disclosed (whether in writing and orally) by the parties to each other, or acquired by the parties in relation to the other's activities or services which is not already in the public domain and which: (1) is by its nature confidential; (2) is designated, or marked, or stipulated by either party as confidential (whether in writing or otherwise); (3) any party knows or ought to know is confidential;

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	(4) is information which may be reasonably considered to be of a confidential nature.
Construction Certificate	has the same meaning as in section 6.4(d) of the Act.
Contributions	means the Monetary Contributions.
Contribution Value	means the amount specified in **Schedules 3** in the column headed "contribution value" for each item of the Contributions.
Development	means the proposed service station subject to the approval of Planning Proposal PP-2023-1130 (RZ-3/2023).
Dispute	has the meaning ascribed to it in clause 10.1.
Encumbrance	means an interest or power: (1) reserved in or over an interest in any asset; (2) arising under, or with respect to, a Bio-Banking Agreement; (3) created or otherwise arising in or over any interest in any asset under any mortgage, charge (whether fixed or floating), pledge, lien, hypothecation, title retention, conditional sale agreement, hire or hire purchase agreement, option, restriction as to transfer, use or possession, easement, covenant, lease, subordination to any right of any other person and any other encumbrance or security interest, trust or bill of sale; or (4) by way of security for the payment of a debt or other monetary obligation or the performance of any obligation. **Encumber** means to grant an Encumbrance.
Event of Default	has the meaning ascribed to it in clause 11.2.
GST Law	means *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.
Index	means the Consumer Price Index (All Groups - Sydney) as provided by the Australian Bureau of Statistics.
Insolvency Event	means the happening of any of the following events: (8) Application which is not withdrawn or dismissed within fourteen (14) days is made to a court for an order or an order is made that a body corporate be wound up. (9) An application which is not withdrawn or dismissed within fourteen (14) days is made to a court for an order appointing a liquidator or provisional liquidator in respect of a body corporate or one of them is appointed, whether or not under an order. (10) Except to reconstruct or amalgamate while solvent, a body corporate enters into, or resolves to enter into, a scheme of arrangement, agreement of company arrangement or composition with, or assignment for the benefit of, all or any

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class of its creditors, or it proposes a reorganisation, moratorium or other administration involving any of them.

(11) A body corporate resolves to wind itself up, or otherwise dissolve itself, or gives notice of intention to do so, except to reconstruct or amalgamate while solvent or is otherwise wound up or dissolved.

(12) A body corporate is or states that it is insolvent.

(13) As a result of the operation of section 459F(1) of the *Corporations Act 2001* (Cth) (**Corporations Act**), a body corporate is taken to have failed to comply with a statutory demand;

(14) A body corporate is or makes a statement from which it may be reasonably deduced that the body corporate is, the subject of an event described in section 459C(2)(b) or section 585 of the Corporations Act.

(15) A body corporate takes any step to obtain protection or is granted protection from its creditors, under any applicable legislation or an administrator is appointed to a body corporate.

(16) A person becomes an insolvent under administration as defined in section 9 of the Corporations Act or action is taken which could result in that event.

(17) A receiver, manager or receiver and manager is appointed to the Company.

(18) A claim is filed in a court against a person that is not defended, released or otherwise settled within twenty eight (28) days of the date of its filing at the court.

(19) Anything analogous or having a substantially similar effect to any of the events specified above happens under the law of any applicable jurisdiction.

Instrument Change means the proposed amendment of Schedule 1 of the Liverpool LEP to permit a 'service station' use, with development consent under Planning Proposal PP-2023-1130 (RZ-3/2023).

Land means the land contained in Lot 6 DP 1217784, otherwise known as 1411 The Northern Road, Bringelly NSW 2556

Law means all legislation, regulations, by-laws, common law and other binding order made by any Authority.

Location Plan means the plan that is attached as **Annexure 1**.

Monetary Contributions means the monetary contributions set out in **Schedule 3**.

Occupation Certificate has the same meaning as in section 6.4(c) of the Act.

Owners means Mr Antonio Angelo De Natale

Planning Legislation means the Act, the *Local Government Act 1993* (NSW) and the *Roads Act 1993* (NSW).

Primary Security has the meaning ascribed to it in clause 7.

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Quantity Surveyor	means a person who: (1) is a member of their respective professional organisation and has been for at least five (5) years; (2) practises as a quantity surveyor for works of the same nature as the relevant Works; (3) is active as a quantity surveyor at the time of his appointment; (4) has at least three (3) years experience in valuing works of the same nature as the relevant Works; and (5) undertakes to act fairly and promptly in accordance with the requirements of this document.
Security	means collectively the Primary Security and the Defects Security.
Subdivision Works Certificate	has the same meaning as in section 6.4(b) of the Act.
Subdivision Certificate	has the same meaning as in section 6.4(d) of the Act.

Part 2 - Interpretational Rules

clauses, annexures and schedules	a clause, annexure or schedule is a reference to a clause in or annexure or schedule to this document.
reference to statutes	a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.
singular includes plural	the singular includes the plural and vice versa.
person	the word “person” includes an individual, a firm, a body corporate, a partnership, joint venture, an unincorporated body or association or any government agency.
executors, administrators, successors	a particular person includes a reference to the person’s executors, administrators, successors, substitutes (including persons taking by novation) and assigns.
dollars	Australian dollars, dollars, $ or A$ is a reference to the lawful currency of Australia.
calculation of time	if a period of time dates from a given day or the day of an act or event, it is to be calculated exclusive of that day.
reference to a day	a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.
accounting terms	an accounting term is a reference to that term as it is used in accounting standards under the Corporations Act or, if not inconsistent with those standards, in accounting principles and practices generally accepted in Australia.

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reference to a group of persons	a group of persons or things is a reference to any two or more of them jointly and to each of them individually.
meaning not limited	the words "include", "including", "for example" or "such as" are not used as, nor are they to be interpreted as, words of limitation, and, when introducing an example, do not limit the meaning of the words to which the example relates to that example or examples of a similar kind.
next day	if an act under this document to be done by a party on or by a given day is done after 4.30pm on that day, it is taken to be done on the next day.
next Business Day	if an event must occur on a stipulated day which is not a Business Day then the stipulated day will be taken to be the next Business Day.
time of day	time is a reference to Sydney time.
headings	headings (including those in brackets at the beginning of paragraphs) are for convenience only and do not affect the interpretation of this document.
agreement	a reference to any agreement, document or instrument includes the same as varied, supplemented, novated or replaced from time to time.
Gender	a reference to one gender extends and applies to the other and neuter gender.

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Schedule 3 – Monetary Contributions

Item	Time for Completion	Contribution Value
Monetary Contributions	Prior to the issuing of a Construction Certificate (CC).	4.6% contribution rate of development cost

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Annexure 2 – Location Plan

No 1411 The Northern Road, Bringelly (Lot 6 DP 1217784).



Figure 1: Subject site highlighted in yellow. Source: Geocortex 2025

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Execution page

Executed as an agreement.

Dated:

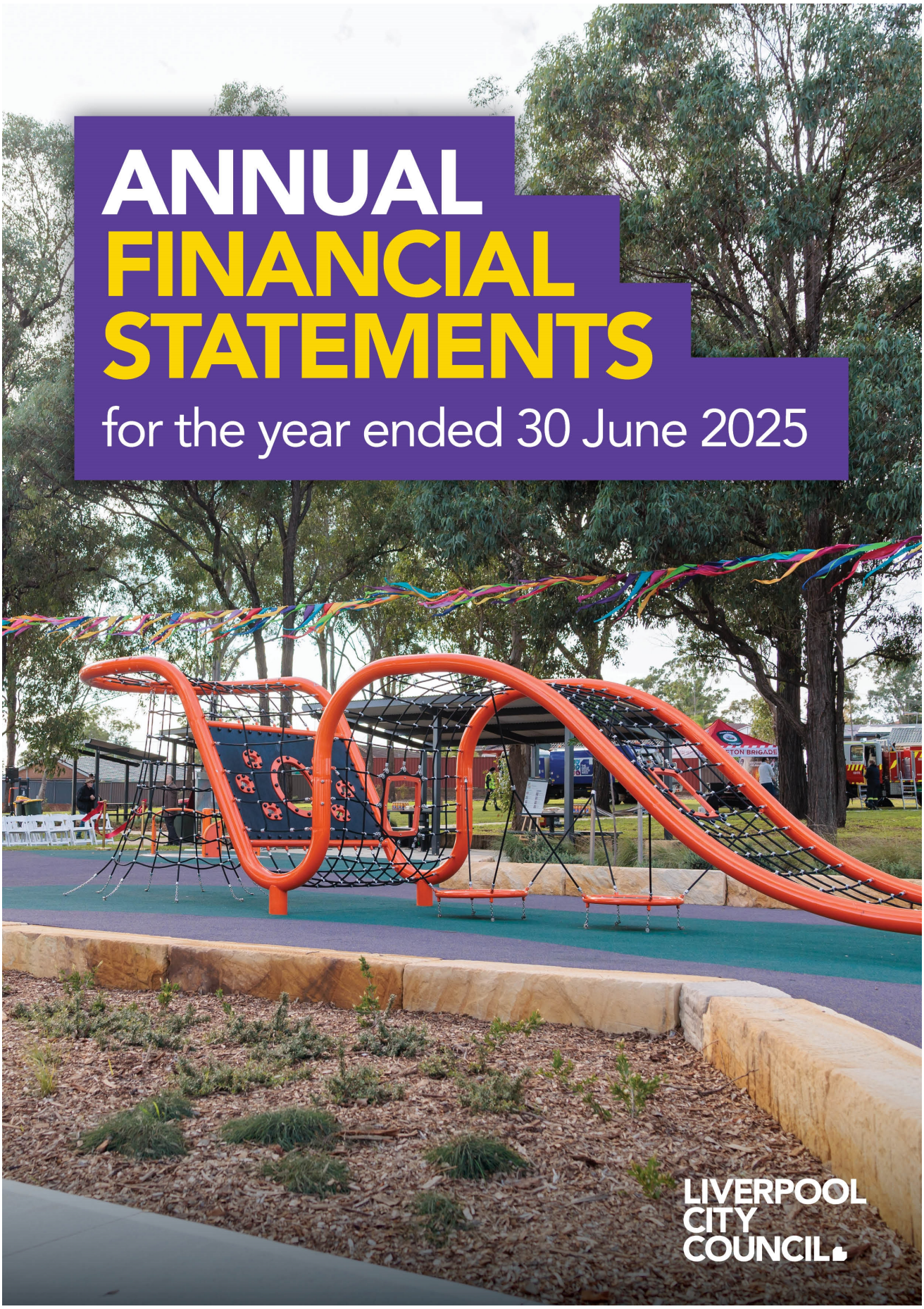
Executed by **Liverpool City Council** by its Attorney pursuant to Power of Attorney registered Book 4756 Number 447 in the presence of:

Witness (Signature)	Attorney (Signature)
Name of Witness (Print Name)	Name of Attorney (Print Name)
	Position of Attorney

Executed by…… in accordance with section 127(1) of the *Corporations Act 2001* (Cth) by authority of its directors.

Director/Secretary (Signature)	Director (Signature)
Name of Director/ Secretary (Print Name)	Name of Director (Print Name)

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ANNUAL
FINANCIAL
STATEMENTS
for the year ended 30 June 2025
LIVERPOOL
CITY
COUNCIL

Financial Summary

Snapshot

$269.1m Operating Income (1)	**$279.5m** Operating Expenses (2)	**($10.4m)** Operating Deficit (1)
$78.7m Capital Expenditure	**$24.6m** Loan (P&I) repayments	**$213.7m** Debt Outstanding
$416.1m Total (3) Cash & Invest.	**$379.7m** External Reserves	**$2.8m** Unrestricted reserves
$4.4b Total Assets	**$359.8m** Total liabilities	**$4.1b** Net assets

(1) Excludes $111.2m grants and contributions for capital purposes

(2) Includes $55.1m depreciation expenses

(3) Excludes $7.98m Council's share of equity in Civic Risk Mutual

Commentary

Council reported a net operating deficit of $10.4 million before capital grants and contributions for capital purposes for the financial year ended 30 June 2025, compared to a budgeted surplus of $2.6 million. The key factors contributing to this variance were:

- The planned sale of the property at 3 Hoxton Park Road did not proceed. A $8.4 million gain on disposal of this asset was included in the budget.
- The NSW Grants Commission reduced its advance payment percentage from 85% to 50% impacting income by $3.7 million.

Total operating income (excluding grants and contributions for capital purposes) was $18 million (7%) higher than the previous year. This increase was primarily driven by:

- 5% IPART determined increase in rates and annual charges
- $1.6 million uplift in interest and investment income due to favourable market conditions
- A $3.6 million one-off gain from the disposal of properties.

In contrast, operating expenses (excluding non-cash depreciation) rose by $11.8 million (5.5%), compared to the prior year. Key drivers included:

- $15 million increase in employee costs, largely due to 3.5% Local Government (State) Award 2023 increase applied from 1 July 2024.
- $2.4 million rise in borrowing costs, stemming from additional borrowings for the acquisition and improvement of 600 Cowpasture Road property.

From a cash flow perspective, Council generated $131 million from operations. Of this, $78.7 million was invested in delivering capital works program and renewing infrastructure, while $24.6 million was allocated to debt servicing.

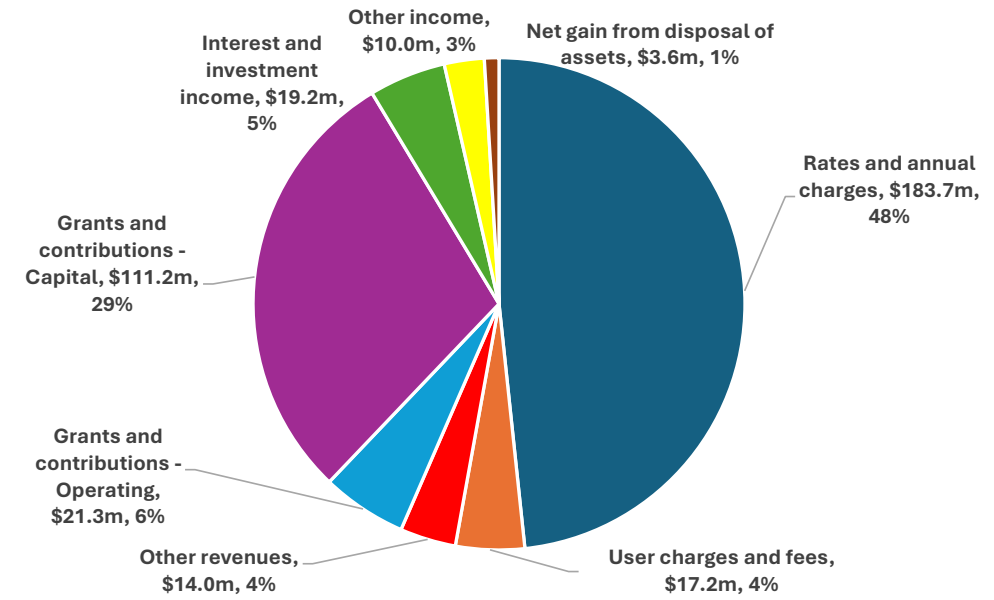
Excluding the $8 million equity in Civic Risk Mutual, Council's cash and investment holdings totalled $416 million as at 30 June 2025. This balance includes $36.4 million in internal allocations and unrestricted reserves. The result represents a marked improvement on the prior year's position.

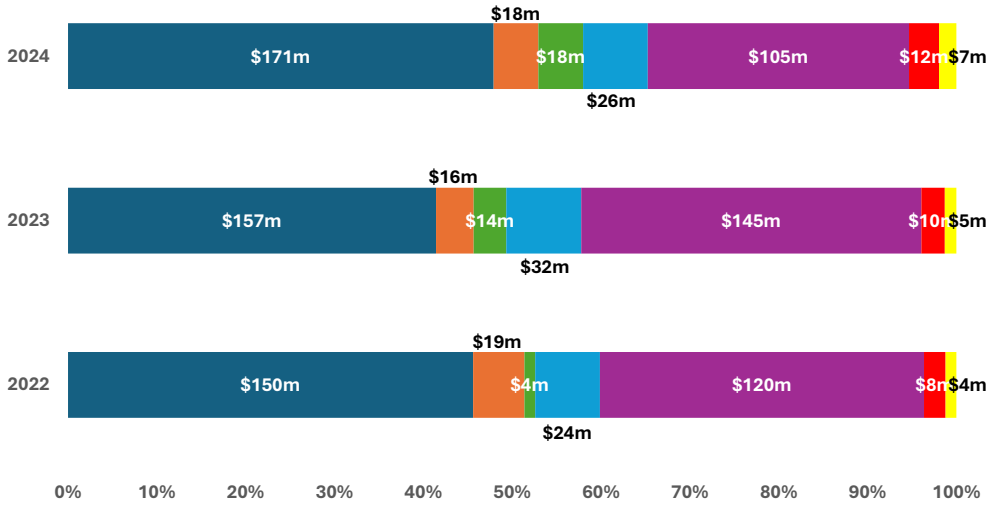
The NSW Office of Local Government has amended its Code of Accounting Practice and Reporting, making the disclosure of financial performance measures optional for councils. Council has elected to continue reporting against these indicators and has exceeded the benchmark on three of the six measures.

At 30 June 2025, Council's debt portfolio stood at $213.7 million, largely attributable to borrowings for the Liverpool Civic Place Project. This includes $23 million interest only loan from NSW Treasury Corporation repayable in 2027/28. While this represents a substantial long-term financial commitment, Council has structured its borrowings in accordance with prudent financial management principles, securing very competitive fixed interest rates on terms ranging from 10 to 20 years. Loan agreements require the maintenance of debt servicing and liquidity ratios within prescribed thresholds, providing assurance to lenders and stakeholders of Council's capacity to meet obligations. For the year ended 30 June 2025, Council remained fully compliant with all three financial covenants.

Summary results	2025	2024	2023	2022
Income Statement				
Income	$380.2m	$356.6m	$379.0m	$329.1m
Operating expenses incl. depreciation	$279.5m	$262.2m	$233.1m	$221.5m
Net operating result for the year	$100.7m	$94.4m	$145.9m	$107.6m
Net operating result excl. capital grants & contributions	($10.4m)	($11.0m)	$0.5m	($11.9m)
Capital Expenditure				
New capital works	$72.6m	$188.7m	$195.3m	$89.0m
Capital renewal works	$5.8m	$11.4m	$23.4m	$18.4m
Non-cash dedicated assets	$32.5m	$40.6m	$66.9m	$51.5m
Total capital expenditure	$110.9m	$240.7m	$285.6m	$158.9m
Cash and Investments				
Externally restricted	$379.7m	$353.3m	$352.1m	$348.5m
Internally restricted (allocated)	$33.6m	$6.9m	$75.0m	$83.9m
Unrestricted	$2.8m	$0.0m	$18.7m	$30.1m
Equity in Civic Risk Mutual	$8.0m	$6.5m	$6.5m	$6.5m
Total cash and investments	$424.1m	$366.6m	$452.4m	$469.0m
Cashflows (Inflows/ (Outflows)				
Net cash from operating activities	$131.3m	$107.7m	$143.2m	$140.7m
Net cash from investing activities	($101.8m)	($114.9m)	($151.8m)	($265.1m)
Net cash from financing activities	($6.8m)	$4.5m	$57.5m	$82.3m
Net increase/ decrease in cash & investments	$22.7m	($2.6m)	$49.0m	($42.1m)
Financial Position				
Total assets	$4.4b	$4.2b	$4.0b	$3.8b
Total debt (loan)	$213.7m	$216.6m	$208.8m	$148.2m
Total liabilities	$359.8m	$359.3m	$361.2m	$282.8m
Net assets	$4.1b	$3.9b	$3.7b	$3.5b

Revenue Breakdown

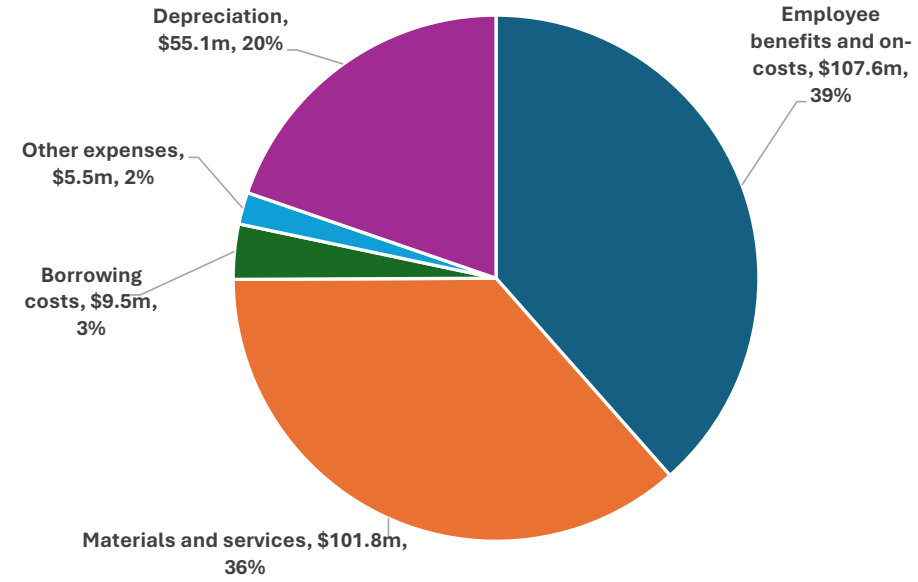


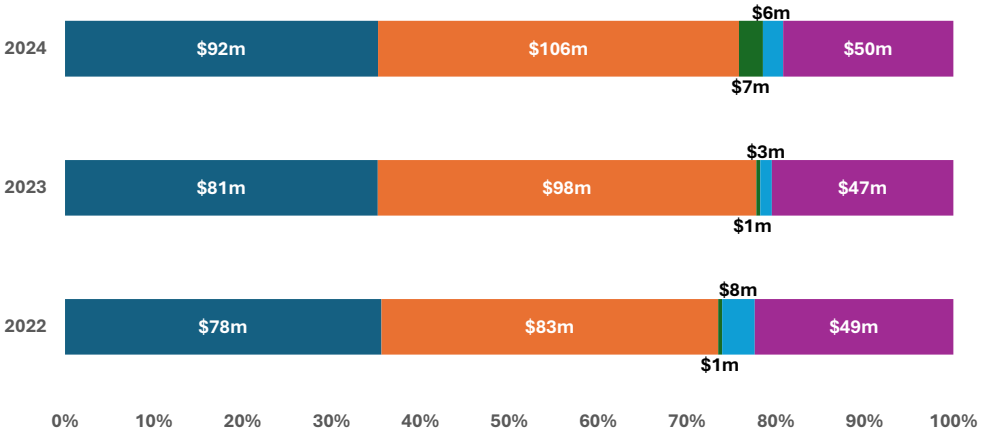


Comparative Analysis

30-Jun-25 ($'000)	30-Jun-24 ($'000)	Incr/(Decr) ($'000)	Incr/(Decr) (%)	Details
183,719	**170,944**	**12,775**	**7.5%**	**Rates and annual charges**
The increase is primarily attributable to the 5% IPART-approved rates variation, together with the addition of 1649 newly registered rateable properties during the year. In addition, Domestic Waste Management Fees were raised by $50 per household to offset higher contractor costs and to service borrowings associated with improvement works at the 600 Cowpasture Road property.				
17,220	**18,007**	**-787**	**-4.4%**	**User charges and fees**
The decrease is primarilty due to a market-driven downturn in development activity, resulting in fewer applications assessed during the year				
13,980	**11,708**	**2,272**	**19.4%**	**Other revenues**
Two key factors underpinned the increase: higher parking fine revenue driven by additional staff resourcing in traffic compliance, and a one-off gain from the sale of energy saving certificates.				
21,295	**26,313**	**-5,018**	**-19.1%**	**Grants and contributions - operating**
The decrease is primarily attributable to the non-recurrence of a $5 million pothole grant received in 2024, a $1.8 million net reduction in Financial Assistance Grant funding during the year, and the upfront recognition of $1.3 million LCLI interest subsidy on borrowings for the new library.				
111,174	**105,401**	**5,773**	**5.5%**	**Grants and contributions - capital**
The increase included additional funding for following: - Brickmakers Creek and streetscape projects - Road upgrade projects (various) - Pye Hill Trail & Carnes Hill Aquatic Centre				
19,217	**17,640**	**1,577**	**8.9%**	**Interest and investment income**
The increase is largely driven by higher cash holdings and improved market conditions, which together strengthened investment returns during the year				
9,989	**6,579**	**3,410**	**51.8%**	**Other Income**
The increase is mainly attributable to a $2 million uplift in commercial leasing income, together with a $1.4 million increase in Council's equity holdings in Civic Risk Mutual Ltd				
3,632	**0**	**3,632**	**N/A**	**Net gain from the disposal of assets**
The variation relates to one-off sale of Hammondville property to Moorebank Sports Club during 2025.				
380,226	**356,592**	**23,634**	**6.6%**	**TOTAL INCOME**

