

# **Liverpool Local Environmental Plan**

**Principal Planning Proposal**

**August 2024**

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## Foreword

Pursuant to Section 3.8 of the *Environmental Planning and Assessment Act 1979* (the Act), Council is required to review its Local Environmental Plan (LEP), to give effect to the Western City District Plan. Section 3.21 of the Act requires that the consent authority review the LEP periodically. This planning proposal is the second phase of the LEP Review, which seeks to establish a new Liverpool LEP, in accordance with the Western City District Plan. The new LEP will establish the land uses of the LEP application area and will continue to be reviewed in accordance with State and Local Strategic Plans.

## Introduction

This Principal Planning Proposal is prepared by Liverpool City Council (Council), to establish a new Liverpool Local Environmental Plan, thereby repealing the *Liverpool Local Environmental Plan 2008* (LLEP 2008).

At its Ordinary Meeting of Council on 2 February 2022, Council endorsed their commitment to “*Start the process to create a new Liverpool LEP as a matter of urgency*”. This planning proposal intends to fulfill this resolution, by establishing a local environment planning instrument which aligns with state and local strategic planning actions.

The planning proposal applies to the same area as LLEP 2008, and proposes revised application of land use zones, development standards and local provisions for residential, commercial, industrial, environmental and recreational land. The planning proposal has been informed by community engagement through the implementation of actions from the Liverpool Local Strategic Planning Statement, ‘Connected Liverpool 2040’, as well as the Land Use Strategies, including the Local Housing Strategy, Centres and Corridors Strategy and Industrial and Employment Lands Strategy.

At its Ordinary Meeting of Council on 29 May 2024, Council resolved to endorse the Draft Principal Planning Proposal with some additional changes, and to submit it to the Department of Planning, Housing and Infrastructure for a Gateway determination. In accordance with this resolution, the Draft Principal Planning Proposal has been updated to reflect the amendments requested by Council.

## Report Structure

This planning proposal has been prepared in accordance with Section 3.33 of the Act, having consideration to the ‘Local Environmental Plan Making Guideline’ (August 2023). Accordingly, the proposal is discussed in the following parts:

- Background Information
- Site description
- Part 1 – Objectives and intended outcomes
- Part 2 – Explanation of provisions
- Part 3 – Justification of strategic and site-specific merit

- Part 4 – Maps
- Part 5 – Community consultation
- Part 6 – Project timeline

## Background Information

### **Liverpool Local Environmental Plan 2008**

The *Liverpool Local Environmental Plan 2008* (LLEP 2008) was gazetted on 29 August 2008, and was one of the first Local Environmental Plan's (LEP's) to be made following the State Government implementation of the standardised LEP. Several aspects within the LLEP 2008 were direct translations from the *Liverpool LEP 1997*, into the Standard Instrument LEP.

The LLEP 2008 was developed whilst Liverpool City Council was under administration, involved minimal community consultation and was not informed by the community's strategic aspirations for the Local Government Area (LGA). Notably, significant residential density was proposed in suburban areas, the scale of which is not proportionate to the infrastructure available in the locality. The majority of the proposed zoning and extensive development envisioned by the plan has not been developed to date, primarily due to lack of feasibility, as found by the Liverpool Local Housing Strategy.

Since the gazettal of LLEP 2008, many additional amendments have been made which have significantly altered the LLEP 2008 since its gazettal. Most notably, Amendment 52 (gazetted 5 September 2018) focused on enabling the growth of the Liverpool City Centre into Sydney's third CBD. This Amendment granted extensive mixed-use development capacity, allowing for future residential development within the City Centre, rather than locate this population growth within suburban areas as previously envisioned. The LLEP 2008 has recently been amended to cater for new centres such as Middleton Grange and Holsworthy. Additionally, significant growth outside of the LEP application area has occurred in areas like Edmondson Park and Austral, and future areas of Leppington and the Aerotropolis.

Therefore, it is pertinent to review the LLEP 2008 in the current planning context, to apply land use zones and development standards which meet the needs of existing and future communities, such as through delivering housing diversity through medium density housing forms.

### **Phase 1 LEP Review**

In 2018, the Western Sydney City Deal granted Liverpool City Council funding to conduct an accelerated LEP review, to align Liverpool's LEP with the District Plan within a two-year period. This was known as the Phase 1 LEP review, and included the development of the following strategic planning documents to establish the strategic vision of the LGA:

- Liverpool Local Strategic Planning Statement (LSPS) 'Connected Liverpool – 2040';
- Liverpool Housing Strategy 2020;
- Liverpool Centres and Corridors Strategy 2020; and
- Liverpool Industrial and Employment Lands Strategy 2020.

Extensive community engagement was undertaken to inform the actions in the LSPS and Land Use Strategies. Given the time constraints however of the accelerated LEP review Council took a phased approach to the review of its LEP, with the intent to continue implementing actions overtime.

The first review actioned certain short term LSPS items and was primarily a comprehensive housekeeping amendment, with over 60 amendments made. The Phase 1 LEP review was completed in March 2021.

### **LEP Review Scoping Report**

On 2 February 2022, Council resolved to prepare a new Liverpool Local Environmental Plan, and to lower the heights of buildings in a number of suburbs to 12m. Four workshops and an LGA bus tour were conducted with Councillors during May and June 2022 to determine the scope of the LEP Review.

Principles for the new LEP were endorsed by Council at its meeting on 27 July 2022. These principles were informed by actions from the LSPS and Land Use Strategies and are used to clearly articulate a land use vision for the new LEP.

At its meeting on 31 August 2022, Council resolved to endorse the Scoping Report for the LEP Review, which was the first stage in the creation of a new LEP. It set out how the proposed principles would apply in different suburbs, commercial centres and industrial precincts across the LEP application area. It also identified the short-term and medium-term actions from the LSPS and Land Use Strategies which are to be addressed in this planning proposal.

The Scoping Report was developed to engage with the community, the Department of Planning and Environment (now Department of Planning, Housing and Infrastructure) and other relevant stakeholders. A period of Early Engagement (pre-planning proposal) was conducted from 19 September to 13 November 2022, and is detailed further in Part 5 of this planning proposal. Outcomes of the exhibition period were reported to Council on 1 March 2023 and 26 April 2023. Refer to **Attachment 10** for consolidated Council Reports and Resolutions.

### **Further Investigations**

Following exhibition of the Scoping Report, Mecone with sub-contractors Atlas Economics and Smith & Tzannes, were engaged by Council to undertake technical analysis to support this planning proposal. This was to ensure the new LEP would meet housing targets, facilitate feasible development and provide for high quality design. These reports were in the form of addendums to Council's Land Use Strategies, and undertook investigations using the following methodology:

#### **Residential Lands Investigations (Attachment 2)**

- Test the impacts of the LEP's proposed changes for Residential land contained in the Scoping Report to determine urban design and feasibility outcomes.

- Develop a suite of controls to support greater medium density development in the R3 Medium Density Residential zone.
- Determine the impact of proposed changes on medium and long-term housing targets.
- Provide recommendations for the LEP and Development Control Plan (DCP).

### **Commercial Lands Investigation (Attachment 3)**

- Analysis of the structural and market trends influencing the demand for commercial and retail floorspace in the centres, to provide an understanding of demand and supply in a post-COVID-19 context
- Testing of proposed planning controls (specifically heights) impact on development (6 sites), including feasibility and configuration outcomes.
- High level review of Council's retail hierarchy and planning controls to reinforce the hierarchy.
- Analysis of the numerical controls applicable to the Liverpool City Centre to determine if changes are required.
- Recommended LEP controls for commercial land.

### **Industrial Lands Investigation (Attachment 4)**

- Analysis of the structural and market trends influencing the demand for industrial typologies.
- Case study examples of new/emerging typologies and their planning requirements.
- Assess suitability of existing controls and proposed LEP controls and identify opportunities for change, based on planning and development outcomes.
- Identify appropriate planning controls to accommodate new/ emerging typologies.
- Brief place-based urban design analysis and synthesis to identify opportunities for change.
- Provide recommendations for LEP controls for industrial lands.

### **Local Planning Panel (Attachment 1)**

The planning proposal was presented to the Liverpool Local Planning Panel (LPP) on 21 December 2023. The LPP were supportive of the scoping, consultation, analysis and principles undertaken for the new LEP. Refer to the LPP Report and Minutes at Attachment 1. Refer to the 29 May 2024 Council Report for further details regarding changes made to the plan following advice from the LPP.

## **Delegation of plan making functions**

In accordance with the 'Local Environmental Plan Making Guideline' (August 2023), the establishment of a new LEP is categorised as a 'Principal' Planning Proposal. As such, the Minister for Planning and Public Spaces (or delegate) is assumed to be the authority for local plan-making functions, as detailed in Section 3.36 of the Act.

## Site Description

The planning proposal applies to the same extent of land as the LLEP 2008 Land Application Map. This includes the majority land in the Liverpool LGA, with the exception of certain land zoned under the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*. The boundaries of the LLEP 2008 application area are identified in **Figure 1** below and comprise a total of 29 suburbs with residential land, 11 industrial precincts and numerous commercial centres, over an approximate area of 220km<sup>2</sup>.

Whilst the planning proposal applies to the entire extent of the Land Application Map, it is noted that the western portion of land is primarily rural zoned land and significant changes to this area have not been proposed, as rural land will be reviewed through implementation of the Rural Lands Strategy.

A significant number of changes to land use zones, development standards and local provisions are proposed within the eastern portion of the Land Application Map under this planning proposal. This is in response to specific actions within Land Use Strategies which apply in this area, i.e., the Local Housing Strategy, Centres and Corridors Strategy, and Industrial and Employment Lands Strategy.

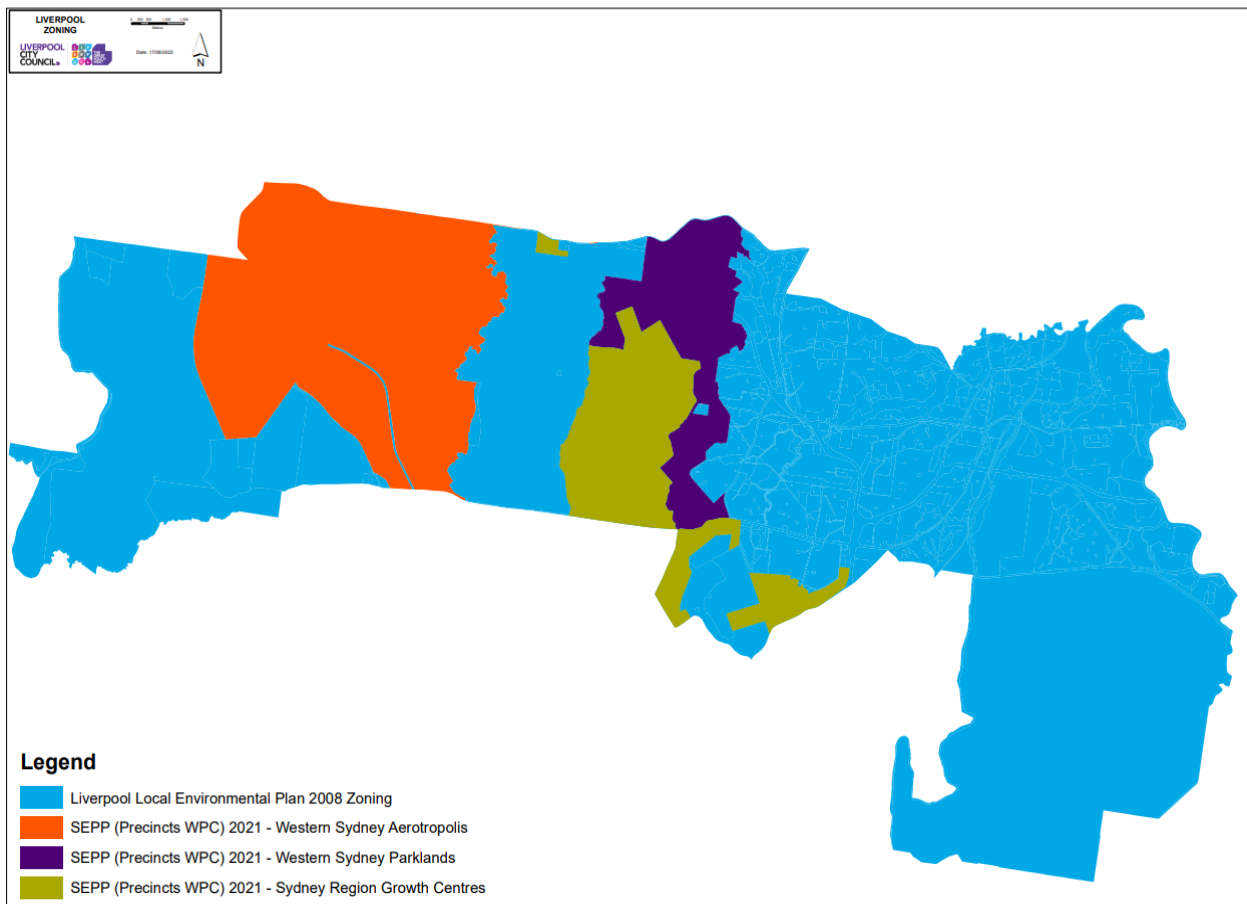


Figure 1: Application of the LLEP 2008 across the Liverpool LGA (**shown in blue**)

## Part 1 – Objectives and Intended Outcomes

The objectives of this Principal Planning Proposal are to:

1. Establish a new Liverpool Local Environmental Plan, in line with the strategic vision of the Western City District Plan (District Plan) and Liverpool LSPS 'Connected Liverpool 2040';
2. Implement endorsed Liverpool Land Use Strategy actions; and
3. Repeal the *Liverpool Local Environmental Plan 2008*.

The intended outcomes of this planning proposal are outlined in the following principles for residential, commercial and industrial land. As previously noted, these were endorsed by Council at the meeting of 27 July 2022, to ensure a consistent approach to land uses across the new LEP.

### **Residential Land**

1. Encourage high density residential development in the vicinity of the Liverpool City Centre and Town Centres, and along Transport Corridors;



2. Facilitate appropriate transitions from R4 High Density Residential to R3 Medium Density Residential zoned land;



3. Promote high quality medium density residential development near centres;



4. Incentivise multi dwelling housing development in the R3 Medium Density Residential zone to support housing diversity; and



5. Protect suburban character of low-density residential areas.



Figure 2: Residential Land Principles

## **Commercial Centres**

1. Provide for the retail needs of the Liverpool LGA into the future;
2. Enable redevelopment of centres which will provide both commercial and residential uses, with high quality design encouraged; and
3. All centres, regardless of their hierarchy, are to have a height of building development standard of 12m or less to limit the height of buildings across all centres within the LEP, with certain exclusions.

*Note:* Exclusions to the 12m Height of Building (HOB) standard are noted in **Part 2** of this planning proposal. The 12m HOB restriction will apply to suburban areas which are not suited to significant density, and will not apply to areas such as the Liverpool City Centre, main road corridors (Hoxton Park Road, Hume Highway, Edmondson Avenue), appropriate high density areas, (e.g. Warwick Farm) or centres subject to recent planning proposals (Holsworthy, Middleton Grange).

## **Industrial Precincts**

1. Review and manage industrial land, whilst allowing flexibility for future development;
2. Encourage renewal of industrial precincts; and
3. Determine the role of industrial precincts.

