

ATTACHMENT 6:

**Comparison to LLEP 2008
Written Instrument**

Table 1: Comparison to LLEP 2008 clauses

Existing LLEP 2008	New LEP & Analysis
Part 1 Preliminary	
<p>1.1 Name of Plan This Plan is <i>Liverpool Local Environmental Plan 2008 (TBC)</i>.</p>	The clause is to be updated to reflect the name of the new Liverpool Local Environmental Plan.
<p>1.1AA Commencement This Plan commences on the day on which it is published on the NSW legislation website. Editorial note— This Plan was published in the Gazette before the insertion of this clause by amendments to the <i>Standard Instrument (Local Environmental Plans) Order 2006</i>.</p>	Compulsory Standard Instrument Clause applies.
<p>1.2 Aims of Plan (1) This Plan aims to make local environmental planning provisions for land in Liverpool in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act. (2) The particular aims of this Plan are as follows— (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts, (a) to encourage a range of housing, employment, recreation and services to meet the needs of existing and future residents of Liverpool, (b) to foster economic, environmental and social well-being so that Liverpool continues to develop as a sustainable and prosperous place to live, work, study and visit, (c) to provide community and recreation facilities, maintain suitable amenity and offer a variety of quality lifestyle opportunities to a diverse population, (d) to strengthen the regional position of the Liverpool city centre as the service and employment centre for Sydney's south west region, (e) to concentrate intensive land uses and trip-generating activities in locations most accessible to public transport and centres, (f) to promote the efficient and equitable provision of public services, infrastructure and amenities, (g) to conserve, protect and enhance the environmental and cultural heritage of Liverpool, (h) to protect, connect, maintain and enhance the natural environment in Liverpool, and promote ecologically sustainable development which takes into account the environmental constraints of the land, (i) to minimise risk to the community in areas subject to environmental hazards, particularly flooding and bush fires, by managing development in sensitive areas, (j) to promote a high standard of urban design that responds appropriately to the desired future character of areas, (k) to improve public access along waterways and vegetated corridors while ensuring the natural environmental values of riparian and bushland corridors and the habitat they provide are protected and enhanced, (l) to improve public transport accessibility, and facilitate the increased use of public transport, cycling and pedestrian activity, (m) to enhance the amenity and positive characteristics of established residential areas, (n) to ensure the agricultural production potential of rural land and prevent its fragmentation, (o) to encourage development opportunities for business and industry so as to deliver local and regional employment growth. (p) <i>To increase green space, canopy cover, and vegetated connectivity across the LGA; and</i> (q) <i>To protect people from unreasonable noise impacts and protect major freight corridors and facilities from urban encroachment.</i></p>	<p>The LEP Aims are to be retained in the new LEP however updated to include the need to protect people from unreasonable noise impacts and protect major freight corridors and facilities from urban encroachment, as requested by TfNSW.</p> <p>Existing aims within the LLEP 2008 were revised in Phase 1 of the LEP Review, following the endorsement of the Liverpool Local Strategic Planning Statement 'Connected Liverpool' 2040.</p>
<p>1.3 Land to which Plan applies This Plan applies to the land identified on the <i>Land Application Map</i>.</p>	There is no change to the Land Application Map under the new LEP.
<p>1.4 Definitions The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.</p>	Compulsory Standard Instrument Clause applies.
<p>1.5 Notes Notes in this Plan are provided for guidance and do not form part of this Plan.</p>	Compulsory Standard Instrument Clause applies.
<p>1.6 Consent authority The consent authority for the purposes of this Plan is (subject to the Act) the Council.</p>	Compulsory Standard Instrument Clause applies.

Existing LLEP 2008	New LEP & Analysis
Part 1 Preliminary	
<p>1.7 Maps</p> <p>(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name—</p> <ul style="list-style-type: none"> (a) approved by the local plan-making authority when the map is adopted, and (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local plan-making authority when the instruments are made. <p>(1AA) (Repealed)</p> <p>(2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.</p> <p>(3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.</p> <p>(4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.</p> <p>Note—The maps adopted by this Plan are to be made available on the NSW Planning Portal. Requirements relating to the maps are set out in the documents <i>entitled Standard technical requirements for LEP maps</i> and <i>Standard requirements for LEP GIS data</i> which are available on the website of the Department of Planning and Environment.</p>	<p>Compulsory Standard Instrument Clause applies.</p> <p>Refer to Part 4 of the Planning Proposal for details regarding mapping.</p>
<p>1.8 Repeal of planning instruments applying to land</p> <p>(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.</p> <p>Note—</p> <p>The following local environmental plans are repealed under this provision—</p> <ul style="list-style-type: none"> (a) <i>Liverpool Local Environmental Plan 1997</i>, (b) <i>Liverpool City Centre Local Environmental Plan 2007</i>. (c) <i>Liverpool Local Environmental Plan 2008</i> <p>(2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies</p>	<p>Compulsory Standard Instrument Clause applies.</p> <p>The clause is to be updated to include the <i>Liverpool Local Environmental Plan 2008</i> as a repealed instrument.</p>
<p>1.8A Savings provisions relating to pending development approvals</p> <p>(1) If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had been exhibited but had not commenced.</p> <p>(2) An amendment made to this Plan by <i>Liverpool Local Environmental Plan 2008 (Amendment No 82)</i> does not apply to a development application made but not finally determined before the commencement of the amendment.</p> <p>(2) <i>Employment Land Reform Savings Provision to continue applying within new LEP.</i></p>	<p>It is anticipated that a savings provision will apply to development applications made but not determined prior to the commencement of the new LEP.</p> <p>Additionally, the two year savings provisions (to 26 April 2025) provided for the Employment Lands Reform will remain.</p>
<p>1.9 Application of SEPPs</p> <p>(1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 3.28 of the Act.</p> <p>(2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies—</p>	<p>Compulsory Standard Instrument Clause applies.</p>
<p>1.9A Suspension of covenants, agreements and instruments</p> <p>(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.</p> <p>(2) This clause does not apply—</p> <ul style="list-style-type: none"> (a) to a covenant imposed by the Council or that the Council requires to be imposed, or (b) to any relevant instrument within the meaning of section 13.4 of the <i>Crown Land Management Act 2016</i>, or (c) to any conservation agreement within the meaning of the <i>National Parks and Wildlife Act 1974</i>, or (d) to any trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i>, or (e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i>, or (f) to any biobanking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act 1995</i>. <p>(3) This clause does not affect the rights or interests of any public authority under any registered instrument.</p> <p>(4) Under section 3.16 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).</p>	<p>It is recommended this non-Standard Instrument Clause continues to apply in the new LEP.</p>

Existing LLEP 2008	New LEP & Analysis				
Part 2 Permitted or prohibited development					
<p>2.1 Land use zones The land use zones under this Plan are as follows—</p> <table border="0"> <tr> <td data-bbox="92 243 445 436"> Residential Zones R1 General Residential R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential R5 Large Lot Residential </td> <td data-bbox="489 243 890 604"> Rural Zones RU1 Primary Production RU2 Rural Landscape RU4 Primary Production Small Lots Employment Zones E1 Local Centre E2 Commercial Centre E3 Productivity Support E4 General Industrial E5 Heavy Industrial </td> <td data-bbox="943 243 1231 569"> Mixed Use Zones MU1 Mixed Use Special Purpose Zones SP1 Special Activities SP2 Infrastructure Recreation Zones RE1 Public Recreation RE2 Private Recreation </td> <td data-bbox="1389 243 1840 470"> Conservation Zones C1 National Parks and Nature Reserves C2 Environmental Conservation C3 Environmental Management Waterway Zones W1 Natural Waterways </td> </tr> </table>	Residential Zones R1 General Residential R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential R5 Large Lot Residential	Rural Zones RU1 Primary Production RU2 Rural Landscape RU4 Primary Production Small Lots Employment Zones E1 Local Centre E2 Commercial Centre E3 Productivity Support E4 General Industrial E5 Heavy Industrial	Mixed Use Zones MU1 Mixed Use Special Purpose Zones SP1 Special Activities SP2 Infrastructure Recreation Zones RE1 Public Recreation RE2 Private Recreation	Conservation Zones C1 National Parks and Nature Reserves C2 Environmental Conservation C3 Environmental Management Waterway Zones W1 Natural Waterways	<p>Compulsory Standard Instrument Clause applies.</p> <p>The new LEP does not introduce additional or remove Land Use Zones.</p>
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<p>2.2 Zoning of land to which Plan applies For the purposes of this Plan, land is within the zones shown on the <i>Land Zoning Map</i>.</p>	<p>Compulsory Standard Instrument Clause applies. Refer to Part 4 of the Planning Proposal for details regarding mapping.</p>				
<p>2.3 Zone objectives and Land Use Table</p> <p>(1) The Land Use Table at the end of this Part specifies for each zone—</p> <ol style="list-style-type: none"> the objectives for development, and development that may be carried out without development consent, and development that may be carried out only with development consent, and development that is prohibited. <p>(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</p> <p>(3) In the Land Use Table at the end of this Part—</p> <ol style="list-style-type: none"> a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone. <p>(4) This clause is subject to the other provisions of this Plan.</p> <p>Notes—</p> <ol style="list-style-type: none"> Schedule 1 sets out additional permitted uses for particular land. Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act. Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). Clause 2.6 requires consent for subdivision of land. Part 5 contains other provisions which require consent for particular development [see clauses 5.7, 5.8 and 5.10]. Part 7 also contains other provisions which require consent for particular development. 	<p>Compulsory Standard Instrument Clause applies.</p>				
<p>2.4 Unzoned land</p> <p>(1) Development may be carried out on unzoned land only with development consent.</p> <p>(2) In deciding whether to grant development consent, the consent authority—</p> <ol style="list-style-type: none"> must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land. 	<p>Compulsory Standard Instrument Clause applies.</p>				
<p>2.5 Additional permitted uses for particular land</p> <p>(1) Development on particular land that is described or referred to in Schedule 1 may be carried out—</p> <ol style="list-style-type: none"> with development consent, or if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development. <p>(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.</p>	<p>Compulsory Standard Instrument Clause applies.</p>				

Existing LLEP 2008	New LEP & Analysis
Part 2 Permitted or prohibited development	
2.6 Subdivision—consent requirements (1) Land to which this Plan applies may be subdivided, but only with development consent. Notes— 1 If a subdivision is specified as exempt development in an applicable environmental planning instrument, such as this Plan or <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> , the Act enables it to be carried out without development consent. 2 Part 6 of <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> provides that the strata subdivision of a building in certain circumstances is complying development . (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the <i>Lot Size Map</i> in relation to that land. Note— The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.	Compulsory Standard Instrument Clause applies.
2.6A, 2.6B—(Repealed)	
2.7 Demolition requires development consent The demolition of a building or work may be carried out only with development consent. Note— If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> , as exempt development, the Act enables it to be carried out without development consent.	Compulsory Standard Instrument Clause applies.
2.8 Temporary use of land (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months. (3) Development consent must not be granted unless the consent authority is satisfied that— (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use. (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause. (5) Subclause (3)(d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).	The Temporary Use of Land is to be retained in the new LEP.
2.9 Canal estate development prohibited (1) Canal estate development is prohibited on land to which this Plan applies. (2) In this Plan, canal estate development means development that involves— (a) a constructed canal, or other waterway or waterbody, that— (i) is inundated by surface water or groundwater movement, or (ii) drains to a waterway or waterbody by surface water or groundwater movement, and (b) the erection of a dwelling, and (c) one or both of the following— (i) the use of fill material to raise the level of all or part of the land on which the dwelling will be erected to comply with requirements for residential development in the flood planning area, (ii) excavation to create a waterway. (3) Canal estate development does not include development for the purposes of drainage or the supply or treatment of water if the development is— (a) carried out by or with the authority of a person or body responsible for the drainage, supply or treatment, and (b) limited to the minimum reasonable size and capacity. (4) In this clause— flood planning area has the same meaning as in clause 5.21.	Compulsory Standard Instrument Clause applies.
Land Use Table	Refer to Land Use Matrix for further assessment.

Existing LLEP 2008	New LEP & Analysis
Part 3 Exempt and complying development	
<p>3.1 Exempt development</p> <p>(1) The objective of this clause is to identify development of minimal environmental impact as exempt development.</p> <p>(2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.</p> <p>(3) To be exempt development, the development—</p> <ul style="list-style-type: none"> (a) must meet the relevant deemed-to-satisfy provisions of the Building Code of Australia or, if there are no such relevant provisions, must be structurally adequate, and (b) must not, if it relates to an existing building, cause the building to contravene the Building Code of Australia, and (c) must not be designated development, and (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. <p>(4) Development that relates to an existing building that is classified under the Building Code of Australia as class 1b or class 2–9 is exempt development only if—</p> <ul style="list-style-type: none"> (a) the building has a current fire safety certificate or fire safety statement, or (b) no fire safety measures are currently implemented, required or proposed for the building. <p>(5) To be exempt development, the development must—</p> <ul style="list-style-type: none"> (a) be installed in accordance with the manufacturer’s specifications, if applicable, and (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval. <p>Note—See <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, Chapter 2 and the <i>Local Land Services Act 2013</i>, Part 5A.</p> <p>(6) A heading to an item in Schedule 2 is part of that Schedule.</p>	<p>Compulsory Standard Instrument Clause applies.</p>
<p>3.2 Complying development</p> <p>(1) The objective of this clause is to identify development as complying development.</p> <p>(2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with—</p> <ul style="list-style-type: none"> (a) the development standards specified in relation to that development, and (b) the requirements of this Part, <p>is complying development.</p> <p>Note—See also clause 5.8(3) which provides that the conversion of fire alarms is complying development in certain circumstances.</p> <p>(3) To be complying development, the development must—</p> <ul style="list-style-type: none"> (a) be permissible, with development consent, in the zone in which it is carried out, and (b) meet the relevant deemed-to-satisfy provisions of the Building Code of Australia, and (c) have an approval, if required by the Local Government Act 1993, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land. <p>(3A) To be complying development, the development must also—</p> <ul style="list-style-type: none"> (a) be consistent with an approved koala plan of management, within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 4 that applies to the land, and (b) not be carried out on land subject to any easement for a public sewer main, and (c) be undertaken in accordance with any relevant Sydney Water requirements that relate to building over sewers, and (d) not require a tree to be removed, and (e) not be carried out on land that has been used for any one or more of the following purposes unless notice of completion of remediation work for the proposed use has been given to the Council in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4— asbestos or asbestos products, extractive industries, intensive livestock agriculture, manufacturing of chemicals, mining, service stations, sheep or cattle dips, waste disposal land fill operations, waste management facilities, and (f) not be carried out on land— <ul style="list-style-type: none"> (i) that is within 40 metres of a waterway, or (ii) that is at or below the flood planning level, or (iii) that is bush fire prone land, or (iv) that is subject to subsidence, slip or erosion, or (v) that is in C2 Environmental Conservation or Zone C3 Environmental Management, or (vi) that is environmentally significant land, or (vii) that is a special area or outer catchment area within the meaning of the Water NSW Act 2014, or (viii) that is within 200 metres of a poultry farm. <p>(4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule.</p> <p>(5) A heading to an item in Schedule 3 is part of that Schedule.</p>	<p>Compulsory Standard Instrument Clause applies.</p>

Existing LLEP 2008	New LEP & Analysis
Part 3 Exempt and complying development	
3.3 Environmentally sensitive areas excluded (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development. (2) For the purposes of this clause— environmentally sensitive area for exempt or complying development means any of the following— (a) the coastal waters of the State, (b) a coastal lake, (c) land within the coastal wetlands and littoral rainforests area (within the meaning of the <i>Coastal Management Act 2016</i>), (d) land reserved as an aquatic reserve under the <i>Fisheries Management Act 1994</i> or as a marine park under the <i>Marine Parks Act 1997</i> , (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention, (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies, (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance, (h) land reserved under the <i>National Parks and Wildlife Act 1974</i> or land acquired under Part 11 of that Act, (i) land reserved or dedicated under the <i>Crown Land Management Act 2016</i> for the preservation of flora, fauna, geological formations or for other environmental protection purposes, (j) land that is a declared area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> or declared critical habitat under Part 7A of the <i>Fisheries Management Act 1994</i> .	Compulsory Standard Instrument Clause applies.

Existing LLEP 2008	New LEP & Analysis												
Part 4 Principal development standards													
4.1 Minimum subdivision lot size (1) The objectives of this clause are as follows— (a) to ensure that lot sizes are consistent with the desired residential density for different locations, (b) to ensure that lot sizes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls, (c) to prevent fragmentation of land which would prevent the achievement of the extent of development and nature of uses envisioned for particular locations, (d) to minimise traffic impacts resulting from any increase in the number of lots on classified roads, (e) to minimise any likely impact of subdivision and development on the amenity of neighbouring properties, (f) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area, (g) to ensure that lot sizes allow buildings to be sited to protect natural or cultural features including heritage items and retain special features such as trees and views. (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan. (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. (4) This clause does not apply in relation to the subdivision of any land— (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or (b) by any kind of subdivision under the Community Land Development Act 2021. (4A) Despite subclause (3), the size of any lot resulting from the subdivision of land shown on the Lot Size Map to be within Area 1, Area 2 or Area 3 for the purposes of— (a) a dual occupancy that was approved before the making of this Plan and that satisfies any conditions of that approval, or (b) multi dwelling housing, or (c) attached dwellings, or (d) semi-detached dwellings, must not be less than the area shown in Column 2 of the Table to this subclause opposite the relevant Area, or if the lot adjoins a rear or side lane that provides vehicular access to the lot, not less than the area shown in Column 3 of the Table opposite the relevant Area.	Optional Standard Instrument Clause is to be retained in the new LEP.												
<table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 33%;">Column 1</th> <th style="text-align: left; width: 33%;">Column 2</th> <th style="text-align: left; width: 33%;">Column 3</th> </tr> </thead> <tbody> <tr> <td>Area 1</td> <td>225m²</td> <td>180m²</td> </tr> <tr> <td>Area 2</td> <td>250m²</td> <td>200m²</td> </tr> <tr> <td>Area 3</td> <td>300m²</td> <td>240m</td> </tr> </tbody> </table>	Column 1	Column 2	Column 3	Area 1	225m ²	180m ²	Area 2	250m ²	200m ²	Area 3	300m ²	240m	
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<p>Part 4 Principal development standards</p> <p>4.1AA Minimum subdivision lot size for community title schemes</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements, (b) to ensure that lot sizes in community title schemes are consistent with the desired residential density for different locations, (c) to ensure that lot sizes in community title schemes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls, (d) to prevent fragmentation of land that would prevent the achievement of the extent of development and nature of uses envisioned for particular locations, (e) to prevent an increased traffic and safety impact as a result of increased lots on classified roads, (f) to minimise any likely impact of subdivision and development on the amenity of neighbouring properties, (g) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area, (h) to ensure that lot sizes in community title schemes allow buildings to be sited to protect natural or cultural features including heritage items and retain special features such as trees and views. <p>(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 2021 of land in any of the following zones—</p> <ul style="list-style-type: none"> (a) a rural zone, (b) a residential zone, (c) an employment zone, (d) a mixed use zone, (e) a special purpose zone, (f) a recreation zone, (g) a conservation zone, (h) a waterway zone, (i)–(y) (Repealed) <p>but does not apply to a subdivision by the registration of a strata plan.</p> <p>(3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the Community Land Development Act 2021) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.</p> <p>(3A) Despite subclause (3), the size of any lot resulting from the subdivision of land shown on the Lot Size Map to be within Area 1, Area 2 or Area 3 for the purposes of—</p> <ul style="list-style-type: none"> (a) a dual occupancy that was approved before the making of this Plan and that satisfies any conditions of that approval, or (b) 2 or more dwellings where each dwelling is attached to another dwelling by a common wall, or (c) 3 or more dwellings, or (d) attached dwellings, or (e) semi-detached dwellings, <p>must not be less than the area shown in Column 2 of the Table to this subclause opposite the relevant Area, or if the lot adjoins a rear or side lane that provides vehicular access to the lot, not less than the area shown in Column 3 of the Table opposite the relevant Area.</p> <table border="1" data-bbox="121 1335 1433 1518"> <thead> <tr> <th>Column 1</th> <th>Column 2</th> <th>Column 3</th> </tr> </thead> <tbody> <tr> <td>Area 1</td> <td>225 square metres</td> <td>180 square metres</td> </tr> <tr> <td>Area 2</td> <td>250 square metres</td> <td>200 square metres</td> </tr> <tr> <td>Area 3</td> <td>300 square metres</td> <td>240 square metres</td> </tr> </tbody> </table> <p>(4) This clause applies despite clause 4.1.</p>	Column 1	Column 2	Column 3	Area 1	225 square metres	180 square metres	Area 2	250 square metres	200 square metres	Area 3	300 square metres	240 square metres	<p>Optional Standard Instrument Clause is to be retained in the new LEP.</p>
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Area 2	250 square metres	200 square metres											
Area 3	300 square metres	240 square metres											
<p>4.1A Strata subdivisions in certain rural and conservation zones</p> <p>(1) The objective of this clause is to ensure that land to which this clause applies is not fragmented by subdivision that would create additional dwelling entitlements.</p> <p>(2) This clause applies to land in the following zones that is used, or proposed to be used, for residential accommodation or tourist and visitor accommodation—</p> <ul style="list-style-type: none"> (a) a rural zone, (b) a conservation zone. (c)–(f) (Repealed) <p>(3) Development consent must not be granted for the subdivision of a lot to which this clause applies under a strata plan that would create lots below the minimum size shown on the <i>Lot Size Map</i> for that land.</p>	<p>The Strata Subdivision in Certain Zones clause is to be retained in the new LEP.</p>												

Existing LLEP 2008	New LEP & Analysis
Part 4 Principal development standards	
<p>4.2 Rural subdivision</p> <p>(1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.</p> <p>(2) This clause applies to the following rural zones—</p> <ul style="list-style-type: none"> (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (baa) Zone RU3 Forestry, (c) Zone RU4 Primary Production Small Lots, (d) Zone RU6 Transition. <p>Note— When this Plan was made it did not include all of these zones.</p> <p>(3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.</p> <p>(4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.</p> <p>(5) A dwelling cannot be erected on such a lot.</p> <p>Note— A dwelling includes a rural worker’s dwelling (see definition of that term in the Dictionary).</p>	<p>Optional Standard Instrument Clause is to be retained in the new LEP.</p>
<p>4.2A Boundary changes between lots in certain rural, residential and conservation zones</p> <p>(1) The objective of this clause is to permit the boundary between 2 lots to be altered in certain circumstances, to give landowners a greater opportunity to achieve the objectives of a zone.</p> <p>(2) This clause applies to land in any of the following zones—</p> <ul style="list-style-type: none"> (a) a rural zone, (b) Zone R5 Large Lot Residential, (c) a conservation zone. (d)–(g)–(Repealed) <p>(3) Despite clause 4.1(3), development consent may be granted to the subdivision of 2 adjoining lots, being land to which this clause applies, if the subdivision will not result in either of the following—</p> <ul style="list-style-type: none"> (a) an increase in the number of lots, (b) an increase in the number of dwellings on, or dwellings that may be erected on, any of the lots. <p>(4) Before determining a development application for the subdivision of land under this clause, the consent authority must consider the following—</p> <ul style="list-style-type: none"> (a) the existing uses and approved uses of other land in the vicinity of the subdivision, (b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development, (c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b), (d) whether or not the subdivision is likely to be incompatible with a use on land in any adjoining zone, (e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d), (f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land, (g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land. <p>(5) This clause does not apply—</p> <ul style="list-style-type: none"> (a) in relation to the subdivision of individual lots in a strata plan or community title scheme, or (b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1. 	<p>The Boundary Changes clause is to be retained in the new LEP.</p>
<p>4.3 Height of buildings</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved, (b) to permit building heights that encourage high quality urban form, (c) to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight, (d) to nominate heights that will provide an appropriate transition in built form and land use intensity. <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the <i>Height of Buildings Map</i>.</p> <p>Note—Clauses 5.6, 7.2 and 7.5 provide for circumstances under which a building in the Liverpool city centre may exceed the maximum height shown for the land on the <i>Height of Buildings Map</i>.</p>	<p>The Height of Buildings clause is to be retained in the new LEP.</p>

