

PD 02

**Liverpool Development Control Plan 2008 -
Proposed Amendments**

Strategic Objective	Liveable, Sustainable, Resilient Protect and enhance our natural environment and increase the city's resilience to the effects of natural hazards, shocks and stresses
File Ref	131522.2026
Report By	Peter Nelson - Principal Strategic Planner
Approved By	Lina Kakish - Director Planning & Design

EXECUTIVE SUMMARY

The Liverpool Development Control Plan 2008 (LDCP) provides detailed controls for the design and assessment of new development within the Liverpool Local Government Area (LGA). The LDCP also supports the objectives of the *Liverpool Local Environmental Plan 2008* (LLEP) and must be consistent with the provisions and objectives of this prevailing LEP.

The LDCP came into force on 29 August 2008 and has been periodically reviewed and amended since this time, with the most recent update – Amendment 39 – occurring in September 2024.

Periodic reviews are needed to ensure the development controls in the LDCP align with Council's strategic direction and reflect best practice in planning, building design, residential amenity and sustainability outcomes. Furthermore, both the adopted Delivery Program 2025-2029 and Operational Plan 2025-2026 include actions to review and update the LDCP within this cycle.

As a result, City Planning has commenced a review of the LDCP to ensure the planning controls reflect industry best practice, align with current legislation and deliver positive outcomes for growing communities.

Known as the LDCP Review Project, the initiative will be delivered in two (2) stages, with Stage 1 primarily focused on housekeeping updates to LDCP 2008, while Stage 2 will consider any future adopted changes to the LEP as part of the new Liverpool LEP Project.

This Report seeks Council endorsement to publicly exhibit the Stage 1 amendments for a minimum of 28 days.

RECOMMENDATION

That Council:

1. Receives and notes this Report;
2. Endorses the proposed amendments to the Liverpool Development Control Plan 2008 (**Attachment 1**) for public exhibition for a minimum of 28 days in accordance with the Liverpool Community Participation Plan 2025;
3. Should submissions be received during the exhibition period, receives a Post-Exhibition Report at a future Ordinary Meeting of Council for Council consideration;
4. Should no submissions be received during the exhibition period, delegates to the CEO the authority to adopt the proposed amendments to the Liverpool Development Control Plan 2008 (**Attachment 1**) on behalf of Council in the form they were publicly exhibited or with minor administrative amendments.

REPORT

Background

The Liverpool Development Control Plan 2008 (LDCP) provides detailed controls for the design and assessment of new development within the Liverpool Local Government Area (LGA). The LDCP also supports the objectives of the *Liverpool Local Environmental Plan 2008* (LLEP) and must be consistent with the provisions and objectives of this prevailing LEP.

The LDCP has been in effect since 2008. Since that time, the LDCP has been periodically reviewed and amended, with the most recent update – Amendment 39 – occurring in September 2024.

Periodic reviews are needed to ensure the development controls in the LDCP align with Council's strategic direction and reflect best practice in planning, building design, residential amenity and sustainability outcomes. Furthermore, both the adopted Delivery Program 2025-2029 and Operational Plan 2025-2026 include actions to review and update the LDCP within this cycle.

As a result, City Planning has commenced a review of the LDCP to ensure the planning controls reflect industry best practice, align with current legislation and deliver positive outcomes for growing communities.

Known as the LDCP Review Project, the initiative will be delivered in two (2) stages, with Stage 1 primarily focused on housekeeping updates to LDCP 2008, while Stage 2 will consider any future adopted changes to the LEP as part of the new Liverpool LEP Project.

Proposed DCP amendments associated with Stage 1 (**Attachment 1**) were presented to Councillors at the Governance Committee Meeting on 14 April 2026.

Liverpool Development Control Plan (LDCP) Review Project – Stage 1 Amendments

The overarching scope for the Stage 1 amendments to the LDCP is largely administrative and aims to rationalise existing policy to ensure there are concise objectives and controls, as well as remove outdated policy references and simplify the Development Assessment process.

In addition, improvements have been made to existing provisions to ensure they align with Local and State Policy changes. In this regard the most substantive change is to update references to State Environmental Planning Policies (SEPPs) where these have undergone name changes.

Key areas of reform that will be addressed as part of Stage 1 are summarised in *Table 1*, with further justification provided in **Attachment 3** on each proposed DCP amendment.