Expenditure Breakdown



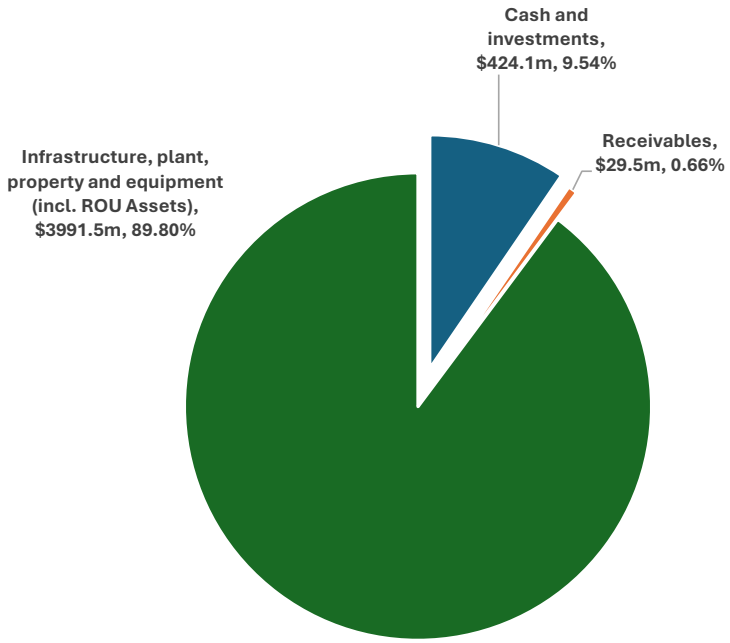


Comparative Analysis

30-Jun-25 ($'000)	30-Jun-24 ($'000)	Incr/(Decr) ($'000)	Incr/(Decr) (%)	Details
107,576	**92,116**	**15,460**	**16.8%**	**Employee benefits and on-costs**
The increase is due to the following: - 3.5% Local Government Award Increase effective from 1 July 2024 - 0.5% increase in mandatory employer superannuation contribution effective from 1 July 2024 - Reinstatement of lost flex time based on industrial agreement - provision for specific workers compensation claims				
101,845	**106,160**	**-4,315**	**-4.1%**	**Materials and services**
The decrease is primarily due to cutback on discretionary expenditure as part of cost-saving initiative				
9,452	**7,005**	**2,447**	**34.9%**	**Borrowing costs**
The variation primarily reflects the partial capitalisation of Liverpool Civic Place (LCP) borrowings in 2024, which reduced interest expense in that year, combined with additional borrowings undertaken for improvement works at 600 Cowpasture Road property during the period. Together, these factors increased overall debt servicing costs in the current year compared to the prior year.				
5,479	**5,523**	**-44**	**-0.8%**	**Other expenses**
Minor variation noted				
0	**1,779**	**-1,779**	**N/A**	**Net loss from the disposal of assets**
This expenditure reflects the written down value of road surfaces removed during major renewal works. The $800k impact for the current year has been offset against gain on the sale of assets				
55,138	**49,568**	**5,570**	**11.2%**	**Depreciation**
The increase is driven by the full-year effect of assets that were only partially depreciated last year, combined with the additional depreciation expense arising from new assets capitalised in the current year.				
279,490	**262,151**	**17,339**	**6.6%**	**TOTAL EXPENSES**

Assets

	30-Jun-25 ($'000)
Current Assets	
Cash and cash equivalents	$123.8m
Investments	$121.7m
Receivables	$28.7m
Other (Prepayments)	$3.6m
Inventories	$0.3m
Total Current Assets	$278.1m
Non-current Assets	
Investments	$178.6m
Receivables	$0.8m
Infrastructure, plant, property and equipment (IPPE)	$3982.3m
Intangible assets	$1.5m
Right of use assets	$7.7m
Total Non-current Assets	$4170.8m
TOTAL ASSETS	$4449.0m

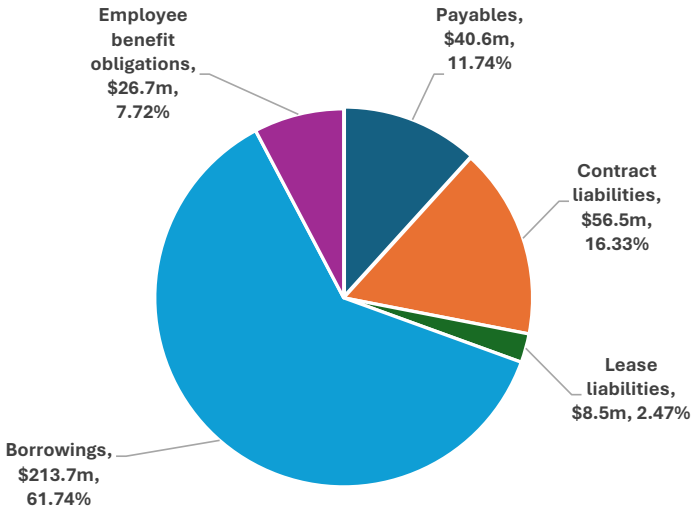


Comparative Analysis

30-Jun-25 ($'000)	30-Jun-24 ($'000)	Incr/(Decr) ($'000)	Incr/(Decr) (%)	Details
424,089	**366,625**	**57,464**	**15.7%**	**Cash, Cash Equivalents and Investments**
The increase in cash reflects a combination of funding inflows. The largest contributor was $40 million in Section 7.11 development contributions, which will support future infrastructure delivery. In addition, $12.2 million was raised through new borrowings to fund improvement works at 600 Cowpasture Road, while $7.8 million was realised from the sale of land at Hammondville.				
29,487	**34,057**	**-4,570**	**-13.4%**	**Receivables**
The decrease in receivables is largely due to the settlement of $2.9 million previously owed by Canterbury-Bankstown Council, together with a $1.1 million reduction in outstanding rates.				
3,566	**1,920**	**1,646**	**85.7%**	**Other (Prepayment)**
The increase includes incentives and agent commissions paid during the year, which are being amortised over the respective lease terms for the Liverpool Civic Place and Old Library tenancies.				
346	**285**	**61**	**21.4%**	**Inventories**
Minor upward variation representing additional inventory items bought during the year.				
3,982,309	**3,825,632**	**156,677**	**4.1%**	**Infrastructure, property, plant and equip.**
The increase reflects the application of indexation (Community land +4.45%, Buildings +4.1%, Road Infrastructure +2.6% and Land Under Roads +20.5%) to align IPPE values with market levels and the acquisition of new assets during the year.				
1,514	**1,598**	**-84**	**-5.3%**	**Intangible assets**
The value of software assets is expected to decline in furture as more applications are procured on a service basis and recognised as expenses rather than being capitalised.				
7,681	**9,323**	**-1,642**	**-17.6%**	**Right of use assets**
The decline represents absence of major acquisition of assets on lease during the year.				
4,448,992	**4,239,440**	**209,552**	**4.9%**	**TOTAL ASSETS**

Liabilities

	30-Jun-25 ($'000)
Current Liabilities	
Payables	$29.7m
Income received in advance	$0.0m
Contract liabilities	$27.9m
Lease liabilities	$3.2m
Borrowings	$15.0m
Employee benefit obligations	$25.7m
Provisions	$9.2m
Total Current Liabilities	$110.8m
Non-current Liabilities	
Payables	$10.9m
Income received in advance	$1.6m
Contract liabilities	$28.6m
Lease liabilities	$5.3m
Borrowings	$198.7m
Employee benefit obligations	$1.0m
Provisions	$2.9m
Total Non-current Liabilities	$249.0m
TOTAL LIABILITIES	$359.8m



Comparative Analysis

30-Jun-25 ($'000)	30-Jun-24 ($'000)	Incr/(Decr) ($'000)	Incr/(Decr) (%)	Details
40,616	**34,779**	**5,837**	**16.8%**	**Payables**
The increase is mainly due to year end accruals				
1,582	**1,370**	**212**	**15.5%**	**Income received in advance**
Minor variation noted				
56,516	**62,284**	**-5,768**	**-9.3%**	**Contract liabilities**
The decrease accounts for grant funds received in previous years but spent during the current year.				
8,545	**9,878**	**-1,333**	**-13.5%**	**Lease liabilities**
The decrease represents absence of major acquisition of assets on lease during the year.				
213,698	**216,610**	**-2,912**	**-1.3%**	**Borrowings**
The net decrease in debt reflects a $12.2 million drawdown from the loan facility established for improvement works at 600 Cowpasture Road, offset by $15 million in principal repayments made during the year.				
26,729	**23,361**	**3,368**	**14.4%**	**Employee benefit obligations**
The increase in employee related liabilities is inclusion of lost flex time under an industrial agreement and increase in long service leave.				
12,110	**10,991**	**1,119**	**10.2%**	**Provisions**
The increase is mainly due to inclusion of provision for staff termination payments and known workers compensation claims.				
359,796	**359,273**	**523**	**0.1%**	**TOTAL LIABILITIES**

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Liverpool City Council

GENERAL PURPOSE FINANCIAL STATEMENTS

for the year ended 30 June 2025

Liverpool City Council

General Purpose Financial Statements

for the year ended 30 June 2025

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Overview

Liverpool City Council is constituted under the *Local Government Act 1993 (NSW)* and has its principal place of business at:

50 Scott Street
Liverpool NSW 2170

Council's guiding principles are detailed in Chapter 3 of the LGA and includes:

- principles applying to the exercise of functions generally by council,
- principles to be applied when making decisions,
- principles of community participation,
- principles of sound financial management, and
- principles for strategic planning relating to the development of an integrated planning and reporting framework.

A description of the nature of Council's operations and its principal activities are provided in Note B1-2.

Through the use of the internet, we have ensured that our reporting is timely, complete, and available at minimum cost. All press releases, financial statements and other information are publicly available on our website: www.liverpool.nsw.gov.au.

Liverpool City Council

General Purpose Financial Statements

for the year ended 30 June 2025

Understanding Council's Financial Statements

Introduction

Each year, individual Local Governments across NSW are required to present a set of audited financial statements to their council and community.

What you will find in the Statements

The financial statements set out the financial performance, financial position and cash flows of Council for the financial year ended 30 June 2025.

The format of the financial statements is standard across all NSW Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by the Office of Local Government within the Department of Planning, Industry and Environment.

About the Councillor/Management Statement

The financial statements must be certified by senior staff as 'presenting fairly' the Council's financial results for the year and are required to be adopted by Council – ensuring both responsibility for and ownership of the financial statements.

About the Primary Financial Statements

The financial statements incorporate five 'primary' financial statements:

1. The Income Statement

Summarises Council's financial performance for the year, listing all income and expenses. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what occurred.

2. The Statement of Comprehensive Income

Primarily records changes in the fair value of Council's Infrastructure, Property, Plant and Equipment.

3. The Statement of Financial Position

A 30 June snapshot of Council's financial position indicating its assets, liabilities and "net equity".

4. The Statement of Changes in Equity

The overall change for the year (in dollars) of Council's "net equity".

5. The Statement of Cash Flows

Indicates where Council's cash came from and where it was spent. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what occurred.

About the Notes to the Financial Statements

The Notes to the Financial Statements provide greater detail and additional information on the five primary financial statements.

About the Auditor's Reports

Council's financial statements are required to be audited by the Audit Office of NSW.

In NSW the auditor provides 2 audit reports:

1. an opinion on whether the financial statements present fairly the Council's financial performance and position, and
2. their observations on the conduct of the audit, including commentary on the Council's financial performance and financial position.

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Liverpool City Council

General Purpose Financial Statements
for the year ended 30 June 2025

Understanding Council's Financial Statements (continued)

Who uses the Financial Statements?
The financial statements are publicly available documents and must be presented at a Council meeting between seven days and five weeks after the date of the Audit Report.

The public can make submissions to Council up to seven days after the public presentation of the financial statements.

Council is required to forward an audited set of financial statements to the Office of Local Government within the Department of Planning and Environment.

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Liverpool City Council

General Purpose Financial Statements

for the year ended 30 June 2025

Statement by Councillors and Management made pursuant to Section 413(2)(c) of the *Local Government Act 1993* (NSW) (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

- the *Local Government Act 1993* (NSW) (as amended) and the regulations made thereunder,
- the Australian Accounting Standards issued by the Australian Accounting Standards Board
- the *Local Government Code of Accounting Practice and Financial Reporting*.

To the best of our knowledge and belief, these statements:

- present fairly the Liverpool City Council's operating result and financial position for the year
- accord with Liverpool City Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 29 October 2025.

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Ned Mannoun
Mayor
29 October 2025

Dr Betty Green
Deputy Mayor
29 October 2025

Jason Breton
Chief Executive Officer
29 October 2025

Vishwa Nadan
Responsible Accounting Officer
29 October 2025

Liverpool City Council

Income Statement

for the year ended 30 June 2025

Original unaudited budget 2025	$ '000	Notes	Actual 2025	Actual 2024
	Income from continuing operations			
181,623	Rates and annual charges	B2-1	**183,719**	170,944
20,358	User charges and fees	B2-2	**17,220**	18,007
17,147	Other revenues	B2-3	**13,980**	11,708
28,923	Grants and contributions provided for operating purposes	B2-4	**21,295**	26,313
133,705	Grants and contributions provided for capital purposes	B2-4	**111,174**	105,401
14,971	Interest and investment income	B2-5	**19,217**	17,640
9,703	Other income	B2-6	**9,989**	6,579
8,500	Net gain from the disposal of assets	B4-1	**3,632**	–
414,930	**Total income from continuing operations**		**380,226**	356,592
	Expenses from continuing operations			
103,339	Employee benefits and on-costs	B3-1	**107,576**	92,116
105,286	Materials and services	B3-2	**101,845**	106,160
10,063	Borrowing costs	B3-3	**9,452**	7,005
5,979	Other expenses	B3-5	**5,479**	5,523
–	Net loss from the disposal of assets	B4-1	**–**	1,779
224,667	**Total expenses from continuing operations excluding depreciation, amortisation and impairment of non-financial assets**		**224,352**	212,583
190,263	**Operating result from continuing operations excluding depreciation, amortisation and impairment of non-financial assets**		**155,874**	144,009
54,007	Depreciation, amortisation and impairment of non-financial assets	B3-4	**55,138**	49,568
136,256	**Operating result from continuing operations**		**100,736**	94,441
136,256	Net operating result for the year attributable to Council		**100,736**	94,441
2,551	**Net operating result for the year before grants and contributions provided for capital purposes**		**(10,438)**	(10,960)

The above Income Statement should be read in conjunction with the accompanying notes.

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Liverpool City Council

Statement of Comprehensive Income

for the year ended 30 June 2025

$ '000	Notes	2025	2024
Net operating result for the year – from Income Statement		**100,736**	94,441
Other comprehensive income:			
Amounts which will not be reclassified subsequent to operating result			
Gain (loss) on revaluation of infrastructure, property, plant and equipment [1]	C1-6	**108,293**	97,540
Total other comprehensive income for the year		**108,293**	97,540
Total comprehensive income for the year attributable to Council		**209,029**	191,981

(1) Refer to Note G4-2 for more details on restated Infrastructure figures.

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

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Liverpool City Council

Statement of Financial Position

as at 30 June 2025

$ '000	Notes	2025	2024
ASSETS			
Current assets			
Cash and cash equivalents	C1-1	**123,817**	101,083
Investments	C1-2	**121,706**	104,225
Receivables	C1-4	**28,708**	33,413
Other (Prepayments)		**3,566**	1,920
Inventories	C1-5	**346**	285
Total current assets		**278,143**	240,926
Non-current assets			
Investments	C1-2	**178,566**	161,317
Receivables	C1-4	**779**	644
Infrastructure, property, plant and equipment (IPPE)	C1-6	**3,982,309**	3,825,632
Intangible assets	C1-7	**1,514**	1,598
Right of use assets	C2-1	**7,681**	9,323
Total non-current assets		**4,170,849**	3,998,514
Total assets		**4,448,992**	4,239,440
LIABILITIES			
Current liabilities			
Payables	C3-1	**29,730**	22,886
Income received in advance	C3-1	**1**	28
Contract liabilities	C3-2	**27,936**	57,518
Lease liabilities	C2-1	**3,196**	3,317
Borrowings	C3-3	**15,012**	15,445
Employee benefit obligations	C3-4	**25,697**	22,397
Provisions	C3-5	**9,227**	8,641
Total current liabilities		**110,799**	130,232
Non-current liabilities			
Payables	C3-1	**10,886**	11,893
Income received in advance	C3-1	**1,581**	1,342
Contract liabilities	C3-2	**28,580**	4,766
Lease liabilities	C2-1	**5,349**	6,561
Borrowings	C3-3	**198,686**	201,165
Employee benefit obligations	C3-4	**1,032**	964
Provisions	C3-5	**2,883**	2,350
Total non-current liabilities		**248,997**	229,041
Total liabilities		**359,796**	359,273
Net assets		**4,089,196**	3,880,167
EQUITY			
Accumulated surplus	C4-1	**2,496,135**	2,395,399
IPPE revaluation surplus	C4-1	**1,593,061**	1,484,768
Council equity interest		**4,089,196**	3,880,167
Total equity		**4,089,196**	3,880,167

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

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Liverpool City Council

Statement of Changes in Equity

for the year ended 30 June 2025

$ '000	Notes	2025 Accumulated surplus	2025 IPPE revaluation surplus	2025 Total equity	2024 Accumulated surplus	2024 IPPE revaluation surplus	2024 Total equity
Opening balance at 1 July		**2,395,399**	**1,484,768**	**3,880,167**	2,300,958	1,387,228	3,688,186
Opening balance		**2,395,399**	**1,484,768**	**3,880,167**	2,300,958	1,387,228	3,688,186
Net operating result for the year		**100,736**	**–**	**100,736**	94,441	–	94,441
Net operating result for the period		**100,736**	**–**	**100,736**	94,441	–	94,441
Other comprehensive income							
Gain (loss) on revaluation of infrastructure, property, plant and equipment [1]	C1-6	**–**	**108,293**	**108,293**	–	97,540	97,540
Other comprehensive income		**–**	**108,293**	**108,293**	–	97,540	97,540
Total comprehensive income		**100,736**	**108,293**	**209,029**	94,441	97,540	191,981
Closing balance at 30 June		**2,496,135**	**1,593,061**	**4,089,196**	2,395,399	1,484,768	3,880,167

(1) Refer to Note G4-2 for more details on restated Infrastructure figures.

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

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Liverpool City Council

Statement of Cash Flows

for the year ended 30 June 2025

Original unaudited budget 2025	$ '000	Notes	Actual 2025	Actual 2024
	Cash flows from operating activities			
	Receipts:			
181,824	Rates and annual charges		**185,080**	168,332
19,960	User charges and fees		**22,185**	17,180
14,933	Investment revenue and Interest		**18,716**	15,848
155,628	Grants and contributions		**95,512**	103,972
–	Bonds, deposits and retentions received		**4,974**	2,210
25,985	Other (incl. Net GST Received from ATO - Operating)		**34,857**	43,290
	Payments:			
(103,339)	Payments to employees		**(104,221)**	(90,772)
(125,272)	Payments for materials and services		**(113,820)**	(142,142)
(10,097)	Borrowing costs		**(9,465)**	(6,672)
–	Deposits and retention refunded		**(2,477)**	(3,800)
(3,745)	Other		**–**	289
155,877	**Net cash provided from (or used in) operating activities**	G1-1	**131,341**	107,735
	Cash flows from investing activities			
	Receipts:			
72,953	Sale of investments		**130,250**	212,000
–	Redemption of term deposits		**82,000**	162,000
22,357	Proceeds from sale of IPPE		**8,580**	970
	Payments:			
–	Purchase of investments		**(161,245)**	(190,284)
–	Acquisition of term deposits		**(82,700)**	(99,000)
(170,624)	Payments for IPPE		**(78,420)**	(200,117)
(1,953)	Purchase of intangible assets		**(304)**	(437)
(77,267)	**Net cash provided from (or used in) investing activities**		**(101,839)**	(114,868)
	Cash flows from financing activities			
	Receipts:			
6,108	Proceeds from borrowings		**12,200**	23,000
	Payments:			
(15,111)	Repayment of borrowings		**(15,112)**	(15,190)
(3,371)	Principal component of lease payments		**(3,856)**	(3,301)
(12,374)	**Net cash flow provided from (used in) financing activities**		**(6,768)**	4,509
66,236	**Net change in cash and cash equivalents**		**22,734**	(2,624)
127,153	Plus: cash and cash equivalents – beginning of reporting period		**101,083**	103,707
193,389	Cash and cash equivalents at end of year	C1-1	**123,817**	101,083

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

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Liverpool City Council

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A About Council and these financial statements

A1-1 Basis of preparation

These financial statements were authorised for issue by Council on 29 October 2025. Council has the power to amend and reissue these financial statements in cases where critical information is received from public submissions or where the OLG directs Council to amend the financial statements.

The material accounting policies adopted by Liverpool City Council in the preparation of these financial statements are set out below. Accounting policies have been consistently applied to all the years presented, unless otherwise stated.

Basis of preparation

These general purpose financial statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the *Local Government Act 1993 (NSW)* and *Local Government (General) Regulation 2021* (Regulation), and the Local Government Code of Accounting Practice and Financial Reporting.

Liverpool City Council is a not for-profit entity for the purpose of preparing these financial statements.

The financial statements are presented in Australian dollars and are rounded to the nearest thousand dollars.

Historical cost convention

These financial statements have been prepared under the historical cost convention, as modified by the revaluation of certain financial investments and certain classes of infrastructure, property, plant and equipment.

Significant accounting estimates and judgements

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Council's accounting policies.

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that may have a financial impact on the Council and that are believed to be reasonable under the circumstances.

Critical accounting estimates and assumptions

Council makes estimates and assumptions concerning the future.

The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the foreseeable future financial years include:

(i) estimated fair values of infrastructure, property, plant and equipment – refer Note E2-1
(ii) estimated employee benefits, including self-insured workers compensation claims liability – refer Note B3-1
(iii) estimated hazardous waste remediation costs – refer Note C3-5.