## **Recreation and Environmental Matters**

The planning proposal intends to establish a new LEP which addresses environmental matters, which are of high importance to the community, e.g. water recycling, stormwater management and water sensitive urban design, urban heat, biodiversity protection, etc.

## Part 2 – Explanation of Provisions

The objectives and intended outcomes of this planning proposal will be achieved through the preparation of a new Liverpool LEP. The new LEP is to be prepared in accordance with the *Standard Instrument—Principal Local Environmental Plan 2006* (Standard Instrument).

This Part is addressed in the following sections:

- A. Creation of Liverpool LEP as per the Standard Instrument**
- B. Liverpool LEP Land Use Zone Application & Development Standards**

### A. Creation of Liverpool LEP as per the Standard Instrument

This section outlines the Parts of the new Liverpool LEP, as per the Standard Instrument LEP structure. Refer to **Attachment 6** 'Written Instrument Report' for additional information, including the intent of proposed clauses within each Part.

This planning proposal does not seek to amend the existing LLEP 2008, as it is intended that a new LEP is prepared. As the new LEP will continue to build upon the LLEP 2008, **Attachment 9** 'Comparison to LLEP 2008 Written Instrument' provides context on how provisions in the LLEP 2008 will be continued or discontinued.

- **Part 1 Preliminary**

Clauses within this Part are mostly compulsory Standard Instrument clauses which relate to the operation of the Plan, such as name, commencement, application area, consent authority, repealed instruments, savings provisions, and relationship to State Environmental Planning Policies. This part contains specific aims of the LEP for the Liverpool LGA.

Relevant Map/s: Land Application Map.

- **Part 2 Permitted or Prohibited Development**

This part contains compulsory Standard Instrument clauses relating to land use zones, land use tables and objectives, role of Schedule 1 for Additional Permitted Uses, requirements for subdivision, demolition and temporary use of land.

Relevant Map/s: Land Zoning Map, Key Sites Map (Additional Permitted Uses).

- **Land Use Table**

This Part details the objectives of each zone and specifies permissible and prohibited development within each Land Use Zone. The following land use zones are proposed to apply in the new LEP, operating as closed zones. This means preferred land uses are listed as permissible, and anything that is not listed as permissible is therefore prohibited. This creates certainty about the permissible uses to be developed within the zone.

Refer to **Attachment 7** 'Land Use Matrix' for a breakdown of permissible and prohibited uses for each zone. The following zones are to apply within the new LEP:

**Rural Zones**

RU1 Primary Production  
RU2 Rural Landscape  
RU4 Primary Production Small Lots

**Residential Zones**

R1 General Residential  
R2 Low Density Residential  
R3 Medium Density Residential  
R4 High Density Residential  
R5 Large Lot Residential

**Employment Zones**

E1 Local Centre  
E2 Commercial Centre  
E3 Productivity Support  
E4 General Industrial  
E5 Heavy Industrial  
MU1 Mixed Use

**Infrastructure Zones**

SP1 Special Activities  
SP2 Infrastructure

**Recreation Zones**

RE1 Public Recreation  
RE2 Private Recreation

**Conservation & Water Zones**

C1 National Parks & Nature Res.  
C2 Environmental Conservation  
C3 Environmental Management  
W1 Natural Waterways

Applicable Map/s: Land Zoning Map.

- **Part 3 Exempt and Complying Development**

This Part contains compulsory Standard Instrument clauses relating to the application of Local, Exempt and Complying Provisions under the Schedules 2 and 3 of the LEP. Refer to Schedule 2 and 3 below.

Applicable Map/s: Nil.

- **Part 4 Principal Development Standards**

This Part contains compulsory Standard Instrument clauses relating to development standards including minimum subdivision lot size, rural subdivision, boundary changes, height of buildings, floor space ratio, calculation of floor space and site area, and exceptions to development standards.

Applicable Map/s: Lot Size Map, Floor Space Ratio Map, and Height of Buildings Map.

- **Part 5 Miscellaneous Provisions**

This Part contains various compulsory and optional Standard Instrument clauses, including land acquisition, environmental hazards and miscellaneous development standards. The following Standard Instrument optional clauses are proposed to apply:

- 5.3 Development near zone boundaries
- 5.5 Secondary dwellings in a rural zone
- 5.9 Dwelling or secondary dwelling affected by natural disaster
- 5.22 Special flood considerations
- 5.23 Public bushland

Applicable Map/s: Land Reservation Acquisition Map.

- **Part 6 Urban Release Areas**

Part 6 contains provisions applying to parts of Edmondson Park, Moorebank East and Pleasure Point. This Part includes clauses to ensure development occurs in a rational manner.

Applicable Map/s: Urban Release Area Map.

- **Part 7, Division 1 – Liverpool City Centre**

This Part contains clauses relating to the development of the Liverpool City Centre, including development objectives, solar access, car parking, building separation, design excellence, floor space ratio (FSR) requirements for certain land, and bonus provisions.

Applicable Map/s: Floor Space Ratio Map (showing Area Provisions within City Centre).

- **Part 7, Division 2 – Other Local Provisions**

This Part contains other local provisions for land in the LEP area. This includes local provisions relating to the development of residential, commercial, industrial and rural land, as well as clauses relating to environmental management, airspace protection, and site specific requirements. New clauses are proposed in comparison to the LLEP 2008.

Applicable Map/s: Acid Sulfate Soils Map, Foreshore Building Line, Key Sites Map, Dwelling Density Map, Terrestrial Biodiversity Map, Airport Noise Map.

- **Schedule 1 Additional permitted uses**

This Schedule provide a list of Additional Permitted Uses, and their relevant controls where applicable (e.g. gross floor area restrictions), for identified sites and land use zones.

Applicable Map/s: Key Sites Map.

- **Schedule 2 Exempt Development**

Schedule 2 is to include exempt development provisions in addition to those provided by the *SEPP (Exempt and Complying Development Codes) 2008*. Exempt development provisions relate to advertisements, business identification signs, real-estate signage, temporary signage, and exempt trees for removal.

Applicable Map/s: Nil.

- **Schedule 3 Complying Development**

No Complying Development provisions are proposed as part of the LEP.

Applicable Map/s: Nil.

- **Schedule 4 Classification and reclassification of public land**

This Schedule will list the classification and reclassification of public land as either community or operational land, in accordance with the *Local Government Act 1993*. This Schedule will initially be blank in the new Liverpool LEP, with reclassifications to be added over time through future planning proposals.

Applicable Map/s: Land Reclassification Map.

- **Schedule 5 Environmental Heritage**

This Schedule will provide an inventory of all local and state heritage items (Part 1), heritage conservation areas (Part 2), and Archaeological sites (Part 3).

Applicable Map/s: Heritage Map.

- **Schedule 6 Pond-based and tank-based aquaculture**

This compulsory Standard Instrument Schedule details information on aquaculture activities.

Applicable Map/s: Nil.

- **Dictionary**

The Standard Instrument Dictionary provides definitions of land uses referenced in the LEP. These defined terms cannot be amended.

Applicable Map/s: Nil.

## B. Liverpool LEP Land Use Zone Application & Development Standards

This section details the Land Use Zone and Development Standards for residential, commercial, industrial, recreation, infrastructure, conservation and rural zones under the new LEP.

### i) Residential Land

Table 1 below shows how the residential land principles are proposed to apply under the new LEP.

*Table 1: Application of Residential Land Principles under the new LEP*

PRINCIPAL	APPLICATION UNDER NEW LEP
<b>HIGH DENSITY RESIDENTIAL</b>	
<p><b>Principal 1:</b> Encourage high density residential development in the vicinity of the Liverpool City Centre and Town Centres, and along Transport Corridors.</p>	<p><b>Land Use Zone</b></p> <ul style="list-style-type: none"> <li>• The new LEP will continue to apply the R4 High Density Residential zone to certain land in Liverpool, Warwick Farm, Moorebank, Casula, Green Valley, Miller, Busby, Sadlier, Edmondson Park (R1 zone), Ashcroft, Cartwright, Lurnea, Chipping Norton and Holsworthy. <ul style="list-style-type: none"> <li>○ These areas are either within the vicinity of the City Centre, Town Centres, transit corridors (rail and main roads), or where existing high density residential land has been developed.</li> </ul> </li> </ul> <p><b>Height of Building</b></p> <ul style="list-style-type: none"> <li>• Height of Buildings (HOB) of R4 High Density Residential zoned land is to be lowered to 12m in Moorebank (currently 12m, 15m &amp; 18m), Casula (currently 12m, 15m &amp; 18m), Green Valley (currently 12m &amp; 15m), and Ashcroft (currently 18m). This will enable a three storey built form.</li> <li>• The new LEP will include exceptions to the 12m HOB, including Liverpool (12m-77m), Warwick Farm (21m-35m), Miller and surrounding Busby/Sadlier (15m-21m), Edmondson Park (15m-21m), Lurnea and Cartwright (both 12-18m).</li> <li>• Other R4 High Density Residential land is to retain the 12m HOB currently under the LLEP 2008. I.e. 12m HOB residential land in Moorebank, Chipping Norton, Holsworthy, Casula, Lurnea, Liverpool, Cartwright, Green Valley, and Edmondson Park.</li> </ul> <p><b>Floor Space Ratio</b></p> <ul style="list-style-type: none"> <li>• As per Mecone’s recommendation in their report, a 0.9:1 Floor Space Ratio (FSR) is to be applied to residential land proposed to be reduced to 12m HOB.</li> <li>• For consistency, the 0.9:1 FSR is to also apply to residential land with an existing HOB of 12m. The current FSR is 0.75:1 for residential land with a 12m HOB (except Edmondson Park).</li> </ul>

PRINCIPAL	APPLICATION UNDER NEW LEP
<p><b>Principal 1 (Continued):</b> Encourage high density residential development in the vicinity of the Liverpool City Centre and Town Centres, and along Transport Corridors.</p>	<p><b>Lot Size</b></p> <ul style="list-style-type: none"> <li>A 1,000sqm minimum subdivision lot size is proposed for R4 High Density Residential zone, which is the same as the LLEP 2008.</li> </ul> <p><b>Edmondson Park Village Sites</b></p> <ul style="list-style-type: none"> <li>The new LEP proposes the R4 High Density Residential zone to certain land identified as ‘Villages’ (currently R3 Medium Density Residential). This will reflect their intended use for shop top housing (HOB &amp; FSR retained).</li> </ul>
<p><b>Principal 2:</b> Facilitate appropriate transitions from R4 High Density to R3 Medium Density Residential.</p>	<p><b>Land Use Zone</b></p> <ul style="list-style-type: none"> <li>The new LEP will apply the R3 Medium Density Residential zone to certain land where: <ul style="list-style-type: none"> <li>The current R4 High Density Residential zoned land results in interface issues if development were to occur. This is proposed for certain land in Liverpool, Casula, Green Valley, Lurnea and Cartwright.</li> <li>The current R4 High Density Residential zoned land results in out of centre development which doesn’t align with infrastructure in the area. This is proposed for certain land in Chipping Norton and Ashcroft.</li> </ul> </li> </ul>
MEDIUM DENSITY RESIDENTIAL	
<p><b>Principal 3:</b> Promote high quality medium density residential development near centres.</p>	<p><b>Land Use Zone</b></p> <ul style="list-style-type: none"> <li>The R3 Medium Density Residential (and R1 General Residential) zone is to continue to be applied in the vicinity of centres.</li> <li>Additional R3 zoned land is proposed to a certain part of Chipping Norton, in the vicinity of the Local Centre.</li> </ul> <p><b>Permissible Uses</b></p> <ul style="list-style-type: none"> <li>The new LEP will continue to permit dwelling houses, semi-detached dwellings, attached dwellings and multi dwelling housing.</li> <li>It is proposed that dual occupancies are included as a permissible use in the R1 and R3 zones. <b>Attachment 5</b> ‘Part 3B Codes SEPP Analysis’ notes how this change will increase housing diversity and assist with medium density development uptake in the R3 zone.</li> </ul> <p><b>Floor Space Ratio</b></p> <ul style="list-style-type: none"> <li>As recommended by Mecone, a nil FSR is proposed for the R3 zone. This will recognise the diversity in FSR that can be achieved depending on dwelling type and assist in feasibility of different housing types. Guidance on FSR can be provided within a DCP, based on the proposed dwelling type / lot configuration.</li> </ul>

PRINCIPAL	APPLICATION UNDER NEW LEP
<p><b>Principal 3 (Continued):</b> Promote high quality medium density residential development near centres.</p>	<p><b>Landscaping</b></p> <ul style="list-style-type: none"> <li>In lieu of the FSR standard, it is proposed that a 25% site landscaping standard is applied to control the building footprint and reinforce the value of permeable ground for landscaping. This is to occur via LEP maps.</li> </ul> <p><b>Lot Size</b></p> <ul style="list-style-type: none"> <li>Within the R3 zone, a 200sqm lot size is proposed for Torrens Title subdivision, and no lot size requirement for Strata Subdivision.</li> <li>A minimum lot size for multi dwellings is not proposed in the new LEP.</li> <li>A minimum lot size of 550sqm is proposed for dual occupancies, overriding the Codes SEPP specified size of 400sqm. This equates to approximately 60% of lots within the R3 zone. It is noted these sites could undertake a Development Application for semi-detached dwellings. The application of a lot size will enable for higher quality development, by providing an adequate size for landscaping, private open space and vehicular access areas.</li> <li>Refer to information in the Low-Density section below, regarding minimum lot sizes for single dwellings within the R3 zone.</li> </ul> <p><b>Height of Building</b></p> <ul style="list-style-type: none"> <li>A 9m HOB is proposed for R3 Medium Density Residential Land. This is an increase of 0.5m, from 8.5m, to align with the Codes SEPP. This will enable a two-storey building (with potential additional attic level).</li> </ul>
<p><b>Principal 4:</b> Incentivise Multi Dwelling Development to create housing diversity.</p>	<p><b>Dwelling Houses in R3 Medium Density Residential</b></p> <ul style="list-style-type: none"> <li>Recent development within the R3 zone is mainly single dwellings. Mecone’s investigation noted that in locations where the price of detached dwellings is relatively low, they are preferred over higher density forms which is a significant constraint in the delivery of medium density housing. Therefore, a minimum lot size of 400sqm is proposed in the R3 zone, for new single dwellings. This will deter the development of single dwellings in medium density areas, resulting in more housing diversity and choice.</li> </ul> <p><b>Corner and End Block Developments in R3 zone</b></p> <ul style="list-style-type: none"> <li>Design testing by Mecone found that corner sites and block ends which can be amalgamated can facilitate mid-rise medium density forms, such as terraces and/or small scale apartments. Refer above.</li> <li>The new LEP is to include a Local Provision, enabling an 11.5m HOB and 10% landscaping requirement to these lots, as well as an additional permitted use of Residential Flat Buildings, where amalgamation occurs (minimum of 1,000sqm and 25m frontage on two sides), as per the design testing in <b>Attachment 2</b>. This will enable</li> </ul>