Existing LLEP 2008	New LEP & Analysis																																										
<p>Part 4 Principal development standards</p> <p>4.4 Floor space ratio</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to establish standards for the maximum development density and intensity of land use, taking into account the availability of infrastructure and the generation of vehicle and pedestrian traffic, (b) to control building density and bulk in relation to the site area in order to achieve the desired future character for different locations, (c) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain, (d) to maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing, and are not likely to undergo, a substantial transformation, (e) to provide an appropriate correlation between the size of a site and the extent of any development on that site, (f) to facilitate design excellence in the Liverpool city centre by ensuring the extent of floor space in building envelopes leaves generous space for the articulation and modulation of design. <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the <i>Floor Space Ratio Map</i>.</p> <p>(2A) Despite subclause (2)—</p> <ul style="list-style-type: none"> (a) a 3 storey building containing dwellings, or (b) a building used for the purposes of an attached dwelling, multi dwelling housing, semi-detached dwellings, a secondary dwelling or 2 or more dwellings where each dwelling is attached to another dwelling by a common wall, that is on land shown to be within Area 2 or Area 3 on the <i>Floor Space Ratio Map</i>, may have a maximum floor space ratio of— (c) up to 0.05:1 greater than that shown on the Map, or (d) if the building is on a lot that adjoins a rear or side lane that provides vehicular access to the lot, up to 0.1:1 greater than that shown on the Map. <p>(2B) Despite subclause (2), the maximum floor space ratio of a building in the Liverpool city centre that is—</p> <ul style="list-style-type: none"> (a) on a site area greater than 1,000 square metres, and (b) on land in a zone specified in the Table to this clause, and (c) on land for which the maximum building height shown on the <i>Height of Buildings Map</i> is as specified in Column 1 of the Table under the heading for that zone, is the amount specified opposite that height in— (d) Column 2 of the Table, if the site area for the building is greater than 1,000 square metres but less than 2,500 square metres, or (e) Column 3 of the Table, if the site area for the development is equal to, or greater than 2,500 square metres. <p>(2C) For the purposes of Column 2 of the Table to this clause, X is to be calculated in accordance with the following formula—</p> <table border="1" data-bbox="172 1066 1409 1770"> <thead> <tr> <th>Column 1</th> <th>Column 2</th> <th>Column 3</th> </tr> </thead> <tbody> <tr> <td colspan="3">Zone E2 Commercial Centre</td> </tr> <tr> <td>35m</td> <td>(4 + X):1</td> <td>5:1</td> </tr> <tr> <td>100m</td> <td>(5 + 3X):1</td> <td>8:1</td> </tr> <tr> <td colspan="3">Zone E1 Local Centre, MU1 Mixed Use, SP1 Special Activities or SP2 Infrastructure</td> </tr> <tr> <td>18m</td> <td>(1.5 + 0.5X):1</td> <td>2:1</td> </tr> <tr> <td>35m</td> <td>(2.5 + X):1</td> <td>3.5:1</td> </tr> <tr> <td>45m</td> <td>(2.5 + 1.5X):1</td> <td>4:1</td> </tr> <tr> <td>80m</td> <td>(2.5 + 3.5X):1</td> <td>6:1</td> </tr> <tr> <td colspan="3">Zone R4 High Density Residential</td> </tr> <tr> <td>18m</td> <td>(1 + X):1</td> <td>2:1</td> </tr> <tr> <td>24m</td> <td>(1.5 + X):1</td> <td>2.5:1</td> </tr> <tr> <td>35m</td> <td>(2 + X):1</td> <td>3:1</td> </tr> <tr> <td>45m</td> <td>(2 + 1.5X):1</td> <td>3.5:1</td> </tr> </tbody> </table>	Column 1	Column 2	Column 3	Zone E2 Commercial Centre			35m	(4 + X):1	5:1	100m	(5 + 3X):1	8:1	Zone E1 Local Centre, MU1 Mixed Use, SP1 Special Activities or SP2 Infrastructure			18m	(1.5 + 0.5X):1	2:1	35m	(2.5 + X):1	3.5:1	45m	(2.5 + 1.5X):1	4:1	80m	(2.5 + 3.5X):1	6:1	Zone R4 High Density Residential			18m	(1 + X):1	2:1	24m	(1.5 + X):1	2.5:1	35m	(2 + X):1	3:1	45m	(2 + 1.5X):1	3.5:1	<p>The Floor Space Ratio clause is to be retained in the new LEP.</p>
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Existing LLEP 2008	New LEP & Analysis
<p>Part 4 Principal development standards</p> <p>4.5 Calculation of floor space ratio and site area</p> <p>(1) Objectives The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to define floor space ratio, (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to— <ul style="list-style-type: none"> (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and (iii) require community land and public places to be dealt with separately. <p>(2) Definition of “floor space ratio” The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.</p> <p>(3) Site area In determining the site area of proposed development for the purpose of applying a floor space ratio, the site area is taken to be—</p> <ul style="list-style-type: none"> (a) if the proposed development is to be carried out on only one lot, the area of that lot, or (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out. <p>In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.</p> <p>(4) Exclusions from site area The following land must be excluded from the site area—</p> <ul style="list-style-type: none"> (a) land on which the proposed development is prohibited, whether under this Plan or any other law, (b) community land or a public place (except as provided by subclause (7)). <p>(5) Strata subdivisions The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.</p> <p>(6) Only significant development to be included The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.</p> <p>(7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.</p> <p>(8) Existing buildings The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.</p> <p>(9) Covenants to prevent “double dipping” When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.</p> <p>(10) Covenants affect consolidated sites If—</p> <ul style="list-style-type: none"> (a) a covenant of the kind referred to in subclause (9) applies to any land (affected land), and (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, <p>the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.</p> <p>(11) Definition In this clause, public place has the same meaning as it has in the Local Government Act 1993.</p>	<p>Optional Standard Instrument Clause is to be retained in the new LEP.</p>

Existing LLEP 2008	New LEP & Analysis
Part 4 Principal development standards	
<p>4.6 Exceptions to development standards</p> <p>(1) The objectives of this clause are as follows—</p> <p>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,</p> <p>(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p> <p>(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p> <p>(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>(4) Development consent must not be granted for development that contravenes a development standard unless—</p> <p>(a) the consent authority is satisfied that—</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</p> <p>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p> <p>(b) the concurrence of the Planning Secretary has been obtained.</p> <p>(5) In deciding whether to grant concurrence, the Planning Secretary must consider—</p> <p>(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and</p> <p>(b) the public benefit of maintaining the development standard, and</p> <p>(c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.</p> <p>(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—</p> <p>(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or</p> <p>(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.</p> <p>Note—</p> <p>When this Plan was made it did not include all of these zones.</p> <p>(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).</p> <p>(8) This clause does not allow development consent to be granted for development that would contravene any of the following—</p> <p>(a) a development standard for complying development,</p> <p>(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,</p> <p>(c) clause 5.4,</p> <p>(caa) clause 5.5,</p> <p>(ca) clause 6.4, 6.5, 6.6, 7.5A, 7.22, 7.23, 7.24, 7.25, 7.26, 7.26A, 7.27, 7.28, 7.29 or 7.30.</p>	<p>Compulsory Standard Instrument Clause applies with additional exclusions for to specific clauses. Exclusions in the LLEP 2008 development standards are to be carried over, unless the clause is proposed to be removed / is repealed.</p> <ul style="list-style-type: none"> - Clause 6.5 Public utility infrastructure - Clause 6.6 Development control plan - Clause 7.22 Development in Zone E3 - Clause 7.23 Specialised retail premises and retail premises in Zone E3 - Clause 7.24 Dual occupancies in Zones RU1, RU2 and RU4 - Clause 7.25 Food and drink premises and shops in certain land in Zone E1 - Clause 7.26 Restaurants, take away food and drink premises, centre-based child care facilities and hotel or motel accommodation in Zone E4 - Clause 7.27 Development of certain land at Moorebank <p>It is proposed 4.6 does not apply to 7.5A(1) to allow for flexibility in its application.</p>

Existing LLEP 2008	New LEP & Analysis																						
<p>Part 5 Miscellaneous provisions</p> <p>5.1 Relevant acquisition authority</p> <p>(1) The objective of this clause is to identify, for the purposes of section 3.15 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions)</i>.</p> <p>Note—If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> requires the authority to acquire the land.</p> <p>(2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).</p> <table border="1" data-bbox="121 472 1822 1020"> <thead> <tr> <th>Type of land shown on Map</th> <th>Authority of the State</th> </tr> </thead> <tbody> <tr> <td>Zone E1 Local Centre and marked “Community facilities”</td> <td>Council</td> </tr> <tr> <td>Zone RE1 Public Recreation and marked “Local open space”</td> <td>Council</td> </tr> <tr> <td>Zone RE1 Public Recreation and marked “Regional open space”</td> <td>The corporation constituted under section 2.5 of the Act</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked “Classified road”</td> <td>Transport for NSW</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked “Educational establishment”</td> <td>Department of Education and Training</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked “Local road”</td> <td>Council</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked “Drainage”</td> <td>Council</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked “Railway”</td> <td>The corporation constituted under section 8 of the Act</td> </tr> <tr> <td>Zone C1 National Parks and Nature Reserves and marked “National Park”</td> <td>Minister administering the <i>National Parks and Wildlife Act 1974</i></td> </tr> <tr> <td>Zone C2 Environmental Conservation and marked “Local open space”</td> <td>Council</td> </tr> </tbody> </table> <p>(3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.</p> <p>Note—If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning is required to take action to enable the designation of the acquiring authority under this Part. Pending the designation of the acquiring authority for that land, the acquiring authority is to be the authority determined by order of the Minister for Planning (see section 21 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>).</p>	Type of land shown on Map	Authority of the State	Zone E1 Local Centre and marked “Community facilities”	Council	Zone RE1 Public Recreation and marked “Local open space”	Council	Zone RE1 Public Recreation and marked “Regional open space”	The corporation constituted under section 2.5 of the Act	Zone SP2 Infrastructure and marked “Classified road”	Transport for NSW	Zone SP2 Infrastructure and marked “Educational establishment”	Department of Education and Training	Zone SP2 Infrastructure and marked “Local road”	Council	Zone SP2 Infrastructure and marked “Drainage”	Council	Zone SP2 Infrastructure and marked “Railway”	The corporation constituted under section 8 of the Act	Zone C1 National Parks and Nature Reserves and marked “National Park”	Minister administering the <i>National Parks and Wildlife Act 1974</i>	Zone C2 Environmental Conservation and marked “Local open space”	Council	<p>Compulsory Standard Instrument Clause applies.</p> <p>Refer to Land Acquisition Maps in Part 4 of the Planning Proposal.</p>
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<p>5.1A Development on land intended to be acquired for a public purpose</p> <p>(1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.</p> <p>(2) This clause applies to land shown on the Land Reservation Acquisition Map and specified in Column 1 of the Table to this clause and that has not been acquired by the authority of the State specified opposite that land in Column 2 of the Table.</p> <p>(3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 3 of the Table to this clause.</p> <table border="1" data-bbox="121 1417 1926 1661"> <thead> <tr> <th>Column 1</th> <th>Column 2</th> <th>Column 3</th> </tr> <tr> <th>Land</th> <th>Authority</th> <th>Development</th> </tr> </thead> <tbody> <tr> <td>Zone RE1 Public Recreation and marked “Local open space”</td> <td>Council</td> <td>Earthworks; Recreation areas</td> </tr> <tr> <td>Zone RE1 Public Recreation and marked “Regional open space”</td> <td>The corporation constituted under section 2.5 of the Act</td> <td>Earthworks; Recreation areas</td> </tr> <tr> <td>Zone E1 Local Centre and marked “Community facilities”</td> <td>Council</td> <td>Earthworks; Community facilities</td> </tr> </tbody> </table>	Column 1	Column 2	Column 3	Land	Authority	Development	Zone RE1 Public Recreation and marked “Local open space”	Council	Earthworks; Recreation areas	Zone RE1 Public Recreation and marked “Regional open space”	The corporation constituted under section 2.5 of the Act	Earthworks; Recreation areas	Zone E1 Local Centre and marked “Community facilities”	Council	Earthworks; Community facilities	<p>The Public Purpose Acquisition clause is to be retained in the new LEP.</p>							
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Existing LLEP 2008	New LEP & Analysis
<p>Part 5 Miscellaneous provisions</p> <p>5.2 Classification and reclassification of public land</p> <p>(1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the <i>Local Government Act 1993</i>.</p> <p>Note—Under the <i>Local Government Act 1993</i>, “public land” is generally land vested in or under the control of a council (other than roads and certain Crown land). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the <i>Local Government Act 1993</i>. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.</p> <p>(2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993.</p> <p>(3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993.</p> <p>(4) The public land described in Part 1 of Schedule 4—</p> <ul style="list-style-type: none"> (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land. <p>(5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except—</p> <ul style="list-style-type: none"> (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and (b) any reservations that except land out of the Crown grant relating to the land, and (c) reservations of minerals (within the meaning of the <i>Crown Land Management Act 2016</i>). <p>Note—In accordance with section 30(2) of the <i>Local Government Act 1993</i>, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.</p>	<p>Compulsory Standard Instrument Clause applies</p>
<p>5.3 Development Near Zone Boundaries</p> <p>(1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.</p> <p>(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 10 metres from any zone boundary shared with Zone E5 Heavy Industrial and 25 metres from any other zone boundary.</p> <p>(3) This clause does not apply to—</p> <ul style="list-style-type: none"> (a) land in Zone RE1 Public Recreation, Zone C1 National Parks and Nature Reserves, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone W1 Natural Waterways, or (b) land within the coastal zone, or (c) land proposed to be developed for the purpose of sex services or restricted premises. <p>(4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that—</p> <ul style="list-style-type: none"> (a) the development is not inconsistent with the objectives for development in both zones, and (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land. <p>(5) This clause does not prescribe a development standard that may be varied under this Plan.</p>	<p>Optional Standard Instrument Clause is to be retained in the new LEP.</p>

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<p>5.4 Controls relating to miscellaneous permissible uses</p> <p>(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 4 bedrooms.</p> <p>Note—Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.</p> <p>(2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.</p> <p>(3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.</p> <p>(4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed—</p> <ul style="list-style-type: none"> (a) 43% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, <p>whichever is the lesser.</p> <p>(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms in buildings.</p> <p>(6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 30 square metres.</p> <p>(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 100 square metres.</p> <p>(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.</p> <p>(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 20 square metres.</p> <p>(9) Secondary dwellings on land other than land in a rural zone If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—</p> <ul style="list-style-type: none"> (a) 60 square metres, (b) 25% of the total floor area of the principal dwelling. <p>(10) Artisan food and drink industry exclusion If development for the purposes of an artisan food and drink industry is permitted under this Plan in Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial, Zone W4 Working Waterfront or a rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed—</p> <ul style="list-style-type: none"> (a) 43% of the gross floor area of the industry, or (b) 400 square metres, <p>whichever is the lesser.</p>	<p>Compulsory Standard Instrument Clause applies. The development standards listed under LLEP 2008 are proposed to be retained in the new LEP.</p>
<p>5.5 Controls relating to secondary dwellings on land in a rural zone</p> <p>If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone—</p> <ul style="list-style-type: none"> (a) the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater— <ul style="list-style-type: none"> (i) 60 square metres, (ii) 25% of the total floor area of the principal dwelling, and (b) [Not adopted] 	<p>Optional Standard Instrument Clause is to be retained in the new LEP.</p>
<p>5.6 Architectural roof features</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to permit variations to maximum building height standards for roof features of visual interest, and (b) to ensure that roof features are decorative elements and that the majority of the roof is contained within the maximum building height standard. <p>(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.</p> <p>(3) Development consent must not be granted to any such development unless the consent authority is satisfied that—</p> <ul style="list-style-type: none"> (a) the architectural roof feature— <ul style="list-style-type: none"> (i) comprises a decorative element on the uppermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature. 	<p>Optional Standard Instrument Clause is to be in within the new LEP.</p>

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5.7 Development below mean high water mark (1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters. (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).	Compulsory Standard Instrument Clause applies.
5.8 Conversion of fire alarms (1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider. (2) The following development may be carried out, but only with development consent— (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider, (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider, (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider. (3) Development to which subclause (2) applies is complying development if it consists only of— (a) internal alterations to a building, or (b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm. (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday. (5) In this clause— private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.	Compulsory Standard Instrument Clause applies.
5.9 Dwelling house or secondary dwelling affected by natural disaster (1) The objective of this clause is to enable the repair or replacement of lawfully erected dwelling houses and secondary dwellings that have been damaged or destroyed by a natural disaster. (2) This clause applies to land in the following zones— (a) a rural zone, (b) a residential zone, (c) Zone C2 Environmental Conservation, (d) Zone C3 Environmental Management. (e)–(j) (Repealed) (3) Despite the other provisions of this Plan, development consent may be granted to development on land to which this clause applies to enable a dwelling house or secondary dwelling that has been damaged or destroyed by a natural disaster to be repaired or replaced if— (a) the dwelling house or secondary dwelling was lawfully erected, and (b) the development application seeking the development consent is made to the consent authority no later than 5 years after the day on which the natural disaster caused the damage or destruction.	Optional Standard Instrument Clause is to be retained in the new LEP.
5.9AA (Repealed)	
5.10 Heritage conservation Note —Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5. (1) Objectives The objectives of this clause are as follows— (a) to conserve the environmental heritage of Liverpool, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. (2) Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area,	Compulsory Standard Instrument Clause applies.

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<p>Part 5 Miscellaneous provisions</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p> <p>(3) When consent not required However, development consent under this clause is not required if—</p> <p>(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—</p> <p>(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and</p> <p>(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development—</p> <p>(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and</p> <p>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or</p> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p> <p>(4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p> <p>(5) Heritage assessment The consent authority may, before granting consent to any development—</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p> <p>(6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p> <p>(7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)—</p> <p>(a) notify the Heritage Council of its intention to grant consent, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p> <p>(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—</p> <p>(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and</p> <p>(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.</p> <p>(9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p> <p>(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—</p> <p>(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</p> <p>(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</p> <p>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</p>	

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(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.	
5.11 Bush fire hazard reduction Bush fire hazard reduction work authorised by the <i>Rural Fires Act 1997</i> may be carried out on any land without development consent. Note —The Rural Fires Act 1997 also makes provision relating to the carrying out of development on bush fire prone land.	Compulsory Standard Instrument Clause applies.
5.12 Infrastructure development and use of existing buildings of the Crown (1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , Chapter 2. (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.	Compulsory Standard Instrument Clause applies.
5.13 Eco-tourist facilities [Not applicable]	Non-Applicable Standard Instrument Clause, as Eco-tourist facilities are not permitted in any zones.
5.14 Siding Spring Observatory—maintaining dark sky [Not adopted]	Non-Applicable Standard Instrument Clause, as the LEP does not apply to land where this clause applies.
5.15 Defence communications facility [Not adopted]	Non-Applicable Standard Instrument Clause, as the LEP does not apply to land where this clause applies.
5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones (1) The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses). (2) This clause applies to land in the following zones— (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (c) Zone RU3 Forestry, (d) Zone RU4 Primary Production Small Lots, (e) Zone RU6 Transition, (f) Zone R5 Large Lot Residential, (g) Zone C2 Environmental Conservation, (h) Zone C3 Environmental Management, (i) Zone C4 Environmental Living. (3) A consent authority must take into account the matters specified in subclause (4) in determining whether to grant development consent to development on land to which this clause applies for either of the following purposes— (a) subdivision of land proposed to be used for the purposes of a dwelling, (b) erection of a dwelling. (4) The following matters are to be taken into account— (a) the existing uses and approved uses of land in the vicinity of the development, (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development, (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b), (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).	Compulsory Standard Instrument Clause applies.
5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations [Not applicable]	Non-Applicable Standard Instrument Clause, as the LEP does not apply to land where this clause applies.