Significant judgements in applying the Council's accounting policies

i. Impairment of receivables

Council has made a significant judgement about the impairment of a number of its receivables – refer Note C1-4.

ii. Determination of whether performance obligations are sufficiently specific and whether the contract is within the scope of AASB 15 *Revenue from Contracts with Customers* and / or AASB 1058 *Income of Not-for-Profit Entities* – refer to Notes B2-2 – B2-4.

iii. Determination of the lease term, discount rate (when not implicit in the lease) and whether an arrangement contains a lease – refer to Note C2-1.

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A1-1 Basis of preparation (continued)

Monies and other assets received by Council

The Consolidated Fund

In accordance with the provisions of Section 409(1) of the *Local Government Act 1993 (NSW)*, all money and property received by Council is held in the Council's Consolidated Fund unless it is required to be held in the Council's Trust Fund.

The Consolidated Fund has been included in the financial statements of the Council.

Cash and other assets of the following activities have been included as part of the Consolidated Fund:

- General purpose operations

The Trust Fund

In accordance with the provisions of Section 411 of the *Local Government Act 1993 (NSW)* (as amended), a separate and distinct Trust Fund is maintained to account for all money and property received by the Council in trust which must be applied only for the purposes of, or in accordance with, the trusts relating to those monies.

Trust monies and property subject to Council's control have been included in these reports.

A separate statement of monies held in the Trust Fund is available for inspection at the council office by any person free of charge.

Goods and Services Tax (GST)

Liverpool City Council is exempt from both Commonwealth Income Tax and Capital Gains Tax. Council does, however, must comply with both Fringe Benefits Tax and Goods & Services Tax legislations.

Revenues, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the taxation authority. In this case it is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to the taxation authority is included with other receivables or payables in the Statement of Financial Position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities that are recoverable from, or payable to, the taxation authority, are presented as operating cash flows.

Volunteer services

Council engages volunteers to help in delivery of some community events. The value of volunteer services Council receives cannot be reliably measured and is therefore not recorded.

New accounting standards and interpretations issued but not yet effective

Certain new accounting standards and interpretations (i.e. pronouncements) have been published by the Australian Accounting Standards Board that are not mandatory for the 30 June 2025 reporting period.

Council has elected not to apply any of these pronouncements in these financial statements before their operative dates.

As at the date of authorisation of these financial statements Council does not consider that any of these new (and still to be applied) standards and interpretations are expected to impact on the Council's future financial statements, financial position, financial performance or cash flows.

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A1-1 Basis of preparation (continued)

New accounting standards adopted during the year

During the year Council adopted all accounting standards and interpretations (as issued by the Australian Accounting Standards Board) which were mandatorily effective from the first time at 30 June 2025.

Those newly adopted standards does not have a material impact on Council's reported financial position, financial performance and/or associated financial statement disclosures.

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A1-1 Basis of preparation (continued)

Significant Events

1. On 18 July 2024, the Minister for Local Government ordered a Public Inquiry into Council regarding allegations of dysfunction and maladministration. Mr Ross Glover was appointed as Commissioner to conduct the inquiry under Section 438U of the Local Government Act 1993. The inquiry is currently in progress, and its findings had not been released as at the reporting date. A provision for related expenditure has been recognised in the financial reports.

2. In accordance with Section 333 of the Local Government Act 1993, Councils must review their organisation structure within 12 months of each ordinary election. The purpose of this review is to ensure the structure remains aligned with Council's strategic priorities, service delivery obligations, and financial capacity. Following the October 2024 elections, Council has commenced significant structural changes, including the amalgamation and realignment of functions, with implementation partially completed at the reporting date. A general provision for potential staff-related payments has been recognised in the financial statements, with the forward year's budget reflecting associated cost savings in employee related expenses.

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B Financial Performance

B1 Functions or activities

B1-1 Functions or activities – income, expenses and assets

Income, expenses and assets have been directly attributed to the following functions or activities. Details of those functions or activities are provided in Note B1-2.

	Income		Expenses		Operating result		Grants and contributions		Carrying amount of assets	
$ '000	**2025**	2024	**2025**	2024	**2025**	2024	**2025**	2024	**2025**	2024
Functions or activities										
Providing and maintaining infrastructure	**40,460**	33,381	**95,616**	93,485	**(55,156)**	(60,104)	**25,845**	20,112	**2,612,976**	2,517,590
Planning for sustainable development	**72,898**	71,969	**17,715**	20,486	**55,183**	51,483	**54,942**	53,706	**115,138**	96,503
Protecting the environment	**9,045**	6,887	**16,708**	14,468	**(7,663)**	(7,581)	**787**	186	**656,477**	633,551
Safeguarding public health	**53,910**	48,160	**46,340**	43,420	**7,570**	4,740	**80**	33	**7,681**	9,323
Supporting community development	**146,062**	136,409	**48,011**	45,063	**98,051**	91,346	**9,192**	8,692	**596,638**	576,174
Corporate Support	**57,851**	59,786	**55,100**	45,229	**2,751**	14,557	**41,623**	48,985	**460,082**	406,299
Total functions and activities	**380,226**	356,592	**279,490**	262,151	**100,736**	94,441	**132,469**	131,714	**4,448,992**	4,239,440

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B1-2 Components of functions or activities

Details relating to the Council's functions or activities as reported in B1-1 are as follows:

Providing and maintaining infrastructure

Providing an appropriate and affordable level of infrastructure is one important contribution a council makes to its community. For example, councils provide and maintain local roads, bridges, public car parks, footpaths, sporting fields, parks, and art galleries. Outside of metropolitan areas, councils are also responsible for water and sewerage. Councils must consult with their local community about providing and maintaining these public assets.

The Service Delivery Units that delivers this function are:

City Works - Civil Operation	City Works - Open Spaces
Facilities Management	Project Delivery
Operations Office	Operational Facilities
Western Sydney Infrastructure Grants Program	

Planning for sustainable development

Councils have a major role in providing long term strategic planning for a local government area as well as town planning,zoning and sub-divisions. They engage communities in key planning decisions that will affect the growth of their communities. They seek to integrate planning for infrastructure with the strategic planning of land use so that infrastructure that supports growth is funded and delivered. In addition, councils are responsible for processing development applications, for building site and compliance inspections, and for ensuring compliance with building regulations.

The Service Delivery Units that delivers this function are:

City Deal	City Planning
Development Assessment	Planning & Compliance Office
Development Engineering	Western Sydney Planning Partnership
Infrastructure Planning and Design	

Protecting the environment

Councils also have a major role in helping to protect the environment. They have responsibilities under the Protection of the Environment Operations Act 1997 and can issue various protection of the environment notices including clean up, prevention, compliance cost, provision of records and information and noise control notices.

Councils regularly assess the state of their local environment, provide environmental programs, and use their regulatory powers to prevent pollution or restore degraded environments. Councils also have environmental protection responsibilities under other legislation. For example, councils are responsible for noxious weed control under the Biosecurity Act 2015.

They also carry out activities to preserve access and amenity to the environment, such as recycling, street cleaning, regulating parking and management of vegetation including bush land reserves.

The Service Delivery Units that delivers this function are:

Building and Compliance	City Environment
City Works – Bush Regeneration	City Works – Noxious Weeds
Community Standards & Business Support	Litter & Waste Removal (incl. Street Cleaning)
Regulatory Parking	Regulatory Rangers
Resource Recovery	

Supporting community development

Councils regularly consult with and assess the needs of their community with a view to supporting the community and its development. They provide a range of services, including some aimed at groups in the community with special needs. Community services include libraries, sport and recreation facilities, home care services such as 'meals on wheels', swimming pools, playground facilities and childcare centres.

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B1-2 Components of functions or activities (continued)

Councils contribute to economic development by working with local businesses, coordinating economic development groups/ activities/events, and providing tourism services and facilities.

The Service Delivery Units that delivers this function are:

Building Cleaning	Bus Shuttle Service
Liverpool Powerhouse (Home of the Arts and Creative Industries)	Children's Services
Civic Events	Community and Lifestyle Office
Community Bus	Recreation and Community Outcome
Strategic Events	Customer Experience
City Economy	Leisure Centres & Sports Development
Libraries and Museum	Commercial Development

Safeguarding public health

Councils help maintain high standards of public health and reduce the risk of exposure to a wide range of diseases activities such as food shop inspections, waste disposal, pest and vermin control and hazardous material containment. They also ensure public safety through controlling dogs and cats (or companion animals).

The Service Delivery Units that delivers this function are:

Animal Control	Free Microchipping Day
Health	Liverpool Animal Shelter
Waste management	

Corporate Support

Councils frontline service delivery is supported by corporate services function.

The Service Delivery Units that delivers this function are:

CEO Office	Communications Marketing and Brand
Corporate Reporting	Corporate Support Office
Council & Executive Services	Financial Management
Governance and Legal	Information and Communication Technology
Internal Audit	Insurance Management
People & Culture	Procurement
Safety & Wellness	Property Services

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B2 Sources of income

B2-1 Rates and annual charges

$ '000	2025	2024
Ordinary rates		
Residential	**100,919**	94,722
Farmland	**635**	653
Business	**25,269**	24,183
Less: pensioner rebates	**(1,630)**	(1,623)
Rates levied to ratepayers	**125,193**	117,935
Pensioner rate subsidies received	**929**	901
Total ordinary rates	**126,122**	118,836
Special rates		
Environmental	**2,125**	2,015
Town improvement	**1,478**	1,406
Rates levied to ratepayers	**3,603**	3,421
Total special rates	**3,603**	3,421
Annual charges (pursuant to s496, 496A, 496B, 501 & 611)		
Domestic waste management services	**52,352**	47,060
Stormwater management services	**1,781**	1,743
Waste management services (non-domestic)	**245**	247
Section 611 charges	**112**	109
Less: pensioner rebates	**(806)**	(772)
Annual charges levied	**53,684**	48,387
Pensioner annual charges subsidies received:		
– Domestic waste management	**310**	300
Total annual charges	**53,994**	48,687
Total rates and annual charges	**183,719**	170,944

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Material accounting policy information

Revenue recognition & measurement

Council recognises revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to it, and specific criteria have been met for each of the Council's activities as described below. Council bases any estimates on historical results, taking into consideration the type of customer, the type of transaction and the specifics of each arrangement.

Revenue is measured at the fair value of the consideration received or receivable.

Rates and annual charges

Council has used 01/07/2022 land valuations provided by the NSW Valuer General in calculating its rates.

Rates and annual charges are recognised as revenues when the Council obtains control over the assets comprising these receipts which is the beginning of the rating period to which they relate.

Prepaid rates are recognised as a financial liability until the beginning of the rating period.

A provision for the impairment on rates receivables has not been established as unpaid rates represent a charge against the rateable property that will be recovered when the property is next sold.

Domestic waste management services and other special purpose annual levies collected are expended for the purposes for which the contributions were required.

Pensioner rebates relate to reductions in rates and certain annual charges for eligible pensioners' place of residence in the local government council area.

B2-1 Rates and annual charges (continued)

Pensioner rate subsidies are received from the NSW Government to provide a contribution towards the pensioner rebates and are in substance a rates payment.

The cost of rebates is shared between the NSW State Government (55%) and Council (45%).

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B2-2 User charges and fees

$ '000	Timing	2025	2024
Other user charges and fees			
(i) Fees and charges – statutory and regulatory functions (per s608)			
Planning and building regulation	2	**4,743**	6,559
Inspection services	2	**2,295**	2,570
Section 10.7 certificates (EP&A Act)	2	**772**	763
Regulatory/ statutory fees	2	**544**	392
Section 603 certificates	2	**459**	404
Animal impounding fees	2	**16**	11
Other	2	**18**	48
Total fees and charges – statutory/regulatory		**8,847**	10,747
(ii) Fees and charges – other (incl. general user charges (per s608))			
Childcare	1	**2,384**	2,174
Parking fees	1	**3,393**	3,310
Sports field hire	1	**539**	192
Community hall rental	1	**1,434**	1,139
Leaseback fees – Council vehicles	1	**105**	86
Other	2	**518**	359
Total fees and charges – other		**8,373**	7,260
Total other user charges and fees		**17,220**	18,007
Total user charges and fees		**17,220**	18,007
Timing of revenue recognition for user charges and fees			
User charges and fees recognised over time (1)		**7,855**	6,901
User charges and fees recognised at a point in time (2)		**9,365**	11,106
Total user charges and fees		**17,220**	18,007

The timing column notation (above) identifies the revenue recognition pattern for material items of Council's revenue:

(1) indicates income recognised under AASB 15 or AASB 1058 “over time”,
(2) indicates income recognised under AASB 15 or AASB 1058 “at a point in time”.

Material accounting policy information

Revenue arising from user charges and fees is recognised when or as the performance obligation is completed and the customer receives the benefit of the goods / services being provided.

The performance obligation relates to the specific services which are provided to the customers and generally the payment terms are within 30 days of the provision of the service.

Licences granted by Council are all either short-term or low value and all revenue from licences is recognised at the time that the licence is granted rather than over the term of the licence.

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B2-3 Other revenues

$ '000	Timing	2025	2024
Ex gratia rates	2	**2,398**	2,284
Fines – parking	2	**4,082**	3,009
External works	2	**1,983**	2,368
Fines – other	2	**449**	397
Sales – general	2	**872**	841
Sales – art galleries	2	**411**	574
Animal control	2	**64**	118
Diesel rebate	2	**122**	142
Compensation – easements	2	**15**	–
Photocopy income	2	**88**	85
Legal fees recovery – other	2	**600**	297
Room hire	1	**–**	9
Insurance claims recoveries	2	**532**	145
Long service levy commission	2	**1**	1
Recycling income (non-domestic)	2	**239**	158
Other	2	**1,217**	1,280
Sales - energy saving certificates [3]	2	**907**	–
Total other revenue		**13,980**	11,708
Timing of revenue recognition for other revenue			
Other revenue recognised over time (1)		**–**	9
Other revenue recognised at a point in time (2)		**13,980**	11,699
Total other revenue		**13,980**	11,708

The timing column notation (above) identifies the revenue recognition pattern for material items of Council's revenue:

(1) indicates income recognised under AASB 15 or AASB 1058 “over time”,
(2) indicates income recognised under AASB 15 or AASB 1058 “at a point in time”.

Material accounting policy information for other revenue

Where the revenue is earned for the provision of specified goods / services under an enforceable contract, revenue is recognised when or as the obligations are satisfied.

Statutory fees and fines are recognised as revenue when the service has been provided, the payment is received or when the penalty has been applied, whichever occurs first.

Other revenue is recorded when the payment is due, the value of the payment is notified, or the payment is received, whichever occurs first.

(3) Under Western Sydney Regional Organisation of Council's (WSROC) initiative, Liverpool City Council participated in the Light Years Ahead Project (Stage 1) and replaced 185 residential street lights by LED. The energy savings as a result was accounted for in form of tradeable "energy saving certificates". Council sold these certificates during the financial year.

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B2-4 Grants and contributions

$ '000	Timing	Operating 2025	Operating 2024	Capital 2025	Capital 2024
General purpose grants and non-developer contributions (untied)					
General purpose (untied)					
Current year allocation					
Financial assistance – general component	2	**1,138**	149	**–**	–
Financial assistance – local roads component	2	**486**	70	**–**	–
Payment in advance - future year allocation [1]					
Financial assistance – general component	2	**3,747**	6,034	**–**	–
Financial assistance – local roads component	2	**1,656**	2,667	**–**	–
Amount recognised as income during current year		**7,027**	8,920	**–**	–
Special purpose grants and non-developer contributions (tied)					
Cash contributions					
Childcare	2	**7,255**	6,495	**–**	–
Community care	1,2	**171**	222	**–**	–
Community centres	1,2	**–**	–	**132**	151
Bushfire and emergency services	2	**364**	199	**–**	–
Cultural services	1,2	**676**	455	**–**	–
Drainage	2	**42**	80	**422**	1,485
Employment and training programs	2	**–**	(29)	**–**	–
Environmental programs		**92**	9	**753**	83
Library	2	**706**	688	**–**	487
LIRS subsidy	1	**44**	88	**–**	–
Street lighting	2	**863**	846	**–**	–
Building		**–**	–	**64**	–
Recreation and culture	1,2	**–**	5	**7,920**	5,260
Town Planning	2	**1,211**	1,427	**–**	–
Transport					
- Roads to recovery	1,2	**–**	–	**–**	2,425
- Other roads and bridges	1,2	**361**	5,349	**(15)**	23
Roads and bridges	1,2	**–**	–	**17,253**	5,628
Other contributions	2	**2,416**	1,495	**105**	1,180
Total special purpose grants and non-developer contributions – cash		**14,201**	17,329	**26,634**	16,722
Non-cash contributions					
Other		**67**	64	**–**	–
NSW Rural Fire Services - Plant and equipment	2	**–**	–	**500**	560
Total other contributions – non-cash		**67**	64	**500**	560
Total special purpose grants and non-developer contributions (tied)		**14,268**	17,393	**27,134**	17,282
Total grants and non-developer contributions		**21,295**	26,313	**27,134**	17,282
Comprising:					
– Commonwealth funding		**13,653**	13,822	**3,593**	3,978
– State funding		**7,027**	10,892	**22,279**	11,491
– Other funding		**615**	1,599	**1,262**	1,813
		21,295	26,313	**27,134**	17,282

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The timing column notation (above) identifies the revenue recognition pattern for material items of Council's revenue:

(1) indicates income recognised under AASB 15 or AASB 1058 “over time”,

B2-4 Grants and contributions (continued)

(2) indicates income recognised under AASB 15 or AASB 1058 “at a point in time”.

(1) $5.40m of the 2025-2026 Financial Assistance Grant from Commonwealth Government was received by Council in June 2025 and hence is reported as 2024-25 income although it relates to 2025-2026 financial year

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B2-4 Grants and contributions (continued)

Developer contributions

$ '000	Notes	Timing	Operating 2025	Operating 2024	Capital 2025	Capital 2024
Developer contributions: (s7.4 & s7.11 - EP&A Act, s64 of the LGA):	G5					
Cash contributions						
S 7.11 – contributions towards amenities/services		2	–	–	**52,078**	48,100
Total developer contributions – cash			–	–	**52,078**	48,100
Non-cash contributions						
S 7.11 – contributions towards amenities/services		2	–	–	**737**	1,264
Dedications - Subdivisions (Other than by S 7.11) [1]		2	–	–	**28,840**	35,650
Land Under Road		2	–	–	**2,385**	3,105
Total developer contributions non-cash			–	–	**31,962**	40,019
Total developer contributions			–	–	**84,040**	88,119
Total contributions			–	–	**84,040**	88,119
Total grants and contributions			**21,295**	26,313	**111,174**	105,401
Timing of revenue recognition						
Grants and contributions recognised over time (1)			**2,744**	6,486	**16,711**	11,418
Grants and contributions recognised at a point in time (2)			**18,551**	19,827	**94,463**	93,983
Total grants and contributions			**21,295**	26,313	**111,174**	105,401

The timing column notation (above) identifies the revenue recognition pattern for material items of Council's revenue:

(1) indicates income recognised under AASB 15 or AASB 1058 “over time”,
(2) indicates income recognised under AASB 15 or AASB 1058 “at a point in time”.

(1) Refer Note C1-6 for valuation methodology

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B2-4 Grants and contributions (continued)

Unspent grants and contributions [1., 2.]

Certain grants and contributions are obtained by Council on the condition they be spent in a specified manner or in a future period, but which are not yet spent in accordance with those conditions are as follows:

$ '000	Operating 2025	Operating 2024	Capital 2025	Capital 2024
Unspent grants				
Unspent funds at 1 July	**2,116**	7,583	**62,103**	48,472
Add: Funds received and not recognised as revenue in the current year	**2,412**	853	**9,435**	22,325
Less: Funds recognised as revenue in previous years that have been spent during the reporting year	**(312)**	(95)	**(4,495)**	(4,033)
Less: Funds received in prior year but revenue recognised and funds spent in current year	**(506)**	(6,225)	**(17,688)**	(4,661)
Unspent funds at 30 June	**3,710**	2,116	**49,355**	62,103
Unspent Contributions				
Unspent funds at 1 July	**1,162**	1,341	**3,520**	3,682
Add: Funds received and not recognised as revenue in the current year	**862**	789	**36**	31
Less: Funds recognised as revenue in previous years that have been spent during the reporting year	**(57)**	–	**(75)**	(170)
Less: Funds received in prior year but revenue recognised and funds spent in current year	**(1,093)**	(968)	**–**	(23)
Unspent contributions at 30 June	**874**	1,162	**3,481**	3,520

(1.) Contributors can place restrictions on the application of funds to assist in ensuring that the intended outcomes of the particular program are met. Examples of such conditions are the requirement to provide annual acquittals of expenditure or to return funds at the end of a specific period.

(2.) Contributions received have been for specific project objectives. Funds can only be expended on these programs over the nominated period. Any balance outstanding is refundable.

Material accounting policy information

Grants and contributions – enforceable agreement with sufficiently specific performance obligations

Grant and contribution revenue from an agreement which is enforceable and contains sufficiently specific performance obligations is recognised as or when control of each performance obligations is transferred.

The performance obligations vary according to the agreement but include performance obligations within AASB 15 grants e.g. events, vaccinations. Payment terms vary depending on the terms of the grant, cash is received upfront for some grants and on the achievement of certain payment milestones for others.

Performance obligations may be satisfied either at a point in time or over time and this is reflected in the revenue recognition pattern. Point in time recognition occurs when the beneficiary obtains control of the goods / services at a single time (e.g. completion of the project when a report / outcome is provided), whereas over time recognition is where the control of the services is ongoing throughout the project (e.g. provision of community health services through the year).

Where control is transferred over time, generally the input methods being either costs or time incurred are deemed to be the most appropriate methods to reflect the transfer of benefit.

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B2-4 Grants and contributions (continued)

Capital grants

Capital grants received by Council under an enforceable contract for the acquisition or construction of infrastructure, property, plant and equipment to identified specifications which will be under Council's control on completion are recognised as revenue as and when the obligation to construct or purchase is completed.

For construction projects, this is generally as the construction progresses in accordance with costs incurred since this is deemed to be the most appropriate measure of the completeness of the construction project as there is no profit margin.

For acquisitions of assets, the revenue is recognised when the asset is acquired and controlled by the Council.

Developer contributions

Council has obligations to provide facilities from contribution revenues levied on developers under the provisions of sections 7.4, 7.11 and 7.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

While Council generally incorporates these amounts as part of a Development Consents Order, such developer contributions are only recognised as income upon receipt by Council, due to the possibility that individual development consents may not be acted upon by the applicant and, accordingly, would not be payable to Council.

Developer contributions may only be expended for the purposes for which the contributions were required, but Council may apply contributions according to the priorities established in work schedules for the contribution plan.

Other grants and contributions

Assets, including cash, received from other grants and contributions are recognised at fair value when the asset is received. Council considers whether there are any related liability or equity items associated with the asset which are recognised in accordance with the relevant accounting standard.

Once the assets and liabilities have been recognised then income is recognised for any remaining asset value at the time that the asset is received.

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B2-5 Interest and investment income

$ '000	2025	2024
Interest on financial assets measured at amortised cost		
– Overdue rates and annual charges	**1,459**	1,121
– Cash and investments	**17,758**	16,496
– Other	**–**	23
Total interest and investment income (losses)	**19,217**	17,640
Interest and investment income are attributable to:		
Unrestricted investments/financial assets:		
Overdue rates and annual charges (general fund)	**1,459**	1,121
General Council cash and investments	**4,777**	3,045
Restricted investments/funds – external:		
Developer contributions		
– Section 7.11 – interest on investments	**11,669**	12,589
Domestic waste management operations	**444**	55
Other externally restricted assets	**364**	475
Western Sydney infrastructure grants program funds	**504**	355
Total interest and investment income	**19,217**	17,640

Material accounting policy information

Council is permitted to set interest rate payable on overdue rates and charges but not exceeding the maximum determined by the Office of Local Government within the Department of Planning, Industry and Environment in accordance with section 566(3) of the *Local Government Act 1993*. For this reporting period, Council applied the maximum permissible interest rate of 10.5% from 01/07/24 to 30/06/25. (comparative interest rate for last year was 9% from 01/07/23 to 30/06/24).