PRINCIPAL	APPLICATION UNDER NEW LEP
	a three-storey built form at corner and end block sites in the R3 zone. This is subject to a future Development Control Plan.
LOW DENSITY RESIDENTIAL	
<p><b>Principal 5:</b> Protect suburban character of low-density areas</p>	<p><b>Land Use Zone</b></p> <ul style="list-style-type: none"> <li>• The R2 Low Density Residential zone will continue to be applied across all suburbs containing residential zoned land (except Cartwright). The R2 Low Density Residential zone applies to areas generally beyond walking distance of centres, where additional density is not appropriate due to infrastructure and services available in these areas.</li> <li>• The R2 Low Density Residential zone is proposed in certain areas currently zoned R3, to reflect their low density character. This includes certain land in Wattle Grove, Carnes Hill, Moorebank, Prestons and Cecil Hills.</li> <li>• The new LEP will apply the R2 Low Density Residential zone to certain R4 zoned land in Hinchinbrook.</li> </ul> <p><b>Permissible Uses</b></p> <ul style="list-style-type: none"> <li>• The zone will continue to permit dwelling houses, semi-detached dwellings and attached dwellings (similar built form to dual occupancy) within this zone. dual occupancies and multi dwelling housing are not proposed within this zone, as Complying Development pathways are not appropriate (refer to <b>Attachment 5</b> 'Part 3B Codes SEPP Analysis' for further analysis regarding this matter).</li> </ul> <p><b>Lot Size</b></p> <ul style="list-style-type: none"> <li>• A Minimum Lot Size of 400sqm is generally proposed for the R2 zone. This is an increase from 300sqm (generally applied) under the LLEP 2008.</li> <li>• A local provision for semi-detached and attached dwellings in R2 Low Density zones is proposed, to continue these forms on 300sqm lot sizes.</li> <li>• Where certain areas (parts of Voyager Point, Pleasure Point, Prestons, West Hoxton, Warwick Farm, Liverpool and Chipping Norton) contain alternative lot sizes under the LLEP 2008 (e.g. 400-2,000sqm), these are to be retained.</li> </ul> <p><b>Height of Building &amp; Floor Space Ratio</b></p> <ul style="list-style-type: none"> <li>• The HOB is to remain at 8.5m, and FSR of generally 0.5:1 (certain areas 0.6:1) for this zone. There are no changes proposed in relation to existing provisions under the LLEP 2008.</li> </ul>

## Other Residential Land Matters

The LLEP 2008 contains complex 'Area 1', 'Area 2' and 'Area 3' provisions across R1 General Residential, R2 Low Density Residential and R3 Medium Density Residential zoned land. These allow for a mix of bonus FSR and reduced lot size requirements where medium density uses are proposed (refer to Cl. 4.1 and 4.4 of the LLEP 2008). Engagement with the development industry has noted these complex standards do not provide clarity on what can be developed; therefore the provisions are not proposed within the new LEP. It is proposed that however that a 2 year savings provision be applied to R1 General Residential land in Edmondson Park and Middleton Grange, as these areas are undergoing development using these provisions (i.e. greenfield development where road layout is being developed).

A restriction on Complying Development (Part 3B) is proposed for R3 Medium Density Residential land in Cartwright. This area is characterised by its complex Radburn Street Layout, and assessment on infill medium density development should be through a Development Application.

Additional objectives are proposed for the R1 General Residential, R4 High Density Residential zones and MU1 Mixed Use, to ensure high amenity.

The following land uses are proposed to be included (in addition to the LLEP 2008) in the residential zones of the new LEP:

- **R1 General Residential:** Dual occupancies, Dual occupancies (attached), dual occupancies (detached), co-living\*, build to rent\*.
- **R2 Low Density Residential:** co-living, shop top housing, neighbourhood shops.
- **R3 Medium Density Residential:** dual occupancies, dual occupancies (attached), dual occupancies (detached), co-living, build to rent.
- **R4 High Density Residential:** co-living\*, build to rent\*, senior housing\*, Group homes\*.

**Note:** Uses marked with \* are already available under *SEPP (Housing) 2021*, however added to LEP for clarity of desired uses.

- **R5 Large Lot Residential:** Removal of Public administration building is proposed.

## ii) Commercial Land

Table 2 shows the applicable land use zone and development standards for centres in the LEP application area. Refer to **Attachment 8** 'Comparison to LLEP 2008 Mapping' for a comparison of zone and standards against the LLEP 2008.

Table 2: Proposed Zone and Development Standards for LEP Centres

Centre	Address	Zone	HOB	FSR	Lot Size
<b>TOWN CENTRES</b>					
Moorebank	Stockton Ave Maddecks Ave McKay Ave	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
Casula	1 Ingham Dr, Casula NSW	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
Miller	Cartwright Ave Woodward Cr	E1 Local Centre (Area C)	21m	1.7:1	1,000sqm
Carnes Hill	Main St Cowpasture Rd Sarah Hollands Dr	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
Green Valley	187-195 Wilson Rd	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
<b>LOCAL CENTRES</b>					
Holsworthy	2 Macarthur Dr, Holsworthy	E1 Local Centre (Area C)	21m – 45m	1.5:1 – 2.15:1	1,000sqm
Middleton Grange	Sixteenth Ave East / Flynn Ave	E1 Local Centre (Area C)	3m – 29m	1.9:1	300sqm, 1,000sqm
Cecil Hills	1 Lancaster Ave, Cecil Hills	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
Wattle Grove	Village Way Australis Ave	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
Hammondville	Walder Rd Norman Ave	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
Lurnea	Hill Rd Reilly St	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
Prestons	Minnamurra Cct Wroxham St Wagonga Cl	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
Green Valley	Green Valley Rd Hewison Ave	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
Epsom Road, Chipping Norton	Epsom Rd Childs Rd	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
<b>NEIGHBOURHOOD CENTRES</b>					
Warwick Farm (Goulburn St)	Hume Hwy	E1 Local Centre (Area G)	35m	2.5:1	1,000sqm
Warwick Farm (Mannix Pde)	Lawrence Hargrave Rd Mannix Ln	E1 Local Centre (Area G)	21m	1.7:1	1,000sqm
Ashcroft (Sinclair Rd)	Sinclair Rd Sutton Rd	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm

Centre	Address	Zone	HOB	FSR	Lot Size
Cartwright (Willan Dr)	Willan Dr Hoxton Park Rd	E1 Local Centre (Area G)	15m	1.4:1	1,000sqm
Liverpool (Rose St & Gill Ave)	Rose St Gill Ave	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Liverpool (Grimson Ln)	Grimson Ln Grimson Cres	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Chipping Norton (Alfred Road)	Alfred Rd Governor Macquarie Dr	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Liverpool (Maryvale Ave)	Maryvale Ave Memorial Ave	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Sadler (Bobin Road)	Bobin Rd Celebration Rd	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Mt Pritchard (Reservoir Rd)	Reservoir Rd Finlay Ave	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Heckenberg (Khancoban St)	Khancoban St Indi St Jindabyne St	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Casula (Marsh Pde)	Marsh Pde Ashcroft Ave	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
West Hoxton (15 <sup>th</sup> & 22 <sup>nd</sup> Ave)	Fifteenth Ave Twenty Second Ave	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Liverpool (Boundary Rd)	Boundary Rd Mary Cres Ives Ave	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Casula (De Meyrick Ave)	De Meyrick Ave	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
<b>STAND ALONE CENTRES</b>					
Flowerdale	Hoxton Park Rd Flowerdale Rd Frangipane Ave	E1 Local Centre (Area C)	21m	2.0:1 & 1.7:1	1000sqm
Casula Woolworths	607-611 Hume Highway, Casula	E1 Local Centre (Area C)	15m	0.75:1	2,000sqm
Prestons Woolworths	1975 Camden Valley Way, Prestons	E1 Local Centre (Area C)	15m	0.75:1	2,000sqm
Orange Grove	Orange Grove Rd Viscount Pl	E3 Productivity Support (Area A) E3 Productivity Support (Area E)	15m	0.75:1	2,000sqm

Centre	Address	Zone	HOB	FSR	Lot Size
Casula Shopping Centre	493 Hume Highway, Casula	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Hoxton Park (Dorrigo Ave)	Hoxton Park Rd Dorigo Ave	E1 Local Centre (Area G)	12m	1.3:1	1,000sqm
Chipping Norton	Ernest Ave Barry Rd	E1 Local Centre (Area C)	12m	1.3:1	1,000sqm
<b>BULKY GOODS</b>					
Crossroads Casula	Camden Valley Way Parkers Farm Place	E3 Productivity Support (Area E)	18m & 30m	0.75:1	2,000sqm
Sappho Road, Warwick Farm	Hume Highway Sappho Road, Warwick Farm	E4 General Industrial (Area F)	15m	Nil	2,000sqm
<b>BUSINESS CORRIDORS</b>					
240 Governor Macquarie Drive, Warwick Farm		E3 Productivity Support (Area E)	15m	0.75:1	2Ha
124 & 146 Newbridge Rd, Moorebank		E3 Productivity Support (Area A)	15m	0.75:1	2000sqm
Hume Highway, Liverpool		E3 Productivity Support (Area A)	15m 18m	1:1, 1.2:1 & 2.5:1	1000sqm 2000sqm
Camden Valley Way, Edmondson Park & Prestons		E3 Productivity Support (Area A)	8.5m	0.6:1	2000sqm
Newbridge Road, Moorebank & Chipping Norton		E3 Productivity Support (Area A)	12m	1.3:1	2000sqm
Hoxton Park Road, Prestons		E3 Productivity Support (Area A)	12m	1.3:1	2000sqm
Hume Highway, Casula		E3 Productivity Support (Area A)	12m	1.3:1	2000sqm
Elizabeth Drive, Liverpool & Ashcroft		E3 Productivity Support (Area A)	12m	1.3:1	1000sqm 2000sqm
Cowpasture Road, Len Waters Estate		E3 Productivity Support (Area A)	12m	1.3:1	2000sqm
<b>NON-HEIRARCHY CENTRES</b>					
Lurnea (Hoxton Park Rd/Taloma Ave)	Taloma Road Hill Rd Hoxton Park Rd	E1 Local Centre (Area G)	15m	1.4:1	1000sqm
Chipping Norton (Longstaff Ave)	Longstaff Ave Osborne St	E1 Local Centre (Area G)	12m	1.3:1	1000sqm

Centre	Address	Zone	HOB	FSR	Lot Size
Casula (Hume Highway)	630-634 Hume Highway, Casula	E1 Local Centre (Area G)	12m	1.3:1	1000sqm
Moorebank (Nuwarra Rd)	Newbridge Rd Nuwarra Rd	E3 Productivity Support (Area A)	12m	1.3:1	2000sqm
Liverpool (Park Rd / Eliz Dr)	Park Road Elizabeth Drive	E3 Productivity Support (Area A)	12m	1.3:1	2000sqm
Wattle Grove (Heathcote Rd)	115 Heathcote Road, Wattle Grove	E1 Local Centre (Area G)	12m	1.3:1	1000sqm
Hinchinbrook (Banks Rd)	Hoxton Park Rd Banks Rd	E1 Local Centre (Area G)	18m	1.5:1	1000sqm
Hinchinbrook (Hoxton Park Rd)	Hoxton Park Rd Byrock Pl	E1 Local Centre (Area G)	8.5m	0.65:1	1000sqm
Chipping Norton (Newbridge Rd)	Newbridge Rd Rickard Rd	E1 Local Centre (Area G)	8.5m	0.5:1	1000sqm

### Liverpool City Centre

It is recommended that the existing provisions within Part 7 Division 1 of the LLEP 2008 and applicable mapping be largely retained for the Liverpool City Centre, with notable changes in comparison to the LLEP 2008 listed below:

- **Reduced Commercial Gross Floor Area (GFA):** Reduction of 20% GFA requirement for commercial uses to minimum of 15% GFA, to achieve the bonus HOB and FSR as per this clause.
- **Inclusion of Built to Rent:** Introduction of Built to Rent (BTR) to be classified as a commercial use, to achieve the bonus development standards as per this clause.
- **Clause 4.6 Variation:** Removal of this clause as a prohibition of 4.6 Exception to Development Standards, to enable flexibility where minor variations can be accommodated. This will be for 7.5A(1) only, i.e. site size and street frontage requirements, and not the bonus development standards.
- **New Area for Liverpool Hospital:** Introduction of a new Area 9 (Mixed Use) provision for land directly west of the Liverpool Hospital. It is noted the Liverpool Private Hospital has recently been subject to a planning proposal which increased HOB and FSR (79m and 6.9:1 respectively) within this marked area. Refer to **Attachment 8** 'Comparison to LLEP 2008 Mapping'.

- **New Area for Mixed Use Development:** Introduction of a new Area 8 provision for land directly west of the current Area 8 boundary along Memorial Avenue. This is intended to encourage these additional sites to redevelop and was a resolution of Council at the 29 May Council meeting. Refer to **Attachment 8** 'Comparison to LLEP 2008 Mapping'.
- **New Area for Mixed Use Development:** Introduction of a new Area 8 provision for land directly south of the current Area 8 boundary along Charles Street, This is intended to encourage these additional sites to redevelop and was a resolution of Council at the 29 May Council meeting. Refer to **Attachment 8** 'Comparison to LLEP 2008 Mapping'.

### Other Commercial Land Matters

The following land uses are proposed to be included (in addition to the LLEP 2008) in the Employment (commercial centres) zones of the new LEP:

- **E1 Local Centre:** Signage, Group homes, built to rent, co-living\*, senior housing\*, residential care facility\*.
- **E2 Commercial Centre:** build to rent\*.
- **MU1 Mixed Use:** build to rent\*, senior housing\*, residential care facility\*.
- **E3 Productivity Support:** Signage.

**Note:** Uses marked with \* are already available under *SEPP (Housing) 2021*, however added to LEP for clarity of desired uses.

### Industrial Land

Table 3 below shows the applicable land use zone and development standards for industrial precincts within the LEP application area. Refer to **Attachment 8** 'Comparison to LLEP 2008 Mapping' for a comparison of zone and standards against the LLEP 2008.

*Table 3: LEP Industrial Land Zone Application & Development Standards*

PRECINCT	ZONE/SUB-PRECINCT	MINIMUM LOT SIZE	FSR	HOB
Prestons/Yarrunga	E5 Heavy Industrial	8,000 m <sup>2</sup>	Nil	30m & 21m
	E4 General Industrial (Area B)	8,000 m <sup>2</sup>	Nil	18m
	E4 General Industrial (Area F)	8,000 m <sup>2</sup>	Nil	18m
Chipping Norton Precinct	E4 General Industrial	8,000 m <sup>2</sup>	Nil	30m
	E4 General Industrial (Area B)	8,000 m <sup>2</sup>	Nil	18m

PRECINCT	ZONE/SUB-PRECINCT	MINIMUM LOT SIZE	FSR	HOB
Moorebank Collaboration Area (north)	E4 General Industrial (Area B)	8,000 m <sup>2</sup>	Nil	18m
Moorebank Collaboration Area (south)	E4 General Industrial (Area B)	8,000 m <sup>2</sup>	Nil	18m
	E4 General Industrial (Area F)	8,000 m <sup>2</sup>	Nil	18m & 21m
Moorebank Intermodal	Land bounded by Anzac Rd, Moorebank Ave & M5 Motorway	8,000 m <sup>2</sup>	Nil	18m & 21m
	Commonwealth Intermodal Area	20Ha & 8,000 m <sup>2</sup>	Nil	18m & 21m
Orange Grove	E4 General Industrial (Area F)	8,000 m <sup>2</sup>	Nil	18m
Scrivener/Priddle St	E4 General Industrial (Area F)	8,000 m <sup>2</sup>	Nil	18m
Sappho Road	E4 General Industrial (Area F)	8,000 m <sup>2</sup>	Nil	18m
Coopers Paddock	E4 General Industrial (Area F)	8,000 m <sup>2</sup>	Nil	18m
Len Waters Estate	E4 General Industrial (Area B)	8,000 m <sup>2</sup>	Nil	18m
	E4 General Industrial (Area F)	8,000 m <sup>2</sup>	Nil	18m & 30m
Crossroads Casula	E4 General Industrial (Area F)	8,000 m <sup>2</sup>	Nil	18m & 30m
Cecil Park	E4 General Industrial (Area B)	8,000 m <sup>2</sup>	1:1	Nil

### Other Industrial Land Matters

The following land uses are proposed to be included (in addition to the LLEP 2008) in the Employment (industrial) zones of the new LEP:

- **E4 General Industrial:** Intensive Plant Agriculture, Horticulture, Turf farming, Viticulture, Research stations, Signage, Advertising structure.
- **E5 Heavy Industrial:** Intensive Plant Agriculture, Turf farming, Viticulture, Goods repair and reuse, High technology industries, Vehicle body repair workshop, Vehicle repair stations, Transport depots, Truck depots, Signage, Advertising structure.