Existing LLEP 2008	New LEP & Analysis
<p>Part 5 Miscellaneous provisions</p> <p>5.18 Intensive livestock agriculture</p> <p>(1) The objectives of this clause are—</p> <ul style="list-style-type: none"> (a) to ensure appropriate environmental assessment of development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and (b) to provide for certain capacity thresholds below which development consent is not required for that development subject to certain restrictions as to location. <p>(2) This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent under this Plan.</p> <p>(3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration—</p> <ul style="list-style-type: none"> (a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application, (b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site, (c) the potential for the pollution of surface water and ground water, (d) the potential for the degradation of soils, (e) the measures proposed to mitigate any potential adverse impacts, (f) the suitability of the site in the circumstances, (g) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals, (h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary. <p>(4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if—</p> <ul style="list-style-type: none"> (a) the development is of a type specified in subclause (5), and (b) the consent authority is satisfied that the development will not be located— <ul style="list-style-type: none"> (i) in an environmentally sensitive area, or (ii) within 100 metres of a natural watercourse, or (iii) in a drinking water catchment, or (iv) within 500 metres of any dwelling that is not associated with the development, or a residential zone, or (v) for a poultry farm used for breeding poultry—within 5km of another poultry farm, or (vi) for a poultry farm not used for breeding poultry— <ul style="list-style-type: none"> (A) within 5km of a poultry farm used for breeding poultry, or (B) within 1km of a poultry farm not used for breeding poultry, or (vii) for a pig farm—within 3km of another pig farm. <p>(5) The following types of development are specified for the purposes of subclause (4)—</p> <ul style="list-style-type: none"> (a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle, (b) a goat feedlot having a capacity to accommodate fewer than 200 goats, (c) a sheep feedlot having a capacity to accommodate fewer than 200 sheep, (d) a pig farm having a capacity to accommodate fewer than 20 breeding sows, or fewer than 200 pigs (of which fewer than 20 may be breeding sows), (e) a dairy (restricted) having a capacity to accommodate fewer than 50 dairy cows, (f) a poultry farm having a capacity to accommodate fewer than 1,000 birds for meat or egg production (or both). <p>(6) For the avoidance of doubt, subclause (4) does not apply to development that is prohibited or that may be carried out without development consent under this or any other environmental planning instrument.</p> <p>(7) In this clause—</p> <p>environmentally sensitive area has the same meaning as in clause 1.5 of <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p> <p>residential zone means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone E3 Productivity Support, Zone MU1 Mixed Use, Zone C3 Environmental Management or Zone C4 Environmental Living.</p>	<p>Compulsory Standard Instrument Clause applies.</p>

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<p>Part 5 Miscellaneous provisions</p> <p>5.19 Pond-based, tank-based and oyster aquaculture</p> <p>(1) Objectives The objectives of this clause are as follows—</p> <p>(a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced,</p> <p>(b) to set out the minimum site location and operational requirements for permissible pond-based and tank-based aquaculture development.</p> <p>(2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following—</p> <p>(a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development,</p> <p>(b) in the case of—</p> <p>(i) pond-based aquaculture in Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone E1 Local Centre, Zone E2 Commercial Centre, Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial or Zone MU1 Mixed Use—that the development is for the purpose of small scale aquarium fish production, and</p> <p>(ii) pond-based aquaculture in Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of extensive aquaculture, and</p> <p>(iii) tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone C3 Environmental Management or Zone C4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and</p> <p>(iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water.</p> <p>(3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent.</p> <p>(4) Extensive pond-based aquaculture permitted without consent in certain zones Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if—</p> <p>(a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and</p> <p>(b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6.</p> <p>(5) Oyster aquaculture—additional matters that consent authority must consider in determining a development application In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider—</p> <p>(a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and</p> <p>(b) the NSW Oyster Industry Sustainable Aquaculture Strategy.</p> <p>(6) Oyster aquaculture permitted without consent in priority oyster aquaculture areas Development for the purpose of oyster aquaculture may be carried out without development consent—</p> <p>(a) on land that is wholly within a priority oyster aquaculture area, or</p> <p>(b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area.</p> <p>(7) Definitions In this clause—</p> <p>aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the <i>Fisheries Management Act 1994</i>.</p> <p>extensive aquaculture has the same meaning as in the <i>Fisheries Management (Aquaculture) Regulation 2017</i>.</p> <p>NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the Department of Primary Industries (within the Department of Industry).</p> <p>priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i>, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.</p>	<p>Compulsory Standard Instrument Clause applies.</p>

Existing LLEP 2008	New LEP & Analysis
<p>Part 5 Miscellaneous provisions</p> <p>5.20 Standards that cannot be used to refuse consent—playing and performing music</p> <p>(1) The consent authority must not refuse consent to development in relation to licensed premises on the following grounds—</p> <ul style="list-style-type: none"> (a) the playing or performance of music, including the following— <ul style="list-style-type: none"> (i) the genre of music played or performed, or (ii) whether the music played or performed is live or amplified, or (iii) whether the music played or performed is original music, or (iv) the number of musicians or live entertainment acts playing or performing, or (v) the type of instruments played, (b) whether dancing occurs, (c) the presence or use of a dance floor or another area ordinarily used for dancing, (d) the direction in which a stage for players or performers faces, (e) the decorations to be used, including, for example, mirror balls, or lighting used by players or performers. <p>(2) The consent authority must not refuse consent to development in relation to licensed premises on the grounds of noise caused by the playing or performance of music, if the consent authority is satisfied the noise may be managed and minimised to an acceptable level.</p> <p>(3) In this clause—licensed premises has the same meaning as in the <i>Liquor Act 2007</i>.</p>	<p>Compulsory Standard Instrument Clause applies.</p>
<p>5.21 Flood planning</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change, (c) to avoid adverse or cumulative impacts on flood behaviour and the environment, (d) to enable the safe occupation and efficient evacuation of people in the event of a flood. <p>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</p> <ul style="list-style-type: none"> (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses. <p>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</p> <ul style="list-style-type: none"> (a) the impact of the development on projected changes to flood behaviour as a result of climate change, (b) the intended design and scale of buildings resulting from the development, (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood, (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion. <p>(4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.</p> <p>(5) In this clause—</p> <p>Considering Flooding in Land Use Planning Guideline means the Considering Flooding in Land Use Planning Guideline published on the Department’s website on 14 July 2021.</p> <p>flood planning area has the same meaning as it has in the Floodplain Development Manual.</p> <p>Floodplain Development Manual means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.</p>	<p>Compulsory Standard Instrument Clause applies.</p>

Existing LLEP 2008	New LEP & Analysis
<p>Part 5 Miscellaneous provisions</p> <p>5.22 Special flood considerations</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to enable the safe occupation and evacuation of people subject to flooding, (b) to ensure development on land is compatible with the land's flood behaviour in the event of a flood, (c) to avoid adverse or cumulative impacts on flood behaviour, (d) to protect the operational capacity of emergency response facilities and critical infrastructure during flood events, (e) to avoid adverse effects of hazardous development on the environment during flood events. <p>(2) This clause applies to—</p> <ul style="list-style-type: none"> (a) for sensitive and hazardous development—land between the flood planning area and the probable maximum flood, and (b) for development that is not sensitive and hazardous development—land the consent authority considers to be land that, in the event of a flood, may— <ul style="list-style-type: none"> (i) cause a particular risk to life, and (ii) require the evacuation of people or other safety considerations. <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered whether the development—</p> <ul style="list-style-type: none"> (a) will affect the safe occupation and efficient evacuation of people in the event of a flood, and (b) incorporates appropriate measures to manage risk to life in the event of a flood, and (c) will adversely affect the environment in the event of a flood. <p>(4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.</p> <p>(5) In this clause—</p> <p>Considering Flooding in Land Use Planning Guideline—see clause 5.21(5).</p> <p>flood planning area—see clause 5.21(5).</p> <p>Flood Risk Management Manual—see clause 5.21(5).</p> <p>probable maximum flood has the same meaning as in the Flood Risk Management Manual.</p> <p>sensitive and hazardous development means development for the following purposes—</p> <ul style="list-style-type: none"> (a) boarding houses, (b) caravan parks, (c) correctional centres, (d) early education and care facilities, (e) eco-tourist facilities, (f) educational establishments, (g) emergency services facilities, (h) group homes, (i) hazardous industries, (j) hazardous storage establishments, (k) hospitals, (l) hostels, (m) information and education facilities, (n) respite day care centres, (o) seniors housing, (p) sewerage systems, (q) tourist and visitor accommodation, (r) water supply systems. 	<p>Optional Standard Instrument Clause is to be retained in the new LEP.</p>

Existing LLEP 2008	New LEP & Analysis
<p>Part 5 Miscellaneous provisions</p> <p>5.23 Public bushland</p> <p>(1) The objective of this clause is to protect and ensure the ecological viability of bushland, including rehabilitated areas in urban areas, by—</p> <ul style="list-style-type: none"> (a) preserving biodiversity, habitat corridors and links between public bushland and other nearby bushland, and (b) preserving bushland as a natural stabiliser of the soil surface, and (c) preserving existing hydrological landforms, processes and functions, including natural drainage lines, watercourses, wetlands and foreshores, and (d) preserving the recreational, educational, scientific, aesthetic, environmental, ecological and cultural values and potential of bushland, and (e) mitigating disturbance caused by development. <p>(2) Development that will disturb, or is reasonably likely to disturb, public bushland is permitted with development consent.</p> <p>(3) Development consent must not be granted to development that will disturb, or is reasonably likely to disturb, public bushland unless the consent authority is satisfied of the following—</p> <ul style="list-style-type: none"> (a) the disturbance of the bushland is essential for a purpose in the public interest, (b) there is no reasonable alternative to the disturbance, (c) the development minimises the amount of bushland to be disturbed, (d) the development includes measures to remediate the disturbed bushland. <p>(4) Despite subclause (2), development that will disturb, or is reasonably likely to disturb, public bushland is permitted without development consent if the development is for the following purposes—</p> <ul style="list-style-type: none"> (a) the construction, operation or maintenance of pipelines to carry water, sewerage or gas or pipelines licensed under the <i>Pipelines Act 1967</i>, (b) the construction, operation or maintenance of electricity or telecommunication lines, (c) bush fire hazard reduction, (d) the construction or maintenance of classified roads, (e) facilitating the recreational use of the public bushland. <p>(5) Development specified in subclause (4)(e) is permitted without development consent only if it is carried out in accordance with a plan of management for the public bushland, adopted by the Council in the same way a plan of management is required to be adopted for community land under the <i>Local Government Act 1993</i>, Chapter 6, Part 2, Division 2, that includes measures for the following—</p> <ul style="list-style-type: none"> (a) the recreational use of the land, (b) bush fire hazard reduction, (c) the prevention of degradation, including the alteration of drainage patterns, rubbish dumping, vehicle intrusion and infestation with weeds or non-native plants, (d) the remediation of degraded public bushland. <p>(6) This clause does not require development consent for clearing of native vegetation if the clearing is of a kind that is authorised under the <i>Local Land Services Act 2013</i>, section 60O.</p> <p>(7) In deciding whether to grant development consent to development on land adjoining public bushland, the consent authority must consider the following—</p> <ul style="list-style-type: none"> (a) the need to retain public bushland adjoining the site of the development, (b) the likely effect of the development on public bushland, including the following— <ul style="list-style-type: none"> (i) the erosion of soil, (ii) the siltation of streams and waterways, (iii) the spread of weeds and non-native plants within public bushland, (c) other matters the consent authority considers relevant to the protection and preservation of public bushland. <p>(8) This clause does not apply to the following land that is public bushland—</p> <ul style="list-style-type: none"> (a) land in Zone RU1, RU2, RU3, RU4 or RU5, (b) land reserved, dedicated or acquired under the <i>National Parks and Wildlife Act 1974</i>, (c) land within a State forest, flora reserve or timber reserve within the meaning of the <i>Forestry Act 2012</i>, (d) land to which <i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i>, Chapter 7 applies. <p>(9) In this clause—</p> <p>disturb public bushland means—</p> <ul style="list-style-type: none"> (a) remove vegetation from public bushland, or (b) cause a change in the natural ecology of public bushland that results in the destruction or degradation of the public bushland. <p>non-native plant means a plant that is not native vegetation.</p> <p>public bushland means land—</p> <ul style="list-style-type: none"> (a) on which there is vegetation that is— <ul style="list-style-type: none"> (i) a remainder of the natural vegetation of the land, or (ii) representative of the structure and floristics of the natural vegetation of the land, and (b) that is owned, managed or reserved for open space or environmental conservation by the Council or a public authority. 	<p>Optional Standard Instrument Clause is to be retained in the new LEP.</p>

Existing LLEP 2008	New LEP & Analysis
Part 5 Miscellaneous provisions	
5.24 Farm stay accommodation [Not adopted]	The Farm Stay Accommodation clause is not recommended to be adopted, as it will be addressed as part of the Rural Strategy.
5.25 Farm gate premises [Not adopted]	The Farm Gate Premises clause is not recommended to be adopted, as it will be addressed as part of the Rural Strategy.

Existing LLEP 2008	New LEP & Analysis
Part 6 Urban release areas	
6.1 Aims of Part This Part aims— (a) to allow for future urban development and the conservation of ecological and riparian corridors and areas of visual significance on land in urban release areas, and (b) to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of such land to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes, and (c) to ensure that development on such land occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan including specific controls has been prepared for the land.	The Aims of Part clause is to be retained in the new LEP.
6.2 Relationship between Part and remainder of Plan A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.	The Relationship to Plan clause is to be retained in the new LEP.
6.3 Application of Part This Part applies to land in an urban release area, but does not apply to any such land if the whole or any part of it is in a special contributions area (as defined by section 7.1 of the Act).	The Application of Part clause is to be retained in the new LEP.
6.4 (Repealed)	
6.5 Public utility infrastructure (1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required. (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.	The Public Utility Infrastructure clause is to be retained in the new LEP.
6.6 Development control plan (1) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (2) has been prepared for the land. (2) The development control plan must provide for all of the following— (a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing, (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists, (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain, (d) a network of passive and active recreational areas, (e) stormwater and water quality management controls, (f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination, (g) detailed urban design controls for significant development sites, (h) measures to encourage higher density living around transport, open space and service nodes, (i) measures to accommodate and control appropriate neighbourhood commercial and retail uses, (j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.	The Development Control Plan clause is to be retained in the new LEP.

Existing LLEP 2008	New LEP & Analysis																
Part 7 Additional local provisions																	
Division 1 Liverpool city centre provisions																	
<p>7.1 Objectives for development in Liverpool city centre</p> <p>Before granting consent for development on land in the Liverpool city centre, the consent authority must be satisfied that the proposed development is consistent with such of the following objectives for the redevelopment of the city centre as are relevant to that development—</p> <p>(a) to preserve the existing street layout and reinforce the street character through consistent building alignments,</p> <p>(b) to allow sunlight to reach buildings and areas of high pedestrian activity,</p> <p>(c) to reduce the potential for pedestrian and traffic conflicts on the Hume Highway,</p> <p>(d) to improve the quality of public spaces in the city centre,</p> <p>(e) to reinforce Liverpool railway station and interchange as a major passenger transport facility, including by the visual enhancement of the surrounding environment and the development of a public plaza at the station entry,</p> <p>(f) to enhance the natural river foreshore and places of heritage significance,</p> <p>(g) to provide direct, convenient and safe pedestrian links between the city centre (west of the rail line) and the Georges River foreshore.</p>	<p>The Objectives for the City Centre clause is to be retained in the new LEP.</p>																
7.1A (Repealed)																	
<p>7.2 Sun access in Liverpool city centre</p> <p>(1) The objective of this clause is to protect specified public open space from excessive overshadowing.</p> <p>(2) This clause applies to certain land in the Liverpool city centre, as specified in the Table to this clause.</p> <p>(3) Despite clause 4.3, development on land to which this clause applies is prohibited if the development results in any part of a building on land specified in Column 1 of the Table to this clause projecting above the height specified opposite that land in Column 2 of the Table.</p> <p>(4) This clause does not apply to development resulting only in refurbishment of a building.</p> <table border="0" data-bbox="118 840 1484 1407"> <thead> <tr> <th data-bbox="118 840 1276 871">Column 1</th> <th data-bbox="1276 840 1484 871">Column 2</th> </tr> <tr> <th data-bbox="118 892 1276 924">Location</th> <th data-bbox="1276 892 1484 924">Maximum height</th> </tr> </thead> <tbody> <tr> <td data-bbox="118 934 1276 1008">Land within 9m of the public right of way on the northern side of Elizabeth Street, opposite Bigge Park, between Bigge Street and College Street</td> <td data-bbox="1276 934 1484 1008">20m</td> </tr> <tr> <td data-bbox="118 1018 1276 1092">Land within 9m of the public right of way on the northern side of Elizabeth Drive, opposite St Luke's Church Grounds between Northumberland Street and Macquarie Street</td> <td data-bbox="1276 1018 1484 1092">20m</td> </tr> <tr> <td data-bbox="118 1102 1276 1176">Land within 4m of the public right of way on either side of Macquarie Street, between Elizabeth Street and Memorial Avenue (except the most southern 60m)</td> <td data-bbox="1276 1102 1484 1176">21m</td> </tr> <tr> <td data-bbox="118 1186 1276 1260">Land within 17m of the northern boundary of Apex Park between the Hume Highway and Castlereagh Street</td> <td data-bbox="1276 1186 1484 1260">15m</td> </tr> <tr> <td data-bbox="118 1270 1276 1344">Land within 9m of the public right of way on the western side of Northumberland Street opposite Liverpool Pioneers' Memorial Park between Lachlan and Campbell Streets</td> <td data-bbox="1276 1270 1484 1344">30m</td> </tr> <tr> <td data-bbox="118 1354 1276 1407">Land within 9m of the public right of way on the eastern side of Macquarie Street opposite Liverpool Pioneers' Memorial Park between Lachlan and Campbell Streets</td> <td data-bbox="1276 1354 1484 1407">30m</td> </tr> </tbody> </table>	Column 1	Column 2	Location	Maximum height	Land within 9m of the public right of way on the northern side of Elizabeth Street, opposite Bigge Park, between Bigge Street and College Street	20m	Land within 9m of the public right of way on the northern side of Elizabeth Drive, opposite St Luke's Church Grounds between Northumberland Street and Macquarie Street	20m	Land within 4m of the public right of way on either side of Macquarie Street, between Elizabeth Street and Memorial Avenue (except the most southern 60m)	21m	Land within 17m of the northern boundary of Apex Park between the Hume Highway and Castlereagh Street	15m	Land within 9m of the public right of way on the western side of Northumberland Street opposite Liverpool Pioneers' Memorial Park between Lachlan and Campbell Streets	30m	Land within 9m of the public right of way on the eastern side of Macquarie Street opposite Liverpool Pioneers' Memorial Park between Lachlan and Campbell Streets	30m	<p>The Sun Access clause is to be retained in the new LEP.</p>
Column 1	Column 2																
Location	Maximum height																
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Existing LLEP 2008	New LEP & Analysis
Part 7 Additional local provisions	
Division 1 Liverpool city centre provisions	
<p>7.3 Car parking in Liverpool city centre</p> <p>(1) The objective of this clause is to ensure that adequate car parking is provided for new or extended buildings on land in the Liverpool city centre that is commensurate with the traffic likely to be generated by the development and is appropriate for the road network capacity and proposed mix of transport modes for the city centre.</p> <p>(2) Development consent must not be granted to development on land in the Liverpool city centre that is in Zone E2 Commercial Centre or MU1 Mixed Use that involves the erection of a new building or an alteration to an existing building that increases the gross floor area of the building unless—</p> <ul style="list-style-type: none"> (a) at least one car parking space is provided for every 200 square metres of any new gross floor area that is on the ground floor level of the building, and (b) in respect of any other part of the building— <ul style="list-style-type: none"> (i) at least one car parking space is provided for every 100 square metres of any new gross floor area that is to be used for the purposes of retail premises, and (ii) at least one car parking space is provided for every 150 square metres of any new gross floor area that is to be used for any other purpose. <p>(3) Despite subclause (2), development consent may be granted to a development with less or no on site car parking if the consent authority is satisfied that the provision of car parking on site is not feasible.</p> <p>(4) In this clause, the following are to be included as part of a building's gross floor area—</p> <ul style="list-style-type: none"> (a) any area of the building that is used for car parking and is at or above ground level (existing), except to the extent permitted by a development control plan made by the Council, (b) any area of the building that is used for car parking below ground level (existing), except where the car parking is provided as required by this clause. <p>(5) Council owned public car parking and parts of a building used for residential purposes must not be included as part of a building's gross floor area for the purposes of this clause.</p>	<p>The Car Parking clause is to be retained in the new LEP.</p>
<p>7.4 Building separation in Liverpool city centre</p> <p>(1) The objective of this clause is to ensure minimum sufficient separation of buildings for reasons of visual appearance, privacy and solar access.</p> <p>(2) Development consent must not be granted to development for the purposes of a building on land in Liverpool city centre unless the separation distance from neighbouring buildings and between separate towers, or other separate raised parts, of the same building is at least—</p> <ul style="list-style-type: none"> (a) 9 metres for parts of buildings between 12 metres and 25 metres above ground level (finished) on land in Zone R4 High Density Residential, and (b) 12 metres for parts of buildings between 25 metres and 35 metres above ground level (finished) on land in Zone R4 High Density Residential, and (c) 18 metres for parts of buildings above 35 metres on land in Zone R4 High Density Residential and (d) 12 metres for parts of buildings between 25 metres and 45 metres above ground level (finished) on land in Zone E2 Commercial Centre or MU1 Mixed Use, and (e) 28 metres for parts of buildings 45 metres or more above ground level (finished) on land in Zone E2 Commercial Centre or MU1 Mixed Use. 	<p>The Building Separation clause is to be retained in the new LEP.</p>

Existing LLEP 2008	New LEP & Analysis
Part 7 Additional local provisions	
Division 1 Liverpool city centre provisions	
<p>7.5 Design excellence in Liverpool city centre</p> <p>(1) The objective of this clause is to deliver the highest standard of architectural and urban design.</p> <p>(2) Development consent must not be granted to development involving the construction of a new building or external alterations to an existing building in the Liverpool city centre unless the consent authority considers that the development exhibits design excellence.</p> <p>(3) In considering whether development exhibits design excellence, the consent authority must have regard to the following matters—</p> <ul style="list-style-type: none"> (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain, (c) whether the proposed development detrimentally impacts on view corridors, (d) whether the proposed development detrimentally overshadows Bigge Park, Liverpool Pioneers' Memorial Park, Apex Park, St Luke's Church Grounds and Macquarie Street Mall (between Elizabeth Street and Memorial Avenue), (e) any relevant requirements of applicable development control plans, (f) how the proposed development addresses the following matters— <ul style="list-style-type: none"> (i) the suitability of the site for development, (ii) existing and proposed uses and use mix, (iii) heritage issues and streetscape constraints, (iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, (v) bulk, massing and modulation of buildings, (vi) street frontage heights, (vii) environmental impacts such as sustainable design, waste and recycling infrastructure, overshadowing, wind and reflectivity, (viii) the achievement of the principles of ecologically sustainable development, (ix) pedestrian, cycle, vehicular and service access, circulation and requirements, (x) the impact on, and any proposed improvements to, the public domain <p>(4)–(8) (Repealed)</p>	<p>The Design Excellence clause is to be retained in the new LEP.</p>
<p>7.5A Additional provisions relating to certain land at Liverpool city centre</p> <p>(1) This clause applies to land development on land that—</p> <ul style="list-style-type: none"> (a) is identified as “Area 8”, “Area 9” or “Area 10” on the Floor Space Ratio Map, and (b) has a lot size exceeding 1500m², and (c) has 2 or more street frontages. <p>(2) Despite clauses 4.3 and 4.4, if at least 20% 15% of the gross floor area of a development is used for the purpose of Built to Rent, centre-based child care facilities, commercial premises, community facilities, educational establishments, entertainment facilities, functions centres, hotel or motel accommodation, information and education facilities, medical centres or public administration buildings—</p> <ul style="list-style-type: none"> (a) the height of the building may exceed the maximum height shown for the land on the Height of Buildings Map, and (b) the maximum floor space ratio of the building may exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map but must not exceed— <ul style="list-style-type: none"> (i) in relation to a building on land identified as “Area 8” or “Area 10” on the map—10:1, or (ii) in relation to a building on land identified as “Area 9” on the map — 7:1. <p>(3) Development consent must not be granted under this clause unless—</p> <ul style="list-style-type: none"> (a) a development control plan that provides for the matters specified in subclause (4) has been prepared for the land, and (b) the site on which the building is located also includes recreation areas, recreation facilities (indoor), community facilities, information and education facilities, through site links or public car parks. <p>(4) The development control plan must include provision for how proposed development is to address the following matters—</p> <ul style="list-style-type: none"> (a) the impact on conservation areas, (b) encouraging sustainable transport, including increased use of public transport, walking and cycling, road access and the circulation network and car parking provision, including integrated options to reduce car use, (c) achieving appropriate interface at ground level between buildings and the public domain, (d) the excellence and integration of landscape design, (e) the matters specified in clause 7.5(3)(f)(i)–(viii) and (x). 	<p>The Additional Provisions in Liverpool City Centre clause is to be retained in the new LEP, with modifications regarding the 20% commercial requirements, and the addition of Build to Rent.</p> <p>Introduction of a new Area 9 (Mixed Use) provision for land directly west of the Liverpool Hospital will be included on the Floor Space Ratio Map.</p> <p>Introduction of two new Area 8 provisions for additional land along Memorial Avenue and Charles Street will also be included on the Floor Space Ratio Map.</p>

