



8 November 2019

Edmondson Park Concept Plan MOD 8 (MP 10_0118 MOD 8)

1 INTRODUCTION

1. On 13 August 2019, the NSW Independent Planning Commission (**Commission**) received from the NSW Department of Planning, Industry and Environment (**Department**) a State significant development concept plan modification application (MP 10_0118 MOD 8) (**Application**) from Australand Residential Edmondson Park Pty Ltd (**Applicant**) seeking to modify the concept approval (**Existing Approval**) for a mixed-use town centre and residential development at Edmondson Park South (**Project**).
2. Major Project Approval MP 10_0118 was originally approved on 27 January 2012 under Part 3A of the *Environmental Planning and Assessment Act 1979* (NSW) (**EP&A Act**), with consent granted to a concept plan proposing 3,530 dwellings, development of the Edmondson Park Town Centre including 35,000-45,000m² of retail, business and commercial floor space, and the upgrade of Campbelltown Road.
3. On 1 October 2011 Part 3A of the EP&A Act was repealed, with transitional arrangements provided for former Part 3A projects. These transitional arrangements apply until 1 March 2018 (**the cut-off date**) under the *Environmental Planning & Assessment (Savings, Transitional and Other Provisions) Regulation 2017* (**ST&OP Regulation**). However, under Schedule 2 of the ST&OP Regulation, Part 3A continues to apply to concept plans after the cut-off date, and the power to modify concept plans arises from Schedule 2, Clause 3BA(5) and 3C.
4. Under clause 3BA(5) of Schedule 2 of the ST&OP Regulation, modifications to a concept plan may be lodged after the cut-off date if the Minister is satisfied that:
 - a) *the proposed modification is to correct a minor error, misdescription or miscalculation, or*
 - b) *the proposed modification is of minimal environmental impact, or*
 - c) *the project to which the concept plan as modified relates is substantially the same as the project to which the concept plan currently relates (including any modifications previously made under section 75W).*
5. The Department's Assessment Report (**AR**) stated that the Application is within the scope of clause 3BA(5) of the ST&OP Regulation as *"The proposal seeks to amend a car parking rate in the Design Guidelines, as such the Department is satisfied that the proposal is within the scope of clause 3BA(5)(b) as it is of minimal environmental impact."*
6. The Commission is the consent authority in respect of such transitional Part 3A projects under the Minister for Planning's delegation of that function to the former Planning Assessment Commission by instrument of delegation dated 14 September 2011. The Commission is to be taken to be the same legal entity as the Planning Assessment Commission, pursuant to clause 7 of the ST&OP Regulation. Under the Minister's delegation dated 14 September 2011 the Commission is the consent authority in respect

