

Amendment applies to:	Explanation of provision
Schedule 5	Updated Schedule 5 to be accurate in terms of state and local heritage significance. Details are provided at Appendix 2.

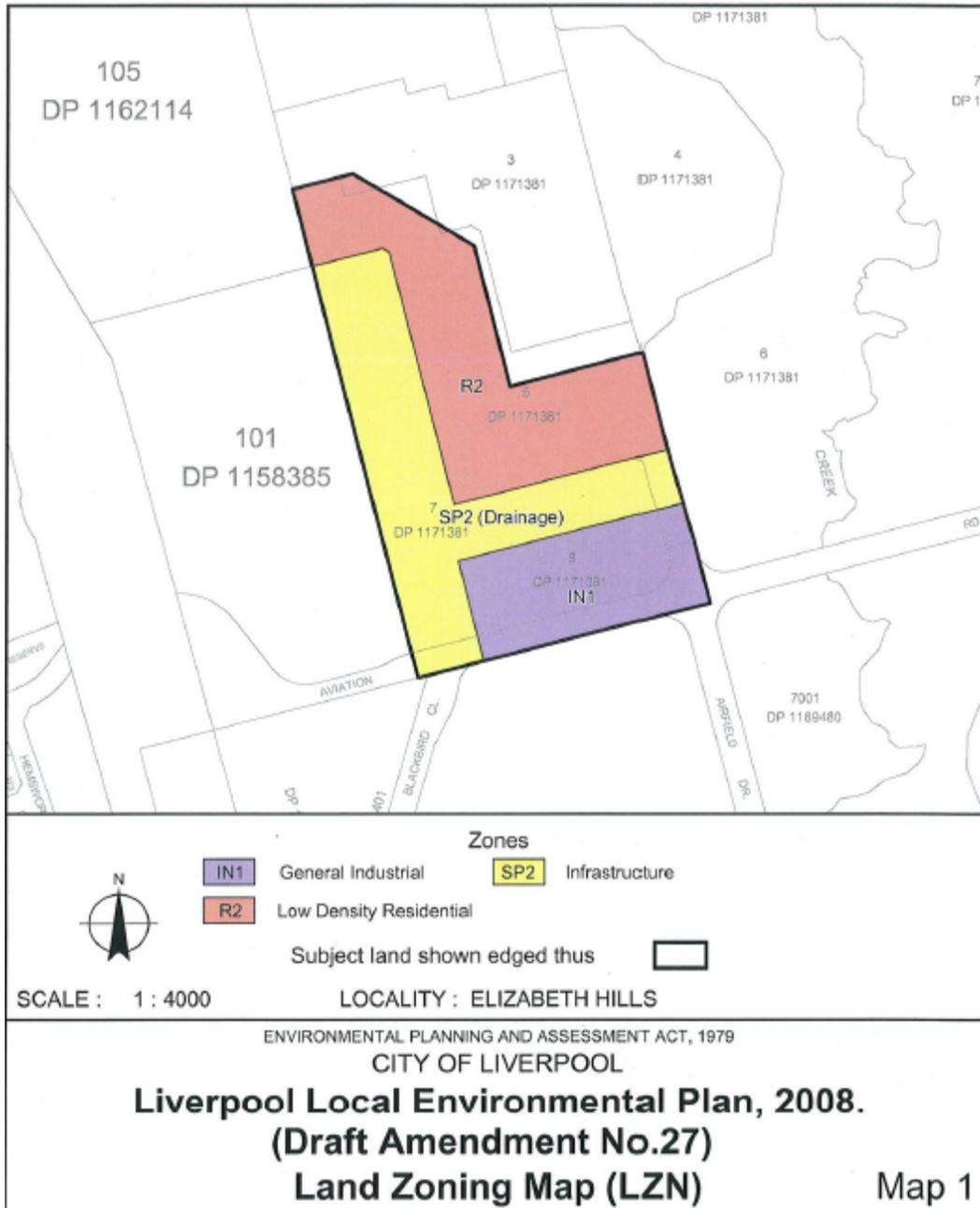


Figure 1 – Proposed changes to zone boundaries at Elizabeth Hills

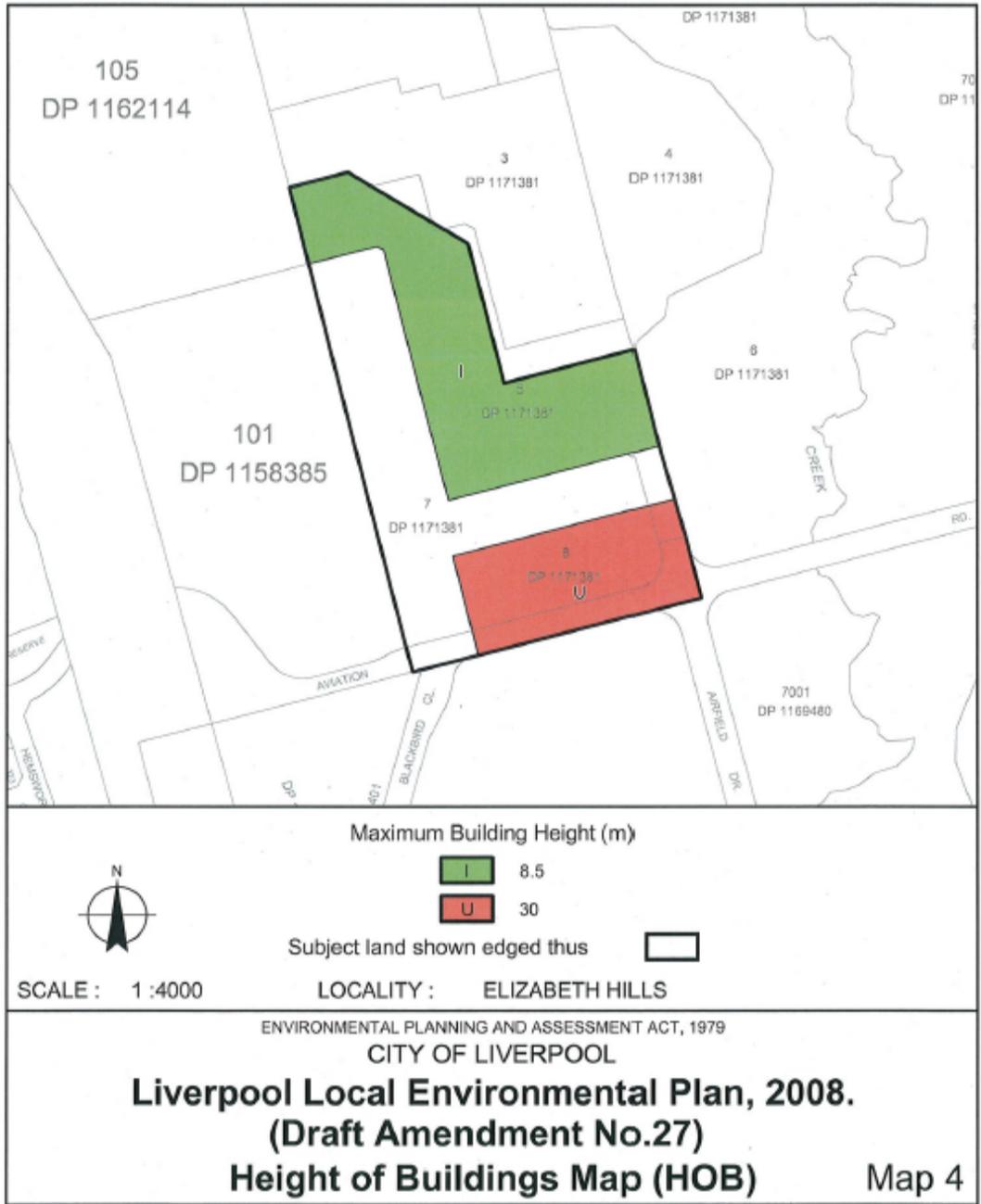


Figure 2 –Proposed maximum building height at Elizabeth Hills

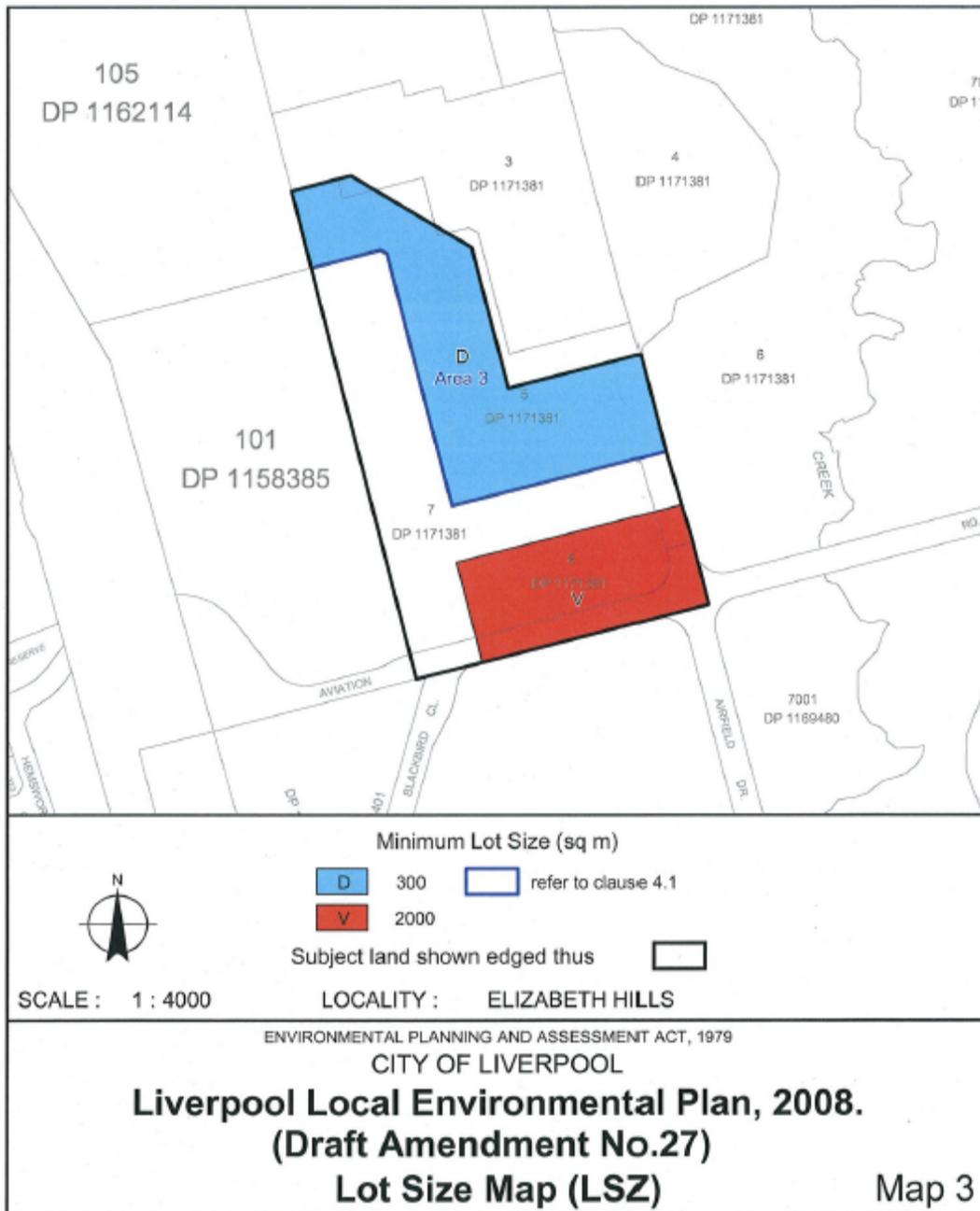


Figure 4 – Proposed lot size map at Elizabeth Hills

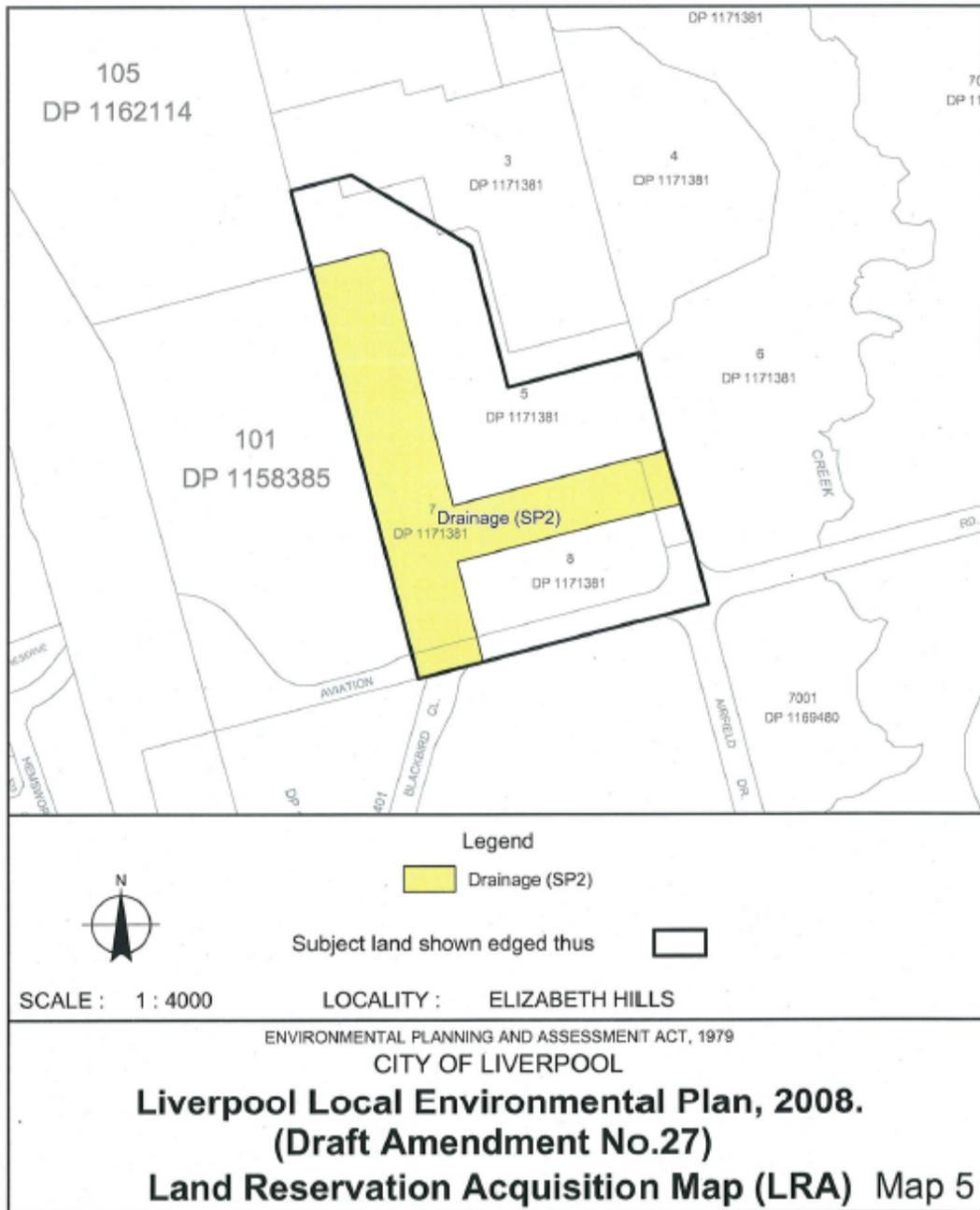


Figure 5 – Proposed land acquisition map at Elizabeth Hills

Part 3 - Justification

A. Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not the result of any strategic study or report. Most of the amendments included in this proposal have been identified by Council staff and other stakeholders over time and are considered minor in nature.

A brief description of the origin of each amendment is provided.

The rezoning of land in Elizabeth Hills from SP2 to R2 and IN1 is the result of a rezoning application. The proposal seeks to realign zone boundaries near detention basin number 6 at Lots 3, 5, 7 and 8 DP 1171381, Aviation Road Elizabeth Hills, consistent with the approvals for the site under Part 3A (Concept Plan Approval MP10_0007 and Modification to the Stage 1 Infrastructure Project Approval 10_0008). The land to be rezoned is no longer required for the detention basin. Rezoning the land will result in more orderly and efficient use of the land. Council will also review Liverpool Development Control Plan 2008 (LDCP 2008) to provide an updated road layout and set controls for the landscaped treatment of the Basin 6 channel.

The Liverpool City Centre has the proliferation of sex service premises and as such this proposal seeks to prohibit sex service premises from the B3 Commercial Core zone. Sex service premises remain permissible in the IN1, IN2 and IN3 zones.

Council will also seek to delete the LDCP 2008 controls that relate to sex service premises in the City Centre.

Middleton Grange is a new release area that utilises minimum dwelling density controls to facilitate a variety of development types. Since the adoption of LLEP 2008, the required minimum dwelling density has increased by virtue of the Standard LEP Instrument definition. The increase has made it difficult for developers to achieve the required dwelling yields, leading to a number of Development Applications seeking an exception to the dwelling density provision.

As Council is not permitted to alter the definition, this proposal seeks to amend the dwelling density map to reduce the 30 dwellings per hectare area to 28 dwellings per hectare and the 23 dwellings per hectare area to 21 dwellings per hectare. The proposed amendments do not alter the objective of the dwelling density provisions in that they will continue to encourage the efficient use of infrastructure through the provision of smaller lots, locating smaller lots in areas that are well serviced and of high amenity and allow the continued collection of adequate developer contributions to provide for critical services and infrastructure for the suburb.