Interest on cash and investment is recognised using the effective interest rate at the date that interest is earned.

B2-6 Other income

$ '000	Notes	2025	2024
Fair value increment on investments			
– Fair valuation movements in investments (at Fair Value through Profit and Loss)		**1,575**	1,742
– Fair valuation movements in Civic Risk (at Fair Value through Profit and Loss)		**1,460**	4
Total fair value increment on investments	C1-2	**3,035**	1,746
Rental income			
Other lease income			
Lease income (excluding variable lease payments not dependent on an index or rate)		**6,076**	4,050
Leaseback fees - council vehicles		**878**	783
Total other lease income		**6,954**	4,833
Total rental income	C2-2	**6,954**	4,833
Total other income		**9,989**	6,579

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B3 Costs of providing services

B3-1 Employee benefits and on-costs

$ '000	2025	2024
Salaries and wages	**84,807**	74,398
Travel expenses	**40**	28
Employee leave entitlements (ELE)	**15,708**	12,959
Superannuation – defined contribution plans	**9,949**	8,331
Superannuation – defined benefit plans	**208**	240
Workers' compensation insurance	**4,049**	2,604
Fringe benefit tax (FBT)	**382**	279
Training costs (other than salaries and wages)	**362**	358
Other	**758**	809
Less: capitalised costs	**(8,687)**	(7,890)
Total employee costs expensed	**107,576**	92,116
Number of 'full-time equivalent' employees (FTE) at year end	**865**	820

Material accounting policy information

Employee benefit expenses are recorded when the service has been provided by the employee. Salaries and on-costs relating to Council staff directly involved in managing and delivery of capital projects are charged to respective projects.

Retirement benefit obligations

All employees of the council are entitled to benefits on retirement, disability or death. Council contributes to various defined benefit plans and defined contribution plans on behalf of its employees.

Superannuation plans

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

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B3-2 Materials and services

$ '000	Notes	2025	2024
Consultancy costs		**5,704**	7,201
Raw materials and consumables		**50,572**	60,954
Contractor costs		**94,360**	151,392
Audit Fees	F2-1	**231**	240
Previously other expenses:			
Councillor and Mayoral fees and associated expenses	F1-2	**582**	551
Advertising		**99**	205
Bank charges		**598**	589
Election expenses		**1,342**	154
Electricity and heating		**3,690**	2,302
Insurance		**3,767**	3,266
Postage		**574**	379
Printing and stationery		**463**	363
Repairs and maintenance		**6,621**	5,732
Street lighting		**3,175**	3,713
Subscriptions and publications		**405**	563
Telephone and communications		**715**	338
Other expenses		**83**	127
Legal expenses:			
– Planning and development		**357**	759
– Other		**1,991**	1,816
Expenses from leases of low value assets		**1,610**	1,696
Total materials and services		**176,939**	242,340
Less: capitalised costs		**(75,094)**	(136,180)
Total materials and services		**101,845**	106,160

Material accounting policy information

Expenses are recorded on an accruals basis as the Council receives the goods or services.

B3-3 Borrowing costs

$ '000	2025	2024
(i) Interest bearing liability costs		
Interest on leases	**392**	381
Interest on loans	**9,060**	8,508
Total interest bearing liability costs	**9,452**	8,889
Less: capitalised costs	**–**	(1,884)
Total interest bearing liability costs expensed	**9,452**	7,005
Total borrowing costs expensed	**9,452**	7,005

Material accounting policy information

Interest on loans is recognised on an accrual basis. When the debt arrangement is interest free or includes a discount, notional interest payable is calculated and amortised using the effective interest rate method.

Borrowing costs incurred for the construction of any qualifying asset are capitalised during the period of time that is required to complete and prepare the asset for its intended use or sale. Other borrowing costs are expensed as incurred.

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B3-4 Depreciation, amortisation and impairment of non-financial assets

$ '000	Notes	2025	2024
Depreciation and amortisation			
Plant and equipment		**3,582**	3,310
Office equipment		**430**	603
Furniture and fittings		**131**	140
Land improvements (depreciable)		**5**	5
Infrastructure:	C1-6		
– Buildings – non-specialised		**9,174**	7,383
– Other structures		**318**	298
– Roads		**24,333**	23,012
– Stormwater drainage		**7,180**	6,723
– Other open space/recreational assets		**4,814**	3,660
Right of use assets	C2-1	**4,165**	3,425
Other assets:			
– Heritage collections		**61**	36
– Library books		**557**	532
Intangible assets	C1-7	**388**	441
Total gross depreciation and amortisation costs		**55,138**	49,568
Total depreciation, amortisation and impairment for non-financial assets		**55,138**	49,568

Material accounting policy information

Depreciation and amortisation
Depreciation and amortisation are calculated using the straight-line method to allocate their carrying amount, net of their residual values, over their estimated remaining useful lives. Useful lives are included in Note C1-6 for IPPE assets,

Impairment of non-financial assets
Council assets held at fair value that are not held primarily for their ability to generate net cash flow, and that are deemed to be specialised, are no longer required to be tested for impairment under AASB 136. This is because these assets are assessed on an annual basis to ensure that the carrying amount is not materially different from fair value and therefore an impairment loss would be captured during their assessment.

Intangible assets that have an indefinite useful life, or are not yet available for use, are tested annually for impairment, or more frequently if events or changes in circumstances indicate that they might be impaired.

Other assets that do not meet the criteria above are tested for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash inflows that are largely independent of the cash inflows from other assets or groups of assets (cash-generating units). Non-financial assets that suffered an impairment are reviewed for possible reversal of the impairment at each reporting date.

Impairment losses for revalued assets are firstly offset against the amount in the revaluation surplus for the class of asset, with only the excess to be recognised in the Income Statement.

B3-5 Other expenses

$ '000	Notes	2025	2024
Impairment of receivables			
Other		**241**	269
Total impairment of receivables (Net)	C1-4	**241**	269
Fair value decrement on investments			
Fair value decrement on investments through profit and loss		**–**	195
Total Fair value decrement on investments		**–**	195

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B3-5 Other expenses (continued)

$ '000	Notes	2025	2024
Other			
Donations, contributions and assistance to other organisations (s356) [1]		**1,501**	1,009
Contributions/levies to other levels of government			
– NSW fire brigade levy		**1,696**	2,248
– NSW rural fire service levy		**418**	424
– Emergency services levy (includes FRNSW, SES, and RFS levies)		**1,422**	1,089
– Department of planning levy		**166**	170
– Australian communication authority		**38**	119
Total other		**5,241**	5,059
Less: capitalised costs		**(3)**	–
Total other expenses		**5,479**	5,523

Material accounting policy information

Other expenses are recorded on an accruals basis as the Council receives the goods or services.

Impairment expenses are recognised when identified.

(1) Current year's cost includes $0.5m for purchase of biodiversity credits from the Western Sydney Parklands Trust to facilitate the delivery of required stormwater infrastructure.

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B4 Gains or losses

B4-1 Gain or loss from the disposal, replacement and de-recognition of assets

$ '000	Notes	2025	2024
Gain (or loss) on disposal of property (excl. investment property)			
Proceeds from disposal – property		**7,947**	302
Less: carrying amount of property assets disposed		**(3,807)**	(485)
Gain (or loss) on disposal		**4,140**	(183)
Gain (or loss) on disposal of plant and equipment	C1-6		
Proceeds from disposal – plant and equipment		**633**	668
Less: carrying amount of plant and equipment assets disposed		**(258)**	(218)
Gain (or loss) on disposal		**375**	450
Gain (or loss) on disposal of infrastructure	C1-6		
Carrying amount of infrastructure assets disposed		**(1,432)**	(3,012)
Revaluation on assets disposed		**610**	1,177
Gain (or loss) on disposal		**(822)**	(1,835)
Gain (or loss) on disposal of investments	C1-2		
Proceeds from disposal/redemptions/maturities – investments		**130,250**	212,000
Less: carrying amount of investments sold/redeemed/matured		**(130,250)**	(212,000)
Gain (or loss) on disposal		**–**	–
Gain (or loss) on disposal of term deposits	C1-2		
Proceeds from disposal/redemptions/maturities – term deposits		**82,000**	162,000
Less: carrying amount of term deposits sold/redeemed/matured		**(82,000)**	(162,000)
Gain (or loss) on disposal		**–**	–
Gain (or loss) on disposal of intangible assets	C1-7		
Carrying amount of intangible assets sold/written off		**–**	(130)
Gain (or loss) on disposal		**–**	(130)
Other (Library Books)			
Carrying amount of Other – Library Books assets disposed		**(61)**	(81)
Gain (or loss) on disposal		**(61)**	(81)
Net gain (or loss) from disposal of assets		**3,632**	(1,779)

Material accounting policy information

Gains and losses on disposals are determined by comparing proceeds with the carrying amount and any revaluation adjustments booked against the asset.

The gain or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer and the asset is de-recognised.

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B5 Performance against budget

B5-1 Material budget variations

Council's original budget was adopted by the Council on 26 June 2024 and is not required to be audited. The original projections on which the budget was based have been affected by a number of factors. These include state and federal government decisions, including new grant programs, changing economic activity, environmental factors, and by decisions made by Council.

While these General Purpose Financial Statements include the original budget adopted by Council, the Act requires Council to review its financial budget on a quarterly basis, so it is able to manage the variation between actuals and budget that invariably occur during the year.

Material variations of more than 10% between original budget and actual results or where the variance is considered material by nature are explained below.

Variation Key: **F** = Favourable budget variation, **U** = Unfavourable budget variation.

$ '000	2025 Budget	2025 Actual	2025 Variance		
Revenues					
Rates and annual charges	181,623	183,719	2,096	1%	F
User charges and fees	20,358	17,220	(3,138)	(15)%	U
The variation mainly comprised of the following: -$1.9m lower than expected income from DA related fees which is recognised on determination -$1.3m anticipated income from Childcare fees following Council decision not to proceed with a CBD facility.					
Other revenues	17,147	13,980	(3,167)	(18)%	U
The variation mainly comprised of lower than expected income from 600 Cowpasture Road operations, including mattress shredding, truck wash and sale of recyclable materials.					
Grants and contributions provided for operating purposes	28,923	21,295	(7,628)	(26)%	U
The variation mainly comprised of the following: -$3.7m shortfall in Financial Assistance Grants income due to reduction in percentage of advance payment from anticipated 85% to 50% -$2.25m PFAS remediation contribution expected from NSW RFS was not received following agreement that Council will not carry out the works.					
Grants and contributions provided for capital purposes	133,705	111,174	(22,531)	(17)%	U
The variation mainly comprised of the following: -$48.0m deferment of income resulting from delay in projects due to unresolved planning and design matters, in particular, Western Sydney Infrastructure Grant funded projects -$7.9m lower than expected s711 developer contributions +$25.0m higher than expected in-kind developer dedicated works +$5.0m new grants and contributions received for various capital projects.					
Interest and investment revenue	14,971	19,217	4,246	28%	F
The variation mainly comprised of higher than expected cash holdings and interest yield from general investments and overdue rates.					
Net gains from disposal of assets	8,500	3,632	(4,868)	(57)%	U
The variation mainly comprised of the following: -$8.4m expected gain from sale of 3 Hoxton Park Road was not realised resulting from Council reversing its previous resolution. -$2.5m reduction in budget adjusting for expected loss on disposal of asset for reporting purposes.					
Other income	9,703	9,989	286	3%	F

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B5-1 Material budget variations (continued)

$ '000	2025 Budget	2025 Actual	2025 Variance		
Expenses					
Employee benefits and on-costs	103,339	107,576	(4,237)	(4)%	U
Materials and services	105,286	101,845	3,441	3%	F
Borrowing costs	10,063	9,452	611	6%	F
Depreciation, amortisation and impairment of non-financial assets	54,007	55,138	(1,131)	(2)%	U
Other expenses	5,979	5,479	500	8%	F
Net losses from disposal of assets	–	–	–	∞	F
Statement of cash flows					
Cash flows from operating activities	155,877	131,341	(24,536)	(16)%	U
The variation is due to lower than expected grant income during the year.					
Cash flows from investing activities	(77,267)	(101,839)	(24,572)	32%	U
The variation is due to higher than expected investments.					
Cash flows from financing activities	(12,374)	(6,768)	5,606	(45)%	F
The variation is due to full drawdown of funds under tranche 2 of 600 Cowpasture Road loan agrement.					

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C Financial position

C1 Assets we manage

C1-1 Cash and cash equivalents

$ '000	2025	2024
Cash assets		
Cash on hand and at bank	**1,789**	9,803
Cash equivalent assets		
– Deposits at call	**113,845**	84,003
– Managed funds	**8,183**	7,277
Total cash and cash equivalents	**123,817**	101,083
Reconciliation of cash and cash equivalents		
Total cash and cash equivalents per Statement of Financial Position	**123,817**	101,083
Balance as per the Statement of Cash Flows	**123,817**	101,083

Material accounting policy information

For Statement of Cash Flow presentation purposes, cash and cash equivalents include cash on hand; deposits held at call with financial institutions; other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value; and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the Statement of Financial Position.

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C1-2 Financial investments

$ '000	2025 Current	2025 Non-current	2024 Current	2024 Non-current
Financial assets at fair value through the profit and loss				
Non-convertible debentures or floating rate notes	**8,006**	**132,816**	22,225	85,954
Mortgage-Backed securities	**–**	**1,772**	–	1,845
Civic Risk Mutual	**–**	**7,978**	–	6,518
Total	**8,006**	**142,566**	22,225	94,317
Financial assets at amortised cost / held to maturity				
Long term deposits	**113,700**	**36,000**	82,000	67,000
Total	**113,700**	**36,000**	82,000	67,000
Total financial investments	**121,706**	**178,566**	104,225	161,317
Total cash assets, cash equivalents and investments	**245,523**	**178,566**	205,308	161,317

Material accounting policy information

Council has an approved Investment Policy to invest in accordance with (and to comply with) section 625 of the *Local Government Act* and section 212 of the *Local Government (General) Regulations 2005*. Investments are placed and managed in accordance with the policy and having regard to authorised investments prescribed under the *Ministerial Local Government Investment Order*. Council maintains its Investment Policy in compliance with the Act and ensures that it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing Council funds.

Council's investment principles as set out in its investment policy is "to maximise returns while paying due consideration to matters of risk, liquidity and security for its investment".

Council amended its policy following revisions to the *Ministerial Local Government Investment Order* (the Order) arising from the Cole Inquiry recommendations. Certain investments the Council holds are no longer prescribed; however, they have been retained under grandfathering provisions of the Order. These will be disposed of when most financially advantageous to Council.

Financial assets
All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

Classification
On initial recognition, Council classifies its financial assets into the following categories – those measured at:
- amortised cost
- fair value through profit and loss (FVTPL)
- fair value through other comprehensive income – equity instrument (FVOCI-equity)

Financial assets are not reclassified subsequent to their initial recognition.

Amortised cost
Assets measured at amortised cost are financial assets where:
- the business model is to hold assets to collect contractual cash flows, and
- the contractual terms give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Council's financial assets measured at amortised cost comprise trade and other receivables, term deposits and cash and cash equivalents in the Statement of Financial Position.

Subsequent to initial recognition, these assets are carried at amortised cost using the effective interest rate method less provision for impairment.

Interest income, impairment and gains or loss on de-recognition are recognised in profit or loss.

Financial assets through profit or loss
All financial assets not classified as measured at amortised cost or fair value through other comprehensive income as described above are measured at fair value through profit or loss.

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C1-2 Financial investments (continued)

Net gains or losses, including any interest or dividend income, are recognised in profit or loss.

Council's financial assets measured at fair value through profit or loss comprise investments in FRNs and NCDs in the Statement of Financial Position.

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C1-3 Restricted and allocated cash, cash equivalents and investments

$ '000	2025	2024
(a) Externally restricted cash, cash equivalents and investments		
Total cash, cash equivalents and investments	**424,089**	366,625
Less: Externally restricted cash, cash equivalents and investments	**(379,666)**	(353,250)
Cash, cash equivalents and investments not subject to external restrictions	**44,423**	13,375
External restrictions		
External restrictions – included in liabilities		
External restrictions included in cash, cash equivalents and investments above comprise:		
Specific purpose unexpended grants – general fund	**50,402**	56,394
External restrictions – included in liabilities	**50,402**	56,394
External restrictions – other		
External restrictions included in cash, cash equivalents and investments above comprise:		
Developer contributions – general	**316,561**	276,763
Specific purpose unexpended grants – Capital	**3,011**	7,506
Domestic waste management	**1,272**	(1,333)
Environmental levy	**6,634**	6,468
Edmondson park reserve (unexpended loan)	**–**	2,992
Specific purpose unexpended grants – Operating	**7**	319
City development fund (previously TIF)	**(2,347)**	(587)
Stormwater management	**584**	1,203
Western Sydney Infrastructure Grants Program	**504**	355
Other contributions reserve	**3,038**	3,170
External restrictions – other	**329,264**	296,856
Total external restrictions	**379,666**	353,250

Cash, cash equivalents and investments subject to external restrictions are those which are only available for specific use by Council due to a restriction placed by legislation or third-party contractual agreement.

Details on externally restricted cash, cash equivalents and investments

Cash, cash equivalents and investments are restricted for prudent financial management purposes as follows:

External Restrictions:

- **Developer contributions** – 100% of cash Developer Contributions levied under Section 7.11 contribution plan, received but not yet expended in accordance with the contributions plan.
- **Unexpended grants** - 100% of cash grants received but not expensed during the year are treated as restricted funds
- **Domestic Waste** - Any cash surplus from operations is held as a restricted asset to fund future capital expenditure or process improvements to the Domestic Waste collection business
- **Stormwater management** – 100% of funds received through the stormwater levy are set aside for various structural and non-structural programs used to reduce urban stormwater pollution. Unspent funds are held as restricted assets.
- **Better Waste and Recycling** – unspent funds received from the NSW Environment Protection Authority (EPA) under Waste Less Recycle More initiative.
- **City Development Fund** (formerly referred to as Town Improvement Fund) – 100% cash collected from this special rate levied on properties within Town Improvement District zone is set aside to fund special projects within the city precinct.

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C1-3 Restricted and allocated cash, cash equivalents and investments (continued)

- **Collingwood House Restoration Works** – contributions collected under a Voluntary Planning Agreement arrangement towards restoration works at Collingwood House.
- **Edmondson Park** – unspent funds at reporting date from borrowings for Edmondson Park and other projects funded from borrowing under the Local Infrastructure Renewals Scheme are set aside to fund specific projects.
- **Environmental levy** – 100% cash collected from ratepayers are set aside to fund initiatives under Council's Environment Restoration Plan.
- **Western Sydney Infrastructure Grants Program** – funds received under NSW Governments WSIG Program and unspent, including interest earned as required under the deed of agreement.

$ '000	2025	2024

(b) Internal allocations

Internal allocations

At 30 June, Council has internally allocated funds to the following:

Loan Reserve	**12,200**	–
Hammondville Pool and precinct reserve	**7,877**	–
Carnes Hill stage 2 precinct development reserve	**4,253**	1,167
Employees leave entitlement	**5,346**	4,672
Insurance reserve	**1,796**	491
Parking strategy reserve	**1,301**	350
General property reserve	**646**	177
National Intermodal Company LTD	**226**	–
Total internal allocations	**33,645**	6,857

Cash, cash equivalents and investments not subject to external restrictions may be internally allocated by resolution or policy of the elected Council.

Details on internally allocated cash, cash equivalents and investments

Internal Allocations:

- **Employee Leave Entitlements** – approximately 20% of the employee leave entitlement provision is set aside to fund extraordinary movements of staff. Normal annual payments of leave entitlements are funded from operating income.
- **General Property** - proceeds from sale of surplus land and buildings set aside for acquisition of other items of property
- **Insurance** – savings on insurance premiums and excess set aside to pay unexpected claims at a future date.
- **Moorebank Voluntary Acquisition** – cash set aside for acquisition of properties on a hazardous floodway alongside the Georges River.
- **Carnes Hill Stage 2** - Proceeds from disposal of 88 Kurrajong Road (DP 1236888) set aside for concept design and planning costs for Carnes Hill Stage 2 development.
- **Parking Strategy** – parking fees revenue collected in the city centre is set aside to fund initiatives that will improve car parking and transport in the CBD.
- **Loan** - unspent funds drawn down from a special purpose loan facility.
- **National Intermodal Ex-Gratia Funds Reserve** – unspent rate-equivalent funds received.

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C1-4 Receivables

$ '000	2025 Current	2025 Non-current	2024 Current	2024 Non-current
Rates and annual charges	12,888	759	14,036	624
Interest and extra charges	1,401	–	982	–
User charges and fees	7,659	–	10,225	–
Accrued revenues				
– Interest on investments	4,207	–	4,125	–
– Other income accruals	1,253	–	990	–
Government grants and subsidies	1,680	–	1,756	–
Net GST receivable	1,111	–	2,581	–
Other debtors	151	20	119	20
Total	**30,350**	**779**	34,814	644
Less: provision for impairment				
User charges and fees	(1,642)	–	(1,401)	–
Total provision for impairment – receivables	**(1,642)**	**–**	(1,401)	–
Total net receivables	**28,708**	**779**	33,413	644
Externally restricted receivables				
Domestic waste management	3,263	–	4,129	–
Town improvement	77	–	161	–
Stormwater management	115	–	188	–
Other				
– Environmental levy	99	–	189	–
Total external restrictions	**3,554**	**–**	4,667	–
Unrestricted receivables	**25,154**	**779**	28,746	644
Total net receivables	**28,708**	**779**	33,413	644

$ '000	2025	2024
Movement in provision for impairment of receivables		
Balance at the beginning of the year	**1,401**	1,134
+ new provisions recognised during the year	**1,538**	1,298
Unused amounts reversed	**(1,297)**	(1,029)
– amounts already provided for and written off this year	**–**	(2)
Balance at the end of the year	**1,642**	1,401

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C1-4 Receivables (continued)

Material accounting policy information

Receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method, less provision for impairment. Receivables are generally due for settlement within 30 days.

Impairment
Impairment of financial assets measured at amortised cost is recognised on an expected credit loss (ECL) basis.

When determining whether the credit risk of a financial asset has increased significantly since initial recognition, and when estimating ECL, the Council considers reasonable and supportable information that is relevant and available without undue cost or effort. This includes both quantitative and qualitative information and analysis based on Council's historical experience and informed credit assessment, and including forward-looking information.

When considering the ECL for rates debtors, Council takes into account that unpaid rates represent a charge against the rateable property that will be recovered when the property is next sold. For non-rates debtors, Council uses the presumption that an asset which is more than 30 days past due has seen a significant increase in credit risk.

The Council uses the presentation that a financial asset is in default when:
- the other party is unlikely to pay its credit obligations to the Council in full, without recourse by the Council to actions such as realising security (if any is held) or
- the financial assets (for non-rates debtors) are more than 90 days past due.

Credit losses are measured as the present value of the difference between the cash flows due to the entity in accordance with the contract, and the cash flows expected to be received. This is applied using a probability weighted approach.

On initial recognition of the asset, an estimate of the expected credit losses for the next 12 months is recognised. Where the asset has experienced significant increase in credit risk then the lifetime losses are estimated and recognised.