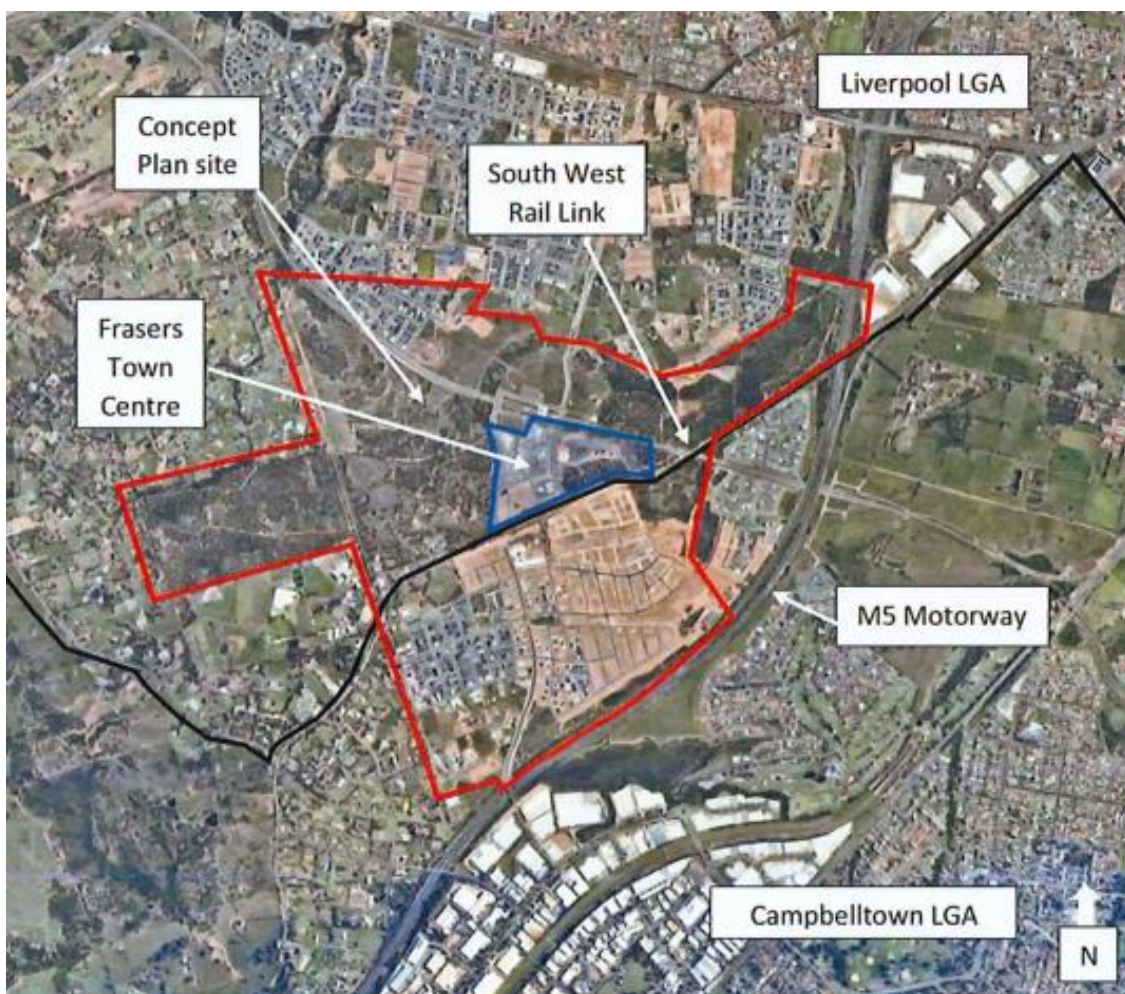
of the Application because the Department received more than 25 submissions from the public objecting to the Application.

7. Professor Mary O’Kane AC, Chair of the Commission, nominated Professor Helen Lochhead (Chair) and Soo-Tee Cheong to constitute the Commission determining the Application.

1.1 Site and Locality

8. The Application applies to land known as the Frasers Town Centre (**the Town Centre**) which sits centrally within the broader Edmondson Park South Concept Plan Area (**the Concept Plan Area**).
9. The Department’s AR states that the Concept Plan Area is located within the Liverpool and Campbelltown local government areas (**LGAs**), approximately 8km south west of the Liverpool City Centre, 11km north east of the Campbelltown City Centre and 34km south west of the Sydney CBD. The Department’s AR states that the Concept Plan Area has an area of 413ha and is bounded by the M5 Motorway to the south and east and extends north of the South West Railway Line (see **Figure 1**).

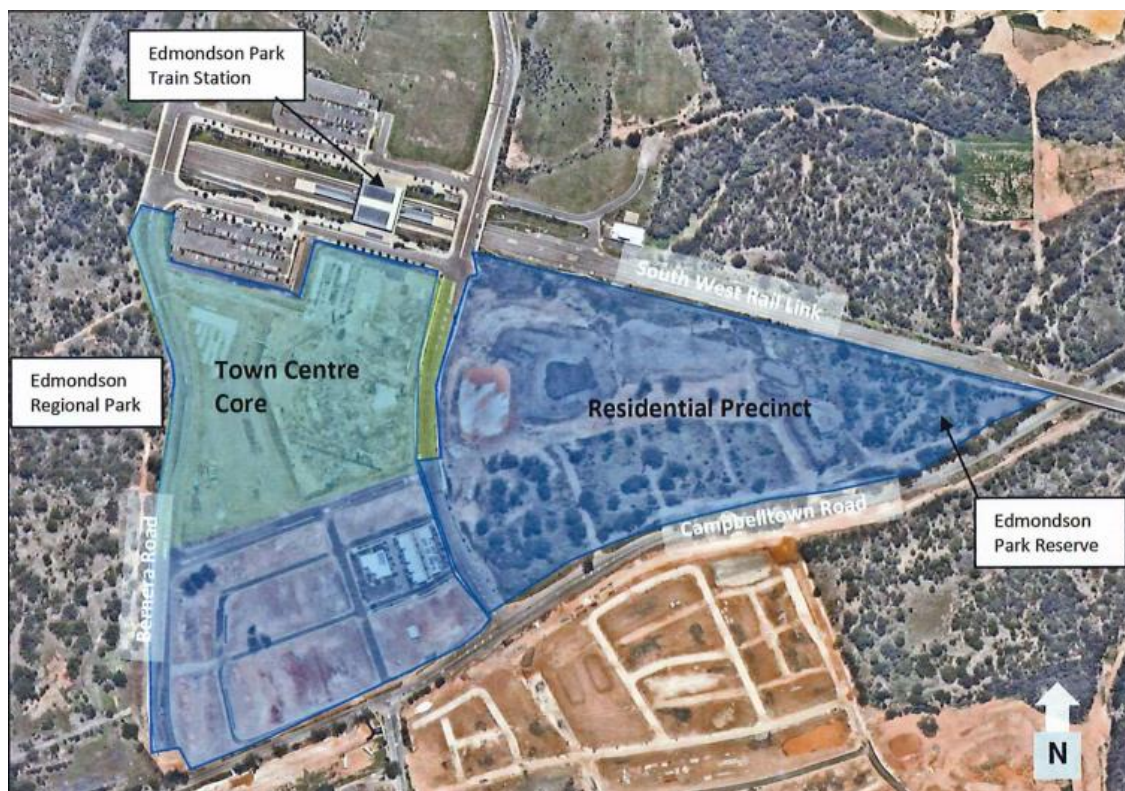
Figure 1 – Concept Plan Area and Town Centre



