

11 November 2022

Ms Nancy-Leigh Norris  
Executive Planner  
Liverpool City Council  
Locked Bag 7064  
LIVERPOOL BC NSW 1871

*Electronic submission*

Dear Ms Norris

## **re Liverpool LEP 2008 Review (RZ-8/2022)**

It is timely for the Liverpool City Council's Local Environmental Plan to be reviewed in the context of the "Connected Liverpool 2040" strategic planning document, as well as the Greater Sydney Commission's (now Greater Cities Commission) Western City District Plan.

Sydney is in the midst of an unprecedented housing crisis, and this is affecting the productivity and liveability of the city. Liverpool City is a significant council comprising almost 240,000 residents. It is forecast that Liverpool's population will grow to almost 360,000 by 2036 – an increase of almost 60%.<sup>1</sup>

Council's response to these pressures has been commendable. The Greater Sydney Urban Development Program Dashboard shows that in the 12 months to June 2022, housing completions are 6.5% above the previous 5 years' average.

Adding to the state-wide housing supply pressures is the recent increase in the permanent immigration numbers to Australia of 195,000 in 2022-23 alone. It is expected that Sydney will take a large proportion of these additional numbers, and western Sydney will host a large number of these immigrants.

The independent inquiry into NSW Floods also concluded that parts of the State, including significant floodplains in Western Sydney, may prove inappropriate for development and that alternative areas to accommodate this population needed to be explored.

### **Residential**

A new Liverpool LEP needs to acknowledge the threats and opportunities and retain a flexible approach to zoning that allows a larger population to be

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<sup>1</sup> Liverpool City Council, Connected Liverpool 2040, p. 44

accommodated close to transport infrastructure, employment, retail as well as health and education facilities.

Whilst Liverpool City Council is a diverse local Government area with a diverse array of low, medium and high-density housing, this LEP review needs to focus on strategic centres which are close to jobs and transport infrastructure. Council's strategic land use plan, *Connected Liverpool 2040*, calls for any increase in density of current controls to be

*"focussed in the City Centre and close to centres with good transport accessibility."*<sup>2</sup>

The NSW Productivity Commission's 2021 White Paper recommended that housing needs to be delivered where there is transport capacity (Rec 8.1) and to address congestion by improving use of existing infrastructure. (Rec 8.4)<sup>3</sup>

The Greater Cities Commission Discussion Paper on The Six Cities Region called for a minimum target of 25% for the proportion of the total LGA housing target to be delivered through a mix of higher density housing in locations within 800 metres of a strategic centre or transport hub.

Liverpool's CBD is a thriving western Sydney city which is well serviced by transport and other public infrastructure such as a world class health precinct, TAFE's, universities and schools. Liverpool Station is serviced by the T2, T3 and the T5 lines. It is noted that the Sydney metro may be extended to Liverpool at some future date. There is also a proposal to link the Aerotropolis to the Liverpool CBD via the Fifteenth Avenue Street Transit proposal.

Strategic centres like the Liverpool CBD are ready to accommodate high densities close to transport, jobs, health and education facilities. As noted by Council, density in strategic centres will take pressure off our predominantly low-to-medium rise suburbs.

Urban Taskforce supports the intention to retain the R4 High Density Residential zone, along with their development controls, in the suburb of Liverpool as it currently applies in the 2008 LEP.

**Recommendation 1 – Urban Taskforce supports Council's proposal to maintain the development controls that exist in the 2008 LEP as they apply to the Liverpool CBD**

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<sup>2</sup> Liverpool City Council, *Connected Liverpool 2040*, 2019, p. 44

<sup>3</sup> NSW Productivity Commission, *White Paper, Rebooting the Economy 2021*, p.311

### **Merit assessment of building heights in R4 zoned land**

The LEP review proposes to reduce the extent of high density residential zoned land and generally apply a twelve-metre height of building limit.

Urban Taskforce opposes across the board down zonings and believe that changes to R4 zoning should be merit based. It is unproductive to reduce height and density where there is no and little impact. Further, this proposal to effectively “down-zone” through a maximum height reduction is tantamount to a threat to sovereign risk.

Urban Taskforce is concerned over the blanket approach to simply reduce building heights of high density to 12 metres. There should not be further restriction where there is not impact.

It would be preferable for Council to undertake merit assessment of R4 zoned land.

**Recommendation 2: that the review takes a merit-based approach to building heights in R4 zoned land rather than across the board reductions in maximum building heights**

### **Casula**

Beyond the Liverpool CBD, the proposed zoning for Casula needs to be reviewed. Urban Taskforce believes that planning principles like the location of high-density housing close to transport hubs and strategic centres needs to be applied consistently.

Given the principles of locating housing where there is transport capacity Council should review the proposed zoning for the that part of the suburb of Casula close to Casula station, namely the area south of the Southern motorway, east of Hume Highway, west of the rail line and north of Leacock regional park.