Existing LLEP 2008	New LEP & Analysis												
Part 7 Additional local provisions													
Division 2 Other provisions													
<p>7.6 Environmentally significant land</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to maintain bushland, wetlands and wildlife corridors of high conservation value, (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands and wildlife corridors, (c) to protect rare and threatened native flora and native fauna, (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent. <p>(2) Before determining an application to carry out development on environmentally significant land, the consent authority must consider such of the following as are relevant—</p> <ul style="list-style-type: none"> (a) the condition and significance of the vegetation on the land and whether it should be substantially retained in that location, (b) the importance of the vegetation in that particular location to native fauna, (c) the sensitivity of the land and the effect of clearing vegetation, (d) the relative stability of the bed and banks of any waterbody that may be affected by the development, whether on the site, upstream or downstream, (e) the effect of the development on water quality, stream flow and the functions of aquatic ecosystems (such as habitat and connectivity), (f) the effect of the development on public access to, and use of, any waterbody and its foreshores. 	<p>The Environmentally Significant Land clause and corresponding Map is not to be included in the new LEP. The ESL map is from the 1997 LEP is not a reflection of current data, and is not adequate for use in an LEP, as it stops Complying Development occurring.</p> <p>A Terrestrial Biodiversity clause and corresponding Terrestrial Biodiversity Map is proposed for the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>												
<p>7.7 Acid sulfate soils</p> <p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p> <p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> <table border="1" data-bbox="103 835 1982 1207"> <thead> <tr> <th>Class of land</th> <th>Works</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Any works.</td> </tr> <tr> <td>2</td> <td>Works below the natural ground surface. Works by which the watertable is likely to be lowered.</td> </tr> <tr> <td>3</td> <td>Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.</td> </tr> <tr> <td>4</td> <td>Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.</td> </tr> <tr> <td>5</td> <td>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</td> </tr> </tbody> </table> <p>(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the <i>Acid Sulfate Soils Manual</i> and has been provided to the consent authority.</p> <p>(4) Development consent is not required under this clause for the carrying out of works if—</p> <ul style="list-style-type: none"> (a) a preliminary assessment of the proposed works prepared in accordance with the <i>Acid Sulfate Soils Manual</i> indicates that an acid sulfate soils management plan need not be carried out for the works, and (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works. <p>(5) Also, development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)—</p> <ul style="list-style-type: none"> (a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety, (b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil), (c) minor work, being work that costs less than \$20,000 (other than drainage work). <p>(6) Development consent is not required under this clause to carry out any works unless—</p> <ul style="list-style-type: none"> (a) the works involve the disturbance of 1 tonne or more of soil, or (b) the works are likely to lower the watertable. <p>(7) (Repealed)</p>	Class of land	Works	1	Any works.	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.	3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.	4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.	5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	<p>The Acid Sulfate Soils clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>
Class of land	Works												
1	Any works.												
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.												
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5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.												
<p>7.8 (Repealed)</p>	<p>-</p>												

Existing LLEP 2008	New LEP & Analysis
Part 7 Additional local provisions	
Division 2 Other provisions	
<p>7.8A Floodplain risk management</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) in relation to development with particular evacuation or emergency response issues, to enable evacuation of land subject to flooding in events exceeding the flood planning level, (b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events. <p>(2) This clause applies to land between the flood planning level and the level of a probable maximum flood, but does not apply to land at or below the flood planning level.</p> <p>(3) Development consent must not be granted to development for any of the following purposes on land to which this clause applies unless the consent authority is satisfied that the development is consistent with any relevant floodplain risk management plan adopted by the Council in accordance with the Floodplain Development Manual, and will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land—</p> <ul style="list-style-type: none"> (a) caravan parks, (b) centre-based child care facilities, (c) correctional centres, (d) emergency services facilities, (e) group homes, (f) hospitals, (g) residential care facilities, (h) respite day care centres, (i) tourist and visitor accommodation. <p>(4) In this clause— probable maximum flood has the same meaning as it has in the Floodplain Development Manual.</p> <p>Note— The probable maximum flood is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation.</p>	<p>The Floodplain Risk Management clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>
<p>7.9 Foreshore building line</p> <p>(1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.</p> <p>(2) Subject to the other provisions of this Plan, development may be carried out, with development consent, for the purposes of a building on land in the foreshore area only if—</p> <ul style="list-style-type: none"> (a) the levels, depth or other exceptional features of the site make it appropriate to do so, or (b) the development involves the extension, alteration or rebuilding of an existing building that is erected wholly or partly in the foreshore area and the consent authority is satisfied that the building as extended, altered or rebuilt will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, or (c) the development is for the purposes of any of the following— <ul style="list-style-type: none"> (i) boat sheds, (ii) sea walls, (iii) wharves, slipways, jetties, (iv) waterway access stairs, (v) swimming pools at or below ground level (existing), (vi) fences, (vii) picnic facilities, cycleways, walking trails or other outdoor recreation facilities. <p>(3) Development consent must not be granted to development referred to in subclause (2) unless the consent authority is satisfied that the development—</p> <ul style="list-style-type: none"> (a) will contribute to achieving the objectives for development in the zone in which it is to be carried out, and (b) will be compatible in its appearance with the surrounding area, as viewed from both the waterway concerned and the adjacent foreshore areas, and (c) will not cause environmental harm, such as— <ul style="list-style-type: none"> (i) pollution or siltation of the waterway, or (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or (iii) an adverse effect on drainage patterns, and (d) will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and (e) will not compromise opportunities for the provision of continuous public access along the foreshore and to the waterway, and (f) will maintain any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land. 	<p>The Foreshore Building Line clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>

Existing LLEP 2008	New LEP & Analysis
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<p>7.10 Minimum lot size for dual occupancies in rural zones</p> <p>(1) The objective of this clause is to maintain opportunities for productive rural and urban fringe uses by providing certainty about the land area required for two dwellings to be on a single lot in rural zones.</p> <p>(2) Development consent for the purposes of a dual occupancy on land in Zone RU1 Primary Production or Zone RU4 Primary Production Small Lots, or a dual occupancy (attached) on land in Zone RU2 Rural Landscape, may be granted only if the lot—</p> <ul style="list-style-type: none"> (a) is a lot on which a dwelling house can lawfully be erected, and (b) has an area of not less than— <ul style="list-style-type: none"> (i) 10 hectares, if in Zone RU1 Primary Production, or (ii) 2 hectares, if in Zone RU2 Rural Landscape or Zone RU4 Primary Production Small Lots. 	<p>The Minimum Lot Size for Dual Occupancies clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part D Rural Land.</p>
<p>7.10A Minimum lot size for dual occupancies (detached) in Zone R5</p> <p>(1) The objective of this clause is to establish a minimum lot size for dual occupancies (detached) on land in Zone R5 Large Lot Residential.</p> <p>(2) Development consent for the purposes of a dual occupancy (detached) on land in Zone R5 Large Lot Residential may be granted only if the lot—</p> <ul style="list-style-type: none"> (a) is a lot on which a dwelling house can lawfully be erected, and (b) has an area of not less than 2 hectares. 	<p>The Minimum Lot Size for Dual Occupancies in R5 clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part A Residential Land.</p>
<p>7.11 Minimum dwelling density</p> <p>(1) The objectives of this Plan for the control of dwelling densities are as follows—</p> <ul style="list-style-type: none"> (a) to contribute toward the efficient use of land resources, (b) to ensure the viability of public transport and other services planned for the area, (c) to ensure adequate funds for the recreation and community facilities planned for the area. <p>(2) Development consent must not be granted for the subdivision of land shown on the <i>Dwelling Density Map</i> unless the consent authority is satisfied that the dwelling density likely to be achieved by the subdivision is not less than the dwelling density shown for the land on that Map.</p> <p>(3) In this clause—</p> <p>dwelling density means the ratio of the number of dwellings <i>per Hectare</i>, to the area of the land to be occupied by the development, including internal streets and half the width of any roads adjoining the development that provide vehicular access to the development but excluding land used for public open space and non-residential purposes.</p>	<p>The Minimum Dwelling Density clause is to be retained in the new LEP. The definition is to be clarified to include 'per Hectare', in accordance with the maps. Elizabeth Hills is to be removed from the Map, and it is to apply to Middleton Grange and Edmondson Park, as these suburbs are the remaining Growth Areas in the LEP.</p> <p>Refer to Division 2 Other Provisions, Part A Residential Land.</p>
<p>7.12 Maximum number of lots</p> <p>The total number of lots created by the subdivision of land in an area of land identified as "Restricted Lot Yield" on the <i>Dwelling Density Map</i> must not exceed the number shown on that map for that area.</p>	<p>The Maximum Number of Lots clause is to be retained in the new LEP. The clause will still apply to certain lots in Pleasure Point and Voyager Point, to restrict subdivision in accordance with the initial planning proposal. Holsworthy is to be removed from the map as further subdivision is largely not available.</p> <p>Refer to Division 2 Other Provisions, Part A Residential Land.</p>
<p>7.13 (Repealed)</p>	<p>-</p>
<p>7.14 Minimum building street frontage</p> <p>(1) The objectives of this clause for the control of building frontage to streets are as follows—</p> <ul style="list-style-type: none"> (a) to ensure that, visually, buildings have an appropriate overall horizontal proportion compared to their vertical proportions, (b) to ensure that vehicular access is reasonably spaced and separated along roads and lanes, (c) to provide appropriate dimensions for the design of car parking levels, (d) to encourage larger development of commercial office, business, residential and mixed use buildings provided for under this Plan. <p>(2) Development consent must not be granted to development for the purposes of any of the following buildings, unless the site on which the buildings is to be erected has at least one street frontage to a public street (excluding service lanes) of at least 24 metres—</p> <ul style="list-style-type: none"> (a) any building on land in Zone E2 Commercial Centre or MU1 Mixed Use, or (b) any building of more than 2 storeys on land in Zone R4 High Density Residential or E1 Local Centre, or (c) any residential flat building. <p>(3) This clause does not apply in respect of development on land identified as "Area 7" or "Area 8" on the Floor Space Ratio Map.</p>	<p>The Minimum Building Street Frontage clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part E Other Clauses.</p>
<p>7.15 (Repealed)</p>	<p>-</p>

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<p>7.16 Ground floor development in Zones E1 and MU4 MU1</p> <p>(1) The objective of this clause is to—</p> <ul style="list-style-type: none"> (a) ensure active uses are provided at the street level to encourage the presence and movement of people, and (b) promote the economic strength of mixed use development for ground floor development in zones to which this clause applies. <p>(2) This clause applies to land in E1 Local Centre or MU1 Mixed Use.</p> <p>(3) This clause does not apply to land at Edmondson Park.</p> <p>(4) Development consent must not be granted for development for the purposes of a building on land to which this clause applies unless the consent authority is satisfied that the ground floor of the building—</p> <ul style="list-style-type: none"> (a1) if the development is on land in Zone MU1 Mixed Use—will be used for the purposes of business premises or retail premises, and (a) if the development is on land in Zone E1 Local Centre—will not be used for the purposes of residential accommodation, and (b) will have at least one entrance and at least one other door or window on the front of the building facing a street other than a service lane. 	<p>The Ground Floor Activation clause is to be retained in the new LEP. Stronger active frontage requirements have been investigated and will be included in the clause as matters for consideration. This includes:</p> <ul style="list-style-type: none"> - Provision of active frontages to the satisfaction of the consent authority - Consisting of design elements that encourage interaction and flow between the inside of the building and the external public areas of the building, not including access for fire services, or vehicular access; <p>The clause will not apply to Edmondson Park, as the LEP does not contain business uses in this suburb.</p> <p>Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>
<p>7.17 Airspace operations</p> <p>(1) The objective of this clause is to protect airspace around airports.</p> <p>(1A) This clause does not apply to development on land to which <i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i>, section 4.22 applies.</p> <p>(2) The consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the <i>Airports Act 1996</i> of the Commonwealth unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division.</p> <p>Note—Controlled activities include the construction or alteration of buildings or other structures that causes an intrusion into prescribed airspace (being generally airspace around airports). Controlled activities cannot be carried out without an approval granted under regulations made for the purposes of Division 4 of Part 12 of the <i>Airports Act 1996</i> of the Commonwealth.</p>	<p>The Airspace operations clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part E Other Clauses.</p>
<p>7.17A Hospital helicopter airspace</p> <p>(1) The objective of this clause is to protect hospital helicopter airspace.</p> <p>(2) Development consent must not be granted to development under, or that intrudes into, hospital helicopter airspace unless the consent authority—</p> <ul style="list-style-type: none"> (a) refers the application for development consent to the chief executive of the relevant local health district, and (b) considers any submission to the consent authority by the chief executive made within 21 days of the referral, and (c) is satisfied the development does not present a hazard to helicopters using hospital helicopter airspace. <p>(3) In this clause—</p> <p>hospital helicopter airspace means the airspace above the Helicopter OIS Contours shown for the land hatched red on the <i>Key Sites Map</i>.</p> <p>relevant local health district means the local health district constituted in respect of the area above which hospital helicopter airspace is located.</p> <p>Note—See sections 17 and 18 of, and Schedule 1 to, the <i>Health Services Act 1997</i>.</p>	<p>The Hospital Helicopter Airspace clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part E Other Clauses.</p>

Existing LLEP 2008	New LEP & Analysis
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<p>7.18 Development in areas subject to potential airport noise</p> <p>(1) The objectives of this clause are to ensure that development in the vicinity of Bankstown Airport and Western Sydney International (Nancy-Bird Walton) Airport—</p> <p>(a) has regard to the use or potential future use of each site as an airport, and</p> <p>(b) does not hinder or have any other adverse impact on the development or operation of the airports on those sites.</p> <p>(1A) This clause does not apply to development on land to which <i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i>, Chapter 4 applies.</p> <p>(2) Development consent is required for the erection of a building on land where the ANEF exceeds 20 if it is erected for residential purposes or for any other purpose involving regular human occupation.</p> <p>(3) The following development is prohibited unless it meets the requirements of AS 2021–2015, <i>Acoustics—Aircraft noise intrusion—Building siting and construction</i> with respect to interior noise levels—</p> <p>(a) residential accommodation on land where the ANEF exceeds 20,</p> <p>(b) business premises, entertainment facilities, office premises, public administration buildings, retail premises and tourist and visitor accommodation on land where the ANEF exceeds 25.</p> <p>(4) The following development is prohibited—</p> <p>(a) educational establishments, hospitals and places of public worship on land where the ANEF exceeds 20,</p> <p>(b) dwellings on land where the ANEF exceeds 25 (other than development consisting of the alteration, extension or replacement of an existing dwelling house where the development is consistent with the objectives of this clause),</p> <p>(c) business premises, entertainment facilities, office premises, public administration buildings, retail premises and tourist and visitor accommodation on land where the ANEF exceeds 30.</p> <p>(5) In this clause—</p> <p>ANEF means Australian Noise Exposure Forecast as shown on the <i>Airport Noise Map</i>.</p>	<p>The Airport Noise clause is to be retained in the new LEP.</p> <p>The ANEC map applying to the Western Sydney International (Nancy-Bird Walton) Airport is to be updated within the LEP, to reflect the ANEF map within the SEPP (Western Parkland City) 2021.</p> <p>Refer to Division 2 Other Provisions, Part E Other Clauses.</p>
<p>7.19 Serviced apartments</p> <p>(1) The objective of this clause is to prevent substandard residential building design occurring by way of converted serviced apartment development.</p> <p>(2) Development consent must not be granted for the subdivision under a strata scheme of a building or part of a building that is being, or has been, used for serviced apartments unless the consent authority is satisfied that the following are achieved for the development as if it were development to which clause 4 of <i>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</i> applies—</p> <p>(a) the design quality principles set out in Schedule 1 to that Policy,</p> <p>(b) the design principles of the Apartment Design Guide (within the meaning of that Policy).</p>	<p>The Serviced Apartments clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part A Residential Land.</p>
<p>7.20 Council infrastructure development</p> <p>(1) Development may be carried out by or on behalf of the Council without development consent on any land, other than land in a heritage conservation area, land containing a heritage item or land that is an environmentally sensitive area for exempt and complying development.</p> <p>(2) Development may be carried out by or on behalf of the Council without development consent on land in a heritage conservation area or land containing a heritage item if the development is in accordance with a heritage conservation management plan that has been approved by the Council.</p> <p>(3) Subclauses (1) and (2) do not apply to development for the following—</p> <p>(a) the erection of a class 1–9 building under the <i>Building Code of Australia</i>,</p> <p>(b) development having a capital value of more than \$1,000,000.</p>	<p>The Council Infrastructure Development clause is not to be included in the new LEP, as Council infrastructure can be developed under the <i>SEPP (Transport and Infrastructure) 2021</i>.</p>
<p>7.21 (Repealed)</p>	<p>-</p>

Existing LLEP 2008	New LEP & Analysis
<p>Part 7 Additional local provisions</p> <p>Division 2 Other provisions</p> <p>7.22 Development in Zone E3</p> <p>(1) The objectives of this clause are—</p> <p>(a) to maintain opportunities for business and retail types that are suited to high exposure locations while ensuring that centres remain the focus for business and retail activity, and</p> <p>(b) (Repealed)</p> <p>(c) to ensure active uses are provided at street level to encourage the presence and movement of people.</p> <p>(2) This clause applies to land identified as “Area A” on the Land Zoning Map. (formerly B6 Enterprise Corridor)</p> <p>(3) Except as provided by subclause (4), development consent must not be granted to development for the purposes of a dwelling unless the dwelling is at least 50 metres from any boundary of the land that adjoins a classified road.</p> <p>(4) Development consent must not be granted to development for the purposes of a dwelling on land shown edged heavy green on the Key Sites Map and that adjoins the Hume Highway or Elizabeth Drive unless the dwelling is at least 8 metres from any boundary of the land that adjoins either of those roads.</p> <p>(5) Development consent must not be granted to development that would result in total gross floor area of all retail premises (other than garden centres, hardware and building supplies, landscaping material supplies or vehicle sales or hire premises) in a single building being more than 8,000 square metres.</p> <p>(6) Development consent must not be granted for development for the purposes of a building on land to which this clause applies that is within 50 metres of a classified road unless the consent authority is satisfied that the ground floor of the building will have at least one entrance and at least one other door or window on the front of the building facing a street other than a service lane.</p> <p>7.23 Specialised retail premises and retail premises in Zone E3</p> <p>(1) Development consent must not be granted to development for the purposes of specialised retail premises on land identified as “Area A” on the Land Zoning Map if the gross floor area of the specialised retail premises is more than 2,500 square metres.</p> <p>(2) Development consent must not be granted to development for the purposes of retail premises on land identified as “Area A” on the Land Zoning Map if the gross floor area of the retail premises is more than 1,600 square metres.</p> <p>7.24 Dual occupancies in Zones RU1, RU2 and RU4</p> <p>(1) Development consent must not be granted to development for the purposes of a dual occupancy on land in Zone RU4 Primary Production Small Lots unless the gross floor area of at least one of the dwellings is not more than 350 square metres.</p> <p>(2) Development consent must not be granted to development for the purposes of a dual occupancy (attached) on land in Zone RU2 Rural Landscape unless the gross floor area of at least one of the dwellings is not more than 200 square metres.</p> <p>(3) Development consent may be granted to development for the purposes of a dual occupancy—</p> <p>(a) on land in Zone RU1 Primary Production within the area identified as SWGC area on the <i>Key Sites Map</i>, but only if at least one of the dwellings has a gross floor area of not more than 350 square metres, and</p> <p>(b) on land within the area identified as SWGC released precinct on the <i>Key Sites Map</i>, but only if at least one of the dwellings has a gross floor area of not more than 150 square metres, and</p> <p>(c) on land in Zone RU1 Primary Production within the area not identified as SWGC area or SWGC released precinct on the <i>Key Sites Map</i>.</p>	<p>The new LEP is to include a clause based on Clauses 7.22 and 7.23, relating to certain uses in the E3 zone.</p> <p>7.22(6) relating to provision of active frontages can be retained, however strengthened in the new LEP with additional matters for consideration. This includes:</p> <ul style="list-style-type: none"> - Provision of active frontages to the satisfaction of the consent authority - Consisting of design elements that encourage interaction and flow between the inside of the building and the external public areas of the building, not including access for fire services, or vehicular access; <p>Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p> <p>The new LEP is to include a clause based on Clauses 7.22 and 7.23, relating to certain uses in the E3 zone.</p> <p>Refer to Division 2 Other Provisions, Part A Employment Land Clauses.</p> <p>In relation to ‘Specialised Retail Premises’, there is an increased demand for this type of development, but additional zoned areas (rezoning) is not required to meet demand (C&C Study p84). Therefore, they can be retained as permissible, but the cap is still appropriate along corridors to protect amenity of neighbouring residential area.</p> <p>The Liverpool Centres and Corridors Study notes “<i>much of the identified capacity in the B5 and B6 zones is in B6 zoned land along major road corridors. These sites are generally small and have sensitive interfaces with adjoining residential development, and so could not accommodate the kinds of bulky-goods retail development which has occurred in Crossroads, or for large-scale commercial development.</i>” (p46). In this regard, a floor space cap on retail development is recommended for the remaining retail uses.</p> <p>The Maximum GFA for Dual Occupancies in Rural Zones clause is to be retained in the new LEP. The Key Sites Map is to be amended to not apply to certain Recreation, Industrial and Infrastructure land in Kemps Creek, Rossmore and Cecil Park, where a rural zone does not apply.</p> <p>Refer to Division 2 Other Provisions, Part D Rural Land.</p>

