

# ATTACHMENT BOOKLET

GOVERNANCE COMMITTEE MEETING  
10 FEBRUARY 2026

BOOK 2A

## CONTENTS

### PAGE

**ITEM 01      AMENDMENT TO THE STATE ENVIRONMENTAL PLANNING POLICY  
(PRECINCTS - WESTERN PARKLAND CITY) 2021 – 495 FOURTH  
AVENUE, AUSTRAL**

<i>Attachment 1</i>	<i>Attachment 1: Planning Proposal Report - 495 Fourth Avenue, Austral - January 2026 .....</i>	<i>69</i>
<i>Attachment 2</i>	<i>Attachment 2: Liverpool LPP Minutes - 24 November 2025 - RZ-3/2025...</i>	<i>115</i>
<i>Attachment 3</i>	<i>Attachment 3: Liverpool LPP Report - 495 Fourth Avenue, Austral - RZ-3-2025.....</i>	<i>117</i>

**ITEM 02      AMENDMENT TO THE STATE ENVIRONMENTAL PLANNING POLICY  
(PRECINCTS - WESTERN PARKLAND CITY) 2021 - 330-350 EIGHTH  
AVENUE, AUSTRAL**

<i>Attachment 1</i>	<i>Attachment 1 - Planning Proposal Report - 330-350 Eighth Avenue, Austral South (January 2026) .....</i>	<i>129</i>
<i>Attachment 2</i>	<i>Attachment 2 - LPP Report and Minutes - 330-350 Eighth Avenue, Austral (24 November 2025) .....</i>	<i>176</i>



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## APPLICATION FOR A PLANNING PROPOSAL

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Amendment to State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Appendix 4 Liverpool Growth Centres Precinct Plan, as it applies to No. 495 Fourth Avenue, Austral, to insert an additional permitted use for the purpose of recreation facility (indoor) under Schedule 1 Additional Permitted Uses.

495 Fourth Avenue, Austral

Prepared for: Fabcot Pty Ltd

REF: M250090

Date: 14 January 2026





## APPLICATION FOR A PLANNING PROPOSAL

**Details:**

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REF: M250090

Date: 14 January 2026







# Contents

<b>EXECUTIVE SUMMARY .....</b>	<b>4</b>
<b>1. INTRODUCTION .....</b>	<b>6</b>
<b>2. LOCALITY AND SITE ANALYSIS .....</b>	<b>8</b>
2.1 The Context .....	8
2.1.1 Metropolitan Context.....	8
2.2 The Site .....	8
2.3 Existing and Desired Future Character .....	10
2.4 Surrounding Development .....	11
2.5 Connectivity to public transport .....	13
<b>3. BACKGROUND.....</b>	<b>14</b>
3.1 Development Application .....	14
3.2 Chronology of Planning Proposal.....	15
3.3 Pre-Planning Proposal Meeting .....	15
<b>4. EXISTING PLANNING PROVISIONS .....</b>	<b>17</b>
4.1 State Environmental Planning Policy (Western Parkland City) 2021 .....	17
4.1.1 Existing Zoning .....	17
4.1.2 Current Development Standards and Controls .....	18
4.2 Liverpool Growth Centre Development Control Plan .....	19
<b>5. PROPOSED SEPP AMENDMENTS .....</b>	<b>20</b>
5.1.1 Proposed Additional Permitted Use .....	20
<b>6. PLANNING PROPOSAL .....</b>	<b>21</b>
6.1 Part 1 – Objectives or Intended Outcomes .....	21
6.1.1 Objectives.....	21
6.1.2 Intended Outcomes .....	21
6.2 Part 2 - Explanation of Provisions .....	21
6.3 Part 3 – Justification of Strategic and Site-Specific Merit.....	21
6.3.1 Section A - The Need for the Planning Proposal .....	22
6.3.2 Section B – Relationship to the Strategic Planning Framework.....	23
6.3.3 Section C - Environmental, Social and Economic Impacts .....	39
6.3.4 Section D - State and Commonwealth Interests .....	41
6.4 Part 4 - Mapping .....	41
6.5 Part 5 - Community Consultation .....	42
6.6 Part 6 - Project Timeline .....	42
<b>7. CONCLUSION .....</b>	<b>43</b>



## FIGURES

<b>Figure 1</b> The metropolitan context (Source: A Metropolis of Three Cities) .....	8
<b>Figure 2</b> Aerial image of the subject site and surrounds.....	9
<b>Figure 3</b> Subject Site viewed from Fourth Avenue .....	10
<b>Figure 4</b> Subject Site viewed from Gurner Avenue.....	10
<b>Figure 5</b> Gurner Avenue Neighbourhood Centre – Desired Future Layout (Extract from DCP) .....	11
<b>Figure 6</b> Allotments to south of subject site .....	11
<b>Figure 7</b> No. 510 Fourth Avenue .....	12
<b>Figure 8</b> No. 90 Gurner Avenue .....	12
<b>Figure 9</b> Existing Al-Faisal College to the north of the subject site.....	13
<b>Figure 10</b> Approved site plan.....	14
<b>Figure 11</b> Approved render as viewed from Gurner Avenue .....	15
<b>Figure 12</b> Aerial image of the subject site and zoning (source: NSW Planning Portal) .....	18
<b>Figure 13</b> Extract from Western Parkland City SEPP Height of Buildings Map 007 (site edged in red) .....	19
<b>Figure 14</b> The Western Parkland City (Source: A Metropolis of 3 Cities: The Greater Sydney Region Plan) .....	24
<b>Figure 15</b> The Western City District Plan excerpt.....	27

## TABLES

<b>Table 1</b> Supporting Documents .....	6
<b>Table 2</b> Council Comments and Responses from 8 May 2025.....	15
<b>Table 3</b> Summary of Current Planning Controls .....	17
<b>Table 4</b> Greater Sydney Region Plan: A Metropolis of Three Cities Directions .....	24
<b>Table 5</b> Western City District Plan .....	27
<b>Table 6</b> Southwest Growth Area Structure Plan .....	29
<b>Table 7</b> Strategic Merit Test.....	29
<b>Table 8</b> Site-Specific Merit Test .....	30
<b>Table 9</b> Relevant State Environmental Planning Policies .....	34
<b>Table 10</b> Section 9.1 Ministerial Directions .....	35
<b>Table 11</b> Project Timeline .....	42



**Acknowledgement of Country:** *Planning Ingenuity acknowledges the Traditional Custodians of the land and pays respect to Elders past, present and future. We recognise First Nations peoples' unique cultural and spiritual relationships to place and their rich contribution to society.*

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## Executive Summary

This application for a Planning Proposal ('PP') seeks to amend the provisions of *Appendix 4 Liverpool Growth Centres Precinct Plan* ('Appendix 4') of *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* (Western Parkland City SEPP or SEPP) for the land at No. 495 Fourth Avenue, Austral (the 'site'). Specifically, the Planning proposal seeks to permit with consent and insert an additional permitted use for the purposes of *recreation facility (indoor)* into Schedule 1 Additional Permitted Uses of the Western Parkland City SEPP.

There are compelling Town Planning reasons for the proposed additional permitted use, as has been considered throughout this Report. The additional permitted use is proposed to complement the development approved on the subject site under DA-311/2024 for the *'Excavation and construction of a commercial development involving the provision of an anchor supermarket, commercial and retail tenancies, public piazza and through-site links, with at-grade and basement parking, associated landscaping and public domain works'*.

The application for a Planning Proposal will provide a unique opportunity to enable additional complementary uses on the subject site cognisant with the recent development approval, particularly given it is identified as a key neighbourhood centre in the Liverpool Local Government Area (LGA) and Austral Growth Centre. The proposal demonstrates both site-specific and strategic merit, as outlined in this Report.

Importantly, the site is zoned as B1 Neighbourhood Centre under the Western Parkland City SEPP, and pursuant to the recent employment zones reform, would have been zoned E1 Local Centre consistent with the *Liverpool Local Environmental Plan 2008* ('LLEP 2008'). In the E1 zoning of the LLEP 2008 (and Standard Instrument 2006), *recreation facility (indoor)* are prescribed as a permitted land use. As the SEPP is yet to implement the employment zones reform, *recreation facility (indoor)* remains as prohibited use on the site and is inconsistent with that permitted under the LLEP 2008 and for the remaining LGA.

Notwithstanding the above, the proposed additional use is a response to various site and context considerations, including capitalising on the ideal location for indoor recreational facilities within an approved neighbourhood centre development that comprise of anchor supermarkets, commercial and retail facilities and various public spaces, creating an appropriate urban contextual fit.

The vision for the Planning Proposal is as follows:

- Deliver much needed indoor recreational facilities in an area of significant growth and undersupply;
- Contribute towards improving health and wellbeing to the residents and workers within Austral;
- Provide for much needed indoor recreational facilities within an approved mixed use development, contributing to its vibrancy and vitality; and
- Align with the Employment Zones Reform.

The proposed additional permitted use is accompanied by a suite of public benefits including, but not limited to; increased recreational uses in a neighbourhood centre; improve access to a variety of services and facilities (removing the need to travel to other centres); promotes multi-purpose trips due to the nature of the approved development; enhance social networks; and promote physical and mental well-being. These benefits will not be realised without the changes to the planning controls proposed in this submission.

As part of this Planning Proposal, a Recreational Needs and Economic Assessment has been prepared by *Location IQ*. The Recreational Needs and Economic Assessments provides an analysis of need and demand for *recreational facilities (indoor)* on the subject site (and surrounding locality) and also considers the likely economic impacts that would result from the additional permitted use. The assessment demonstrates that several factors contribute to the need for an indoor recreational facility, including population and demand, consumer trends and expenditure patterns, location and infrastructure, impacts on existing facilities and the hierarchy and net community benefits. As described



above, the proposed additional use is capable of enabling significant positive benefits to the community without any detrimental impact to the nature of the current mixed-use development as discussed throughout this Report.

As discussed in this document, the application is also consistent with the local, regional and state planning strategies for Liverpool LGA, Western City District Plan and Greater Sydney Region Plan. This application has the potential to make a substantial positive contribution to the approved development application (DA-311-2024) and results in the efficient use of a well-serviced site, to provide a use which is diverse and promotes healthy communities and delivers a high-quality urban environment.

# 1. Introduction

This application for a Planning Proposal has been prepared for *Fabcot Pty Ltd*, for the site located at No. 495 Fourth Avenue, Austral. The purpose of this application is to initiate a Planning Proposal process to amend *Appendix 4 Liverpool Growth Centres Precinct Plan of State Environmental Planning Policy (Precincts – Western Parkland City) 2021* to permit with consent the additional use of *recreation facility (indoor)* to the subject site.

As discussed in Section 3 of this Report, this Planning Proposal has been prepared cognisant with the recent development approval (DA-311/2024) on the subject site for the 'Excavation and construction of a commercial development involving the provision of an anchor supermarket, commercial and retail tenancies, public piazza and through-site links, with at-grade and basement parking, associated landscaping and public domain works' which was approved on 14 May 2025. The proposed additional permitted use has site-specific merit as *recreational facilities (indoor)* are beneficial to health and wellbeing and are common within neighbourhood centre developments. Given there is a significant under supply within the locality, this proposal will also provide existing and future workers and residents within the Austral locality access to recreational facilities, which would otherwise only be accessible by travelling to other local centres.

There are compelling strategic and town planning reasons for No. 495 Fourth Avenue to be considered for the subject Planning Proposal. Specifically, the proposal is to align with the recent employment zones reform, which has been implemented throughout the Liverpool Local Government Area. Whilst the site is zoned as B1 Neighbourhood Centre under the Western Parkland City SEPP, in accordance with the recent employment zones reform, the site would have been zoned E1 Local Centre consistent with the *Liverpool Local Environmental Plan 2008*. In the E1 zoning of the LLEP 2008, *recreation facilities (indoor)* are prescribed as a permitted land use. As the SEPP is yet to implement the employment zones reform, *recreation facilities (indoor)* remain as prohibited on the site and is inconsistent with that permitted under the LLEP 2008 and for the remaining LGA.

This application has been prepared in accordance with Part 3 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as well as the NSW Department of Planning, Industry and Environment publication "*Local Environmental Plan Making Guideline*" (August 2023) ('DPIE Guideline'). It explains the intended effect of the proposed amendment to Western Parkland City SEPP and sets out the justification for making the amendment to that Plan.

This application demonstrates that the proposed SEPP amendments have strategic and site-specific merit. It is aligned with the relevant matters for consideration set out in Liverpool Council's Local Strategic Planning Statement. As detailed, the primary intent of the application is to initiate a Planning Proposal process to enable the additional permitted use of *recreation facilities (indoor)* to allow uses that strategically complement the current development application approval, neighbourhood centre, and align with the Employment Zones Reform.

The additional permitted use is also consistent with local and state government planning strategies to promote healthy and sustainable communities, whilst promoting a range of diverse uses in a growing population. The proposal provides for an additional use which will have a significant improvement to accessibility of recreation facilities, social network of the community, and enhance the approved development. Overall, the proposal achieves positive environmental, social and economic outcomes, as discussed in this Report.

This application for a Planning Proposal has relied on the following documents submitted alongside this Report:

**Table 1** Supporting Documents

Document	Author
Social Impact Assessment	<i>Planning Ingenuity</i>
Recreational Needs and Economic Impact Assessment	<i>Location IQ</i>

**Table 1** Supporting Documents

Traffic Report

*Colston Budd Roger & Kafes Pty Ltd*

A Formal Pre-Planning Proposal meeting was held with Council the 8 May 2025. Formal Council minutes were provided on the 12 May 2025, which have been considered in this Report. Further, a number of specialist studies were identified by Council as necessary to support the application, as has been submitted per **Table 1** above. In accordance with the DPIE Guideline a copy of Council's Pre-lodgement Advice is included in with this Report.

This report is divided into sections including a locality and site analysis, background, existing planning provisions, the proposed amendments, justification for the proposal, project timeline and a conclusion. This planning proposal application demonstrates with evidence that there will be positive outcomes from the insertion of the additional permitted uses clauses.

## 2. Locality and Site Analysis

### 2.1 THE CONTEXT

#### 2.1.1 Metropolitan Context

The subject site is located in the suburb of Austral approximately 42km south-east of the Sydney CBD. As part of the *Metropolis of Three Cities – The Greater Sydney Region Plan*, Austral is located within the Western City. The Western City is envisaged to encourage infrastructure and connectivity, liveability, productivity and sustainability. The Western City is expected to accommodate 1.56 million people by 2036.

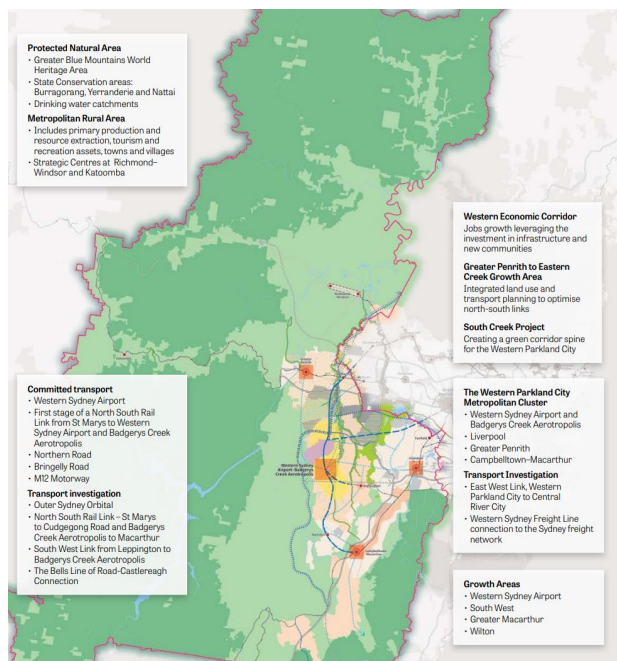


Figure 1 The metropolitan context (Source: A Metropolis of Three Cities)

### 2.2 THE SITE

The subject site is known as No. 495 Fourth Avenue, Austral and has a legal description of Lot 121 in DP 1220414 which has a total site area of 1.192 hectares or 11,192m<sup>2</sup>. The location of the site is shown edged in red, per the aerial image provided at **Figure 2**





**Figure 2** Aerial image of the subject site and surrounds

The site is zoned B1 Neighbourhood Centre land, as is the neighbouring property to the east, with RE1 Public Recreation and R3 Medium Density Residential zoned land to the south and west.

The site is regular in shape with a western frontage of 109.7m to Fourth Avenue and northern frontage of 91.5m to Gurner Avenue. The site has an eastern boundary (shared with No. 90 Gurner Avenue) of 118.7m and a southern boundary of 100.5m. The site has a total area of 1.192 hectares or 11,192m<sup>2</sup>.

The site falls from the southern to northern boundary by approximately 7m across the length of the site and currently contains a dual frontage to both Fourth Avenue and Gurner Avenue. However, as part of the Precinct's Indicative Layout Plan (ILP) an additional roadway will be provided along the southern boundary which will provide a third streetscape frontage. Furthermore, the ILP indicates the provision of a town square in the north-eastern corner of the site and pedestrian through-site link along the eastern (side) boundary, which will be delivered through the approved development. The site is currently vacant and contains sparse vegetation.

In addition to the above, the site is affected by bushfire prone land. The site is also located within the Kemps Creek Catchment in which the proposal has been designed to respond to the relevant requirements.

The site as viewed from Fourth Avenue and Gurner Avenue is illustrated in **Figures 3 and 4** below.



**Figure 3** Subject Site viewed from Fourth Avenue

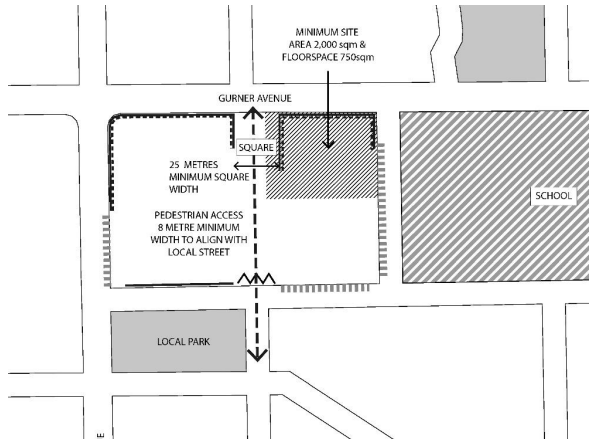


**Figure 4** Subject Site viewed from Gurner Avenue

## 2.3 EXISTING AND DESIRED FUTURE CHARACTER

The subject site is located within the B1 Neighbourhood Centre zone which is anticipated to accommodate a significant increase in density in accordance with the Western Parkland City SEPP. The site is located within the Austral Precinct, specifically, the Gurner Avenue Neighbourhood Centre, and is to undergo a significant transformation demonstrated in the approved development, which is a result of the adopted planning controls, including the zoning, building height and building envelope.

The subject site, is identified within the Gurner Avenue Neighbourhood Centre and per the approved development, will deliver a neighbourhood centre development with active street frontages to the street boundaries and a public piazza with pedestrian through-site link (**Figure 5**).



**Figure 5** Gurner Avenue Neighbourhood Centre – Desired Future Layout (Extract from DCP)

Currently, the locality generally consists of low-density residential dwellings, open farmland spaces and rural structures. The site is also within proximity to Al-Faisal College to the north of the subject site, which is to undergo further expansion. As is evident, the existing character of the immediate locality does not reflect the desired future character as is anticipated by the relevant controls. The preparation and implemented of the Western Parkland City SEPP anticipates an increased density of development along Gurner and Fourth Avenue, with the subject site (and approved development) identified as a key nodal centre within the locality. Within the wider locality, residential subdivision and dwellings are being constructed.

## 2.4 SURROUNDING DEVELOPMENT

Directly to the south of the site is RE1 Public Recreation zoned land, with R3 Medium Density Residential land further to the south. Per the ILP, this includes two local roadways running in an east-west direction as accessed from Fourth Avenue. These parcels of land are currently vacant, with a single residential dwelling located on the southern end of No. 495 Fourth Avenue (**Figure 6**). Further adjoining this boundary, at No. 485 Fourth Avenue, also contains a single residential dwelling.



**Figure 6** Allotments to south of subject site



To the west of the subject site and on the opposite side of Fourth Avenue is No. 510 Fourth Avenue which contains an open grass field and residential structures to the far west (**Figure 7**). Of relevance, this land is zoned R3 Medium Density Residential where it directly adjoins the street, with R2 Low Density Residential zoned land further to the west.



**Figure 7** No. 510 Fourth Avenue

Adjoining the subject site to the east is a similarly zoned B1 Neighbourhood Centre at No. 90 Gurner Avenue which forms part of the Gurner Avenue Neighbourhood Centre per the DCP and ILP. The neighbouring property is currently occupied by a residential dwelling, ancillary structures and is interspersed with vegetation (**Figure 8**).



**Figure 8** No. 90 Gurner Avenue

To the north of the subject site and on the opposite side of Gurner Avenue is the existing Al-Faisal College (**Figure 9**). Further to the east, adjoining No. 90 Gurner Avenue is No. 80 Gurner Avenue, which is proposed to accommodate an expansion of the Al-Faisal College.



**Figure 9** Existing Al-Faisal College to the north of the subject site

## 2.5 CONNECTIVITY TO PUBLIC TRANSPORT

As current public transport services are infrequent, poorly connected and inadequate at servicing the needs of a growing population. Thus, increasing public transport provision should be considered to supplement this higher density development as is reasonably anticipated within the Austral locality.

## 3. Background

### 3.1 DEVELOPMENT APPLICATION

The site is subject to a recent approval (DA-311/2024) for the 'Excavation and construction of a commercial development involving the provision of an anchor supermarket, commercial and retail tenancies, public piazza and through-site links, with at-grade and basement parking, associated landscaping and public domain works.' This was approved on the 14 May 2025 by the Sydney Western City Planning Panel.

Specifically, application was for the excavation and construction of a commercial development, involving the provision of an anchor supermarket with ancillary liquor tenancy and direct-to-boot services, commercial and retail tenancies, public piazza and through-site links with at grade and basement parking, associated landscaping and public domain works. The approval attained a building height of one to three storeys and is designed to address the various street frontages, public piazza and through-site links.

Integrated into the approval are pedestrian access ways, identified as the north-south through-site links which provides access from Gurner Avenue to the future ILP road. The through-site links are provided through the internal mall and along the eastern boundary. In addition, the approval includes a public piazza which is orientated to Gurner Avenue and is connected to the through-site link.

The at-grade parking is orientated to the future unnamed road (to the south) which will provide for 88 at-grade parking spaces and includes access to basement parking. The basement parking area, which can also be accessed from Gurner Avenue, will provide for a further 254 car parking spaces, for a total of 342 spaces across the site. These spaces include 8 accessible spaces, 4 electric charging spaces and 7 direct-to-boot spaces (DTB). A loading bay is provided as accessed from Fourth Avenue and is necessary for the building to function.

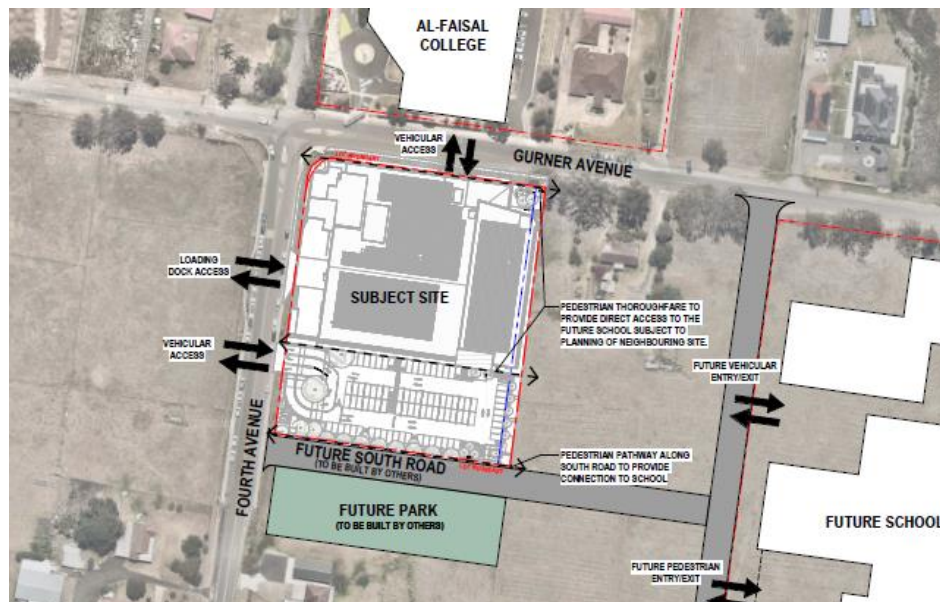


Figure 10 Approved site plan





Figure 11 Approved render as viewed from Gurner Avenue

### 3.2 CHRONOLOGY OF PLANNING PROPOSAL

Provided below is an overview of the progress of the Planning Proposal:

- **17 April 2025:** Informal discussions with Council and the applicant regarding submission of a planning proposal
- **8 May 2025:** A pre-planning proposal meeting was held with the Liverpool Council to consider the proposed additional permitted use

### 3.3 PRE-PLANNING PROPOSAL MEETING

A formal Pre-Planning Proposal meeting was held with Council on 8 May 2025, with subsequent written comments provided by Council on 12 May 2025.

**Table 2** below summarises Council's comments and provides a response to each of these

Table 2 Council Comments and Responses from 8 May 2025	
Council Comment	Response
<b>Strategic/Site-Specific Merit &amp; Suitability of Use</b>	
<i>The proposal seeks consent for 'recreation facilities (indoor),' which is a prohibited use within the B1 Neighbourhood Centre zone under Appendix 4 Liverpool Growth Centres Precinct Plan of the State Environmental Planning Policy Western Parkland City 2021 (WPC SEPP 2021). The application must demonstrate how the proposal achieves strategic merit by supporting the objectives of the Precinct Plan despite this prohibition.</i>	The strategic merit for the additional permitted use is discussed under Section 6.3 of this Report.
<i>In the meeting it was forwarded that the use aligns with the intent for the site as a Centre providing access to shopping, employment and services for residents of Austral. It must be demonstrated that each of the proposed identifies gym uses, or other recreation facilities (indoor), if incorporated into the approved retail developments, would complement the mix of uses and not impact negatively on the retail function of each neighbourhood centre.</i>	As discussed throughout this Report and supporting documentation, the proposed additional permitted use will not result in any negative impacts on the functionality of the neighbourhood centre development, it rather offers a positive outcome to these uses.

Table 2 Council Comments and Responses from 8 May 2025

**Supporting Documentation**

*In addition to standard documentation to be submitted with the future planning proposal, it is recommended that the following supporting documentation is also submitted:*

- economic and retail analysis
- traffic report (including consideration of pedestrian catchments and active transport)
- recreational needs assessment
- social impact assessment (if the gym is proposed to operate 24/7)

A Social Impact Assessment, , Traffic Report and Recreational Needs and Economic Assessment have been prepared and are submitted under a separate cover.