Recreation facilities (indoor) are not considered compatible with the IN3 zone and therefore will be prohibited in this zone.

Veterinary hospitals are considered compatible with the RU4 zone and will be made permissible with consent in this zone.

Vehicle repair stations and *vehicle body repair workshop* will both be added as permissible with consent in the IN1 zone.

The LLEP2008 currently permits single dwellings in the R3 and R4 zones. Some development applications for single dwellings in medium and high density residential zones attempt to overdevelop by taking advantage of the development standards that have been adopted for medium and high density development. An additional clause in the LEP is proposed to ensure that single dwellings have appropriate development standards including a maximum FSR of 0.6 to 1 and a maximum building height of 8.5 metres, despite the FSR and building height maps.

In the Liverpool Local Environmental Plan 1997, Clause 36(2) stipulated that certain rural lots did not have individual dwelling entitlements, given their size and shape. This restriction was not carried over into the LLEP2008 and it is proposed to make a new clause to restrict dwelling development on these undersized rural lots.

A number of minor rezonings are required to correct mapping anomalies in Casula, Chipping Norton, Greendale and Cobbitty.

There are a number of inconsistencies in Schedule 5, where heritage properties are listed as having State significance, when they should be listed as having Local significance.

The proposal includes the reclassification of a number of properties from community land to operational land and the rezoning of one of these properties from RE1 to R2. The reclassification is consistent with Councils Operational Plan and enables surplus Council properties to be sold.

As its meeting on the 6th February 2012 Council resolved to adopt the Cabramatta Creek Flood Study and Basin Strategy Review as part of the Liverpool Floodplain Management Committee Minutes. The flood prone land mapping in the LLEP 2008 will be updated to correspond to the adopted study and strategy.

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

From time to time, it is necessary for Council to conduct a general amendment to its Local Environmental Plan to ensure that the instrument and maps remain current and accurate. Council considers that a procedural amendment to LLEP 2008 to be the most appropriate way of achieving this outcome.

3. Will the net community benefit outweigh the cost of implementing and administering the planning proposal?

The proposal will ensure that the LLEP 2008 instrument and associated maps remain current, accurate and effective and seek to provide certainty to landowners and the community. As per this draft LEP, Council seeks to process a number of amendments through the one Planning Proposal, and in consideration of the nature of the amendment, the cost of implementation does not outweigh the benefit.

B. Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Sydney Metropolitan Strategy

The planning proposal is generally consistent with the Sydney Metropolitan Strategy. A majority of the amendments proposed are administrative and seek to ensure the LLEP 2008 remains accurate and current.

Elizabeth Hills

The rezoning in Elizabeth Hills accords with two major directions within the Metropolitan Strategy and translates the objectives of the strategy at the subregional level. These being:

- To ensure an adequate supply of land for residential development
- To ensure adequate land supply for economic activity, investment and jobs

The proposed rezoning will facilitate future development with additional housing in the area as discussed in more detail below.

The planning proposal seeks to best reflect existing easements and development constraints. The proposed industrial zoning will facilitate consideration of appropriate uses. This will allow for some economic benefits to be achieved that are in line with the development restrictions of the lands general industrial uses.

South West Draft Subregional Strategy

The NSW Department of Planning's South West Subregional Strategy is the strategic land use planning framework to guide the sustainable growth of South West Sydney over the next 25 years.

It translates priorities of the Sydney Metropolitan Strategy to the local level. According to the Strategy, South West Sydney will experience growth in the vicinity of some 155,000 new dwellings over the next 25 years.

The planning proposal consists of a number of minor changes which are consistent with the objectives and actions contained within the draft Southwest Subregional Strategy. However more detailed analysis is provided for the more complex parts of the planning proposal.

Elizabeth Hills

The rezoning of the identified excess land as a result of the revised detention basin design will go some way to achieving the targets of the South West Draft Subregional Strategy. An additional 16,508 square metres of land will be made available for residential purposes which will lead to 35 new homes being built and an additional 4260 square metres of land for industrial services.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Liverpool Community Strategy 2009 identifies social and community priorities for Liverpool and proposes strategies that work towards and sustain a positive level of wellbeing within the community.

The Strategy focuses on six key outcome areas. These areas have been determined through a review of the previous Liverpool Social Plan, an assessment of current community characteristics and through a review of national and international literature on community wellbeing.

The planning proposal is consistent with the Liverpool Community Strategy.