Source: Department’s AR

10. The Concept Plan Area is located within the Edmondson Park Release Area (the **Release Area**), which is a part of the South West Growth Area and was rezoned in May 2008. The South West Growth Area was identified in the mid-2000s for greenfield development to cater for Sydney's growth and is located in the outer south-western suburbs of Sydney. Comparative to Sydney's inner suburbs, the outer south-western suburbs are traditionally of a lower housing density, are provided with fewer public transportation options, and hence have higher levels of car dependency and car ownership rates.
11. The Department's AR states that the Town Centre has an area of 26.1ha, and sits between the South West Railway Line and Edmondson Park Railway Station to the north, Bernera Road to the west, and Campbelltown Road to the south-east (see **Figure 1** and **Figure 2**).

Figure 2 - Town Centre Locality Context



Source: Department's AR

12. A key feature of the Town Centre is its proximity to Edmondson Park Rail Station, which is located on the T2 Leppington Line (**T2 Line**) and the T5 Cumberland Line (**T5 Line**). The T2 Line provides services to the CBD via Liverpool and Strathfield and the T5 Line provides services to Richmond via Parramatta. Both lines terminate at Leppington, one station to the west.
13. As a result of currently being the only railway stations in the South West Growth Area, both Edmondson Park and Leppington Rail Stations service a wide catchment and attract a large number of commuters who drive and park at the station during the day.

1.2 Background to the Application

14. The Department's AR stated that a Concept Plan for the Project (**10_0118**) was originally approved by the Planning Assessment Commission (**PAC**) on 18 August 2011 (**Original Approval**). Details of the Original Approval and subsequent modifications can be found in **Table 1**. According to the PAC (**Planning Assessment Commission**) determination report (**PAC Determination Report**) dated 18 August 2011, the PAC approved the Original Approval and was satisfied that the Department 'appropriately considered all relevant aspects of the proposal in their assessment'.
15. The Department's AR stated that the Project has been modified five times since the Original Approval. Changes approved under the Modifications set out in Table 1 below.

Table 1 – Project Background

Project	Description	Determination
Original Approval	<ul style="list-style-type: none"> Residential development of 3,530 dwellings Development of Edmondson Park Town Centre including 35,000-45,000 m² of retail, business and commercial floor space. Upgrade of Campbelltown Road and construction of three signalised intersections with Campbelltown Road and associated infrastructure for the Project. 	PAC Approval 27/01/2012
Mod 1	<ul style="list-style-type: none"> Changed timing of a remediation rehabilitation plan. 	Department Approval 27/01/2012
Mod 2	<ul style="list-style-type: none"> Changed sales and information centre location and a five-year extension for its operation, and entry signage at Campbelltown Road entry. 	Department Approval 25/01/2017
Mod 3	<ul style="list-style-type: none"> Provide for the decommissioning, demolition and remediation works for the former sewage treatment plans without the need for further environmental assessment. 	PAC Approval 23/05/2017
Mod 4	<ul style="list-style-type: none"> Introduce a maximum gross floor area limit and increase the maximum building height for the Town Centre Core. Increase the approximate number of dwellings within the Town Centre Core from 912 to 1884. Introduce maximum car parking rates and introduce new design guidelines and a public domain plan. 	PAC Approval 12/10/2017
Mod 5	Mod 5 is still with the Department for assessment	Under Assessment
Mod 6	<ul style="list-style-type: none"> Redistribution of gross floor area within the town centre core 	Department Approval 06/03/2018
Mod 7	<ul style="list-style-type: none"> Provide additional GFA within the Town Centre to accommodate the school use and amend the approved Design Guidelines. 	Withdrawn