**Planning Proposal Report**

*It is recommended that a future planning proposal be prepared separately for each site. While the proposed APU is identical for both sites, Site A is located in the 'Eighth Avenue Neighbourhood Centre' and Site B is located in the 'Gurner Avenue Neighbourhood Centre.' As the demonstration of strategic merit will be dependent on site specific context, this will be more appropriately achieved via the lodgement of two separate applications.*

Separate Planning Proposals have been prepared for No. 495 Fourth Avenue and No. 260 Eighth Avenue, Austral.



## 4. Existing Planning Provisions

### 4.1 STATE ENVIRONMENTAL PLANNING POLICY (WESTERN PARKLAND CITY) 2021

The current planning controls that apply to the site under *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* are summarised as follows:

Table 3 Summary of Current Planning Controls		
Control	Existing Requirement	Figure
Zoning	Zone B1 Neighbourhood Centre	13
Permitted Uses	<b>3 Permitted with consent</b> Amusement centres; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Drainage; Educational establishments; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Medical centres; Neighbourhood shops; Office premises; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Roads; Service stations; Serviced apartments; Shops; Shop top housing; Veterinary hospitals <b>4 Prohibited</b> Any development not specified in item 2 or 3	-
Clause 4.3 - Height of Buildings	17m	14
Clause 4.4 - Floor Space Ratio	N/A	-
Clause 5.10 Heritage Conservation	-	-
Clause 5.21 Food Planning	-	-
Clause 6.1 Acid Sulfate Soil	-	-
Clause 6.4 Earthworks	-	-

The land is not subject to any other environmental or hazard constraints (excluding bushfire). Of the above listed provisions, this Planning Proposal seeks to insert an additional clause to permit with consent *recreation facility (indoor)* under Schedule 1 of Appendix 4 of the Western Parkland City SEPP, as described in Section 5.

As detailed, at the time of the implementation of the Employment Zones Reform, the Western Parkland City SEPP was not amended to provide the land use zoning that is currently implemented within the Standard Instrument. The proposal is to reflect the permissible land use zoning that has been gazetted within the Employment Zones Reform which has enabled *recreation facility (indoor)* in the equivalent zoning as prescribed within the Liverpool LEP 2008.

#### 4.1.1 Existing Zoning

The zoning table for the B1-Neighbourhood Centre zone states the following:

##### **'Zone B1 Neighbourhood Centre**

##### **1 Objectives of zone**

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

## 2 Permitted without consent

Home-based child care; Home occupations

## 3 Permitted with consent

Amusement centres; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Drainage; Educational establishments; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Medical centres; Neighbourhood shops; Office premises; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Roads; Service stations; Serviced apartments; Shops; Shop top housing; Veterinary hospitals

## 4 Prohibited

Any development not specified in item 2 or 3

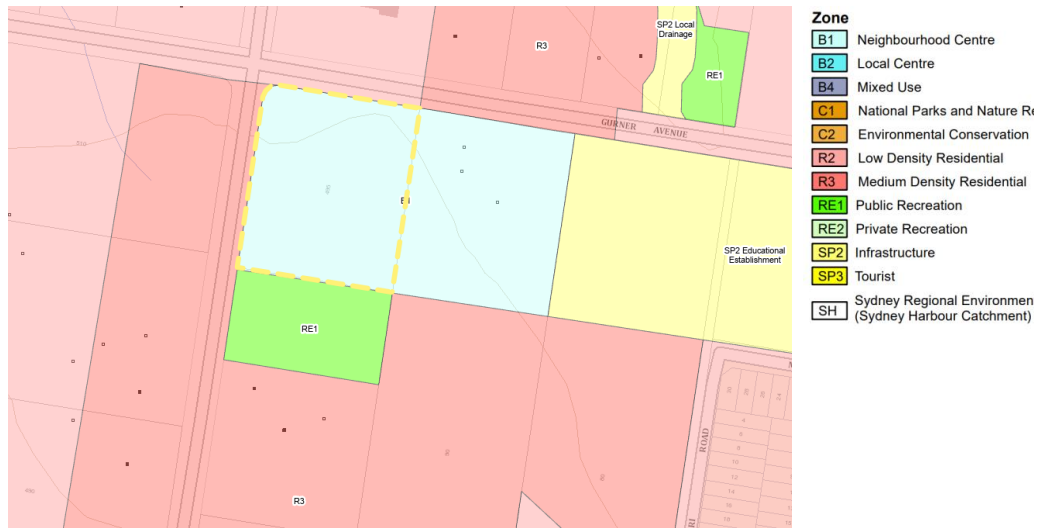


Figure 12 Aerial image of the subject site and zoning (source: NSW Planning Portal)

### 4.1.2 Current Development Standards and Controls

The current development standards are detailed in the following maps:

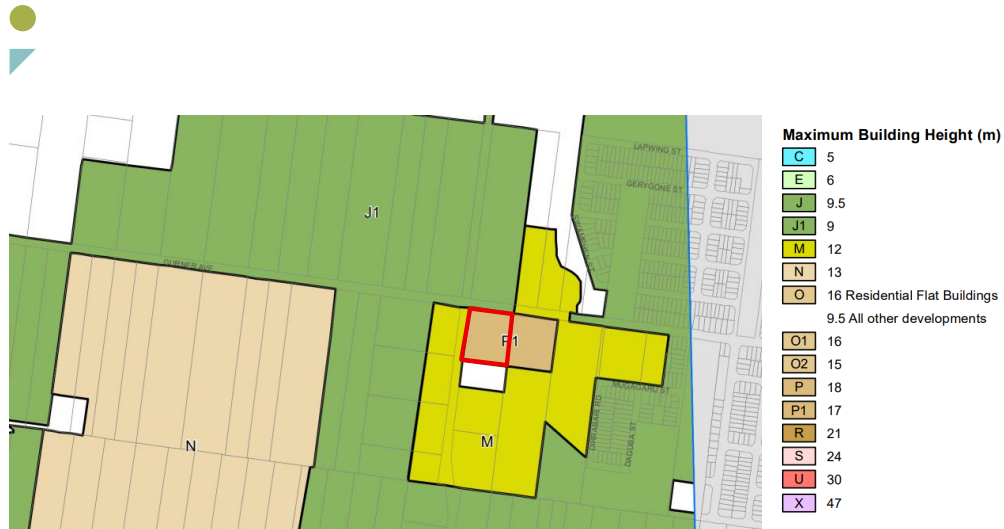


Figure 13 Extract from Western Parkland City SEPP Height of Buildings Map 007 (site edged in red)

## 4.2 LIVERPOOL GROWTH CENTRE DEVELOPMENT CONTROL PLAN

The site at No. 495 Fourth Avenue is subject to *Schedule 1 – Austral & Leppington North Precinct of the Liverpool Growth Centre Development Control Plan ('DCP')*. The controls under *Liverpool Growth Centre Precinct DCP – Main Body* also apply. The preparation of a Draft Site-Specific Development Control Plan for the subject site is not required, and any future development relating to the additional permitted use will address the objectives and aims under Schedule 1 and the main body of the DCP.

## 5. Proposed SEPP Amendments

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### 5.1.1 Proposed Additional Permitted Use

The proposal seeks to amend *Schedule 1 Additional permitted uses of Appendix 4 Liverpool Growth Centres Precinct Plan of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021* as follows:

Insert in Schedule 1 Additional permitted uses:

**1 Use of certain land at No. 495 Fourth Avenue, Austral**

(1) *This Section applies to land known as No. 495 Fourth Avenue, Austral (Lot 121 in DP 1220414).*

(2) *Development for the purposes of recreation facility (indoor) are permitted with development consent.*

The above amendments will allow for *recreation facility (indoor)* to be permitted with consent on the subject site, and are defined as follows:

***recreation facility (indoor)*** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.



## 6. Planning Proposal

### 6.1 PART 1 – OBJECTIVES OR INTENDED OUTCOMES

#### 6.1.1 Objectives

The objectives for this Planning Proposal are to:

- i. Deliver much needed indoor recreational facilities in an area of significant residential growth;
- ii. Deliver much needed indoor recreational facilities in an area of significant undersupply;
- iii. Contribute to the much-needed use of indoor recreational facilities within an approved mixed use development;
- iv. Contribute towards improving health and wellbeing to the residents and workers within Austral; and
- v. Align with the Employment SEPP Reform.

#### 6.1.2 Intended Outcomes

The Planning Proposal will amend Western Parkland City SEPP 2021 to facilitate redevelopment of the site in a flexible and appropriate manner. The intended outcomes are as follows:

- i. Deliver recreational opportunities within an approved mixed-use development with good access to a variety of infrastructure;
- ii. Deliver an additional permitted use that allows for flexibility;
- iii. To achieve public benefit in terms of providing a use that will improve the health and well-being of community members; and
- iv. Allow for the orderly and economic development of the land.

This application has also been prepared following input from specialist studies. This includes analysis as it pertains to traffic, economic feasibility and recreational needs assessment. Furthermore, detailed analysis of amenity impacts on the public domain has been considered as part of the additional permitted use.

### 6.2 PART 2 - EXPLANATION OF PROVISIONS

The proposed outcome will be achieved by amending the Western Parkland City SEPP 2021 as follows:

- Insert a new clause into Schedule 1 Additional Permitted Uses of Appendix 4 Liverpool Growth Centres Precinct Plan to permit with consent *recreational facility (indoor)*.

All other provisions of Western Parkland City SEPP 2021 are to remain unchanged.

### 6.3 PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

This section details the reasons for the proposed SEPP amendment and is based on a series of questions and matters for consideration as outlined in the DPIE Guideline (August 2023). The matters to be addressed include the strategic planning context of the amendments, strategic merits, site-specific merits, potential State and Commonwealth agency interests, environmental, social and economic impacts.

In summary, the proposed amendments to Western Parkland City SEPP 2021 outlined above and in Part 5.1.1 of this Report will:

- Align with the relevant key priorities and strategic merit matters in the *Greater Sydney Regional Plan* and *Western City District Plan*;

- Be consistent with the relevant key planning priorities, and strategic and site-specific merit matters contained in the *Liverpool Local Strategic Planning Statement*;
- Be consistent with the *Liverpool Community Strategic Plan*;
- Respond to the circumstances of the site not being included in the employment zones reform that would enable the permissibility of the proposed use; and
- Deliver an additional use which will be compatible with the approved mixed-use development pertaining to the subject site.

The Western Parkland City SEPP contains the following aims under Section 1.2 Aims of Precinct Plan:

- (a) to make development controls that will ensure the creation of quality environments and good design outcomes,*
- (b) to protect and enhance environmentally sensitive natural areas and cultural heritage,*
- (c) to provide for recreational opportunities,*
- (d) to provide for multifunctional and innovative development that encourages employment and economic growth,*
- (e) to promote housing choice and affordability,*
- (f) to provide for sustainable development,*
- (g) to promote pedestrian and vehicle connectivity.*

The proposed additional permitted use will satisfy the relevant aims which apply, including:

- Aim (a): The additional permitted use will provide for a recreation facility (indoor), such as a gym, which will contribute to the approved, high quality mixed-use development;
- Aim (c): The proposal will directly contribute to the delivery of recreational opportunities which are underrepresented and in demand within the Austral locality. It will also encourage health, wellbeing and social interaction for the Austral community;
- Aim (d): The proposal will provide for an additional use which is complementary to the approved neighbourhood center development. This will encourage employment and economic growth on the subject site and within the locality, and provide access to recreational opportunities which would otherwise not be present within the Austral locality; and
- Aim (g): The proposal will encourage multi-purpose trips, and will provide for much needed recreational uses within the Austral locality, which is currently underrepresented and in demand. If this planning proposal is not advanced, workers and residents will be required to travel to other centres to enjoy recreational facilities, which is antipathetic to this aim, amongst others.

#### Questions for consideration in demonstrating justification

##### **6.3.1 Section A - The Need for the Planning Proposal**

##### ***Q1: Is the planning proposal a result of an endorsed LSPS, strategic study or report?***

No. The Planning Proposal is not made in direct response to any endorsed local strategic planning statement, strategic study or report but rather to reflect the Employment Zones Reform. The NSW State Government introduced 5 new employment zones and 3 supporting zones into the Standard Instrument Order 2006, commencing on 26 April 2024. The zoning reforms were implemented into the *Liverpool Local Environment Plan 2008*, however, were excluded from the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*, including *Appendix 4 Liverpool Growth Centres Precinct Plan*. Whilst the subject site is located within the Liverpool LGA, given the Western Parkland City SEPP applies to these properties, they do not benefit from the zoning reforms made to the majority of the Liverpool LGA.

**Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. A Planning Proposal is the best and only means of achieving the objectives and intended outcomes and this has been confirmed by Liverpool Council and the State Government. The current B1 zoning does not allow for flexibility in the use of recreation facility (indoor).

As described in this Report, and the supporting Recreational Needs and Economic Assessment, the subject site and locality has a variety of attributes which would positively enable the use of indoor recreational facilities. Not only will the Planning Proposal achieve the objectives and intended outcomes, but will also deliver the following public benefits:

- Promote healthy communities through additional permitted uses;
- Allow for the flexibility of use to ensure the successful ongoing operation of the mixed-use development;
- Allow for economic growth; and
- Provide additional indoor recreational uses in a location better suited and where there is a significant undersupply and demand.

The public benefits can only be delivered through the proposed amendments to the SEPP. It is noted that these SEPP Amendment fits the category of a 'Standard' planning proposal described in the DPIE Guideline as follows:

**Standard**

A standard planning proposal refers to any one or more of the following proposed LEP amendment types, including an amendment:

- To change the land use zone where the proposal is consistent with the objectives identified in the LEP for that proposed zone
- That relates to altering the principal development standards of the LEP
- That relates to the addition of a permissible land use or uses and/or any conditional arrangements under Schedule 1 Additional Permitted Uses of the LEP
- That is consistent with an endorsed District/Regional Strategic Plan and/or LSPS
- Relating to classification or reclassification of public land through the LEP

As discussed, the proposal seeks to permit recreation facilities (indoor) to align with the intent of the employment zones reform as set out in this document. The Planning Proposal is the only way to satisfy objectives and intended outcomes as detailed above.

**6.3.2 Section B – Relationship to the Strategic Planning Framework**

Assessment against the following matters for consideration listed in the guidelines (Questions 3-6) demonstrate that the planning proposal has clear strategic and site-specific planning merit.

This application for a Planning Proposal is consistent with the applicable regional and sub-regional strategies. The strategic plans identify the need to provide recreational facilities to promote healthy communities throughout urban areas. This application for a Planning Proposal seeks to enable the use of recreational facilities (indoor) to be permitted which is reflective of the strategic location and characteristics.

**Q3: 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 relevant regional or district plans include the following and are addressed in detail below:

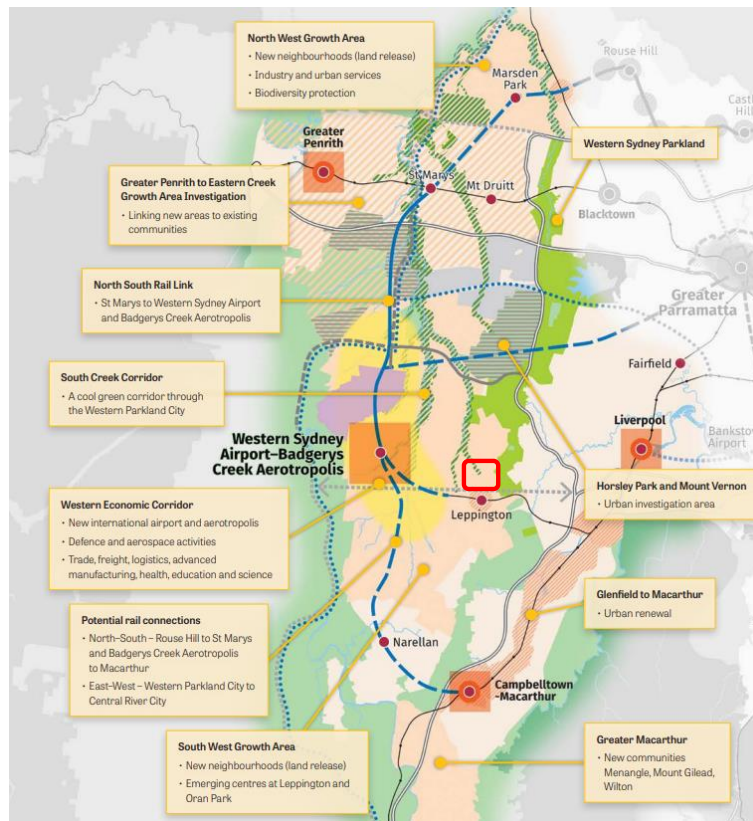
- *The Greater Sydney Region Plan: A Metropolis of Three Cities;*
- *Western City District Plan;* and
- *South West Growth Area Structural Plan.*

**6.3.2.1 Greater Sydney Region Plan – A Metropolis of Three Cities (GSRP)**

On 23 March 2018, the Greater Sydney Commission released *A Metropolis of 3 Cities: The Greater Sydney Region Plan* (GSRP) which sets out strategic priorities for 2016 to 2036. The Regional Plan contains ten directions for the Greater Sydney Metropolitan Area. The Directions include the following:

1. A city supported by infrastructure;
2. A collaborative city;
3. A city for people;
4. Housing the city;
5. A city of great places;
6. A well connected city;
7. Jobs and skills for the city;
8. A city in its landscape;
9. An efficient city;
10. A resilient city.

The Metropolitan Strategy does not identify Austral as within any Strategic Centre, however, is within close proximity to Leppington as shown in **Figure 14**. It is noted that Austral is not identified as a Local Centre under the Western City District Plan.



**Figure 14** The Western Parkland City (Source: A Metropolis of 3 Cities: The Greater Sydney Region Plan)

An assessment against the relevant directions and their objectives is provided in the table below.

Table 4 Greater Sydney Region Plan: A Metropolis of Three Cities Directions
<b>Direction 1 – A city supported by infrastructure</b>
<b>Objectives 1 to 4</b>
These objectives relate to the provision of infrastructure to support the future needs of the three cities.



**Table 4** Greater Sydney Region Plan: A Metropolis of Three Cities Directions

As detailed in Section 1 of this Report, the subject site represents a unique opportunity whereby it contains the potential to support recreational facilities (indoor) within an approved mixed-use development. The provision of an additional and compatible use within this neighbourhood centre will ultimately improve the viability of the centre. It is not uncommon for neighbourhood centre developments, comprising of supermarkets, commercial and retail uses, to be accompanied by *recreation facilities (indoor)*, where it diversifies use and encourages multipurpose trips.

**Direction 3 – A city for people****Objective 6: Services and infrastructure meet communities' changing needs**

This objective is about providing social infrastructure and public places that reflects the needs of the community now and in the future.

The proposal will facilitate the delivery of indoor recreational facilities where it is currently prohibited by the planning controls. This provision is supported by the nature of the approved mixed-use development. Indoor recreational facilities will be located within the approved built form and is considered an appropriate planning outcome. As identified within the Recreational Needs and Economic Assessment, there is a significant undersupply and demand of the proposed use, which will only be exacerbated as the population begins to diversify.

**Objective 7 Communities are healthy, resilient and socially connected**

This objective is about creating a lively connected neighbourhood that is in close proximity to shops, creative arts centres, schools, health care centres and community facilities. It promotes the benefits of mixed-use centres and the opportunities for public and alternative forms of transport.

As the subject site contains to an existing approval for a neighbourhood centre development, the proposed use of indoor recreational facilities will bolster the sense of community and enable healthy, resilient and socially connected groups. As discussed, the use is currently prohibited. The additional use will be easily accessible, and will be agglomerated with the commercial and retail facilities which are available. Due to the subject site's strategic location and current development approval, that is, within a neighbourhood centre servicing the needs of the Austral population, the additional permitted use will achieve the connectedness envisaged by the GSRP.

It will also allow for ease of access to recreational facilities, and will ensure future residents and workers will not be required to travel alternate centres to access the proposed use. It also allows for an additional use within walking distance to R3 and R2 zoned land, which will also see an increase in density pursuant to the permitted planning controls.

**Objective 8 - Greater Sydney's communities are culturally rich with diverse neighbourhoods**

This objective is about fostering cultural diversity and facilitating their growth.

The provision of an additional permitted use to the approved development will diversify land use, cater for a greater cross section of the community and also promote multi-purpose trips. In turn this will foster cultural diversity and facilitate growth. The proposal provides for greater satisfaction of Objective 8, whereby the current land uses not respond to its strategic location and beneficial characteristics.

**Direction 4 – Housing the city****Objective 10 - Greater housing supply**

The NSW Government has identified that 725,000 new homes will be needed to meet demand based on current population projections to 2036.

This planning proposal does not seek to provide additional housing, but rather provides a use that will serve the needs of the diverse and growing population within Austral. The site presents as a unique opportunity to support the use of indoor recreational facilities.

**Direction 5 – A city of great places**

**Table 4** Greater Sydney Region Plan: A Metropolis of Three Cities Directions**Objective 12 - Great places that bring people together**

The Metropolitan Plan promotes the following principles for the design of great places:

- People friendly public open space areas and streets
- Fine grain fabric and activity
- A diverse mix of uses
- A socially connected region
- Ensure adequate car parking which takes into account access to public transport
- Encourage the use of car sharing and hybrid vehicles

Indoor recreational facilities promote good places as they offer inclusive and accessible environments that foster physical and social interaction between different community groups. The current land use permissibility does not support this. The additional permitted use will improve the experience of the general public as it will foster a good sense of community and promote multipurpose trips.

The proposal will also improve the approved development by diversifying the permissible uses available to the mixed-use development.

**Division 6: A well-connected city****Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities**

This objective seeks to create a well-connected city with transport and other services.

Whilst the subject site is not currently serviced by frequent public transport routes in close proximity, this is anticipated to change. Despite this, this planning proposal will promote multipurpose trips to the approved mixed use development, and is also located in an area surrounded by various land uses which are anticipated to undergo a significant increase in density. It is not uncommon for neighbourhood centre developments, comprising of supermarkets, commercial and retail uses to be accompanied by recreation facilities (indoor), where it diversifies use and encourages multipurpose trips.

**Objective 15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive**

The subject site is not within the Western Economic Corridor and this objective is not a matter for consideration.

**Division 7: Jobs and skills for the city****Objective 22: Investment and business activity in centres**

This objective seeks to strengthen centres through attracting investment, business and jobs.

The planning proposal will provide indoor recreational facilities which will provide additional jobs and services in the local community.

**Direction 10 – A resilient city****Objective 37: Exposure to natural and urban hazards is reduced**

This objective seeks to ensure the delivery of resilient communities.

The subject site is bush fire affected. The conclusions and conditions issued under DA-311/2024 will remain unchanged as the Planning Proposal does not require any physical changes to accommodate the additional permitted use.

**6.3.2.2 Western City District Plan (WCDP)**

The *Western City District Plan* (WCDP) adopts the Directions of the GSRP and lists Planning Priorities relevant for consideration in this Planning Proposal. The WCDP applies to Blue Mountains, Hawkesbury, Penrith, Camden,

Campbelltown, Fairfield, Liverpool and Wollondilly. The District Plan sets out a 20-year plan and aims to enhance liveability, productivity and sustainability.

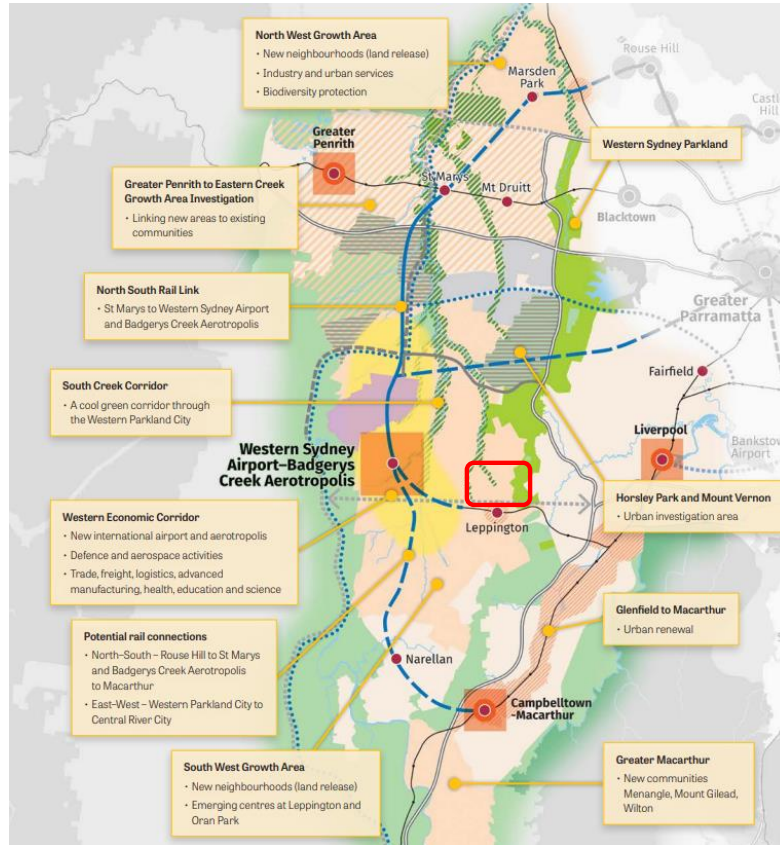


Figure 15 The Western City District Plan excerpt

The District Plan establishes a number of priorities and actions to guide growth, development and change, relating to productivity, liveability and sustainability. Additional housing to improve diversity and affordability co-ordinated with transport, development of centres and services is required in response to population growth. As such, the local area will require more facilities and services, such as *recreation facilities (indoor)*, to promote healthy communities, accommodating the needs of the growing population. The District Plan also identifies the need for community facilities, places of public worship and public open spaces.

In accordance with the above, the Proposal supports a number of the *Directions* and *Planning Priorities* outlined in the plan as outlined in the following table:

Table 5 Western City District Plan
<b>Direction 1 - A city supported by infrastructure</b>
<b>Planning Priority E1 Planning for a city supported by infrastructure</b>
As discussed within <b>Table 4</b> and per the Greater Sydney Regional Plan, the proposal will allow for the delivery of indoor recreational facilities within a highly accessible location in close proximity to numerous services and facilities.
The proposal will deliver uses within an area of demand and can be supported by the approved development under DA-311/2024. As described, the subject site is suited to the additional permitted use given the recent approval and strategic location.

**Table 5** Western City District Plan**Direction 3 – A city for people***Planning Priority E3 Providing services and social infrastructure to meet people's changing needs*

The additional permitted use sought as part of this proposal will provide for indoor recreational facilities to a highly accessible site with excellent access to services and infrastructure. Indoor recreational facilities provide accessible environments where different individuals and communities can participate and engage in physical activity, social interaction and personal development.