6. Is the planning proposal consistent with the applicable state environmental planning policies?

The planning proposal consists of minor amendments to the LLEP2008 and is consistent with the various State Environmental Planning Policies.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Various Section 117 Ministerial Directions apply to this planning proposal. These are discussed below:

S.117 Direction No. and Title	Contents of S.117 Direction	Planning Proposal	Comply
1.1 Business and Industrial Zones	The objective of this direction is to encourage employment growth in suitable locations, protect employment land in business and industrial zones and support the viability of identified strategic centres.	<i>Elizabeth Hills</i> The minor adjustment to the zoning type and configuration results in neighbourhood centre and infrastructure zoned land being zoned general industrial. Providing additional industrial land that will encourage employment growth in a suitable location.	Yes
3.1 Residential Zones	The objective of this direction is to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services and to minimise the impact of residential development on the environment and resource lands.	<i>Elizabeth Hills</i> By reconfiguring the layout of the site the rezoning results in an increase to the land made available for residential purposes thus helping meet future housing needs in the area.	Yes
3.4 Integrating land use and transport	Planning Proposal must be consistent with DUAP publications " <i>Improving Transport Choice</i> " and " <i>The Right Place for Business and Services</i> ".	<i>Elizabeth Hills</i> The proposal seeks to deliver new housing in an already established area for such development with access to public transport.	Yes
4.3 Flood Prone Land	This direction aims to ensure that LEPs consider potential flood impacts.	<i>Elizabeth Hills</i> A flood management plan has been prepared for the site, and the current LEP contains provisions which require consideration of flood prone	Yes

S.117 Direction No. and Title	Contents of S.117 Direction	Planning Proposal	Comply
		land. The design of the detention basin ensures the protection of all the land proposed to be rezoned for industrial and residential purposes.	
4.4 – Planning for Bushfire Protection	This direction aims to protect life, property and the environment from bush fire hazards, and to encourage sound management of bush fire prone areas. The direction requires that a Council shall consult with the Commissioner of the NSW Rural Fire Service during the preparation of the draft LEP, and take into account any comments made. It also requires that the draft local environmental plan shall have regard to Planning for Bushfire Protection 2006, and introduce controls that avoid placing inappropriate developments in hazardous areas.	The following properties are affected by bushfire risk or bushfire buffer: Aviation Road, Elizabeth Hills Lots 13-16, Greendale Road Greendale Lots 27-37, Campbelltown Road, Denham Court 39 Newbridge Road, Chipping Norton 203 Memorial Avenue, Liverpool The requirements for Planning for Bushfire Protection 2006 will be complied with as part of any future development on the relevant subject properties.	Yes
5.1 – Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies. This direction requires that the rezoning proposal be consistent with the South West Subregional Strategy.	<i>Elizabeth Hills</i> The Planning Proposal is in line with the relevant Regional Strategies.	Yes
6.2 – Reserving Land for Public Purposes	The aim of this objective is to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	<i>Elizabeth Hills</i> This application seeks to amend the amount of land required to be acquired by Council such that it reflects the proposed basin design. <i>Reclassification of Public Land</i> Council is seeking the concurrence of the Director General via this planning proposal. It is considered that the proposal is consistent with the Ministerial Direction.	Yes
7.0 Metropolitan Planning	Planning proposals shall be consistent with the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010.	The planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	Yes

C. Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The planning proposal does not have an impact on critical habitat, threatened species, populations or ecological communities or their habitats.

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

The planning proposal will not result in any other environmental effects.

Elizabeth Hills

In terms of drainage and flooding, the construction of Basin 6 at Elizabeth Hills has commenced and likely due for completion by March 2012. The Cabramatta Creek Review indicates that basin 6 needs to provide for a certain flood storage capacity. Following the completion of the construction of the Basin, the developer will be required to provide appropriate documentation such as Works as Executed Plans, Dam Safety Emergency Management Plan, and Flood Warning Telemetry system. No adverse environmental effects are likely to occur.

10. How has the planning proposal adequately addressed any social and economic effects?

The social and economic impacts of this planning proposal are generally minimal, as the proposal mostly consists of minor anomalies and corrections. However the following social and economic impacts warrant additional consideration.

Elizabeth Hills

The development of the surplus land will generate economic benefit to the community through the provision of additional housing in the area.

Sex Service Premises

The prohibition of sex service premises in the commercial core of the Liverpool city centre, will prevent the significant proliferation of these types of establishments within the core retail and business centre. It is recognised that there may be some social and access/equity impacts of removing these uses from the Liverpool city centre, however sex service premises will remain permissible in some industrial zones.

Reclassification of Council Owned Land

The properties proposed for reclassification will result in minimal social impacts. The sites are currently underutilised and their disposal is consistent with Council's strategic plan, which will provide opportunities for investment in other spaces.

D. State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?

The planning proposal will not place additional demands on public infrastructure.

Elizabeth Hills

The amount of public infrastructure required to service the broader Elizabeth Hills and Len Waters Estate was considered at the time of the original rezoning. Infrastructure required to be delivered to support the redevelopment of the estate was agreed and translated into a VPA. The existing road network and infrastructure are sufficient to cope with the additional 35 lots facilitated by this rezoning.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The Planning Proposal is seeking the Gateway Determination. Appropriate consultation will be conducted when the gateway determination is issued.

Part 4 - Community Consultation

The gateway determination will specify the appropriate community consultation.

Appendix 1 - Summary of Explanation of Provisions.

Description	Current LEP	Draft LEP	Maps
Reduce SP2 zone at Basin 6 at Elizabeth Hills as it is not required for drainage construction and rezone to R2and IN1.	The SP2 zone at Basin 6 at Elizabeth Hills.	To rezone part of the SP2 zoned area to R2 and IN1.	LZN-007 FSR-007 HOB-007 LSZ-007 Land Acquisition Map
Delete <i>sex service premises</i> from the B3 Zone	<i>Sex service premises</i> are permissible in the B3 Zone	<i>Sex service premises</i> be removed from Clause 3 "Permissible with Consent" and by virtue of Clause 4 will be prohibited.	No changes to any maps.
Reduce dwelling densities in parts of Middleton Grange.	Middleton Grange has a variety of required dwelling densities from 15 dwellings per hectare to 30 dwellings per hectare.	Reduce 23 dwellings per hectare to 21 dwellings per hectares and 30 dwellings per hectare areas to 28 dwellings per hectare.	DWD-008 DWD-007
Delete <i>Recreation facilities (indoor)</i> from IN3 Zone.	<i>Recreation facilities (indoor)</i> are currently "permissible with consent" in the IN3 Zone.	<i>Recreation facilities (indoor)</i> will be prohibited in the IN3 Zone.	No changes to any maps.
Add <i>Veterinary hospitals</i> to the RU4 Zone.	<i>Veterinary hospitals</i> are currently prohibited in RU4 Zone.	<i>Veterinary hospitals</i> will be permissible with consent in the RU4 Zone.	No changes to any maps.
Add <i>Vehicle body repair workshop</i> and <i>vehicle repair station</i> to IN1.	<i>Vehicle body repair workshop</i> and <i>vehicle repair station</i> and currently prohibited in IN1.	<i>Vehicle body repair workshop</i> and <i>vehicle repair station</i> will be permissible with consent in the IN1 zone.	No changes to any maps.
Add new Clause 4.4 2D.		A new clause to state that despite the applied Maximum Floor Space Ratio or Maximum Building height on the Map, an application for a	No changes to any maps.