Council uses the simplified approach for trade receivables where the expected lifetime credit losses are recognised on day 1.

There has been no change in the estimation techniques or significant assumptions made during the current reporting period.

The Council writes off a trade receivable when there is information indicating that the debtor is in severe financial difficulty and there is no realistic prospect of recovery, e.g. when the debtor has been placed under liquidation or has entered into bankruptcy proceedings, or when the receivables are over 365 days past due, whichever occurs first.

Where the Council renegotiates the terms of receivables due from certain customers, the new expected cash flows are discounted at the original effective interest rate and any resulting difference to the carrying value is recognised in profit or loss.

Rates and annual charges outstanding are secured against the property.

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C1-5 Inventories

$ '000	2025 Current	2025 Non-current	2024 Current	2024 Non-current
(i) Inventories at cost				
Stores and materials	**346**	**–**	285	–
Total inventories at cost	**346**	**–**	285	–
Total inventories	**346**	**–**	285	–

Material accounting policy information

Council stocks common use items and the value of these items is held at cost, adjusted where applicable for any loss of service potential.

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C1-6 Infrastructure, property, plant and equipment

By aggregated asset class	At 1 July 2024			Asset movements during the reporting period								At 30 June 2025		
$ '000	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount	Additions renewals [1]	Additions new assets	Carrying value of disposals	Depreciation expense	WIP transfers	Adjustments and transfers/Reval on Disposals	Revaluation decrements to equity (ARR)	Revaluation increments to equity (ARR)	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount
Capital work in progress	108,277	–	108,277	22,063	44,456	–	–	(41,403)	(12)	–	–	133,381	–	133,381
Plant and equipment	34,839	(20,330)	14,509	–	500	(108)	(3,582)	4,684	–	–	–	37,381	(21,378)	16,003
Office equipment	7,800	(6,438)	1,362	–	–	(8)	(430)	37	(2)	–	–	3,000	(2,041)	959
Furniture and fittings	3,596	(2,859)	737	–	–	(140)	(131)	–	1	–	–	2,317	(1,850)	467
Land:														
– Operational land	408,689	–	408,689	–	–	(53)	–	13,749	–	(2,938)	2,350	421,797	–	421,797
– Community land	410,554	–	410,554	–	–	(3,789)	–	771	–	(4,707)	21,282	424,111	–	424,111
– Crown land	49,976	–	49,976	–	–	–	–	–	–	(904)	884	49,956	–	49,956
– Land under roads (post 30/6/08)	72,614	–	72,614	–	2,385	–	–	–	–	–	15,372	90,371	–	90,371
Land improvements – non-depreciable	23,619	–	23,619	–	–	–	–	883	1	–	–	24,503	–	24,503
Land improvements – depreciable	342	(72)	270	–	–	–	(5)	–	(1)	–	–	341	(77)	264
Infrastructure:														
– Roads	2,074,741	(556,609)	1,518,132	1,160	16,222	(800)	(24,333)	10,405	–	–	38,928	2,154,652	(594,938)	1,559,714
– Other structures	8,997	(1,829)	7,168	8	–	–	(318)	616	–	–	194	9,871	(2,203)	7,668
– Stormwater drainage	887,440	(253,889)	633,551	799	12,618	–	(7,180)	53	–	–	16,636	924,334	(267,857)	656,477
– Buildings – non-specialised	593,408	(115,321)	478,087	1,160	–	(18)	(9,174)	700	–	–	18,661	619,088	(129,672)	489,416
– Other open space/recreational assets	127,189	(30,656)	96,533	2,609	–	(22)	(4,814)	3,734	–	–	2,535	136,946	(36,371)	100,575
Other assets:														
– Heritage collections	1,654	(1,617)	37	–	–	–	(61)	5,115	1	–	–	6,770	(1,678)	5,092
– Library books	4,591	(3,074)	1,517	–	–	(61)	(557)	656	–	–	–	4,710	(3,155)	1,555
Total infrastructure, property, plant and equipment	4,818,326	(992,694)	3,825,632	27,799	76,181	(4,999)	(50,585)	–	(12)	(8,549)	116,842	5,043,529	(1,061,220)	3,982,309

(1) Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets).

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C1-6 Infrastructure, property, plant and equipment (continued)

By aggregated asset class	At 1 July 2023			Asset movements during the reporting period								At 30 June 2024		
$ '000	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount	Additions renewals [1]	Additions new assets	Carrying value of disposals	Depreciation expense	WIP transfers	Adjustments and transfers/Reval on Disposals	Restated Revaluation decrements to equity (ARR)	Restated Revaluation movement to equity (ARR)	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount
Capital work in progress	262,424	–	262,424	–	171,527	–	–	(325,674)	–	–	–	108,277	–	108,277
Plant and equipment	32,089	(18,446)	13,643	–	560	(175)	(3,310)	3,791	–	–	–	34,839	(20,330)	14,509
Office equipment	8,351	(6,565)	1,786	–	–	(35)	(603)	214	–	–	–	7,800	(6,438)	1,362
Furniture and fittings	3,576	(2,761)	815	–	–	(8)	(140)	70	–	–	–	3,596	(2,859)	737
Land:														
– Operational land	363,777	–	363,777	289	435	–	–	45,338	–	(1,150)	–	408,689	–	408,689
– Community land	405,332	–	405,332	–	306	(42)	–	28,359	–	(23,401)	–	410,554	–	410,554
– Crown land	51,537	–	51,537	–	–	(443)	–	(1)	–	(1,117)	–	49,976	–	49,976
– Land under roads (post 30/6/08)	69,470	–	69,470	–	3,082	–	–	1,061	–	(999)	–	72,614	–	72,614
Land improvements – non-depreciable	19,043	–	19,043	–	–	–	–	4,576	–	–	–	23,619	–	23,619
Land improvements – depreciable	342	(66)	276	–	–	–	(5)	(1)	–	–	–	342	(72)	270
Infrastructure: [2]														
– Buildings – non-specialised	353,422	(103,621)	249,801	1,559	–	–	(7,383)	224,393	–	–	9,717	593,408	(115,321)	478,087
– Other structures	8,240	(1,436)	6,804	–	–	–	(298)	295	–	–	367	8,997	(1,829)	7,168
– Roads	1,936,996	(507,941)	1,429,055	8,371	22,497	(2,669)	(23,012)	5,995	1,070	(1,070)	77,895	2,074,741	(556,609)	1,518,132
– Stormwater drainage	822,427	(234,158)	588,269	55	13,152	–	(6,723)	6,339	–	–	32,459	887,440	(253,889)	633,551
– Other open space/recreational assets	114,945	(25,616)	89,329	1,632	–	(344)	(3,660)	4,630	107	(107)	4,946	127,189	(30,656)	96,533
Other assets:														
– Heritage collections	1,654	(1,581)	73	–	–	–	(36)	–	–	–	–	1,654	(1,617)	37
– Library books	4,611	(3,096)	1,515	–	–	(81)	(532)	615	–	–	–	4,591	(3,074)	1,517
Total infrastructure, property, plant and equipment	4,458,236	(905,287)	3,552,949	11,906	211,559	(3,797)	(45,702)	–	1,177	(27,844)	125,384	4,818,326	(992,694)	3,825,632

(1) Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets).

(2) Refer to Note G4-2 for more details on restated Infrastructure figures.

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C1-6 Infrastructure, property, plant and equipment (continued)

Material accounting policy information

(i) Acquisition of assets

Council's non-current assets are progressively revalued (over a 5-year period) in accordance with the fair valuation policy as mandated by the Office of Local Government within the Department of Planning, Industry and Environment.
At reporting date, the following classes of infrastructure, property, plant and equipment were stated at their fair value:
- Plant and equipment (as approximated by depreciated historical cost)
- Office equipment (as approximated by depreciated historical cost)
- Furniture & Fittings (as approximated by depreciated historical cost)
- Operational land: unrestricted (external valuation)
- Operational land: zoned with restrictions (external valuation)
- Community land (external valuation)
- Land under roads: post 30 June 2008 - (Internal valuation)
- Land improvements (as approximated by depreciated historical cost)
- Buildings – specialised/non-specialised (internal and external valuation)
- Other structures (Internal and external valuation)
- Road assets - roads, bridges and footpaths (Internal and external valuation)
- Bulk earthworks (Internal and external valuation)
- Drainage assets (Internal and external valuation)
- Other open space/recreational assets (Internal and external valuation)
- Other assets (as approximated by depreciated historical cost)

(ii) Initial recognition

On initial recognition, an asset's cost is measured at its fair value, plus all expenditure that is directly attributable to the acquisition. Where infrastructure, property, plant and equipment assets are acquired for no cost or for an amount other than cost, the assets are recognised in the financial statements at their fair value at acquisition date – being the amount that the asset could have been exchanged between knowledgeable willing parties in an arm's length transaction.

(iii) Subsequent costs

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to Council and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

(iv) Asset revaluations (including indexation)
IPP&E are held at fair value. In accounting for asset revaluations relating to infrastructure, property, plant and equipment
- increases in the combined carrying amounts of asset classes arising on revaluation are credited to the asset revaluation reserve,
- to the extent that a net asset class increase reverses a decrease previously recognised via the profit or loss, then increase is first recognised in profit or loss,
- net decreases that reverse previous increases of the same asset class are first charged against revaluation reserves directly in equity to the extent of the remaining reserve attributable to the asset, with all other decreases charged to the Income Statement.

At each reporting period, Council assesses whether there is any indication that carrying amount of assets may differ materially from current fair value. If any such indication exists, Council determines the asset's fair value and revalue the asset to that amount.
Comprehensive revaluations are undertaken for each asset class based upon their revaluation cycle. In between the revaluation cycle years, Council use producer price index to adjust the carrying amounts all assets. Below table explains each asset class revaluation cycle details.

Asset Class	Revaluation Cycle	Last Revaluation	Forthcoming Revaluation
Roads, bridges, footpaths, drainage, bulk earth works, other road assets	4 years (in line with council's Asset Management Plan)	30th June 2023	30th June 2027
Other structures, Other Open Space/recreational assets	4 years (in line with council's Asset Management Plan)	30th June 2023	30th June 2027
Land under roads	5 years	30th June 2023	30th June 2028
Community land	3 years (in line with VG's Valuation report)	30th June 2023	30th June 2026
Crown Land	5 years	30th June 2023	30th June 2028
Operational Land & Buildings	4 years (in line with council's Asset Management Plan)	30th June 2022	30th June 2026

(v) Capitalisation thresholds

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C1-6 Infrastructure, property, plant and equipment (continued)

Items of infrastructure, property, plant and equipment costing in excess of $1000 are capitalised.

(vi) Depreciation

Depreciation on Council's infrastructure, property, plant and equipment assets is initially calculated using their design lives tabulated below and allocated on a straight-line method. Land is not depreciated.

Plant and equipment	5 to 10 years
Office equipment	5 to 10 years
Furniture & Fittings	5 to 10 years
Land improvements	100 years
Buildings	20 to 100 years
Other structures/Open Space	5 to 100 years
Bridges	40 to 100 years
Road assets	20 to 200 years
Channels	100 years
Culverts	40 to 100 years
Pipes	80 to 150 years
GPT	90 to 150 years
Pits	80 to 150 years
Bulk earthworks	Infinite
Car Parks	20 to 200 years
Kerbs	100 to 150 years
Pathways	20 to 70 years
Bus shelter/stops	20 to 50 years
Retaining Walls	40 to 80 years
Traffic Managment Devices	20 to 100 years
Other Assets	5 to 20 years

All asset useful lives are reviewed and adjusted (if appropriate) at each reporting date. An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount - refer note C1-6 on asset impairment.

(vii) Disposal and derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal. Any gain or loss arising on derecognition of the asset (calculated as the difference between the net disposal proceeds and the carrying amount of the asset) is included in Council's Income Statement in the year the asset is derecognised.

(viii) Dedicated Assets

Section 7.4 of the *Environmental Planning and Assessment Act 1979 (NSW)* provides NSW Councils a legal framework to enter into planning agreements. These are voluntary agreements where the developer may dedicate land, pay monetary contributions, or provide a material public benefit (or a combination of these) which the council must then apply toward a public purpose. These assets are valued at asset replacement unit rates. The value of such assets received during the reporting year is included in the Income Statement as "Grants & Contributions provided for capital purposes" and forms part of Council's asset base at reporting date.

(ix) Land

Land (other than land under roads) is in accordance with Part 2 of Chapter 6 of the *Local Government Act (1993)* classified as either operational or community.

Land under roads

Land under roads is land under roadways and road reserves including land under footpaths, nature strips and median strips.

Council has elected not to recognise land under roads acquired before 1 July 2008 in accordance with AASB 1051 Land Under Roads.

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C1-6 Infrastructure, property, plant and equipment (continued)

Land under roads acquired after 1 July 2008 is recognised in accordance with AASB 116 Property, Plant and Equipment.

Council uses average unit value of the land within council area to value land under roads. Land value is determined by the Valuer General and discounted by 90% using Englobo method to reflect the restricted use of land under roads.

The value of land under roads dedicated to Council in the current year is included in Income Statement as "Grants & Contributions provided for Capital Purposes" and forms part of Council's asset base at reporting date.

Crown reserves

Crown reserves under Council's care and control are recognised as assets of the council.

While ownership of the reserves remains with the Crown, Council retains operational control of the reserves and is responsible for their maintenance and use in accordance with the specific purposes to which the reserves are dedicated.

Improvements on Crown reserves are also recorded as assets, while maintenance costs incurred by Council and revenues relating to the reserves are recognised within Council's Income Statement.

Impairment of assets

All Council's I,PP&E is subject to an annual assessment of impairment.

Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable.

An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount.

The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

Where an asset is not held principally for cash- generating purposes (for example infrastructure assets) and would be replaced if the Council was deprived of it, then depreciated replacement cost is used as value in use, otherwise value in use is estimated by using a discounted cash flow model.

Rural Fire Service assets

Under section 119 of the *Rural Fires Act 1997*, 'all material firefighting equipment purchased or constructed wholly or from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the firefighting equipment has been purchased or constructed'.

LCC has assessed the RFS material firefighting equipment that are vested under its control and recognised the carrying value of those assets in its financial statements

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C1-7 Intangible assets

Intangible assets are as follows:

$ '000	2025	2024
Software		
Opening values at 1 July		
Gross book value	**3,235**	3,454
Accumulated amortisation	**(1,637)**	(1,722)
Net book value – opening balance	**1,598**	1,732
Movements for the year		
Other movements	**(69)**	830
Purchases	**750**	132
Amortisation charges	**(388)**	(441)
Gross book value written off	**(377)**	(655)
Closing values at 30 June		
Gross book value	**3,163**	3,235
Accumulated amortisation	**(1,649)**	(1,637)
Total software – net book value	**1,514**	1,598
Total intangible assets – net book value	**1,514**	1,598

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Material accounting policy information

Costs incurred in developing products or systems and costs incurred in acquiring software and licenses that will contribute to future period financial benefits through revenue generation and/or cost reduction are capitalised to software and systems. Costs capitalised include external direct costs of materials and service, direct payroll, and payroll related costs of employees' time spent on the project. Amortisation is calculated on a straight-line basis over periods generally ranging from three to five years.

IT development costs include only those costs directly attributable to the development phase and are only recognised following completion of technical feasibility, and where Council has an intention and ability to use the asset.

C2 Leasing activities

C2-1 Council as a lessee

Council has leases over a range of assets including land and buildings, vehicles, machinery, office & IT equipment. Information relating to the leases in place and associated balances and transactions is provided below.

Buildings
Council leases land and buildings for their corporate offices and other buildings; the leases are generally between 2 and 7 years and some of them include a renewal option to allow Council to renew for up to twice the noncancellable lease term at their discretion.

The building leases contains an annual pricing mechanism based on either fixed increases or CPI movements at each anniversary of the lease inception.

Vehicles
Council leases vehicles and equipment with lease terms varying from 2 to 3 years; the lease payments are fixed during the lease term and renewal options are at council's discretion.

Office and IT equipment
Leases for office and IT equipment are generally for low value assets, except for significant items such as photocopiers. The leases are for between 3 and 4 years, renewal options are at council's discretion. Payments are fixed, however some of the leases include variable payments based on usage.

Plant and Equipment
Council leases plant and equipment with lease terms varying from 2 to 7 years; the lease payments are fixed during the lease term and renewal options are at council's discretion.

Other
Council leases the Preschool at Edmondson Park under a 25 year lease, where both land and building will remain property of Department of Education. Payments are fixed, however Council contributed funding towards planning, design and construction costs of the development.

Extension options
Council includes options in the building leases to provide flexibility and certainty to Council operations and reduce costs of moving premises; and the extension options are at Council's discretion.

At commencement date and each subsequent reporting date, Council assesses where it is reasonably certain that the extension options will be exercised.

There are no potential future lease payments which are not included in lease liabilities as Council has assessed that the exercise of the option is not reasonably certain.

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C2-1 Council as a lessee (continued)

(a) Right of use assets

$ '000	Plant and Equipment	Vehicles	Land and Buildings	Office and IT Equipment	Other	Total
2025						
Opening balance at 1 July	**4,681**	**1,614**	**1,816**	**–**	**1,212**	**9,323**
Additions	**–**	**2,467**	**14**	**42**	**–**	**2,523**
Depreciation charge	**(1,170)**	**(1,790)**	**(1,114)**	**(41)**	**(50)**	**(4,165)**
Other movement	**–**	**–**	**–**	**–**	**–**	**–**
Balance at 30 June	**3,511**	**2,291**	**716**	**1**	**1,162**	**7,681**
2024						
Opening balance at 1 July	5,853	952	2,899	1	–	9,705
Additions	–	1,719	28	42	1,259	3,048
Depreciation charge	(1,173)	(1,051)	(1,111)	(43)	(47)	(3,425)
Other movement	1	(6)	–	–	–	(5)
Balance at 30 June	4,681	1,614	1,816	–	1,212	9,323

(b) Lease liabilities

$ '000	2025 Current	2025 Non-current	2024 Current	2024 Non-current
Lease liabilities	**3,196**	**5,349**	3,317	6,561
Total lease liabilities	**3,196**	**5,349**	3,317	6,561

The maturity analysis of lease liabilities based on contractual undiscounted cash flows is shown in the table below:

$ '000	< 1 year	1 – 5 years	> 5 years	Total	Total per Statement of Financial Position
2025					
Cash flows	**3,465**	**4,541**	**956**	**8,962**	**8,545**
2024					
Cash flows	3,595	5,832	1,007	10,434	9,878

(c) Income Statement

The amounts recognised in the Income Statement relating to leases where Council is a lessee are shown below:

$ '000	Notes	2025	2024
Interest on lease liabilities	B3-3	**392**	381
Depreciation of right of use assets	B3-4	**4,165**	3,425
Expenses relating to leases of low-value assets	B3-2	**1,610**	1,696
		6,167	5,502

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C2-1 Council as a lessee (continued)

(d) Statement of Cash Flows

$ '000	2025	2024
Total cash outflow for leases	**5,854**	5,382
	5,854	5,382

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C2-1 Council as a lessee (continued)

Material accounting policy information

At inception of a contract, Council assesses whether a lease exists – i.e. does the contract convey the right to control the use of an identified asset for a period of time in exchange for consideration?

Council has elected not to separate non-lease components from lease components for any class of asset and has accounted for payments as a single component.

At the lease commencement, Council recognises a right-of-use asset and associated lease liability for the lease term. The lease term includes extension periods where Council believes it is reasonably certain that the option will be exercised.

The right-of-use asset is measured using the cost model where cost on initial recognition comprises: the lease liability, initial direct costs, prepaid lease payments, estimated cost of removal and restoration, less any lease incentives received. The right-of-use is depreciated over the lease term on a straight-line basis and assessed for impairment in accordance with the impairment of asset accounting policy.

The lease liability is initially recognised at the present value of the remaining lease payments at the commencement of the lease. The discount rate is the rate implicit in the lease, however where this cannot be readily determined then the Council's incremental borrowing rate for a similar term with similar security is used.

Subsequent to initial recognition, the lease liability is measured at amortised cost using the effective interest rate method. The lease liability is re-measured when there is a lease modification or, change in estimate of the lease term or index upon which the lease payments are based (e.g. CPI).

Where the lease liability is re-measured, the right-of-use asset is adjusted to reflect the re-measurement.

Exceptions to lease accounting
Council has applied the exceptions to lease accounting for both short-term leases (i.e. leases with a term of less than or equal to 12 months) and leases of low-value assets. Council recognises the payments associated with these leases as an expense on a straight-line basis over the lease term.

Leases at significantly below market value / concessionary leases
Council has elected to measure the right of use asset arising from the concessionary leases at cost which is based on the associated lease liability at initial recognition.

C2-2 Council as a lessor

Operating leases

Council leases out a number of properties and /or plant and equipment to community groups; these leases have been classified as operating leases for financial reporting purposes and the assets are included in the Statement of Financial Position as:

– property, plant and equipment – where the rental is incidental, or the asset is held to meet Councils service delivery objective (refer note C1-6).

$ '000	2025	2024
(i) Assets held as property, plant and equipment		
Details of the PPE leases Council provides operating leases on Council buildings for the purpose of rent, the table below relates to operating leases on assets disclosed in C1-6.		
Lease income relating to variable lease payments not dependent on an index or a rate	**6,076**	4,050
Other Lease Income		
Leaseback Fees - Council Vehicles	**878**	783
Total income relating to operating leases for Council assets	**6,954**	4,833

(ii) Maturity analysis of undiscounted lease payments to be received after reporting date for all operating leases:

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C2-2 Council as a lessor (continued)

$ '000	2025	2024
Maturity analysis of future lease income receivable showing the undiscounted lease payments to be received after reporting date for operating leases:		
< 1 year	**1,471**	–

Material accounting policy information

When Council is a lessor, the lease is classified as either an operating or finance lease at inception date, based on whether substantially all of the risks and rewards incidental to ownership of the asset have been transferred to the lessee. If the risks and rewards have been transferred then the lease is classified as a finance lease, otherwise it is an operating lease.

When Council has a sub-lease over an asset and is the intermediate lessor then the head lease and sub-lease are accounted for separately. The classification of the sub-lease is based on the right-of-use asset which arises from the head lease rather than the useful life of the underlying asset.

If the lease contains lease and non-lease components, the non-lease components are accounted for in accordance with AASB 15 *Revenue from Contracts with Customers.*

The lease income is recognised on a straight-line basis over the lease term for an operating lease.

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C3 Liabilities of Council

C3-1 Payables

$ '000	2025 Current	2025 Non-current	2024 Current	2024 Non-current
Payables				
Goods and services – operating expenditure	**11,964**	**–**	7,766	–
Accrued expenses:				
– Borrowings	**1,137**	**–**	1,150	–
– Other expenditure accruals	**5,550**	**–**	6,817	–
Advances	**99**	**–**	25	–
Security bonds, deposits and retentions	**8,670**	**10,886**	5,166	11,893
Prepaid rates	**2,310**	**–**	1,962	–
Total payables	**29,730**	**10,886**	22,886	11,893
Income received in advance				
Payments received in advance	**1**	**1,581**	28	1,342
Total income received in advance	**1**	**1,581**	28	1,342
Total payables	**29,731**	**12,467**	22,914	13,235

Payables relating to restricted assets

$ '000	2025 Current	2025 Non-current	2024 Current	2024 Non-current
Externally restricted assets				
Domestic waste management	**1,320**	**–**	2,444	–
Payables relating to externally restricted assets	**1,320**	**–**	2,444	–
Total payables relating to restricted assets	**1,320**	**–**	2,444	–
Total payables relating to unrestricted assets	**28,411**	**12,467**	20,470	13,235
Total payables	**29,731**	**12,467**	22,914	13,235

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C3-1 Payables (continued)

Current payables not anticipated to be settled within the next twelve months

$ '000	2025	2024
The following liabilities, even though classified as current, are not expected to be settled in the next 12 months.		
Payables – security bonds, deposits and retentions	**4,445**	878
Total payables	**4,445**	878

Material accounting policy information

Council measures all financial liabilities initially at fair value less transaction costs, subsequently financial liabilities are measured at amortised cost using the effective interest rate method.