Sourced from: *The Department's Assessment Report*

1.3 Summary of the Application

16. The Department's AR stated that *"The [Applicant] seeks to amend the car parking requirement for 2-bedroom apartments from 1.2 spaces to 1 space to align with the minimum car parking requirements prescribed by the Apartment Design Guide (ADG), as outlined in the RMS Guide to Traffic Generating Developments."*
17. Specifically, the Application proposes to amend the Frasers Town Centre Design Guidelines (**Design Guidelines**) which were introduced as a part of MOD 4 and set minimum car parking rates for different dwelling types within the Town Centre Area. The current rate for 2-bedroom dwellings under the Design Guidelines is 1.2 car spaces per apartment, and the Applicant proposes to reduce this rate to 1 space per 2-bedroom apartment.

1.4 Stated need for the Application

18. The Applicant's Environmental Assessment Report (**EAR**) states that the car parking rate has *'an impact to the design planning and feasibility'* for the Town Centre. The Department's AR states that the modification is requested on the basis of feedback received by the Applicant from purchasers that the purchasers of 2-bedroom apartments did not require a second car space.

2 THE DEPARTMENT'S CONSIDERATION OF THE APPLICATION

2.1 The Department's Assessment Report

19. The Department received the Application on 23 March 2019 and it was placed on exhibition for 14 days between 17 April 2019 and 1 May 2019.
20. The Department received a total of 37 submissions which comprised 5 agency submissions and 32 submissions from the public.
21. The Department's AR stated that *"in assessing the merits of the proposed modification, the Department has considered the:*
 - *the modification and associated documents (Appendix A)*
 - *the Environmental Assessment and conditions of approval for the original project (as modified)*
 - *submissions received on the proposal and the Applicant's response to the submissions*
 - *relevant environmental planning instruments, policies and guidelines*
 - *requirements of the EP&A Act."*
22. The Department's AR noted that Liverpool City Council raised concerns with the Application on the basis of:
 - the Design Guidelines parking requirements are appropriate
 - the parking rates in the RMS Guide to Traffic Generating Development (RMS Guide) are not appropriate
 - the proposal will potentially exacerbate current parking issues
 - the need to evaluate broader planning context such as geographic and socio-economic factors of the LGA
 - the need for the Application to include a detailed parking assessment.
23. The Department's AR concluded that the *"proposed modification is appropriate as:*

- *it is consistent with strategic policies for reducing car dependency and encouraging alternative forms of transport in highly accessible locations*
- *it complies with the minimum car parking requirements prescribed by the Apartment Design Guide and set out in the RMS Guide to Traffic Generating Developments*
- *it is consistent with car parking rates applied in town centres with similar characteristics*
- *RMS and Campbelltown Council raised no objections to the proposal.”*

3 THE COMMISSION’S MEETINGS AND SITE INSPECTION

24. As part of its determination, the Commission met with the Applicant, the Department, and Liverpool City Council (**Council**). The Commission also held a public meeting and conducted a site inspection and locality tour.

3.1 Meeting with the Applicant

25. On 20 September 2019, the Commission met with the Applicant to discuss the Project. Copies of the transcript and material provided by the Applicant were made available on the Commission’s website on 24 September 2019.
26. On 24 September 2019, additional information was provided to the Commission by the Applicant, which responded to matters raised at the meeting with the Applicant. This was made available on the Commission’s website on 24 September 2019.

3.2 Public meeting

27. On 23 September 2019, the Commission held a public meeting. No members of the public spoke at this meeting. A copy of the transcript was made available on the Commission’s website on 27 September 2019.

3.3 Site Inspection

28. On 23 September 2019, the Commission conducted an inspection of the Town Centre Area (Site Inspection). The Commission’s Site Inspection notes were made available on the Commission’s website on 25 September 2019.
29. The following stops were made as a part of the Site Inspection
- Edmondson Park Train Station Carpark
 - Soldiers Parade and Croatia Avenue (north of Edmondson Park Station).