Description	Current LEP	Draft LEP	Maps
		dwelling house cannot exceed the maximum Floor Space Ratio of 0.6:1 or a Maximum Building Height of 8.5 metres”.	
Dwelling entitlements on small rural lots in Greendale Road, Greendale and Church Road and Campbelltown Road, Denham Court to be clarified.	There is currently no restriction on dwelling entitlement for these lots, however the size and shape of the lots are inconsistent with the rural character of the area.	A new clause to state that a dwelling-house may be erected with consent on a parcel specified in this LEP if that parcel has been consolidated into one allotment.	No changes to any maps.
54, 56 and 58 Paperbark Circuit, Casula, 13 Maple Road, Casula and the adjacent Council reserve are zoned partially RE1 and R2.	Properties are zoned partially R2 and RE1.	54, 56 and 58 Paperbark Circuit, Casula and 13 Maple Road, Casula are to be wholly zoned R2 and the Council reserve is to be zoned RE1.	LZN-013 FSR-013 HOB-013 LSZ-013
39 Newbridge Road, Chipping Norton to be rezoned to R2.	The site is currently zoned RE1.	To be rezoned to R2.	LZN-014 FSR-014 HOB-014 LSZ-014
Land transfer from Camden Council at Greendale/Cobbity.	Under Section 218B of the Local Government Act land has been transferred from Camden Council to Liverpool City Council but it is not shown as part of the Liverpool LEP 2008.	To include the part lots as part of the land to which the Liverpool LEP 2008 applies and zone the land RU1.	Land Application Map LZN-002 LSZ-002
Discrepancies in Schedule 5 - State and local heritage listing.	Some of the information regarding State and local heritage listing in Schedule 5 is incorrect.	Amend Schedule 5 to accurately reflect state and locally listed heritage items.	No changes to any maps.
Reclassification of: • Lot 14 DP 1090122 - Pearce St, Liverpool	Property is currently classified as Community Land.	Property is to be reclassified to Operational Land.	No changes to any maps.

Description	Current LEP	Draft LEP	Maps
<ul style="list-style-type: none"> • Lot 8 DP 246745 - 150 Heathcote Road, Hammondville • Lots 1 and 2 DP 1150469 - 14 Thompson Avenue and 29 Stockton Avenue, Moorebank • Lot 306 DP - DP233164 - 155 Willan Drive, Cartwright, Lots 27 and 28 DP 1069623 and part of Chapman Street, West Hoxton 			
Reclassification and rezoning of Part Lot 236 DP 25142 - 203 Memorial Avenue, Liverpool	Property is currently classified as Community Land and zoned RE1 Public Recreation	Property is to be reclassified to Operational Land under Schedule 4 and rezoned to R3 Medium Density Residential.	LZN-010 FSR-010 HOB-010 LSZ-010
Reclassification and rezoning of Lot 4221 DP 1163525 - Wilson Road, Green Valley.	Property is currently classified as Community Land and zoned RE1 Public Recreation.	Property is to be reclassified to Operational Land under Schedule 4 and rezoned to R2 Low Density Residential.	LZN-007 FSR-007 HOB-007 LSZ-007
Cabramatta Creek Flood Study and Basin Strategy Review 2011.	Previous Flood Study	Cabramatta Creek Flood Study and Basin Strategy Review 2011	Flood Prone Land maps.

Appendix 2 - Changes to Schedule 5(shown in italics)

Suburb	Item Name	Address	Property Description	Significance	Item Number
Cecil Park	Liverpool Offtake Reservoir	Elizabeth Drive, Liverpool Dam	Lot 11, DP 1055232	<i>Local</i>	17
Denham Court	St Mary the Virgin Church and Cemetery Group, including church and churchyard	Church Road	Lot 19, DP 725739	<i>Local</i>	23
Greendale	Private dwelling (former St Mark's Anglican Church Group, including church cemetery)	Greendale Road	Lot 1, DP 742417	<i>Local</i>	25
Greendale	Greendale Roman Catholic Cemetery	Greendale Road	Lot 1, DP 195955	<i>Local</i>	26
Greendale	Bents Basin Inn site	Wolstenholme Avenue	Lots 203 and 204, DP 249320; Lots 84 and 85, DP 751294	<i>Local</i>	28
Holsworthy	Holsworthy Group, including powder magazine and former officers' mess, corporals' club, internment camp, Holsworthy railway station lock-up/gaol, German concentration camp	Heathcote Road (off)	Lot 1, DP 825745	<i>Local</i>	32
Holsworthy	CubbitchBarta National Estate	Old Illawarra Road	Lot 1, DP 825745	<i>Local</i>	34
Ingleburn	Ingleburn Military Heritage Precinct	Campbelltown Road	Part Lot 2, DP 831152	<i>Local</i>	37
Rossmore	Church of the Holy Innocents Group, including church and churchyard	Church Road	Lots 1-4, DP 117688	<i>Local</i>	60
Rossmore	Bellfield Farm Group, including homestead, slab kitchen, slab cottage and smoke house	33 Rossmore Avenue	Lot 1, DP 580979	<i>Local</i>	61
Voyager Point	Sandstone Weir	Williams Creek		<i>Local</i>	63
Warwick	Milestone	Hume Highway		<i>Local</i>	64

Suburb	Item Name	Address	Property Description	Significance	Item Number
Farm		(southern side of Hume Highway between George Street and Browne Parade)			
Warwick Farm	Milestone	Hume Highway (southern side of Hume Highway between Warwick Farm Racecourse Gates A and B)		<i>Local</i>	65
Warwick Farm	Warwick Farm Racecourse Group	Hume Highway	Lot 1, DP 250138; Lots 2 and 3, DP 1040353; Lot 14, DP 578199; Part Lot 1, DP 1040353; Lots 1–3, DP 581034; Lot 1 DP 970591; Lots 1–3, DP 249818; Part Lot 2, DP 581037	<i>Local</i>	66
Liverpool	Former Liverpool Courthouse	Cnr Bigge and Moore Streets	Lot 442, DP 831058	<i>Local</i>	73
Liverpool	Commercial Hotel (former Marsden's Hotel)	Bigge and Scott Streets	Lot 17, DP 1050799; Lots 15, 16 and 18, DP 979379	<i>Local</i>	74
Liverpool	Apex Park (first Liverpool Cemetery)	Elizabeth Drive and Castlereagh Street	Lot 7027, DP 1027999	<i>Local</i>	81
Liverpool	Bigge Park	Elizabeth, College, Moore and Bigge Streets	Lot 702, DP 1056246	<i>Local</i>	82
Liverpool	Liverpool Memorial Pioneer's Park, (formerly St Luke's Cemetery and Liverpool Cemetery)	Macquarie, Campbell and Northumberland Streets and the Hume Highway	Lots 7035–7037, DP 1073993; Part Lots 1 and 2, Sec 24, DP	<i>Local</i>	90

Suburb	Item Name	Address	Property Description	Significance	Item Number
			758620; Lots 1-4, Sec 34, DP 758620		
Liverpool	Bigge Park Conservation Area	Area bounded by and including College, Goulburn, Railway, Scott and Bigge Streets as shown hatched red on the Heritage Map	Lot 1, DP 234608; Lot 2, DP 579808	<i>Local</i>	