The financial liabilities of the Council comprise trade payables, bank and other loans and finance lease liabilities.

These amounts represent liabilities for goods and services provided to the council prior to the end of financial year that are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

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C3-2 Contract Liabilities

$ '000	Notes	2025 Current	2025 Non-current	2024 Current	2024 Non-current
Grants and contributions received in advance:					
Unexpended capital grants (to construct Council controlled assets)	(i)	**18,753**	**28,412**	50,196	4,738
Unexpended operating grants (received prior to performance obligation being satisfied)	(ii)	**3,980**	**168**	1,814	–
Unexpended operating contributions (received prior to performance obligation being satisfied)	(ii)	**872**	**–**	1,512	–
Total grants received in advance		**23,605**	**28,580**	53,522	4,738
User fees and charges received in advance:					
Other		**4,331**	**–**	3,996	28
Total user fees and charges received in advance		**4,331**	**–**	3,996	28
Total contract liabilities		**27,936**	**28,580**	57,518	4,766

Notes

(i) Council has received funding to construct assets including sporting facilities, bridges, library and other infrastructure. The funds received are under an enforceable contract which require Council to construct an identified asset which will be under Council's control on completion. The revenue is recognised as Council constructs the asset and the contract liability reflects the funding received which cannot yet be recognised as revenue. The revenue is expected to be recognised in the next 12 months.

(ii) The contract liability relates to grants received prior to the revenue recognition criteria in AASB 15 being satisfied since the performance obligations are ongoing.

Significant changes in contract liabilities

The contract liabilities have arisen on adoption of AASB 15 and AASB 1058. Previously income received in advance was recognised for reciprocal contracts. The increase in a contract liability is primarily due to grants in the scope of AASB 15 and capital grants received by Council to acquire or construct assets which will be under Council's control. Previously, revenue was recognised on receipt of the funds.

Material accounting policy information

Contract liabilities are recorded when consideration is received from a customer / fund provider prior to Council transferring a good or service to the customer, Council presents the funds which exceed revenue recognised as a contract liability.

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C3-3 Borrowings

$ '000	2025 Current	2025 Non-current	2024 Current	2024 Non-current
Loans – secured [1]	**15,012**	**198,686**	15,445	201,165
Total borrowings	**15,012**	**198,686**	15,445	201,165

(1) Loans are secured over the general rating income of Council.
Disclosures on liability interest rate risk exposures, fair value disclosures and security can be found in Note E1-1.

Borrowings relating to restricted assets

$ '000	2025 Current	2025 Non-current	2024 Current	2024 Non-current
Externally restricted assets				
City Development Fund Reserve	**590**	**–**	1,154	593
Domestic Waste Management Reserve	**596**	**18,318**	564	18,915
Borrowings relating to externally restricted assets	**1,186**	**18,318**	1,718	19,508
Total borrowings relating to restricted assets	**1,186**	**18,318**	1,718	19,508
Total borrowings relating to unrestricted assets	**13,826**	**180,368**	13,727	181,657
Total borrowings	**15,012**	**198,686**	15,445	201,165

Current borrowings not anticipated to be settled within the next twelve months

The following borrowings, even though classified as current, are not expected to be settled in the next 12 months.

(a) Changes in liabilities arising from financing activities

	2024		Non-cash movements				2025
$ '000	Opening Balance	Cash flows	Acquisition	Fair value changes	Acquisition due to change in accounting policy	Other non-cash movement	Closing balance
Loans – secured	216,610	**(2,912)**	**–**	**–**	**–**	**–**	**213,698**
Lease liability (Note C2-1)	9,878	**(1,333)**	**–**	**–**	**–**	**–**	**8,545**
Total liabilities from financing activities	226,488	**(4,245)**	**–**	**–**	**–**	**–**	**222,243**

	2023		Non-cash movements				2024
$ '000	Opening Balance	Cash flows	Acquisition	Fair value changes	Acquisition due to change in accounting policy	Other non-cash movement	Closing balance
Loans – secured	208,800	7,810	–	–	–	–	216,610
Lease liability (Note C2-1)	10,136	(258)	–	–	–	–	9,878
Total liabilities from financing activities	218,936	7,552	–	–	–	–	226,488

(b) Financing arrangements

$ '000	2025	2024
Total facilities		

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C3-3 Borrowings (continued)

$ '000	2025	2024
Total financing facilities available to Council at the reporting date are:		
Bank overdraft facilities	–	500
Credit cards/purchase cards	560	560
Standby credit facilities	–	3,500
Bank Guarantees	5,000	5,000
Total financing arrangements	**5,560**	9,560
Drawn facilities		
Financing facilities drawn down at the reporting date are:		
– Credit cards/purchase cards	18	14
– Bank Guarantees	4,295	4,295
Total drawn financing arrangements	**4,313**	4,309
Undrawn facilities		
Undrawn financing facilities available to Council at the reporting date are:		
– Bank overdraft facilities	–	500
– Credit cards/purchase cards	542	546
– Standby credit facilities	–	3,500
– Bank Guarantees	705	705
Total undrawn financing arrangements	**1,247**	5,251

Breaches and defaults
During the current and prior year, there were no defaults or breaches on any of the loan terms and conditions, including repayments

Security over loans
In accordance with Section 229 of the *Local Government (General) Regulation 2005, (NSW)*, all loans are secured as a charge of Council's general income.

Bank overdrafts
In prior years, Council maintained contingency overdraft and standby credit facilities which were not utilised. A review of transactional banking arrangements identified limited value in retaining these facilities, and management accordingly resolved to cancel them to reduce unnecessary costs and streamline banking operations.

Material accounting policy information

Borrowings are initially recognised at fair value, net of transaction costs incurred. Borrowings are subsequently measured at amortised cost. Any difference between the proceeds (net of transaction costs) and the redemption amount is recognised in the Income Statement over the period of the borrowings using the effective-interest method. Fees paid on the establishment of loan facilities are recognised as transaction costs of the loan to the extent that it is probable that some or all of the facility will be drawn down. In this case, the fee is deferred until the drawdown occurs. To the extent that there is no evidence that it is probable that some or all of the facility will be drawn down, the fee is capitalised as a prepayment for liquidity services and amortised over the period of the facility to which it relates.

Borrowings are removed from the Statement of Financial Position when the obligation specified in the contract is discharged, cancelled or expired. The difference between the carrying amount of a financial liability that has been extinguished or transferred to another party and the consideration paid, including any non-cash assets transferred or liabilities assumed, is recognised in other income or finance cost.

Borrowings are classified as current liabilities unless Council has an unconditional right to defer settlement of the liability for at least 12 months after the reporting date.

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C3-4 Employee benefit provisions

$ '000	2025 Current	2025 Non-current	2024 Current	2024 Non-current
Annual leave	**7,974**	**–**	7,942	–
Sick leave	**119**	**–**	115	–
Long service leave	**13,716**	**1,032**	12,810	964
Other leave	**3,888**	**–**	1,530	–
Total employee benefit provisions	**25,697**	**1,032**	22,397	964

Current employee benefit provisions not anticipated to be settled within the next twelve months

$ '000	2025	2024
The following provisions, even though classified as current, are not expected to be settled in the next 12 months.		
Provisions – employee's benefits	**19,114**	15,965
	19,114	15,965

Description of and movements in non-employee benefit provisions

Material accounting policy information

Employee benefit provisions are presented as current liabilities in the Statement of Financial Position if Council does not have an unconditional right to defer settlement for at least 12 months after the reporting date, regardless of when the actual settlement is expected to occur and therefore all annual leave and vested long service leave (or that which vests within 12 months) is presented as current.

Short-term obligations
Liabilities for wages and salaries (including non-monetary benefits, annual leave and accumulating sick leave expected to be wholly settled within 12 months after the end of the period in which the employees render the related service) are recognised in respect of employees' services up to the end of the reporting period and are measured at the amounts expected to be paid when the liabilities are settled. The liability for annual leave and accumulating sick leave is recognised in the provision for employee benefits. All other short-term employee benefit obligations are presented as payables.

Other long-term employee benefit obligations
The liability for long-service leave and annual leave that is not expected to be wholly settled within 12 months after the end of the period in which the employees render the related service is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

On-costs
The employee benefit provisions include the aggregate on-cost liabilities that will arise when payment of current employee benefits is made in future periods.

These amounts include superannuation, payroll tax and workers compensation expenses which will be payable upon the future payment of certain leave liabilities which employees are entitled to at the reporting period.

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C3-5 Provisions

$ '000	2025 Current	2025 Non-Current	2024 Current	2024 Non-Current
Other provisions				
Self-insurance – workers compensation	**1,218**	**2,883**	1,175	2,350
Other	**4,749**	**–**	2,367	–
Sub-total – other provisions	**5,967**	**2,883**	3,542	2,350
Asset remediation/restoration:				
Asset remediation/restoration (future works)	**2,783**	**–**	3,549	–
Site Contamination	**477**	**–**	1,550	–
Sub-total – asset remediation/restoration	**3,260**	**–**	5,099	–
Total provisions	**9,227**	**2,883**	8,641	2,350
Total provisions relating to unrestricted assets	**9,227**	**2,883**	8,641	2,350
Total provisions	**9,227**	**2,883**	8,641	2,350

Current provisions not anticipated to be settled within the next twelve months

The following provisions, even though classified as current, are not expected to be settled in the next 12 months.

Description of and movements in provisions

	Other provisions			
$ '000	Self insurance	Asset remediation	Other	Total
2025				
At beginning of year	**3,525**	**5,099**	**2,368**	**10,992**
Additional provisions	**576**	**–**	**3,800**	**4,376**
Amounts used (payments)	**–**	**(1,839)**	**(1,419)**	**(3,258)**
Unused amounts reversed	**–**	**–**	**–**	**–**
Total other provisions at end of year	**4,101**	**3,260**	**4,749**	**12,110**
2024				
At beginning of year	2,481	6,641	3,164	12,286
Additional provisions	1,044	–	1,991	3,035
Amounts used (payments)	–	(1,542)	(2,751)	(4,293)
Unused amounts reversed	–	–	(36)	(36)
Total other provisions at end of year	3,525	5,099	2,368	10,992

Nature and purpose of provisions

Hazardous Waste Remediation/Site Contamination
Various sites within the Liverpool LGA were identified as contaminated with hazardous waste and requires appropriate Environment Protection Authority (EPA) approved remediation procedures. Provision is made for estimated costs to carry out identified works.

Self-insurance: Workers Compensation
Council is a licenced self-insurer for the purposes of workers compensation and as such is required to demonstrate to the State Insurance Regulatory Authority (SIRA) its financial viability to meet its outstanding claims liability. Provision for self-insurance is based on annual actuarial valuation. Council engaged Bruce Watson Consulting Pty Ltd to conduct valuation of its outstanding claims liability as at 30 June 2025. The estimated liability is projected based on Council's current and past claims in accordance with SIRA estimation guidelines. Following SIRA's assessment of the actuarial report, Council is also required to provide a bank guarantee as security against its outstanding claims liability – refer Note E3-1.

Other

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C3-5 Provisions (continued)

Council has recognised costs of other known obligations at the end of reporting period, including:

- $2m staff redundancy payments
- $1.3m workers compensation claims
- $0.5m public inquiry expenses

Material accounting policy information

Provisions are recognised when Council has a present legal or constructive obligation as a result of past events, it is probable that an outflow of resources will be required to settle the obligation, and the amount has been reliably estimated.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

Provisions are measured at the present value of management's best estimate of the expenditure required to settle the present obligation at the reporting date. The discount rate used to determine the present value reflects current market assessments of the time value of money and the risks specific to the liability. The increase in the provision due to the passage of time is recognised as interest expense.

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C4 Reserves

C4-1 Nature and purpose of reserves

IPPE Revaluation Surplus
The infrastructure, property, plant and equipment revaluation reserve is used to record increments / decrements of non-current asset values due to their revaluation.

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D Council structure

D1 Interests in other entities

Council has no interest in any controlled entities, joint arrangements or associates.

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E Risks and accounting uncertainties

E1-1 Risks relating to financial instruments held

Council's activities expose it to a variety of financial risks including **(1)** price risk, **(2)** credit risk, **(3)** liquidity risk and **(4)** interest rate risk.

The Council's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the Council.

Council does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by Council's finance section under policies approved by the Council.

A comparison by category of the carrying amounts and fair values of Council's financial assets and financial liabilities recognised in the financial statements is presented below.

$ '000	**Carrying value 2025**	Carrying value 2024	**Fair value 2025**	Fair value 2024
Financial assets				
Measured at amortised cost				
Cash and cash equivalents	**123,817**	101,083	**123,817**	101,083
Receivables	**29,487**	34,057	**29,487**	34,057
Investments				
– Debt securities at amortised cost	**149,700**	149,000	**149,700**	149,000
Fair value through profit and loss				
Investments				
– Held for trading	**150,572**	116,542	**150,572**	116,542
Total financial assets	**453,576**	400,682	**453,576**	400,682
Financial liabilities				
Payables	**40,616**	34,779	**40,616**	34,779
Loans/advances	**213,698**	216,610	**213,698**	216,610
Total financial liabilities	**254,314**	251,389	**254,314**	251,389

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Fair value is determined as follows:

- **Cash** and **cash equivalents, receivables, payables** – are estimated to be the carrying value that approximates market value.
- **Borrowings** and **measure at amortised cost investments** – are based upon estimated future cash flows discounted by the current market interest rates applicable to assets and liabilities with similar risk profiles, unless quoted market prices are available.
- Financial assets classified (i) **at fair value through profit and loss** or (ii) **at fair value through other comprehensive income** – are based upon quoted market prices (in active markets for identical investments) at the reporting date or independent valuation.

Council's objective is to maximise its return on cash and investments whilst maintaining an adequate level of liquidity and preserving capital.

Council's finance area manages the cash and Investments portfolio with the assistance of independent advisors.

Council has an investment policy which complies with the Local Government Act 1993 and Minister's investment order 625. This policy is regularly reviewed by Council and its staff and an investment report are tabled before Council monthly setting out the portfolio breakup and its performance as required by Local Government regulations.

The risks associated with the financial instruments held are:

- **Price risk** – the risk that the capital value of Investments may fluctuate due to changes in market prices, whether there changes are caused by factors specific to individual financial instruments or their issuers or are caused by factors affecting similar instruments traded in a market.
- **Market risk - interest rate risk** – the risk that movements in interest rates could affect returns and income.

E1-1 Risks relating to financial instruments held (continued)

- **Liquidity risk** – the risk that Council will not be able to pay its debts as and when they fall due.
- **Credit risk** – the risk that the investment counterparty will not complete their obligations particular to a financial instrument, resulting in a financial loss to Council – be it of a capital or income nature.

Council manages these risks (amongst other measures) by diversifying its portfolio and only purchasing investments with high credit ratings or capital guarantees.

Council also seeks advice from independent advisers before placing any funds in cash equivalents and investments.

(a) Market risk – interest rate and price risk

$ '000	2025	2024
The impact on the result for the year and equity of a reasonably possible movement in the price of investments held and interest rates is shown below. The reasonably possible movements were determined based on historical movements and economic conditions in place at the reporting date.		
Impact of a 1% movement in interest rates		
– Equity / Income Statement	**2,663**	2,109
Impact of a 10% movement in price of investments		
– Equity / Income Statement	**14,259**	11,002

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E1-1 Risks relating to financial instruments held (continued)

(b) Credit risk

Council's major receivables comprise (i) rates and annual charges and (ii) user charges and fees.

The major risk associated with these receivables is credit risk – the risk that debts due and payable to Council may not be repaid in full.

Council manages this risk by monitoring outstanding debt and employing stringent debt recovery procedures. It also encourages ratepayers to pay their rates by the due date through incentives.

There are no significant concentrations of credit risk other than Council has significant credit risk exposures in its local area given the nature of Council activities.

The level of outstanding receivables is reported to Council monthly and benchmarks are set and monitored for acceptable collection performance.

The maximum exposure to credit risk at the reporting date is the carrying amount of each class of receivable in the financial statements.

Council makes suitable provision for doubtful receivables as required and carries out credit checks on most non-rate debtors.

There are no material receivables that have been subjected to a re-negotiation of repayment terms.

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Credit risk profile

Receivables – rates and annual charges

Credit risk on rates and annual charges is minimised by the ability of Council to secure a charge over the land relating to the debts – that is, the land can be sold to recover the debt. Council is also able to charge interest on overdue rates and annual charges at higher than market rates which further encourages the payment of debt.

$ '000	Not yet overdue	overdue rates and annual charges < 5 years	≥ 5 years	Total
2025				
Gross carrying amount	**–**	**12,888**	**759**	**13,647**
2024				
Gross carrying amount	–	15,017	625	15,642

Receivables - non-rates and annual charges and contract assets

Council applies the simplified approach for non-rates and annual charges debtors and contract assets to provide for expected credit losses, which permits the use of the lifetime expected loss provision at inception. To measure the expected credit losses, non-rates and annual charges debtors and contract assets have been grouped based on shared credit risk characteristics and the days past due.

The loss allowance provision is determined as follows. The expected credit losses incorporate forward-looking information.

$ '000	Not yet overdue	Overdue debts 0 - 30 days	31 - 60 days	61 - 90 days	> 91 days	Total
2025						
Gross carrying amount	**12,642**	**1,191**	**216**	**203**	**3,230**	**17,482**
Expected loss rate (%)	**1.02%**	**3.59%**	**3.28%**	**47.76%**	**39.08%**	**8.80%**
ECL provision	**129**	**43**	**7**	**97**	**1,262**	**1,538**
2024						
Gross carrying amount	13,163	370	369	173	5,741	19,816
Expected loss rate (%)	0.45%	18.45%	15.06%	11.01%	19.08%	6.55%
ECL provision	59	68	56	19	1,095	1,297

E1-1 Risks relating to financial instruments held (continued)

(c) Liquidity risk

Payables, lease liabilities and borrowings are both subject to liquidity risk – the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due.

Council manages this risk by monitoring its cash flow requirements and liquidity levels and maintaining an adequate cash buffer.

Payment terms can (in extenuating circumstances) also be extended and overdraft facilities utilised as required.

Borrowings are also subject to interest rate risk – the risk that movements in interest rates could adversely affect funding costs and debt servicing requirements. Council manages this risk through diversification of borrowing types, maturities and interest rate structures. The finance team regularly reviews interest rate movements to determine if it would be advantageous to refinance or renegotiate part or all of the loan portfolio.

The timing of cash flows presented in the table below to settle financial liabilities reflects the earliest contractual settlement dates. The timing of expected outflows is not expected to be materially different from contracted cashflows.

The amounts disclosed in the table are the undiscounted contracted cash flows for non-lease liabilities (refer to Note C2-1 (b) for lease liabilities) and therefore the balances in the table may not equal the balances in the statement of financial position due to the effect of discounting.

$ '000	Weighted average interest rate	Subject to no maturity	payable in: ≤ 1 Year	1 - 5 Years	> 5 Years	Total cash outflows	Actual carrying values
2025							
Payables	**4.01%**	**21,060**	**8,670**	**10,886**	**–**	**40,616**	**40,616**
Borrowings	**4.01%**	**–**	**15,012**	**80,710**	**117,976**	**213,698**	**213,698**
Total financial liabilities		**21,060**	**23,682**	**91,596**	**117,976**	**254,314**	**254,314**
2024							
Payables	3.87%	17,719	5,167	11,893	–	34,779	34,779
Borrowings	3.87%	–	15,445	80,939	120,226	216,610	216,610
Total financial liabilities		17,719	20,612	92,832	120,226	251,389	251,389

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E2-1 Fair value measurement

The Council measures the following assets and liabilities at fair value on a recurring basis.

- Financial assets - Investments
- Infrastructure, property, plant and equipment

Fair value hierarchy

AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a level in the fair value hierarchy as follows:

Level 1 - Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2 - Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3 - Unobservable inputs for the asset or liability.

The table below shows the assigned level for each asset and liability held at fair value by the Council:

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E2-1 Fair value measurement (continued)

		Fair value measurement hierarchy					
		Level 2 Significant observable inputs		Level 3 Significant unobservable inputs		Total	
$ '000	Notes	**2025**	2024	**2025**	2024	**2025**	2024
Recurring fair value measurements							
Financial assets							
Financial investments	C1-2						
At fair value through profit or loss – designated at fair value on initial recognition		**150,572**	116,538	**–**	–	**150,572**	116,538
Total financial assets		**150,572**	116,538	**–**	–	**150,572**	116,538
Infrastructure, property, plant and equipment	C1-6						
Plant, equipment, furniture and fittings		**–**	–	**–**	–	**–**	–
– Operational land		**–**	–	**421,797**	408,689	**421,797**	408,689
– Community land		**–**	–	**424,111**	410,554	**424,111**	410,554
– Land under roads		**–**	–	**90,371**	72,614	**90,371**	72,614
– Buildings (specialised and non-specialised)		**–**	–	**489,416**	478,087	**489,416**	478,087
– Roads, Bridges & Footpaths		**–**	–	**1,559,714**	1,518,132	**1,559,714**	1,518,132
– Storm water drainage		**–**	–	**656,477**	633,551	**656,477**	633,551
– Other assets		**–**	–	**207,042**	195,728	**207,042**	195,728
Total infrastructure, property, plant and equipment		**–**	–	**3,848,928**	3,717,355	**3,848,928**	3,717,355
Non-recurring fair value measurements							

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E2-1 Fair value measurement (continued)

Valuation techniques

The Council's financial assets relate investments in Floating Rate Notes and Mortgage-Backed Securities. Investments in Floating Rate Notes and Mortgage-Backed Securities are reported at market values. The information included under Note C1-2 for Term Deposits is considered sufficient to meet the Fair Value disclosures requirements.

The Council does not have any liabilities which are fair valued.

Financial Assets - Investments

Investments are measured at Level 2 Inputs.

Investments in Floating Rate Notes and Reverse Back Mortgages are carried at fair value. Level 2 Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

The valuation method used for the reporting year for financial assets listed above is consistent with prior years' measurement techniques.

Infrastructure, property, plant and equipment (IPPE)

Council reported Infrastructure, Property, Plant and Equipment using Level 2 (Significant Observable Inputs) as buildings and operational Land were comprehensively revalued by external valuer as at 30th June 2022 and all the other infrastructure asset classes are comprehensively revalued at 30th June 2023 by an external valuer.

Valuation processes

Council's infrastructure assets (Roads, Drainage, Bridges, Footpath and Parks assets) are annually indexed to reflect their current replacement cost (CRC). The written down value of Plant & Equipment, Office Equipment, Heritage and Library books are considered a close proxy for their fair values therefore are not revalued. A comprehensive revaluation of Infrastructure assets and Buildings, Community, Operational Land and Land under Roads assets is carried out every 3-5 years cycle in accordance with the fair valuation policy as mandated by the Office of Local Government within the Department of Planning, Industry and Environment. Further details of the revaluations policy are provided under note A1-1(l).

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Buildings

The Council engaged external, independent and qualified valuers to determine the fair value of the Council's buildings. Buildings were comprehensively revalued as at 30 June 2022 and the fair values were determined by APV.