This part of Casula, in close proximity to transport infrastructure, should have an R4 zone applied and retain the current building heights for such a zone as they exist in the current 2008 LEP.

**Recommendation 3- that council amend the residential zonings at Casula which are well located and within 1km of a rail station to provide for high density R4 zoning with maximum building heights as they currently exist in the 2008 LEP.**

## **Ingham House, Casula**

This is a strategic 4.2 hectare site, 650 metres from Casula Station, close to Casula Mall, local schools, as well as a proposed strategic cycle route along the Hume Highway to the Liverpool City CBD. Under the current LEP, the site is zoned R4 with heights up to 18 metres. The proposed downzoning of land around Casula Mall (along with other local and town centres) to a maximum of 12 metres is not supported. This contradicts the priorities contained within Council's LSPS and contravenes Council's land use strategies.

The site presents an opportunity to create master-planned, high-density mixed use centre located on a strategic site within walking distance of both Casula Mall and Casula train station.

Liverpool City Council's new LEP, should reflect the opportunities on sites such as Ingham house, retain current height and density and provide for mixed use development (B4).

**Recommendation 4: in making its new LEP, Council recognises the unique opportunities of the Ingham House site and retain existing heights for land adjoining Casula Mall as well as adopting more flexible, mixed used zoning to meet the housing, retail and lifestyle needs of future populations.**

## **Austral – Western City Parkland SEPP**

Urban Taskforce is concerned about the current heights at Austral, which I note is included within *SEPP Western Parkland City 2021 – Sydney Regional Growth Centre (South West)*. In particular, the area bounded by Bringelly Road to the south, Fifth Avenue to the north is within a kilometre of Leppington Station. Whilst this matter is outside the direct control of Council, the matter should be raised with the State Government to ensure principles such as placing additional housing where there is transport infrastructure capacity is applied right across the Greater Sydney Region. Urban Taskforce will also raise this as a matter with the NSW Government.

Similarly, Liverpool Council should seek changes to those areas in north Austral along Fifteenth Avenue to ensure the zoning is appropriate should the Fifteenth Avenue Smart Transit Corridor progress as a strategic transport link between the Aerotropolis and the Liverpool CBD. Again, it is noted that zoning would need changes to the *SEPP Western Parkland City 2021 – Sydney Regional Growth Centre (South West)*.

On a related issue, number of key sites close to Leppington Station have a proposed zoning of B5 (Business Development). These sites, on the northern

side of Bringelly Road is within a kilometre of Leppington Station. A B4 zoning could accommodate a wider range of uses (including residential) in an area close to public transport.

**Recommendation 5: that Liverpool City Council raise current zoning restrictions on business and residential zonings in those parts of Austral within one kilometre of Leppington Rail Station and the proposed Fifteenth Avenue Street Transit, currently included within the SEPP Western Parkland City 2021 – Sydney Regional Growth Centre (South West) with the NSW Government**

### **Industrial and urban services land**

Urban Taskforce supports greater flexibility and a merit-based approach to industrial and urban services land.

The Urban Taskforce supports the direction of the LEP review to:

- determine the role of industrial centres
- review and manage industrial land and allow greater flexibility for future development
- encourage renewal of industrial land precincts where appropriate.

Urban Taskforce supports the proposed relaxation of the height / FSR controls that apply to industrial land. This will enable flexibility for multi storey warehouses to be delivered, which is an efficient land use consolidation and reduced the land needed for industrial development. This results in a reduction of urban sprawl and frees up land for other uses.

A nil height limit and 2:1 FSR is considered optimum to enable multi storey warehouse development.

Urban Taskforce notes the proposed retention of industrial uses for the Moorebank Industrial Estate. While restricted on account of the NSW Government's existing retain and manage policy, Urban Taskforce again seeks Council's active support in achieving a change of approach to the existing policy.

The Moorebank Industrial Precinct is an excellent case in point as to the deficiencies in the Government's current approach. While all due diligence must be applied to ensure that new homes are not build in areas that are vulnerable to floods, this precinct merits further assessment as to the appropriateness of a mixed use B4 zoning as:

- The site is located adjacent to the CBD to the north, residential to the northwest and south east in close proximity to Liverpool Station;
- It is situated along the Georges River and would provide good amenity for residential uses;

- Rezoning to mixed uses would remove heavy truck movements from Moorebank Avenue, adjacent to residential development to the south east;
- a B4 rezoning would provide medium density housing option, ensuring housing diversity with the low density residential to the south east and high density residential to the north west; and
- the significant new IN1 zoned land in the nearby Aerotropolis has resulted in significant new land for industrial / warehouse type uses – freeing up the site for more appropriately located residential uses.