Appendix 3 – Draft Maps

Paperbark Circuit, Casula

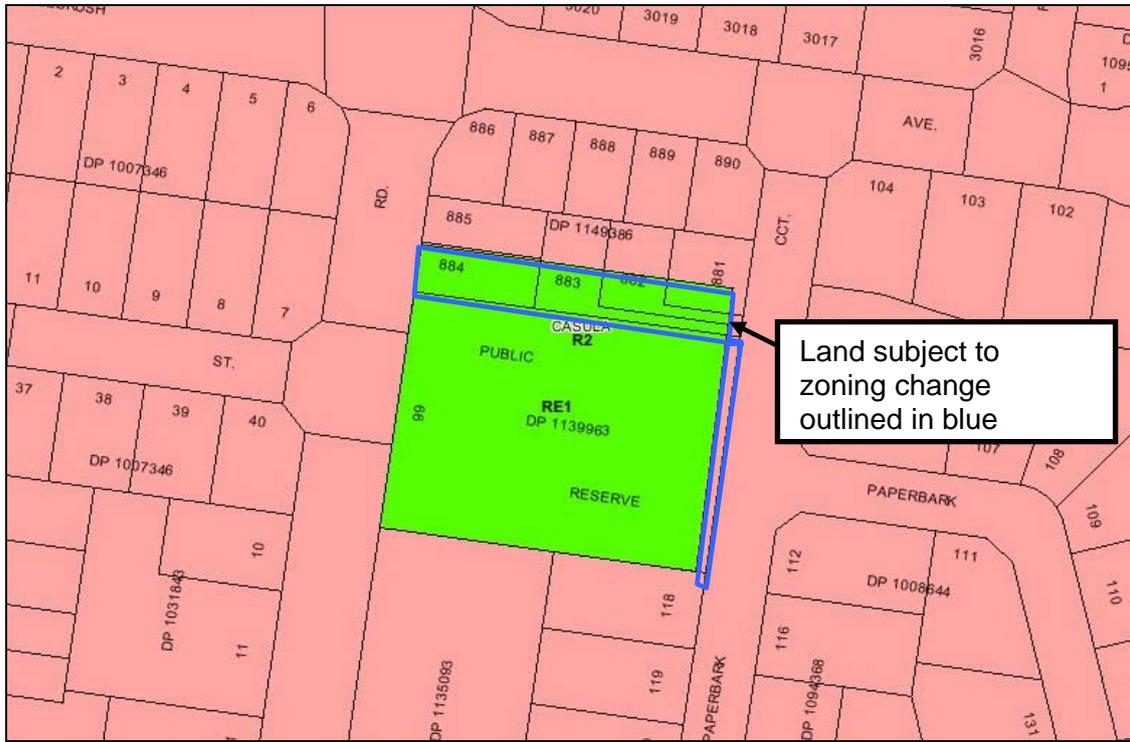


Figure 6 Current Zoning Map



Figure 7 Proposed Zoning Changes

39 Newbridge Road Chipping Norton

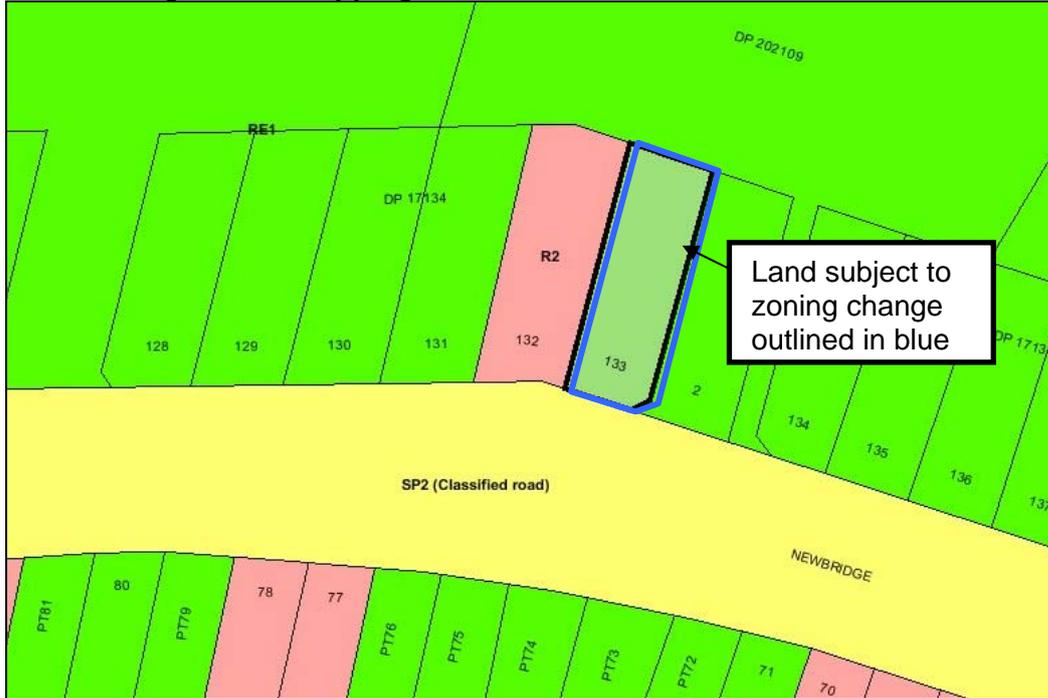


Figure 8 Current Zoning Map

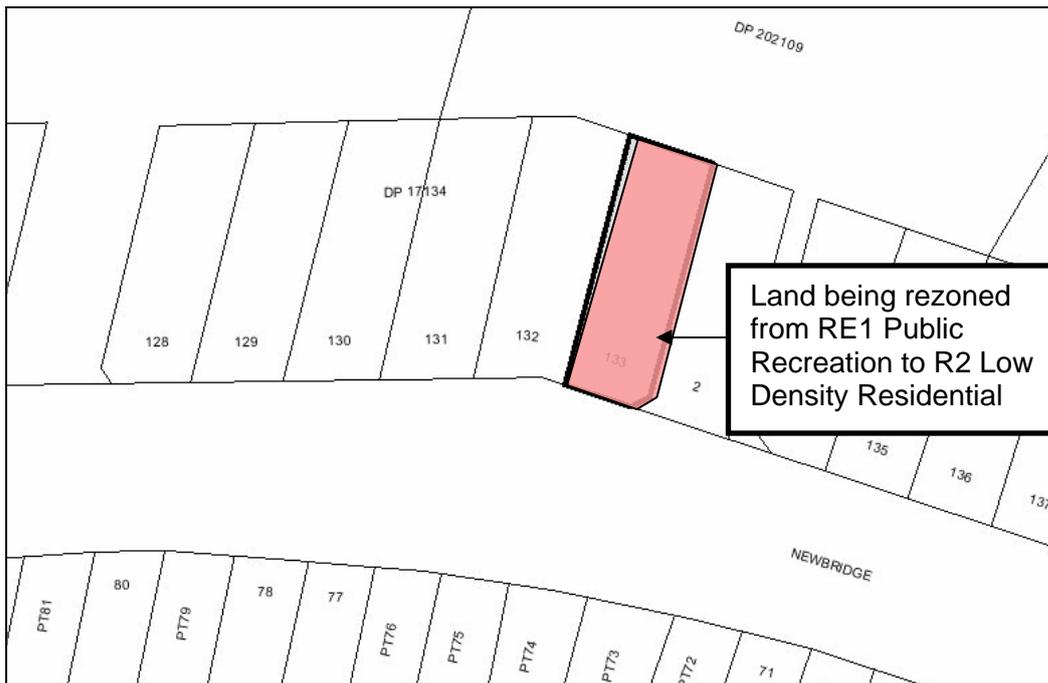


Figure 9 Proposed Zoning Changes