Table 1 – Key areas of reform for Stage 1 of the LDCP Review Project

#	Area of Reform	Reason for Reform
1	Childcare Centres	Childcare Centre controls have been significantly altered to remove superseded controls that are now required to be assessed under the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> . In this regard, the only controls that can be assessed under the LDCP or LLEP include height, side boundary setbacks and car parking. As such, superseded controls have been removed and additional objectives and controls have been added to provide the necessary clarification to the remaining controls.
2	Environment	Stage 1 amendments include updating current controls to align with Council's Tree Management Framework and Climate Change Policy, including amended wording in relation to tree retention, tree provision and tree removal objectives and controls.

		<p>These are summarised under the following sub-headings:</p> <p><u>Tree Retention and Removal</u></p> <p>Additional objectives and controls have been added to clearly identify the requirements around tree retention, tree removal and tree replacements. The objectives now generally require significant trees to be retained and overall canopy cover to be improved, with clear requirements identified if tree removal is to be considered.</p> <p><u>Development Application Lodgement Requirements</u></p> <p>Additional controls have also been added to provide clarity in relation to lodgement and assessment requirements for sites with identified significant trees and vegetation. The aim of the amendments is to improve canopy cover across the Liverpool Local Government Area (LGA) in accordance with the adopted targets under the Tree Management Framework.</p> <p><u>State Environmental Planning Policy (Biodiversity and Conservation)</u></p> <p>Additional objectives have been included to identify requirements under <i>State Environmental Planning Policy (Biodiversity and Conservation) 2011</i>. This will improve clarity for Proponents.</p> <p><u>Miscellaneous</u></p> <p>Content has also been amended to remove outdated references in the fields of Bushfire Management and Biodiversity.</p>
3	Heritage	<p>In relation to Aboriginal Cultural Heritage Assessment, objectives and controls have been updated to better align with current legislation. In this regard, lodgement and assessment requirements for Development Applications have been clarified with additional controls that align with relevant legislative requirements. These amendments will provide greater clarity for Proponents and avoid potential delays in application processing.</p>
4	Industrial	<p>Inclusion of new and/or improved objectives to support existing controls and provide clarity and guidance in relation to front boundary setbacks. These amendments will support the existing setback requirements and provide guidance for Proponents in instances where the numerical controls may not be achievable.</p>

5	Traffic and Transport	Stage 1 amendments include updated references to Australian Standards for parking and access; updated provisions for unique uses/types of development (e.g. clarification of traffic, parking and safety provisions for childcare centres); and updated requirements for the provision of Transport Management Plans.
6	Definitions	The amendments will include updated definitions for specific items including Arborist, Lopping Ring Barking and Topping, as well as updated provisions to align with NSW Government Legislation. Furthermore, references to “wheelchair access” have been removed and replaced with “disabled access.”
7	Miscellaneous and Administrative Changes	The DCP proposes multiple miscellaneous and administrative changes such as the removal of redundant policy, legislative and Australian Standards references, as well as updating various NSW Government Agency titles.

A clean copy of the proposed DCP amendments associated with Stage 1 is provided in **Attachment 1**, with a tracked changes version included in **Attachment 2**.

Overall, the proposed changes associated with Stage 1 are considered necessary, practical and suitable to improve the functionality and effectiveness of the LDCP.

Next Steps

Should Council endorse the public exhibition of the proposed DCP amendments associated with Stage 1, the amendments will be publicly exhibited for a minimum of 28 days in accordance with the Liverpool Community Participation Plan 2025.

Should Council receive submissions during the exhibition period, a Post-Exhibition Report will be prepared and tabled at future Ordinary Meeting of Council for Council consideration. If no submissions are received during the exhibition period, Council’s CEO will adopt the proposed DCP amendments in the form they were publicly exhibited or with minor administrative amendments.

Following completion of Stage 1 of the LDCP Review Project, Stage 2 will commence. Proposed DCP amendments associated with Stage 2 will focus on more detailed amendments to existing controls that have been identified for improvement, as well as any future adopted changes to the LEP as part of the new Liverpool LEP Project.

2. Endorses the proposed amendments to the Liverpool Development Control Plan 2008 (**Attachment 1**) for public exhibition for a minimum of 28 days in accordance with the Liverpool Community Participation Plan 2025; and
3. Directs the report to come back to Council after public exhibition.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Note: Cllrs Ibrahim, Karnib, Monaghan, Munjiza and Ristevski were not in the meeting when this item was voted on.