*Planning Priority W4 Fostering healthy, creative culturally rich and socially connected communities*

The additional permitted use of indoor recreational facilities to the approved mixed use development will enable communities to be connected through providing inclusive spaces where individuals can come together for a shared interest. The additional permitted use further promotes physical and mental well being through various forms of activities. By encouraging the use, it will promote regular social interaction and foster welcoming environments complementing the diverse needs of the community.

**Direction 4 – Housing the city***Planning Priority E5 Providing housing supply, choice and affordability with access to jobs, services and public transport*

The Planning Proposal does not seek to provide additional housing but will rather promote indoor recreational facilities to support the diverse needs of the growing population. As the population increases, so will the need for recreational facilities.

**Direction 5 – A city of great places***Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage*

The subject site is not located in close proximity to any identified local centres, however, is identified as a neighbourhood centre. In this regard, the Planning Proposal will foster great places through the provision of indoor recreational spaces which will complement the desired character of the centre. Indoor recreational facilities provide the opportunity to encourage foot traffic, diversify uses and patrons, which will support businesses of mixed-use development. The additional use will be integrated into the existing approved urban fabric of the mixed-use development which respects the character of the locality.

**Direction 6 – A well connected city***Planning Priority W7 Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City*

The Planning Proposal will have no negative bearing on delivering integrated land uses and transport planning. In fact, the provision of an additional permitted use will assist in the delivery of a '30-minute city' as recreational facilities to the mixed use development will aid in providing multi-purpose trips.

**Direction 9 – A resilient city***Planning Priority W20 Adapting to the impacts of urban and natural hazards and climate change*

The subject site is bush fire affected. No further consideration is required as the bush fire impacts have been considered within the assessment of DA-311/2024 and the additional permitted use will not change the conclusions.

**6.3.2.3 South West Growth Area Structural Plan**

Ministerial Directions as prescribed in Section 9.1(2) of the EP&A Act, provide Local Planning Directions, of which the any planning proposal must be consistent. The *Southwest Growth Area Structure Plan* applies to the subject site. The Southwest Growth Area Structure also applies to Liverpool, Greater Penrith, Campbelltown-Macarthur, Western Sydney International (Nancy-Bird Walton) Airport and Western Sydney Aerotropolis.

The Structure Plan establishes a strategic vision for the growth area as outlined in the *Greater Cities Commission's A Metropolis of Three Cities* and the *Western City District Plan*. The Structure Plan aims to provide a thriving and greener place to live while enabling improved housing choices, access to shops, schools, and transport options for the growing communities. As such, the locality will require more facilities and services, such as *recreation facilities (indoor)* to promote healthy communities, accommodating the needs of the growing population.

In accordance with the above, the Proposal supports a number of the *Principles and outcomes* outlined in the plan as outlined in the following table:

**Table 6** Southwest Growth Area Structure Plan***Provide opportunities for jobs closer to home******Local and Neighbourhood Centres***

The proposed additional permitted use will have no negative bearing on the Gurner Neighbourhood Centre. In fact, the provision of an additional permitted use will assist in the delivery of a '15-minute neighbourhood' as recreational facilities within the mixed-use development will aid in providing multi-purpose trips and diversification of uses. The additional use will also ensure future residents and workers will not be required to travel to alternate centres to enjoy recreational facilities. To deny the subject planning proposal would mean accessibility to services and facilities will be compromised.

***Plan for connected Communities******Local and Regional***

As discussed within **Table 4** and per the Greater Sydney Regional Plan, the proposal will allow for the delivery of indoor recreational facilities within a highly accessible location in close proximity to numerous services and facilities which will support the growing population of the Austral community, where there is a significant undersupply of indoor recreational facilities.

The proposal will deliver uses within an area of demand and can be supported by the approved infrastructure under DA-311/2024. As described, the subject site is suited to the additional permitted use given the recent approval and strategic location.

**6.3.2.4 Strategic Merit**

In addressing Question 3, the DPIE Guideline requires an application for a Planning Proposal to address the assessment criteria for strategic merit. The DPIE Guideline provides assessment criteria to determine if a planning proposal has strategic and site-specific planning merit. Accordingly, the planning proposal is considered against the assessment criteria below.

Strategic Merit

The assessment criteria to determine if a Planning Proposal has strategic planning merit is addressed in **Table 7** below (known as the 'strategic merit test').

**Table 7** Strategic Merit Test

Assessment Criteria	Comment
Will the proposal "Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/ precinct plans applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy".	<p>The applicable strategic plans are <i>A Metropolis of 3 Cities: The Greater Sydney Region Plan</i> and the <i>Western City District Plan</i>, both of which have been prepared by the Greater Sydney Commission.</p> <p>Alignment with the relevant Planning Priorities of both the GSRP and WCDP has been demonstrated in Section 6.3.2.1 and 6.3.2.2, respectively. It has been demonstrated that the planning proposal is considered to give effect to both strategic documents, achieved primarily by permitting the use of indoor recreational facilities within a highly accessible and strategic location. The additional permitted use has considered the relationship to the surrounding locality and any impacts. This is outlined in this Report and the supporting documentation.</p>
Will the proposal "demonstrate consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan".	<p>Consideration of the proposal against the Liverpool Local Strategic Planning Statement is addressed in detail under 'Question 4' below, and Section 6.2.3.5 of this Report. In summary, the proposal will give effect to the LSPS by being aligned with the relevant strategic goals and the potential public benefits that can be realised by facilitating an additional permitted use for the site. As discussed, the proposal will provide for an additional permitted use within a strategically located site, in addition to promoting healthy communities.</p>
Does the proposal "Respond to a change in circumstances that has not been recognised".	<p>The proposal is a response to the limitation of the current land use permissibility. That is, the current standards do not permit the use of recreational facilities (indoor). Further to this, the proposal is in response to the Employment Zones Reform. This is discussed throughout this Report.</p>

### 6.3.2.5 Site-Specific Merit

#### Site-Specific Merit

The planning proposal has site-specific merit given the following:

- The site contains numerous characteristics which also enable site-specific merit. This includes the following:
  - The site contains an existing development approval for a neighbourhood centre development;
  - The Employment Zones Reform did not amend the Western Parkland City SEPP to provide zoning and permissible uses pursuant to the Standard Instrument;
  - There is a significant shortfall of indoor recreational facilities within proximity to the subject site and will only be exacerbated as development area increases as permitted by the relevant planning controls; and
  - The site is within a highly accessible and strategic area as it is surrounded by compatible land uses.
- The Planning Proposal will not result in any significant adverse environmental impacts, which are outlined as follows:
  - **Amenity Impacts:** This planning proposal does not include any changes to the permitted building height or other controls which influence the bulk and scale of the site. The additional permitted use would utilise the existing floor space as approved in DA-331/2024.
  - **Acoustic Privacy:** The specific use, nature and its acoustic impacts upon future residents will form part of future development consent. It is anticipated that any future development consent would be subject to conditions which would minimise acoustic impact on surrounding uses. Furthermore, the uses will be accommodated within an approved development which considered acoustic impact in depth and was found to be acceptable.
  - **Bush Fire:** The planning proposal will not alter the conclusions and conditions issued under DA-331/2024 as the planning proposal does not involve any physical works.
  - **Traffic:** The proposal will seek to introduce an additional permitted use on the subject site and as such a Traffic Report has been prepared by *Colston Budd Rogers & Kafes Pty Ltd*. This Report concludes any additional parking can be accommodated as the approved development provides a surplus of parking and there will be no significant impact to the local traffic.
- The proposal will appropriately respond to the objectives of the B1 Neighbourhood Centre zone, as discussed below:
  - *To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood*

Comment: The proposal will provide for indoor recreational uses that will serve the needs of locality community who live in close proximity to the subject site or future employees of the mixed-use development and as such, the proposed amendments are not antipathetic with regard to this objective. In fact, to deny this proposal will be inconsistent with this objective as it will force residents and workers to travel to other centres for the use of recreation facilities (indoor).

The assessment criteria outlined in the DPIE Guideline to determine if a planning proposal has site-specific planning merit is addressed in **Table 8**.

Table 8 Site-Specific Merit Test	
Site-Specific Merit Test	Comment
Does the proposal have site-specific merit, with regards to the following:	

**Table 8 Site-Specific Merit Test**

<i>The natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources or hazards)</i>	<p>The site is not subject to any hazards or risks, excluding bushfire as detailed above. The planning proposal will not impact the existing classification or potential impact and is considered to be acceptable.</p> <p>Furthermore, the site does not contain items or features that have significant natural or environmental values. As outlined in this Report the proposal does not require to remove any vegetation to accommodate the additional permitted use.</p>
<i>The built environment, social and economic conditions</i>	<p>The site is strategically located and the additional permitted use within an approved mixed use neighbourhood centre which is surrounding by residential zoning. The proposed additional permitted use will be integrated into the approved built form which is considered to respond to the desired future character of the Austral locality.</p> <p>In terms of social and economic conditions, the proposed additional permitted use of an recreational facilities (indoor) will deliver distinctive social benefits in a desirable and growing locality. As described, the site represents an excellent opportunity to improve the liveability and will contribute to the create healthy, thriving communities within the Liverpool LGA. It is also noted that the proposal will generate employment opportunities and support surrounding businesses, contributing to the local economy.</p>
<i>The existing, approved and likely future uses of land in the vicinity of the land to which the proposal relates</i>	<p>The additional permitted use will not impact or restrict the existing approval or future development of neighbouring properties. Whilst providing an additional permitted use, the proposal will facilitate options for additional uses to the approved development which is compatible with the context and setting of the environment. As discussed in this Report and supporting documentation, it is demonstrated that the proposal will have no adverse impact in terms of amenity.</p>
<i>The 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</i>	<p>The proposed change additional permitted use will be supported by the services and infrastructure available in accordance with the development application approval. The approval provides for water connection, gas connection, sewer connection, stormwater and electricity infrastructure.</p>

**Additional Clause under Schedule 1 of Appendix 4**

As set out under Section 5.1.1 of this Report, additional clauses are to be inserted into Western Parkland City SEPP. These are proposed, as follows:

- Insert an additional clause in Schedule 1 Additional Permitted Uses that permitted with consent the use of *recreation facilities (indoor)* on the subject site.

The clause as set out above will ensure that appropriate uses will be delivered on the subject site. This will satisfy the relevant strategic documents as set by State and Local Government, and will deliver much needed recreational uses in the Austral locality.

As demonstrated in the above assessment, the planning proposal has both strategic and site-specific merit and is suitable to be progressed to a Gateway determination.

**Q4: Is the Planning Proposal consistent with a Council's local strategic or other local strategic plan?**

The relevant local strategic plans or policies include the following and are addressed in detail below.

- *Liverpool City Council Local Strategic Planning Statement – Connected Liverpool 2040;*
- *Liverpool Community Strategic Plan 2022-2032;* and
- *Liverpool Centres and Corridors Strategy.*



### 6.3.2.6 Liverpool City Council Local Strategic Planning Statement – Connected Liverpool 2040

The *Liverpool Local Strategic Planning Statement* (LSPS) came into force March 2020 and was endorsed by the Greater Sydney Commission. The LSPS sets out a 20-year land use vision to guide land use planning for the LGA. The LSPS will provide Council with strategic direction for planning and help facilitate a coordinated approach to managing growth and development in the Liverpool LGA. The LSPS will align with the Community Strategic Plan and Western City District Plan.

The Planning Proposal is consistent with the relevant vision and strategic goals of the Liverpool LSPS:

- *Connectivity;*
- *Liveability;*
- *Productivity; and*
- *Sustainability*

Of relevance to this Planning Proposal is Planning Priority 9, which is to promote *Safe, healthy and inclusive places shaping the wellbeing of the Liverpool Community*. This Planning Priority includes a number of Principles and Actions, which are to promote public and active transport and access to recreation opportunities around strategic centres. The rationale for this Planning Priority stems from the following:

*'High car dependence, relatively lower levels of spare time due to commuting and traffic, poor access to public and active transport, and fewer recreation opportunities.*

*A healthy built environment is a key motivator for the future. We are working to build more walking and cycling trails, opening access to our natural assets, focusing development near public transport to encourage mode shift, and ensuring there is enough open space and recreational facilities to meet growing demand. New urban centres will be compact and transit-oriented, to maximise opportunities for walking and active transport...'*

This proposal will promote *recreation facilities (indoor)*, not only aligning with the employment zones reform, but also directly promoting safe, healthy and inclusive localities. As identified in the excerpt above, Council is seeking to deliver compact and transit orientated communities, with excellent access to services and facilities, including recreational facilities. The provision of additional recreational facilities on a key site in the Austral region, which is earmarked for redevelopment in the near future cognisant with the respective development consent, will expressly deliver additional uses supporting health and well-being. The proposal will also remove the need to travel to surrounding suburbs and localities to access other recreational facilities and will in turn reduce reliance on private motor vehicle travel and encourage active and public transport usage.

The proposal is demonstrably consistent with the LSPS.

### 6.3.2.7 Liverpool Community Strategic Plan 2022-2032

The Liverpool Community Strategic Plan 2022-2032 (CSP) identifies the strategic direction and integrated planning framework for the Liverpool Community. The Plan sets out the communities' vision to 2032 and sets out four strategic themes:

- **Theme One:** Healthy, Inclusive, Engaging
- **Theme Two:** Liveable, Sustainable, Resilient
- **Theme Three:** Evolving, Prosperous, Innovative
- **Theme Four:** Visionary, Leading, Responsible

The proposal is compatible with the vision set out within the CSP, particularly with regard to the longer term objective for healthy, inclusive and engaging communities under Themes One and Three.

#### Theme One

The proposal is consistent with the 10-year strategies (reproduced below) which are proposed to satisfy Theme One:



- *Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities*
- *Promote a harmonious community that celebrates its diversity*
- *Embrace the city's heritage and history*
- *Support an inclusive community by fostering access and equity for all*
- *Deliver great and exciting events and programs for our people and visitors*
- *Support active and healthy lifestyles by improving footpaths, cycleways and walkways and other infrastructure that promotes and supports active transport*
- *Communicate, listen, engage and respond to the community by encouraging community participation*

The proposal seeks to improve liveability and quality of life for the community through the provision of indoor recreation facilities on a site with excellent access to other services and facilities. The proposal will contribute to recreational facilities within the Austral locality (and wider LGA) where there is a significant shortfall in the uses and will provide for an appropriate use to accompany the approved development. Importantly, the site is surrounded by low and medium density zoned land and a variety of other land uses, including open spaces, educational facilities and the like.

The additional uses in a prime location will therefore contribute to healthy communities and satisfy the objectives and goals of the CSP.

#### **Theme Three:**

The proposal is also consistent with some of the 10-year strategies (reproduced below) which are proposed to satisfy Theme Three:

- *Implement planning controls and best practice urban design to create high-quality, inclusive urban environments*
- *Facilitate quality local employment, training and education opportunities*
- *Develop the economic capacity of local businesses and industries*
- *Maintain strong relationships with agencies, stakeholders and businesses to achieve beneficial outcomes for the city*

The proposal will seek to enhance the local economy through diversifying the land uses and supporting the health and wellbeing of individuals. Given the subject site was not afforded the benefits of the employment zones reform that have been implemented into the Standard Instrument, it is unreasonable to limit the subject site from providing the opportunity to offer a use which will deliver significant benefits to the community. The additional permitted uses will generate employment opportunities for the indoor recreational uses and will be compatible with that envisaged in the neighbourhood centre.

Given the site currently contains a development approval for a mixed-use development, providing an additional use will increase traffic to local businesses. The provision of indoor recreational facilities will align with Council's strategic goals as it will foster collaboration with stakeholders and deliver infrastructure that will support the growing population, and contribute to an economically resilient community.

#### **6.3.2.8 Liverpool Centers and Corridors Strategy**

The Liverpool Centres and Corridors Strategy ('Strategy') is a response to Planning Priority 11 'An attractive environment for local jobs, business, tourism and investment', Action 11.1 'Develop a Centres and Corridor Strategy, and review LEP and DCP to ensure alignment' of Council's LSPS. The Strategy redefines and recategorises Liverpool's centres and corridors and provides direction for future planning.

With regards to Austral, specifically the Gurner Avenue Neighbourhood Centre, this is identified as key centre serving the growing community of Austral. Gurner Avenue is desired to provide for a range of retail and commercial premises serving the community, with supporting social infrastructure. The proposed additional use will complement the retail and commercial nature of the development (as approved) and will strengthen the viability of the centre through diversifying uses and also encouraging healthy and socially active communities.

As set out and per DA-311/2024, the subject site is capable of accommodating *recreation facilities (indoor)*, without impacting the provision of retail or commercial premises. This will ensure that the function of the Gurner Avenue Neighbourhood Centre will support the strategy in creating inclusive, accessible and economic hubs to serve the growing population of Austral and the wider locality.

**Q5: Is the planning proposal consistent with applicable state and regional studies or strategies?**

There are no other state and regional studies or strategies to which the proposed amendments are required to align.

**Q6: Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?**

There are no State Environmental Planning Policies (SEPPs) or draft Policies or Deemed SEPPs that would prohibit or restrict this Planning Proposal. A list of relevant SEPPs is included in **Table 9**.

SEPP	Relevance	Y/N	Comments
SEPP Resilience and Hazards 2021	The Resilience and Hazards SEPP repealed and replace three former SEPPs related to coastal management, hazardous and offensive development and remediation of land.	Yes	The application for a Planning Proposal will not change the land use zoning and will seek to permit with consent an additional permitted use. This will not change the application of remediation of land.  In terms of Coastal Management and Hazardous or Offensive Material, the application does not change the manner in which the chapters of the SEPP applies to the site.
SEPP (Sustainable Buildings) 2022	This SEPP encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials.	Yes	This application does not change the manner in which this SEPP will apply to any future development consent.
SEPP (Housing) 2021	This SEPP aims to incentivise the supply and ensure the effective delivery of new affordable and diverse housing. The Housing SEPP consolidates six existing housing related policies, including: • State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP); • SEPP 65 (Design Quality of Residential Apartment Development)	Yes	This application does not change the manner in which this SEPP applies to the site.

Table 9 Relevant State Environmental Planning Policies			
SEPP	Relevance	Y/N	Comments
	<ul style="list-style-type: none"> <li>State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 (Seniors SEPP);</li> <li>State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes) (SEPP 70);</li> <li>State Environmental Planning Policy No 21 - Caravan Parks; and</li> <li>State Environmental Planning Policy No 36 - Manufactured Home Estates.</li> </ul>		
SEPP (Exempt and Complying Development Codes) 2008	This SEPP defines types of development for which development consent is not required.	Yes	This application for a Planning Proposal does not change the manner in which this SEPP applies to the site.
SEPP (Transport and Infrastructure) 2021	This SEPP aims to facilitate the delivery of new infrastructure and protect the safe and efficient operation of existing infrastructure. This SEPP repeals and replaces four former SEPPs related to infrastructure, transport, education and childcare.	Yes	<p>The application for a Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.</p> <p>Parking is considered in the submitted Traffic Impact Assessment prepared by CBRK.</p>
SEPP (Biodiversity and Conservation) 2021	This SEPP repeals and replaces 11 previous SEPPs.	Yes	<p>The application for a Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.</p> <p>No vegetation currently exists on the subject site.</p>
SEPP (Industry and Employment) 2021	This SEPP repeals and replaces two former SEPPs related to employment lands in Western Sydney and advertising and signage.	Yes	The Planning Proposal does not change the way in which the SEPP (specifically, Chapter 3 Advertising and Signage) would apply to the site or to future development upon the site.
SEPP (Planning Systems) 2021	This SEPP identifies state or regionally significant development, state-significant infrastructure, and critical state-significant infrastructure.		This Planning Proposal does not change the way in which this SEPP would apply to the site or to future development

**Q7: Is the Planning Proposal consistent with the applicable Ministerial Directions?**

The proposal is consistent with all applicable Ministerial Directions under Section 9.1 of the *Environmental Planning and Assessment Act 1979* as outlined in the below table.

Table 10 Section 9.1 Ministerial Directions			
Ministerial Direction	Relevance	Y/N	Comments

Table 10 Section 9.1 Ministerial Directions

1. Planning Systems			
1.4 Site Specific Provisions	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</p> <p>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(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</p> <p>(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.</p> <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p>	Yes	<p>The Planning Proposal will seek to include an additional permitted use to allow for recreation facility (indoor) on the site which is consistent with the zoning and employment reforms.</p> <p>(a) The proposal will allow for an additional permitted use in the B1 zone, consistent with the employment zones reform.</p> <p>(b) As above, the proposal will not rezone the site rather will include an additional permitted use.</p> <p>(c) The proposal will not include any standards beyond those currently required.</p> <p>Noted.</p>
1.21 Implementation of South West Growth Area Structure Plan	<p>This direction applies to when a planning proposal authority prepares a planning proposal for land in the Camden, Campbelltown and Liverpool local government areas that applies to land within the South West Growth Area.</p> <p>(1) A planning proposal authority must ensure that a planning proposal is consistent with the Structure Plan and Guide approved by the Minister for Planning and as published in December 2022 on the website of the Department of Planning and Environment.</p>	Yes	<p>The subject planning proposal is consistent with the South West Growth Area Structure Plan as set out in Section 6.3.2.3 of this Report. It is noted that the provision of an additional permitted use on the subject site will encourage healthy, socially interactive and economically robust localities and is therefore consistent with the Structure Plan.</p>
3. Biodiversity and Conservation			
3.1 Conservation Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas</p>	N/A	<p>The subject site is not zoned or identified as environmentally sensitive land and therefore this direction does not apply.</p>
3.2 Heritage Conservation	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>A planning proposal must contain provisions that facilitate the protection and conservation of heritage significance and Indigenous heritage significance</p>	N/A	<p>The subject site does not contain any heritage restrictions and therefore this does not apply.</p>

**Table 10** Section 9.1 Ministerial Directions

3.7 Public Bushland	<p>This direction applies when a planning proposal authority prepares a planning proposal for land in the Woollahra Local Government Area.</p> <p>A Planning Proposal must retain 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.</p>	N/A	The subject Planning Proposal is not located within any public bushland.
3.9 Sydney Harbour Foreshores and Waterways Area	This direction applies when a planning proposal authority prepares a planning proposal for land within the Foreshores and Waterways Area as defined in the State Environmental Planning Policy (Biodiversity and Conservation) 2021.	N/A	The subject site is not located within the foreshore and waterways area and therefore this direction does not apply.
3.10 Water Catchment Protection	This direction applies when a planning proposal authority prepares a planning proposal which will affect land within a regulated catchment, excluding the Sydney Drinking Water Catchment, within the meaning of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.	Yes	<p>The subject site is located within the Hawkesbury-Nepean Catch and therefore this direction applies.</p> <p>The Planning Proposal seeks only to permit an additional permitted use (Recreational Facility (Indoor)) and does not propose any physical works or changes to built form, vegetation, or stormwater infrastructure beyond the development consents associated with DA-311/2024. As the proposal will not increase human interference, affect native vegetation, alter scenic quality, or impact catchment health within the site, it is considered consistent with the objectives of Ministerial Direction 3.10.</p>
<b>4. Resilience and Hazards</b>			
4.1 Flooding	This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.	N/A	The subject site is not identified as flood prone and therefore this direction does not apply.
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. This applies where the relevant planning authority is required to prepare a bush fire prone land map under section 10.3 of the EP&A Act, or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.	Yes	The subject site is identified as bushfire prone land. The proposed additional permitted use will not have any undue impact to the bushfire affectation of the site, as detailed in the letter prepared by Anderson Environment & Planning.

**Table 10** Section 9.1 Ministerial Directions

4.4 Remediation of Contaminated Land	<p>This direction applies when a planning proposal authority prepares a planning proposal that applies to:</p> <p>(a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997,</p> <p>(b) 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,</p> <p>(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:</p> <p>i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p>ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</p>	Yes	The Planning Proposal is for an additional permitted use, noting that the land is suitable for development as evidenced in the approved development, and therefore this application for a Planning Proposal is consistent with Direction 4.4.
4.5 Acid Sulfate Soils	<p>This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning and Environment.</p> <p>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.</p>	Yes	The land is not mapped as containing Acid Sulfate Soils and is therefore considered acceptable with regards to this Direction.
<b>5. Transport and Infrastructure</b>			
5.1 Integrating Land Use and Transport	<p>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, business, industrial, village or tourist purposes.</p> <p>(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:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001)</p>	Yes	<p>This Planning Proposal will not increase maximum building height and floor space ratio which applies to the subject site, however, will include an additional permitted use. Therefore, the maximum density on-site will be maintained</p> <p>It is noted that this application is submitted with a Traffic Report prepared by <i>CBRK</i> which concludes that the proposal will have no adverse impact to traffic and is therefore acceptable with regards to this Direction.</p>

Table 10 Section 9.1 Ministerial Directions			
5.2 Reserving Land for Public Purposes	This direction applies to all relevant planning authorities when preparing a planning proposal.  (1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).	N/A	Not applicable to subject Planning Proposal.
5.3 Development Near Regulated Airports and Defence Airfields	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 land near a regulated airport which includes a defence airfield.	N/A	Not applicable to subject Planning Proposal.
<b>6. Housing</b>			
6.1 Residential Zones	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.	N/A	The Planning Proposal will not alter the permissibility of residential uses, and will only permit with consent <i>recreation facility (indoor)</i> .
<b>7. Industry and Employment</b>			
7.1 Employment Zones	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed Employment zone (including the alteration of any existing Employment zone boundary).	N/A	The site is zoned B1 Neighbourhood Centre. Whilst unclear if this applies, it is noted that the subject proposal will provide for an additional permitted use which will be consistent with this Direction as it will provide for additional employment opportunities within the zone, and will support the local economy of Austral North.

### 6.3.3 Section C - Environmental, Social and Economic Impacts

**Q8: 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 proposal does not seek any built form changes as part of this application as it results to an additional permitted use. Despite this, recreational facility (indoor) are not anticipated to introduce any significant environmental impact beyond that considered in DA-311/2024.

**Q9: Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

The current approval (DA-311/2024) as referenced in this Planning Proposal demonstrates that similar uses can be operated without any detrimental environmental effects, as is discussed in greater detail below.

### Aural Privacy





The acoustic privacy of neighbouring properties will form part of a development consent when undertaking applications to pursue the use. It is understood that Council will impose general conditions for the future use of recreational facilities when seeking development consent. Importantly, the approved development undertook detail acoustic testing and analysis, where it was determined that construction measures and operational management can limit adverse aural impact.

#### Vehicle Traffic

A Transport, Traffic and Parking Assessment has been prepared by *Colston Budd Rogers & Kafes Pty Ltd* and is submitted under a separate cover. The Transport, Traffic and Parking Assessment provides consideration of the vehicular movements, quantum of car and bicycle parking as part of the provision of additional permitted use.

Notably, the Liverpool Growth Centre Development Controls Plan does not stipulate a rate for indoor recreational facilities.