APV have used a mix of valuation techniques such as cost and market techniques and various valuation hierarchies that are available under the Fair value measurement hierarchy model.

Land (Operational, Community and Land Under Road)

The Council engaged external, independent and qualified valuers to determine the fair value of Operational Land. Operational land was comprehesively revalued as at 30th June 2022 by APV.

APV have used a mix of valuation techniques such as cost and market techniques and various valuation hierarchies that are available under the Fair value measurement hierarchy model to value Operational Land.
The fair value of Operational land has been determined by referencing it to current prices in an active market for similar properties. Where such information is not available, current prices in an active market for properties of different nature or recent prices of similar properties in less active markets, adjusted to reflect those differences are considered. Appropriate adjustments are also made for the inherent features of the property such as fire-prone, flood zonings and usability of the land.

Community Land is valued using the Valuer General's valuations and Land Under Road (LUR) is valued at the average unit rate derived from Valuer General's (VG) land values discounted by 90%.The fair value for community land has been determined using the Valuer General (VG) land values and appropriate adjustments are also made for decline in value due to contamination

Both Community Land & Land under roads has been comprehensively revalued as at 30th June 2023 using Valuer General's (VG) land values and for LUR it is discounted by 90% uing Englobo method.

Each class of assets for Property Plant and Equipment are revalued on a 3 to 5 year cycle using various methods; Independent external valuation for Building and Operational Land, Valuer General land values for Community Land and Land under Roads,

E2-1 Fair value measurement (continued)

depreciated cost for Plant & Equipment, library books etc. Council uses external indepedent valuer to determine the fair value of Infrastructure assets (Roads, Bridges Drainage & Open Space etc.).

Current use of councils's assets noted above reflects the highest and best use

Valuation techniques used in level 3 measurement:

Class	Valuation Technique(s)	Unobservable Inputs
Plant & Equipment, Office Equipment, Furniture & Fittings	Cost Approach	Current replacement cost of modern equivalent asset, asset condition, useful life and residual value
Operational land	Market approach,Cost approach	Price per sqm & type of usage
Community land	Market approach. Land values obtained from the NSW Valuer-General	Land value, land area, level of restriction
Crown Land	Market approach. Land values obtained from the NSW Valuer-General	Land value, land area, level of restriction
Land under roads	Market approach. Land values obtained from the NSW Valuer-General discounted using Englobo	Extent and impact of use, market cost of land per square metre, restrictions. The market value of land varies significantly depending on the location of the land and current market conditions.
Buildings	Cost Approach	Current replacement cost of modern equivalent asset using componentisation, asset condition, remaining lives, residual value & Unit rates
Other structures	Cost Approach	Current replacement cost of modern equivalent asset using componentisation, asset condition, remaining lives, residual value & Unit rates
Roads (including bridges, footpaths, Kerb & Gutter, bulk earthworks) and other similar assets	Cost Approach	Current replacement cost of modern equivalent asset using componentisation, asset condition, remaining lives, residual value & Unit rates
Stormwater drainage	Cost Approach	Current replacement cost of modern equivalent asset using componentisation, asset condition, remaining lives, residual value & Unit rates
Library Books	Cost Approach	Current replacement cost of modern equivalent asset, asset condition, remaining lives, residual value
Heritage Collections	Cost Approach	Current replacement cost of modern equivalent asset, asset condition, useful life and residual value

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Fair value measurements using significant unobservable inputs (level 3)

A reconciliation of the movements in recurring fair value measurements allocated to Level 3 of the hierarchy by class of assets is provided below:

	Total IPP&E	
$ '000	**2025**	2024
Opening balance	**3,717,355**	2,990,070
Total gains or losses for the period		
Recognised in other comprehensive income – revaluation surplus	**108,293**	97,540
Other movements		
WIP Transfers	**41,403**	376,022
Purchases (GBV)	**37,461**	301,341
Disposals (WDV)	**(4,999)**	(1,916)
Depreciation and impairment	**(50,585)**	(45,702)
Closing balance	**3,848,928**	3,717,355

E3-1 Contingencies

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but their knowledge and disclosure are considered relevant to the users of Council's financial report.

LIABILITIES NOT RECOGNISED

1. Guarantees

- **Civic Risk West and Civic Risk Mutual**

Council is member of Civic Risk West and Civic Risk Mutual schemes (now managed by Civic Risk Mutual Limited) providing insurance to Local Government.

Membership includes the potential to share in either the net assets or liabilities of the fund depending on its past performance. Council's share of the Net Assets and Liabilities reflects Councils contributions to the pool and the result of insurance claims within each of the Fund Years.

The future realisation and finalisation of claims incurred but not reported to 30 June this year may result in future liabilities or benefits as a result of past events that Council will be required to fund or share in respectively.

- **Bank Guarantees**

Workers Compensation Self Insurance

Council is a self-insurer for Workers Compensation and as a condition of its self-insurance license requires either a Term Deposit or Bank Guarantee to be held based on Actuarial Assessment.

Council Actuarial Assessment as at 30 June this year recommended that the current Bank Guarantee of $3.31 million still remains same. At the time of preparing the Annual Financial Statements the actuarial assessment and the recommended increase had not been reviewed and confirmed by State Insurance Regulatory Authority (SIRA).

Sydney Water Corporation

Council undertakes various roadworks in the Liverpool LGA which may, in some instances, require relocating Water mains belonging to Sydney Water Corporation. Prior to commencement of the work Council is required to lodge a bank guarantee or provide a cash bond to Sydney Water Corporation. As at 30 June this year, Sydney Water Corporation held bank guarantees for a total amount of $ 0.688 million issued in its favour by Council bank.

2. Other liabilities

(i) Third party claims

The Council is involved from time to time in various claims incidental to the ordinary course of business including claims for damages relating to its services.

1. Council has identified future claims resulting from its planning and compliance determinations. Council and its legal representatives are working with affected developers and landowners to resolve disagreements and compensation claims. At the time of reporting a reliable estimate of potential liability is not available.
2. Council is continuing to identify sites within the local government area containing hazardous materials which require remediation works. Cost to Council to carry out these works is not known.
3. Council has been notified of Common Law Works Compensation Claim proceedings. Cost of compensation for economic loss due to on-going incapacity to work as a result of the injury at work is not known.
4. Council in collaboration with NSW State Government is participating in Moorebank Voluntary Acquisition Scheme which involves progressive acquisition of 175 properties within the floodway of the Georges River. From 1985 till date Council has purchased 124 properties and 51 properties remain to be purchased to complete the scheme and is currently projected to take another 50 years. The cost of acquisition is shared by the Council (33%) and NSW State Government (67%). All the time of reporting a reliable cost exposure to Council is not available.

(ii) Potential land acquisitions due to planning restrictions imposed by Council

Council has classified a number of privately owned land parcels as Local Open Space or Bushland.

As a result, where notified in writing by the various owners, Council will be required to purchase these land parcels.

At reporting date, reliable estimates as to the value of any potential liability (& subsequent land asset) from such potential acquisitions has not been possible.

ASSETS NOT RECOGNISED

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E3-1 Contingencies (continued)

(i) Land under roads

As permitted under AASB 1051, Council has elected not to bring to account Land under Roads that it owned or controlled up to & including 30 June 2008.

(ii) Infringement notices/fines

Fines & Penalty Income, the result of Council issuing Infringement Notices is followed up and collected by the Infringement Processing Bureau.

Council's revenue Recognition policy for such income at year end is to accrue a percentage of outstanding notices based on history or actual fines.

(iii) American Express Corporate Card Reward Points

Council earns reward points on its American Express Corporate Card Program and is only available for redemption for business travel and accommodation purposes. The value of points redeemed during the year is recognised as notional income and expenditure. At the end of reporting period, Council had accrued balance of 33.23 million points with an estimated value of $ 0.17 million which was not recognised as an asset.

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F People and relationships

F1 Related party disclosures

F1-1 Key management personnel (KMP)

The aggregate amount of KMP compensation included in the Income Statement is:

$ '000	2025	2024
Compensation:		
Short-term benefits	**3,718**	3,865
Post-employment benefits (Superannuation)	**316**	307
Other long-term benefits	**41**	45
Termination benefits	**10**	350
Total	**4,085**	4,567

(b) Other transactions with KMP and their related parties/entities

Council has determined that there were no material transactions at arm's length with KMP and their related parties as part of Council delivering a public service objective (e.g. access to library or Council swimming pool by KMP).

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F1-2 Councillor and Mayoral fees and associated expenses

$ '000	2025	2024
The aggregate amount of Councillor and Mayoral fees and associated expenses included in materials and services expenses in the Income Statement are:		
Councillors' fees	**345**	341
Mayoral fee	**99**	95
Other Councillors' expenses (including Mayor)	**138**	115
Total	**582**	551

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F2 Other relationships

F2-1 Audit fees

$ '000	2025	2024
During the year, the following fees were incurred for services provided by the auditor of Council, related practices and non-related audit firms		
Auditors of the Council - NSW Auditor-General:		
Audit and other assurance services		
Audit and review of financial statements	**231**	240
Remuneration for audit and other assurance services	**231**	240
Total Auditor-General remuneration	**231**	240
Total audit fees	**231**	240

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G Other matters

G1-1 Statement of Cash Flows information

(a) Reconciliation of Operating Result

$ '000	2025	2024
Net operating result from Income Statement	**100,736**	94,441
Add / (less) non-cash items:		
Depreciation and amortisation	**55,138**	49,568
(Gain) / loss on disposal of assets	**(3,632)**	1,779
Non-cash capital grants and contributions	**(32,529)**	(40,643)
Losses/(gains) recognised on fair value re-measurements through the P&L:		
– Investments classified as 'at fair value' or 'held for trading'	**(3,035)**	(1,551)
Movements in operating assets and liabilities and other cash items:		
(Increase) / decrease of receivables	**4,329**	(3,255)
Increase / (decrease) in provision for impairment of receivables	**241**	267
(Increase) / decrease of inventories	**(61)**	18
(Increase) / decrease of other current assets	**(1,646)**	(693)
Increase / (decrease) in payables	**4,198**	(1,548)
Increase / (decrease) in accrued interest payable	**(13)**	333
Increase / (decrease) in other accrued expenses payable	**5,765**	(589)
Increase / (decrease) in other liabilities	**3,131**	(1,123)
Increase / (decrease) in contract liabilities	**(5,768)**	10,670
Increase / (decrease) in employee benefit provision	**3,368**	1,356
Increase / (decrease) in other provisions	**1,119**	(1,295)
Net cash flows from operating activities	**131,341**	107,735

(b) Non-cash investing and financing activities

Section 7.11 Developer contributions 'in kind'	**737**	1,264
Dedications	**31,792**	39,315
Total non-cash investing and financing activities	**32,529**	40,579

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G2-1 Commitments

Capital commitments (exclusive of GST)

$ '000	2025	2024
Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:		
Property, plant and equipment		
Buildings	**405**	16,170
Drainage	**1,943**	26,161
Parks	**1,290**	10,917
Roads	**3,016**	25,402
Other – IT Equipment	**1,039**	1,171
Other - Plant and Fleet	**1,370**	1,974
Total commitments	**9,063**	81,795
The following were contractually committed as at 30 June		
Buildings	**2**	240
Drainage	**1,542**	1,380
Parks	**527**	2,229
Roads	**1,600**	1,775
Other – IT Equipment	**14**	229
Other - Plant and Fleet	**1,187**	1,444
Total contractually committed	**4,872**	7,297
The following were non-contractually committed as at 30 June		
Buildings	**403**	15,930
Drainage	**401**	24,781
Parks	**764**	8,689
Roads	**1,416**	23,626
Other – IT Equipment	**1,025**	942
Other - Plant and Fleet	**183**	530
Total non-contractually committed	**4,192**	74,498
Sources for funding of capital commitments:		
Unrestricted general funds	**3,635**	61,664
Sect 64 and 7.11 funds/reserves	**2,182**	4,878
Grants and Contributions	**1,818**	12,232
Stormwater reserves	**1,428**	1,113
Internally restricted reserves (Carnes Hill Stage 2 / Parking Strategy / General Property)	**–**	1,908
Total sources of funding	**9,063**	81,795

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Details of capital commitments

Council has committed to the following major capital projects:

- CCTV Installation – Deployment of cameras to address illegal dumping. Proof-of-concept trials underway to refine technical specifications.
- Stormwater Infrastructure Renewal – Relining of stormwater pipes and structural patching. Contract terms are being finalised prior to award and commencement of works.
- Western Sydney Infrastructure Grant Projects – Design and delivery of these projects are progressing.
- Fleet Renewal – Procurement of major operational plant currently on back order to replace ageing fleet assets.
- Park Upgrades – Design and delivery of upgrade works at various recreational parks.
- Road Infrastructure Upgrades – Delivery of various projects to improve local road networks.

G3-1 Events occurring after the reporting date

1. On 18 July 2024, the Minister for Local Government ordered a Public Inquiry into Council regarding allegations of dysfunction and maladministration. Mr Ross Glover was appointed as Commissioner to conduct the inquiry under Section 438U of the Local Government Act 1993. The inquiry is currently in progress, and its findings had not been released as at the reporting date. A provision for related expenditure has been recognised in the financial reports.

2. In accordance with Section 333 of the Local Government Act 1993, Councils must review their organisation structure within 12 months of each ordinary election. The purpose of this review is to ensure the structure remains aligned with Council's strategic priorities, service delivery obligations, and financial capacity. Following the October 2024 elections, Council has commenced significant structural changes, including the amalgamation and realignment of functions, with implementation partially completed at the reporting date. A general provision for potential staff-related payments has been recognised in the financial statements, with the forward year's budget reflecting associated cost savings in employee related expenses.

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G4 Changes from prior year statements

G4-1 Changes in accounting policy

Voluntary changes in accounting policies

Council made no voluntary changes in any accounting policies during the year.

Changes in accounting policies due to adoption of new accounting standards

Council has not adopted any new accounting standards.

G4-2 Changes in accounting estimates

Council made no changes in accounting estimates during the year.

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G5 Statement of developer contributions

G5-1 Summary of developer contributions

$ '000	Opening balance at 1 July 2024	Contributions received during the year		Interest and investment income earned	Amounts expended	Held as restricted asset at 30 June 2025
		Cash	Non-cash Land			
Drainage	51,778	15,429	138	2,149	(5,565)	63,791
Roads & Traffic Facilities	38,225	8,415	66	1,559	(3,654)	44,545
Parking	9,577	33	–	367	36	10,013
Open space	75,014	20,328	493	3,348	(11,329)	87,361
Embellishment of Local Open Space	38,488	5,935	21	1,744	(2,013)	44,155
Community facilities (Local)	36,924	895	15	1,427	138	39,384
Community Facilities (District)	9,021	515	–	355	(24)	9,867
Tree Planting Other	7,994	30	–	307	30	8,361
Professional & Legal Fees (Other)	2,805	27	–	107	(123)	2,816
Administration Fees	(536)	467	4	31	(373)	(411)
Implementation	4,700	5	–	180	18	4,903
Other- Moorebank Intermodal	2,773	–	–	95	(1,092)	1,776
S7.11 contributions – under a plan	276,763	52,079	737	11,669	(23,951)	316,561
Total S7.11 and S7.12 revenue under plans	276,763	52,079	737	11,669	(23,951)	316,561
Total contributions	276,763	**52,079**	**737**	**11,669**	**(23,951)**	**316,561**

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Under the *Environmental Planning and Assessment Act 1979*, local infrastructure contributions, also known as developer contributions, are charged by councils when new development occurs. They help fund infrastructure like parks, community facilities, local roads, footpaths, stormwater drainage and traffic management. Council has significant obligations to provide Section 7.11 (contributions towards provision or improvement of amenities or services) infrastructure in new release areas.

It is possible that the funds contributed may be less than the cost of this infrastructure, requiring Council to borrow or use general revenue to fund the difference.

G5-2 Developer contributions by plan [1]

$ '000	Opening balance at 1 July 2024	Contributions received during the year: Cash	Contributions received during the year: Non-cash Land	Interest and investment income earned	Amounts expended	Held as restricted asset at 30 June 2025
S7.11 contributions – under a plan						
CONTRIBUTION PLAN – Liverpool City Centre Contribution Plan						
Roads & Traffic Facilities	3,952	45	–	152	15	4,164
Parking	9,577	33	–	367	36	10,013
Embellishment of Local Open Space	16,214	37	–	620	(5)	16,866
Community Facilities (District)	1,414	10	–	54	6	1,484
Total	31,157	125	–	1,193	52	32,527
CONTRIBUTION PLAN – 2009 Plan						
Drainage	31,873	796	–	1,228	118	34,015
Roads & Traffic Facilities	6,020	366	–	250	(1,773)	4,863
Open space	20,990	641	–	863	(317)	22,177
Embellishment of Local Open Space	(1,292)	129	–	160	(731)	(1,733)
Community facilities (Local)	27,717	21	–	1,065	104	28,907
Community Facilities (District)	6,219	54	–	242	24	6,539
Tree Planting Other	7,994	30	–	307	30	8,361
Professional & Legal Fees (Other)	2,260	18	–	85	(121)	2,242
Administration Fees	(676)	18	–	6	(31)	(683)
Implementation	4,700	5	–	180	18	4,903
Total	105,805	2,078	–	4,386	(2,679)	109,591
CONTRIBUTION PLAN – Edmondson Park						
Drainage	6,346	60	–	239	(351)	6,294
Roads & Traffic Facilities	16,722	480	–	651	64	17,917
Open space	(7,598)	365	–	–	(615)	(7,848)
Embellishment of Local Open Space	6,643	14	–	254	25	6,936
Community facilities (Local)	6,440	66	–	248	23	6,777
Professional & Legal Fees (Other)	581	9	–	22	(2)	610
Administration Fees	(371)	3	–	–	(7)	(375)
Total	28,763	997	–	1,414	(863)	30,311
CONTRIBUTION PLAN – Austral Leppington North 2014						
Drainage	(902)	9,827	138	105	(5,357)	3,673
Roads & Traffic Facilities	6,076	2,015	66	265	(1,539)	6,817
Open space	52,686	13,317	493	2,099	(10,400)	57,702
Embellishment of Local Open Space	1,432	37	21	55	(16)	1,508
Community facilities (Local)	2,608	501	15	106	11	3,226

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G5-2 Developer contributions by plan [1] (continued)

$ '000	Opening balance at 1 July 2024	Contributions received during the year: Cash	Contributions received during the year: Non-cash Land	Interest and investment income earned	Amounts expended	Held as restricted asset at 30 June 2025
Administration Fees	480	277	4	20	(146)	631
Total	62,380	25,974	737	2,650	(17,447)	73,557
CONTRIBUTION PLAN NUMBER – Moorebank Intermodal						
Other– Moorebank Intermodal	2,773	–	–	95	(1,092)	1,776
Total	2,773	–	–	95	(1,092)	1,776
CONTRIBUTION PLAN NUMBER - East Leppington						
Drainage	12,374	733	–	482	37	13,626
Roads & Traffic Facilities	2,655	107	–	103	10	2,875
Open space	8,287	48	–	317	(6)	8,646
Embellishment of Local Open Space	161	–	–	6	–	167
Administration Fees	142	13	–	5	(10)	150
Total	23,619	901	–	913	31	25,464
CONTRIBUTION PLAN - Established areas						
Drainage	2,087	1,076	–	87	9	3,259
Roads & Traffic Facilities	2,641	2,099	–	112	(435)	4,417
Embellishment of Local Open Space	15,158	4,020	–	630	(1,289)	18,519
Community facilities (Local)	145	–	–	6	–	151
Community Facilities (District)	1,388	451	–	59	(54)	1,844
Professional & Legal Fees (Other)	(36)	–	–	–	–	(36)
Administration Fees	(85)	86	–	–	(61)	(60)
Total	21,298	7,732	–	894	(1,830)	28,094
CONTRIBUTION PLAN - Austral Leppington North 2021						
Drainage	–	2,937	–	8	(21)	2,924
Roads & Traffic Facilities	159	1,354	–	15	2	1,530
Local Open Space	649	4,673	–	62	8	5,392
Community Facilities (Local)	14	105	–	1	–	120
Embellishment of Local Open Space	172	1,269	–	17	2	1,460
Administration Fees	(26)	48	–	–	(74)	(52)
Total	968	10,386	–	103	(83)	11,374
CONTRIBUTION PLAN - Aerotropolis						
Roads	–	1,949	–	11	2	1,962
Open space	–	1,284	–	7	1	1,292
Community facilities	–	202	–	1	–	203
Embellishment of Local Open Space	–	429	–	2	1	432

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G5-2 Developer contributions by plan [1] (continued)

$ '000	Opening balance at 1 July 2024	Contributions received during the year: Cash	Contributions received during the year: Non-cash Land	Interest and investment income earned	Amounts expended	Held as restricted asset at 30 June 2025
Administration Fees	–	22	–	–	(44)	(22)
Total	–	3,886	–	21	(40)	3,867

(1) Council levies Section 7.11 & 7.12/ 7.11 & 7.12A Contributions upon various development across the Council area through the required Contributions Plans. As part of these Plans, Council has received funds for which it will be required to expend the monies in accordance with those Plans. As well, these Plans indicate proposed future expenditure to be undertaken by Council, which will be funded by making levies and receipting funds in future years or where a shortfall exists using Council's General Funds. These future expenses do not yet qualify as liabilities as of the Reporting Date, but represent Council's intention to spend funds in the matter and timing set out in those Plans.

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G6 Statement of performance measures

G6-1 Statement of performance measures – consolidated results

$ '000	Amounts 2025	Indicator 2025	Indicator 2024	Benchmark
1. Operating performance ratio				
Total continuing operating revenue excluding capital grants and contributions less operating expenses [1,2]	(16,864)	(6.43)%	(4.19)%	> 0.00%
Total continuing operating revenue excluding capital grants and contributions [1]	262,385			
2. Own source operating revenue ratio				
Total continuing operating revenue excluding all grants and contributions [1]	241,090	64.54%	62.88%	> 60.00%
Total continuing operating revenue [1]	373,559			
3. Unrestricted current ratio				
Current assets less all external restrictions	73,489	2.14x	0.84x	> 1.50x
Current liabilities less specific purpose liabilities	34,332			
4. Debt service cover ratio				
Operating result before capital excluding interest and depreciation/impairment/amortisation [1]	47,726	1.68x	1.81x	> 1.50x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	28,420			
5. Rates and annual charges outstanding percentage				
Rates and annual charges outstanding	15,048	7.49%	8.47%	< 5.00%
Rates and annual charges collectable	200,820			
6. Cash expense cover ratio				
Current year's cash and cash equivalents plus all term deposits	273,517	13.18 months	11.47 months	> 3.00 months
Monthly payments from cash flow of operating and financing activities	20,746			
7. Interest cover ratio				
Operating results (before capital grants and contributions) excluding interest and depreciation/impairment/amortisation [1]	47,726	5.05 months	5.19 months	> 3.00 months
Borrowing interest costs (from the Income Statement)	9,452			
8. Unrestricted cash expense cover ratio				
Total cash & investments less external cash restrictions x 12	437,340	2.74 months	0.59 months	> 2.00 months
Total operating expenses less depreciation and interest expenses [3]	159,706			

(1) Excludes fair value increments on investment properties, reversal of revaluation decrements, reversal of impairment losses on receivables, net gain on sale of assets and net share of interests in joint ventures and associates using the equity method and includes pensioner rate subsidies

(2) Excludes impairment/revaluation decrements of IPPE, fair value decrements on investment properties, net loss on disposal of assets and net loss on share of interests in joint ventures and associates using the equity method

(3) Excludes $55m operating expenses funded from externally restricted reserves.