Various Properties, Greendale / Cobbitty

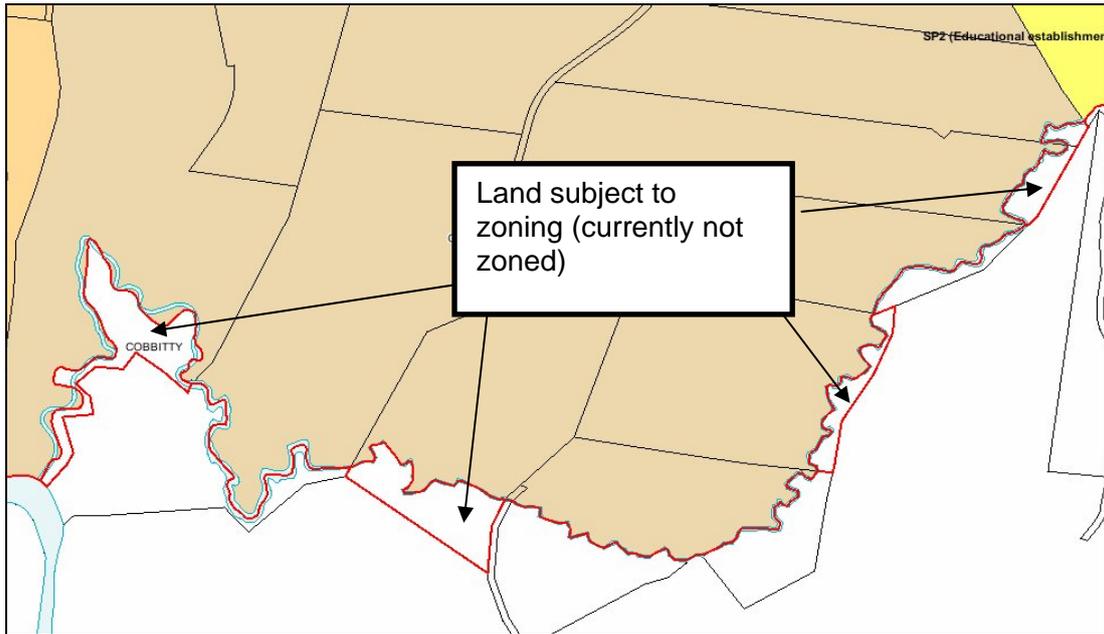


Figure 10 Current Zoning Map

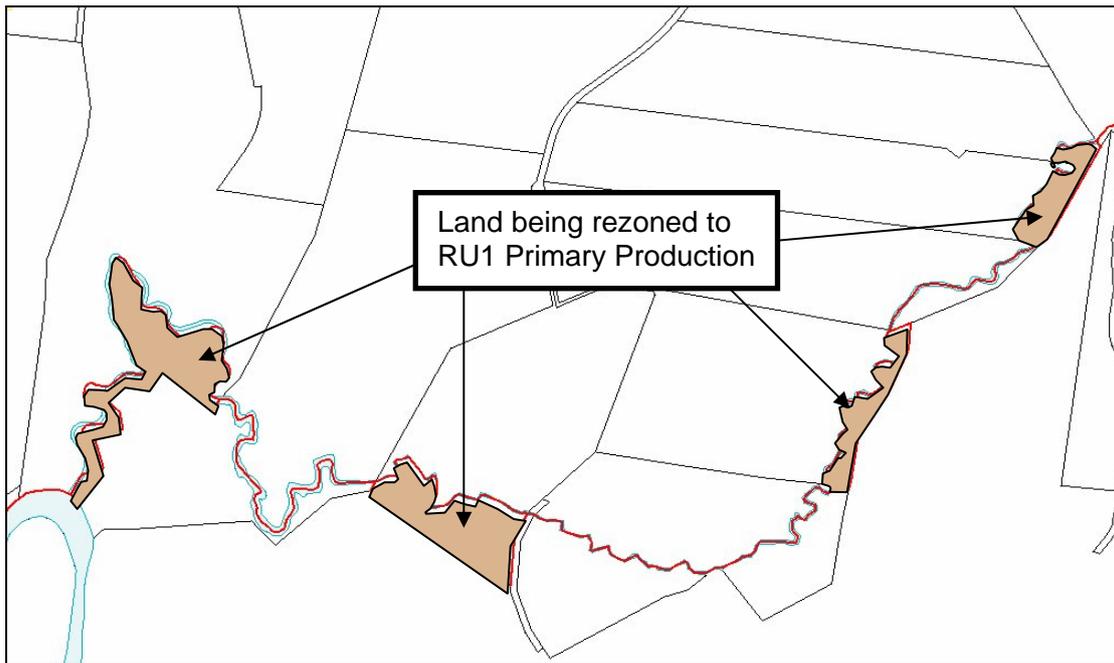


Figure 11 Proposed Zoning Changes

Pontville Close, West Hoxton

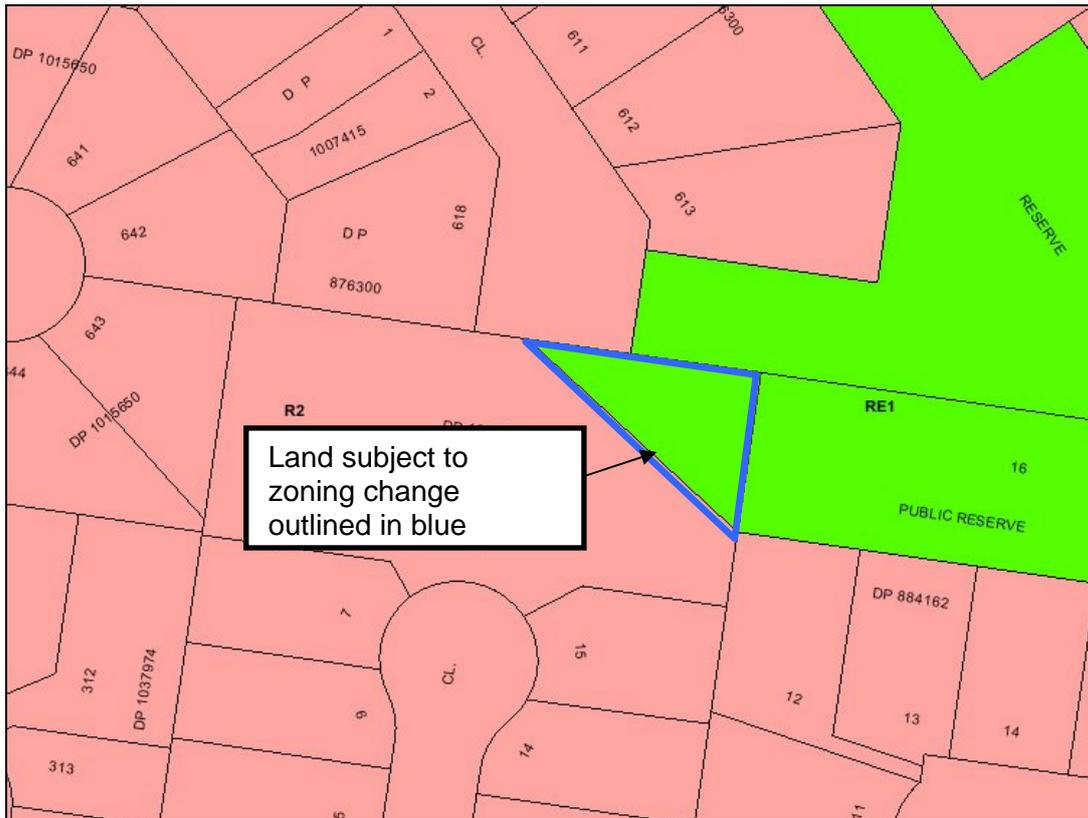


Figure 12 Current Zoning Map

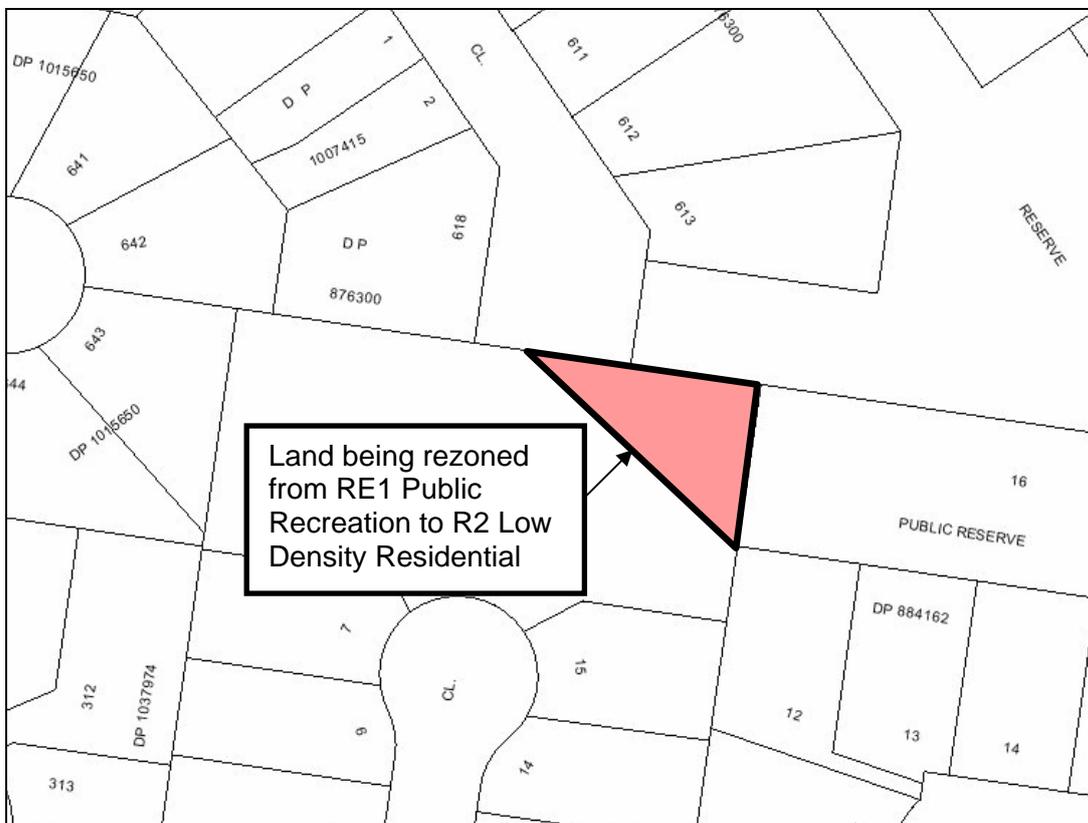


Figure 13 Proposed Zoning Changes