The proposal does not seek any additional parking spaces or changes to the existing road network and any future application will utilize the existing parking arrangements as established under DA-311/2024. The Traffic Assessment concludes that any additional car parking spaces required for any future use of the recreational facilities (indoor) can be accommodated within the approved car parking area, particularly given the approved development provided a surplus of spaces.

#### Bushfire

The subject site is located in a Bushfire Prone Area. The proposed additional permitted use will not exacerbate the bushfire vulnerability nor alter the conclusions made under DA-311/2024.

#### **Q10: Has the Planning Proposal adequately addressed any social and economic effects?**

This Planning Proposal will result in positive social and economic effects, including the provision of providing indoor recreational facilities in a well located and sought out location. There are clear benefits associated with the additional permitted use. These are described further below.

#### Social Impact

The proposal will offer distinctive social benefits through the provision of indoor recreational facilities, in a desirable area, whilst providing significant improvements to the health and well-being of the local community. A Social Impact Assessment ('SIA') has been prepared by *Planning Ingenuity* and is submitted under a separate cover. The SIA had concluded that:

*"The demographic data for Austral indicates that the Planning Proposal to accommodate the additional permitted use of a recreational facility (indoor) will fulfill the needs of the anticipated growing population in the locality and Council's adopted strategic planning documents, which indicate that the population should be suitably serviced by planning infrastructure, community facilities and services. The potential additional permitted use will further increase the ability to make healthy thriving communities in the Liverpool LGA.*

*...The potential positive impacts include:*

- *Improved health and well being*
- *Improved community cohesion; and*
- *Enhanced Passive Surveillance;"*

Accordingly, the Planning Proposal will improve the liveability and functionality of the approved mixed-use neighbourhood centre. That is, the proposed additional use will allow community members and employees access to a use that is currently prohibited by the planning controls. The use will improve social interaction and healthy living for future residents and works.

#### Economic Impact





As discussed, this Planning Proposal will allow for the strategic use of recreation facilities (indoor) on the subject site.

The Austral North locality and wider Liverpool LGA have a strong demand for the provision of recreational facilities (indoor), either in the form of traditional gyms, fitness centres and ancillary fitness facilities as established in the Recreational Needs and Economic Assessment prepared by *Location IQ*. In this regard, the Austral locality, inclusive of the subject site, is well-suited to accommodate recreational facility (indoor). The proposal, which will provide for additional indoor recreational facilities in a highly accessible site, will provide for direct and positive economic impacts in terms of increased expenditure and the subsequent support of surrounding local businesses, serving multi-purpose trips.

Ultimately, the proposal will provide for economic benefits during, and post construction associated with recreational facilities. Post construction benefits are afforded through the provision of additional employment opportunities on the site, thus supporting the local economy.

#### **Other Public Benefits**

In addition, the proposal will provide a number of other indirect public benefits which include, but are not limited to:

- Improved physical and mental health and wellbeing;
- Foster social interaction between community members;
- Access to services not currently available in the locality; and
- Increased activation and natural surveillance of the public domain.

In conclusion, the public benefits offered (above) are considered to be substantial in exchange for the additional permitted use of recreational facilities (indoor).

#### **6.3.4 Section D - State and Commonwealth Interests**

##### ***Q11: Is there adequate public infrastructure for the Planning Proposal?***

The site is within an area which is undergoing transformation and is (and will be) serviced by public infrastructure. Whilst providing an additional permitted use on the site, this will not trigger requirements for local or regional scale amplification or introduction of new infrastructure, services or facilities. Subject to future applications any consent associated with the additional permitted uses will utilise the infrastructure approved under DA-311/2024.

##### ***Q12: What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?***

The relevant authorities will be consulted as part of the full Planning Proposal process, in accordance with the relevant legislative requirements. It is noted that the proposed SEPP amendments will not trigger any changes to:

- Infrastructure and services provided by State agencies and public authorities;
- Resources managed by State agencies and public authorities.

The proposal does not trigger the referral criteria in Attachment B to the DPIE Guideline. For these reasons no referrals or consultation with State agencies and authorities are considered necessary.

A future Gateway determination will specify the list of agencies and public authorities required to be consulted and the methods and timing of such consultation.

## **6.4 PART 4 - MAPPING**

The Planning Proposal does not seek to amend the SEPP mapping as identified in this Report.



## 6.5 PART 5 - COMMUNITY CONSULTATION

Consistent with the requirements for a Standard LEP amendment and the DPIE Guidelines, it is anticipated that a draft Planning Proposal would be publicly exhibited for a period of 28 days. The exhibition material will include documents as specified in the Gateway determination and will include a copy of the Planning Proposal, an explanation of provisions, and an indication of the timeframes for completion of the process as estimated by Council.

It is anticipated that the Community Consultation methods will include forwarding copies of relevant documents to appropriate State and Commonwealth agencies, notice of public exhibition in a local newspaper and on Liverpool Council's website, providing copies of exhibition material in electronic and hard copy form at relevant local government premises and letters of notification to nearby and potentially affected land owners.

## 6.6 PART 6 - PROJECT TIMELINE

The estimation of the project timeline is provided below with the intention of optimising efficiency in the process:

**Table 11** Project Timeline

Phase	Timing
Gateway determination date	TBD (by Department of Planning & Environment)
Completion of required technical information	No additional supporting studies required.
Government agency consultation (pre-exhibition)	Not required
Government agency consultation (during exhibition)	Concurrent with public exhibition (28 days)
Commencement and completion dates for public exhibition period	TBD
Consideration of submissions	Two weeks from close of public exhibition
Post-exhibition consideration of the application	Four weeks from close of public exhibition
Date of submission to the Department to finalise the LEP / anticipated date RPA will make the plan (if delegated)	Six weeks from close of public exhibition



## 7. Conclusion

This planning proposal seeks to amend *Appendix 4 Liverpool Growth Centres Precinct Plan* of the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* to permit with consent *recreation facility (indoor)* at No. 495 Fourth Avenue, Austral. Specifically, it is proposed to insert an additional permitted use clause into Schedule 1 Additional Permitted Uses.

This application for a planning proposal has been prepared in accordance with Part 3 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as well as the NSW DPIE “*Local Environmental Plan Making Guideline*” (August 2023).

As discussed and per the recent employment zones reform, the site would have be zoned E1 Local Centre consistent with the *Liverpool Local Environmental Plan 2008*. In the E1 zoning of the LLEP 2008, *recreation facility (indoor)* are prescribed as a permitted land use. As the SEPP is yet to implement into the employment zones reform, *recreation facility (indoor)* remain as prohibited on the site which is inconsistent with that permitted under the LLEP 2008 and for the remaining LGA.

The application demonstrates the proposed SEPP amendment is not only consistent with the employment zones reform, but also has strategic and site-specific merit. The amendment is consistent with the *Greater Sydney Regional Plan*, the *Western City District Plan*, majority of key priorities of the *Local Strategic Planning Statement*, applicable State Environmental Planning Policies and Ministerial Directions as prescribed by Section 9.1 of the EP&A Act.

This Planning Proposal recognises the considerable potential of the site to provide indoor recreational facilities to accompany the recent neighbourhood centre development approval (DA-311/2024). The Planning Proposal has the potential to provide for an additional permitted use on a key site that is highly accessible and strategically located.

The proposal is considered to have strategic and site-specific merit and not only provides indoor recreational facilities, but will also provide for community benefits through promoting additional uses within an approved neighbourhood centre development. These benefits will not be realised if this Planning Proposal is not supported. As a summary, the changes to the planning controls will:

- Promote healthy communities through additional permitted uses;
- Allow for the flexibility of use to ensure the successful ongoing operation of the mixed-use development;
- Provide additional indoor recreational uses in a well suited location where there is a significant shortfall, ensuring members of the community are not required to travel elsewhere for access to these services; and
- Allow for the orderly and economic development of the land.

The application is entirely consistent with the local, regional and state strategic planning directions. It follows that the additional permitted use will not result in unacceptable environmental effects or demands for new or augmented local and regional infrastructure and services. The amendment will facilitate future development options on the site that:

- are consistent with adopted key planning strategies;
- are compatible with the context and setting; and
- can deliver future social and economic benefits.

The Liverpool Local Government Area prioritises promoting healthy, safe and inclusive environments. To meet these targets, neighbourhood centres must permit with consent recreational facilities (indoors). Currently, the B1 Neighborhood Centre zoning prohibits indoor recreational facilities. As the site contains a recent approval for a mixed-use neighbourhood centre development, the provision of additional permitted uses is ideally supported for a property within a strategic location. Importantly, the additional permitted use can be delivered in the near future given the recent approval and imminent construction.



As such, the supporting documentation demonstrates the additional permitted use of indoor recreational facilities will offer significant public benefit to the community. The supporting documentation comprehensively demonstrates that the additional permitted use will deliver land uses that will positively contribute to the existing development approval.

This Planning Proposal concludes that the additional permitted use contributes to the Austral locality to allow for the delivery of indoor recreation uses which is entirely compatible with the existing and continually emerging character of the locality. This application for a Planning Proposal is therefore worthy of Council's support.



**ADVICE ON PLANNING PROPOSALS  
LIVERPOOL LOCAL PLANNING PANEL**

**Monday 24<sup>th</sup> November 2025**

Held online via  
MS Teams

**Panel:**

Terence Sheahan	(Chair)
Stephen McMahon	(Expert)
Caroline Pidcock	(Expert)
Jeremy Thomas	(Community Representative)

There were no conflicts of interest declared by any panel members in relation to any items on the agenda.

## LIVERPOOL CITY COUNCIL

### ADVICE OF LIVERPOOL LOCAL PLANNING PANEL

PAGE 1

24<sup>th</sup> November 2025

<b>APPLICATION NUMBER:</b>	RZ-3/2025
<b>SUBJECT:</b>	Planning Proposal to amend Schedule 1 of Appendix 4 of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 to permit a 'recreation facility (indoor)' as an additional permitted use.
<b>LOCATION:</b>	495 Fourth Avenue, Austral
<b>OWNER:</b>	Perpetual Corporate Trust Ltd
<b>APPLICANT:</b>	Planning Ingenuity on Behalf of Fabcot Pty Ltd
<b>AUTHOR:</b>	Mary Ellen Trimble

#### ADVICE OF THE PANEL

The Panel read the Council officer's report, was briefed by Council officers and visited the site.

The Panel's advice to the Council is that the proposal should proceed to Gateway Assessment. Additionally, the Panel suggests Council seeks to investigate the opportunity to make a minor amendment to the State Environmental Planning Policies (SEPP) to include gymnasiums and any other anomalies.

#### VOTING NUMBERS:

4-0





**LOCAL PLANNING PANEL MEETING**  
**24 NOVEMBER 2025**  
**LPP ITEMS**

<b>Item Number:</b>	0
<b>Application Number:</b>	RZ-3/2025
<b>Proposed Development:</b>	Planning Proposal to amend Schedule 1 of Appendix 4 of the <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i> to permit a 'recreation facility (indoor)' as an additional permitted use.
<b>Property Address</b>	495 Fourth Avenue, Austral
<b>Legal Description:</b>	Lot 121 DP 1220414
<b>Applicant:</b>	Planning Ingenuity on Behalf of Fabcot Pty Ltd
<b>Land Owner:</b>	Perpetual Corporate Trust Ltd
<b>Cost of Works:</b>	Nil
<b>Recommendation:</b>	Proceed to Gateway determination subject to additional information
<b>Assessing Officer:</b>	Mary Ellen Trimble

## 1 EXECUTIVE SUMMARY

In September 2025, Planning Ingenuity lodged a privately initiated Planning Proposal at 495 Fourth Avenue, Austral (121 DP 1220414) (subject site). The Planning Proposal seeks to amend Schedule 1 of Appendix 4 of the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* (Western Parkland City SEPP) to permit a 'recreation facility (indoor)' as an additional permitted use. The intent of the proposal is to facilitate the development of a 'gym' on site.

The site is currently zoned B1 Neighbourhood Centre under the Western Parkland City SEPP. A development application (DA-311/2024) was recently approved on the site for a supermarket development, and additional retail tenancies. The proposed additional permitted use (gym) would therefore complement the recently approved DA.

The Planning Proposal has been submitted pursuant to Section 3.33 of the *Environmental Planning and Assessment Act (EP&A Act) 1979* and the proposal is referred to the Liverpool Local Planning Panel in accordance with Section 2.19 of the Act for advice.

Determination of strategic and site-specific merit has been assessed in accordance with 'A guide to preparing a Planning Proposal' published by NSW Department of Planning, Housing and Infrastructure (August 2023). Council staff consider the Planning Proposal has strategic and site-specific merit and complies with the broader planning framework.

However, Council staff have identified several aspects of the proposal which require further information prior to Council endorsement. These include a Bushfire report, and other miscellaneous updates to ensure consistent information. Although, Council staff are of the opinion these matters can be resolved.

## **2. SITE DESCRIPTION AND LOCALITY**

### Subject Site:

The Planning Proposal relates to 495 Fourth Road, Austral (Lot 121 DP 1220414). The subject site can be seen in Figure 1 below.

The site is rectangular and on a corner lot with a 91m frontage to Gurner Avenue and a western boundary of 109m to Fourth Avenue. The overall site area is approximately 1.2ha and is zoned B1 Neighbourhood Centre under the Western Parkland City SEPP.



Figure 1: Aerial image of the site, highlighted in red (source: Nearmap 2025)

### Locality (Site Context)

The Austral and Leppington North Precincts were rezoned in March 2013 to provide for 17,350 new dwellings, and four town centres supported by an array of planned social, transport and drainage infrastructure. The subject site is located in one of the local centres

that is envisioned to provide a range of commercial, retail and community services for the future community.

The immediate surroundings of the site consist of rural residential dwellings, recent residential subdivisions and a school (Al Faisal College), which is a major school in the area. Part of the block to the south is zoned for RE1 Public Recreation purposes. This can be seen in Figure 2 below.



Figure 2 – Land use zoning map (Source: Geocortex 2025)

### 3. BACKGROUND/HISTORY

#### Pre Planning Proposal

A pre-Planning Proposal meeting was held on 8 May 2025 with the proponent and Council officers. Formal advice was provided to the proponent on 12 May 2025, deeming the proposal to likely be capable of demonstrating strategic merit considering the use aligns with the intent for the site as a Neighbourhood Centre providing access to shopping, employment and services for residents of Austral.

#### Development Consent (DA-311/2024)

The site is subject to a recent approval for a development application that sought for the: *'excavation and construction of a commercial development involving the provision of an anchor supermarket, commercial and retail tenancies, public piazza and through-site links, with at-grade and basement parking, associated landscaping and public domain works.* The DA was approved on the 14 May 2025 Sydney Western City Planning Panel.



Figure 3 – Render of corner of the Gurner Avenue and Fourth Avenue from approved architectural plans (Clarke Hopkins Clarke 2024)

#### 4. DETAILS OF THE PROPOSAL

The Planning Proposal seeks to amend Appendix 4, Schedule 1 'Additional Permitted Uses' of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 via the Liverpool Local Environmental Plan 2008 to include an additional permitted use of 'recreation facility (indoor)' on the subject site. Specifically, the Planning Proposal seeks to accommodate a 'gym' within the approved commercial and retail development on site. The provision is proposed to read as follows:

##### **1 Use of certain land at No. 495 Fourth Avenue, Austral**

- (1) This section applies to land known as No. 495 Fourth Avenue, Austral (Lot 121 DP 1220414)
- (2) Development for the purposes of recreation facility (indoor) is permitted with consent.

#### 5. ASSESMENT

##### **Q1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?**

No, the Planning Proposal is not the result of an endorsed LSPS, strategic study or report. The proposal is privately initiated Planning Proposal and is considered a spot rezoning.

##### **Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes, a Planning Proposal is the best means of achieving the intended outcomes, as the Planning Proposal intends to add an additional permitted use for a recreational facility (indoor) to the subject site. A Planning Proposal is the only mechanism to achieve this outcome.

**Section B – Relationship to the strategic planning framework**

**Q3. 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)?**

Greater Sydney Regional Plan – A Metropolis of Three Cities

The Greater Sydney Regional Plan – A Metropolis of Three Cities (Regional Plan) was released in March 2018 and prepared by the former Greater Sydney Commission (GSC). The plan encompasses a global metropolis of three cities – The Western Parkland City, the Central River City and the Eastern Harbour City. The plan envisions for people of Greater Sydney to live within 30minutes of their jobs and have access to education and health facilities, services and high-quality places.

Consistency with the relevant parts of the Regional Plan is assessed below in *Table 1*:

*Table 1 – Consistency with the Regional Plan*

Direction	Council Comment
Objective 4: Infrastructure use is optimised	<p>This objective aims to maximise the utility of existing infrastructure assets to reduce the demand for new infrastructure.</p> <p>The Planning Proposal intends to add another use to a site where infrastructure is focused for a local centre, permitting this use will reduce the need for infrastructure delivery in other areas of Austral.</p> <p>The Planning Proposal is <b>consistent</b> with this objective.</p>
Objective 6: Services and infrastructure meet communities' changing needs	<p>This objective relates to the provision of social infrastructure that reflects the needs of the community.</p> <p>Allowing recreation facilities (indoor) provides the opportunity for additional services that may be demanded as the demographics of the area changes.</p> <p>The Planning Proposal is <b>consistent</b> with this objective.</p>
Objective 7: Communities are healthy, resilient and socially connected	<p>This objective aims to deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities.</p> <p>The addition of recreation facilities (indoor) as a permitted use could</p>

	<p>directly aid the physical health and wellbeing of the community.</p> <p>Additionally, co-locating with future supermarkets and access to fresh food could further enable healthy, safe and inclusive spaces.</p> <p>The Planning Proposal is <b>consistent</b> with this objective.</p>
Objective 12: Great places that bring people together	<p>This objective aims to promote place-based planning to create great places of all scales that recognises local character, supports sustainability and enhances people's wellbeing.</p> <p>Given the Planning Proposal aims to add an additional use that is complementary to the existing permitted uses, it may promote a more vibrant local centre.</p> <p>The Planning Proposal is <b>consistent</b> with this objective.</p>

#### Western City District Plan

Section 3.8 of the EP&A Act requires that the Planning Proposal authority gives effect to any district strategic plan applying to the LGA to which the Planning Proposal relates.

Relevant priorities and actions are outlined in the Table 2 below:

*Table 2 – Consistency with the District Plan*

<b>Objective</b>	<b>Council Comment</b>
Planning Priority W3 Providing services and social infrastructure to meet people's changing needs	<p>The Planning Proposal can facilitate recreation facilities (indoor) and provides the opportunity for additional services that may be demanded as the demographics of the area changes.</p> <p>The Planning Proposal is <b>consistent</b> with this priority.</p>
Planning Priority W6 Creating and renewing great places and local centres, and respecting the district's heritage	<p>Liverpool's Centres and Corridors Strategy identifies the subject site as a local centre.</p> <p>The Planning Proposal aims facilitate an additional complementary use to a local centre that could help create a more vibrant local centre.</p> <p>The Planning Proposal is <b>consistent</b> with this priority.</p>

***Q4. 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?***



Connected Liverpool 2040 – Local Strategic Planning Statement (LSPS)

Council's Local Strategic Planning Statement (LSPS) was endorsed in 2020.

Planning Priority 9 of the LSPS is the only relevant priority for the Planning Proposal. The priority aims to create safe, healthy and inclusive to improve the wellbeing of Liverpool communities.

The Planning Proposal seeks to add recreation facilities (indoor) as an additional permitted use. Recreation facilities (indoor) largely promote physical health, sport participation and act as a social connector. As Planning Proposal aims to add this as an additional permitted use in an identified centre, it could facilitate a healthier and more inclusive centre.

The Planning Proposal is **consistent** with this priority.

Liverpool Centres and Corridors Strategy

Council's Centres and Corridors Strategy has been developed in response to Action 11.3 of Council's LSPS which identifies the need to prepare a Centres and Corridors Strategy and review relevant planning controls. This Strategy re-defines and recategorises Liverpool's centres and corridors and provides direction for future planning. The Strategy includes a guiding criterion to assist in the assessment of Planning Proposals. An assessment of consistency for the relevant criterion has been included in the table below:

*Table 3 – Consistency with the Liverpool Centres and Corridors Strategy*

<b>Guiding Criteria</b>	<b>Council Comment.</b>
Proposals must not have a significant negative impact on the retail operation of the Liverpool City Centre, town centres and local centres (including planned future centres)	As the Planning Proposal is seeking to add an additional use to the subject site, which is complementary to the existing uses and is already permitted in E1 Local Centres across the LEP. The additional use to have a positive impact on the retail and commercial operation of the centre. The Planning Proposal is <b>consistent</b> with this criterion.

***Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?***

The proposal is for an additional permitted use, recreation facilities (indoor) on the site and is not to trigger any other State and regional studies or strategies.

***Q6. Is the planning proposal consistent with applicable SEPPs?***

The Planning Proposal is considered broadly consistent with SEPPs applying to the land.



The SEPP (Biodiversity and Conservation) 2021 contains controls for vegetation, native bushland and regulated water catchments. The site is located in a regulated water catchment however the applicant has not addressed the Planning Proposal's impact on the catchment. While the Planning Proposal may be minor compared to the approved DA across the area, the Planning Proposal still needs to adequately address the impacts. The Planning Proposal is required to be updated to address SEPP (Biodiversity and Conservation) 2021.

The Planning Proposal does not affect the application of other relevant SEPPs.

***Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?***

The following Directions, pursuant to Section 9.1 of the EP&A Act 1979 are assessed in Table 4 below.

*Table 4 – Consistency with relevant Section 9.1 Directions*

Objective	Consistency	Comment
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	<b>Consistent</b>	The Planning Proposal is generally consistent with Direction, gives effect to the regional plans.
1.4 Site Specific Provision	<b>Consistent</b>	The Planning Proposal will enable site specific provision to permit recreation facilities (indoor), this is consistent with the objectives of the B1 Neighbourhood Centre zone. This is not restrictive and unable to be achieved through another mechanism.
Focus area 3: Biodiversity and Conservation		
3.10 Water Catchment Protection	<b>Justifiably inconsistent.</b>	The site is located within the Hawkesbury Nepean Catchment, South Creek subsection. While the Planning Proposal is of minor significance and not likely to affect water catchment, the Planning Proposal has not adequately addressed this and is required to be updated.
Focus area 4: Resilience and Hazards		
4.3 Planning for Bushfire Protection	<b>Justifiably inconsistent</b>	<p>The site is mapped as being bushfire prone land.</p> <p>The Planning Proposal is not supported by a Bushfire Assessment Report and relies upon the conditions of the consent from the approved DA. The planning proposal can only be inconsistent if Council has obtained advice from Rural Fire Service Commissioner that it does not object to the proposal. Consultation will occur following the Gateway Determination.</p> <p>The approved DA on site (DA-311/2042) was sent to</p>

		<p>RFS for commentary on bushfire asset protection zones (APZ) who requested additional information. However, that information was not provided and RFS indicated that they would not support the proposed development.</p> <p>The Sydney Western City Planning Panel approved the DA on 14 May 2025. Under the Determination and Statement of Reasons for the DA, the panel members stated that the bushfire risk is low and suitably managed until the adjoining site to the east is developed.</p> <p>The Planning Proposal will need to be sent to RFS after Council endorsement, prior to community consultation. RFS will require an updated bushfire assessment report.</p> <p>This can be provided to Council prior to Council endorsement.</p>
4.4 Remediation of Contaminated Land	<b>Consistent</b>	<p>The proposal is consistent with this Direction as the land will be made suitable for development as determined in the Detailed Site Investigation Report under the approved DA.</p>

***Section C – Environmental, social and economic impact***

***Q8. 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?***

The site is cleared however has a small area of critically endangered ecological community is located on the adjacent site and partially on the subject site.

The Planning Proposal is likely not to adversely affect the threatened species beyond what has been considered as part of the development application process.

***Q9. 9 Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?***

Traffic

The Planning Proposal was supported by a Traffic Report (**Attachment 4**). The Planning Proposal referred to Council's Traffic and Transport Planning team who found the proposal would not have adverse impacts on the local road network. Therefore, raised no objections.

#### Noise

Recreation facilities (indoor) can generate additional noise impacts; a future modification application may require a Noise Assessment to ensure a future development adequately addresses these impacts. However, given the objectives of the zone it is considered an appropriate land use.

#### ***Q10. Has the planning proposal adequately addressed any social and economic effects?***

##### Social

The Planning Proposal is supported by an SIA which found that there are more likely to be more positive social effects from introducing recreation facilities (indoor) including increased social connections and increased physical and mental wellbeing. This is considered justified.

The Planning Proposal referred to Council's Social Planning team who raised no objection and further stated that the proposed indoor recreation facility / gym will widen the scope of essential services closer to homes.

The Planning Proposal also referred to Council's Community Planning team who raised no concerns.

##### Economic

The PP was not supported by an Economic Impact Assessment; however, the Planning Proposal was supported by a Recreation Needs Assessment. It found there could be additional and varied employment opportunities as a result of the Planning Proposal and therefore is considered justified.

#### ***Section D – Infrastructure (Local, State and Commonwealth)***

#### ***Q11. Is there adequate public infrastructure for the planning proposal?***

The site is located in an area that is currently in transition from rural to low density residential. The site itself has been identified as part of the local centre which is to provide retail, commercial and community spaces for the future community. The community spaces have been identified on neighbouring sites to create an integrated local centre.

The site is not directly serviced by public transport, the closest bus stop is located 650m from the site on Fifteenth Avenue, these limited services connect Austral to the Liverpool City Centre.

The site is currently undeveloped and has limited utilities (water and wastewater) are available in the area.

**Section E – State and Commonwealth Interests**

***Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?***

The views of State and Commonwealth public authorities will be consulted should a Gateway determination be issued. Relevant public authorities will be identified for consultation at the Gateway determination stage.

**6. NEXT STEPS**

The proposed amendment is considered to demonstrate Strategic and Site-Specific Merit. The report has addressed the potential benefits of integrating recreation facilities (indoor) within the site and its wider benefits to the current and future community.

However, the Planning Proposal is required to be updated to address how the impacts Planning Proposal will affect the application of the SEPP (Biodiversity and Conservation) 2021.

The applicant will also be required to submit a Bushfire Assessment Report in order to ensure consistency with Ministerial Direction 4.3.

Following the panel's consideration, the Planning Proposal will need to be updated with minor amendments as well as a Bushfire Assessment Report. Following the updates Planning Proposal can be reported to Council for their consideration. Should the Planning Proposal request be endorsed, it will be forwarded to DPHI seeking a Gateway determination.

Following a Gateway determination in support of the Planning Proposal, there will be a public authority and community consultation.

**7. RECOMMENDATION**

That the Planning Proposal is forwarded to the Department of Planning, Housing and Infrastructure for a Gateway Assessment, subject to the following amendment:

- A Bushfire Assessment Report to be provided to Council.
- Minor amendments to Planning Proposal ensure consistent information is provided.