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<p>7.24A Erection of rural workers' dwellings in Zones RU1 and RU4</p> <p>(1) The objective of this clause is to ensure the provision of adequate accommodation for employees of existing agricultural or rural industries.</p> <p>(2) This clause applies to land in the following zones—</p> <ul style="list-style-type: none"> (a) Zone RU1 Primary Production, (b) Zone RU4 Primary Production Small Lots. <p>(3) Development consent must not be granted for the erection of a rural worker's dwelling on land to which this clause applies, unless the consent authority is satisfied that—</p> <ul style="list-style-type: none"> (a) the development will be on the same lot as an existing lawfully erected dwelling house, and (b) the development will not impair the use of the land for agricultural or rural industries, and (c) the agricultural or rural industry being carried out on the land has a demonstrated economic capacity to support the ongoing employment of rural workers, and (d) the development is necessary considering the nature of the agricultural or rural industry land use lawfully occurring on the land or as a result of the remote or isolated location of the land, and (e) the development will not result in more than 1 rural worker's dwelling being erected on the land comprising the agricultural or rural industry, and (f) the gross floor area of the rural worker's dwelling does not exceed 100 square metres. 	<p>The Erection of Rural Workers' Dwellings clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part D Rural Land.</p>
<p>7.25 Food and drink premises and shops on certain land in Zone E1</p> <p>(1) This clause applies to land identified as "Area G" on the Land Zoning Map.</p> <p>(2) Development consent must not be granted to development for the following purposes—</p> <ul style="list-style-type: none"> (a) food and drink premises if the gross floor area of the premises will be more than 300m², (b) a shop if the gross floor area of the shop will be more than 1,500m². 	<p>The Food and Drinks Premises in Zone E1 clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>
<p>7.26 Restaurants, take away food and drink premises, centre-based child care facilities and hotel or motel accommodation in Zone E4</p> <p>(1) Development consent must not be granted to development for the purposes of a restaurant or take away food and drink premises on land in Zone E4 General Industrial if the gross floor area of the restaurant or take away food or drink premises is more than 200 square metres.</p> <p>(2) Development consent must not be granted to development for the purposes of a centre-based child care facility or hotel or motel accommodation on land in Zone E4 General Industrial unless—</p> <ul style="list-style-type: none"> (a) the proposed development is at least 150 metres from any land in Zone E5 Heavy Industrial, and (b) if any heavy industry is in the vicinity of proposed development, the consent authority has considered whether the development will be sited, designed and constructed so as to minimise any impact from that heavy industry. 	<p>The new LEP is to include a clause relating to certain development in industrial zones, which is to merge these provisions with other industrial clauses (Clause 7.41). The new industrial land clause is to include objectives to support the clauses.</p> <p>Hotel or motel accommodation has been removed as the use is not permissible in the E4 General Industrial zone.</p> <p>Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>
<p>7.26A Residential development at former New Brighton Golf Course</p> <p>(1) This clause applies to the land identified as "Former New Brighton Golf Course" on the Lot Size Map.</p> <p>(2) The total number of dwellings on land to which this clause applies must not exceed 310.</p> <p>(3) Development for the purposes of a studio loft is permitted with development consent on land to which this clause applies.</p> <p>(4) Development consent must not be granted to development for the purposes of a residential flat building or multi dwelling housing (including any form of housing involving a studio loft) on land to which this clause applies unless—</p> <ul style="list-style-type: none"> (a) each parcel on which the residential flat building or housing is erected or proposed to be erected— <ul style="list-style-type: none"> (i) has an area of at least 600 square metres, and (ii) is a corner parcel, and (iii) adjoins a rear or side lane that provides vehicular access to the parcel, and (b) in the case of development for the purposes of a residential flat building—the number of dwellings contained or proposed to be contained in the building does not exceed 3, and (c) in any other case—the number of dwellings erected or proposed to be erected on the parcel does not exceed 3. <p>(5) This clause has effect despite anything to the contrary in any other provision of this Plan.</p> <p>(6) In this clause—</p> <p>parcel has the same meaning as in the <i>Strata Schemes Development Act 2015</i>.</p> <p>studio loft means a dwelling that is erected—</p> <ul style="list-style-type: none"> (a) above a garage, and (b) on a lot that is comprised in a parcel (being a parcel on which 2 or more other dwellings are erected on other lots). 	<p>The New Brighton Gold Course clause is not to be included in the new LEP, as development in accordance with this clause has occurred.</p>

Existing LLEP 2008	New LEP & Analysis
Part 7 Additional local provisions	
Division 2 Other provisions	
<p>7.27 Development of certain land at Moorebank</p> <p>(1) The objective of this clause is to ensure development is supportive of the future provision of appropriate regional public transport measures to reduce the demand for travel by private car and commercial vehicle.</p> <p>(2) This clause applies to land shown edged heavy blue and marked “Moorebank South Industrial Precinct” on the <i>Key Sites Map</i>.</p> <p>(3) Before granting consent to development on the land to which this clause applies, the consent authority must be satisfied that the proposed development is consistent with the following objectives in so far as they are relevant to that development—</p> <p>(a) to provide a street pattern that enables direct public transport links between the M5 Motorway Moorebank Avenue interchange, the East Hills rail line at the Moorebank Avenue bridge and Anzac Road, Wattle Grove,</p> <p>(b) to provide a subdivision pattern that enables ready access through the precinct by pedestrians and cyclists,</p> <p>(c) to orientate entrances, windows and other active frontages toward the street or paths to contribute toward creating a safer pedestrian environment,</p> <p>(d) to provide facilities that encourage walking and cycling between the development and existing or potential public transport.</p>	<p>The Development of Certain Land Moorebank clause is to be retained in the new LEP. The Key Site Map Boundary is to be expanded to reflect the entirety of the Moorebank Intermodal Precinct, which was previously zoned SP2 Infrastructure, and now zoned for industrial purposes.</p> <p>Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>
7.28 (Repealed)	-
7.29 (Repealed)	-
<p>7.30—Maximum floor area that may be used for retail premises for certain land in Zone E1 at Hoxton Park For development of a site on land shown as being within Area 5 on the Floor Space Ratio Map, no more than 35% of the gross floor area of all buildings on the site may be used for the purposes of retail premises.</p>	<p>This clause is not to be included in the new LEP. The area is a retail cold spot, and redevelopment could cater for increased retail development.</p>
<p>7.31 Earthworks</p> <p>(1) The objectives of this clause are as follows—</p> <p>(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,</p> <p>(b) to allow earthworks of a minor nature without requiring separate development consent.</p> <p>(2) Development consent is required for earthworks unless—</p> <p>(a) the work is exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(b) the work is ancillary to other development for which development consent has been given.</p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p>	<p>The Earthworks clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>
<p>7.32—Maximum floor space that may be used for retail premises for certain land in Zone B1 at Hinchinbrook For development of a site on land shown as being within Area 6 on the Floor Space Ratio Map, the maximum gross floor area that may be used for the purposes of retail premises on that land is 1,000 square metres.</p>	<p>The clause is not to be included in the new LEP. Hinchinbrook has low access to retail and redevelopment should not be limited.</p>
<p>7.33 Dwelling houses in Zone R4—height and floor space ratio controls</p> <p>(1) This clause applies to land in Zone R4 High Density Residential.</p> <p>(2) Despite clauses 4.3(2) and 4.4(2), development consent must not be granted to development for the purpose of a dwelling house on land to which this clause applies unless—</p> <p>(a) the dwelling house will not exceed a height of 8.5 metres, and</p> <p>(b) the floor space ratio of the dwelling house will not exceed 0.6:1.</p>	<p>The Dwelling Houses in Zone R4 clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part A Residential Land.</p>

Existing LLEP 2008	New LEP & Analysis
<p>Part 7 Additional local provisions</p> <p>Division 2 Other provisions</p> <p>7.34 Dwelling houses at Church and Campbelltown Roads, Denham Court and Greendale Road, Wallacia—amalgamation of lots</p> <p>(1) This clause applies to the following land—</p> <p>(a) land at Denham Court, being—</p> <p>(i) Lots 10, 20 and 21, Section B, DP 1443, being land fronting Church and Campbelltown Roads,</p> <p>(ii) Lots 11 and 19, Section B, DP 1443, being land fronting Church and Campbelltown Roads,</p> <p>(iii) Lots 17 and 18, Section B, DP 1443, Campbelltown Road,</p> <p>(iv) Lots 27 and 28, Section B, DP 1443, Campbelltown Road,</p> <p>(v) Lots 29–31, Section B, DP 1443, Campbelltown Road,</p> <p>(vi) Lots 32–34, Section B, DP 1443, Campbelltown Road,</p> <p>(vii) Lots 35–37, Section B, DP 1443, Campbelltown Road,</p> <p>(b) land at Greendale Road, Wallacia, being—</p> <p>(i) Lots 101 and 102, DP 1174458,</p> <p>(ii), (iii) —(Repealed)</p> <p>(iv) Lots 50 and 51, DP 18891.</p> <p>(2) Despite any other provision of this Plan, development consent must not be granted to development for the purpose of a dwelling house on land to which this clause applies, being land comprising the lots referred to in subclause (1)(a)(i), (ii), (iii), (iv), (v), (vi) or (vii) or (b)(i) or (iv) unless the land comprising the lots referred to in that subparagraph has been amalgamated into a single lot.</p> <p>7.35 Location of restricted premises</p> <p>(1) The objective of this clause is to ensure that restricted premises are not visually prominent from public places or other locations regularly frequented by children.</p> <p>(2) Development consent must not be granted to development for the purposes of restricted premises if the premises would be located on land that adjoins land, or is separated only by a road from land—</p> <p>(a) in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential, or</p> <p>(b) that is used for the purposes of a centre-based child care facility, a community facility, an educational establishment, a place of public worship, a recreation area, a recreation facility (indoor), a recreation facility (major) or a recreation facility (outdoor), or</p> <p>(c) that is used for the purposes of restricted premises or sex services premises, or</p> <p>(d) in relation to which development consent has been granted for the purposes of a centre-based child care facility, a community facility, an educational establishment, a place of public worship, a recreation area, a recreation facility (indoor), a recreation facility (major), a recreation facility (outdoor), restricted premises or sex service premises.</p> <p>(3) Before granting development consent for the purposes of restricted premises, the consent authority must take into account—</p> <p>(a) the impact of the proposed development on places of high pedestrian activity, and</p> <p>(b) the impact of the proposed development on land frequented by children for care, recreational or cultural purposes, and</p> <p>(c) whether the appearance of the restricted premises is sufficiently discreet.</p> <p>7.36—Repealed</p> <p>7.37 Floor space ratio of buildings on certain land at Bigge, Elizabeth and George Streets</p> <p>(1) This clause applies to the following land at Liverpool—</p> <p>(a) 148 George Street, being Lot 1, DP1261270,</p> <p>(b) 26–28 Elizabeth Street, being Lot 2, DP 1261270,</p> <p>(c) 133 Bigge Street, being Lot 3, DP 1261270.</p> <p>(2) Despite any other provision of this Plan, development consent must not be granted to the erection of a building on land at 148 George Street, being Lot 1, DP 1261270, unless the consent authority is satisfied that the gross floor area of that part of the building that is to be used for non-residential purposes is at least 2.5 times the site area.</p> <p>(3) Despite any other provision of this Plan, development consent must not be granted to the erection of a building on land at 26–28 Elizabeth Street, being Lot 2, DP 1261270, or 133 Bigge Street, being Lot 3, DP 1261270, unless the consent authority is satisfied that the gross floor area of that part of the building that is to be used for non-residential purposes is at least 1.5 times the site area.</p>	<p>The Rural Land Amalgamation clause is to be retained in the new LEP.</p> <p>An objective supporting the clause is to be included in the new LEP, regarding rural character.</p> <p>Refer to Division 2 Other Provisions, Part D Rural Land.</p> <p>The Location of Restricted Premises clause is to be retained in the new LEP.</p> <p>Refer to Division 2 Other Provisions, Part E Other Clauses.</p> <p>The Floor Space Ratio on Certain Land clause is to be retained in the new LEP, however the clause will be relocated to the Liverpool City Centre Division, as these sites are located within the City Centre.</p>

Existing LLEP 2008	New LEP & Analysis
Part 7 Additional local provisions	
Division 2 Other provisions	
<p>7.38 Development at 311 Hume Highway and 6 Gillepsie Street, Liverpool</p> <p>(1) The objectives of this clause are as follows—</p> <p>(a) to promote uses that attract pedestrian traffic along the ground floor street frontages on the Hume Highway,</p> <p>(b) to provide employment opportunities,</p> <p>(c) to prevent excessive noise and poor amenity for residents near the Hume Highway.</p> <p>(2) This clause applies to 311 Hume Highway, Liverpool, and 6 Gillepsie Street, Liverpool being Lot 71, DP 1004792. Lot 2 DP 1269091 and Lot 1 DP 1269091</p> <p>(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the ground floor of any building on that land that is within 30 metres of the Hume Highway will be used only for the purposes of commercial premises, medical centres or recreation facilities (indoor), excluding car parking.</p> <p>(4) Despite subclause (3), the ground floor may be used for any of the following—</p> <p>(a) entrances and lobbies (including as part of mixed use development),</p> <p>(b) access for fire services,</p> <p>(c) vehicular access.</p> <p>(5) Clause 7.16 does not apply to the land to which this clause applies.</p>	<p>The 311 Hume Highway clause is to be retained in the new LEP.</p> <p>The address has been updated to reflect the most recent subdivision of the land.</p> <p>Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>
<p>7.39 Rural workers' dwellings at Leppington Pastoral Company</p> <p>(1) The objectives of this clause are—</p> <p>(a) to ensure the provision of adequate accommodation for persons employed for the purpose of agriculture or a rural industry on the land to which this clause applies, and</p> <p>(b) to limit the maximum number of dwellings on the land to which this clause applies to protect the land's rural amenity.</p> <p>(2) This clause applies to Lot 11, DP 1092165 and Lots 100 and 101, DP 1171843, being land at The Northern Road, Greendale.</p> <p>(3) Despite clause 7.24A(3)(e), development for the purpose of up to 20 rural workers' dwellings is permitted with development consent on the land shown coloured light brown on the Key Sites Map.</p> <p>(4) The consent authority must not grant development consent to development for the purpose of a rural worker's dwelling on the land to which this clause applies unless the consent authority is satisfied that the rural worker's dwelling is necessary to ensure the provision of adequate accommodation for persons employed for the purpose of agriculture or a rural industry on the land.</p> <p>(5) The consent authority must not grant development consent to development that results in either or both of the following on the land to which this clause applies—</p> <p>(a) more than 20 rural workers' dwellings,</p> <p>(b) more than 5 dwellings other than rural workers' dwellings.</p>	<p>The clause is not to be included in the new LEP, as the site is not within the LEP application area.</p>
<p>7.40 (Repealed)</p>	<p>-</p>
<p>7.41 Certain developments in Zones E4 and E5</p> <p>1) Depots in Zones E4 If development for the purposes of a depot is permitted under this Plan on land identified as "Area B" on the Land Zoning Map, the total site area must not exceed 2,000 square metres. <i>(Formerly IN2 Light Industrial)</i></p> <p>2) Transport depots If development for the purposes of a transport depots is permitted under this Plan on land identified as "Area B" on the Land Zoning Map, the total site area must not exceed 2,000 square metres. <i>(Formerly IN2 Light Industrial)</i></p> <p>3) Warehouse or distribution centres If development for the purpose of a warehouse or distribution centre is permitted under this Plan on land identified as "Area B" on the Land Zoning Map, the gross floor area must not exceed 2,000 square metres. <i>(Formerly IN2 Light Industrial)</i></p> <p>4) Vehicle sales or hire premises If development for the purpose of vehicle sales or hire premises is permitted under this plan in Zone E4 General Industrial or Zone E5 Heavy Industrial, the floor area used for hard stand space must not exceed 500 square metres.</p>	<p>The new LEP is to include a clause relating to certain development in industrial zones, which is to merge these provisions with other industrial clauses. The new industrial land clause is to include objectives to support to clauses.</p> <p>Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>

Existing LLEP 2008	New LEP & Analysis
Part 7 Additional local provisions	
Division 2 Other provisions	
<p>7.42 Development of Middleton Grange town local centre</p> <p>(1) This clause applies to the following land—</p> <ul style="list-style-type: none"> (a) Lots 2–5 and 6, DP 1207518, (b) Lot 1, DP 1078564, (c) Lot 12, DP 1108343, (d) Lot 102, DP 1128111. <p>(2) Development consent must not be granted to development if the development will result in any of the following—</p> <ul style="list-style-type: none"> (a) the total number of residential dwellings on the land exceeding 671, (b) the total residential floor area of all buildings on the land exceeding 72,000m², (c) the total non-residential ground floor area of all buildings on the land exceeding 26,000m². <p>(3) Development consent may be granted to development that includes non-residential upper floor area of a building, but only if—</p> <ul style="list-style-type: none"> (a) the development will not result in the total non-residential upper floor area of all buildings on the land exceeding 10,000m², and (b) the consent authority is satisfied that— <ul style="list-style-type: none"> (i) the development is consistent with <i>Connected Liverpool 2040</i> as published by the Council in March 2020, and (ii) the inclusion of non-residential upper floor area of buildings in the development is justified having regard to the economic impact assessment prepared in relation to the development application. <p>(4) Development consent must not be granted to development on land in Zone E1 Local Centre that has a property boundary shown with a dark blue dotted line on the <i>Key Sites Map</i> that will result in—</p> <ul style="list-style-type: none"> (a) despite clause 4.3—a building on the land that will exceed a height of 8.5m, and (b) a setback of less than 4m from the property boundary as shown with a dark blue dotted line on the <i>Key Sites Map</i>. <p>(5) Development consent must not be granted to development on the land unless the development includes an area of not less than 2500m² to be used for the purposes of a publicly accessible open space.</p> <p>(6) The land to be used as a publicly accessible open space under subclause (5) must be located on the land shown as coloured light pink on the <i>Key Sites Map</i> that is in Zone E1 Local Centre.</p> <p>(6A) For the purposes of calculating the floor space ratio of development for which development consent is proposed to be granted under this clause, the site area includes land that—</p> <ul style="list-style-type: none"> (a) is dedicated to the Council or a public authority for the purposes of roads, and (b) would have been part of the site area if the land had not been dedicated. <p>(7) In this clause—</p> <p>non-residential floor area, of a building, means floor area used for non-residential purposes.</p> <p>non-residential ground floor area, of a building, means the non-residential floor area on the ground floor of the building.</p> <p>non-residential upper floor area, of a building, means the non-residential floor area on a floor above the ground floor level of the building.</p> <p>residential floor area, of a building, means floor area used for residential purposes.</p>	<p>The new LEP is to include a clause for Middleton Grange Local Centre. Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>
<p>7.43 Development of land at 2 Macarthur Drive, Holsworthy</p> <p>(1) This clause applies to Lot 5, DP 825745, 2 Macarthur Drive, Holsworthy.</p> <p>(2) Development consent must not be granted to development if the development will result in the gross floor area of retail premises on the land exceeding 9,000m².</p>	<p>The new LEP is to include a clause for Holsworthy Local Centre. Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>
<p>7.44 Use of certain land in Liverpool in Zone MU1</p> <p>(1) This clause applies to land identified as “Health Services Facility” on the <i>Key Sites Map</i> that is in Zone MU1 Mixed Use.</p> <p>(2) Development for the purposes of health services facilities is permitted with development consent.</p> <p>(3) A building resulting from the development may have—</p> <ul style="list-style-type: none"> (a) a height of up to 79m, and (b) a floor space ratio of up to 6.9:1. 	<p>The new LEP is to include a clause to “Health Service Facility” land in the MU1 zone of the Liverpool City Centre.</p> <p>Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>

Additional Clauses	New LEP & Analysis
Part 7 Additional local provisions	
<p>Public Art</p> <p>The LEP is to include a clause regarding public art, meaning ‘art that is painted, marked or otherwise affixed to the outside of a building and that is visible from a public place (within the meaning of the <u>Local Government Act 1993</u>)’. Public art does not require consent if the applicant has notified the consent authority of the proposed development, and the consent authority has advised the applicant in writing before any work is carried out, that it is satisfied that the proposed development meets the following requirements. Public art will not:</p> <ul style="list-style-type: none"> - be located on a heritage item or within a heritage conservation area; - have a significant adverse impact on the amenity of the public domain, including by overshadowing, wind or noise impacts; - have an adverse environmental impact; - involve the display of an advertisement, or discriminatory, offensive or sexually explicit material, and - not increase the gross floor area of any building. 	<p>A Public Art clause is proposed for inclusion in the new LEP. Similarly to the existing provisions for Public Art in the Inner West LEP 2022 and City of Sydney LEP 2012, the clause in the new LEP is intended to establish provisions for Public Art. Public Art can be considered as a type of exempt development only if it is consistent with Council’s Public Art Policy and Public Art Strategy. This clause is to be added to Part 7 Additional local provisions.</p> <p>Refer to Division 2 Other Provisions, Part E Other Clauses.</p>
<p>Terrestrial Biodiversity</p> <p>The LEP is to include a Terrestrial Biodiversity clause with the intent to protect and recover terrestrial biodiversity in the LGA, including native flora and fauna, their habitats and associated ecological processes. The clause will apply to all types of development on land marked on the proposed Terrestrial Biodiversity Map. Matters for consideration will include the impact of the development on any identified vegetation community, habitat or habitat element, wetland, biodiversity value or the stability of the land. The clause will also require consideration of any future opportunities to enhance these environmentally significant areas. The proposed map is sourced from the Liverpool Biodiversity Study 2019 and identifies strands of native vegetation that are considered to be of the highest conservation significance including ‘state core or corridor’, ‘regional core’ or ‘local core’. Biocertified land, stands of vegetations of lower conservation significance (e.g., vegetation in poor condition), exotic plants /weeds were excluded from the layer.</p>	<p>A Terrestrial Biodiversity clause is proposed for inclusion in the new LEP. This clause is to be added to Part 7 Additional local provisions, replacing Clause 7.6 Environmentally Significant Land.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>
<p>Urban Heat</p> <p>The LEP is to include an urban heat clause with the intent to ensure development incorporates effective design and operational measures that reduce the urban heat island effect and protects the community’s health and wellbeing. The objectives of the clause include reducing and removing urban heat, encouraging innovation and environmentally responsible design, and enhancing the urban tree canopy. Matters for consideration will detail the inclusion of cool materials, low reflective roofing and street pavements, provision of tree canopy, open space and deep soil planting, utilisation of passive thermal performance and finally need for a contribution (proportionate to its scale) to renewable energy supply and/or storage, to reduce peak demands on the grid during heatwaves.</p>	<p>An Urban Heat clause is proposed for inclusion in the new LEP. Similarly to the existing clause 7.30 in Penrith LEP 2010, the clause in the new LEP for Urban Heat is intended to support cooling measures to reduce the urban heat island effect in the Liverpool LGA. This clause is to be added to Part 7 Additional local provisions.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>
<p>Stormwater Management and Water Sensitive Urban Design</p> <p>The LEP is to include a Stormwater Management and Water Sensitive Urban Design (WSUD) clause to protect properties and natural environments from the stormwater impacts associated with development. The clause will apply to all land subject to the new LEP and all types of development. The objective of this clause is to avoid or minimise the adverse impacts of urban stormwater on land to which development is to be carried out, adjoining properties, native bushland, waterways and receiving water and groundwater systems. Matters for consideration include the incorporation of best practice WSUD principles, provision of onsite detention, avoidance of adverse impacts on the public drainage system and provision of a stormwater quantity and quality control management system which includes all reasonable management actions.</p>	<p>A Stormwater Management and WSUD clause is proposed for inclusion in the new LEP. This clause is to be added to Part 7 Additional local provisions.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>
<p>Recycled Water</p> <p>The LEP is to include a clause with the requirement that new developments are to include dual water systems (potable water and recycled water pipes). The objective of the clause is to promote sustainable water management by encouraging the use of recycled water for non-potable purposes, and to support the efficient use of potable water. Matters for consideration include requirements for the construction of a new building or significant alterations to an existing building to include both potable water pipes and recycled water pipes, for the purposes of internal and external water use. The recycled water infrastructure must be designed, installed and maintained in accordance with the requirements of the local water authority. The recycled water infrastructure must be connected to a recycled water network, where available.</p>	<p>A Recycled Water clause is proposed for inclusion in the new LEP. This clause is to be added to Part 7 Additional local provisions.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>
<p>Gateway Sites</p> <p>The LEP is to include a clause with the intent of facilitating high quality architectural design on visually prominent employment sites, which will create a positive impression when entering and/or leaving the Liverpool LGA. The clause will include design considerations to ensure new developments enhance and reinforce gateway sites, provide an appropriate presentation to the public domain, be of a high standard of architectural design, demonstrate sustainable building design principles, retain and enhance the natural environment, and minimise the visual impact of parking. Matters for consideration include consideration of bulk and scale, landscaping, architectural and sustainable design and addressing interface with public and private domain. The clause is intended to be accompanied by a corresponding Key Site Map.</p>	<p>A Gateway Sites clause is proposed in the new LEP. This clause is to be added to Part 7 Additional local provisions and sites identified on the Key Sites Map.</p> <p>Refer to Division 2 Other Provisions, Part B Employment Land Clauses.</p>