3.4 Meeting with Liverpool City Council

30. On 23 September 2019, the Commission met with Council to discuss its views in relation to the Project. A copy of the meeting transcript was made available on the Commission’s website on 27 September 2019.

3.5 Meeting with the Department

31. On 24 September 2019, the Commission met with the Department to discuss the Department’s AR, the Project and the key issues identified by the Department as part of its assessment. A copy of the transcript and material provided by the Department was made available on the Commission’s website on 27 September 2019.

3.6 Public comments

32. An opportunity to lodge any written comments was afforded until 7 days (1 week) following the public meeting. The Commission received a total of 35 written comments about the Application. Key issues raised in those comments included:
- concerns that reduced car parking rates will lead to further on street car parking in the already congested area
 - existing lack of infrastructure in Edmondson Park
 - concerns that though reducing car parking rates may improve public transport usage for work-based travel, this does not consider other transport needs particularly on the weekend
 - noting that only anecdotal evidence was provided by the Applicant with respect to purchasers of 2-bedroom apartments not requiring a second car space.

4 THE COMMISSION'S CONSIDERATION

4.1 Material considered by the Commission

33. In this determination, the Commission has carefully considered the following Project-specific material (the **Material**):
- PAC Determination Report, dated 27 January 2012;
 - previous modifications as set out in Table 1;
 - the Applicant's EAR dated 21 March 2019 and all associated documents;
 - all submissions made to the Department in respect to the Application during public exhibition;
 - the Applicant's Response to Submissions and associated documentation, dated 6 June 2019;
 - the Department's AR dated August 2019;
 - information provided by the Applicant in the meeting with the Commission on 20 September 2019 and following the meeting on 24 September 2019;
 - information provided by Council in the meeting with the Commission on 23 September 2019; and
 - information provided by the Department in the meeting with the Commission on 24 September 2019.

4.2 Additional considerations

34. The Commission has taken into consideration the following environmental planning instruments (**EPI**) which apply to the Concept Plan Area:
- State Environmental Planning Policy (State Significant Precincts) 2005;
 - State Environmental Planning Policy (Infrastructure) 2007;
 - State Environmental Planning Policy No. 44 – Koala Habitat;
 - State Environmental Planning Policy No. 55 – Remediation of Land;
 - Greater Metropolitan Regional Environmental Plan 2 – Georges River Catchment; and
 - Liverpool Local Environmental Plan 2008 (Liverpool LEP 2008)
35. In determining this Application, the Commission has also considered:
- 2016 Australian Bureau of Statistics Census information (**2016 Census**)
 - RMS Guide to Traffic Generating Development (**RMS Guide**)

4.3 Applicable Regulations

36. Part 3A of the EP&A Act relates to projects that are identified in a State Environmental Planning Policy (SEPP) or are considered by the Minister to have State or Regional Significance. On 5 July 2010, the former Minister for Planning declared that the Original Application was a major project under Part 3A.
37. Section 75W of the EP&A Act allows the Applicant to request the Minister to modify the approval for a project.
38. While Part 3A of the EP&A Act was repealed from 1 October 2011, it continues to apply to concept plans in accordance with Schedule 2 of the ST&OP Regulation. The power to modify concept plans arises from Schedule 2, Clause 3BA(5) and 3C.
39. Clause 3BA(5) of Schedule 2 of the ST&OP Regulation provides that a Concept Plan may continue to be modified under s75W after the cut-off date if the Minister is satisfied that:
 - a) *“the proposed modification is to correct a minor error, misdescription or miscalculation, or*
 - b) *the proposed modification is of minimal environmental impact, or*
 - c) *the project to which the concept plan as modified relates is substantially the same as the project to which the concept plan currently relates (including any modifications previously made under section 75W).”*
40. The Commission considers that the Application can be considered under clause 3BA(5).