An additional local provision for 10% landscaping is proposed for industrial development, following the advice of the Local Planning Panel.

### iii) Other Land

#### Conservation Land Use Zones

The Conservation Zones Study (refer to **Attachment 17**) reviewed the current application of the conservation zones within the LLEP 2008, and established criteria to ensure a consistent approach to identifying land across the LLEP 2008 application area with important environmental values. As part of this Study, a number of properties with biodiversity values were assessed for a potential rezoning to a conservation zone.

On 28 February 2024, Council endorsed the Draft Conservation Zones Study with respect to sites which are publicly owned. Council also resolved to incorporate the zoning recommendations into this Principal Planning Proposal to form part of the new LEP. As a result, a Conservation Land Use Zone (and revised development standards) are proposed to apply to 20 sites owned by Council or other agency (being the Federal Government and the Department of Planning, Housing and Infrastructure).

The following land uses are proposed to be included (in addition to the LLEP 2008):

- **C2 Environmental Conservation:** Recreation areas, Jetties.
- **C3 Environmental Management:** Business identification sign.
- **W1 Natural Waterways:** Boat launching ramps, Charter & tourism boating facilities, Jetties.

#### Recreation Land Use Zones

The LLEP 2008 land use zone map has been reviewed. Changes include:

- Application of the RE1 Public Recreation zone to 363 sites (identified in **Attachment 12** 'Council Owned Land Review'), which are classified as Community Land, and owned by Liverpool City Council. Therefore, application of the RE1 Public Recreation zone will accurately reflect the current and/or intended future use of the site as public open space.
- Application of the RE1 Public Recreation zone to sites identified as future pocket parks within the Liverpool City Centre Public Domain Masterplan:
  - **Dunbier Park** - Part 14A Mill Road & 45 Nagle Rd, Liverpool
  - **College Street Pocket Park** - Secant Road, Liverpool
  - **Moore Street Pocket Park** - 6 Moore Street, Liverpool
  - **Phillimona Park** - 2 Lachlan Street, Liverpool
- Rezoning of sites acquired by Liverpool City Council under the Moorebank Voluntary Acquisition Scheme to RE1 Public Recreation. Council is progressively acquiring properties along the Georges River, most of which are currently zoned R2 Low Density Residential. It is a requirement of the Scheme that following acquisition, that the land is rezoned.

- Correction of anomalies and errors.
- Minor amendments to remove the application of the RE1 Public Recreation zone as noted in **Attachment 8** 'Comparison to LLEP 2008 Mapping'.
- Minor changes are proposed regarding RE2 Private Recreation zoned land, as noted in **Attachment 8** 'Comparison to LLEP 2008 Mapping'.

The following land uses are proposed to be included (in addition to the LLEP 2008):

- **RE1 Public Recreation:** Restaurant or café, Home Industry, Home Business, Boat launching ramps, Jetties, Mooring.
- **RE2 Private Recreation:** Amusement centres, Boat launching ramps, Jetties, Mooring.

### **Infrastructure Land Use Zones**

The SP2 Infrastructure Zone is predominantly subcategorised into the following uses: 'Classified Road', 'Local Road', 'Educational Establishment', 'Drainage' and 'Railway'.

The LLEP 2008 Land Acquisition Map was reviewed to inform the new Land Acquisition Map. **Attachment 13** 'Land Acquisition Layer Review' identifies all parcels marked for land acquisition including proposed changes in comparison to the LLEP 2008, which include:

- Removal of land acquisition layers where Transport for NSW (TfNSW) has completed their acquisition requirements (i.e. acquisition of Classified Roads). Consultation with TfNSW has occurred regarding this amendment and it was supported;
- Removal of land acquisition layers where Liverpool City Council has completed their acquisition requirements (e.g. acquisition of local open space, drainage and local roads);
- Addition of Land Acquisition markings where acquisition is a requirement of the zone (e.g. RE1 Public Recreation or SP2 Infrastructure), and acquisition has not yet occurred; and
- Removal of anomalies and errors, e.g. boundary alignments.

TfNSW were also consulted and requested relinquishment of certain SP2 Infrastructure zoned land. These changes were generally supported. Refer to **Attachment 8** 'Comparison to LLEP 2008 Mapping'.

### **Rural Land Use Zones**

As noted in Part 2 above, the following zones will apply under new LEP: RU1 Primary Production, RU2 Rural Landscape and RU4 Primary Production Small Lots. There are no changes proposed to the Rural Zones.

## Environmental Clauses

The following clauses are newly proposed additions to the LEP (compared to the LLEP 2008). Refer to **Attachment 6** 'Written Instrument Report' for further detail:

- Terrestrial Biodiversity
- Recycled Water
- Waste as essential service
- Urban Heat
- Stormwater and Water Sensitive Urban Design (WSUD)
- Landscaping

### iv) Miscellaneous Matters

In addition to the above, new LEP clauses regarding Public Art as exempt development, and design excellence for Gateway sites leading into the City Centre are proposed in the new LEP.

Various housekeeping amendments are proposed to be actioned as part of this planning proposal:

- Schedule 1 Additional Permitted Uses has been reviewed, to remove outdated uses which are no longer required.
- Part 7 Additional Local Provisions has been reviewed to remove redundant clauses, e.g. where development has occurred (Development in Brighton Golf Course, Hoxton Park Retail), removal of redundant clauses (as a result of Employment Land Reform), and clauses which are covered by State legislation (Council Infrastructure).
- Dwelling Density Map: The dwelling density restriction at Elizabeth Hills and the lot yield restriction on Holsworthy has been removed as these areas have already been developed in accordance with the restrictions.
- Key Site Map: Updates to include the entire Moorebank Intermodal West Precinct, as per LLEP 2008 clause 7.27, and updates to correct errors.
- Application of E1 Local Centre (Area C) to Local Centres, rather than (Area G) which applies to Neighbourhood Centres.
- Other minor housekeeping amendments to remove clauses where they are no longer required.

Refer to 'Written Instrument Report' (**Attachment 6**), 'Comparison to LLEP 2008 Mapping' (**Attachment 8**) and 'Comparison to LLEP 2008 Written Instrument' (**Attachment 9**) for additional information.

## Part 3 – Justification of strategic and site-specific merit

### Section A – Need for the planning proposal

#### 3.1 Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The planning proposal continues the implementation of actions in the Liverpool Local Strategic Planning Statement 'Connected Liverpool 2040' (LSPS) and the following Local Land Use Strategies:

- Liverpool Local Housing Strategy 2020;
- Liverpool Centres and Corridors Strategy 2020; and
- Liverpool Industrial and Employment Lands Strategy 2020.

### **Residential Actions**

Table 4: Housing Actions

LSPS Actions
<p><b>Action 7.1:</b> Develop and implement a Local Housing Strategy through amendments to the LEP and DCP.</p> <p><b>Action 8.2:</b> Review R4 zoned land around local centres to address interface issues.</p> <p><b>Action 8.3:</b> Investigate Local Character Statements and Local Character overlays for areas identified as requiring more fine-grain planning responses.</p> <p><b>Action 8.5:</b> Undertake design-led planning using placemaking principles for local and district centres.</p>
Local Housing Strategy Actions
<p><b>Action 5:</b> Ensure housing density is focused around centres, high frequency public transport and amenity.</p> <p><b>Action 7:</b> Review land use and development controls in R1, R2 and R3 zones to encourage greater medium density and housing diversity without adversely impacting neighbourhood amenity. Review of permissibility and controls for the following land uses should be considered:</p> <ul style="list-style-type: none"><li>• Dual occupancies</li><li>• Multi-dwelling housing</li><li>• Manor homes</li></ul> <p><b>Action 8:</b> Review controls for R3 zone to improve feasibility, having consideration to appropriate built form outcomes.</p> <p><b>Action 9:</b> Review controls for medium density having regard to the Low Rise Medium Density Housing Code to facilitate more diverse housing types in the LGA whilst still maintaining local character.</p> <p><b>Action 18:</b> Undertake design-led planning using place-making principles for town and local centres.</p> <p><b>Action 19:</b> Review R4 zoned land around local centres to address interface issues.</p>

## Commercial Land

Table 5: Commercial Actions

<b>LSPS Actions</b>
<b>Action 10.1:</b> Investigate LEP changes necessary to support the operations and growth of the Liverpool Innovation Precinct
<b>Action 11.1:</b> Develop a Centres and Corridor Strategy, and review LEP and DCP to ensure alignment.
<b>Centres &amp; Corridors Strategy Actions</b>
<b>Action 1:</b> Review land use planning controls to ensure quality built form outcomes and ensure consistency with the retail hierarchy.
<b>Action 6:</b> Review LEP zoning of key sites (LEP schedule 1, Clause 9) if they have been developed for the purposes of service stations or food and drink premises. Undertake a site analysis and consider rezoning to B6.

## Industrial Actions

Table 6: Industrial Actions

<b>LSPS Actions</b>
<b>Action 12.1:</b> Develop Industrial and Employment Lands Strategy and review LEP and DCP to ensure alignment.
<b>Action 12.2:</b> Review the LEP and DCP to ensure statutory planning controls protect key freight routes and employment lands from sensitive land uses.
<b>Industrial &amp; Employment Lands Strategy Actions</b>
<b>Action 1:</b> Review development standards and objectives for industrial land.
<b>Action 2:</b> Review and manage employment land within the eastern portion of the LGA.
<b>Action 5:</b> Increase industrial development density, efficiency and colocation.
<b>Action 9:</b> Clarify the intended role and function of industrial precincts.

## Natural Environment & Recreation

Table 7: Natural Environmental Actions

<b>LSPS Actions</b>
<b>Action 5.2:</b> Review LEP and DCP to give effect to City Centre Public Domain Masterplan.
<b>Action 6.6:</b> Review LEP to give effect to River Connections Program linking green space networks from Casula to Pleasure Point, improving accessibility and visual amenity.
<b>Action 14.1:</b> Review Environmentally Significant Land overlay in LEP to ensure protection of areas of high ecological conservation value. In consultation with environment team.
<b>Action 14.2:</b> Review LEP and DCP to ensure protection of biodiversity and waterway quality, and implement the Green Grid.
<b>Action 15.1:</b> Review LEP and DCP to suitably address sustainability in line with recommendations from emissions reduction and resource efficiency study.
<b>Action 15.3:</b> Review LEP and DCP to ensure Water Sensitive Urban Design is addressed.
<b>Action 15.4:</b> Review LEP and DCP to address the Urban Heat Island Effect.

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

According to the Department's 'Local Environmental Plan Making Guideline' (August 2023):

*"A principal LEP planning proposal refers to any one or more of the following proposed LEP amendment types, including an amendment:*

- *To create a new LEP that applies to the whole LGA*
- *To implement a change in local policy that effects the LGA*
- *To consolidate one or more LEPs into a new comprehensive LEP*
- *That includes multiple 'housekeeping' amendments or a combination of a number of planning proposals"*

As the intent of the planning proposal is to create a new LEP and implement LGA-wide policy change, through the implementation of the Land Use Strategies, the development of a Principal Planning Proposal is the best means of achieving these outcomes.

## **Section B – Relationship to the strategic planning framework**

3.3 *Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?*

In accordance with the 'Local Environmental Plan Making Guideline' (August 2023), a planning proposal is regarded to have strategic merit if it:

- Gives effect to the Greater Sydney Region Plan (Region Plan) and Western City District Plan (District Plan);
- Demonstrates consistency with the LSPS or strategy that has been endorsed by the Department of Planning, Housing and Infrastructure; and
- Responds to a change in circumstances that has not been recognised by the existing planning framework.

This planning proposal addresses the first two matters, as it aligns with the objectives and actions of the Region Plan, District Plan, LSPS and endorsed Local Housing Strategy as discussed below.

### **Greater Sydney Region Plan and Western City District Plan**

The Greater Sydney Region Plan 'A Metropolis of Three Cities' (Region Plan) establishes a vision of three cities, where most residents live within 30 minutes of jobs, educational establishments, health facilities and essential services. This vision is discussed within the four themes of Infrastructure and Collaboration, Liveability, Productivity and Sustainability.

The Western City District Plan which includes the Liverpool LGA is envisaged as a polycentric city, capitalising on the established centres of Liverpool, Greater Penrith and Campbelltown-Macarthur, and anchored by the strength of the new Western Sydney International (Nancy-Bird Walton) Airport and Aerotropolis.

An assessment against both the Region Plan and District Plan is provided in Table 8 below.