**Recommendation 6: that Council reviews the current zoning for the Moorebank Industrial Estate and consults affected landholders on opportunities for mixed use development**

A move to mixed use development is reflected in Council's efforts to transform tired industrial precinct at Moore Point across from the Liverpool CBD. Urban Taskforce supports Council's efforts and notes this is subject to a separate planning proposal.

Urban Taskforce urges Council to continue to place pressure of DPE to resolve these significant land use planning matters, particularly given the intentions expressed in the Six Cities Region Discussion Paper to embark upon a paradigm shift in the approach to strategic planning and delivery.<sup>4</sup>

**Recommendation 7: that Council encourage the Greater City Commission to abandon its Review and Manage / Retain and Manage Industrial Land Policy with respect to Industrial and Urban Services land allowing a merit-based assessment of their current and future use**

### **Commercial Zones - Centres Strategy**

Urban Taskforce is concerned that the LEP will not provide for the future needs of growing suburbs. Besides the Aerotropolis core, there appears to be no consideration given to the need for additional town centres outside the existing centres identified in 2008, despite the significant projections for population growth. There is a need to ensure new housing is accompanied by close and convenient access to providers of essential goods like grocery stores without necessarily relying upon vehicles to do so.

The failure of the LEP to provide for this will work against broader strategic objectives such as reducing vehicle usage and locating housing close to jobs and major retail services.

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<sup>4</sup> GCC, *The Six Cities Region Discussion Paper*, 2022, p. 65

Given the anticipated housing growth in the western part of the LGA, the LEP should provide for greater opportunities for retail centres, particularly grocery stores, in close proximity to where people live, work and shop.

**Recommendation 8: that the LEP provide for retail centres beyond the current provision within the Aerotropolis core precinct to ensure such amenities are located close to housing development.**

### **Apply B4 zoning where possible to business zones**

Council should apply a B4 mixed used zoning to commercial precincts to allow a more flexible approach to delivering the retail and commercial needs of the LGA. Council should adopt mixed use, B4 zoning where possible, particular in areas close to transport hubs and other strategic centres.

**Recommendation 9: that the LEP adopt a flexible approach through mixed use zoning when it comes to business zonings, especially in areas close to transport hubs and strategic centres**

### **Building heights - centres**

Urban Taskforce is also concerned over the proposal contained within the LEP Review to reduce the height of building development standard of all centres, regardless of hierarchy, to 12 metres. Local centres are to generally have a maximum height of building of 10 metres.

This LGA wide standard is inflexible and broader objectives may be realised if there is the ability to locate housing on top of local and town centres. This would reduce the need for vehicular usage, avoid congestion by co-locating residential and commercial development, and represent a positive environmental outcome

**Recommendation 10: that Council retain current heights for commercial and business zoned land.**

### **Clause 4.6**

Urban Taskforce is aware that Liverpool City Council has switched off Clause 4.6 of the LEP in a number of instances. We understand this decision was made by the former Council. Urban Taskforce is strongly opposed to Council's switching off this clause creates inflexibility in the planning process and adds time, cost and complexity for any development caught in this situation. Urban Taskforce is adamant that Clause 4.6 in any LEP should not be switched off. Council should address this matter as a matter of urgency and not await the making of a new LEP.

**Recommendation 11: that Liverpool City Council immediately reverse the decision of the previous administration and ensure clause 4.6 is switched on within the current 2008 LEP**

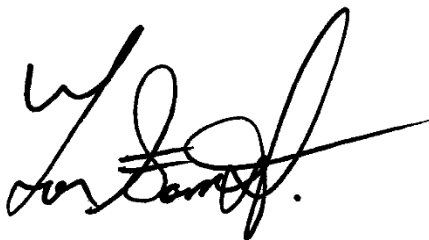
## **Conclusion**

Urban Taskforce supports the intention of Council to engage the community and broader stakeholders on the LEP at the earliest possible opportunity. It is acknowledged that Liverpool City Council is doing a lot of the heavy lifting when it comes to meet the housing needs of a growing Sydney.

The LEP should reflect broader strategic objectives, and the Urban Taskforce has made a number of recommendations where a more flexible approach to zoning, along with merit-based assessment, would help realise these broader objectives in providing more housing and greater housing choice close to jobs, retail, transport and other essential social infrastructure.

Should you wish to discuss this matter further, please call our Head of Policy, Planning and Research, Stephen Fenn on 9238 3969 or via email [stephen@urbantaskforce.com.au](mailto:stephen@urbantaskforce.com.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Forrest', with a stylized flourish extending from the end.

**Tom Forrest**  
Chief Executive Officer

## Urban Taskforce recommendations

**Recommendation 1** – Urban Taskforce supports Council's proposal to maintain the development controls that exist in the 2008 LEP as they apply to the Liverpool CBD

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