4.4 Car Parking Impacts

Applicant’s Consideration

41. A Transport Statement prepared by Ason Group (**Ason**) on behalf of the Applicant, dated 18 March 2019, was submitted with the Application. In this Transport Statement, Ason noted:
 - the proposed rates comply with the minimum State set guidelines relating to car parking under the RMS Guide, exceeding that rate by 0.1 car spaces per 2-bedroom unit;
 - the Application aligns with sound transport planning as it would encourage a shift away from private transport use;
 - one of the original ‘travel demand management’ initiatives of the Original Approval (MOD 4) was to reduce car parking rates; and
 - on-street car parking controls are anticipated in surrounding areas in line with most railway stations and retail centres, which will *“limit the opportunity for latent resident parking demands to adversely impact the surrounding area”*.
42. The Applicant also submitted additional information in response to submissions lodged against the Application, which was accompanied by a Parking Demand Assessment prepared by Ason. In this additional information, the Applicant indicated the following:
 - The number of motor vehicles owned by 2-bedroom dwellings in comparable suburbs (Rhodes, Liverpool, Cabramatta, Fairfield) averaged between 0.97 and 1.04 vehicles per dwelling. One hundred per cent of 2-bedroom dwellings within Edmondson Park owned only one vehicle. Approximately 80 per cent of 2-bedroom households within the aforementioned suburbs owned one or less motor vehicles; and

- Whilst the Applicant acknowledged that the 2016 Census indicated approximately 60 per cent of households in Edmondson Park had two or more cars, it was also noted that the 2016 Census indicated that 96 per cent of households in Edmondson Park contained three or more bedrooms, hence the car ownership rates for Edmondson Park as a whole should not be considered for this Application given it applies to 2-bedroom apartments only. More detailed analysis of 2016 Census data was presented which indicated that 2-bedroom apartments within Edmondson Park owned on average 1 car per household.
43. The Applicant commented in the meeting held on 24 September 2019 that the reduced rate for 2-bedroom apartments would lead to an actual reduction of around 60 to 65 car parking spaces in total for the overall development.
44. The Applicant also commented in the meeting held on 24 September 2019 that the overall Town Centre development facilitated a lifestyle which did not require high levels of car ownership with retail space, entertainment, food outlets, open space, and schools all within walking distance.

Liverpool Council's Consideration

45. In its submission dated 10 May 2019, Council raised concerns with the Application and stated that the current Design Guideline rates were proposed to manage the future car parking demand that may arise from the Town Centre development.
46. Council contested the use of the RMS Guide rates as it *'may not be appropriate for a town centre development like Frasers Town Centre ... due to the classification of the Edmondson Park Town Centre ... its geographical location away from major activity centres, high levels of car based destinations in the region more generally and an overall high prevalence of motor vehicle ownership...'*
47. In its submission, Council also:
 - noted a high demand for public parking near the rail station, which may be increased by a reduction in the provision of car parking for 2-bedroom apartments
 - referenced Census 2016 data that indicated approximately 66 per cent of households in Edmondson Park South and Bardia had access to two or more cars
 - suggested a detailed parking demand assessment would be needed to determine any variation to the existing car parking standards
 - acknowledged that *'the area would benefit from higher public transport use and other alternative modes of travel to reduce the demand for private motor vehicles'* but that this does not reduce the need for an appropriate level of car parking provision to be provided.
48. In the meeting with Council held on 23 September 2019, Council further stated that *'car parking has been an issue for ... at least a year or so'* and submitted that the Applicant's comparisons to Fairfield, Rhodes, Liverpool and Cabramatta were not justified given these suburbs all had greater levels of bus access to and from their railway stations compared to Edmondson Park.
49. Council also noted in the meeting held on 23 September 2019 that the only way for many people to access Liverpool LGA's bus services and train stations was by car, due to few overall transport options. This was stated with respect to needing to consider local context when applying state-wide instruments, and that in this instance the local context of Liverpool demonstrates that state-wide parking instruments are not appropriate.

50. References were made to overarching design issues raised by Council in the public meeting with regard to the size of streets and how the street design impacts parking. Streets were described as ‘*very narrow*’ and that overflow parking from residential properties impacted on the ability to move through the development area more broadly.
51. Regional car ownership patterns were raised by Council as well as how these may be impacted by changing demographics and economic considerations. Higher car ownership rates in the Liverpool LGA were referenced and that whilst young families who are buying into the suburbs now ‘*might only have one or two cars*’, the children in these families will grow up, and over time end up owning cars also. Council indicated that this may be exacerbated due to people staying at home for longer due to rising house prices.

Government Agency Comments

52. In their consideration of the Application, no issues were raised with respect to car parking by Campbelltown City Council, Sydney Water, or the NSW Roads and Maritime Services.
53. In its submission during the exhibition period, Endeavour Energy commented that it was “*not necessarily opposed to the modification...*” however acknowledged that the reduction of car parking would encourage:

“increased traffic congestion and reduced availability of parking / access for service vehicles... [r]estricted access to electricity infrastructure by maintenance workers causes delays in power restoration and may have severe consequences in the event of an emergency.”