Table 8 - Assessment of Planning Proposal against Region and District Plan

GREATER SYDNEY REGION PLAN	WESTERN CITY DISTRICT PLAN	CONSISTENCY / RESPONSE:
<b>INFRASTRUCTURE AND COLLABORATION</b>		
<p><b><u>A city supported by infrastructure</u></b></p> <ul style="list-style-type: none"> <li>• <b>Objective 1:</b> Infrastructure supports the three cities.</li> <li>• <b>Objective 2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact.</li> <li>• <b>Objective 3:</b> Infrastructure adapts to meet future needs.</li> <li>• <b>Objective 4:</b> Infrastructure use is optimised.</li> </ul>	<p><b><u>A city supported by infrastructure</u></b></p> <ul style="list-style-type: none"> <li>• <b>Planning Priority W1:</b> Planning for a city supported by infrastructure.</li> </ul>	<p><b><u>A city supported by infrastructure</u></b></p> <p>The Liverpool LEP covers brownfield sites in the east, and encouraging future growth in these areas will optimise existing infrastructure.</p> <p>The proposed location of higher residential density (R4 zoned land) within the Liverpool City Centre, town centres and along transit corridors is consistent with Planning Priority W1, as these areas are focal points for essential services, retail, social infrastructure and higher levels of public transport, in comparison to other parts of the LGA.</p> <p>The proposed location of medium residential density (R3 zoned land) within walking distance (800m) of these centres is similarly consistent with these objectives and priorities.</p>
<p><b><u>A collaborative city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Objective 5:</b> Benefits of growth realised by collaboration of governments, community and business.</li> </ul>	<p><b><u>A collaborative city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Planning Priority W2:</b> Working through collaboration.</li> </ul>	<p><b><u>A collaborative city</u></b></p> <p>Refer to Part 5 Community Engagement, detailing previous engagement with the community and stakeholders (government, industry and agencies). This has informed the provisions of the new LEP, for example, medium density development standards were informed by the Medium Density Workshop with industry.</p> <p>Various land holdings owned by Sydney Water, Essential Energy and TfNSW have been reviewed and appropriate zones applied generally in consultation with these agencies.</p>

GREATER SYDNEY REGION PLAN	WESTERN CITY DISTRICT PLAN	CONSISTENCY / RESPONSE:
<b>LIVEABILITY</b>		
<p><b><u>A city for people</u></b></p> <ul style="list-style-type: none"> <li>• <b>Objective 6:</b> Services and infrastructure meet communities' changing needs.</li> <li>• <b>Objective 7:</b> Communities are healthy, resilient and socially connected.</li> <li>• <b>Objective 8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods.</li> <li>• <b>Objective 9:</b> Greater Sydney celebrates the arts and supports creative industries and innovation.</li> </ul>	<p><b><u>A city for people</u></b></p> <ul style="list-style-type: none"> <li>• <b>Planning Priority W3:</b> Providing services and social infrastructure to meet people's changing needs</li> <li>• <b>Planning Priority W4:</b> Fostering healthy, creative, culturally rich and socially connected communities</li> </ul>	<p><b><u>A city for people</u></b></p> <p>The new LEP tailors residential land use zones around the centre hierarchy, which will provide appropriate density and diversity around social infrastructure, to meet the needs of the future community.</p> <p>Land Use Tables (refer to <b>Attachment 7</b> Land Use Matrix) have been reviewed to cater for a wide level of permissibility across land use zones. This includes the addition of 'neighbourhood shops' and 'shop top housing' within low density areas, where there is limited access to retail, due to distance from centres.</p>
<p><b><u>Housing the city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Objective 10:</b> Greater housing supply.</li> <li>• <b>Objective 11:</b> Housing is more diverse and affordable.</li> </ul>	<p><b><u>Housing the city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Planning Priority W5:</b> Providing housing supply, choice and affordability with access to jobs, services and public transport.</li> </ul>	<p><b><u>Housing the city</u></b></p> <p>Planning Priority W5 is a key focus of the new LEP and is addressed in several ways. Mecone's Residential Lands Investigation (<b>Attachment 2</b>) demonstrates how the new LEP will continue to provide capacity to comfortably exceed housing targets. It is noted that a number of proposed amendments in comparison to the LLEP 2008 are minor and generally result in a theoretical loss; and the introduction of revised medium density residential development standards significantly contributes to additional housing capacity.</p>

GREATER SYDNEY REGION PLAN	WESTERN CITY DISTRICT PLAN	CONSISTENCY / RESPONSE:
<u>Housing the city</u> (continued)	<u>Housing the city</u> (continued)	<p>Council also has a 10-20 year preliminary target of 20,250 - 27,250 dwellings (<b>Attachment 2</b>, p32). Estimated latent capacity of the LLEP 2008 is 27,575 dwellings, and the estimated latent capacity of the new LEP is 41,250 (p89). It is noted this figure includes a 'loss' of 7,450 dwellings which is no longer proposed as part of the LEP Review (as semi-detached and attached dwellings will remain as permitted in R2 zones with 300sqm, and this was modelled as 400sqm under Mecone's review).</p> <p>Mecone's report notes that over 60% of the latent capacity under the new LEP is within 800m of centres, which generally comprises of the R3 Medium Density Residential zone.</p> <p>The strategic location of high density residential development within the Liverpool City Centre, town centres and along transit corridors provides future residents the highest level of access to jobs, services and public transport within the Liverpool LGA context.</p> <p>Medium residential density is generally located within 800m of centres, particularly in areas where redevelopment is suited to the existing built form (e.g. older housing stock with large lot sizes and low site coverage).</p> <ul style="list-style-type: none"> <li>• The introduction of 'dual occupancy' as a permissible land use in the R1 General and R3 Medium Density Residential zones directly increases housing options and flexibility, with approvals available via Development Applications or Complying Development Certificates. Refer to <b>Attachment 5</b> 'Part 3B Codes SEPP Analysis'.</li> </ul>

**GREATER SYDNEY  
REGION PLAN**

**WESTERN CITY  
DISTRICT PLAN**

**CONSISTENCY / RESPONSE:**

- Revised development standards noted in Part 2 were informed by **Attachment 2** 'Residential Lands Investigation'. These standards will address housing diversity, by facilitating various forms of housing (semi-detached, attached, terraces, small scale apartments etc), in appropriate locations, and will also improve affordability.
- Development of medium density uses is encouraged, through incentives for amalgamation of certain sites, and by limiting the creation of single dwellings in the medium density zone.

Supply and choice is provided in the R2 Low Density Residential zone, as the creation of new single dwellings is to generally occur on 400sqm lots, however medium density uses (semi-detached and attached) can still occur on 300sqm. This means that new single dwellings are on appropriate sized lots, whilst housing which promotes diversity and affordability can continue to be developed.

Residential typologies (e.g. co-living, build to rent, group homes, seniors housing) are generally permissible under *SEPP (Housing) 2021*, and are added to residential zones for clarity of desired uses.

**A city of great places**

- **Objective 12:** Great places that bring people together.
- **Objective 13:** Environmental heritage is identified, conserved and enhanced.

**A city of great places**

- **Planning Priority W6:** Creating and renewing great places and local centres, and respecting the District's heritage.

**A city of great places**

The continued application of medium density zones in areas suitable for redevelopment means these places will be renewed to provide diversity. The general application of 12m HOB within suburban areas (with exceptions) enables for human scale development within suburban areas, whilst providing choice and diversity in appropriate locations.

GREATER SYDNEY REGION PLAN	WESTERN CITY DISTRICT PLAN	CONSISTENCY / RESPONSE:
<p>Innovative clauses regarding public art and quality design for ‘Gateway’ sites will ensure development renews great places by maximising opportunities for vibrant places across the LGA, and at strategic entry points. Additionally, Environmental Heritage will continue to be protected within Schedule 5 of the LEP.</p>		
PRODUCTIVITY		
<p><b><u>A well-connected city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Objective 14:</b> A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities.</li> <li>• <b>Objective 15:</b> The Eastern, GOP and Western Economic Corridors are better connected and more competitive.</li> <li>• <b>Objective 16:</b> Freight and logistics network is competitive and efficient.</li> <li>• <b>Objective 17:</b> Regional connectivity is enhanced.</li> </ul>	<p><b><u>A well-connected city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Planning Priority W7:</b> Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City.</li> </ul>	<p><b><u>A well-connected city</u></b></p> <p>The new LEP aligns with Planning Priority W7 as it seeks to encourage residential density around the centre hierarchy, which is focused on transport infrastructure and key services; this will support the local economy of these centres.</p> <p>Land Use Tables have been reviewed to add permissible uses across employment zones, including signage, advertising structures, agricultural uses, research stations, goods repair and reuse and high technology industries. In the recreation and environmental zones boat launching ramps, jetties, boating facilities, recreation areas and restaurants and cafes have been proposed. The additional uses enable a diverse range of uses, to ensure zones are livable and productive. Refer to <b>Attachment 7</b> Land Use Matrix.</p>
<p><b><u>Jobs and skills for the city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Objective 18:</b> Harbour CBD is stronger and more competitive.</li> </ul>	<p><b><u>Jobs and skills for the city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Planning Priority W8:</b> Leveraging industry opportunities from the Western Sydney Airport and</li> </ul>	<p><b><u>Jobs and skills for the city</u></b></p> <p>The new LEP considers the wider context of the Liverpool LGA, where <i>SEPP (Precincts - Western Parkland City) 2021</i> also applies. Growth is occurring in Austral, Edmondson Park South, Leppington North and within the Western Sydney Aerotropolis. It is therefore necessary to</p>

GREATER SYDNEY REGION PLAN	WESTERN CITY DISTRICT PLAN	CONSISTENCY / RESPONSE:
<ul style="list-style-type: none"> <li>• <b>Objective 19:</b> Greater Parramatta is stronger and better connected.</li> <li>• <b>Objective 20:</b> Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City.</li> <li>• <b>Objective 21:</b> Internationally competitive health, education, research and innovation precincts.</li> <li>• <b>Objective 22:</b> Investment and business activity in centres.</li> <li>• <b>Objective 23:</b> Industrial and urban services land is planned, retained and managed.</li> <li>• <b>Objective 24:</b> Economic sectors are targeted for success.</li> </ul>	<p>Badgerys Creek Aerotropolis.</p> <ul style="list-style-type: none"> <li>• <b>Planning Priority W9:</b> Growing and strengthening the metropolitan cluster.</li> <li>• <b>Planning Priority W10:</b> Maximising freight and logistics opportunities and planning and managing industrial and urban services land.</li> <li>• <b>Planning Priority W11:</b> Growing investment, business opportunities and jobs in strategic centres.</li> </ul>	<p>review 15 year old development standards imposed in the LEP area, in light of the broader planning context of the LGA.</p> <p>The City Centre is a Metropolitan Cluster, and the LEP intends to promote its growth. Under the Plan the LEP has capacity for 8,500 dwellings (<b>Attachment 2</b>, p34). Local Provisions for the City Centre have been reviewed in a post-Covid economy, and changes are proposed (Refer to Part 2) to further encourage development of the City Centre. This includes expansion of bonus provisions, to encourage development within the Liverpool Health &amp; Innovation precinct.</p> <p>Centres in the retail hierarchy have retained employment zones. Certain land has been reviewed to apply a more appropriate zone in line with their current or future use (refer to <b>Attachment 8</b> 'Comparison to LLEP 2008 Mapping'). A 12m HOB is generally applied to centres in suburban areas (exceptions apply). <b>Attachment 3</b> 'Commercial Lands Investigation' notes that centres will generally rely on infill development, rather than wholesale redevelopment (p48).</p> <p>In relation to industrial land, development standards have been reviewed to encourage infill development, meet the shortage of Urban Services. Refer to <b>Attachment 4</b> 'Industrial Lands Investigation'.</p> <ul style="list-style-type: none"> <li>• The application of 8,000sqm lot size will still enable strata subdivision, however, will retain large lot sizes to future proof development (e.g. need for large floorplates to accommodate multi storey warehousing)</li> <li>• The removal of Floor Space Ratio removes an artificial barrier, as it is not an accurate determining factor in bulk and scale for industrial</li> </ul>

**GREATER SYDNEY  
REGION PLAN**

**WESTERN CITY  
DISTRICT PLAN**

**CONSISTENCY / RESPONSE:**

developments. Design of developments will continue to be informed by setbacks and height of building controls.

- Increased heights to 18m in certain areas align the LEP with the Codes SEPP Industrial standards.
- Application of 10% landscaping in the LEP will improve amenity.

**SUSTAINABILITY**

**A city in its landscape**

- **Objective 25:** The coast and waterways are protected and healthier.
- **Objective 26:** A cool and green parkland city in the South Creek corridor.
- **Objective 27:** Biodiversity is protected, urban bushland and remnant vegetation is enhanced.
- **Objective 28:** Scenic and cultural landscapes are protected.
- **Objective 29:** Environmental, social and economic values in rural areas are protected and enhanced.
- **Objective 30:** Urban tree canopy cover is increased.

**A city in its landscape**

- **Planning Priority W12:** Protecting and improving the health and enjoyment of the District's waterways.
- **Planning Priority W13:** Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element.
- **Planning Priority W14:** Protecting and enhancing bushland and biodiversity.
- **Planning Priority W15:** Increasing urban tree canopy cover and delivering Green Grid connections.
- **Planning Priority W16:** Protecting and enhancing scenic and cultural landscapes.

**A city in its landscape**

The new Liverpool LEP will significantly strengthen the current environmental considerations applied in the LEP application area and aligns with the priorities in this section. The application of a Conservation Zone to numerous reserves of high biodiversity value will ensure planning controls adequately protect these significant areas, and are effective in managing natural hazards and climate change.

An urban heat clause is proposed to assist in the creation of a cool and green Parkland City, improving resilience.

The proposed Terrestrial Biodiversity clause will supersede the Environmentally Significant Land clause and map, which was transferred into the LLEP 2008 from LLEP 1997. It is therefore significantly out of date and limited in its effectiveness. The new map and clause implements the Biodiversity Study 2019 (**Attachment 11**) to ensure land is identified and assessment via a Development Application occurs (restricts Complying Development), to ensure terrestrial biodiversity is protected.

GREATER SYDNEY REGION PLAN	WESTERN CITY DISTRICT PLAN	CONSISTENCY / RESPONSE:
<ul style="list-style-type: none"> <li>• <b>Objective 31:</b> Public open space is accessible, protected and enhanced.</li> <li>• <b>Objective 32:</b> The Green Grid links parks, open spaces, bushland and walking and cycling paths.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Planning Priority W17:</b> Better managing rural areas.</li> <li>• <b>Planning Priority W18:</b> Delivering high quality open space.</li> </ul>	<p>Engagement with the Aboriginal Consultative Committee identified key sites and view corridors, majority of which are already protected via RE1 Public Recreation zones.</p> <p>Continued open space provision is proposed through the application of the RE1 Public Recreation zone. A review of land acquisition requirements and Council owned land has occurred to ensure recreation land is provided and protected under the new LEP. Refer to Part 4 mapping.</p>
<p><b><u>An efficient city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Objective 33:</b> A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change.</li> <li>• <b>Objective 34:</b> Energy and water flows are captured, used and re-used.</li> <li>• <b>Objective 35:</b> More waste is re-used and recycled to support the development of a circular economy.</li> </ul>	<p><b><u>An efficient city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Planning Priority W19:</b> Reducing carbon emissions and managing energy, water and waste efficiently.</li> </ul>	<p><b><u>An efficient city</u></b></p> <p>In relation to water management, a Stormwater Management and WSUD clause will assist with waterway health, by capturing and reusing water flows, as requested by Water NSW. A recycled water clause is also proposed in consultation with Sydney Water to manage water and waste effectively.</p>
<p><b><u>A resilient city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Objective 36:</b> People and places adapt to climate change and future shocks and stresses.</li> </ul>	<p><b><u>A resilient city</u></b></p> <ul style="list-style-type: none"> <li>• <b>Planning Priority W20:</b> Adapting to the impacts of urban and natural hazards and climate change.</li> </ul>	<p><b><u>A resilient city</u></b></p> <p>The proposed clauses noted above (Urban Heat, Stormwater &amp; WSUD, Recycled Water, Terrestrial Biodiversity and Landscaping) all play a role in the creation of a resilient city. This is in addition to Compulsory and Optional clauses under the Standard Instrument LEP.</p>

GREATER SYDNEY REGION PLAN	WESTERN CITY DISTRICT PLAN	CONSISTENCY / RESPONSE:
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- **Objective 37:** Exposure to natural and urban hazards is reduced.
- **Objective 38:** Heatwaves and extreme heat are managed.

IMPLEMENTATION		
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| <ul style="list-style-type: none"> <li>• <b>Objective 39:</b> A collaborative approach to city planning.</li> <li>• <b>Objective 40:</b> Plans refined by monitoring and reporting.</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Planning Priority W21:</b> Preparing LSPS's informed by local strategic planning.</li> <li>• <b>Planning Priority W22:</b> Monitoring and reporting on the delivery of the plan.</li> </ul> | <p>This planning proposal seeks to address a number of the actions in the LSPS, refer to Part 3.4 below. Early engagement with the community and stakeholders has occurred, refer to Part 5 below.</p> |
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3.4 *Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?*

The Liverpool LSPS ‘Connected Liverpool 2040’ identifies four themes, sixteen planning priorities and eighteen actions which encompass Council’s local planning priorities for the next 20 years, and how they are to be achieved. A summary of each relevant LSPS and Land Use Strategy actions addressed in this planning proposal are provided in Table 9 below.