<p>Waste as Essential Service The LEP is to include a clause which identifies waste as an essential service, to ensure proper consideration is given to waste in terms of the road access to developments, the capacity to empty waste bins safely and efficiently, and the provision of adequate facilities and equipment on site, to support best waste practice.</p>	<p>A clause recognising waste management as an essential service is proposed for inclusion in the new LEP. Similarly to the existing clause 7.5 in Blacktown LEP 2015 and clause 7.10 in Campbelltown LEP 2015, the clause in the new LEP is intended to ensure development incorporates suitable access and facilities to support best practice for waste management in the Liverpool LGA. This clause is to be added to Part 7 Additional local provisions.</p> <p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>
<p>Landscaping The LEP is to include a clause (supporting the corresponding Landscaped Area map), with a minimum 10% landscaped area for industrial zoned land.</p>	<p>Refer to Division 2 Other Provisions, Part C Environmental Clauses.</p>

Existing LLEP 2008	New LEP & Analysis
Schedule 1 Additional permitted uses	
<p>1 Use of certain land at Bringelly in Zone RU1</p> <p>(1) This clause applies to Lots 5 and 6, DP 2650 and Lots 1 and 2, DP 128613 in Zone RU1 Primary Production on the northern corner of Dart Road, Bringelly.</p> <p>(2) Development, being the temporary use of the land for the purpose of industry (but only with respect to the manufacturing of mobile homes and prefabricated dwelling additions), is permitted with consent if no part of the development is less than 60m from the southern property boundary.</p> <p>(3) Despite clause 2.6B of this Plan, consent may be granted to development referred to in subclause (2) for a maximum period of 3 years.</p>	<p>The Use of Certain Land Bringelly clause is not to be included in the new LEP. The clause stipulates a timeframe for the development to operate which has expired.</p>
<p>2 Use of certain land at Casula in Zone R2</p> <p>(1) This clause applies to Part Lot 86, DP 1135093 in Zone R2 Low Density Residential at 2295 Camden Valley Way, Casula.</p> <p>(2) Development for the purposes of emergency services facilities is permitted with consent.</p>	<p>The Use of Certain Land Casula clause is to be retained in the new LEP.</p>
<p>3, 4 (Repealed)</p>	
<p>5 Use of certain land at Edmondson Park in Zone R3</p> <p>(1) This clause applies to land in Zone R3 Medium Density Residential at Edmondson Park.</p> <p>(2) (Repealed)</p> <p>(3) In Zone R3 Medium Density Residential, development for the purpose of food and drink premises is permitted with consent.</p> <p>(4) (Repealed)</p>	<p>The Use of Certain Land Edmondson Park clause is to be retained in the new LEP.</p>
<p>6 Use of certain land in Liverpool city centre in Zone E1</p> <p>(1) This clause applies to land in Zone E1 in the Liverpool city centre adjacent to the Hume Highway between Forbes Street and Goulburn Street.</p> <p>(2) Development for the purpose of residential flat buildings is permitted with consent if part of a mixed use development that contains retail premises.</p>	<p>The Use of Certain Land Liverpool City Centre clause is to be retained in the new LEP.</p>
<p>7 Use of certain land at Moorebank in Zones R3 and R4</p> <p>(1) This clause applies to land shown coloured pink on the <i>Key Sites Map</i>.</p> <p>(2) Development for the purposes of entertainment facilities and restaurants or cafes is permitted with consent if it is part of a mixed use development that contains multi dwelling housing.</p>	<p>The Use of Certain Land Moorebank clause is to be retained in the new LEP.</p>
<p>8 Use of certain land in Liverpool city centre in Zone RE1</p> <p>(1) This clause applies to land in Zone RE1 Public Recreation in the Liverpool city centre, bounded by the Hume Highway, Macquarie Street, Campbell Street and Northumberland Street.</p> <p>(2) Development for the purposes of restaurants or cafes is permitted with consent if the gross floor area of any restaurant or cafe is not greater than 125m².</p>	<p>The Liverpool City Centre RE1 zone clause is to be retained in the new LEP.</p>
<p>9 Use of certain land for service stations and take away food and drink premises</p> <p>(1) This clause applies to land shown coloured yellow on the <i>Key Sites Map</i>.</p> <p>(2) Development for the following purposes is permitted with consent—</p> <p>(a) service stations,</p> <p>(b) take away food and drink premises if—</p> <p>(i) there will be no more than 1 take away food and drink premises at each of the areas shown coloured yellow on the <i>Key Sites Map</i>, and</p> <p>(ii) the gross floor area of the take away food and drink premises is not greater than 300m².</p>	<p>The Service Station and Take Away Food and Drink Premises clause is not to be included in the new LEP, as all sites are either proposed to be rezoned to reflect the existing service station / take away food and drink premises on site or removed from the Key Sites Map. The clause will no longer apply to any sites.</p>
<p>10 Use of certain land in Liverpool city centre in Zones MU1 and R4</p> <p>(1) This clause applies to the following land in the Liverpool city centre—</p> <p>(a) land in Zone MU1 Mixed Use, bounded by Bigge Street, Campbell Street, Goulburn Street and Elizabeth Street,</p> <p>(b) land in Zone R4 High Density Residential, bounded by Bigge Street, Lachlan Street, Goulburn Street and Campbell Street.</p> <p>(2) Development for the purposes of light industry is permitted with consent but only if the industry is medical research and development.</p> <p>(3) Development for the purposes of office premises is permitted with consent but only with respect to the medical or health industries.</p>	<p>The Use of Certain Land Liverpool City Centre MU1 and R4 zone clause is to be retained in the new LEP.</p> <p>References to the MU1 Mixed Use zone however are to be removed, as light industry and office premises are already permitted in the MU1 zone.</p>
<p>11 (Repealed)</p>	
<p>12 Use of certain land at Voyager Point in Zone R2</p> <p>(1) This clause applies to Lot 11, DP 803038 in Zone R2 Low Density Residential at The Avenue, Voyager Point.</p> <p>(2) Development for the purposes of neighbourhood shops is permitted with consent.</p>	<p>The Use of Certain Land Voyager Point clause is not to be included in the new LEP. Neighbourhood shops are proposed to be included in the R2 Low Density Residential zone under the new LEP, therefore this clause is not required.</p>
<p>13 (Repealed)</p>	

Existing LLEP 2008	New LEP & Analysis
Schedule 1 Additional permitted uses	
<p>14 Use of certain land at Warwick Farm in Zone E4</p> <p>(1) This clause applies to Lot 10, DP 788368 in Zone E4 General Industrial at Sappho Road Warwick Farm, known as “Hometown Bulky Goods Centre”.</p> <p>(2) Development for the purposes of specialised retail premises is permitted with consent but only if the gross floor area of the premises is not greater than 4,000m².</p>	The Use of Certain Land Warwick Farm clause is to be retained in the new LEP.
<p>15 Use of certain land at Warwick Farm in Zone E4</p> <p>(1) This clause applies to land in Zone E4 General Industrial in the following locations—</p> <p>(a) north of the Hume Highway and east of the southern rail line at Warwick Farm,</p> <p>(b) east of Orange Grove Road and north of the Hume Highway at Warwick Farm.</p> <p>(2) Development for the purposes of vehicle sales or hire premises is permitted with development consent.</p>	The Use of Certain Land Warwick Farm E4 clause is not to be included in the new LEP. Vehicle sales or hire premises is already listed as a permissible use in the E4 General Industrial zone.
<p>16 Use of certain land at Warwick Farm in Zone R2</p> <p>(1) This clause applies to land in Zone R2 Low Density Residential, east of the southern rail line at Warwick Farm.</p> <p>(2) Development for the following purposes is permitted with consent—</p> <p>(a) animal boarding or training establishments,</p> <p>(b) farm buildings,</p> <p>(c) veterinary hospitals.</p>	The Use of Certain Land Warwick Farm R2 clause is to be retained in the new LEP.
17–19 (Repealed)	
<p>20 Use of certain land at Casula in Zone E3</p> <p>(1) This clause applies to part of Lot 20, DP 1180366 in Zone E3 at the corner of Beech Road and Parkers Farm Place, Casula, as shown coloured green on the <i>Key Sites Map</i>.</p> <p>(2) Development for the purposes of retail premises, business premises, a service station and a vehicle repair station is permitted with consent if the total gross floor area of that development is not greater than 14,000m².</p>	The Use of Certain Land Casula clause is to be retained in the new LEP.
<p>21 Use of certain land at Warwick Farm</p> <p>(1) This clause applies to part of Lot 23, DP 1190437, 5 Viscount Place, Warwick Farm, as shown coloured light purple on the <i>Key Sites Map</i>.</p> <p>(2) Development for the purposes of retail premises is permitted with consent if—</p> <p>(a) the total gross floor area of all retail premises on the site does not exceed 21,000m², and</p> <p>(b) the gross floor area of any individual retail premises on the site does not exceed 1,200m².</p>	The Use of Certain Land Warwick Farm clause is to be retained in the new LEP.
<p>22 Use of certain land at Casula and Moorebank</p> <p>(1) This clause applies to certain land at Casula and Moorebank.</p> <p>(2) Development for the purposes of rail infrastructure is permitted with development consent but only on land in Zone RE1 Public Recreation, Zone C3 Environmental Management and Zone W1 Natural Waterways identified as “IMT Rail Corridor” on the <i>Key Sites Map</i>.</p> <p>(3) Development for the purposes of drainage is permitted with development consent but only on land in Zone C3 Environmental Management identified as “IMT Riparian Corridor” on the <i>Key Sites Map</i>.</p> <p>(4) Development for the purposes of a recreation facility (outdoor) or recreation area is permitted with development consent but only on land in Zone C3 Environmental Management identified as “IMT Recreation Area” on the <i>Key Sites Map</i>.</p>	The Use of Certain Land Casula and Moorebank is to be retained in the new LEP.
23 (Repealed)	
<p>24 Use of certain land at 10 Orange Grove Road, Warwick Farm</p> <p>(1) This clause applies to part of Lot 101, DP 1043160, 10 Orange Grove Road, Warwick Farm, as shown coloured green on the <i>Key Sites Map</i>.</p> <p>(2) Development for the purposes of business premises and shops is permitted with development consent if the total gross floor area of business premises and shops on land to which this clause applies does not exceed 21,000m².</p>	The Use of Certain Land Warwick Farm clause is to be retained in the new LEP.
<p>25 Use of certain land at Moorebank in Zone E4</p> <p>(1) This clause applies to Lots 1 and 3, DP 626253 in Zone E4 General Industrial at 4 and 2A Helles Avenue, Moorebank.</p> <p>(2) Development for the purpose of vehicle sales or hire premises is permitted with development consent if—</p> <p>(a) the gross floor area of the vehicle sales or hire premises is not greater than 5,780m², and</p> <p>(b) the consent authority is satisfied that the vehicle sales or hire premises will be located entirely within an existing building.</p>	The Use of Certain Land Moorebank clause is to be retained in the new LEP. A Vehicle Sales or Hire Premises is permitted and therefore the clause will be updated to reflect this and relocated to Part 7.

Existing LLEP 2008	New LEP & Analysis
Schedule 1 Additional permitted uses	
26 Use of certain land at Chipping Norton in Zone R2 (1) This clause applies to Lot 3, DP 602936 in Zone R2 Low Density Residential at 123 Epsom Road, Chipping Norton. (2) Development for the purpose of multi dwelling housing is permitted with development consent.	The Use of Certain Land Chipping Norton is to be retained in the new LEP.
27 (Repealed)	
28 Use of certain land at Collimore Park, Liverpool (1) This clause applies to land at Collimore Park, Liverpool, as shown coloured red on the <i>Key Sites Map</i> . (2) Development for the purpose of a car park is permitted with development consent.	The Use of Certain Land Collimore Park is to be retained in the new LEP.
29 Use of certain land at 25 Dwyer Road, Bringelly (1) This clause applies to Lot 80, DP 27550, 25 Dwyer Road, Bringelly. (2) Development for the purposes of recreation facilities (outdoor) is permitted with development consent.	The Use of Certain Land Bringelly is to be retained in the new LEP.
30 Use of certain land at Rossmore (1) This clause applies to Lot 1016, DP 258344, 40 Ramsay Road, Rossmore, shown coloured brown on the <i>Key Sites Map</i> . (2) Development for the purposes of animal boarding or training establishments is permitted with development consent, but only if— (a) the site area of the development is not more than 2 hectares, and (b) the development does not fragment the land to which the clause applies in a way that unreasonably limits the use of the land for recreational purposes.	The Use of Certain Land Rossmore is to be retained in the new LEP.
31 Use of certain land at Middleton Grange town Local centre (1) This clause applies to land shown as coloured light blue on the <i>Key Sites Map</i> in Zone R1 General Residential. (2) Development for the purposes of restaurants or cafes is permitted with development consent.	The Use of Certain Land Middleton Grange is to be retained in the new LEP.
32 Use of certain land at 104 Fifteenth Avenue, West Hoxton (1) This clause applies to Lot 2, DP 1074727, 104 Fifteenth Avenue, West Hoxton, shown coloured dark purple on the <i>Key Sites Map</i> . (2) Development for the following purposes is permitted with development consent— (a) a single service station with a gross floor area not greater than 300m ² , (b) a single take away food and drink premises with a gross floor area not greater than 300m ² . (3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied there will be appropriate vehicular access to and from the land.	The Use of Certain Land West Hoxton is to be retained in the new LEP.
33 Use of certain land in Zone E1 (1) This clause applies to land identified as “Area C” on the <i>Land Zoning Map</i> . (2) Development for the purposes of residential flat buildings is permitted with development consent.	The Use of Certain Land Zone E1 is to be retained in the new LEP.
34 Use of certain land in Zone E2 (1) This clause applies to land identified as “Area D” on the <i>Land Zoning Map</i> . (2) Development for the purposes of group homes is permitted with development consent.	The Use of Certain Land Zone E2 is to be retained in the new LEP.
35 Use of certain land in Zone E3 (1) Development for the following purposes is permitted with development consent on land identified as “Area A” on the <i>Land Zoning Map</i> — (a) commercial premises, (b) serviced apartments, (c) shop top housing. (2) Development for the purposes of food and drink premises is permitted with development consent on land identified as “Area E” on the <i>Land Zoning Map</i> .	The Use of Certain Land Zone E3 is to be retained in the new LEP.
36 Use of certain land in Zone E4 (1) Development for the purposes of pubs is permitted with development consent on land identified as “Area B” or “Area F” on the <i>Land Zoning Map</i> . (2) Development for the purposes of registered clubs is permitted with development consent on land identified as “Area B” on the <i>Land Zoning Map</i> .	The Use of Certain Land Zone E4 is to be retained in the new LEP.

Existing LLEP 2008	New LEP & Analysis
Schedule 2 Exempt development	
<p>Note 1— <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.</p> <p>Note 2— Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.</p>	Compulsory Standard Instrument Schedule applies.
<p>Advertisements—general requirements</p> <ol style="list-style-type: none"> (1) Must be non-moving. (2) Must be at least 600mm from any public road. (3) Must be at least 2.6m above any public footpath. (4) Must relate to the lawful use of the building (except for temporary signs). (5) Must be within the boundary of the property to which it applies, unless in an employment or mixed use zone. (6) Must reflect the character and style of any building to which it is attached. (7) Must not be detrimental to the character and functioning of the building. (8) Must not be on walls facing or adjoining residential premises. (9) Must not be an "A" frame sign. (10) Must have the consent of the owner of the property on which the sign is located. 	Exempt signage provisions are to be retained. Opportunity for signage under the Codes SEPP as well as the LEP.
<p>Advertisements—business identification signs for businesses other than brothels in Zone E1, E3 or MU1</p> <p>(1)–(4)–(Repealed)</p> <ol style="list-style-type: none"> (5) Fascia signs Sign attached to the fascia or return of the awning— <ol style="list-style-type: none"> (a) must meet the general requirements for advertisements, and (b) 1 sign per premises, and (c) must not project above or below, or more than 300mm from the fascia or return end of the awning to which it is attached, and (d) must not be flashing. 	The fascia signage controls are to be retained in the new LEP. The Codes SEPP includes similar provisions, however the LEP provisions allow less restrictive provisions, including illumination of signage and projection above or below the fascia.
<p>Advertisements—business identification signs for businesses other than brothels in Zone E4 or E5</p> <ol style="list-style-type: none"> (1) Must meet the general requirements for advertisements. (2) 1 pole or pylon sign per premises (including any directory board for multiple occupancies). (3) Maximum height—5m. (4) Must be within 5m of any public entry point to the premises. (5) Must not obstruct the sight line of vehicle or pedestrian traffic. (6) For multiple occupancy premises, 1 additional business identification sign is permitted at the entrance to each occupied unit, maximum area—1.2m². (7) For single occupancy premises, 1 additional business identification sign is permitted, maximum area—50m² or 1m² per 3m of street frontage, whichever is the lesser. 	The pylon signage controls are to be retained in the new LEP. The Codes does not include this form of advertisements.
<p>Advertisements—business identification signs in residential zones</p> <ol style="list-style-type: none"> (1) Must meet the general requirements for advertisements. (2) 1 sign per premises. (3) Maximum area—0.75m². (4) If a pole or pylon sign, maximum height—2m. (5) Must not be illuminated or flashing. 	The business identification signage controls are to be retained in the new LEP. The Codes does not include this form of advertisements.
<p>Advertisements—business identification signs in rural zones</p> <ol style="list-style-type: none"> (1) Must meet the general requirements for advertisements. (2) 1 sign per premises. (3) Maximum area—0.75m² (except if a pole or pylon sign). (4) If a pole or pylon sign, maximum area—2m² and maximum height—2m. (5) Must not be illuminated or flashing. 	The business identified signage controls are to be retained in the new LEP. The Codes does not include this form of advertisements.

Existing LLEP 2008	New LEP & Analysis
Schedule 2 Exempt development	
Advertisements—in or on bus shelters (1) Maximum height—2.5m. (2) Maximum width—1.5m. (3) 2 signs per bus shelter. (4) Must not be flashing. (5) Must have the consent of the owner of the property on which the sign is located.	The bus shelters controls are to be retained in the new LEP. The Codes does not include advertisements in or on bus shelters as exempt development.
Advertisements—public notices displayed by a public body giving information or direction about the services provided (1) Must meet the general requirements for advertisements. (2) Maximum height—5m. (3) Maximum area—5m ² . (4) Must not obstruct the sight line of vehicle or pedestrian traffic. (5) Must not be flashing.	The public notice signage controls are to be retained in the new LEP. The Codes SEPP includes similar provisions, however the LEP provides less restrictive provisions, including illumination of signage and sizes.
Advertisements—real estate signs (advertising land development) (1) Must meet the general requirements for advertisements. (2) Maximum area—6m ² for each 25 lots. Advertisements—real estate signs (advertising premises or land for sale or rent) in employment or mixed use zones (1) Must meet the general requirements for advertisements. (2) Maximum area—4.5m ² . (3) Must be within the boundary of the advertised property. (4) Must not be flashing. (5) Must be removed within 14 days after the premises or land is sold or let. Advertisements—real estate signs (advertising premises or land for sale or rent) in residential or rural zones (1) Must meet the general requirements for advertisements. (2) Maximum area—2.5m ² . (3) Must not be flashing. (4) Must be removed within 14 days after the premises or land is sold or let.	The real estate signage controls are to be retained in the new LEP. The Codes SEPP includes similar provisions, however the LEP provisions provides less restrictive provisions, including illumination of signage and sizes.
Advertisements—signs behind the glass line of a shop window in Zone E1, E2, E3, E4 or MU1 (other than brothels) (1) Must meet the general requirements for advertisements. (2) Must not occupy more than 25% of the area of the window. (3) Must not be flashing.	The window sign provisions are to be retained in the new LEP. The Codes SEPP includes similar provisions, however the LEP includes less restrictive provisions in terms of signage area.
Advertisements—temporary signs for religious, cultural, political, social or recreational events (1) Must meet the general requirements for advertisements. (2) 1 per street frontage. (3) Maximum area—1.5m ² and maximum height—1.5m in residential and rural zones. (4) Maximum area—3.5m ² and maximum height—2m in employment or mixed use zones. (5) Must not include commercial advertising apart from name of event sponsor. (6) Must not be displayed earlier than 28 days before, or later than 14 days after, the event. (7) Must not be used in relation to recurring events. (8) Must not be flashing.	The temporary signs provisions are to be retained in the new LEP. The Codes SEPP includes provisions, however the LEP provisions allow for longer display days.
Advertisements—in a site, but not visible from outside of that site (other than brothels) Must meet the general requirements for advertisements.	The internal signs provisions are to be not to be included in the new LEP, as it is effectively duplicated in the Exempt and Complying Development SEPP, and therefore redundant.