**ATTACHMENTS**

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1. Attachment 1 - Planning Proposal Report - 495 Fourth Avenue, Austral (Under separate cover)

ITEM 01	Amendment to the State Environmental Planning Policy (Precincts - Western Parkland City) 2021 – 495 Fourth Avenue, Austral
<i>Attachment 3</i>	Attachment 3: Liverpool LPP Report - 495 Fourth Avenue, Austral - RZ-3-2025

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**LOCAL PLANNING PANEL MEETING  
24 NOVEMBER 2025  
LPP ITEMS**

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2. Attachment 2 - Recreational Needs Assessment & Economic Impact Assessment - 495 Fourth Avenue, Austral (August 2025) (Under separate cover)
3. Attachment 3 - Social Impact Assessment - 495 Fourth Avenue, Austral (21 August 2025) (Under separate cover)
4. Attachment 4 - Traffic Report - 495 Fourth Avenue, Austral (8 July 2025) (Under separate cover)



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## APPLICATION FOR A PLANNING PROPOSAL

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Amendment to State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Appendix 4 Liverpool Growth Centres Precinct Plan, as it applies to Nos. 330-350 Eighth Avenue, Austral, to insert an additional permitted use for the purpose of recreation facility (indoor) under Schedule 1 Additional Permitted Uses.

330-350 Eighth Avenue, Austral

Prepared for: Fabcot Pty Ltd

REF: M250090

Date: 7 January 2026





## APPLICATION FOR A PLANNING PROPOSAL

**Details:**

Prepared for: Fabcot Pty Ltd

REF: M250090

Date: 7 January 2026







# Contents

<b>EXECUTIVE SUMMARY .....</b>	<b>4</b>
<b>1. INTRODUCTION .....</b>	<b>6</b>
<b>2. LOCALITY AND SITE ANALYSIS .....</b>	<b>8</b>
2.1 The Context .....	8
2.1.1 Metropolitan Context.....	8
2.2 The Site .....	9
2.3 Existing and Desired Future Character .....	10
2.4 Surrounding Development .....	11
2.5 Connectivity to public transport .....	13
<b>3. BACKGROUND.....</b>	<b>15</b>
3.1 Development Application .....	15
3.2 Chronology of Planning Proposal.....	16
3.3 Pre-Planning Proposal Meeting .....	17
<b>4. EXISTING PLANNING PROVISIONS .....</b>	<b>18</b>
4.1 State Environmental Planning Policy (Western Parkland City) 2021 .....	18
4.1.1 Existing Zoning .....	18
4.1.2 Current Development Standards and Controls .....	19
4.2 Liverpool Growth Centre Development Control Plan .....	20
<b>5. PROPOSED SEPP AMENDMENTS .....</b>	<b>21</b>
5.1.1 Proposed Additional Permitted Use .....	21
<b>6. PLANNING PROPOSAL .....</b>	<b>22</b>
6.1 Part 1 – Objectives or Intended Outcomes .....	22
6.1.1 Objectives.....	22
6.1.2 Intended Outcomes .....	22
6.2 Part 2 - Explanation of Provisions .....	22
6.3 Part 3 – Justification of Strategic and Site-Specific Merit.....	22
6.3.1 Section A - The Need for the Planning Proposal .....	23
6.3.2 Section B – Relationship to the Strategic Planning Framework.....	24
6.3.3 Section C - Environmental, Social and Economic Impacts .....	40
6.3.4 Section D - State and Commonwealth Interests .....	42
6.4 Part 4 - Mapping .....	42
6.5 Part 5 - Community Consultation .....	42
6.6 Part 6 - Project Timeline .....	43
<b>7. CONCLUSION .....</b>	<b>44</b>

## FIGURES

<b>Figure 1</b> The metropolitan context (Source: A Metropolis of Three Cities) .....	8
<b>Figure 2</b> Aerial image of the subject site and surrounds (source: Near Maps) .....	9
<b>Figure 3</b> Subject site as viewed from Eighth Avenue .....	10
<b>Figure 4</b> Subject site as viewed from Eighth Avenue .....	10
<b>Figure 5</b> Eighth Avenue Neighbourhood Centre – Desired Future Layout (Extract from DCP) .....	11
<b>Figure 6</b> Indicative Layout Plan .....	11
<b>Figure 7</b> No. 345 Eighth Avenue as viewed from public domain .....	11
<b>Figure 8</b> No. 245 Eighth Avenue as viewed from public domain, with recently subdivided and constructed dwellings in background .....	12
<b>Figure 9</b> No. 355 Eighth Avenue as viewed from public domain, with works being undertaken per DA-932/2020 .....	12
<b>Figure 10</b> Nos. 310-320 Eighth Avenue (also known as No. 250 Eighth Avenue) as viewed from public domain .....	12
<b>Figure 11</b> Development to the south of the subject site .....	13
<b>Figure 12</b> Properties to the west of the subject site, as viewed from Eighth Avenue .....	13
<b>Figure 13</b> Approved site plan .....	16
<b>Figure 14</b> Approved render .....	16
<b>Figure 15</b> Aerial image of the subject site and zoning (source: NSW Planning Portal) .....	19
<b>Figure 16</b> Extract from Western Parkland City SEPP Height of Buildings Map 007 (site edged in red) .....	20
<b>Figure 17</b> The Western Parkland City (Source: A Metropolis of 3 Cities: The Greater Sydney Region Plan) .....	25
<b>Figure 18</b> The Western City District Plan excerpt .....	28

## TABLES

<b>Table 1</b> Supporting Documents .....	6
<b>Table 2</b> Council Comments and Responses from 8 May 2025 .....	17
<b>Table 3</b> Summary of Current Planning Controls .....	18
<b>Table 4</b> Greater Sydney Region Plan: A Metropolis of Three Cities Directions .....	25
<b>Table 5</b> Western City District Plan .....	28
<b>Table 6</b> Southwest Growth Area Structure Plan .....	30
<b>Table 7</b> Strategic Merit Test .....	30
<b>Table 8</b> Site-Specific Merit Test .....	31
<b>Table 9</b> Relevant State Environmental Planning Policies .....	35
<b>Table 10</b> Section 9.1 Ministerial Directions .....	36
<b>Table 11</b> Project Timeline .....	43



**Acknowledgement of Country:** *Planning Ingenuity acknowledges the Traditional Custodians of the land and pays respect to Elders past, present and future. We recognise First Nations peoples' unique cultural and spiritual relationships to place and their rich contribution to society.*



## Executive Summary

This application for a Planning Proposal ('PP') seeks to amend the provisions of *Appendix 4 Liverpool Growth Centres Precinct Plan* ('Appendix 4') of *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* (Western Parkland City SEPP or SEPP) for the land at Nos. 330-350 Eighth Avenue, Austral (the 'site'). Specifically, the Planning proposal seeks to permit with consent and insert an additional permitted use for the purposes of *recreation facility (indoor)* into Schedule 1 Additional Permitted Uses of the Western Parkland City SEPP.

There are compelling Town Planning reasons for the proposed additional permitted use, as has been considered throughout this Report. The additional permitted use is proposed to complement the development approved on the subject site under DA-381/2023 for the '*Demolition of existing structures, excavation and construction of a commercial development involving the provision of an anchor supermarket, commercial and retail tenancies, public piazza and through-site link, with at-grade parking, signage (business identification signage), with associated landscaping, civil and public domain works*'.

The application for a Planning Proposal will provide a unique opportunity to enable additional complementary uses on the subject site cognisant with the recent development approval, particularly given it is identified as a key neighbourhood centre in the Liverpool Local Government Area (LGA) and Austral Growth Centre. The proposal demonstrates both site-specific and strategic merit, as outlined in this Report.

Importantly, the site is zoned as B1 Neighbourhood Centre under the Western Parkland City SEPP, and pursuant to the recent employment zones reform, would have been zoned E1 Local Centre consistent with the *Liverpool Local Environmental Plan 2008* ('LLEP 2008'). In the E1 zoning of the LLEP 2008 (and Standard Instrument 2006), *recreation facility (indoor)* are prescribed as a permitted land use. As the SEPP is yet to implement the employment zones reform, *recreation facility (indoor)* remains as prohibited use on the site and is inconsistent with that permitted under the LLEP 2008 and for the remaining LGA.

Notwithstanding the above, the proposed additional use is a response to various site and context considerations, including capitalising on the ideal location for indoor recreational facilities within an approved neighbourhood centre development that comprise of anchor supermarkets, commercial and retail facilities and various public spaces, creating an appropriate urban contextual fit.

The vision for the Planning Proposal is as follows:

- Deliver much needed indoor recreational facilities in an area of significant growth and undersupply;
- Contribute towards improving health and wellbeing to the residents and workers within Austral;
- Provide for much needed indoor recreational facilities within an approved mixed-use development, contributing to its vibrancy and vitality; and
- Align with the Employment Zones Reform.

The proposed additional permitted use is accompanied by a suite of public benefits including, but not limited to; increased recreational uses in a neighbourhood centre; improve access to a variety of services and facilities (removing the need to travel to other centres); promotes multi-purpose trips due to the nature of the approved development; enhance social networks; and promote physical and mental well-being. These benefits will not be realised without the changes to the planning controls proposed in this submission.

As part of this Planning Proposal, a Recreational Needs and Economic Assessment has been prepared by *Location IQ*. The Recreational Needs and Economic Assessments provides an analysis of need and demand for *recreational facility (indoor)* on the subject site (and surrounding locality) and also considers the likely economic impacts that would result from the additional permitted use. The assessment demonstrates that several factors contribute to the need for an indoor recreational facility, including population and demand, consumer trends and expenditure patterns, location



and infrastructure, impacts on existing facilities and the hierarchy and net community benefits. As described above, the proposed additional use is capable of enabling significant positive benefits to the community without any detrimental impact to the nature of the current mixed-use development as discussed throughout this Report.

As discussed in this document, the application is also consistent with the local, regional and state planning strategies for Liverpool LGA, Western City District Plan and Greater Sydney Region Plan. This application has the potential to make a substantial positive contribution to the approved development application (DA-381/2023) and results in the efficient use of a well-serviced site, to provide a use which is diverse and promotes healthy communities and delivers a high-quality urban environment.

# 1. Introduction

This application for a Planning Proposal has been prepared for *Fabcot Pty Ltd*, for the site located at Nos. 330-350 Eighth Avenue, Austral. The purpose of this application is to initiate a Planning Proposal process to amend *Appendix 4 Liverpool Growth Centres Precinct Plan of State Environmental Planning Policy (Precincts – Western Parkland City) 2021* to permit with consent the additional use of *recreation facility (indoor)* to the subject site.

As discussed in Section 3 of this Report, this Planning Proposal has been prepared cognisant with the recent development approval (DA-381/2023) on the subject site for the '*Demolition of existing structures, excavation and construction of a commercial development involving the provision of an anchor supermarket, commercial and retail tenancies, public piazza and through-site link, with at-grade parking, signage (business identification signage), with associated landscaping, civil and public domain works*' which was approved on 11 September 2024. The proposed additional permitted use has site-specific merit as *recreational facility (indoor)* are beneficial to health and wellbeing and are common within neighbourhood centre developments. Given there is a significant under supply within the locality, this proposal will also provide existing and future workers and residents within the Austral locality access to recreational facilities, which would otherwise only be accessible by travelling to other local centres.

There are compelling strategic and town planning reasons for Nos. 330-350 Eighth Avenue to be considered for the subject Planning Proposal. Specifically, the proposal is to align with the recent employment zones reform, which has been implemented throughout the Liverpool Local Government Area. Whilst the site is zoned as B1 Neighbourhood Centre under the Western Parkland City SEPP, in accordance with the recent employment zones reform, the site would have been zoned E1 Local Centre consistent with the *Liverpool Local Environmental Plan 2008*. In the E1 zoning of the LLEP 2008, *recreation facility (indoor)* are prescribed as a permitted land use. As the SEPP is yet to implement the employment zones reform, *recreation facility (indoor)* remain as prohibited on the site and is inconsistent with that permitted under the LLEP 2008 and for the remaining LGA.

This application has been prepared in accordance with Part 3 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as well as the NSW Department of Planning, Industry and Environment publication "*Local Environmental Plan Making Guideline*" (August 2023) ('DPIE Guideline'). It explains the intended effect of the proposed amendment to Western Parkland City SEPP and sets out the justification for making the amendment to that Plan.

This application demonstrates that the proposed SEPP amendments have strategic and site-specific merit. It is aligned with the relevant matters for consideration set out in Liverpool Council's Local Strategic Planning Statement. As detailed, the primary intent of the application is to initiate a Planning Proposal process to enable the additional permitted use of *recreation facility (indoor)* to allow uses that strategically complement the current development application approval, neighbourhood centre and align with the Employment Zones Reform.

The additional permitted use is also consistent with local and state government planning strategies to promote healthy and sustainable communities, whilst promoting a range of diverse uses in a growing population. The proposal provides for an additional use which will have a significant improvement to accessibility of recreation facilities, social network of the community, and enhance the approved development. Overall, the proposal achieves positive environmental, social and economic outcomes, as discussed in this Report.

This application for a Planning Proposal has relied on the following documents submitted alongside this Report:

**Table 1** Supporting Documents

Document	Author
Social Impact Assessment	<i>Planning Ingenuity</i>
Recreational Needs and Economic Impact Assessment	<i>Location IQ</i>

**Table 1** Supporting Documents

Traffic Report

*Colston Budd Roger & Kafes Pty Ltd*

A Formal Pre-Planning Proposal meeting was held with Council the 8 May 2025. Formal Council minutes were provided on the 12 May 2025, which have been considered in this Report. Further, a number of specialist studies were identified by Council as necessary to support the application, as has been submitted per **Table 1** above. In accordance with the DPIE Guideline a copy of Council's Pre-lodgement Advice is included in with this Report.

This report is divided into sections including a locality and site analysis, background, existing planning provisions, the proposed amendments, justification for the proposal, project timeline and a conclusion. This planning proposal application demonstrates with evidence that there will be positive outcomes from the insertion of the additional permitted uses clauses.

## 2. Locality and Site Analysis

### 2.1 THE CONTEXT

#### 2.1.1 Metropolitan Context

The subject site is located in the suburb of Austral approximately 42km south-east of the Sydney CBD. As part of the *Metropolis of Three Cities – The Greater Sydney Region Plan*, Austral is located within the Western City. The Western City is envisaged to encourage infrastructure and connectivity, liveability, productivity and sustainability. The Western City is expected to accommodate 1.56 million people by 2036.

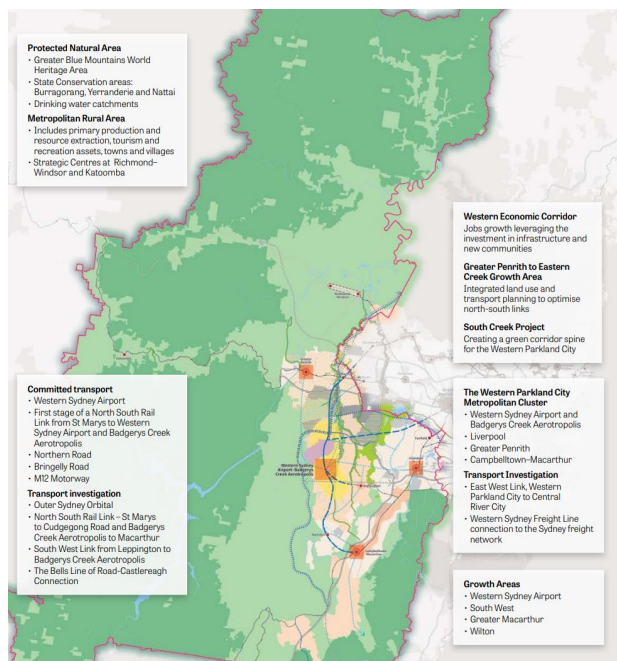


Figure 1 The metropolitan context (Source: A Metropolis of Three Cities)



## 2.2 THE SITE

The subject site is known as Nos. 330-350 Eighth Avenue, Austral (also identified as No. 260 Eighth Avenue) and has a legal description of Lot 940 in DP 1265677. The site has a total area of 18,170m<sup>2</sup> (1.817ha). The location of the site is shown edged in red, per the aerial image provided at **Figure 2**.



**Figure 2** Aerial image of the subject site and surrounds (source: Near Maps)

The subject site is zoned B1 Neighbourhood Centre, with R3 Medium Density Residential zoned land to the south and west and RE1 Public Recreation and SP2 Infrastructure Educational Establishment to the north and north-east.

The site is rectangular in shape with a northern frontage of 120.545m to Eighth Avenue, a southern frontage of 120.28m to Auger Street and a western frontage of 150.875m Warrawal Avenue. The site has an eastern boundary, shared with Lot 941 in DP2475 which is zoned B1, of 150.86m.

The site falls from the southern to northern boundary by approximately 4.5m across the length of the site and currently contains a dual frontage to both Eighth Avenue and Auger Street. As part of the Austral Precinct's Indicative Layout Plan (ILP), an additional roadway will be provided along the western boundary which will provide a third streetscape frontage (which is also consistent with that approved). Furthermore, and as also approved, the ILP indicates that the subject site should accommodate a piazza and pedestrian through-site link along the eastern (side) boundary, which connects Eighth Avenue and Auger Street.

It is noted that work has commenced on the subject site as permitted by the approved development.

The site as viewed from Eighth Avenue is illustrated in **Figures 3** and **4** below.



Figure 3 Subject site as viewed from Eighth Avenue



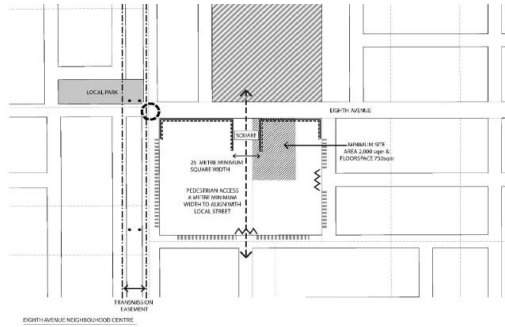
Figure 4 Subject site as viewed from Eighth Avenue

## 2.3 EXISTING AND DESIRED FUTURE CHARACTER

The subject site is located within the B1 Neighbourhood Centre zone which is anticipated to accommodate a significant increase in density, evident by that approved on the site, in accordance with the Western Parklands City SEPP. The site is located within the Austral Precinct, and is identified as the Eighth Avenue Neighbourhood Centre, which will undergo a significant transformation in accordance with that recently approved (refer to Section 3.1 of this Report).



Per the approved development, the Eighth Avenue Neighbourhood Centre will contain a built form with active street frontages to Eighth Avenue, a public piazza and pedestrian through-site link (**Figure 5**).



**Figure 5** Eighth Avenue Neighbourhood Centre – Desired Future Layout (Extract from DCP)



**Figure 6** Indicative Layout Plan

The surrounding locality generally consists of a mixture of ageing, low-density residential dwellings on large allotments, open farmland spaces and rural structures, amongst recently subdivided and constructed residential developments, including single dwellings and dual occupancies. As is evident by these developments, the existing character of the locality is undergoing rapid change and is beginning to reflect the desired future character, as is anticipated by the relevant controls. The preparation and implementation of the Western Parkland City SEPP anticipates an increased density of development along Eighth Avenue, with the subject site identified as a key nodal centre within the locality.

## 2.4 SURROUNDING DEVELOPMENT

Directly to the north of the allotment on the opposite side of Eighth Avenue is SP2 Infrastructure Educational land, RE1 Public Recreation land and R3 Medium Density Residential land. Per the ILP, this includes a school, public open space, residential dwellings and a local roadway running in a north-south direction as accessed from Eighth Avenue. These parcels of land are generally vacant, with dwellings and ancillary structures located on the southern end of Nos. 245 and 345 Eighth Avenue (**Figures 7 and 8**). At Nos. 355-357 Eighth Avenue, the site has been approved for the subdivision of 1 allotment into 33 lots with new roads. Works have commenced as a part of DA-932/2020 *Demolition of existing structures, Subdivision into 33 Torrens title subdivision with new roads and associated stormwater works* (**Figure 9**).



**Figure 7** No. 345 Eighth Avenue as viewed from public domain





**Figure 8** No. 245 Eighth Avenue as viewed from public domain, with recently subdivided and constructed dwellings in background



**Figure 9** No. 355 Eighth Avenue as viewed from public domain, with works being undertaken per DA-932/2020

To the east of the subject site is Nos. 310-320 Eighth Avenue (also known as No. 250 Eighth Avenue) which contains a single storey residential dwelling (**Figure 10**). This land is zoned B1 Neighbourhood Centre where it directly adjoins the subject site, with R3 Medium Density Residential zoned land further to the east. This property is also required to provide a community facility which is to be dedicated to Liverpool City Council in accordance with the *Land Reservation Acquisition Map* and *Clause 5.1 Reservation Acquisition Authority* of the Western Parkland City SEPP.



**Figure 10** Nos. 310-320 Eighth Avenue (also known as No. 250 Eighth Avenue) as viewed from public domain

To the south of the subject and on the opposite side of Auger Street is No. 255 Seventh Avenue, which contains an approval for subdivision under DA 2018/377, described as '*Torrens Title Subdivision of Thirty Five (35) Residential Lots with Three (3) Residue Lots for OSD and Two (2) Super Lots (to excise other future land uses for R3 zoned land)*, and



*Construction of Roads and Associated Civil Works, Demolition of One (1) Dwelling and Associated Outbuildings, Dam-Dewatering and Site Remediation*. Following the subdivision, these properties have been approved for the construction residential dwellings and a childcare centre. Further to the south-west of the subject site are similarly subdivided and recently constructed residential dwellings, located to the west of Nemean Road. Land developed to the south and south-west is shown in **Figure 11** below.



**Figure 11** Development to the south of the subject site

To the west of the subject site and on the opposite side of the proposed roadway (under the ILP) is R3 Medium Density Residential Land, including No. 360 Eighth Avenue and a parcel of land subject to a recent subdivision. No. 360 Eighth Avenue has no existing structures and is likely to be redeveloped in the short to medium term. An existing overhead electricity line (easement) is also located to the west of the site, as shown in **Figure 12** below.



**Figure 12** Properties to the west of the subject site, as viewed from Eighth Avenue

As shown the above and within the aerial images, numerous roadways have been constructed throughout the locality. This includes a mixture of half and full roadways which will serve the future development.

## 2.5 CONNECTIVITY TO PUBLIC TRANSPORT

Current public transport services are infrequent, poorly connected and inadequate at servicing the needs of a growing population. A bus stop situated 1.2km to the east of the subject site along Edmondson Avenue, which provides



infrequent services to Carnes Hill, Liverpool and Liverpool Railway Station. The closest railway station is Leppington Station is situated approximately 2.9km from the subject site.

## 3. Background

### 3.1 DEVELOPMENT APPLICATION

The site is subject to a recent approval (DA-381/2023) for the '*Demolition of existing structures, excavation and construction of a commercial development involving the provision of an anchor supermarket, commercial and retail tenancies, public piazza and through-site link, with at-grade parking, signage (business identification signage), with associated landscaping, civil and public domain works*'. This was approved on the 11 September 2024 by the Sydney Western Regional Planning Panel.

A subsequent modification application DA-381/2023/A was lodged with Liverpool Council on the 20 January 2025 for '*Modification to Development Consent DA-381/2023 Under Section 4.55 (2) of the Environmental Planning and Assessment Act 1979*'. The application was approved on the 9 May 2025.

A second modification application for a Section 4.55(1A) was lodged with Liverpool Council on the 28 May 2025 for '*Modification to Development Consent DA-381/2023 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979, the application seeks to modify a number of minor design elements to enable constructability as access to the adjoining property to the east at Lot 941 in DP2475 is no longer possible resulting in changes to the layout, functionality and constructability of the approved lower ground level and facilitate the future integration of the piazza with the adjoining property.*' The application was approved on 8 July 2025.

Overall, the application was for the excavation and construction of a commercial development, involving the provision an anchor supermarket, commercial and retail tenancies, public piazza and through-site link with at-grade parking and associated landscaping. The proposal will attain a building height of one to three storeys and is designed to address the various street frontages.

Integrated into this is a pedestrian access way, identified as the north-south 'through-site link' which provides access from Eighth Avenue to Auger Street. In addition, the proposal includes a 'public piazza' which is orientated to Eighth Avenue and is connected to the through-site link. The at-grade parking area is orientated to Auger Street will provide for 318 on-site, at-grade car parking spaces, including 7 accessible spaces, 4 electric charging spaces and 6 direct to boot spaces (DTB). A loading bay is provided as accessed from Warrawal Avenue. Additional public domain works will be proposed to the various frontages, which will include roadworks, pedestrian pathways and landscaping.

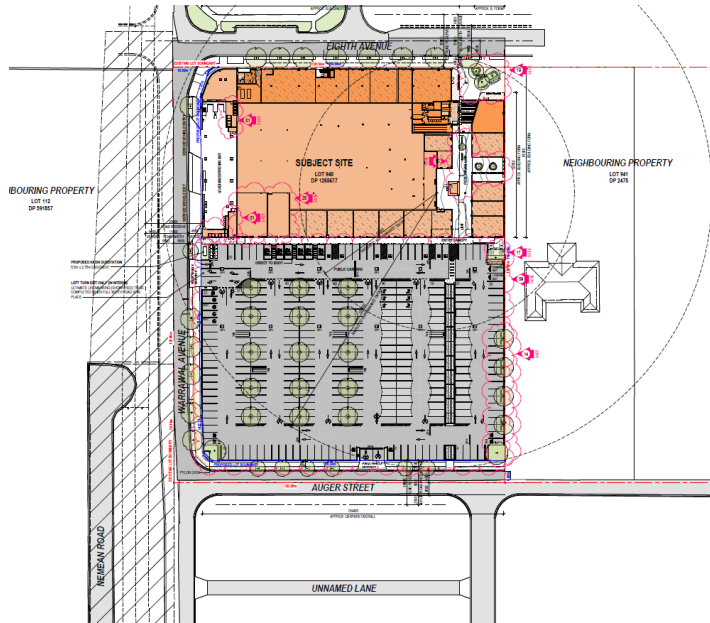


Figure 13 Approved site plan



Figure 14 Approved render

### 3.2 CHRONOLOGY OF PLANNING PROPOSAL

Provided below is an overview of the progress of the Planning Proposal:

- **17 April 2025:** Informal discussions with Council and the applicant regarding submission of a planning proposal
- **8 May 2025:** A pre-planning proposal meeting was held with the Liverpool Council to consider the proposed additional permitted use



### 3.3 PRE-PLANNING PROPOSAL MEETING

A formal Pre-Planning Proposal meeting was held with Council on 8 May 2025, with subsequent written comments provided by Council on 12 May 2025.

