

4 October 2024

The Hon. Paul Scully, MP  
GPO Box 5341  
Sydney NSW 2001  
Minister for Planning and Public Spaces

Dear Minister Scully,

**PLANNING PROPOSAL PP-2024-658 TO AMEND LIVERPOOL LOCAL ENVIRONMENTAL PLAN 2008 – 146 NEWBRIDGE ROAD MOOREBANK**

I am writing in response to the letter provided by the Department of Planning, Housing and Infrastructure (DPHI), which determined that Planning Proposal PP-2024-658 should not proceed as DPHI had formed the view that the Planning Proposal did not adequately demonstrate strategic and site-specific merit. The proponent firmly disagrees with this position and the conclusions drawn by DPHI regarding the site.

This review is a request under the Gateway Review provisions, to allow for the Independent Planning Commission to recommend to the Minister that a gateway approval should be granted. The proponent would like to emphasise that what is being sought is a gateway approval and not a final development approval. The gateway determination is intended to act as a checkpoint for a planning proposal, to review the strategic and site-specific merit of the Proposal and whether the Proposal should proceed to public exhibition. Any further technical studies or design work can be completed as a response to the Proposal being put on public exhibition or through the rezoning or development application process.

The difference in opinion between DPHI and the Proponent largely relates to the issue of flooding on the subject site. The proponent's assessment of the site's suitability and strategic merit has been conducted in accordance with recommendation 18 of the NSW Flood Inquiry undertaken in 2022 whereby a risk-based approach is required in the assessment of flood-affected proposals. A flood risk profile is required to consider: the flood characteristics for the location, the nature and type of development and any impacts on the existing community and surrounding properties. This assessment undertaken on the subject site would demonstrate:

- The Georges River floodplain acts significantly different to other floodplains in NSW in that it is a slow rising flood. The PMF event (which is estimated to occur every 1.6 million years) as modelled by *Stantec* in the supporting package, shows that it takes up to 36 hours, meaning there is a long period of time to provide flood warnings and enact any evacuation requirements (if ever required). This is knowingly different to the Northern Rivers, Hawkesbury Nepean and Parramatta flood plains.
- The development which is proposed to be permitted under the Planning Proposal is a mixed use residential flat building, **which allows for all residential uses to be located above the PMF**. The vertical building provides many efficiencies in the evacuation process (if ever required) as opposed to land subdivisions. The high rise building also allows for residents to safely shelter in place with access to both generators and water in a PMF event. The

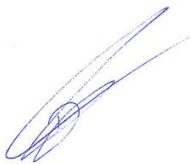
supporting package also includes a response by a Structural Engineering expert confirming the structural suitability of the proposed building in a PMF event.

- Both the surrounding community and Liverpool City Council unanimously supports this development from a social, economic and ecological perspective, providing many benefits for the wider community including the recreational and retail uses provided by the Proposal. Additionally, the response by *Risk-E Business* provided within the supporting package demonstrates that evacuation would be able to be achieved without impacting on the wider community (namely Chipping Norton residents).

Overall, the three high level assessments above provide the justification for the Proposal to proceed past gateway approval. Any additional technical matters can be finalised through the rezoning process between stakeholders and the proponent.

The current Proposal provides a unique opportunity to provide an urban renewal development that has been created for the Liverpool Local Government Area and the wider Western Sydney community to enjoy and activate the Georges River. An urban regeneration project like this has the ability to positively change the wider precinct, whilst supporting housing targets and the overwhelming housing supply crisis currently facing Sydney. This Proposal challenges the way things have been historically done, and is outcome driven, focused on mitigating risk while achieving a positive outcome for the community.

We welcome and encourage the opportunity to present to the panel along with our supporting experts, to enable us to provide further insight into the Proposal and contribute to alleviating the housing crisis.



Daniel Seraglio  
Development Director