Existing LLEP 2008		New LEP & Analysis
Schedule 2 Exempt development		
Exempt Species	Common Name	
<i>Edible Fruit Trees (only when <10m in height and not including Syzgium spp. Or Acmena spp.)</i>	Edible Fruit Trees	<p>The tree species listed in Schedule 7 is to be retained with additional species added to reflect the Tree Management Framework, recently undertaken by Council.</p> <p>The list will also be relocated to Schedule 2 as it is exempt development.</p>
<i>Acacia baileyana</i>	Cootamundra Wattle	
<i>Acacia saligna</i>	Western Australian Golden Wattle	
<i>Ailanthus altissima</i>	Tree of Heaven	
<i>Ctoneaster glaucophyllus</i>	Cotoneaster	
<i>Celtis sinensis</i>	Japanese Hackberry	
<i>Celtis occidentalis</i>	Hackberry	
<i>Cinnamomum camphora</i>	Camphor Laurel	
<i>Cupressocyparis leylandii</i>	Leighton Green Cypress	
<i>Cupressus macrocarpa "Brunniana"</i>	Golden Cypress	
<i>Dovyalis caffra</i>	Kei Apple	
<i>Erythrina crista-galli</i>	Cockscomb Coral Tree	
<i>Erythrina x skyesii</i>	Coral Tree	
<i>Ficus elastica and hybrids</i>	Rubber Trees	
<i>Gleditsia triacanthos (not including recognised hybrids)</i>	Honey Locust	
<i>Grevillea robusta</i>	Silky Oak	
<i>Lagunaria petersonii</i>	Norfolk Island Hibiscus	
<i>Ligustrum lucidum</i>	Large Leaved Privet	
<i>Ligustrum sinensis</i>	Small Leaved Privet	
<i>Lycium ferocissimum</i>	African Box Thorn	
<i>Melia azedarach (only when <10m in height)</i>	White Cedar	
<i>Olea europea subsp. Cuspidate (syn. Olea Africana)</i>	African Olive	
<i>Opuntia spp.</i>	Prickly Pear	
<i>Parkinsonia aculeata</i>	Parkinsonia	
<i>Poplar spp.</i>	Poplars	
<i>Prosopis spp.</i>	Mesquite	
<i>Robinia pseudoacacia (not including recognised hybrids)</i>	Black Locust	
<i>Salix spp.</i>	Willows	
<i>Schefflera actinophylla</i>	Umbrella Tree	
<i>Schefflera arboricola</i>	Dwarf Umbrella Tree	
<i>Syagrus romanzoffiana (syn. Cocos plumosa)</i>	Queen Palm / Cocos Palm	
<i>Tamarix aphylla</i>	Athel Pine	
<i>Toxicodendron succedaneium</i>	Rhus Tree	
<i>Vachellia karroo</i>	Karoo Acacia	
<i>Vachellia nilotica</i>	Prickly Acacia	

Existing LLEP 2008	New LEP & Analysis
Schedule 3 Complying development	
Note — State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application. This Schedule contains additional complying development not specified in that Policy.	Compulsory Standard Instrument Schedule applies.
Part 1 Types of development	Compulsory Standard Instrument Schedule applies.
<p>Additions to industrial and warehouse buildings in Zone E4 or E5</p> <p>(1) Must not be on lots that are adjacent to land in residential or recreation zones.</p> <p>(2) Must not involve change to the use of the premises.</p> <p>(3) Maximum additional floor area—1,000m² or 25% of existing floor area (whichever is the lesser).</p> <p>(4) Maximum floor space ratio—1:1.</p> <p>(5) Maximum height of any structure—8.5m.</p> <p>(6) Minimum setback for any structure—</p> <p style="padding-left: 20px;">(a) from an arterial road (or arterial road widening)—20m, or</p> <p style="padding-left: 20px;">(b) from a local road (or local road widening)—10m, or</p> <p style="padding-left: 20px;">(c) from other boundaries—5m.</p> <p>(7) Minimum setback for any paved area wider than 1.5m—</p> <p style="padding-left: 20px;">(a) from an arterial road (or arterial road widening)—5m, or</p> <p style="padding-left: 20px;">(b) from a local road (or local road widening)—5m, or</p> <p style="padding-left: 20px;">(c) from other boundaries—3.5m.</p> <p>(8) Must have at least one window opening, door opening or other wall variation of more than 50mm for every 20m of wall length facing the front boundary.</p> <p>(9) Earthworks must not extend more than—</p> <p style="padding-left: 20px;">(a) 900mm above ground level (existing), or</p> <p style="padding-left: 20px;">(b) 600mm below ground level (existing).</p> <p>(10) Any roof or surface drainage area must have a drainage system that—</p> <p style="padding-left: 20px;">(a) captures the roof or surface water, and</p> <p style="padding-left: 20px;">(b) discharges that water into the inter-allotment or street stormwater drainage system, and</p> <p style="padding-left: 20px;">(c) limits the rate of discharge into Council's kerb and gutter to less than 20 litres per second without using on-site detention systems, and</p> <p style="padding-left: 20px;">(d) caters for a 1 in 20 year storm event and directs excess water over land to the street.</p> <p>(11) Must provide and maintain, adjacent to any street, a landscaped area with a minimum width of 5m that is designed by a suitably qualified landscape architect and that has mounding to a height of at least 600mm along the majority of any frontage to an arterial road.</p> <p>(12) Must ensure that there are in each landscaped area at least 3 trees (that grow to a mature height of over 5m and are not exempt trees), 6 shrubs (that grow to a mature height of over 1.5m) and 20 smaller plants.</p> <p>(13) Must provide a landscaped bay with a minimum width of 1.5m containing at least 1 tree that is not an exempt tree, at the end of, at least, every 10 car parking spaces in the front setback.</p> <p>(14) Must provide at least 1 car parking space for every 40m² of gross floor area of any building used for the purpose of office premises and at least 1 car parking space for every 70m² of gross floor of any building used for any other purpose.</p> <p>(15) Must not reduce any vehicle loading area or remove any such area.</p> <p>(16) Must not change the location or number of driveway entries onto the property.</p> <p>(17) Driveways must—</p> <p style="padding-left: 20px;">(a) be at least 10m from any road intersection, and</p> <p style="padding-left: 20px;">(b) be no wider than 7m crossing any landscaped strip to the front street or a side street, and</p> <p style="padding-left: 20px;">(c) permit all vehicles to enter and exit the site in a forward direction.</p> <p>(18) Must locate garbage and storage areas behind the building line for each street frontage.</p>	<p>The Additions to Warehouse Buildings in Industrial Zones controls are not to be included in the new LEP.</p> <p>It is anticipated these Complying Development clauses originated from the Liverpool Development Control Plan 1999, and transferred to the Liverpool LEP 2008, when the Standard Instrument was introduced.</p> <p>The SEPP (<i>Exempt and Complying Development Codes</i>) 2008 Part 5A Industrial and Business Buildings Codes contains provisions for alterations and additions for Complying Development. The Codes SEPP contains equivalent or more generous site requirements, height, gross floor area, floor space ratio and setbacks compared to the Complying Development provisions under the LLEP 2008. The Codes SEPP also includes standards relating to building appearance and articulation, car parking and access, loading facilities and driveways, garbage and waste storage, earthworks, drainage and development in bushfire prone land and flood control lots.</p> <p>Therefore, the Codes SEPP would override the LEP provisions, whilst containing more comprehensive controls, thereby making the LEP clause redundant.</p>
<p>Demolition or removal of dwelling houses or ancillary development</p> <p>(1) Must be demolition of a building or structure specified for this Schedule.</p> <p>(2) Must be in Zone R1, R2, R3, R4 or R5.</p> <p>(3) Must be undertaken in accordance with AS 2601—2001, The demolition of structures.</p>	<p>The Demolition or Removal of Dwelling Houses controls are not to be included in the new LEP.</p> <p>It is anticipated these Complying Development clauses originated from the Liverpool Development Control Plan 1999, and transferred to the Liverpool LEP 2008, when the Standard Instrument was introduced.</p> <p>The LEP clauses are effectively duplicated under Part 7 of the Codes SEPP, therefore the inclusion of this in the new LEP is not required, as it is redundant.</p>

Dwelling houses in Zones R1, R2, R3 and R4 on a property that is equal to or greater than 400m² and less than 450m²

- ~~(1) Must be the construction of a dwelling house including any ancillary development related to that house.~~
- ~~(2) The property must be entirely in a residential zone other than Zone R5 Large Lot Residential.~~
- ~~(3) Minimum width of property street frontage—12m.~~
- ~~(5) Maximum floor space ratio—0.5:1.~~
- ~~(6) The setback from the front property boundary—
 - ~~(a) to the dwelling house must be between 4.5m and 7m or at least 7m if the front property boundary fronts a classified road, and~~
 - ~~(b) to any part of a second storey of the dwelling house must be at least 5.5m.~~~~
- ~~(7) Minimum setback from the rear property boundary—
 - ~~(a) to the rear ground floor walls of the dwelling house—5m, and~~
 - ~~(b) to the rear second storey walls of the dwelling house—8m.~~~~
- ~~(8) Maximum height of any structure (other than a structure that is exempt development)—8.5m.~~
- ~~(9) Maximum height of a single storey structure (other than a structure that is exempt development)—5m.~~
- ~~(10) Maximum height of a structure in the front setback—1.2m.~~
- ~~(11) Maximum height of a structure within 2.5m of the rear property boundary—2.4m.~~
- ~~(12) Maximum height of a structure within 3m of a side property boundary—7m.~~
- ~~(13) Maximum height of a structure within 900mm of a side property boundary—3.3m.~~
- ~~(14) Maximum height of a structure within 450mm of side or rear property boundary—2.1m.~~
- ~~(15) Must not prevent at least 3 hours of direct sunlight between 9:00 am and 5:00 pm on 21 June—
 - ~~(a) to the main living area windows of any dwelling on adjoining properties, and~~
 - ~~(b) to at least 50% of the main area of private open space on the property or any neighbouring properties.~~~~
- ~~(16) Maximum number of storeys—2.~~
- ~~(17) Maximum height of the ground floor level—800mm above ground level (existing).~~
- ~~(18) Maximum height of any raised platform (associated with a deck, retaining wall, fill or otherwise) behind the front setback—800mm but if within 3m of any property boundary—300mm.~~
- ~~(19) Earthworks must not extend more than—
 - ~~(a) 300mm above ground level (existing), or~~
 - ~~(b) 500mm above ground level (existing) if retained behind an edge beam wall of the dwelling, or~~
 - ~~(c) 500mm below ground level (existing).~~~~
- ~~(20) (Repealed)~~
- ~~(21) Maximum second storey depth within 5m of either side boundary (not including balconies)—12m.~~
- ~~(22) Maximum depth of any second storey balcony—2.2m.~~
- ~~(23) Any second storey balcony more than 9m from the front property boundary must be at least 5m from any side property boundary.~~
- ~~(24) Any second storey balcony must be at least 8m from the rear property boundary.~~
- ~~(25) Maximum height between a floor and the ceiling above—4.5m.~~
- ~~(26) Minimum height between a floor in a habitable area and the ceiling above—2.4m.~~
- ~~(27) Minimum window sill heights for windows on the second storey that face, or are less than 3m from, a side boundary—1.5m.~~
- ~~(28) Materials, colours and finishes must be visually compatible with those existing in the surrounding area.~~
- ~~(29) Must provide and maintain, on the rear half of the property, a soft landscaped area of at least 50m² with a minimum width of 3m that has no hard paved surface other than garden edging or a retaining or other similar structure.~~
- ~~(29A) Must provide and maintain on the front setback a landscaped area of at least 20m² with a minimum width of 3m that has no hard paved surface other than garden edging or a retaining or other similar structure.~~
- ~~(29B) A lot on which a new dwelling is erected must have at least 24m² of principal private open space. In this subclause, principal private open space has the same meaning as it has in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.~~
- ~~(30) Must ensure that there are at least 1 tree (that grows to a mature height of over 5m and is not an exempt tree), 5 shrubs (that grow to a mature height of over 1.5m) and 15 smaller plants.~~
- ~~(31) Must provide and maintain at least 2 car parking spaces, 1 that is behind the building line and is at least 3m wide and 5.5m long (that must be covered) and 1 that is at least 2.5m wide and 5.5m long (that may be covered but only if it is behind the building line).~~
- ~~(32) Maximum width of driveways at the property boundary—
 - ~~(a) if to the front street—3.5m, or~~
 - ~~(b) if to a side or rear street—6m.~~~~
- ~~(32A) If the door or doors on a garage face a primary road, a secondary road or a parallel road, the total width of all door openings must not be more than—
 - ~~(a) 6m, and~~
 - ~~(b) 50% of the width of the building, measured at the building line to the relevant property boundary.~~~~
- ~~(32B) Any garage or carport must be set back at least 1m behind the front wall of the dwelling closest to the street.~~

It is recommended to not include these dwelling house provisions as Complying Development in the new LEP.

It is anticipated these Complying Development clauses originated from the Liverpool Development Control Plan 1999, and transferred to the Liverpool LEP 2008, when the Standard Instrument was introduced.

The LEP clauses only relate to lots between 400 and 450m², with a minimum 12m lot width. However, the Housing Code in Part 3 of the SEPP enables dwelling houses as Complying Development in the R1, R2, R3, R4 and RU5 land use zones if the development site exceeds 200m² and the width of the lot exceeds 6 metres. Therefore the LEP provisions are redundant.

Existing LLEP 2008	New LEP & Analysis
<p>Schedule 3 Complying development</p> <p>(33) Minimum distance of driveways from any road intersection—6m.</p> <p>(34) Driveways outside the property boundary must be constructed at right angles to the kerb and guttering and must be at least 500mm from any telegraph pole, street furniture or drainage structure.</p> <p>(35) Maximum gradient of driveways—1:5.</p> <p>(36) Driveways with a gradient of more than 1:12 must have (within the property boundary) a transition zone of at least 2m that has a maximum average gradient of 1:12.</p> <p>(37) (42) (Repealed)</p>	

Existing LLEP 2008	New LEP & Analysis
<p>Schedule 3 Complying development</p> <p>Dwelling houses in Zone R5 Large Lot Residential</p> <p>(1) Must be the construction of a dwelling house including any ancillary development related to that house (such as garages, awnings or swimming pools).</p> <p>(2) The property must be entirely in Zone R5 Large Lot Residential.</p> <p>(3) The property must have a street frontage width of at least 20m and an area of at least 2,500m².</p> <p>(4) Maximum floor space ratio—0.1:1.</p> <p>(5) The setback from the front property boundary—</p> <p style="padding-left: 20px;">(a) to the front wall of the dwelling house closest to the street must be between 12m and 25m, and</p> <p style="padding-left: 20px;">(b) to any other front walls of the dwelling house that are over 2m wide must be between 4.5m and 8m.</p> <p>(6) Maximum width of the dwelling (not including ancillary components)—20m.</p> <p>(7) Maximum depth of the dwelling (not including ancillary components)—20m.</p> <p>(8) Minimum setback from the rear property boundary to the rear walls of the dwelling—12m.</p> <p>(9) Minimum setback from side property boundaries to the walls of the dwelling—5m.</p> <p>(10) Maximum height of any structure (other than a structure that is exempt development)—8.5m.</p> <p>(11) Maximum height of a single storey structure (other than a structure that is exempt development)—5m.</p> <p>(12) Maximum number of storeys—2.</p> <p>(13) Maximum height of the ground floor level—800mm above ground level (existing).</p> <p>(14) Maximum height of any raised platform (associated with a deck, retaining wall, fill or otherwise) behind the front setback—800mm but if within 3m of any property boundary—300mm.</p> <p>(15) Earthworks must not extend more than—</p> <p style="padding-left: 20px;">(a) 300mm above ground level (existing), or</p> <p style="padding-left: 20px;">(b) 500mm above ground level (existing) if retained behind an edge beam wall of the dwelling, or</p> <p style="padding-left: 20px;">(c) 500mm below ground level (existing).</p> <p>(16) Maximum depth of any second storey balcony—3m.</p> <p>(17) Any second storey balcony must be at least 10m from the rear property boundary.</p> <p>(18) Maximum height between a floor and the ceiling above—4.5m.</p> <p>(19) (Repealed)</p> <p>(20) Materials, colours and finishes must be visually compatible with those existing in the surrounding area.</p> <p>(21) Must provide and maintain, on the rear half of the property, private open space of at least 300m² with a minimum width of 6m.</p> <p>(22) Must provide and maintain, on the rear half of the property, a soft landscaped area of at least 100m² with a minimum width of 5m that has no hard paved surface other than garden edging, retaining structure or similar.</p> <p>(23) Must provide and maintain, on the front setback, a soft landscaped area of at least 15m² with a minimum width of 2.5m that has no hard paved surface other than garden edging, retaining structure or similar.</p> <p>(24) Must ensure that there are on the property at least 3 trees (that grow to a mature height of over 5m and are not exempt trees), 6 shrubs (that grow to a mature height of over 1.5m) and 20 smaller plants.</p> <p>(25) Must provide and maintain at least 2 car parking spaces, 1 that is behind the building line and is at least 3m wide and 5.5m long (that must be covered) and 1 that is at least 2.5m wide and 5.5m long (that may be covered but only if behind the building line).</p> <p>(26) Maximum width of any garage or carport (including walls)—7m (unless entirely behind the dwelling).</p> <p>(27) Any garage or carport must be set back at least 1m behind the front wall of the dwelling closest to the street.</p> <p>(28) Maximum width of driveways at the property boundary—6m.</p> <p>(29) Minimum distance of driveways from any road intersection—6m.</p> <p>(30) Driveways outside the property boundary must be constructed at right angles to the kerb and guttering and must be at least 500mm from any telegraph pole, street furniture or drainage structure.</p> <p>(31) Any covered outdoor area (including awnings, pergolas, gazebos, verandahs, entry foyers or similar) must be open for at least 50% of its perimeter between 1m and 2m above the inside floor level.</p> <p>(32) Any structure with a roof area of more than 10m² must have guttering and downpipes that capture the water from the roofed area and discharge that water—</p> <p style="padding-left: 20px;">(a) into the inter-allotment or street stormwater drainage system, or</p> <p style="padding-left: 20px;">(b) into rainwater tanks that discharge any overflow into any such stormwater system.</p> <p>(33)–(36) (Repealed)</p>	<p>The Dwelling Houses on Large Lot controls are not to be included in the new LEP.</p> <p>It is anticipated these Complying Development clauses originated from the Liverpool Development Control Plan 1999, and transferred to the Liverpool LEP 2008, when the Standard Instrument was introduced.</p> <p>The Codes SEPP enables the development dwelling houses as Complying Development in the R5 Zone irrespective of lot size, as compared to the minimum 2,500m² required under LLEP 2008, as well as reduced lot widths and greater gross floor area. The Codes SEPP also includes higher landscape requirements and lesser private open space requirements. The provisions under the Codes SEPP mean the clauses under the LEP are redundant.</p>
<p>Part 2 Complying development certificate conditions</p>	<p>Compulsory Standard Instrument Schedule applies.</p>

Existing LLEP 2008	New LEP & Analysis
<p>Schedule 3 Complying development</p> <p>Note— Complying development must comply with the requirements of the Act, the regulations under the Act and this Plan.</p> <p>General conditions Any development specified in Part 1 is subject to the same conditions set out in Schedule 6 to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>Survey certificate In order to ensure compliance with approved plans, a survey certificate, to Australian Height Datum, must be prepared by a registered surveyor, as follows— (a) on completion of floor slab framework before concrete is poured, detailing the location of the structure to the boundaries, and (b) at completion of the lowest floor, confirming that levels are in accordance with the certificate. (Levels must relate to the datum on the certificate.)</p> <p>Required payments If payments are required in relation to any of the following, evidence of those payments must be provided to the Council on or before the lodging of the complying development certificate with the Council— (a) road reserve deposits, (b) opening of roads, (c) inspections, (d) registration.</p> <p>Notification to Council on completion The Council must be notified that all works have been completed within a reasonable time after the completion of the works.</p>	<p>Compulsory Standard Instrument Schedule applies.</p> <p>Additional requirements under the LLEP 2008 are not proposed to be included in the new LEP, as no additional Complying Development provisions under the new LEP are proposed.</p>

Existing LLEP 2008			New LEP & Analysis
Schedule 4 Classification and reclassification of public land			Compulsory Standard Instrument Schedule applies. The new LEP will contain a blank Schedule.
Part 1 Land classified, or reclassified, as operational land—no interests changed			
Column 1	Column 2		
Locality	Description		
Cartwright, 1A Bellbird Place	Lot 709, DP 238939		
Cartwright, 13 Kemira Place	Lot 708, DP 238939		
Hinchinbrook, Lot 241 Warialda Way	Lot 241, DP 1191341		
Liverpool, Pearce Street	Lot 14, DP 1090122		
Middleton Grange, Genairce Park	Lots 2–3, DP 1184259		
Part 2 Land classified, or reclassified, as operational land—interests changed			
Column 1	Column 2	Column 3	
Locality	Description	Any trust etc not discharged	
Busby, 16A Coonong Street	Lot 1, DP 805582	Nil	
Casula, Box Road	Lot 1103, DP 1051233	Reservations and conditions in the Crown grant and easement to drain water 1.2m wide (DP1051233) as noted on Certificate of Title Folio Identifier 1103/1051233	
Cartwright, 155 Willan Drive	Lot 306, DP 233164	Nil	
Green Valley, Wilson Road	Lot 4221, DP 1163525	Nil	
Hammondville, 150 Heathcote Road	Lot 8, DP 246745	Nil	
Hammondville, Stewart Avenue	Part of Lot 52, DP 717957, as shown edged heavy red on the Land Reclassification (Part Lots) Map	Nil	
Hammondville Park, Hammondville	Part of Lot 10, DP 1162812, identified as "Operational Land" Easement for sewerage purposes (V610445) and easement on the Land Reclassification (Part Lots) Map	Easement for transmission line (DP747513) as noted on Certificate of Title Folio Identifier 10/1162812	
Hinchinbrook, 1A and 2 Robin Street	Lot 850, DP 803527	Nil	
Hoxton Park, 20 First Avenue	Part of Lot 1, DP 510863, as shown edged heavy red on the Land Reclassification (Part Lots) Map	Nil	
Hoxton Park, 54 Nineteenth Avenue	Lot 536, DP 865435	Nil	
Liverpool, 46 Apex Street	Lot 100, DP 30136	Nil	
Liverpool, 24 Atkinson Street	Part of Lot 78, DP 27242, as shown edged heavy red on the Land Reclassification (Part Lots) Map	Reservations and conditions in the Crown grant, easements for underground mains and transmission lines (T152200), easement for underground cables (AE873373) and easements for underground cables (A1266768) as identified on Certificate of Title Folio Identifier Auto Consol 9341-170	
Liverpool, 24 Bulbul Avenue	Lot 2028, DP 809931	Nil	
Liverpool, 37 Carboni Street	Lot 40, DP 711956	Nil	
Liverpool, 37 Carboni Street	Part of Lot 42, DP 230194, as shown edged heavy red on the Land Reclassification (Part Lots) Map	Nil	
Liverpool, 181 Elizabeth Drive	Lot 1, DP 534648	Nil	
Liverpool, 9 Grimson Crescent	Lot 101, DP 30136	Nil	
Liverpool, 7C Lewis Road	Lot 52, DP 23856	Nil	
Liverpool, 9 McLean Street	Lot 7, DP 238364	Nil	
Liverpool, 203 Memorial Avenue	Part of Lot 236, DP 25142, as shown edged heavy red on the Land Reclassification (Part Lots) Map	Nil	
Liverpool, Tepper Park	Part of Lot 17, DP 31863, identified as "Operational Land" on the Land Reclassification (Part Lots) Map	Nil	
Lurnea, 9A Monica Close	Lot 16, DP 248376	Nil	

Moorebank, 82 Junction Road	Part of Lot 138, DP 917207, as shown edged heavy red on Nil the <i>Land Reclassification (Part Lots) Map</i>	Nil
Moorebank, 29 Stockton Avenue and 14 Thompson Avenue	Lots 2 and 1, DP 1150469	Nil
Prestons, Bernera Road	Lot 154, DP 867979	Reservations and conditions in the Crown grant, easement for transmission line (J914486) vested in New South Wales Electricity Transmission Authority (O858390) and easement for underground mains (DP867979) as identified on Certificate of Title Folio Identifier 154/867979
Prestons, Bernera Road	Lot 3046, DP 869842	Reservations and conditions in the Crown grant, restriction on the use of land (DP855480) and easement for underground mains (DP869842) as identified on Certificate of Title Folio Identifier 3046/869842
Prestons, 4 Marulan Way	Part of Lot 104, DP 876128, identified as "Operational Land" on the <i>Land Reclassification (Part Lots) Map</i>	Nil
Prestons, 6 Skipton Lane	Part Lot 3, DP 1045043, as shown edged heavy red on Nil the <i>Land Reclassification (Part Lots) Map</i>	Nil
Warwick Farm, Lot 10 Sappho Road	Lot 10, DP 776165	Easement for sewerage purposes (J182313) as noted on Certificate of Title Folio Identifier 10/776165
West Hoxton, Chapman Street	Lots 27 and 28, DP 1069623	Nil
West Hoxton, Forcett Close	Part of Lot 1001, DP 1006332, as shown edged heavy red on the <i>Land Reclassification (Part Lots) Map</i>	Reservations and conditions in the Crown grant and easement for transmission line (J476016) vested in New South Wales Electricity Transmission Authority (O858395) as shown on Certificate of Title Folio Identifier 1001/1006332
Part 3 Land classified, or reclassified, as community land		
Column 1	Column 2	
Locality	Description	
Chipping Norton, 38 Newbridge Road	Part of Lot 66, DP 1050611, identified as "Community Land" on the <i>Land Reclassification (Part Lots) Map</i>	