**Table 2** below summarises Council's comments and provides a response to each of these

Table 2 Council Comments and Responses from 8 May 2025	
Council Comment	Response
<b>Strategic/Site-Specific Merit &amp; Suitability of Use</b>	
<i>The proposal seeks consent for 'recreation facilities (indoor),' which is a prohibited use within the B1 Neighbourhood Centre zone under Appendix 4 Liverpool Growth Centres Precinct Plan of the State Environmental Planning Policy Western Parkland City 2021 (WPC SEPP 2021). The application must demonstrate how the proposal achieves strategic merit by supporting the objectives of the Precinct Plan despite this prohibition.</i>	The strategic merit for the additional permitted use is discussed under Section 6.3 of this Report.
<i>In the meeting it was forwarded that the use aligns with the intent for the site as a Centre providing access to shopping, employment and services for residents of Austral. It must be demonstrated that each of the proposed identifies gym uses, or other recreation facilities (indoor), if incorporated into the approved retail developments, would complement the mix of uses and not impact negatively on the retail function of each neighbourhood centre.</i>	As discussed throughout this Report and supporting documentation, the proposed additional permitted use will not result in any negative impacts on the functionality of the neighbourhood centre development, it rather offers a positive outcome to these uses.
<b>Supporting Documentation</b>	
<i>In addition to standard documentation to be submitted with the future planning proposal, it is recommended that the following supporting documentation is also submitted:</i> - economic and retail analysis - traffic report (including consideration of pedestrian catchments and active transport) - recreational needs assessment - social impact assessment (if the gym is proposed to operate 24/7)	A Social Impact Assessment, Traffic Report and Recreational Needs and Economic Assessment have been prepared and are submitted under a separate cover.
<b>Planning Proposal Report</b>	
<i>It is recommended that a future planning proposal be prepared separately for each site. While the proposed APU is identical for both sites, Site A is located in the 'Eighth Avenue Neighbourhood Centre' and Site B is located in the 'Gurner Avenue Neighbourhood Centre.' As the demonstration of strategic merit will be dependent on site specific context, this will be more appropriately achieved via the lodgement of two separate applications.</i>	Separate Planning Proposals have been prepared for No. 495 Fourth Avenue and Nos. 330-350 Eighth Avenue, Austral.

## 4. Existing Planning Provisions

### 4.1 STATE ENVIRONMENTAL PLANNING POLICY (WESTERN PARKLAND CITY) 2021

The current planning controls that apply to the site under *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* are summarised as follows:

Table 3 Summary of Current Planning Controls		
Control	Existing Requirement	Figure
Zoning	Zone B1 Neighbourhood Centre	15
Permitted Uses	<b>3 Permitted with consent</b> Amusement centres; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Drainage; Educational establishments; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Medical centres; Neighbourhood shops; Office premises; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Roads; Service stations; Serviced apartments; Shops; Shop top housing; Veterinary hospitals <b>4 Prohibited</b> Any development not specified in item 2 or 3	-
Clause 4.3 - Height of Buildings	17m	16
Clause 4.4 - Floor Space Ratio	N/A	-
Clause 5.10 Heritage Conservation	-	-
Clause 5.21 Food Planning	-	-
Clause 6.1 Acid Sulfate Soil	-	-
Clause 6.4 Earthworks	-	-

The land is not subject to any other environmental or hazard constraints (excluding bushfire). Of the above listed provisions, this Planning Proposal seeks to insert an additional clause to permit with consent *recreation facility (indoor)* under Schedule 1 of Appendix 4 of the Western Parkland City SEPP, as described in Section 5.

As detailed, at the time of the implementation of the Employment Zones Reform, the Western Parkland City SEPP was not amended to provide the land use zoning that is currently implemented within the Standard Instrument. The proposal is to reflect the permissible land use zoning that has been gazetted within the Employment Zones Reform which has enabled *recreation facility (indoor)* in the equivalent zoning as prescribed within the Liverpool LEP 2008.

#### 4.1.1 Existing Zoning

The zoning table for the B1-Neighbourhood Centre zone states the following:

##### **'Zone B1 Neighbourhood Centre**

##### **1 Objectives of zone**

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

## 2 Permitted without consent

Home-based child care; Home occupations

## 3 Permitted with consent

Amusement centres; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Drainage; Educational establishments; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Medical centres; Neighbourhood shops; Office premises; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Roads; Service stations; Serviced apartments; Shops; Shop top housing; Veterinary hospitals

## 4 Prohibited

Any development not specified in item 2 or 3



Figure 15 Aerial image of the subject site and zoning (source: NSW Planning Portal)

### 4.1.2 Current Development Standards and Controls

The current development standards are detailed in the following maps:

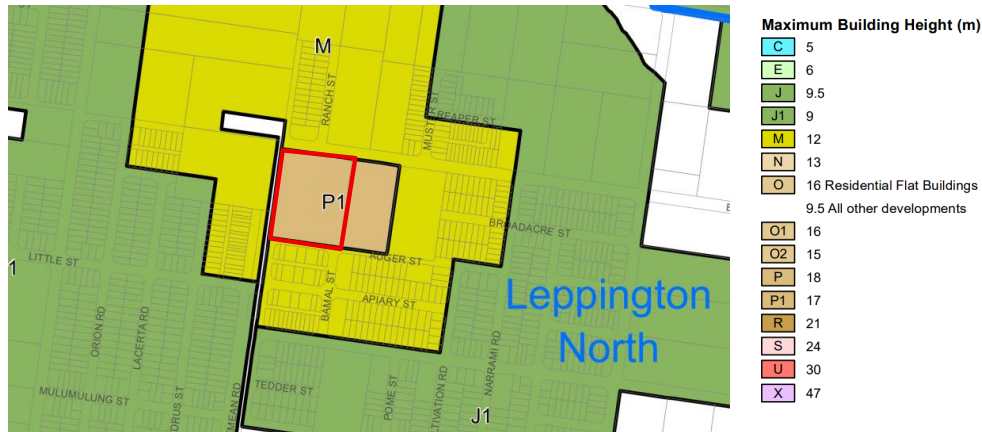


Figure 16 Extract from Western Parkland City SEPP Height of Buildings Map 007 (site edged in red)

#### 4.2 LIVERPOOL GROWTH CENTRE DEVELOPMENT CONTROL PLAN

The site at Nos. 330-350 Eighth Avenue is subject to *Schedule 1 – Austral & Leppington North Precinct of the Liverpool Growth Centre Development Control Plan ('DCP')*. The controls under *Liverpool Growth Centre Precinct DCP – Main Body* also apply. The preparation of a Draft Site-Specific Development Control Plan for the subject site is not required, and any future development relating to the additional permitted use will address the objectives and aims under Schedule 1 and the main body of the DCP.



## 5. Proposed SEPP Amendments

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### 5.1.1 Proposed Additional Permitted Use

The proposal seeks to amend *Schedule 1 Additional permitted uses of Appendix 4 Liverpool Growth Centres Precinct Plan of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021* as follows:

Insert in Schedule 1 Additional permitted uses:

***1 Use of certain land at Nos. 330-350 Eighth Avenue, Austral***

*(1) This Section applies to land known as Nos. 330-350 Eighth Avenue, Austral (Lot 940 in DP 1265677).*

*(2) Development for the purposes of recreation facility (indoor) are permitted with development consent.*

The above amendments will allow for *recreation facility (indoor)* to be permitted with consent on the subject site, and are defined as follows:

***recreation facility (indoor)*** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

## 6. Planning Proposal

### 6.1 PART 1 – OBJECTIVES OR INTENDED OUTCOMES

#### 6.1.1 Objectives

The objectives for this Planning Proposal are to:

- i. Deliver much needed indoor recreational facilities in an area of significant residential growth;
- ii. Deliver much needed indoor recreational facilities in an area of significant undersupply;
- iii. Contribute to the much-needed use of indoor recreational facilities within an approved mixed-use development;
- iv. Contribute towards improving health and wellbeing to the residents and workers within Austral; and
- v. Align with the Employment SEPP Reform.

#### 6.1.2 Intended Outcomes

The Planning Proposal will amend Western Parkland City SEPP 2021 to facilitate redevelopment of the site in a flexible and appropriate manner. The intended outcomes are as follows:

- i. Deliver recreational opportunities within an approved mixed-use development with good access to a variety of infrastructure;
- ii. Deliver an additional permitted use that allows for flexibility;
- iii. To achieve public benefit in terms of providing a use that will improve the health and well-being of community members; and
- iv. Allow for the orderly and economic development of the land.

This application has also been prepared following input from specialist studies. This includes analysis as it pertains to traffic, economic feasibility and recreational needs assessment. Furthermore, detailed analysis of amenity impacts on the public domain has been considered as part of the additional permitted use.

### 6.2 PART 2 - EXPLANATION OF PROVISIONS

The proposed outcome will be achieved by amending the Western Parkland City SEPP 2021 as follows:

- Insert a new clause into Schedule 1 Additional Permitted Uses of Appendix 4 Liverpool Growth Centres Precinct Plan to permit with consent *recreational facility (indoor)*.

All other provisions of Western Parkland City SEPP 2021 are to remain unchanged.

### 6.3 PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

This section details the reasons for the proposed SEPP amendment and is based on a series of questions and matters for consideration as outlined in the DPIE Guideline (August 2023). The matters to be addressed include the strategic planning context of the amendments, strategic merits, site-specific merits, potential State and Commonwealth agency interests, environmental, social and economic impacts.

In summary, the proposed amendments to Western Parkland City SEPP 2021 outlined above and in Part 5.1.1 of this Report will:

- Align with the relevant key priorities and strategic merit matters in the *Greater Sydney Regional Plan* and *Western City District Plan*;

- Be consistent with the relevant key planning priorities, and strategic and site-specific merit matters contained in the *Liverpool Local Strategic Planning Statement*;
- Be consistent with the *Liverpool Community Strategic Plan*;
- Respond to the circumstances of the site not being included in the employment zones reform that would enable the permissibility of the proposed use; and
- Deliver an additional use which will be compatible with the approved mixed-use development pertaining to the subject site.

The Western Parkland City SEPP contains the following aims under Section 1.2 Aims of Precinct Plan:

- (a) to make development controls that will ensure the creation of quality environments and good design outcomes,*
- (b) to protect and enhance environmentally sensitive natural areas and cultural heritage,*
- (c) to provide for recreational opportunities,*
- (d) to provide for multifunctional and innovative development that encourages employment and economic growth,*
- (e) to promote housing choice and affordability,*
- (f) to provide for sustainable development,*
- (g) to promote pedestrian and vehicle connectivity.*

The proposed additional permitted use will satisfy the relevant aims which apply, including:

- Aim (a): The additional permitted use will provide for a recreation facility (indoor), such as a gym, which will contribute to the approved, high quality mixed-use development;
- Aim (c): The proposal will directly contribute to the delivery of recreational opportunities which are underrepresented and in demand within the Austral locality. It will also encourage health, wellbeing and social interaction for the Austral community;
- Aim (d): The proposal will provide for an additional use which is complementary to the approved neighbourhood centre development. This will encourage employment and economic growth on the subject site and within the locality, and provide access to recreational opportunities which would otherwise not be present within the Austral locality; and
- Aim (g): The proposal will encourage multi-purpose trips, and will provide for much needed recreational uses within the Austral locality, which is currently underrepresented and in demand. If this planning proposal is not advanced, workers and residents will be required to travel to other centres to enjoy recreational facilities, which is antipathetic to this aim, amongst others.

#### Questions for consideration in demonstrating justification

##### **6.3.1 Section A - The Need for the Planning Proposal**

###### ***Q1: Is the planning proposal a result of an endorsed LSPS, strategic study or report?***

No. The Planning Proposal is not made in direct response to any endorsed local strategic planning statement, strategic study or report but rather to reflect the Employment Zones Reform. The NSW State Government introduced 5 new employment zones and 3 supporting zones into the Standard Instrument Order 2006, commencing on 26 April 2024. The zoning reforms were implemented into the *Liverpool Local Environment Plan 2008*, however, were excluded from the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*, including *Appendix 4 Liverpool Growth Centres Precinct Plan*. Whilst the subject site is located within the Liverpool LGA, given the Western Parkland City SEPP applies to these properties, they do not benefit from the zoning reforms made to the majority of the Liverpool LGA.



**Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. A Planning Proposal is the best and only means of achieving the objectives and intended outcomes and this has been confirmed by Liverpool Council and the State Government. The current B1 zoning does not allow for flexibility in the use of *recreation facility (indoor)*.

As described in this Report, and the supporting Recreational Needs and Economic Assessment, the subject site and locality has a variety of attributes which would positively enable the use of indoor recreational facilities. Not only will the Planning Proposal achieve the objectives and intended outcomes, but will also deliver the following public benefits:

- Promote healthy communities through additional permitted uses;
- Allow for the flexibility of use to ensure the successful ongoing operation of the mixed-use development;
- Allow for economic growth; and
- Provide additional indoor recreational uses in a location better suited and where there is a significant undersupply and demand.

The public benefits can only be delivered through the proposed amendments to the SEPP. It is noted that these SEPP Amendment fits the category of a 'Standard' planning proposal described in the DPIE Guideline as follows:

**Standard**

A standard planning proposal refers to any one or more of the following proposed LEP amendment types, including an amendment:

- To change the land use zone where the proposal is consistent with the objectives identified in the LEP for that proposed zone
- That relates to altering the principal development standards of the LEP
- That relates to the addition of a permissible land use or uses and/or any conditional arrangements under Schedule 1 Additional Permitted Uses of the LEP
- That is consistent with an endorsed District/Regional Strategic Plan and/or LSPS
- Relating to classification or reclassification of public land through the LEP

As discussed, the proposal seeks to permit *recreation facilities (indoor)* to align with the intent of the employment zones reform as set out in this document. The Planning Proposal is the only way to satisfy objectives and intended outcomes as detailed above.

### 6.3.2 Section B – Relationship to the Strategic Planning Framework

Assessment against the following matters for consideration listed in the guidelines (Questions 3-6) demonstrate that the planning proposal has clear strategic and site-specific planning merit.

This application for a Planning Proposal is consistent with the applicable regional and sub-regional strategies. The strategic plans identify the need to provide recreational facilities to promote healthy communities throughout urban areas. This application for a Planning Proposal seeks to enable the use of recreational facility (indoor) to be permitted which is reflective of the strategic location and characteristics.

**Q3: 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 relevant regional or district plans include the following and are addressed in detail below:

- *The Greater Sydney Region Plan: A Metropolis of Three Cities;*
- *Western City District Plan;* and
- *South West Growth Area Structural Plan.*

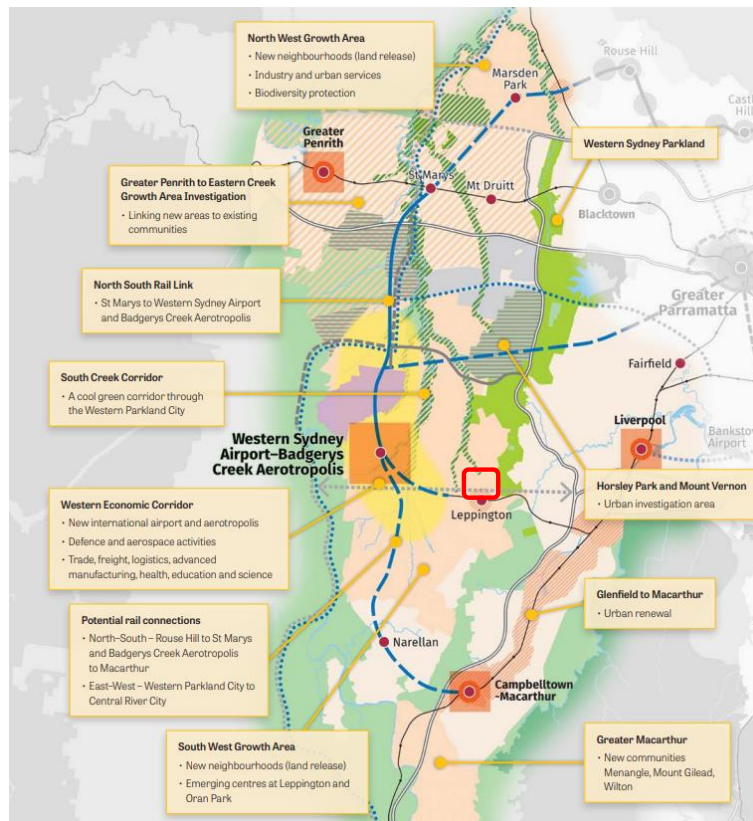
#### 6.3.2.1 Greater Sydney Region Plan – A Metropolis of Three Cities (GSRP)

On 23 March 2018, the Greater Sydney Commission released *A Metropolis of 3 Cities: The Greater Sydney Region Plan* (GSRP) which sets out strategic priorities for 2016 to 2036. The Regional Plan contains ten directions for the Greater Sydney Metropolitan Area. The Directions include the following:



1. A city supported by infrastructure;
2. A collaborative city;
3. A city for people;
4. Housing the city;
5. A city of great places;
6. A well connected city;
7. Jobs and skills for the city;
8. A city in its landscape;
9. An efficient city;
10. A resilient city.

The Metropolitan Strategy does not identify Austral as within any Strategic Centre, however, is within close proximity to Leppington as shown in **Figure 17**. It is noted that Austral is not identified as a Local Centre under the Western City District Plan.



**Figure 17** The Western Parkland City (Source: A Metropolis of 3 Cities: The Greater Sydney Region Plan)

An assessment against the relevant directions and their objectives is provided in the table below.

**Table 4** Greater Sydney Region Plan: A Metropolis of Three Cities Directions

<b>Direction 1 – A city supported by infrastructure</b>
<b>Objectives 1 to 4</b>
These objectives relate to the provision of infrastructure to support the future needs of the three cities.

**Table 4** Greater Sydney Region Plan: A Metropolis of Three Cities Directions

As detailed in Section 1 of this Report, the subject site represents a unique opportunity whereby it contains the potential to support *recreational facilities (indoor)* within an approved mixed-use development. The provision of an additional and compatible use within this neighbourhood centre will ultimately improve the viability of the centre. It is not uncommon for neighbourhood centre developments, comprising of supermarkets, commercial and retail uses, to be accompanied by *recreation facilities (indoor)*, where it diversifies use and encourages multipurpose trips.

**Direction 3 – A city for people****Objective 6: Services and infrastructure meet communities' changing needs**

This objective is about providing social infrastructure and public places that reflects the needs of the community now and in the future.

The proposal will facilitate the delivery of indoor recreational facilities where it is currently prohibited by the planning controls. This provision is supported by the nature of the approved mixed-use development. Indoor recreational facilities will be located within the approved built form and is considered an appropriate planning outcome. As identified within the Recreational Needs and Economic Assessment, there is a significant undersupply and demand of the proposed use, which will only be exacerbated as the population begins to diversify and increase.

**Objective 7 Communities are healthy, resilient and socially connected**

This objective is about creating a lively connected neighbourhood that is in close proximity to shops, creative arts centres, schools, health care centres and community facilities. It promotes the benefits of mixed-use centres and the opportunities for public and alternative forms of transport.

As the subject site contains to an existing approval for a neighbourhood centre development, the proposed use of indoor recreational facilities will bolster the sense of community and enable healthy, resilient and socially connected groups. As discussed, the use is currently prohibited. The additional use will be easily accessible, and will be agglomerated with the commercial and retail facilities which are available. Due to the subject site's strategic location and current development approval, that is, within a neighbourhood centre servicing the needs of the Austral population, the additional permitted use will achieve the connectedness envisaged by the GSRP.

It will also allow for ease of access to recreational facilities, and will ensure future residents and workers will not be required to travel alternate centres to access the proposed use. It also allows for an additional use within walking distance to R3 and R2 zoned land, which will also see an increase in density pursuant to the permitted planning controls.

**Objective 8 - Greater Sydney's communities are culturally rich with diverse neighbourhoods**

This objective is about fostering cultural diversity and facilitating their growth.

The provision of an additional permitted use to the approved development will diversify land use, cater for a greater cross section of the community and also promote multi-purpose trips. In turn this will foster cultural diversity and facilitate growth. The proposal provides for greater satisfaction of Objective 8, whereby the current land uses not respond to its strategic location and beneficial characteristics.

**Direction 4 – Housing the city****Objective 10 - Greater housing supply**

The NSW Government has identified that 725,000 new homes will be needed to meet demand based on current population projections to 2036.

This planning proposal does not seek to provide additional housing, but rather provides a use that will serve the needs of the diverse and growing population within Austral. The site presents as a unique opportunity to support the use of indoor recreational facilities.

**Direction 5 – A city of great places**

**Table 4** Greater Sydney Region Plan: A Metropolis of Three Cities Directions*Objective 12 - Great places that bring people together*

The Metropolitan Plan promotes the following principles for the design of great places:

- People friendly public open space areas and streets
- Fine grain fabric and activity
- A diverse mix of uses
- A socially connected region
- Ensure adequate car parking which takes into account access to public transport
- Encourage the use of car sharing and hybrid vehicles

Indoor recreational facilities promote good places as they offer inclusive and accessible environments that foster physical and social interaction between different community groups. The current land use permissibility does not support this. The additional permitted use will improve the experience of the general public as it will foster a good sense of community and promote multipurpose trips.

The proposal will also improve the approved development by diversifying the permissible uses available to the mixed-use development.

**Division 6: A well-connected city***Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities*

This objective seeks to create a well-connected city with transport and other services.

Whilst the subject site is not currently serviced by frequent public transport routes in close proximity, this is anticipated to change. Despite this, this planning proposal will promote multipurpose trips to the approved mixed use development, and is also located in an area surrounded by various land uses which are anticipated to undergo a significant increase in density. It is not uncommon for neighbourhood centre developments, comprising of supermarkets, commercial and retail uses to be accompanied by recreation facilities (indoor), where it diversifies use and encourages multipurpose trips.

*Objective 15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive*

The subject site is not within the Western Economic Corridor and this objective is not a matter for consideration.

**Division 7: Jobs and skills for the city***Objective 22: Investment and business activity in centres*

This objective seeks to strengthen centres through attracting investment, business and jobs.

The planning proposal will provide indoor recreational facilities which will provide additional jobs and services in the local community.

**Direction 10 – A resilient city***Objective 37: Exposure to natural and urban hazards is reduced*

This objective seeks to ensure the delivery of resilient communities.

The subject site is bush fire affected. The conclusions and conditions issued under DA-381/2023 will remain unchanged as the Planning Proposal does not require any physical changes to accommodate the additional permitted use.

**6.3.2.2 Western City District Plan (WCDP)**

The *Western City District Plan* (WCDP) adopts the Directions of the GSRP and lists Planning Priorities relevant for consideration in this Planning Proposal. The WCDP applies to Blue Mountains, Hawkesbury, Penrith, Camden,

Campbelltown, Fairfield, Liverpool and Wollondilly. The District Plan sets out a 20-year plan and aims to enhance liveability, productivity and sustainability.

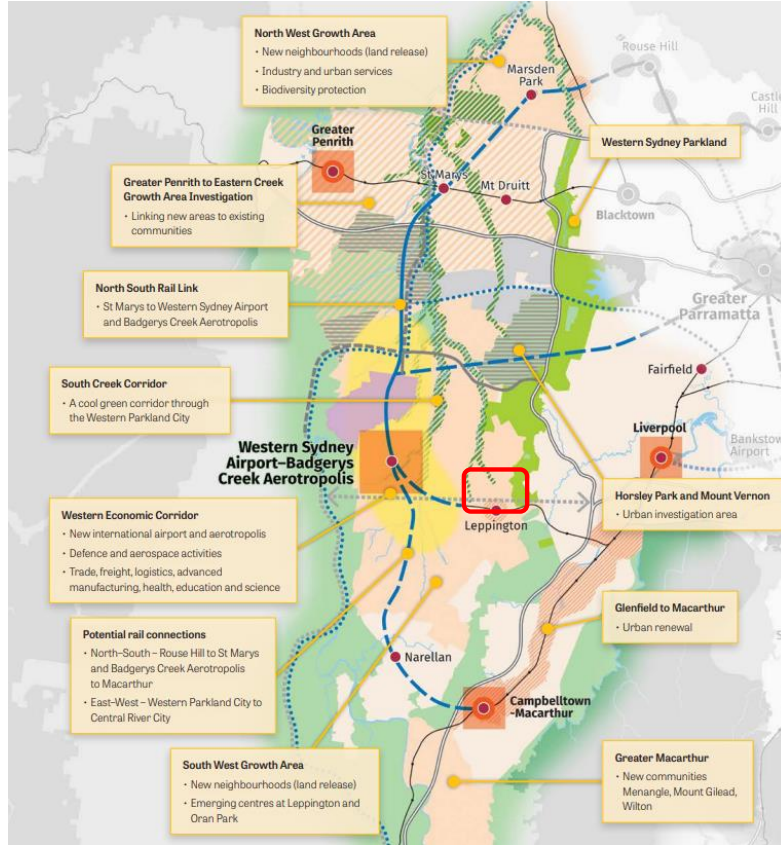


Figure 18 The Western City District Plan excerpt

The District Plan establishes a number of priorities and actions to guide growth, development and change, relating to productivity, liveability and sustainability. Additional housing to improve diversity and affordability co-ordinated with transport, development of centres and services is required in response to population growth. As such, the local area will require more facilities and services, such as *recreation facilities (indoor)*, to promote healthy communities, accommodating the needs of the growing population. The District Plan also identifies the need for community facilities, places of public worship and public open spaces.

In accordance with the above, the Proposal supports a number of the *Directions* and *Planning Priorities* outlined in the plan as outlined in the following table:

Table 5 Western City District Plan
<b>Direction 1 - A city supported by infrastructure</b>
<b>Planning Priority E1 Planning for a city supported by infrastructure</b>
As discussed within <b>Table 4</b> and per the Greater Sydney Regional Plan, the proposal will allow for the delivery of indoor recreational facilities within a highly accessible location in close proximity to numerous services and facilities.
The proposal will deliver uses within an area of demand and can be supported by the approved development under DA-381/2023. As described, the subject site is suited to the additional permitted use given the recent approval and strategic location.