**Residential Land**

*Table 9: Residential Land LSPS Actions*

<b>LSPS Actions</b>	<b>LEP Alignment</b>
<b>Action 7.1:</b> Develop and implement a Local Housing Strategy through amendments to the LEP and DCP.	DPH&I have endorsed the Liverpool Local Housing Strategy 2020, which has been a key Strategy for the development of a new LEP, as noted below.
<b>Action 8.2:</b> Review R4 zoned land around local centres to address interface issues.	As part of this planning proposal, R4 Land has been reviewed to address interface issues. Where the R4 High Density Residential zone is proposed in the new LEP, it is applied to ensure road separation between zones, to address interface issues identified in Liverpool, Casula, Lurnea, Green Valley and Cartwright.
<b>Action 8.5:</b> Undertake design-led planning using placemaking principles for local and district centres.	The LEP Principles for residential land have been used to assess how residential land around centres should be developed under the LEP. This includes locating density and diversity of housing in areas near centres. <b>Attachment 2</b> ‘Residential Lands Investigation’ contains design assessment of future high and medium density housing under the new development standards.
<b>Housing Strategy Actions</b>	<b>LEP Alignment</b>
<b>Action 5:</b> Ensure housing density is focused around centres, high frequency public transport and amenity.	The LEP Principles for residential land have ensured that under the new LEP, future density is located within the City Centre, town centres (Moorebank, Casula, Green Valley, Miller) and transit corridors (e.g. Holsworthy, Edmondson Ave and Hoxton Park Road). Medium density is also generally located within 800m of centres and where redevelopment is appropriate.
<b>Action 7:</b> Review land use and development controls in R1, R2 and R3 zones to encourage greater medium density and housing diversity without adversely impacting neighbourhood amenity.	Under this planning proposal, residential land use zones and controls have been reviewed to encourage housing diversity. Mecone’s Residential Lands Investigation ( <b>Attachment 2</b> ) informed new development standards for Medium Density land, as per Part 2 of this planning proposal.
<b>Action 7 (continued):</b> Review of permissibility and controls for	It is proposed to introduce ‘dual occupancy’ uses within the R1 and R3 land use zones, which results in approximately

the following land uses should be considered: <ul style="list-style-type: none"> <li>• Dual occupancies</li> <li>• Multi-dwelling housing</li> <li>• Manor homes</li> </ul>	8,000 lots available for this use under Complying Development. The medium density zones are to remain highly flexible, with semi-detached, attached, multi dwelling housing (and therefore manor homes) as permissible under the new LEP, which will encourage housing diversity around centres.
<b>Action 8:</b> Review controls for R3 zone to improve feasibility, having consideration to appropriate built form outcomes.	As noted, Mecone's Residential Lands Investigation ( <b>Attachment 2</b> ) informed new development standards for Medium Density land, as per Part 2 of this planning proposal. This includes incentives to promote medium density development, via clear and flexible controls (see Residential Principal 3 and 4) to improve feasibility.
<b>Action 9:</b> Review controls for medium density having regard to the Low Rise Medium Density Housing Code to facilitate more diverse housing types in the LGA whilst still maintaining local character.	As part of the LEP Review informing this planning proposal, a report regarding the application of Part 3B of the Codes SEPP ( <b>Attachment 5</b> ) was prepared by Council. The continued application of the Codes SEPP in the medium density zones (R1 and R3) means there are 1,854 lots available for multi-dwelling terraces in these areas, and the introduction of dual occupancy allows for 8,000 lots which would meet the Code SEPP requirements for this use.
<b>Action 18:</b> Undertake design-led planning using place-making principles for town and local centres.	Refer to LSPS Action 8.5 (above).
<b>Action 19:</b> Review R4 zoned land around local centres to address interface issues.	Refer to LSPS Action 8.2 (above).

## **Commercial Land**

*Table 10: Commercial Land LSPS Actions*

<b>LSPS Actions</b>	<b>Alignment</b>
<b>Action 11.1:</b> Develop a Centres and Corridor Strategy, and review LEP and DCP to ensure alignment.	The new LEP has a strong relationship to the Liverpool Centres hierarchy. The Centres hierarchy was reviewed as part of this planning proposal and Mecone have recommended that a change in the retail hierarchy is not required.
<b>Centre &amp; Corridor Strategy Actions</b>	
<b>Action 1:</b> Review land use planning controls to ensure quality built form outcomes and ensure consistency with the retail hierarchy.	The new LEP is to contain generally consistent development standards for centres (typically 12m HOB), with areas around the City Centre and main corridors retaining their existing development standards under the LLEP 2008, to create a retail hierarchy across the LEP application area. Refer to Part 2 of this planning proposal.

<p><b>Action 6:</b> Review LEP zoning of key sites (LEP schedule 1, Clause 9) if they have been developed for the purposes of service stations or food and drink premises. Undertake a site analysis and consider rezoning to B6.</p>	<p>This action has been reviewed, and changes to these key sites are proposed. This includes application of the E3 Productivity Support zone instead of an additional permitted use clause, or removal of the additional use due to recent residential development in these areas. Refer to <b>Attachment 8</b> 'Comparison to LLEP 2008 Mapping'.</p>
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## **Industrial Land**

*Table 11: Industrial Land LSPS Actions*

<b>LSPS Actions</b>	<b>Alignment</b>
<p><b>Action 12.1:</b> Develop Industrial and Employment Lands Strategy and review LEP and DCP to ensure alignment.</p>	<p>The new LEP has been informed by the Liverpool Industrial and Employment Lands Strategy, and Mecone's Industrial Lands Investigation (<b>Attachment 4</b>), which is an addendum to the Strategy.</p>
<p><b>Action 12.2:</b> Review the LEP and DCP to ensure statutory planning controls protect key freight routes and employment lands from sensitive land uses.</p>	<p>The aims of the new LEP are to include an objective to protect key freight routes, as requested by TfNSW.</p>
<b>Industrial &amp; Employment Land Strategy Actions</b>	
<p><b>Action 1:</b> Review development standards and objectives for industrial land.</p>	<p>Development standards for industrial zoned land have been reviewed and certain recommendations from Mecone's investigation have been proposed. This is to apply flexible standards that encourage infill development and redevelopment, as well as better align with the Codes SEPP. Refer to Part 2 of this planning proposal for a summary of standards.</p>
<p><b>Action 2:</b> Review and manage employment land within the eastern portion of the LGA.</p>	<p>The most appropriate management of industrial land in the eastern portion of the LGA is to retain the industrial land use zones, with revised development standards as noted above. Additional land uses have been added across the industrial zones, including certain agricultural uses, signage, goods repair and reuse, high technology industries, vehicle and depot uses. Refer to <b>Attachment 7</b> Land Use Matrix for further detail.</p>
<p><b>Action 5:</b> Increase industrial development density, efficiency, and colocation.</p>	<p>The proposed standards under the new LEP were informed by a review of trends in industrial developments, to support industrial density, efficiency and colocation.</p>
<p><b>Action 9:</b> Clarify the intended role and function of industrial precincts.</p>	<p>The new LEP will retain all industrial land use zones (with closed land use tables) to clarify the function of these precincts as of industrial areas.</p>

## Natural Environment

Table 12: Environmental & Recreation Land LSPS Actions

LSPS Action	Implementation into Principal LEP Planning Proposal
<b>Action 5.2:</b> Review LEP and DCP to give effect to City Centre Public Domain Masterplan.	Application of the RE1 Public Recreation zone is proposed to certain Council owned land identified as future pocket parks within the Liverpool Public Domain Masterplan. Refer to <b>Attachment 8</b> 'Comparison to LLEP 2008 Mapping'.
<b>Action 6.6:</b> Review LEP to give effect to River Connections Program linking green space networks from Casula to Pleasure Point, improving accessibility and visual amenity.	The introduction of 'restaurant or café' as a use permitted with consent within the RE1 zone will enable proposed future uses within this masterplan.
<b>Action 14.1:</b> Review Environmentally Significant Land overlay in LEP to ensure protection of areas of high ecological conservation value.	The Environmentally Significant Land (ESL) map and clause under the LLEP 2008 is a translation from the outdated LLEP 1997, and was reviewed as part of the LEP review. An updated Terrestrial Biodiversity map and clause is proposed for the new LEP, based on the Biodiversity Study 2019. The new map and clause does not change the zone or permissible uses over a site, however acts as a trigger on 10.7 Planning Certificates, which restricts Complying Development. A Development Application is required to be lodged for assessment of the site.
<b>Action 14.2:</b> Review LEP and DCP to ensure protection of biodiversity and waterway quality, and implement the Green Grid.	The application of a Conservation Zone to several public reserves will ensure biodiversity present on these sites is safeguarded. The proposed Terrestrial Biodiversity Clause as noted above will ensure broader protection of biodiversity. Additionally, the aims of the plan are to include an additional objective <i>"to increase green space, canopy cover, and vegetated connectivity across the LGA"</i> as requested by DPH&I.
<b>Action 15.1:</b> Review LEP and DCP to suitably address sustainability in line with recommendations from emissions reduction and resource efficiency study.	A Recycled Water clause is proposed, in response to the LSPS submission by Sydney Water, recommending consideration of connections to 'planned recycled water schemes for all non-potable water uses, including dedication space for metering, storage, connections and planning infrastructure'. Consultation with Sydney Water will continue through the planning proposal process.
<b>Action 15.3:</b> Review LEP and DCP to ensure Water Sensitive Urban Design is addressed.	A stormwater management clause, incorporating WSUD principles is proposed, as requested by Water NSW and Sydney Water. Refer to <b>Attachment 6</b> 'Written Instrument Report'.

LSPS Action	Implementation into Principal LEP Planning Proposal
<b>Action 15.4:</b> Review LEP and DCP to address the Urban Heat Island Effect.	An Urban Heat Clause is proposed, similar to the LEP Urban Heat Clause prepared by the Western Sydney Regional Organisation of Councils, within their 'Urban Heat Toolkit'. Refer to <b>Attachment 6</b> 'Written Instrument Report'.

### 3.5 *Is the planning proposal consistent with any other applicable State and regional studies or strategies?*

The new Liverpool LEP is anticipated to align with and give effect to a number of State strategies. Table 13 outlines consistency between the planning proposal and relevant State strategies:

*Table 13 - Assessment of Planning Proposal against relevant State Strategies*

State Strategy	Comment
<b>NSW Housing Strategy: Housing 2041</b>	The vision for 'Housing 2041' is established on the four pillars of supply, diversity, affordability and resilience. <b>Attachment 2</b> Residential Lands Investigation demonstrates there is capacity within the proposed LEP to meet housing targets. There is extensive medium density land available for redevelopment, contributing to diversity and affordability.
<b>Cumberland Plain Conservation Plan</b>	The Cumberland Plain Conservation Plan seeks to protect large areas of regionally important habitat, whilst unlocking the delivery of urban growth areas in the western part of the LEP application area. The corresponding Ministerial Direction (Direction 3.6) and consistency with this direction is detailed in Section 3.7 of this report.
<b>NSW Water Strategy: Towards 2050</b>	Priority 3 of the Strategy refers to improved river and floodplain health. Several clauses in the new LEP mirror this objective at the local scale, including the Stormwater Management & WSUD and recycled water clauses, as well as the Terrestrial Biodiversity clause.
<b>Public Open Space Strategy for NSW</b>	The Strategy aims for greater recognition of public open space as essential infrastructure that supports healthy and active lifestyles. The planning proposal seeks to rezone four Council sites identified in the Liverpool City Centre Public Domain Masterplan as pocket parks to RE1 Public Recreation. Additionally, 363 Council owned, and Community classified parcels are to be accurately reflected with the appropriate RE1 Public Recreation zone.
<b>Future Transport Strategy</b>	The Strategy encourages smart growth through the location of housing, jobs and education around public transport. The application of high density around centres and infrastructure, followed by medium density and then low density land, aligns with the smart growth model.

<b>Staying Ahead: State Infrastructure Strategy 2022-2042</b>	The Strategy discusses the need to optimise land use where infrastructure capacity exists, this being primarily major transport projects. As detailed above, the strategic allocation of housing density will locate future residents in proximity to existing transport infrastructure.
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### 3.6 *Is the planning proposal consistent with applicable SEPPs?*

An assessment of the planning proposal's consistency with each State Environmental Planning Policy (SEPP) is provided at Table 14 below.

*Table 14 - Assessment of Planning Proposal against SEPPs*

<b>SEPP</b>	<b>Comment</b>
<b>SEPP (Biodiversity and Conservation) 2021</b>	The planning proposal will not contain provisions that contradict or hinder the application of this SEPP. Relevant provisions relating to vegetation clearing, koala habitats, bushland and the Georges River Catchment will continue to apply in accordance with this SEPP.
<b>SEPP (Exempt and Complying Development Codes) 2008</b>	The planning proposal will not contain provisions that will contradict or hinder the application of this SEPP. The continued permissibility of multi dwelling housing in R1 and R3 zones means that terraces and manor homes can continue to occur under this SEPP, with no restriction applied to the lot size under the LEP. The introduction of 'dual occupancy' in these zones will enable provisions under Part 3B of the SEPP to be utilised, and a lot size of 550sqm is proposed. No Complying Development Schedule is proposed in the new LEP. The LEP will include an Exempt Development Schedule which will operate in addition to Exempt Development Codes in this SEPP.
<b>SEPP (Housing) 2021</b>	The planning proposal will not contain provisions that will contradict or hinder the application of this SEPP. Uses such as co-living, build to rent (BTR), group homes, seniors housing and residential care facilities which are generally permissible under this SEPP, are to be included in residential land use tables, for clarity.
<b>SEPP (Industry and Employment) 2021</b>	The planning proposal will not contain provisions that will contradict or hinder the application of this SEPP.
<b>SEPP No 65 Design Quality of Residential Apartment Development</b>	The planning proposal will not affect the application of this SEPP. All residential apartment and shop top housing development will continue to be assessed against the requirements of this SEPP.
<b>SEPP (Planning Systems) 2021</b>	The planning proposal will not contain provisions that will contradict or hinder the application of this SEPP.

<b>SEPP</b>	<b>Comment</b>
<b>SEPP (Precincts— Central River City) 2021</b>	This SEPP does not apply to the LEP application area.
<b>SEPP (Precincts— Eastern Harbour City) 2021</b>	This SEPP does not apply to the LEP application area.
<b>SEPP (Precincts— Regional) 2021</b>	This SEPP does not apply to the LEP application area.
<b>SEPP (Precincts— Western Parkland City) 2021</b>	This SEPP does not apply to the LEP application area.
<b>SEPP (Primary Production) 2021</b>	The planning proposal will not contain provisions that will contradict or hinder the application of this SEPP.
<b>SEPP (Resilience and Hazards) 2021</b>	The planning proposal will not contain provisions that will contradict or hinder the application of this SEPP. Relevant provisions relating to coastal management, remediation of land, and hazardous and offensive development will continue to apply to development in accordance with the SEPP.
<b>SEPP (Resources and Energy) 2021</b>	The planning proposal will not contain provisions that will contradict or hinder the application of this SEPP.
<b>SEPP (Sustainable Buildings) 2022</b>	The planning proposal will not contain provisions that will contradict or hinder the application of this SEPP. Where applicable, residential and non-residential development will still need to meet the BASIX standards in accordance with the SEPP.
<b>SEPP (Transport and Infrastructure) 2021</b>	The planning proposal will not contain provisions that will contradict or hinder the application of this SEPP. The review of infrastructure zoned land / proposed infrastructure zoned land has been undertaken in close collaboration with relevant state agencies.