100 Flynn Avenue, Middleton Grange

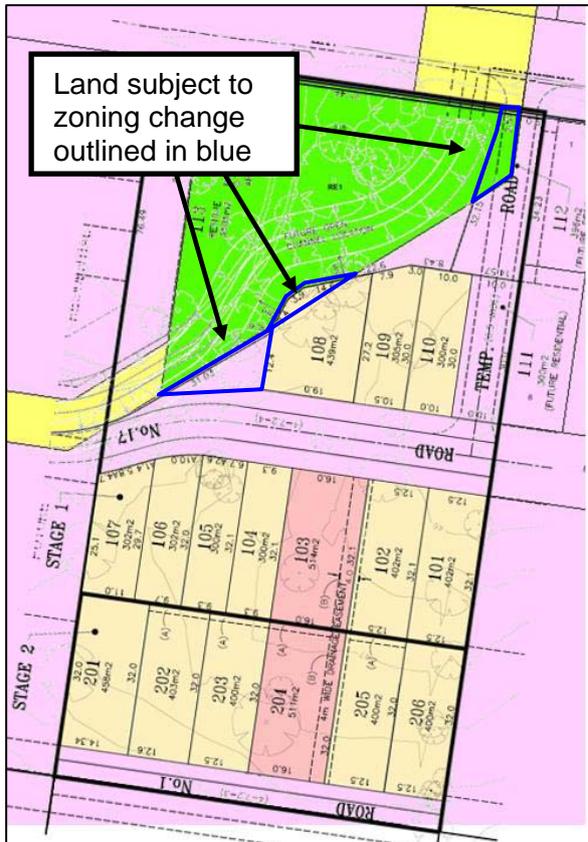


Figure 14 Current Zoning Map

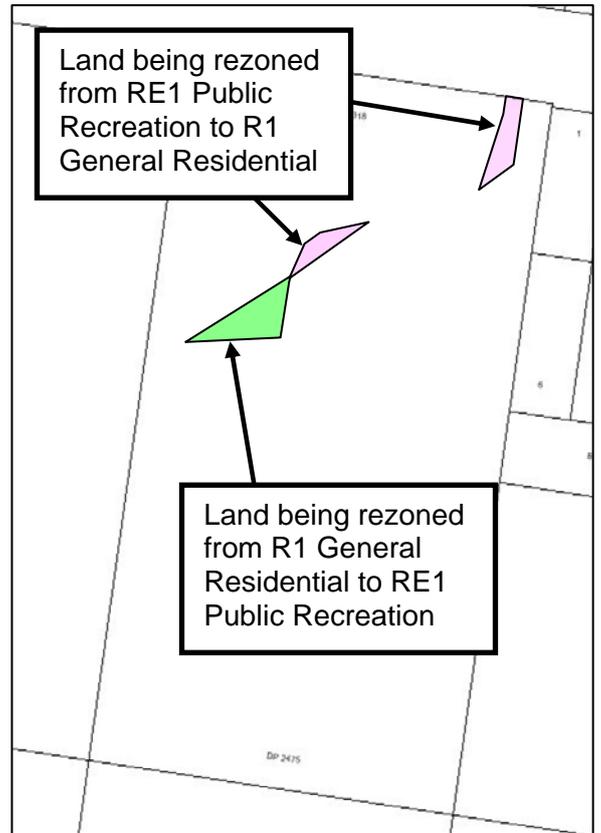


Figure 15 Proposed Zoning Changes

LIVERPOOL CITY COUNCIL**COMMITTEE REPORTS****ORDINARY MEETING****28/11/2012**

ITEM NO:	COMM 01	FILE NO:	2006/0660
SUBJECT:	LIVERPOOL YOUTH COUNCIL ANNUAL REPORT 2011-2012		