<b>Table 5</b> Western City District Plan
<b>Direction 3 – A city for people</b>
<i>Planning Priority E3 Providing services and social infrastructure to meet people's changing needs</i>
The additional permitted use sought as part of this proposal will provide for indoor recreational facilities to a highly accessible site with excellent access to services and infrastructure. Indoor recreational facilities provide accessible environments where different individuals and communities can participate and engage in physical activity, social interaction and personal development.
<i>Planning Priority W4 Fostering healthy, creative culturally rich and socially connected communities</i>
The additional permitted use of indoor recreational facilities to the approved mixed use development will enable communities to be connected through providing inclusive spaces where individuals can come together for a shared interest. The additional permitted use further promotes physical and mental well being through various forms of activities. By encouraging the use, it will promote regular social interaction and foster welcoming environments complementing the diverse needs of the community.
<b>Direction 4 – Housing the city</b>
<i>Planning Priority E5 Providing housing supply, choice and affordability with access to jobs, services and public transport</i>
The Planning Proposal does not seek to provide additional housing but will rather promote indoor recreational facilities to support the diverse needs of the growing population. As the population increases, so will the need for recreational facilities.
<b>Direction 5 – A city of great places</b>
<i>Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage</i>
The subject site is not located in close proximity to any identified local centres, however, is identified as a neighbourhood centre. In this regard, the Planning Proposal will foster great places through the provision of indoor recreational spaces which will complement the desired character of the centre. Indoor recreational facilities provide the opportunity to encourage foot traffic, diversify uses and patrons, which will support businesses of mixed-use development. The additional use will be integrated into the existing approved urban fabric of the mixed-use development which respects the character of the locality.
<b>Direction 6 – A well connected city</b>
<i>Planning Priority W7 Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City</i>
The Planning Proposal will have no negative bearing on delivering integrated land uses and transport planning. In fact, the provision of an additional permitted use will assist in the delivery of a '30-minute city' as recreational facilities to the mixed use development will aid in providing multi-purpose trips.
<b>Direction 9 – A resilient city</b>
<i>Planning Priority W20 Adapting to the impacts of urban and natural hazards and climate change</i>
The subject site is bush fire affected. No further consideration is required as the bush fire impacts have been considered within the assessment of DA-381/2023 and the additional permitted use will not change the conclusions.

### 6.3.2.3 South West Growth Area Structural Plan

Ministerial Directions as prescribed in Section 9.1(2) of the EP&A Act, provide Local Planning Directions, of which the any planning proposal must be consistent. The *Southwest Growth Area Structure Plan* applies to the subject site. The Southwest Growth Area Structure also applies to Liverpool, Greater Penrith, Campbelltown-Macarthur, Western Sydney International (Nancy-Bird Walton) Airport and Western Sydney Aerotropolis.

The Structure Plan establishes a strategic vision for the growth area as outlined in the *Greater Cities Commission's A Metropolis of Three Cities* and the *Western City District Plan*. The Structure Plan aims to provide a thriving and greener place to live while enabling improved housing choices, access to shops, schools, and transport options for the growing communities. As such, the locality will require more facilities and services, such as *recreation facilities (indoor)* to promote healthy communities, accommodating the needs of the growing population.

In accordance with the above, the Proposal supports a number of the *Principles and outcomes* outlined in the plan as outlined in the following table:

**Table 6** Southwest Growth Area Structure Plan**Provide opportunities for jobs closer to home****Local and Neighbourhood Centres**

The proposed additional permitted use will have no negative bearing on the Eighth Avenue Neighbourhood Centre. In fact, the provision of an additional permitted use will assist in the delivery of a '15-minute neighbourhood' as recreational facilities within the mixed-use development will aid in providing multi-purpose trips and diversification of uses. The additional use will also ensure future residents and workers will not be required to travel to alternate centres to enjoy recreational facilities. To deny the subject planning proposal would mean accessibility to services and facilities will be compromised.

**Plan for connected Communities****Local and Regional**

As discussed within **Table 4** and per the Greater Sydney Regional Plan, the proposal will allow for the delivery of indoor recreational facilities within a highly accessible location in close proximity to numerous services and facilities which will support the growing population of the Austral community, where there is a significant undersupply of indoor recreational facilities.

The proposal will deliver uses within an area of demand and can be supported by the approved infrastructure under DA-381/2023. As described, the subject site is suited to the additional permitted use given the recent approval and strategic location.

**6.3.2.4 Strategic Merit**

In addressing Question 3, the DPIE Guideline requires an application for a Planning Proposal to address the assessment criteria for strategic merit. The DPIE Guideline provides assessment criteria to determine if a planning proposal has strategic and site-specific planning merit. Accordingly, the planning proposal is considered against the assessment criteria below.

Strategic Merit

The assessment criteria to determine if a Planning Proposal has strategic planning merit is addressed in **Table 7** below (known as the 'strategic merit test').

**Table 7** Strategic Merit Test

Assessment Criteria	Comment
Will the proposal "Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/ precinct plans applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy".	<p>The applicable strategic plans are <i>A Metropolis of 3 Cities: The Greater Sydney Region Plan</i> and the <i>Western City District Plan</i>, both of which have been prepared by the Greater Sydney Commission.</p> <p>Alignment with the relevant Planning Priorities of both the GSRP and WCDP has been demonstrated in Section 6.3.2.1 and 6.3.2.2, respectively. It has been demonstrated that the planning proposal is considered to give effect to both strategic documents, achieved primarily by permitting the use of indoor recreational facilities within a highly accessible and strategic location. The additional permitted use has considered the relationship to the surrounding locality and any impacts. This is outlined in this Report and the supporting documentation.</p>
Will the proposal "demonstrate consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan".	<p>Consideration of the proposal against the Liverpool Local Strategic Planning Statement is addressed in detail under 'Question 4' below, and Section 6.2.3.5 of this Report. In summary, the proposal will give effect to the LSPS by being aligned with the relevant strategic goals and the potential public benefits that can be realised by facilitating an additional permitted use for the site. As discussed, the proposal will provide for an additional permitted use within a strategically located site, in addition to promoting healthy communities.</p>
Does the proposal "Respond to a change in circumstances that has not been recognised".	<p>The proposal is a response to the limitation of the current land use permissibility. That is, the current standards do not permit the use of recreational facilities (indoor). Further to this, the proposal is in response to the Employment Zones Reform. This is discussed throughout this Report.</p>



### 6.3.2.5 Site-Specific Merit

#### Site-Specific Merit

The planning proposal has site-specific merit given the following:

- The site contains numerous characteristics which also enable site-specific merit. This includes the following:
  - The site contains an existing development approval for a neighbourhood centre development;
  - The Employment Zones Reform did not amend the Western Parkland City SEPP to provide zoning and permissible uses pursuant to the Standard Instrument;
  - There is a significant shortfall of indoor recreational facilities within proximity to the subject site and will only be exacerbated as development area increases as permitted by the relevant planning controls; and
  - The site is within a highly accessible and strategic area as it is surrounded by compatible land uses.
- The Planning Proposal will not result in any significant adverse environmental impacts, which are outlined as follows:
  - **Amenity Impacts:** This planning proposal does not include any changes to the permitted building height or other controls which influence the bulk and scale of the site. The additional permitted use would utilise the existing floor space as approved in DA-381/2023.
  - **Acoustic Privacy:** The specific use, nature and its acoustic impacts upon future residents will form part of future development consent. It is anticipated that any future development consent would be subject to conditions which would minimise acoustic impact on surrounding uses. Furthermore, the uses will be accommodated within an approved development which considered acoustic impact in depth and was found to be acceptable.
  - **Bush Fire:** The planning proposal will not alter the conclusions and conditions issued under DA-381/2023 as the planning proposal does not involve any physical works.
  - **Traffic:** The proposal will seek to introduce an additional permitted use on the subject site and as such a Traffic Report has been prepared by *Colston Budd Rogers & Kafes Pty Ltd*. This Report concludes any additional parking can be accommodated as the approved development provides a surplus of parking and there will be no significant impact to the local traffic.
- The proposal will appropriately respond to the objectives of the B1 Neighbourhood Centre zone, as discussed below:
  - *To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood*

Comment: The proposal will provide for indoor recreational uses that will serve the needs of locality community who live in close proximity to the subject site or future employees of the mixed-use development and as such, the proposed amendments are not antipathetic with regard to this objective. In fact, to deny this proposal will be inconsistent with this objective as it will force residents and workers to travel to other centres for the use of recreation facilities (indoor).

The assessment criteria outlined in the DPIE Guideline to determine if a planning proposal has site-specific planning merit is addressed in **Table 8**.

Table 8 Site-Specific Merit Test	
Site-Specific Merit Test	Comment
Does the proposal have site-specific merit, with regards to the following:	

**Table 8 Site-Specific Merit Test**

<i>The natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources or hazards)</i>	<p>The site is not subject to any hazards or risks, excluding bushfire as detailed above. The planning proposal will not impact the existing classification or potential impact and is considered to be acceptable.</p> <p>Furthermore, the site does not contain items or features that have significant natural or environmental values. As outlined in this Report the proposal does not require to remove any vegetation to accommodate the additional permitted use.</p>
<i>The built environment, social and economic conditions</i>	<p>The site is strategically located and the additional permitted use within an approved mixed use neighbourhood centre which is surrounding by residential zoning. The proposed additional permitted use will be integrated into the approved built form which is considered to respond to the desired future character of the Austral locality.</p> <p>In terms of social and economic conditions, the proposed additional permitted use of an recreational facilities (indoor) will deliver distinctive social benefits in a desirable and growing locality. As described, the site represents an excellent opportunity to improve the liveability and will contribute to the create healthy, thriving communities within the Liverpool LGA. It is also noted that the proposal will generate employment opportunities and support surrounding businesses, contributing to the local economy.</p>
<i>The existing, approved and likely future uses of land in the vicinity of the land to which the proposal relates</i>	<p>The additional permitted use will not impact or restrict the existing approval or future development of neighbouring properties. Whilst providing an additional permitted use, the proposal will facilitate options for additional uses to the approved development which is compatible with the context and setting of the environment. As discussed in this Report and supporting documentation, it is demonstrated that the proposal will have no adverse impact in terms of amenity.</p>
<i>The 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</i>	<p>The proposed change additional permitted use will be supported by the services and infrastructure available in accordance with the development application approval. The approval provides for water connection, gas connection, sewer connection, stormwater and electricity infrastructure.</p>

#### **Additional Clause under Schedule 1 of Appendix 4**

As set out under Section 5.1.1 of this Report, additional clauses are to be inserted into Western Parkland City SEPP. These are proposed, as follows:

- Insert an additional clause in Schedule 1 Additional Permitted Uses that permitted with consent the use of *recreation facilities (indoor)* on the subject site.

The clause as set out above will ensure that appropriate uses will be delivered on the subject site. This will satisfy the relevant strategic documents as set by State and Local Government, and will deliver much needed recreational uses in the Austral locality.

As demonstrated in the above assessment, the planning proposal has both strategic and site-specific merit and is suitable to be progressed to a Gateway determination.

#### ***Q4: Is the Planning Proposal consistent with a Council's local strategic or other local strategic plan?***

The relevant local strategic plans or policies include the following and are addressed in detail below.

- *Liverpool City Council Local Strategic Planning Statement – Connected Liverpool 2040;*
- *Liverpool Community Strategic Plan 2022-2032;* and
- *Liverpool Centres and Corridors Strategy.*



### 6.3.2.6 Liverpool City Council Local Strategic Planning Statement – Connected Liverpool 2040

The *Liverpool Local Strategic Planning Statement* (LSPS) came into force March 2020 and was endorsed by the Greater Sydney Commission. The LSPS sets out a 20-year land use vision to guide land use planning for the LGA. The LSPS will provide Council with strategic direction for planning and help facilitate a coordinated approach to managing growth and development in the Liverpool LGA. The LSPS will align with the Community Strategic Plan and Western City District Plan.

The Planning Proposal is consistent with the relevant vision and strategic goals of the Liverpool LSPS:

- *Connectivity;*
- *Liveability;*
- *Productivity; and*
- *Sustainability*

Of relevance to this Planning Proposal is Planning Priority 9, which is to promote *Safe, healthy and inclusive places shaping the wellbeing of the Liverpool Community*. This Planning Priority includes a number of Principles and Actions, which are to promote public and active transport and access to recreation opportunities around strategic centres. The rationale for this Planning Priority stems from the following:

*'High car dependence, relatively lower levels of spare time due to commuting and traffic, poor access to public and active transport, and fewer recreation opportunities.*

*A healthy built environment is a key motivator for the future. We are working to build more walking and cycling trails, opening access to our natural assets, focusing development near public transport to encourage mode shift, and ensuring there is enough open space and recreational facilities to meet growing demand. New urban centres will be compact and transit-oriented, to maximise opportunities for walking and active transport...'*

This proposal will promote *recreation facilities (indoor)*, not only aligning with the employment zones reform, but also directly promoting safe, healthy and inclusive localities. As identified in the excerpt above, Council is seeking to deliver compact and transit orientated communities, with excellent access to services and facilities, including recreational facilities. The provision of additional recreational facilities on a key site in the Austral region, which is earmarked for redevelopment in the near future cognisant with the respective development consent, will expressly deliver additional uses supporting health and well-being. The proposal will also remove the need to travel to surrounding suburbs and localities to access other recreational facilities and will in turn reduce reliance on private motor vehicle travel and encourage active and public transport usage.

The proposal is demonstrably consistent with the LSPS.

### 6.3.2.7 Liverpool Community Strategic Plan 2022-2032

The Liverpool Community Strategic Plan 2022-2032 (CSP) identifies the strategic direction and integrated planning framework for the Liverpool Community. The Plan sets out the communities' vision to 2032 and sets out four strategic themes:

- **Theme One:** Healthy, Inclusive, Engaging
- **Theme Two:** Liveable, Sustainable, Resilient
- **Theme Three:** Evolving, Prosperous, Innovative
- **Theme Four:** Visionary, Leading, Responsible

The proposal is compatible with the vision set out within the CSP, particularly with regard to the longer term objective for healthy, inclusive and engaging communities under Themes One and Three.

#### Theme One

The proposal is consistent with the 10-year strategies (reproduced below) which are proposed to satisfy Theme One:

- *Improve liveability and quality of life for the community by delivering vibrant parks, places and facilities*
- *Promote a harmonious community that celebrates its diversity*
- *Embrace the city's heritage and history*
- *Support an inclusive community by fostering access and equity for all*
- *Deliver great and exciting events and programs for our people and visitors*
- *Support active and healthy lifestyles by improving footpaths, cycleways and walkways and other infrastructure that promotes and supports active transport*
- *Communicate, listen, engage and respond to the community by encouraging community participation*

The proposal seeks to improve liveability and quality of life for the community through the provision of indoor recreation facilities on a site with excellent access to other services and facilities. The proposal will contribute to recreational facilities within the Austral locality (and wider LGA) where there is a significant shortfall in the uses and will provide for an appropriate use to accompany the approved development. Importantly, the site is surrounded by low and medium density zoned land and a variety of other land uses, including open spaces, educational facilities and the like.

The additional uses in a prime location will therefore contribute to healthy communities and satisfy the objectives and goals of the CSP.

#### **Theme Three:**

The proposal is also consistent with some of the 10-year strategies (reproduced below) which are proposed to satisfy Theme Three:

- *Implement planning controls and best practice urban design to create high-quality, inclusive urban environments*
- *Facilitate quality local employment, training and education opportunities*
- *Develop the economic capacity of local businesses and industries*
- *Maintain strong relationships with agencies, stakeholders and businesses to achieve beneficial outcomes for the city*

The proposal will seek to enhance the local economy through diversifying the land uses and supporting the health and wellbeing of individuals. Given the subject site was not afforded the benefits of the employment zones reform that have been implemented into the Standard Instrument, it is unreasonable to limit the subject site from providing the opportunity to offer a use which will deliver significant benefits to the community. The additional permitted uses will generate employment opportunities for the indoor recreational uses and will be compatible with that envisaged in the neighbourhood centre.

Given the site currently contains a development approval for a mixed-use development, providing an additional use will increase traffic to local businesses. The provision of indoor recreational facilities will align with Council's strategic goals as it will foster collaboration with stakeholders and deliver infrastructure that will support the growing population, and contribute to an economically resilient community.

#### **6.3.2.8 Liverpool Centers and Corridors Strategy**

The Liverpool Centres and Corridors Strategy ('Strategy') is a response to Planning Priority 11 'An attractive environment for local jobs, business, tourism and investment', Action 11.1 'Develop a Centres and Corridor Strategy, and review LEP and DCP to ensure alignment' of Council's LSPS. The Strategy redefines and recategorises Liverpool's centres and corridors and provides direction for future planning.

With regards to Austral, specifically the Eighth Avenue Neighbourhood Centre, this is identified as key centre serving the growing community of Austral. Eighth Avenue is desired to provide for a range of retail and commercial premises serving the community, with supporting social infrastructure. The proposed additional use will complement the retail and commercial nature of the development (as approved) and will strengthen the viability of the centre through diversifying uses and also encouraging healthy and socially active communities.

As set out and perDA-381/2023, the subject site is capable of accommodating *recreation facilities (indoor)*, without impacting the provision of retail or commercial premises. This will ensure that the function of the Eighth Avenue Neighbourhood Centre will support the strategy in creating inclusive, accessible and economic hubs to serve the growing population of Austral and the wider locality.

**Q5: Is the planning proposal consistent with applicable state and regional studies or strategies?**

There are no other state and regional studies or strategies to which the proposed amendments are required to align.

**Q6: Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?**

There are no State Environmental Planning Policies (SEPPs) or draft Policies or Deemed SEPPs that would prohibit or restrict this Planning Proposal. A list of relevant SEPPs is included in **Table 9**.

Table 9 Relevant State Environmental Planning Policies			
SEPP	Relevance	Y/N	Comments
SEPP Resilience and Hazards 2021	The Resilience and Hazards SEPP repealed and replace three former SEPPs related to coastal management, hazardous and offensive development and remediation of land.	Yes	The application for a Planning Proposal will not change the land use zoning and will seek to permit with consent an additional permitted use. This will not change the application of remediation of land.  In terms of Coastal Management and Hazardous or Offensive Material, the application does not change the manner in which the chapters of the SEPP applies to the site.
SEPP (Sustainable Buildings) 2022	This SEPP encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials.	Yes	This application does not change the manner in which this SEPP will apply to any future development consent
SEPP (Housing) 2021	This SEPP aims to incentivise the supply and ensure the effective delivery of new affordable and diverse housing. The Housing SEPP consolidates six existing housing related policies, including: <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP);</li> <li>• SEPP 65 (Design Quality of Residential Apartment Development)</li> <li>• State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 (Seniors SEPP);</li> <li>• State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes) (SEPP 70);</li> <li>• State Environmental Planning Policy No 21 - Caravan Parks; and</li> <li>• State Environmental Planning Policy No 36 - Manufactured Home Estates.</li> </ul>	Yes	This application does not change the manner in which this SEPP applies to the site.
SEPP (Exempt and Complying Development Codes) 2008	This SEPP defines types of development for which development consent is not required.	Yes	This application for a Planning Proposal does not change the manner in which this SEPP applies to the site.

Table 9 Relevant State Environmental Planning Policies			
SEPP	Relevance	Y/N	Comments
SEPP (Transport and Infrastructure) 2021	This SEPP aims to facilitate the delivery of new infrastructure and protect the safe and efficient operation of existing infrastructure. This SEPP repeals and replaces four former SEPPs related to infrastructure, transport, education and childcare.	Yes	The application for a Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.  Parking is considered in the submitted Traffic Impact Assessment prepared by CBRK.
SEPP (Biodiversity and Conservation) 2021	This SEPP repeals and replaces 11 previous SEPPs.	Yes	The application for a Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.  No vegetation currently exists on the subject site.
SEPP (Industry and Employment) 2021	This SEPP repeals and replaces two former SEPPs related to employment lands in Western Sydney and advertising and signage.	Yes	The Planning Proposal does not change the way in which the SEPP (specifically, Chapter 3 Advertising and Signage) would apply to the site or to future development upon the site.
SEPP (Planning Systems) 2021	This SEPP identifies state or regionally significant development, state-significant infrastructure, and critical state-significant infrastructure.		This Planning Proposal does not change the way in which this SEPP would apply to the site or to future development

**Q7: Is the Planning Proposal consistent with the applicable Ministerial Directions?**

The proposal is consistent with all applicable Ministerial Directions under Section 9.1 of the *Environmental Planning and Assessment Act 1979* as outlined in the below table.

Table 10 Section 9.1 Ministerial Directions			
Ministerial Direction	Relevance	Y/N	Comments
<b>1. Planning Systems</b>			
1.4 Site Specific Provisions	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</p> <p>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(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</p> <p>(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.</p> <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p>	Yes	<p>The Planning Proposal will seek to include an additional permitted use to allow for recreation facility (indoor) on the site which is consistent with the zoning and employment reforms.</p> <p>(a) The proposal will allow for an additional permitted use in the B1 zone, consistent with the employment zones reform.</p> <p>(b) As above, the proposal will not rezone the site rather will include an additional permitted use.</p> <p>(c) The proposal will not include any standards beyond those currently required.</p> <p>Noted.</p>
1.21 Implementation	This direction applies to when a planning proposal authority prepares a planning proposal	Yes	The subject planning proposal is consistent with the South West Growth Area Structure

**Table 10** Section 9.1 Ministerial Directions

n of South West Growth Area Structure Plan	for land in the Camden, Campbelltown and Liverpool local government areas that applies to land within the South West Growth Area.  (1) A planning proposal authority must ensure that a planning proposal is consistent with the Structure Plan and Guide approved by the Minister for Planning and as published in December 2022 on the website of the Department of Planning and Environment.		Plan as set out in Section 6.3.2.3 of this Report. It is noted that the provision of an additional permitted use on the subject site will encourage healthy, socially interactive and economically robust localities and is therefore consistent with the Structure Plan.
<b>3. Biodiversity and Conservation</b>			
3.1 Conservation Zones	This direction applies to all relevant planning authorities when preparing a planning proposal.  A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas	N/A	The subject site is not zoned or identified as environmentally sensitive land and therefore this direction does not apply.
3.2 Heritage Conservation	This direction applies to all relevant planning authorities when preparing a planning proposal.  A planning proposal must contain provisions that facilitate the protection and conservation of heritage significance and Indigenous heritage significance	N/A	The subject site does not contain any heritage restrictions and therefore this does not apply.
3.7 Public Bushland	This direction applies when a planning proposal authority prepares a planning proposal for land in the Woollahra Local Government Area.  A Planning Proposal must retain 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.	N/A	The subject Planning Proposal is not located within any public bushland.
3.9 Sydney Harbour Foreshores and Waterways Area	This direction applies when a planning proposal authority prepares a planning proposal for land within the Foreshores and Waterways Area as defined in the State Environmental Planning Policy (Biodiversity and Conservation) 2021.	N/A	The subject site is not located within the foreshore and waterways area and therefore this direction does not apply.
3.10 Water Catchment Protection	This direction applies when a planning proposal authority prepares a planning proposal which will affect land within a regulated catchment, excluding the Sydney Drinking Water Catchment, within the meaning of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.  (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	Yes	The subject site is located within the Hawkesbury-Nepean Catch and therefore this direction applies.  The Planning Proposal seeks only to permit an additional permitted use (Recreational Facility (Indoor)) and does not propose any physical works or changes to built form, vegetation, or stormwater infrastructure beyond the development consents associated with DA-381/2023. As the proposal will not increase human interference, affect native vegetation, alter scenic quality, or impact

Table 10 Section 9.1 Ministerial Directions

	<p>Australia, and any water quality management plan prepared in accordance with those guidelines,</p> <p>(c) includes documentation, prepared by a suitably qualified person(s), indicating whether the planning proposal:</p> <p>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</p> <p>ii. is likely to have an impact on periodic flooding that may affect wetlands and other riverine ecosystems</p> <p>iii. is likely to have an adverse impact on recreational land uses within the regulated catchment</p> <p>(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,</p> <p>(e) identifies how the planning proposal will:</p> <p>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,</p> <p>(f) considers any feasible alternatives to the planning proposal.</p> <p>(2) When preparing a planning proposal, the planning proposal authority must:</p> <p>(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</p> <p>(b) as far as is practicable, give effect to any requests of the adjacent or downstream council.</p>		<p>catchment health within the site, it is considered consistent with the objectives of Ministerial Direction 3.10.</p>
<b>4. Resilience and Hazards</b>			
4.1 Flooding	<p>This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p>	N/A	<p>The subject site is not identified as flood prone and therefore this direction does not apply.</p>
4.3 Planning for Bushfire Protection	<p>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. This applies where the relevant planning authority is required to prepare a bush fire prone land map under section 10.3 of the</p>		<p>The subject site is identified as bushfire prone land. The proposed additional permitted use will not have any undue impact to the bushfire affectation of the site, noting this is resolved per the development approval on the subject site.</p>

**Table 10** Section 9.1 Ministerial Directions

	EP&A Act, or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.		
4.4 Remediation of Contaminated Land	<p>This direction applies when a planning proposal authority prepares a planning proposal that applies to:</p> <p>(a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997,</p> <p>(b) 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,</p> <p>(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:</p> <p>i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p>ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</p>	Yes	The Planning Proposal is for an additional permitted use, noting that the land is suitable for development as evidenced in the approved development, and therefore this application for a Planning Proposal is consistent with Direction 4.4.
4.5 Acid Sulfate Soils	<p>This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning and Environment.</p> <p>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.</p>	Yes	The land is not mapped as containing Acid Sulfate Soils and is therefore considered acceptable with regards to this Direction.
<b>5. Transport and Infrastructure</b>			
5.1 Integrating Land Use and Transport	<p>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, business, industrial, village or tourist purposes.</p> <p>(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:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p>	Yes	<p>This Planning Proposal will not increase maximum building height and floor space ratio which applies to the subject site, however, will include an additional permitted use. Therefore, the maximum density on-site will be maintained</p> <p>It is noted that this application is submitted with a Traffic Report prepared by <i>CBRK</i> which concludes that the proposal will have no adverse impact to traffic and is therefore acceptable with regards to this Direction.</p>

Table 10 Section 9.1 Ministerial Directions			
	(b) The Right Place for Business and Services – Planning Policy (DUAP 2001)		
5.2 Reserving Land for Public Purposes	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>(1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).</p>	N/A	Not applicable to subject Planning Proposal.
5.3 Development Near Regulated Airports and Defence Airfields	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 land near a regulated airport which includes a defence airfield.	N/A	Not applicable to subject Planning Proposal.
<b>6. Housing</b>			
6.1 Residential Zones	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.	N/A	The Planning Proposal will not alter the permissibility of residential uses, and will only permit with consent <i>recreation facility (indoor)</i> .
<b>7. Industry and Employment</b>			
7.1 Employment Zones	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed Employment zone (including the alteration of any existing Employment zone boundary).	N/A	The site is zoned B1 Neighbourhood Centre. Whilst unclear if this applies, it is noted that the subject proposal will provide for an additional permitted use which will be consistent with this Direction as it will provide for additional employment opportunities within the zone, and will support the local economy of Austral South.

### 6.3.3 Section C - Environmental, Social and Economic Impacts

**Q8: 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 proposal does not seek any built form changes as part of this application as it results to an additional permitted use. Despite this, recreational facility (indoor) are not anticipated to introduce any significant environmental impact beyond that considered in DA-381/2023.

**Q9: Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

The current approval (DA-381/2023) as referenced in this Planning Proposal demonstrates that similar uses can be operated without any detrimental environmental effects, as is discussed in greater detail below.