*3.7 Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?*

An assessment of the planning proposal's consistency with the applicable Section 9.1 Ministerial Directions is provided at Table 15 below.

*Table 15 - Assessment of Planning Proposal against Section 9.1 Ministerial Directions*

<b>Direction</b>	<b>Consistency and Comment</b>
1.1 Implementation of Regional Plans	Consistent. Alignment with the Greater Sydney Region Plan 'A Metropolis of Three Cities' is demonstrated in Section 3.3 of this report.

Direction	Consistency and Comment
1.3 Approval and Referral Requirements	Consistent. The planning proposal does not contravene the objectives of this direction. It does not contain any additional provisions requiring concurrence nor identify any development as designated development.
1.4 Site Specific Provisions	Justifiably consistent. The planning proposal is for the creation of a new LEP, which includes the continuation of relevant site specific restrictions. Refer to <b>Attachment 6</b> 'Written Instrument Report'.
1.4A Exclusion of Development Standards from Variation	Justifiably consistent. The planning proposal is for the creation of a new LEP, which includes the continuation of relevant Clause 4.6 restrictions. It is noted that the new LEP intends to remove certain aspects of Clause 7.5A from the clause 4.6 restriction, to enable flexibility in its application.
1.10 Implementation of Western Sydney Aerotropolis Plan	Consistent. The planning proposal does not propose inconsistencies with the Western Sydney Aerotropolis Plan. The LEP will continue to include clauses which safeguard the future operations and airspace of the Western Sydney (Nancy-Bird Walton) Airport.
1.21 Implementation of South West Growth Area Structure Plan	Consistent. The planning proposal does not propose inconsistencies with the South West Growth Area Structure Plan.
3.1 Conservation Zones	Justifiably consistent. The planning proposal does not seek to reduce the conservation standards applying to land. A number of publicly owned sites are intended to be rezoned to a conservation zone. Minor changes are proposed to correctly reflect sites with a conservation zone as recreation or infrastructure. Refer to <b>Attachment 8</b> 'Comparison to LLEP 2008 Mapping'. This is deemed to be of minor significance.
3.2 Heritage Conservation	Consistent. The new LEP will retain the heritage provisions under Schedule 5 of the LLEP 2008, thereby facilitating the conservation of various heritage items and objects, including Aboriginal areas.
3.5 Recreation Vehicle Areas	Consistent. The planning proposal does not seek to enable recreation vehicle areas to be developed within the specified locations (in a conservation zone or beach).
3.6 Strategic Conservation Planning	Consistent. Suburbs such as Greendale, Silverdale and Wallacia include land identified as Strategic Conservation Areas under the Cumberland Plain Conservation Plan (CPCP). The planning proposal does not propose any rural land amendments. The proposed Terrestrial Biodiversity map does not cover CPCP areas.
3.7 Public Bushland	Consistent. The planning proposal gives priority to retaining public bushland, to ensure their ecological viability. The Standard Instrument clause regarding Public Bushland is to apply in the new LEP.
3.10 Water Catchment	Justifiably consistent. The planning proposal includes land within the boundary of two regulated catchments (Georges River Catchment and Hawkesbury-Nepean Catchment). The planning proposal seeks to

Direction	Consistency and Comment
	<p>improve the environmental considerations, including the introduction of a Stormwater and WSUD clause with the intent of reducing urban run-off and stormwater pollution. The Terrestrial Biodiversity clause covers certain land in proximity to waterways and therefore will also improve the protection of terrestrial, aquatic or migratory animals or vegetation. There are no proposed changes to recreation land uses within the catchment (other than housekeeping amendments).</p>
4.1 Flooding	<p>Justifiably consistent. The planning proposal applies to the entire LEP application area, which includes extensive land mapped as flood prone. The following Flood studies apply within the LEP land application area:</p> <ul style="list-style-type: none"> <li>- Anzac Creek Floodplain Risk Management Study and Plan;</li> <li>- Cabramatta Creek Risk Management Study and Plan;</li> <li>- Georges River Floodplain Risk Management Study and Plan;</li> <li>- Cabramatta Creek Flood Study &amp; Basin Strategy Review;</li> <li>- South Creek Floodplain Risk Management Study and Plan; and</li> <li>- Liverpool CBD Floodplain Risk Management Study and Plan (not endorsed by Council).</li> </ul> <p>The planning proposal does not seek to rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.</p> <p>Flood prone land generally occurs over recreation, industrial and low density residential areas. Centres are generally out of flood prone areas, therefore they are suitable for the allocation of density, as proposed by this new LEP.</p> <p>The proposed increased minimum lot size (for single dwellings) in low density areas, will assist in flood management, in areas such as Hammondville, Moorebank, Chipping Norton, Warwick Farm, Liverpool, and certain areas such as Ashcroft, Sadlier and Busby.</p> <p>It is proposed to extend the R3 Medium Density Residential zone to certain land along Epsom Road, Chipping Norton (Refer to Part 4 Maps). This land is currently R2 Low Density Residential and contains a minor portion as low flood risk to the south. The uplift is considered to be minor and therefore justifiable.</p>
4.2 Coastal Management	<p>Consistent. The planning proposal does not seek to intensify the development potential of land that is mapped as a coastal area or wetlands in Chapter 3 of the <i>SEPP (Resilience and Hazards) 2021</i>.</p>
4.3 Planning for Bushfire Protection	<p>Justifiably consistent. The planning proposal applies to the entire LEP application area, which includes land mapped as being bushfire prone. The planning proposal does not impose controls which facilitate the</p>

Direction	Consistency and Comment
	location of inappropriate developments in hazardous areas. It is also anticipated that the planning proposal be referred to the NSW Rural Fire Service, following the issue of a Gateway determination.
4.4 Remediation of contaminated land	Justifiably consistent. The planning proposal applies to the entire LEP application area and therefore does not consider land contamination on a site by site basis. Relevant development under the plan will address contamination as part of the Development Application process, in accordance with the <i>SEPP (Resilience and Hazards) 2021</i> .
4.5 Acid Sulfate Soils	Justifiably consistent. The planning proposal applies to the entire LEP application area. An acid sulfate soil clause and map are proposed to continue to apply. Future development will still be required to address any identified acid sulphate soils as part of the Development Application process.
5.1 Integrating Land Use and Transport	Consistent. The Residential, Industrial and Commercial Land Principles for the new LEP are consistent with relevant principles contained in the <i>Improving Transport Choice – Guidelines for planning and Development</i> and the <i>Right Place for Business and Services - Planning Policy</i> .
5.2 Reserving Land for Public Purposes	Justifiably inconsistent. The planning proposal provides an update to the Land Reservation maps under LLEP 2008, following a housekeeping review of Council and State owned land, and in consultation with Transport for NSW. This includes the removal of land acquisition mapping where acquisition has been completed, and addition of mapping where an existing land use zone requires acquisition. Some properties nominated by Transport for NSW for a rezoning / removal of acquisition requirement however have not been included. This is due to Council's resolution at the May Council Meeting (see <b>Attachment 10</b> ), which intended to preserve certain properties for a public purpose.
5.3 Development Near Regulated Airports and Defence Airfields	Consistent. Land in the western portion of the LGA and certain parts of Chipping Norton are impacted by aircraft noise. The new LEP will include updated Australian Noise Exposure Forecast (ANEF) mapping, thereby replacing the outdated Australian Noise Exposure Contour (ANEC) mapping. It is anticipated consultation will occur with relevant agencies post-Gateway.
5.4 Shooting Ranges	Consistent. The planning proposal does not seek to rezone any land that is adjacent to and / or adjoining an existing shooting range.
6.1 Residential Zones	Justifiably consistent. In accordance with this Direction, the new LEP broadens housing choice and types, aligns density with infrastructure and services for efficiency, focuses on delivering infill development within brownfield areas, and encourages good design.

Direction	Consistency and Comment
	<p>Whilst the new LEP does reduce the extent of R4 High Density Residential land (rezoned and reduced development standards in certain suburban areas), the overall LEP does not reduce the latent dwelling capacity, as discussed in <b>Attachment 2</b> 'Residential Lands Investigation'. This is due to the encouragement of medium density housing as part of the new LEP, with revised development standards encouraging a variety of forms.</p> <p>In summary:</p> <ul style="list-style-type: none"> <li>• High density residential development within the City Centre, town centres and transit corridors will ensure future density will optimise existing infrastructures;</li> <li>• Introduction of dual occupancy and new medium density development standards encourage infill development; and</li> <li>• Permissibility of semi-detached and attached housing at generally 300sqm in the low density residential zones, enable diversity in these areas.</li> </ul> <p>The reduction of density, includes:</p> <ul style="list-style-type: none"> <li>• Addressing LSPS and Local Housing Strategy Actions to review interfaces (certain R4 zoned land in Liverpool, Casula, Green Valley, Lurnea and Cartwright is to apply the R3 zone to address poor interfaces and encourage good design);</li> <li>• A height reduction to 12m for certain parts of Moorebank, Casula, Green Valley and Ashcroft, to reflect an appropriate scale for the suburban area and available infrastructure;</li> <li>• Application of the R3 Medium Density zone in Chipping Norton and Ashcroft to reflect an appropriate scale for the suburban area and available infrastructure; and</li> <li>• Application of the R2 Low Density Residential zone to certain parts of Wattle Grove, Carnes Hill, Moorebank, Prestons and Cecil Hills, to reflect recent low density residential development, and accurately account for available land for infill development in the new LEP;</li> <li>• The application of a 400sqm lot size for new dwellings in the R2 Low Density Residential zone, however, retaining the 300sqm for semi-detached and attached housing forms; and</li> <li>• Reduction in commercial zoned land heights, resulting in a theoretical loss of shop-top housing.</li> </ul> <p>The application of the R3 Medium Density zone improved feasibility. The loss of dwellings was found to be 'theoretical' or of minor impact, as development was either not feasible or the proposed change was to accurately reflect the housing capacity available.</p>

Direction	Consistency and Comment
	<p>The loss of future dwellings through reduction in HOB from employment land is minor in nature, as wholesale redevelopment of centres is not anticipated, and only minor infill development is expected.</p> <p>The increase in latent capacity of the proposed controls as well as improved feasibility and design of medium density housing, means that the proposed changes in comparison to the LLEP 2008 are justifiable.</p>
6.2 Caravan Parks and Manufactured Home Estates	Consistent. The planning proposal does not seek to rezone land that is currently used for the purpose of a caravan park. The planning proposal prescribes suitable zones regarding permissibility in line with the Standard Instrument LEP.
7.1 Business and Industrial Zones	<p>Justifiably consistent. In relation to the application of this Direction:</p> <ol style="list-style-type: none"> <li>a. The Industrial and Commercial Land Principles give effect to the objectives of this direction;</li> <li>b. The new LEP retains the employment zones for industrial precincts, and employment zones for centres, where the centre hierarchy applies. Certain E1 Local Centre land is proposed to be rezoned to apply relevant land use zone (refer to Attachment 8 ‘Comparison to LLEP 2008 Mapping’);</li> <li>c. The new LEP does not reduce the total potential floorspace for employment uses and related public services: <ol style="list-style-type: none"> <li>a. The reduced 12m HOB will still enable development for commercial uses, however would reduce the extent of residential development (i.e. shop-top) as part of the development. Refer to <b>Attachment 3</b> ‘Commercial Lands Investigation’.</li> <li>b. The reduction to 15% Commercial Uses to receive the bonus FSR and HOB under Clause 7.5A (rather than 20% under the LLEP 2008), does not reduce the floorspace available, as this is a bonus clause, not the substantive development standards. It is also a minimum requirement, and additional floorspace can be provided.</li> </ol> </li> <li>d. The new LEP does not reduce the total potential floor space for industrial uses, instead it proposes the removal of FSR to encourage industrial development.</li> <li>e. The new LEP is in accordance with the Liverpool Industrial and Employment Lands Strategy.</li> </ol> <p>Therefore, the proposed zones and development standards for Employment land uses are deemed to be consistent with this direction.</p>
8.1 Mining, Petroleum Production and Extractive Industries	Consistent. The planning proposal does not seek to prohibit mining activities or restrict the potential development of identified resources.
9.1 Rural Zones	Consistent. It is noted the planning proposal does not seek to rezone land from a rural zone to another zone, nor does it propose any new controls to increase the density of rural land.

Direction	Consistency and Comment
9.2 Rural Lands	Consistent. The planning proposal does not have a specific focus on rural zoned land. No changes are proposed to the minimum lot size applying to conservation or rural zoned land.
9.3 Oyster Aquaculture	Consistent. The planning proposal does not seek to rezone any areas identified as a 'Priority Oyster Aquaculture Area' nor propose any incompatible land uses in vicinity of a 'Priority Oyster Aquaculture Area'.

## Section C – Environmental, social, and economic impact

### *3.8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?*

No. The planning proposal largely relates to established urban land and does not seek to facilitate development which would adversely impact threatened species, populations, ecological communities and their habitats. Several newly proposed clauses like the Terrestrial Biodiversity clause, Stormwater Management and WSUD clause will also improve the protection of environmentally significant land.

### *3.9 Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?*

The planning proposal is not anticipated to directly result in any other negative environmental effects. As noted above, the new LEP will primarily apply to brownfield sites, and proposed amendments are generally a reflection of existing subdivision patterns, built form outcomes and desirable emerging development trends.

### *3.10 Has the planning proposal adequately addressed any social and economic effects?*

The planning proposal is likely to bring about positive social and economic impacts for the community as it seeks to support the economic vitality of commercial centres (by focusing housing around centres) and industrial precincts (through revised development standards), which in turn fosters job growth.

In the residential areas, a balanced approach has been implemented to protect the character of low density suburbs with access to basic retail (neighbourhood shops and shop top housing) and incentivising of medium density development in appropriate locations in need of renewal.

The planning proposal is also informed by extensive community feedback and consultation undertaken since 2020, and therefore closely aligns with community expectations and priorities for the Liverpool LGA.

## Section D – Infrastructure (local, state and commonwealth)

### 3.11 Is there adequate public infrastructure for the planning proposal?

The LEP application area primarily covers established urban land. Therefore, development facilitated by the new LEP will largely optimise existing infrastructure, by ensuring redevelopment of brownfield areas in areas where infrastructure is available. There is adequate public infrastructure to serve the needs of the new LEP and further consultation will occur with relevant stakeholders as part of this planning proposal.

## Section E – State and commonwealth interests

### 3.12 What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Consultation with government agencies and public authorities occurred as part of the Early Engagement period in 2022 (along with community engagement) and continued throughout 2023. Feedback was received in the form of submissions and meetings, refer to Table 16 below. The views of government and public authorities will continue to be sought as part of the post-Gateway process.