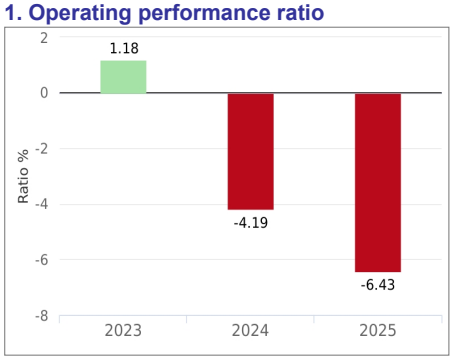
End of the audited financial statements

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H Additional Council disclosures (unaudited)

H1-1 Statement of performance measures – consolidated results (graphs)

1. Operating performance ratio



Purpose of operating performance ratio

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

Commentary on 2024/25 result

2024/25 ratio (6.43)%

Compared to last year, Council's operating performance deteriorated mainly due to lower planning related income, 50% FAG received in advance and higher borrowing costs.

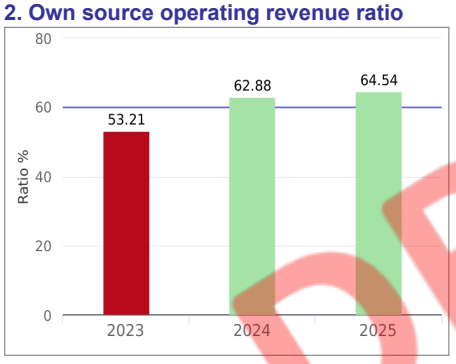
Benchmark: — > 0.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

2. Own source operating revenue ratio



Purpose of own source operating revenue ratio

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.

Commentary on 2024/25 result

2024/25 ratio 64.54%

Yearly fluctuations to own source operating revenue as a percentage of total operating revenue is due to levels of developer contributions (both cash & non-cash) and capital grants received in respective years is reflective of the growth activities in the LGA

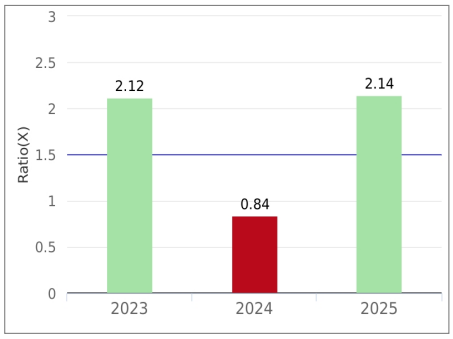
Benchmark: — > 60.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

3. Unrestricted current ratio



Purpose of unrestricted current ratio

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.

Commentary on 2024/25 result

2024/25 ratio 2.14x

Council's working capital position at 30 June 25 compared to last year has significantly improved

Benchmark: — > 1.50x

Source of benchmark: Code of Accounting Practice and Financial Reporting

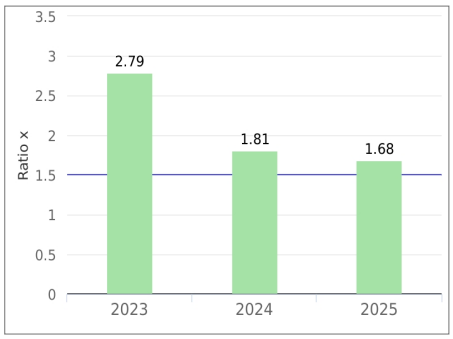
Ratio achieves benchmark

Ratio is outside benchmark

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H1-1 Statement of performance measures – consolidated results (graphs) (continued)

4. Debt service cover ratio



Purpose of debt service cover ratio

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.

Commentary on 2024/25 result

2024/25 ratio 1.68x

Council has maintained its ability to service debts above agreed benchmark with its lending partners

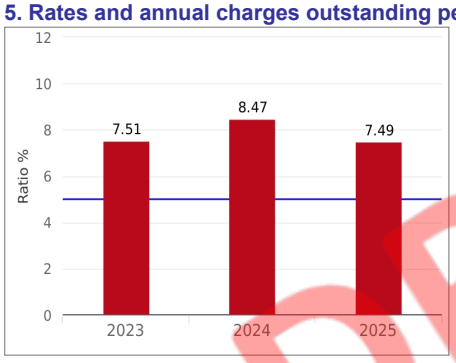
Benchmark: — > 1.50x

Source of benchmark: Commercial Loan Agreement

Ratio achieves benchmark

Ratio is outside benchmark

5. Rates and annual charges outstanding percentage



Purpose of rates and annual charges outstanding percentage

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

Commentary on 2024/25 result

2024/25 ratio 7.49%

Council has made significant effort to manage its outstanding rates position and is continuing to review and improve its debt collection strategies. All rates levied are recoverable.

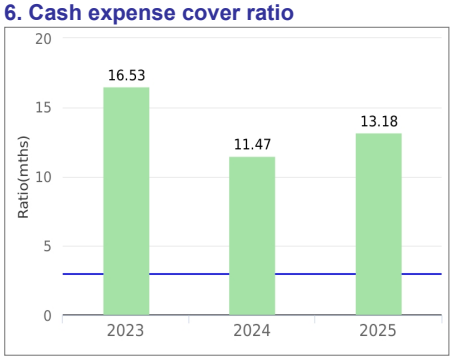
Benchmark: — < 5.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

6. Cash expense cover ratio



Purpose of cash expense cover ratio

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.

Commentary on 2024/25 result

2024/25 ratio 13.18 months

Council's cash expense cover ratio is significantly higher than industry benchmark

Benchmark: — > 3.00months

Source of benchmark: Code of Accounting Practice and Financial Reporting

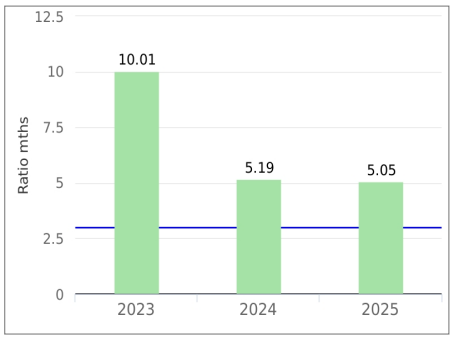
Ratio achieves benchmark

Ratio is outside benchmark

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H1-1 Statement of performance measures – consolidated results (graphs) (continued)

7. Interest cover ratio



Purpose of interest cover ratio

'This ratio is an agreed financial covenant that indicates the extent to which Council can service its interest-bearing debt and take on additional borrowings.

Commentary on 2024/25 result

2024/25 ratio 5.05 months

Council has maintained its ability to service interest-bearing debts above agreed benchmark with its lending partners

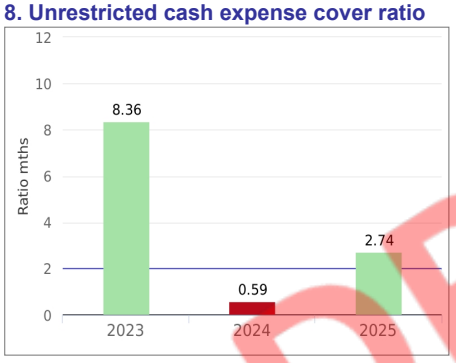
Benchmark: — > 3.00months

Source of benchmark: Commercial Loan Agreement

Ratio achieves benchmark

Ratio is outside benchmark

8. Unrestricted cash expense cover ratio



Purpose of unrestricted cash expense cover ratio

This ratio is an agreed financial covenant and designed to access adequacy of working capital and ability to satisfy short-term obligations for unrestricted activities of council

Commentary on 2024/25 result

2024/25 ratio 2.74 months

Compared to last year, Council has improved its cash position and ability to satisfy short term obligations for unrestricted activities

Benchmark: — > 2.00months

Source of benchmark: Commercial Loan Agreement

Ratio achieves benchmark

Ratio is outside benchmark

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H1-2 Council information and contact details

Principal place of business:
50 Scott Street
Liverpool NSW 2170

Contact details

Mailing Address:
Locked Bag 7064
Liverpool BC NSW 1871

Telephone: 1300 362 170

Opening hours:
8:30am - 5:00pm
Monday to Friday

Internet: http://www.liverpool.nsw.gov.au
Email: lcc@liverpool.nsw.gov.au

Officers

Chief Executive Officer
Jason Breton

Responsible Accounting Officer
Vishwa Nadan

Public Officer
David Galpin

Auditors
Audit Office of New South Wales
Level 19, Tower 2 Darling Park, 201 Sussex Street, Sydney
New South Wales 2000

Elected members

Mayor
Ned Mannoun

Councillors
Peter Harle
Dr Betty Green
Fiona Macnaught
Richard Ammoun
Emmanuel Adjei
Matthew Harte
Mira Ibrahim
Samir Karnib
Ethan Monaghan
Peter Ristevski

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Other information

ABN: 84 181 182 471

Liverpool City Council

General Purpose Financial Statements

for the year ended 30 June 2025

Independent Auditor's Reports:

On the Financial Statements (Sect 417 [2])

Independent Auditor's Report

Please uplift Council's Audit Report PDF (opinion) for inclusion in the GPFS report (via the Home screen).

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Liverpool City Council

General Purpose Financial Statements

for the year ended 30 June 2025

Independent Auditor's Reports: (continued)

On the Financial Statements (Sect 417 [3])

Independent Auditor's Report

Please uplift Council's Audit Report PDF (commentary) for inclusion in the GPFS report (via the Home screen).

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Liverpool City Council

SPECIAL SCHEDULES

for the year ended 30 June 2025

Liverpool City Council

Special Schedules

for the year ended 30 June 2025

Contents Page

Special Schedules:

Permissible income for general rates 105
Report on infrastructure assets as at 30 June 2025 107

Background

These Special Schedules have been designed to meet the requirements of special purpose users such are;

- the NSW Grants Commission
- the Australian Bureau of Statistics (ABS),
- the Office of Local Government within the Department of Planning, Industry and Environment.

The financial data is collected for various uses including;

- the allocation of Financial Assistance Grants,
- the incorporation of Local Government financial figures in national statistics,
- the monitoring of loan approvals,
- the allocation of borrowing rights, and
- the monitoring of the financial activities of specific services.

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Liverpool City Council

Permissible income for general rates

$ '000	Notes	Calculation 2024/25	Calculation 2025/26
Notional general income calculation [1]			
Last year notional general income yield	a	122,152	**130,633**
Plus/minus adjustments [2]	b	2,294	**1,329**
Notional general income	c = a + b	**124,446**	**131,962**
Permissible income calculation			
Percentage increase (%)	d	5.00%	**6.00%**
Less expiring special variations amount	e	–	**–**
Plus percentage increase amount [3]	f = d x (c + e)	6,222	**7,918**
Sub-total	g = (c + e + f)	**130,668**	**139,880**
Plus (or minus) last year's carry forward total	h	28	**8**
Less valuation objections claimed in the previous year	i	(133)	**(78)**
Sub-total	j = (h + i)	**(105)**	**(70)**
Total permissible income	k = g + j	130,563	**139,810**
Less notional income yield	l	130,633	**139,905**
Catch-up or (excess) result	m = k – l	(70)	**(95)**
Plus income lost due to valuation objections claimed [4]	n	78	**103**
Carry forward to next year [6]	p = m + n + o	8	**8**

Notes

(1) The notional general income will not reconcile with rate income in the financial statements in the corresponding year. The statements are reported on an accrual accounting basis which include amounts that relate to prior years' rates income.

(2) Adjustments account for changes in the number of assessments and any increase or decrease in land value occurring during the year. The adjustments are called 'supplementary valuations' as defined in the *Valuation of Land Act 1916 (NSW).*

(3) The 'percentage increase' is inclusive of the rate-peg percentage, and/or special variation and/or Crown land adjustment (where applicable).

(4) Valuation objections are unexpected changes in land values as a result of land owners successfully objecting to the land value issued by the Valuer General. Councils can claim the value of the income lost due to valuation objections in any single year.

(6) Carry-forward amounts which are in excess (an amount that exceeds the permissible income) require Ministerial approval by order published in the *NSW Government Gazette* in accordance with section 512 of the Act. The OLG will extract these amounts from Council's Permissible income for general rates Statement in the financial data return (FDR) to administer this process.

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Permissible income for general rates

Permissible income for general rates: PLUS PDF inserted here

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Liverpool City Council

Report on infrastructure assets as at 30 June 2025

Asset Class	Asset Category	Estimated cost to bring assets to satisfactory standard $ '000	Estimated cost to bring to the agreed level of service set by Council $ '000	2024/25 Required maintenance [a] $ '000	2024/25 Actual maintenance $ '000	Net carrying amount $ '000	Gross replacement cost (GRC) $ '000	Assets in condition as a percentage of gross replacement cost 1	2	3	4	5
Buildings	Admin Building	–	–	2,613	2,799	190,011	197,307	98.0%	1.0%	0.0%	0.0%	1.0%
	Aquatic Centres	43	–	453	998	18,604	34,359	4.0%	53.0%	42.0%	0.0%	1.0%
	Bush Fire / SES	2	–	44	59	3,392	4,572	63.0%	20.0%	17.0%	0.0%	0.0%
	Childcare Centres	365	–	144	378	7,106	11,090	25.0%	64.0%	4.0%	7.0%	0.0%
	Commercial Properties	130	–	7	23	247	705	0.0%	4.0%	69.0%	9.0%	18.0%
	Community Centres	956	–	979	1,468	50,903	73,006	42.0%	45.0%	11.0%	2.0%	0.0%
	Heritage Buildings	712	–	483	298	27,888	50,357	71.0%	18.0%	8.0%	3.0%	0.0%
	Other	–	–	–	–	–	–	0.0%	0.0%	0.0%	0.0%	0.0%
	Libraries, Museums	–	–	1,564	254	91,064	113,639	64.0%	25.0%	11.0%	0.0%	0.0%
	Multi-Level Car Parks	561	–	708	272	59,649	73,211	53.0%	1.0%	45.0%	0.0%	1.0%
	Parks Buildings / Structures	870	–	499	564	35,830	52,337	43.0%	26.0%	27.0%	4.0%	0.0%
	Works Depot	130	–	85	771	4,722	8,504	5.0%	45.0%	47.0%	3.0%	0.0%
	Sub-total	**3,769**	**–**	**7,579**	**7,884**	**489,416**	**619,087**	**64.8%**	**18.9%**	**14.8%**	**1.0%**	**0.5%**
Other structures	Other structures	–	–	–	–	–	–	0.0%	0.0%	0.0%	0.0%	0.0%
	Sub-total	**–**	**–**	**–**	**–**	**–**	**–**	**0.0%**	**0.0%**	**0.0%**	**0.0%**	**0.0%**
Roads	Roads	–	–	–	–	–	–	0.0%	0.0%	0.0%	0.0%	0.0%
	Sealed roads	–	–	11,757	7,735	–	–	0.0%	0.0%	0.0%	0.0%	0.0%
	Roads Formation	–	–	–	–	93,249	93,414	100.0%	0.0%	0.0%	0.0%	0.0%
	Sealed Roads Surface	24,827	–	–	–	138,237	198,786	54.0%	23.0%	12.0%	6.0%	5.0%
	Sealed Roads Structure	19,555	–	–	–	686,145	922,186	58.0%	22.0%	11.0%	5.0%	4.0%
	Kerb and Gutter	711	–	1,762	424	214,009	332,230	30.0%	38.0%	32.0%	0.0%	0.0%
	Footpaths	321	–	2,522	1,272	191,676	266,188	52.0%	25.0%	23.0%	0.0%	0.0%
	Bridges	3,446	–	963	18	64,678	98,834	35.0%	40.0%	18.0%	7.0%	0.0%
	Bulk earthworks	–	–	–	–	–	–	0.0%	0.0%	0.0%	0.0%	0.0%
	Other	–	–	–	–	–	–	0.0%	0.0%	0.0%	0.0%	0.0%
	Road Structures	194	–	1,495	800	62,376	97,965	24.0%	56.0%	20.0%	0.0%	0.0%
	Road Furniture	151	–	–	–	59,700	76,509	24.0%	56.0%	20.0%	0.0%	0.0%
	Off Street Carparks	144	–	124	334	19,415	26,692	34.0%	33.0%	32.0%	1.0%	0.0%
	Other road assets (incl. bulk earth works)	–	–	–	–	–	–	0.0%	0.0%	0.0%	0.0%	0.0%
	Sub-total	**49,349**	**–**	**18,623**	**10,583**	**1,529,485**	**2,112,804**	**50.1%**	**27.8%**	**16.8%**	**3.1%**	**2.2%**

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Liverpool City Council

Report on infrastructure assets as at 30 June 2025 (continued)

Asset Class	Asset Category	Estimated cost to bring assets to satisfactory standard	Estimated cost to bring to the agreed level of service set by Council	2024/25 Required maintenance [a]	2024/25 Actual maintenance	Net carrying amount	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
		$ '000	$ '000	$ '000	$ '000	$ '000	$ '000	1	2	3	4	5
Stormwater drainage	Other	–	–	–	–	–	–	0.0%	0.0%	0.0%	0.0%	0.0%
	Reticulation Pipe	4,385	–	1,251	1,533	509,112	725,723	46.0%	27.0%	26.0%	0.0%	1.0%
	Pits	189	–	178	–	81,766	104,348	53.0%	39.0%	8.0%	0.0%	0.0%
	Headwalls and Culverts	859	–	37	–	14,042	21,230	46.0%	12.0%	35.0%	4.0%	3.0%
	Basins	–	–	122	102	33,612	51,312	22.0%	71.0%	7.0%	0.0%	0.0%
	Gross Pollutant Traps	–	–	512	409	17,949	21,581	67.0%	32.0%	1.0%	0.0%	0.0%
	Sub-total	**5,433**	**–**	**2,100**	**2,044**	**656,481**	**924,194**	**45.9%**	**30.6%**	**22.5%**	**0.1%**	**0.9%**
Open space / recreational assets	Swimming pools	–	–	–	–	–	–	0.0%	0.0%	0.0%	0.0%	0.0%
	Sporting Fields and Ovals	223	–	4,282	3,529	35,255	46,123	41.0%	47.0%	11.0%	1.0%	0.0%
	Parks Infrastructure Assets	685	–	4,608	4,412	62,070	84,978	49.0%	38.0%	12.0%	1.0%	0.0%
	Playground Equipment	178	–	1,081	882	41,142	57,704	63.0%	20.0%	16.0%	0.0%	1.0%
	Sub-total	**1,086**	**–**	**9,971**	**8,823**	**138,467**	**188,805**	**51.3%**	**34.7%**	**13.0%**	**0.7%**	**0.3%**
	Total – all assets	**59,637**	**–**	**38,273**	**29,334**	**2,813,849**	**3,844,890**	**51.6%**	**27.4%**	**17.6%**	**1.9%**	**1.5%**

[a] The level of service standards below and required maintenance is identified in Council's Asset Management Plan

Infrastructure asset condition assessment 'key'

1	**Excellent/very good**	No work required (normal maintenance)
2	**Good**	Only minor maintenance work required
3	**Satisfactory**	Maintenance work required
4	**Poor**	Renewal required
5	**Very poor**	Urgent renewal/upgrading required

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Liverpool City Council

Report on infrastructure assets as at 30 June 2025

Infrastructure asset performance indicators (consolidated) *

$ '000	Amounts 2025	Indicator 2025	Indicator 2024	Benchmark
Buildings and infrastructure renewals ratio				
Asset renewals [1]	5,769	12.59%	27.76%	> 100.00%
Depreciation, amortisation and impairment	45,819			
Infrastructure backlog ratio				
Estimated cost to bring assets to a satisfactory standard	59,637	2.12%	2.31%	< 2.00%
Net carrying amount of infrastructure assets	2,813,850			
Asset maintenance ratio				
Actual asset maintenance	29,334	76.64%	95.09%	> 100.00%
Required asset maintenance	38,273			
Cost to bring assets to agreed service level				
Estimated cost to bring assets to an agreed service level set by Council	59,637	1.55%	1.78%	
Gross replacement cost	3,844,890			

(*) All asset performance indicators are calculated using classes identified in the previous table.

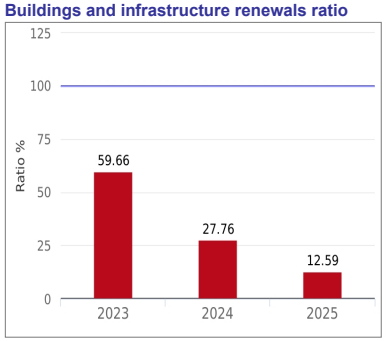
(1) Asset renewals represent the replacement and/or refurbishment of existing assets to an equivalent capacity/performance as opposed to the acquisition of new assets (or the refurbishment of old assets) that increases capacity/performance.

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Liverpool City Council

Report on infrastructure assets as at 30 June 2025

Buildings and infrastructure renewals ratio



Buildings and infrastructure renewals ratio	*Commentary on result*
	24/25 ratio 12.59%
To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.	The ongoing decline in the renewal ratio remains significantly below the established benchmark of 100%. As of 30 June 2025, a significant large number of renewal projects were still in progress, contributing to the lower reported asset renewals. Council remains committed to allocating an appropriate proportion of the capital works program to renewal initiatives to meet the targeted renewal levels.

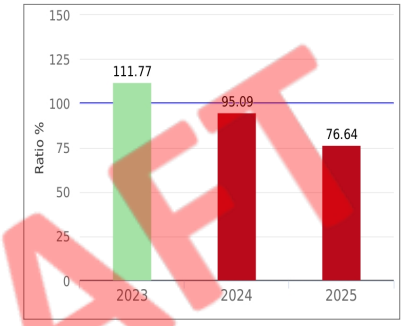
Benchmark: — > 100.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

Asset maintenance ratio



Asset maintenance ratio	*Commentary on result*
	24/25 ratio 76.64%
Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the infrastructure backlog growing.	There is a minor reduction in the asset maintenance ratio in the current financial year. However, Council has a history of substantial investment in asset maintenance with overall maintenance expenses generally in line with desired levels of service. Council has estimated required maintenance cost based on ongoing maintenance activities over the life of an asset to minimise whole of life costs.

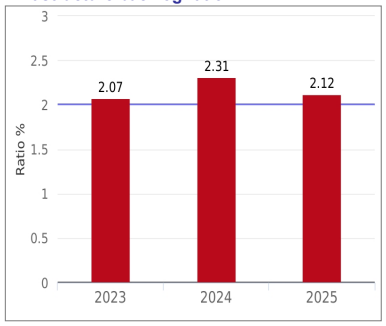
Benchmark: — > 100.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

Infrastructure backlog ratio



Infrastructure backlog ratio	*Commentary on result*
	24/25 ratio 2.12%
This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.	The backlog ratio is reduced in the current financial year. Council aims to gradually reduce this backlog ratio to less than 2% of fair value over the next few years with increased renewal funding, targeted renewal program based on modern asset management principles and effective asset maintenance strategy.

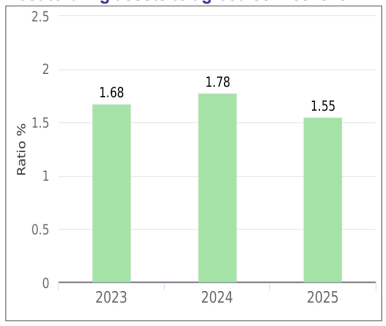
Benchmark: — < 2.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

Cost to bring assets to agreed service level



Cost to bring assets to agreed service level	*Commentary on result*
	24/25 ratio 1.55%
This ratio provides a snapshot of the proportion of outstanding renewal works compared to the total value of assets under Council's care and stewardship.	There is a minor reduction in this ratio, which is due to a slight decrease in the backlog amount and an increase in the overall asset stock as a growth council.

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