#### Aural Privacy

The acoustic privacy of neighbouring properties will form part of a development consent when undertaking applications to pursue the use. It is understood that Council will impose general conditions for the future use of recreational facilities



when seeking development consent. Importantly, the approved development undertook detail acoustic testing and analysis, where it was determined that construction measures and operational management can limit adverse aural impact.

#### **Vehicle Traffic**

A Transport, Traffic and Parking Assessment has been prepared by *Colston Budd Rogers & Kafes Pty Ltd* and is submitted under a separate cover. The Transport, Traffic and Parking Assessment provides consideration of the vehicular movements, quantum of car and bicycle parking as part of the provision of additional permitted use.

Notably, the Liverpool Growth Centre Development Controls Plan does not stipulate a rate for indoor recreational facilities.

The proposal does not seek any additional parking spaces or changes to the existing road network and any future application will utilize the existing parking arrangements as established under DA-381/2023. The Traffic Assessment concludes that any additional car parking spaces required for any future use of the recreational facilities (indoor) can be accommodated within the approved car parking area, particularly given the approved development provided a surplus of spaces.

#### **Bushfire**

The subject site is located in a Bushfire Prone Area. The proposed additional permitted use will not exacerbate the bushfire vulnerability nor alter the conclusions made under DA-381/2023.

#### **Q10: Has the Planning Proposal adequately addressed any social and economic effects?**

This Planning Proposal will result in positive social and economic effects, including the provision of providing indoor recreational facilities in a well located and sought out location. There are clear benefits associated with the additional permitted use. These are described further below.

#### **Social Impact**

The proposal will offer distinctive social benefits through the provision of indoor recreational facilities, in a desirable area, whilst providing significant improvements to the health and well-being of the local community. A Social Impact Assessment ('SIA') has been prepared by *Planning Ingenuity* and is submitted under a separate cover. The SIA had concluded that:

*"The demographic data for Austral indicates that the Planning Proposal to accommodate the additional permitted use of a recreational facility (indoor) will fulfill the needs of the anticipated growing population in the locality and Council's adopted strategic planning documents, which indicate that the population should be suitably serviced by planning infrastructure, community facilities and services. The potential additional permitted use will further increase the ability to make healthy thriving communities in the Liverpool LGA.*

*...The potential positive impacts include:*

- *Improved health and well being*
- *Improved community cohesion; and*
- *Enhanced Passive Surveillance;"*

Accordingly, the Planning Proposal will improve the liveability and functionality of the approved mixed-use neighbourhood centre. That is, the proposed additional use will allow community members and employees access to a use that is currently prohibited by the planning controls. The use will improve social interaction and healthy living for future residents and works.

#### **Economic Impact**

As discussed, this Planning Proposal will allow for the strategic use of recreation facilities (indoor) on the subject site.

The Austral South locality and wider Liverpool LGA have a strong demand for the provision of recreational facilities

(indoor), either in the form of traditional gyms, fitness centres and ancillary fitness facilities as established in the Recreational Needs and Economic Assessment prepared by *Location IQ*. In this regard, the Austral locality, inclusive of the subject site, is well-suited to accommodate recreational facility (indoor). The proposal, which will provide for additional indoor recreational facilities in a highly accessible site, will provide for direct and positive economic impacts in terms of increased expenditure and the subsequent support of surrounding local businesses, serving multi-purpose trips.

Ultimately, the proposal will provide for economic benefits during and post construction associated with recreational facilities. Post construction benefits are afforded through the provision of additional employment opportunities on the site, thus supporting the local economy.

#### **Other Public Benefits**

In addition, the proposal will provide a number of other indirect public benefits which include, but are not limited to:

- Improved physical and mental health and wellbeing;
- Foster social interaction between community members;
- Access to services not currently available in the locality; and
- Increased activation and natural surveillance of the public domain.

In conclusion, the public benefits offered (above) are considered to be substantial in exchange for the additional permitted use of recreational facilities (indoor).

#### **6.3.4 Section D - State and Commonwealth Interests**

##### ***Q11: Is there adequate public infrastructure for the Planning Proposal?***

The site is within an area which is undergoing transformation and is (and will be) serviced by public infrastructure. Whilst providing an additional permitted use on the site, this will not trigger requirements for local or regional scale amplification or introduction of new infrastructure, services or facilities. Subject to future applications any consent associated with the additional permitted uses will utilise the infrastructure approved under DA-381/2023.

##### ***Q12: What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?***

The relevant authorities will be consulted as part of the full Planning Proposal process, in accordance with the relevant legislative requirements. It is noted that the proposed SEPP amendments will not trigger any changes to:

- Infrastructure and services provided by State agencies and public authorities;
- Resources managed by State agencies and public authorities.

The proposal does not trigger the referral criteria in Attachment B to the DPIE Guideline. For these reasons no referrals or consultation with State agencies and authorities are considered necessary.

A future Gateway determination will specify the list of agencies and public authorities required to be consulted and the methods and timing of such consultation.

## **6.4 PART 4 - MAPPING**

The Planning Proposal does not seek to amend the SEPP mapping as identified in this Report.

## **6.5 PART 5 - COMMUNITY CONSULTATION**

Consistent with the requirements for a Standard LEP amendment and the DPIE Guidelines, it is anticipated that a draft Planning Proposal would be publicly exhibited for a period of 28 days. The exhibition material will include documents

as specified in the Gateway determination and will include a copy of the Planning Proposal, an explanation of provisions, and an indication of the timeframes for completion of the process as estimated by Council.

It is anticipated that the Community Consultation methods will include forwarding copies of relevant documents to appropriate State and Commonwealth agencies, notice of public exhibition in a local newspaper and on Liverpool Council's website, providing copies of exhibition material in electronic and hard copy form at relevant local government premises and letters of notification to nearby and potentially affected land owners.

## 6.6 PART 6 - PROJECT TIMELINE

The estimation of the project timeline is provided below with the intention of optimising efficiency in the process:

Table 11 Project Timeline	
Phase	Timing
Gateway determination date	TBD (by Department of Planning & Environment)
Completion of required technical information	No additional supporting studies required.
Government agency consultation (pre-exhibition)	Not required
Government agency consultation (during exhibition)	Concurrent with public exhibition (28 days)
Commencement and completion dates for public exhibition period	TBD
Consideration of submissions	Two weeks from close of public exhibition
Post-exhibition consideration of the application	Four weeks from close of public exhibition
Date of submission to the Department to finalise the LEP / anticipated date RPA will make the plan (if delegated)	Six weeks from close of public exhibition



## 7. Conclusion

This planning proposal seeks to amend *Appendix 4 Liverpool Growth Centres Precinct Plan* of the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* to permit with consent *recreation facility (indoor)* at Nos. 330-350 Eighth Avenue, Austral. Specifically, it is proposed to insert an additional permitted use clause into Schedule 1 Additional Permitted Uses.

This application for a planning proposal has been prepared in accordance with Part 3 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as well as the NSW DPIE “*Local Environmental Plan Making Guideline*” (August 2023).

As discussed and per the recent employment zones reform, the site would have be zoned E1 Local Centre consistent with the *Liverpool Local Environmental Plan 2008*. In the E1 zoning of the LLEP 2008, *recreation facility (indoor)* are prescribed as a permitted land use. As the SEPP is yet to implement into the employment zones reform, *recreation facility (indoor)* remain as prohibited on the site which is inconsistent with that permitted under the LLEP 2008 and for the remaining LGA.

The application demonstrates the proposed SEPP amendment is not only consistent with the employment zones reform, but also has strategic and site-specific merit. The amendment is consistent with the *Greater Sydney Regional Plan*, the *Western City District Plan*, majority of key priorities of the *Local Strategic Planning Statement*, applicable State Environmental Planning Policies and Ministerial Directions as prescribed by Section 9.1 of the EP&A Act.

This Planning Proposal recognises the considerable potential of the site to provide indoor recreational facilities to accompany the recent neighbourhood centre development approval (DA-381/2023). The Planning Proposal has the potential to provide for an additional permitted use on a key site that is highly accessible and strategically located.

The proposal is considered to have strategic and site-specific merit and not only provides indoor recreational facilities, but will also provide for community benefits through promoting additional uses within an approved neighbourhood centre development. These benefits will not be realised if this Planning Proposal is not supported. As a summary, the changes to the planning controls will:

- Promote healthy communities through additional permitted uses;
- Allow for the flexibility of use to ensure the successful ongoing operation of the mixed-use development;
- Provide additional indoor recreational uses in a well suited location where there is a significant shortfall, ensuring members of the community are not required to travel elsewhere for access to these services; and
- Allow for the orderly and economic development of the land.

The application is entirely consistent with the local, regional and state strategic planning directions. It follows that the additional permitted use will not result in unacceptable environmental effects or demands for new or augmented local and regional infrastructure and services. The amendment will facilitate future development options on the site that:

- are consistent with adopted key planning strategies;
- are compatible with the context and setting; and
- can deliver future social and economic benefits.

The Liverpool Local Government Area prioritises promoting healthy, safe and inclusive environments. To meet these targets, neighbourhood centres must permit with consent *recreational facility (indoors)*. Currently, the B1 Neighborhood Centre zoning prohibits indoor recreational facilities. As the site contains a recent approval for a mixed-use neighbourhood centre development, the provision of additional permitted uses is ideally supported for a property within a strategic location. Importantly, the additional permitted use can be delivered in the near future given the recent approval and imminent construction.



As such, the supporting documentation demonstrates the additional permitted use of indoor recreational facilities will offer significant public benefit to the community. The supporting documentation comprehensively demonstrates that the additional permitted use will deliver land uses that will positively contribute to the existing development approval.

This Planning Proposal concludes that the additional permitted use contributes to the Austral locality to allow for the delivery of indoor recreation uses which is entirely compatible with the existing and continually emerging character of the locality. This application for a Planning Proposal is therefore worthy of Council's support.

<b>Item Number:</b>	<b>0</b>
<b>Application Number:</b>	RZ-4/2025
<b>Proposed Development:</b>	Planning Proposal to amend Schedule 1 of Appendix 4 of the State Environmental Planning Policy <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i> to permit a 'recreational facility (indoor)' as an additional permitted use.
<b>Property Address</b>	330-350 Eighth Avenue, Austral NSW
<b>Legal Description:</b>	Lot 940 DP 1265677
<b>Applicant:</b>	Planning Ingenuity on behalf of Fabcot Pty Ltd
<b>Land Owner:</b>	Fabcot Pty Ltd
<b>Cost of Works:</b>	N/A
<b>Recommendation:</b>	Proceed to Gateway Assessment
<b>Assessing Officer:</b>	Lamiokor Wellington

## 1 EXECUTIVE SUMMARY

On 25 August 2025, Planning Ingenuity lodged a privately initiated Planning Proposal at 330-350 Eighth Avenue Austral (Lot 940 DP 1265677). The Planning Proposal seeks to amend Appendix 4, Schedule 1 of the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* (WPC SEPP 2021) to permit 'Recreation Facility (indoor)' on the subject site. The intent of the proposal is to facilitate a 'gym' on the site.

The proposal is strategically located along Eighth Avenue and is currently zoned B1 Neighbourhood Centre. A development application (DA-381/2023) was recently approved on the site for a supermarket development (Woolworths) and additional retail tenancies. The proposed additional permitted use 'gym' would therefore complement the proposal under the DA.

The Planning Proposal has been submitted pursuant to Section 3.33 of the *Environmental Planning and Assessment (EP&A) Act 1979*, and the proposal is referred to the Liverpool Local Planning Panel (LPP) in accordance with Section 2.19 of the EP&A Act 1979 for advice.

Determination of strategic and site-specific merit has been assessed in accordance with the 'Local Environmental Plan Making Guideline' published by the NSW Department of Planning, Housing, and Infrastructure (August 2023). Council staff consider the proposal to

Subject Site

Figure 1: Subject site (Aerial Map) (outlined in red) Source: Near map.





A pre-planning proposal meeting was held on 8 May 2025 with the proponent and Council officers. Formal advice was provided to the proponent on 12 May 2025, deeming the proposal to likely be capable of demonstrating strategic merit considering the use aligns with the intent for the site as a Neighbourhood Centre providing access to shopping, employment, and services for residents of Austral.

Development Consent (DA-381/2023)

A development application (DA) was lodged with Council for the subject site on 27 June 2023 for the: *Demolition of existing structures, excavation and construction of an anchor supermarket (Woolworths), commercial and retail tenancies, public piazza and through-site link, with at-grade parking, signage and associated landscaping, civil and public domain works.*



*Figure 5: 3D renders of proposed development submitted with DA-381/2023.*

The DA received approval on 11 September 2024 by the Sydney Western Regional Planning Panel (SWRPP). Since the original approval two modification applications (DA-381/2023/A and DA-381/2023/B) have been lodged and subsequently approved.

These generally related to changes in building heights, minor design changes, and improvements to the functionality of the piazza to the east. It should be noted that early excavation works commenced on the subject site as of January 2025.

#### **4. DETAILS OF THE PROPOSAL**

The Planning Proposal seeks to amend *Schedule 1 Additional Permitted Uses of Appendix 4 Liverpool Growth Centre Precinct Plan* of the WPC SEPP 2021 by inserting a clause to allow for development for the purposes of recreation facility (indoor) on the subject site. Specifically, the Planning Proposal seeks to accommodate a 'gym' within the approved commercial and retail development, and the provision is proposed to read as follows:

***2 Use of certain land at 330-350 Eighth Avenue, Austral***

- (1) This clause applies to land known as 330-350 Eighth Avenue, Austral (Lot 940 DP 1265677)  
 (2) Development for the purposes of recreation facility (indoor) is permitted with consent.

## **5. ASSESSMENT OF STRATEGIC AND SITE-SPECIFIC MERIT**

### ***Section A – Need for the planning proposal***

#### ***1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?***

No, the Planning Proposal is not the result of an endorsed LSPS, strategic study or report. The proposal is a privately initiated Planning Proposal and is considered a 'spot rezoning.'

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

Yes, a Planning Proposal is the best means of achieving the intended outcome, which is to include an additional permitted use for a recreation facility (indoor) at the subject site.

### ***Section B – Relationship to the 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)?***

#### Greater Sydney Regional Plan – A Metropolis of Three Cities

The Greater Sydney Regional Plan (GSRP) was published in March 2018 and prepared by the (now dissolved) Greater Sydney Commission (GSC). The plan applies to three cities within the Greater Sydney Region, including the Western Parkland City, the Central River City, and the Eastern Harbour City. The overarching vision established by the Plan is for people to live with 30 minutes of their jobs, and have easy access to education, health facilities, key services and attractive places for leisure and recreation.

Consistency with the relevant parts of the GSRP are assessed in the Table 2 below:

*Table 2 – Consistency with relevant Directions and Objectives of the GSRP*

<b>Direction &amp; Objective</b>	<b>Council Comment (Consistent/Inconsistent)</b>
A city supported by infrastructure -	Infrastructure supporting new developments
<b>Objective 4: Infrastructure use is optimised.</b>	This objective intends to use land more efficiently by co-locating services, and to encourage opportunities for interdependency of uses – therefore increasing sustainability and resilience. The subject proposal seeks to include an additional permitted use to a site where various services will be provided for the development of a local centre.

Direction & Objective	Council Comment (Consistent/Inconsistent)
	<b>The Planning Proposal is consistent with this objective.</b>
A city for people - Celebrating diversity and putting people at the heart of planning	
<b>Objective 6: Service and infrastructure meet communities' changing needs.</b>	<p>This objective relates to services and infrastructure being tailored to meet the varying needs of population groups and demographics.</p> <p>The community of Austral is one of the fastest growing in NSW. The additional permitted use will increase the variety of services within the new local centre.</p> <p><b>The Planning Proposal is consistent with this objective.</b></p>
<b>Objective 7: Communities are healthy, resilient, and socially connected.</b>	<p>This objective relates to delivering healthy, safe, and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities.</p> <p>The additional permitted use being a 'indoor recreational facility' will directly contribute to healthy and resilient communities, as it provides an opportunity for fitness activities for public use. It will also contribute to social interactions.</p> <p><b>The Planning Proposal is consistent with this objective.</b></p>
A city of great places - Designing places for people	
<b>Objective 12: Great places that bring people together.</b>	<p>This objective relates to providing a mix of land uses including social infrastructure and local services at the heart of communities.</p> <p>The additional permitted use being an 'indoor recreational facility' will contribute to the various services made available within a new local centre.</p> <p><b>The Planning Proposal is consistent with this objective.</b></p>

### Western City District Plan

The Western City District Plan (WCDP) was published in March 2018 and prepared by the (now dissolved) Greater Sydney Commission (GSC). The WCDP outlines numerous directions and planning priorities which guide development and forecast growth throughout the district (inclusive of the Southwest Growth Area). Section 3.8 of the EP&A Act 1979 requires that Planning Proposals give effect to any district strategic plan applicable to the LGA to which the proposal is made.

The relevant directions and planning priorities are listed in the below Table:

*Table 3 – Consistency with relevant Direction and Planning Priorities in the WCDP.*

<b>Direction &amp; Planning Priority</b>	<b>Council Comment (Consistent/Inconsistent)</b>
<b>Celebrating diversity and putting people at the heart of planning</b>	
<b>Planning Priority W3: Providing services and social infrastructure to meet people's changing needs.</b>	<p>This planning priority relates to how planning must recognise the changing composition of population groups and provide services and social infrastructure to meet changing needs.</p> <p>Permitting the proposed additional permitted use will allow for additional services that may be needed as the population in Austral South increases.</p> <p><b>The Planning Proposal is consistent with this planning priority.</b></p>
<b>Designing places for people</b>	
<b>Planning Priority W6: Creating and renewing great places and local centres and respecting the district's heritage.</b>	<p>This planning priority aims to facilitate well-designed centres with a mix of land uses and services.</p> <p>The proposal aims to include an additional permitted use of a gym at a newly established local centre (Eighth Avenue Neighbourhood Centre) within Austral. Therefore, contributing to a mix of tenure within the new local centre.</p> <p><b>The Planning Proposal is consistent with this planning priority.</b></p>

**4. *Is the planning proposal consistent with a council Local Strategic Planning Statement (LSPS) that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?***

Yes. The Planning Proposal is consistent with Council's LSPS, as well as the Liverpool Centres and Corridors Strategy. The consistency of these documents in relation to the Planning Proposal are outlined below.

Connected Liverpool 2040 – Local Strategic Planning Statement (LSPS)

Council's Local Strategic Planning Statement (LSPS) was endorsed in 2020. This is a key planning document which details the shared vision and priorities of Council and the community and informs future land use planning for the Liverpool Local Government Area into 2040.

Planning Priority 9 of the LSPS aims to create safe, healthy and inclusive places, shaping the wellbeing of the Liverpool Community. The Planning Proposal seeks to permit a 'recreational facility (indoor)' on site. This use could act as a social connector within the new local centre and co-locates activities within the new centres. This proposal is consistent with this direction.

Liverpool Centres and Corridors Strategy

Council's Centres and Corridor Strategy has been developed in response to Action 11.3 of Council's LSPS. The Strategy essentially redefines and recategorises Liverpool's centres and corridors and provides guidance for future planning.

The Strategy includes a 'Guiding Criteria' which is intended to assist in the assessment process for Planning Proposals (p23). An assessment of consistency for the relevant criterion has been included in the table below.

Table 4 – Consistency with the Liverpool Centres and Corridors Strategy

Guiding Criteria	Council Comment
Proposals must not have a significant negative impact on the retail operation of the Liverpool City Centre, town centre and local centres (including planning future centres).	As the Planning Proposal is seeking to permit an additional permitted land use on the subject site, which is complementary to the recently approved DA, and zone objectives.  <b>It is considered consistent with this criterion.</b>

**5. Is the planning proposal consistent with any other applicable State and Regional studies or strategies?**

The proposal is solely for an additional permitted use for recreation facilities (indoor) on a subject site and therefore does not trigger other State and regional studies or strategies.

**6. Is the planning proposal consistent with applicable SEPPs?**

Yes. The Planning Proposal is broadly consistent with SEPPs applicable to the land.

The SEPP (Biodiversity and Conservation) 2021 contains controls for vegetation, native bushland, and regulated water catchment. The site is located within a regulated water catchment; however, the applicant has not addressed the Planning Proposals impact on the catchment. Whilst, it is considered the Planning Proposal can be consistent with this SEPP, the Planning Proposal is required to be updated to demonstrate compliance.

**7. Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 Directions) or key government priority?**

Section 9.1 Ministerial Directions

The Planning Proposal has been assessed against Local Planning Directions (Ministerial Directions) in accordance with Section 9.1 of the EP&A Act (1979).

*Table 5 – Consistency with relevant Section 9.1 Directions*

Objective	Consistency	Comment
Focus Area 1: Planning Systems		
<b>1.1 Implementation of Regional Plans</b>	Consistent.	The Planning Proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions, or actions.
<b>1.4 Site Specific Provision</b>	Consistent.	The Planning Proposal is solely to include an additional permitted use and does not seek to amend any development standards in the WPC SEPP 2021.
Focus Area 3: Biodiversity and Conservation		
<b>3.10 Water Catchment Protection</b>	Justifiably inconsistent	As noted under Question 6 of this Report, the subject site of which this Planning Proposal applies is within a 'regulated catchment' as defined in the B&C SEPP 2021, therefore this Direction applies.  The Planning Proposal is inconsistent with this Direction however due to the 'minor significance.' The Planning Proposal will be required to be updated prior to being sent to Gateway.



Focus Area 4: Resilience and Hazards		
<b>4.4 Remediation of Contaminated Land</b>	Consistent.	The proposal is consistent with this Direction as the land will be made suitable for development as determined in the Detailed Site Investigation Report under the approved DA.

### 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 because of the proposal?***

No. The subject site does not contain any threatened ecological communities or have any conservation significance. The subject site also does not contain any terrestrial biodiversity and is biodiversity certified.

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

The Planning Proposal application was referred to Council's relevant internal teams seeking comment from Subject Matter Experts (SMEs) and is detailed below:

#### Traffic

The Traffic Report submitted with the Planning Proposal (**Attachment 3**) stated that the proposed additional permitted use would have a '*minor increase in traffic of '1%', quantified as a further '12 vehicles per hour (two way) in the weekday afternoon peak hour*'. Council's traffic SME found the proposed additional permitted use would have no adverse impact on the local road network.

#### Noise

Indoor recreation facilities commonly generate additional noise which may impact the surrounding area. However, given the additional permitted use will be applied to a B1 Neighbourhood Centre zone is it considered appropriate.

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

#### Economic

The Planning Proposal report is supported by a Recreational Needs Assessment and Economic Impact Assessment (**Attachment 2**) which refers to the proposed additional permitted use in the context of the approved supermarket development on the site, stating '*Shopping centres are evolving to support a broader mix of uses beyond traditional retail, including health, fitness and well-being facilities. This diversification helps maintain foot traffic and improve centre vitality.*' (p28)

Page 29 of the Assessment also concludes that *'the creation of additional employment which would result from this gym...has been factored into the employment generation from the overall Woolworths Austral South project...'*.

Council staff coincide with the conclusion of the Assessment.

#### Social

Council's Social Planner identified there to be significant shortage of social infrastructure and community facilities in Austral and found the proposed indoor recreation (gym) will widen the scope of having an essential service closer to home.

The supporting Social Impact Assessment (SIA) (**Attachment 4**) aligns with these recommendations, stating *'the future uses associated with indoor recreational facilities are anticipated to bring increased foot traffic, and incorporate CPTED principles in future applications for the uses'* (p23).

#### **Section E – State and Commonwealth Interests**

##### **Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?**

The views of State and Commonwealth public authorities will be consulted should a Gateway determination be issued. Relevant public authorities will be identified for consultation at the Gateway determination stage.

#### **6. NEXT STEPS**

The proposed amendment is considered to demonstrate Strategic and Site-Specific Merit. The report has addressed the potential benefits of integrating recreation facilities (indoor) within the site and its wider benefits to the current and future community.

Following the Panel's consideration, the Planning Proposal will be reported to Council for consideration. Should the Planning Proposal request be endorsed, it will then be forwarded to DPHI seeking a Gateway Determination.

Following a Gateway Determination in support of the Planning Proposal, there will be a public exhibition and community consultation and a further report to Council, prior to proceeding with making of any amendment to the relevant legislation.

#### **7. RECOMMENDATION**

ITEM 02	Amendment to the State Environmental Planning Policy (Precincts - Western Parkland City) 2021 - 330-350 Eighth Avenue, Austral
<i>Attachment 2</i>	Attachment 2 - LPP Report and Minutes - 330-350 Eighth Avenue, Austral (24 November 2025)

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**LIVERPOOL  
CITY  
COUNCIL**

12

**LOCAL PLANNING PANEL MEETING  
24 NOVEMBER 2025  
LPP ITEMS**

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That the Planning Proposal is forwarded to the *Department of Planning, Housing, and Infrastructure* for a Gateway Assessment.

#### **ATTACHMENTS**

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1. Attachment 1 - Planning Proposal Report - 330-350 Eighth Avenue, Austral
2. Attachment 2 - Recreational Needs Assessment & Economic Impact Assessment - 330-350 Eighth Avenue, Austral
3. Attachment 3 - Traffic Report - 330-350 Eighth Avenue, Austral
4. Attachment 4 - Social Impact Assessment - 330-350 Eighth Avenue, Austral



**ADVICE ON PLANNING PROPOSALS  
LIVERPOOL LOCAL PLANNING PANEL**

**Monday 24<sup>th</sup> November 2025**

Held online via  
MS Teams

**Panel:**

Terence Sheahan      (Chair)  
Stephen McMahon      (Expert)  
Caroline Pidcock      (Expert)  
Jeremy Thomas      (Community Representative)

There were no conflicts of interest declared by any panel members in relation to any items on the agenda.

## LIVERPOOL CITY COUNCIL

### ADVICE OF LIVERPOOL LOCAL PLANNING PANEL

PAGE 1

24<sup>th</sup> November 2025

<b>APPLICATION NUMBER:</b>	RZ-4/2025
<b>SUBJECT:</b>	Planning Proposal to amend Schedule 1 of Appendix 4 of the State Environmental Planning Policy State Environmental Planning Policy (Precincts – Western Parkland City) 2021 to permit a ‘recreational facility (indoor)’ as an additional permitted use.
<b>LOCATION:</b>	330-350 Eighth Avenue, Austral NSW
<b>OWNER:</b>	Fabcot Pty Ltd
<b>APPLICANT:</b>	Planning Ingenuity on behalf of Fabcot Pty Ltd
<b>AUTHOR:</b>	Lamiokor Wellington

#### ADVICE OF THE PANEL

The Panel read the Council officer’s report, was briefed by Council officers and visited the site.

The Panel’s advice to the Council is that the proposal should proceed to Gateway Assessment. Additionally, the Panel suggests Council seeks to investigate the opportunity to make a minor amendment to the State Environmental Planning Policies (SEPP) to include gymnasiums and any other anomalies.

#### VOTING NUMBERS:

4-0