The Applicant did not address this point in its Response to Submissions.

Department’s Assessment

54. A total of 32 submissions were made to the Department during the exhibition of the Application. Of these, 31 were objections and one was in support of the Application.
55. The key concerns raised in the submissions generally focused on the existing lack of transport, traffic and parking infrastructure servicing Edmondson Park and in particular the lack of available car parking spots in the vicinity of the railway station.
56. The Department’s AR stated that ‘*The proposal is consistent with strategic policies for reducing car dependency and encouraging alternative forms of transport in highly accessible locations*’ as:
 - by reducing car parking rates close to a train station, it responds to statements in *A Plan for Growing Sydney* and *The Western City District Plan* for car parking to be provided in a way that is consistent with the level of access provided by alternative travel choices
 - it encourages the use of active travel and public transport
 - it discourages private vehicle use and dependency.
57. The Department’s AR stated that ‘*The proposal complies with the ADG and RMS car parking rates*’ as the Apartment Design Guide (**ADG**) requires that sites within 800m of a railway station in the Sydney Metropolitan Area are required to provide car parking rates as set out in the RMS Guide. The RMS Guide requires the provision of 0.9 spaces

per 2-bedroom apartment, which would be slightly exceeded by the proposed rates in the Application of 1.0 space per 2 bedroom apartment.

58. The Department's AR stated that *'The proposal is consistent with car parking rates applied in town centres with similar characteristics'* noting that the Department has consistently applied reduced parking rates close to train stations. The Department's AR also noted that Council's concern regarding current car ownership rates in Edmondson Park based on 2016 Census data was inaccurate given approximately 96% of households in Edmondson Park have three or more bedrooms, whereas the Application applies only to 2-bedroom apartments.
59. The Department's AR stated that *'The reduction in car parking spaces is relatively minor and the proposal would not have a significant impact on on-street car parking'* as the Application represents a 16.7% reduction, and that this would be unlikely to result in significant impacts on the surrounding street network nor increase in demand for car parking spaces at the train station.

Public Comments

60. A total of 33 comments were received by the Commission during the Commission's determination process of the Application. Broadly, the comments:
 - raised the existing parking issue in and around Edmondson Park
 - generally raised concern with the proposal to reduce parking due to flow on impacts onto already constrained parking at the Town Centre
 - called for expanded commuter car parking provision around Edmondson Park Railway Station
 - questioned the Department's assessment that reducing car parking would automatically result in active travel or the use of public transport, and countered that reducing car parking rates would inevitably result in more owners and tenants seeking on-street parking
 - called for better public transport options at Edmondson Park.

Commission's Findings

61. The Commission acknowledges that concerns relating to the existing parking issues at Edmondson Park were raised by the public, as set out in paragraphs 54-55 and 60, and by Council, as set out in paragraphs 45 through 51. At the site visit held on 23 September 2019, a clear parking issue was identified with the Commission noting many cars parked outside the commuter car parking area and illegally in some cases, including on the footpaths, verge and in No Stopping zones. Parking and movement more broadly appear to be exacerbated by design issues associated with the town centre, in particular its narrow streets and lack of on-street parking. Heavy on street parking was observed well beyond the train station and outside of Frasers Town Centre extending into Croatia Avenue and north along Soldiers Parade.
62. The Commission has considered the 2016 Census information presented to it by the Applicant, Council and the Department. The Commission notes that very little development had occurred in Edmondson Park at the time of the 2016 Census and, given the rapidly changing nature of the area, statistics from the 2016 Census are considered to be of limited use in its consideration of the Application.
63. Further, the Commission considers that comparisons made by the Applicant to Fairfield, Rhodes, Liverpool, and Cabramatta are of limited assistance to it. Limited information was provided by the Applicant as to why these centres were considered comparable to

the Town Centre Area. The Commission agrees with the contentions made by Council that the level of public transport services provided to the railway stations is a relevant factor in the comparison and that the aforementioned suburbs have a level of existing infrastructure, services, and patterns of usage that are not comparable to Edmondson Park Town Centre.