Existing LLEP 2008						New LEP & Analysis
Schedule 5 Environmental heritage						
Part 1 Heritage items						Compulsory Standard Instrument Schedule applies. The new LEP is to reflect the existing provisions and mapping under the LLEP 2008.
Division 1 Outside Liverpool City Centre						
Suburb	Item name	Address	Property description	Significance	Item No	
Ashcroft	Memorial gates, Ashcroft High School (former Ashcroft Homestead, St Luke's Rectory gates)	108–130 Maxwells Avenue	Lot 904, DP 225306	Local	1	
Austral	Brown Memorial and water trough	380 Bringelly Road	Lots 6–8, DP 1203671	Local	40	
Bringelly	Bringelly Public School Group, including schoolhouse and former headmaster's residence	1205 The Northern Road	Lot 50, DP 746911	Local	7	
Cartwright	Bridge (former Pitt Street Road Bridge)	Hoxton Park Road	Lot 16, DP 1036695	Local	55	
Casula	Federation weatherboard bungalow, including interiors	28 Canberra Avenue	Lot 4, Sec C, DP 7633	Local	9	
Casula	Casula Powerhouse Centre (former power station)	Casula Road	Lots 21–24 DP 1132574; Lot 1, DP 1115187	Local	10	
Casula	Railway Viaduct	300m south of Casula Powerhouse, Main Southern Railway Line		Local	11	
Casula	Two railway viaducts	Woodbrook Road, Main Southern Railway Line		Local	12	
Casula	Dwelling ("Dockra")	8 Dunmore Crescent	Lot 1, DP 530893	Local	13	
Casula	Post-war brick dwelling	443 Hume Highway	Lot 9, DP 4158	Local	13A	
Casula	Glenfield Farm Group, including homestead, barn and interiors (former dairy and stables)	Leacocks Lane	Lots 1 and 2, DP 1126484	State	14	
Casula	Mount Omei built precinct, including house, gallery and lookout area	Leacocks Lane	Lot 17, DP 554086	Local	16	
Cecil Hills	Cecil Hills Farm Group, including site landscaping, homestead, shearing shed, archaeological sites, garage, stables, cow bails, outbuildings, sheep dip, gallows and stockyards (former kitchen and dairy)	7 Sandringham Drive	Lot 163, DP 880335	State	16	
Chipping Norton	Chipping Norton Public School, including weatherboard classrooms, administration buildings and classroom and building interiors	4 Central Avenue	Lot 1, DP 194411; Lot 1, DP 601876; Lot 299, DP 752034	Local	18	

Existing LLEP 2008				New LEP & Analysis	
Schedule 5 Environmental heritage					
Chipping Norton	The Homestead Group, 18 Charlton Avenue and 1 Part Lot 354, DP 752034; State including main house, Homestead Avenue Lot 1, DP 644571 interiors, remnant landscape features and cistern			19	
Chipping Norton	Inter-war brick bungalow 2 and 4 Epsom Road ("Cooloola"), including interiors	Cnr Lot 2000, DP 1140651	Local	20	
Chipping Norton	Palm trees (<i>Phoenix canariensis</i>)	Corner of Governor Macquarie Drive and Epsom Road	Adjacent to Lot 3, DP Local 602936	21	
Chipping Norton	Avenue of trees	Riverside Park, fronting Riverside Road	Lots 62 and 63, Sec 2, DP Local 2411; Lot 7017, DP 1028106; Lot 17, DP 662900	22	
Denham Court	St Mary the Virgin Church and Cemetery Group, including church and churchyard	30 Church Road	Lot 19, DP 725739 Local	23	
Greendale	Shadforth Monument (former pioneer's monument)	Greendale Road	Western side of Greendale Road, adjacent to the common boundary of Lot 1, DP 520904 and Part Lot 1, DP 236562	24	
Greendale	Greendale Roman Catholic Cemetery	986 Greendale Road	Lot 1, DP 195955 Local	26	
Greendale	Former St Mark's Anglican Church Group, including cottage, church cemetery and interiors	1120 Greendale Road	Lot 1, DP 742417 Local	25	
Greendale	Bents Basin Inn site	Wolstenholme Avenue	Lots 203 and 204, DP Local 249320; Lots 84 and 85, DP 751294	28	
Hammondville	Hammondville Home Senior Citizens	for 68–82 Stewart Avenue	Cnr Lot 152, DP 717956 Local	29	
Hammondville	St Anne's Anglican Church and hall, including interiors	60–66 Walder Road	Lot 4, DP 238694 Local	30	
Holsworthy	Holsworthy pedestrian bridge (former railway bridge)	Harris Creek and Heathcote Road		Local	31
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 Local	32	
Holsworthy	Remount Park	Heathcote Road	Lot 258, DP 854592; Lot 1, DP 825745 Local	33	

Existing LLEP 2008					New LEP & Analysis	
Schedule 5 Environmental heritage						
Holsworthy	Cubbitch Barta Estate	National Old Illawarra Road	Lot 1, DP 825745	Local	34	
Horningsea Park	Horningsea Park Group, including site, main house, interiors and archaeological features	Horningsea Park Drive	Lots 1 and 2, DP 1018964	State	35	
Ingleburn	Ingleburn Military Heritage Precinct	Campbelltown Road	Part Lot 2, DP 831152	State	37	
Leppington	Edmondson Cottage rural lot, including interiors	and 1720 Camden Valley Way	Lot 6, DP 205472	Local	41	
Liverpool	Discovery Milestone, Collingwood Precinct and Aboriginal Place	Park and 40 Atkinson Street	Lot 77, DP 27242	Local	42	
Liverpool	Federation weatherboard including interiors	timber 122 Atkinson Street	Lot 52, DP 1090837	Local	49	
Liverpool	Collingwood Precinct Group, including homestead, service wing, interiors, horse trough, cistern, gardens and grounds	Heritage Birkdale Crescent (off)	Lot 803, DP 244820; Lot 77, DP 27242; Lots 100 and 101, DP 788434; Lot 2, DP 730829; Lot 781, DP 244820; Lot 184, DP 241158	State	43	
Liverpool	2 railway viaducts	Adjacent to 71 and 79A Congressional Drive		Local	44	
Liverpool	Mainsbridge School (former "Maryvale")	School 118 Flowerdale Road	Lot 1, DP 441857	Local	45	
Liverpool	Liverpool Cemetery	General Moore and McLean Streets and Flowerdale Road	Lots 6, 7 and 13, Ms 652 Sy; Lots 3 and 10 and Part Lots 4 and 5, Ms 10005 Sy; Lot 14, Ms 22433 Sy; Lot 11, Ms 20611 Sy; Lots 16 and 17, DP 40453; Lots 425 and 426, DP 48284; Lots 443-445, DP 822281; Lot 7030, DP 1059048; Lot 7044, DP 1045353; Lots 7047 and 7048, DP 1059854	Local	47	
Liverpool	Federation weatherboard including interiors	timber 10 Passefield Street	Lot 1, DP 129637	Local	48	
Lurnea	Federation weatherboard including interiors	timber 147 Reilly Street	Lot 7, DP 26166	Local	54	
Lurnea	Corrugated iron cottage	20 Webster Road	Lot 2, DP 519683	Local	54A	
Moorebank	Liverpool Fire Station (former Australian Army Engineers Group)	Anzac Road	Lot 3003, DP 1125930	Local	57	

Existing LLEP 2008						New LEP & Analysis
Schedule 5 Environmental heritage						
Moorebank	Clinch's Pond	Heathcote and Church Roads	Lot 1, DP 664816	Local	56	
Moorebank	Kitchener House (formerly "Arpafeelie"), including interiors	162 Moorebank Avenue	Lot 1001, DP 1050177	Local	58	
Rossmore	Bellfield Farm Group, including homestead, slab kitchen, slab cottage, smoke house and interiors	33 Rossmore Avenue	Lot 1, DP 580979	Local	61	
Rossmore	Church of the Holy Innocents Group, including church, interior and churchyard	130 Rossmore Avenue	Lots 1-4, DP 117688	State	60	
Sadleir	Memorial stone and plaque	147 Cartwright Avenue (corner of Maxwells Avenue)	Part Lot 735, DP 533701	Local	62	
Voyager Point	Sandstone Weir	Williams Creek		Local	63	
Warwick Farm	Milestone	Hume Highway (southern side of Hume Highway between George Street and Browne Parade)		Local	64	
Warwick Farm	Milestone	Hume Highway (southern side of Hume Highway between Warwick Farm Racecourse Gates A and B)		Local	65	
Warwick Farm	Warwick Farm Racecourse Group, including grandstand, race track, stables, interiors and landscape	2 Hume Highway	Lot 3, DP 1172051; Lot 2, DP 1172051; Lot 1, DP 250138; Lot 2, DP 1162276; Lot 14, DP 578199	Part Local	66	
West Hoxton	West Hoxton Union Church	Kirkpatrick Avenue	Lot 474, DP 666892	Local	68	
Division 2 Liverpool City Centre						Compulsory Standard Instrument Schedule applies. The new LEP is to reflect the existing provisions and mapping under the LLEP 2008.
Suburb	Item name	Address	Property description	Significance	Item no	
Liverpool	Light Horse Park	Atkinson Street	Lots 3, 7, 11 and 15, DP 1129945	Local	70	
Liverpool	Liverpool Railway Station Group, including station building, goods shed and jib crane	Bigge Street	Lot 1, DP 1053994	State	72	
Liverpool	Commercial Hotel (former Marsden's Hotel)	Bigge and Scott Streets	Lot 17, DP 1050799; Lots 15, 16 and 18, DP 979379	Local	74	
Liverpool	Dwelling	13 Bigge Street	Lots 1 and 2, DP 13930	Local	75	
Liverpool	Liverpool Courthouse (former), including interiors and grounds	201 Bigge Street	Lot 442, DP 831058	State	73	
Liverpool	Former MM Cables Factory and Cable Makers Australia Factory Pty Ltd	3 Bridges Road	Lot 200, DP 1009044	Local	76	

Existing LLEP 2008				New LEP & Analysis	
Schedule 5 Environmental heritage					
	Group, including inter-war administration building, factory and interiors				
Liverpool	Inter-war brick bungalow	115 Castlereagh Street	Lot 4, SP 39972	Local	77
Liverpool	Lyndeer House, including stables, interiors, front fence and landscaping	2 Charles Street	Lot 2527, DP 1111436	Local	78
Liverpool	Cast-iron letterbox	College Street	Adjacent to north-west corner of Lot 1, DP 863491	Local	79
Liverpool	Liverpool College (TAFE) site, including Blocks A–G, chimneystack, fences, gatehouses and archaeological features (formerly Liverpool Hospital and Benevolent Asylum)	College Street	Lot 1, DP 863491	State	80
Liverpool	Apex Park (first Liverpool Cemetery)	Elizabeth Drive and Castlereagh Street	and Lot 7027, DP 1027999	Local	81
Liverpool	Bigge Park Group, including the Captain Cook Obelisk, T.G. Scott Memorial Gateway, Rotary Clocktower, Liverpool Regional War Memorial, Liverpool Foundation Commemorative Obelisk and Thomas Moore Memorial Drinking Fountain	Elizabeth, College, Moore Streets	Lot 701 and 702, DP 1056246	Local	82
Liverpool	Milestone	Corner of Elizabeth Drive and George Street		Local	83
Liverpool	All Saints Roman Catholic Church, including interiors	48 George Street	Lot 1, DP 782355	Local	85
Liverpool	Pylons (former railway bridge)	Liverpool Georges River (near Haig Avenue)	Near Lot 7002, DP 1073063	Local	86
Liverpool	Liverpool Weir	Georges River (near Haig Avenue)	Near Lot 7002, DP 1073063	State	87
Liverpool	Collingwood Hotel	321 Hume Highway	Land in DP 83770; Lots 1 and 2, DP 563488; Lot 5, DP 201018; Lot D, DP 374057	Local	88
Liverpool	Plan of Town of Liverpool (early town centre street layout–Hoddle 1827)	Streets in the area bounded by the Hume Highway, Copeland Street, Memorial Avenue, Scott Street, Georges River and Main Southern Railway Line (excluding Tindall Avenue and service ways)		Local	89

Existing LLEP 2008				New LEP & Analysis	
Schedule 5 Environmental heritage					
Liverpool	Liverpool	Pioneers' Macquarie, Campbell and Lots 7035–7037, DP Local Memorial Park (formerly St Northumberland Streets 1073993; Part Lots 1 and Luke's Cemetery and Old and the Hume Highway 2, Sec 24, DP 758620; Lots Liverpool Cemetery) 1–4, Sec 34, DP 758620		90	
Liverpool	Boer War Memorial, Corner of Macquarie Street including memorial to and Memorial Avenue Private A.E Smith (Macquarie Street public footpath adjacent to 297 Macquarie Street)		Local	92	
Liverpool	Macquarie Statue	Corner of Macquarie and Scott Streets (Macquarie Street public footpath adjacent to 296 Macquarie Street)	Local	93	
Liverpool	Row of 3 palm trees	Macquarie Street median Lot 1, DP 119905 strip, opposite 306 Macquarie Street	Local	94	
Liverpool	St Luke's Anglican Church Group, including landscaping, church, hall, interiors, headstone and memorial gates (former St Luke's Church of England)	127 Macquarie Street Lot 111, DP 552031	State	84	
Liverpool	The Corner Pub (former Liverpool Hotel)	214 Macquarie Street Lot 1, DP 111765 (corner of Moore Street)	Local	95	
Liverpool	Commercial building	261–263 Macquarie Street Lot 1, DP 200052; Lot 8, Local DP 1103087	Local	96	
Liverpool	Legend Hotel	269 Macquarie Street Lot 1, DP 519133	Local	97	
Liverpool	Commercial building	275–277 Macquarie Street Lot 2, DP 519133	Local	98	
Liverpool	Former Rural Bank and State Bank	291 Macquarie Street Pt/Cnr Lot 11, DP 20730; Local Lots 9–10, DP 20730	Local	91	
Liverpool	Soldier's Memorial School of Arts, including interiors and palm trees	306–310 Macquarie Street Lot 101, DP 1143458; Part Local Lot 101, DP 1143458	Local	99	
Liverpool	Dr James Pirie Child Welfare Centre Building (formerly Child Welfare Centre), including interiors and front landscaping	124 Bigge Street Lot 701, DP 1056246	Local	100	
Liverpool	Liverpool Fire Station (former)	9 Pirie Street Lot 11, DP 1161981	Local	109	
Liverpool	Liverpool Public School, including interiors and grounds	1 Railway Street Lots 8–9, DP 758620; Lots Local 1–2, DP 878452; Lot 4, DP 878452; Lot 1, DP 50779; Lot 1, DP 178206; Lot 1, DP 178665; Lot 10, DP 303625; Lot 1, DP 956168; Lots 4–7, DP 797682; Lots 30–31, DP 1117676; Lot	Local	71	

Existing LLEP 2008						New LEP & Analysis
Schedule 5 Environmental heritage						
			441, DP 831058; Lot 1, DP 799619			
Liverpool	Commercial building	14 Scott Street	Lot 1, DP 208270	Local	101	
Liverpool	Commercial building (former out-building to former Golden Fleece Hotel and former Eugene's laundry)	16 Scott Street	Lot 3, DP 588103	Local	102	
Liverpool	Golden Fleece Hotel	20 Scott Street	Cnr Lot 100, DP 716185	Local	103	
Liverpool	Railway Viaduct	Shepherd Street and Mill Road, Main Southern Railway Line		Local	105	
Liverpool	Former Challenge Woollen Mills and Australian Paper Company's Mill	20 Shepherd Street	Lot 1, DP 247485	Local	104	
Liverpool	Inter-war Mediterranean brick dwelling ("Del Rosa"), including interiors	7 Speed Street	Lots 13 and 14, DP 13536	Local	106	
Liverpool	Victorian villa ("Rosebank"), including interiors	17 Speed Street	Lot 1, DP 567283	State	107	
Liverpool	Timber weatherboard workers' cottage	27 Speed Street	Lot 40, DP 1091733	Local	108	
Warwick Farm	Berryman Reserve	4 Remembrance Drive	Lot 1, DP 744448; Lot A, DP 432628	Local		
Part 2 Heritage conservation areas						Compulsory Standard Instrument Schedule applies. The new LEP is to reflect the existing provisions and mapping under the LLEP 2008.
Division 1 Liverpool other than Liverpool city centre						
Suburb	Item name	Address	Property description	Significance	Item no	
Nil						
Division 2 Liverpool city centre						Compulsory Standard Instrument Schedule applies. The new LEP is to reflect the existing provisions and mapping under the LLEP 2008.
Suburb	Item name	Address	Property description	Significance	Item no	
Liverpool	Bigge Park Conservation Area	Area bounded by and including Goulburn, Railway, Scott and Bigge Streets as shown hatched red on the Heritage Map	Lot 1, DP 234608; Lot 2, DP 579808	Local	C01	
Part 3 Archaeological sites						Compulsory Standard Instrument Schedule applies. The new LEP is to reflect the existing provisions and mapping under the LLEP 2008.
Suburb	Item Name	Address	Property Description	Significance	Item no	
Greendale	Bents Basin Inn site	Wolstenholme Avenue	Lots 203 and 204, DP 249320; Lots 84 and 85, DP 751294	Local	A01	
Luddenham	Lawson's Inn site (former "The Thistle" site)	2215 The Northern Road	Lot 9-11, Part Lot 14 and Lot 17, DP 1233751	Local	A02	
Wallacia	Remnants of former farm homestead ("Pemberton")	1530 Greendale Road	Lots 11 and 12, DP 1169162	Local	A03	

Existing LLEP 2008	New LEP & Analysis
Schedule 6 Pond-based and tank-based aquaculture	
Part 1 Pond-based and tank-based aquaculture	
<p>Division 1 Site location requirements</p> <p>1 Conservation exclusion zones</p> <p>(1) Must not be carried out on the following land, except to the extent necessary to gain access to water—</p> <p>(a) land declared an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016,</p> <p>(b) vacant Crown land,</p> <p>(c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.</p> <p>(2) Must not be carried out on the following land, except for the purposes of minimal infrastructure to support the extraction of water from, and discharge of water to, the land concerned—</p> <p>(a) land declared as an aquatic reserve under the Marine Estate Management Act 2014,</p> <p>(b) land declared as a marine park under the Marine Estate Management Act 2014.</p> <p>Note—Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.</p>	Compulsory Standard Instrument Schedule applies.
<p>Division 2 Operational requirements</p> <p>2 Species selection</p> <p>Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).</p> <p>3 Pond-based aquaculture that is also intensive aquaculture—pond design</p> <p>For pond-based aquaculture that is also intensive aquaculture—ponds must be capable of being drained or pumped and then completely dried.</p> <p>4 Pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—freshwater discharges</p> <p>For pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—no discharge of freshwater used to intensively cultivate or keep fish to natural waterbodies or wetlands is permitted, except freshwater discharge from open flow through systems.</p> <p>5 Outlets from culture ponds etc</p> <p>All outlets from culture ponds, tanks and other culture facilities must be screened to avoid the escape of fish.</p> <p>6 Definition</p> <p>In this Division—</p> <p><i>intensive aquaculture</i> has the same meaning as it has in the <i>Fisheries Management (Aquaculture) Regulation 2017</i>.</p>	Compulsory Standard Instrument Schedule applies.
Part 2 Extensive pond-based aquaculture	
<p>Division 1 Site location requirements</p> <p>7 Conservation exclusion zones</p> <p>(1) Must not be carried out on the following land, except to the extent necessary to gain access to water—</p> <p>(a) land declared an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i>,</p> <p>(b) vacant Crown land,</p> <p>(c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.</p> <p>Note—</p> <p>Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.</p> <p>8 Flood liability</p> <p>Must be designed or constructed on land so that it will not be inundated by the discharge of a 1:100 ARI (average recurrent interval) flood event.</p>	Compulsory Standard Instrument Schedule applies.

Existing LLEP 2008	New LEP & Analysis																																
<p>Division 2 Operational requirements</p> <p>9 Species selection Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).</p> <p>10 Pond design (1) Must not require the construction of new ponds, water storages, dams or buildings. (2) Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers. (3) Must be capable of preventing the escape of stock into natural waterbodies or wetlands.</p> <p>11 Culture water Must use freshwater.</p>	<p>Compulsory Standard Instrument Schedule applies.</p>																																
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<table border="0"> <thead> <tr> <th data-bbox="74 676 934 709">Botanical Name</th> <th data-bbox="934 676 1997 709">Common Name</th> </tr> </thead> <tbody> <tr> <td><i>Salix species</i></td> <td>Willow</td> </tr> <tr> <td><i>Populus species</i></td> <td>Poplar</td> </tr> <tr> <td><i>Acacia baileyana</i></td> <td>Cootamundra Wattle</td> </tr> <tr> <td><i>Erythrina x sykesii</i></td> <td>Coral Tree</td> </tr> <tr> <td><i>Ficus elastica and hybrids</i></td> <td>Ornamental Rubber Tree</td> </tr> <tr> <td><i>Cupressus macrocarpa</i></td> <td>Golden Cypress</td> </tr> <tr> <td><i>Lagunaria patersonia</i></td> <td>Norfolk Island Hibiscus</td> </tr> <tr> <td><i>Ligustrum lucidum species</i></td> <td>Large-leaved Privet</td> </tr> <tr> <td><i>Ligustrum sinense species</i></td> <td>Small-leaved Privet</td> </tr> <tr> <td><i>Olea africana</i></td> <td>African Olive</td> </tr> <tr> <td><i>Cinnamomum camphora</i></td> <td>Camphor Laurel</td> </tr> <tr> <td><i>Schefflera actinophylla</i></td> <td>Umbrella Tree</td> </tr> <tr> <td><i>Syagrus romanzoffiana</i></td> <td>Cocos Palm</td> </tr> <tr> <td><i>Toxicodendron succedaneum</i></td> <td>Rhus Tree</td> </tr> <tr> <td><i>Gleditsia triacanthos</i></td> <td>Honey Locust</td> </tr> </tbody> </table>	Botanical Name	Common Name	<i>Salix species</i>	Willow	<i>Populus species</i>	Poplar	<i>Acacia baileyana</i>	Cootamundra Wattle	<i>Erythrina x sykesii</i>	Coral Tree	<i>Ficus elastica and hybrids</i>	Ornamental Rubber Tree	<i>Cupressus macrocarpa</i>	Golden Cypress	<i>Lagunaria patersonia</i>	Norfolk Island Hibiscus	<i>Ligustrum lucidum species</i>	Large-leaved Privet	<i>Ligustrum sinense species</i>	Small-leaved Privet	<i>Olea africana</i>	African Olive	<i>Cinnamomum camphora</i>	Camphor Laurel	<i>Schefflera actinophylla</i>	Umbrella Tree	<i>Syagrus romanzoffiana</i>	Cocos Palm	<i>Toxicodendron succedaneum</i>	Rhus Tree	<i>Gleditsia triacanthos</i>	Honey Locust	<p>The Exempt Trees list is to be included in the new LEP however relocated to Schedule 2 – Exempt Development.</p>
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