64. Whilst the Commission acknowledges strategic policy with respect to promoting active travel and public transport usage, the Commission agrees with concerns raised by Council with respect to the context of Edmondson Park Town Centre more broadly. Located within an emerging part of the south west growth area, which traditionally has higher car ownership rates comparative to broader Sydney averages, and with currently poorer levels of public transport access particularly outside of peak hour, there are greater challenges faced in this area of Sydney with respect to a modal shift that would result in less reliance on private vehicles and increased use of active or public transport options.
65. Following from paragraph 64, the Commission considers it likely that a reduction in car parking rates for 2-bedroom apartments may further exacerbate the broader car parking issue being experienced in Edmondson Park. Whilst the Commission acknowledges that the existing car parking issue is largely a result of inadequate commuter parking provided to Edmondson Park Railway Station, which is outside of the Applicant's control, it considers that it would not be good planning practice to exacerbate this situation in any way.
66. Further, the Commission considers it premature to change car parking rates in response to anecdotal evidence provided by the Applicant that purchasers did not need a second car space. In this regard:
 - under the current rates, only one-in-five 2-bedroom apartments would be provided with a second car space meaning the vast majority of purchasers could still purchase a 2-bedroom apartment with just one space if this is what the market is broadly demanding
 - the Town Centre is in a formative state and future demands are not yet known.

4.5 Objects of the EP&A Act and Public Interest

Commission's Findings

67. In considering the public interest merits of the Application, the Commission has had regard to the objects of the EP&A Act. The objects applicable to the Application under section 1.3 of the EP&A Act are shown in Table 2 below.

Table 2 – Objects of the EP&A Act

Object	Description
(a)	to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
(b)	to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
(c)	to promote the orderly and economic use and development of land,

Object	Description
(d)	to promote the delivery and maintenance of affordable housing,
(e)	to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
(f)	to promote the sustainable management of built and cultural heritage,
(g)	promote good design and amenity of the built environment,
(h)	promote the proper construction and maintenance of buildings, including the protection of health and safety of their occupants.
(i)	to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State, and
(j)	to provide increased opportunity for community participation in environmental and planning and assessment.

68. The Commission is of the view that objects (c) and (g) of the EP&A Act are the predominant objects of relevance to the Application, which as outlined in paragraph 67 relate to:
- the promotion of the orderly and economic use and development of land
 - the promotion of good design and amenity of the built environment.
69. In relation to both objects (c) and (g), the Commission finds that it is evident that the existing on-street parking issue stretches well outside the Town Centre and is impacting the amenity of, and orderly use of, the surrounding residential areas, as:
- described by Liverpool City Council in the meeting held on 23 September 2019 and outlined in paragraph 50
 - outlined by members of the public in submissions and comments and described in paragraph 60
 - observed by the Commission at the Site Visit and described in paragraph 61.
70. This problem would likely to be further exacerbated if less dedicated car parking per dwelling was provided, as resident parking may overflow into the already crowded surrounding area.
71. For the reasons set out in paragraphs 69 and 70 above, the Commission finds that the Application does not promote the orderly development of land. In this regard, the Application is not consistent with object (c) of the EP&A Act.
72. For the reasons set out in paragraphs 69 and 70 above, the Commission also finds that the Application would not promote an expected level of amenity within the built environment. In this regard, the Application is not consistent with object (g) of the EP&A Act.
73. The Commission has considered representations, advice and comments provided by the Applicant, government agencies and the community. The Commission finds that the Application is not in the public interest as it is not consistent with the relevant objects of the EP&A Act as outlined in paragraphs 69 and 70. **Error! Reference source not found.** above.

5 HOW THE COMMISSION TOOK COMMUNITY VIEWS INTO ACCOUNT IN MAKING DECISION

74. The views of the community were expressed through public submissions and written comments received (as part of exhibition and as part of the Commission's determination process), as summarised in paragraphs 32, 54 and 55.
75. The Commission carefully considered all of these views as part of its decision-making process. The way in which these concerns were taken into account by the Commission is set out in **section 4**.

6 CONCLUSION: THE COMMISSION'S FINDINGS AND RECOMMENDATION

76. The Commission has carefully considered the Material before it, including the community's views, and relevant EPIs and other relevant documents as set out above in **section 4**. The Commission has determined to refuse consent to the Application for the reasons set out in paragraphs 69 through 73 above, namely:
- there is a clear and serious lack of public car parking in the Town Centre;
 - a reduction in car parking rates for dwellings in the Town Centre may result in overflow parking onto the surrounding streets, which would be likely to further exacerbate the parking problem; and
 - this outcome would be inconsistent with the relevant objects of the EP&A Act with respect to the orderly development of land and amenity of the built environment.

The reasons for the decision are given in this Statement of Reasons for Decision dated 8 November 2019.



Prof. Helen Lochhead (Chair)
Member of the Commission



Soo-Tee Cheong
Member of the Commission