Table 16: Government and Agency consultation prior to Planning Proposal

Government and Agency Consultation	Response in Planning Proposal
<b>Department of Planning, Housing and Infrastructure</b>	
Meeting on 4 November 2022, and submission received 5 December 2022.	
<b>General Comment:</b> Council’s proposal to establish an LEP constitutes a comprehensive LEP amendment, however these are only supported in the case of Council amalgamations or de-amalgamations.	The planning proposal is classified as a ‘Principal Planning Proposal’, and meets the requirements as noted in Background Information.
<b>Housing:</b> Council’s LEP Principles for residential land are consistent with the actions of the District and Regional plans, and Council’s LSPS and LHS. Further justification is required where reduction in development potential is proposed.	The residential principles have been applied to the proposed zoning and development standards in the new LEP, justified by <b>Attachment 2</b> , ‘Residential Lands Investigation’.
<b>Centres:</b> An overall reduction in floorspace across multiple centres is not considered to be in alignment with the strategic planning framework, and may result in restriction on future growth. The planning proposal is to have a robust feasibility assessment of the proposed control changes to affected centres.	The proposed reduction in floor space for centres is as per resolution of Council. Justification as part of this planning proposal is supported by <b>Attachment 3</b> ‘Commercial Lands Investigation’.
<b>Industrial &amp; Employment:</b> Further justification for the proposed amendments, including consideration of	This has been considered as part of the planning proposal. Justification as

Government and Agency Consultation	Response in Planning Proposal
<p>zoning for industrial lands given the future employment opportunities in the Liverpool Collaboration Area and the Innovation Precinct.</p> <p><b>Sustainability and Resilience:</b> Ongoing discussion with the Department is required in relation to Environmentally Sensitive Land (ESL) mapping. DPH&amp;I Water Group provided suggestions for new LEP clauses.</p> <p><b>Transport &amp; Infrastructure:</b> The proposal seeks to deliver density in areas that are well serviced, thereby and optimising existing infrastructure. Liaise with utility providers and Transport for New South Wales.</p> <p><b>Further Consultation:</b> Consultation and support from the following is required: Greater Cities Commission, Transport for NSW, (former) DPE Environment and Heritage and DPE Housing, Local Aboriginal Land Council, and Relevant utility providers.</p>	<p>part of this planning proposal is supported by <b>Attachment 4</b> 'Industrial Lands Investigation'.</p> <p>Refer to EES comments regarding ESL mapping. Clauses relating to Water Management have been included in the planning proposal.</p> <p>The planning proposal seeks a new LEP which optimises growth near infrastructure. Refer to agency consultation below.</p> <p>Refer to consultation with relevant agencies below.</p>
<b>Greater Cities Commission</b>	
<p>Feedback received via a meeting (10 January 2023) and GCC noted that a formal response would be provided once a planning proposal was provided with the required justification. The following Region Shapers (RS) in The Six Cities Region Discussion Paper were noted to be of significance:</p> <ul style="list-style-type: none"> <li>- RS 3: Housing supply, diversity &amp; affordability; and</li> <li>- RS 4.1: Identify precincts and centres with potential to support delivery of housing targets, in line with existing and planned infrastructure. Key locations will be close to stations and transport hubs.</li> </ul>	<p>The new LEP focuses on aligning growth with infrastructure, by optimising development standards to deliver supply, affordability, and diversity. Future growth is focused around train stations and centres, and the new LEP includes new standards for medium density housing. The Residential Land Principles for the new LEP align with the new Region Shapers.</p>
<b>(Former) Department of Planning &amp; Environment - Housing</b>	
<p>Feedback received via a meeting (25 January 2023), where DPH&amp;I advised that a formal response would be provided once a planning proposal was provided with the required justification. The new LEP is to demonstrate that housing targets can still be met.</p>	<p>The planning proposal is supported by <b>Attachment 2</b> Residential Lands Investigation which demonstrates housing targets can be achieved under the new LEP.</p>
<b>(Former) Department of Planning &amp; Environment - Environment and Heritage Group</b>	

Government and Agency Consultation	Response in Planning Proposal
<p>Submission received 15 November 2022 and meeting conducted 17 January 2023. It was noted that proposed LEP clauses for Terrestrial Biodiversity and Riparian Land may have limited success in protecting biodiversity and waterway health, and that a wholistic review for environmental protections, such as the application of Conservation zones is recommended. It is noted the LEP currently contains an Environmentally Significant Land layer.</p>	<p>In response to comments, the planning proposal includes new waterway clauses. The Terrestrial Biodiversity mapping and clause are intended to replace the outdated ESL map and clause in the LLEP 2008, which was from the LLEP 1997 instrument. A Conservation Zone Study (Attachment 17) has also informed the proposed application of conservation zones to land with high biodiversity value.</p>
Local Aboriginal Land Council & Aboriginal Consultative Committee	
<p>The Gandangara Aboriginal Land Council were contacted as part of the LEP Review Exhibition however no comments were provided. An extraordinary Aboriginal Consultative Committee meeting was held however on 20 October 2022 to discuss the review.</p>	<p>Feedback received on views and specific sites were considered. Refer to <b>Attachment 15</b> for outcomes of the early community engagement period.</p>
Land and Housing Corporation	
<p>Meeting occurred on 15 November 2022 and submission received 2 December 2022. LAHC generally supports the LEP Review the intent to provide diversity in housing choice, and to encourage infill housing. Site specific comments were made in relation to reduced heights of buildings and changes to land use zoning in parts of Liverpool, Green Valley and Ashcroft.</p>	<p>The post-exhibition report to Council on 26 April 2023 recommended changes generally as per LAHC submission, however Council resolved to proceed with the planning controls for the 2168 District as per the Scoping Report.</p>
Transport for New South Wales	
<p>Submission was received on 28 October 2022 and meeting held on 25 May 2023. It was recommended that centres have the capacity to evolve and provide fine grain urban form, diverse land uses and walkability to support the 15-minute neighbourhood and 30-minute concepts. Feedback was received regarding land TfNSW land parcels and required land acquisition maps for the new LEP. Further correspondence from the Property Planning branch of TfNSW was received, requesting rezoning of abandoned corridors. In June 2024, additional correspondence was also provided from the Property Planning branch highlighting concerns with Council's resolution at the 29 May meeting to reject the rezoning of abandoned corridors at Hume Highway, Liverpool and Grove Street, Casula.</p>	<p>The new LEP proposes development in alignment with infrastructure, to encourage development around centres. Updates to land acquisition layers has occurred as part of the planning proposal. Additionally, the planning proposal includes the rezoning of certain SP2 land no longer required by TfNSW, with some exceptions.</p>
Endeavour Energy	

Government and Agency Consultation	Response in Planning Proposal
Submission received 16 September 2022, which supported the proposed changes to rezoning sites to SP2 Infrastructure.	Application of SP2 Infrastructure zone to 10 Endeavour Energy sites is proposed as part of the planning proposal.
<b>Sydney Water</b>	
Submission received 23 December 2022, which supported the proposed changes to rezoning of one Sydney Water site to SP2 Infrastructure. Information regarding suburb by suburb capacity is requested to assist in service forecasting.	Application of SP2 Infrastructure zone to 7 Sydney Water sites is proposed as part of the planning proposal. <b>Attachment 2</b> details the residential capacity under the new LEP.
<b>Water NSW</b>	
Submission received 9 March 2023 which notes the significance of the Upper Canal and supports the intended inclusion of a proposed stormwater management clause.	The Upper Canal was heritage listed as part of Phase 1 LEP Review, and support for the stormwater management clause is noted.
<b>Transgrid</b>	
Notes significant land interests in the form of Liverpool and Kemps Creek substations, and the LGA wide Transgrid Plan. Request to be notified of any development in vicinity of these assets.	Matters raised are applicable to Development Application referrals. Further consultation can occur post Gateway determination if required.
<b>Jemena &amp; APA Gas</b>	
Letters were sent 12 January 2023. A meeting was held on 3 February 2023 with Jemena to discuss the planning proposal. No response was received from APA Gas.	No matters raised specific to the LEP Review. Further consultation can occur post Gateway if required.
<b>School Infrastructure NSW</b>	
Written submission received 2 February 2023 and is generally supportive of the overall direction and land-use controls proposed. Requests that: <ul style="list-style-type: none"> <li>- Liverpool West Public School (located at 79-81 Hoxton Park Rd, Liverpool NSW 2170) currently has a split zoning, and request that it becomes R4 High Density with 12m height;</li> <li>- Specific clause allowing schools to have 12-15m height limit to allow three storey typologies; and</li> </ul> Careful monitoring of growth if dual occupancies are permitted in the R2 Low Density Residential Zone	Additional height for existing schools is provided under the <i>SEPP (Transport and Infrastructure) 2021</i> . Schedule 6 allows for Complying Development to occur up to 4 storeys or 22m. Therefore, the merits of a rezoning and additional heights for schools were assessed and not recommended for inclusion. Consultation will continue to occur during the planning proposal process.

## Part 4 – Maps

The maps listed below are proposed as part of this planning proposal.

- Land Application Map
- Land Zoning Map
- Lot Size Map
- Floor Space Ratio Map
- Height of Buildings Map
- Land Reservation Acquisition Map
- Heritage Map
- Acid Sulfate Soils Map
- Key Sites Map
- Dwelling Density Map
- Foreshore Building Line Map
- Airport Noise Map
- Urban Release Area Map
- Land Reclassification (Part Lots) Map
- Terrestrial Biodiversity Map
- Landscaping Map

Complete LEP map layers will be prepared to support the planning proposal.

Refer to **Attachment 8** 'Comparison to LLEP 2008 Mapping' which details the proposed changes in mapping as part of the new LEP (in comparison to the LLEP 2008).

## Part 5 – Community Consultation

### Liverpool LEP Review Engagement Strategy

Council endorsed the Liverpool LEP Review Engagement Action Plan (**Attachment 14**) on 31 August 2022, which details the previous and proposed community and stakeholder engagement for the project, summarised in Figure 3 below.

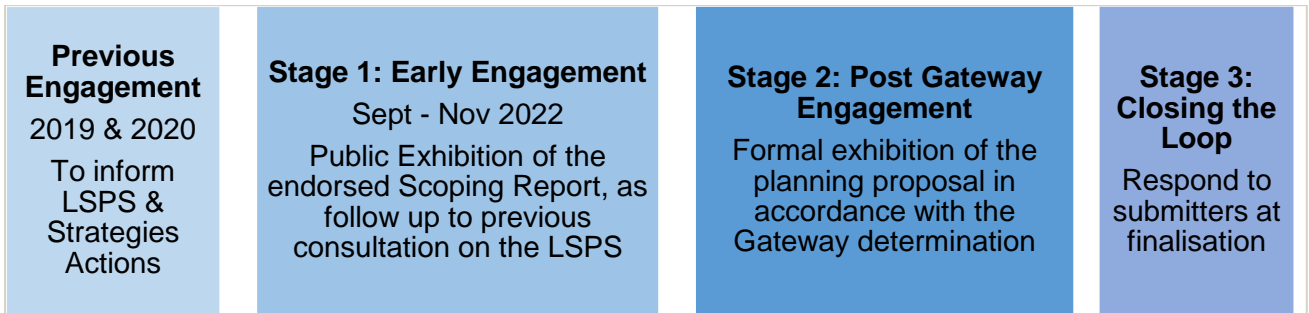


Figure 3 – Phases of Community Engagement

### Previous Engagement – 2019 & 2020

Two rounds of extensive community engagement were undertaken as part of the accelerated Phase 1 LEP Review. This engagement highlight strong community support towards protecting local character, having greater variety of housing options, addressing climate change and heat, and protecting rural land. This engagement informed the short, medium, and long-term actions within the LSPS and Land Use Strategies, which are now used to guide the development of the new Liverpool LEP. The flow on effects from engagement are illustrated in the diagram below.

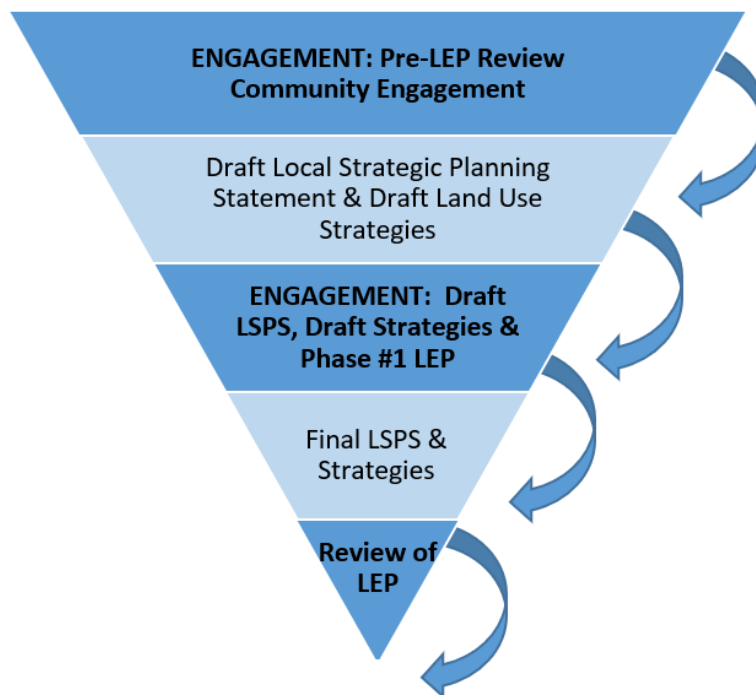


Figure 4 – Previous engagement used to inform the new LEP

## **Stage 1 - Early Engagement**

The Scoping Report and supporting attachments for this planning proposal were placed on exhibition for 55 days (19 September to 13 November 2022). The exhibition period was in accordance with Councils Community Participation Plan, which requires the exhibition of large proposals prior to Council determining whether to submit the proposal to the Department of Planning, Housing and Infrastructure for a Gateway determination.

The exhibition was promoted through various channels including a flyer with Councils yearly rates notice, Mayoral media release and video, presentations at District Forums and Aboriginal Consultative Committee, notification emails to stakeholder lists (e.g. businesses), social media, Liverpool Life Newsletter, digital advertising and posters.

Engagement methods included an LEP Review survey and an interactive website. The exhibition also employed a focus on medium density housing, with a targeted survey for occupants of medium density housing, and an Industry Workshop regarding the design and delivery of housing.

### Outcomes of Early Engagement

Refer to **Attachment 15** 'LEP Review Early Engagement Exhibition Outcomes' report for detailed engagement activities and outcomes. In summary, the LEP Review survey received 198 responses, and more than 75% of survey respondents selected 'Strongly Agree' or 'Agree' (or 'Very Important' Important) in relation to the questions below. This demonstrates a high degree of consensus within the community on these issues, and the new LEP intends to continue actioning these matters:

- New apartment buildings are located around the Liverpool City Centre, large shopping areas with public transport and services, and along main roads and train stations;
- Reduce height of buildings to a maximum of 12m in suburban areas (exceptions apply);
- Incentives to encourage town houses to be built near shops, public transport and services;
- Increase the minimum lot size in low density areas so new lots reflect the low density character of the area;
- Allow 'neighbourhood shops' (corner shops) to be built in low density areas;
- Redevelopment of Commercial areas (e.g. revitalised shops);
- Redevelopment of Industrial areas (>75% consensus when 'Neutral' votes are included);
- Protecting waterways, trees and vegetation; and
- Managing Urban Heat.

## **Stage 2 – Post Gateway Engagement**

Community engagement will occur in accordance with the Gateway determination. The Engagement Action Plan details the types of engagement which will occur during this period, including distribution of letters to affected residents and landowners.

## Part 6 – Project timeline

An anticipated project timeline and milestones is shown in Table 17 below.

*Table 17 - Indicative Project Timeline*

Timeframe	Action
December 2023	Planning proposal presented to Local Planning Panel
May 2024	Planning proposal presented to Council
August 2024	Planning proposal sent to DPH&I
November 2024	Gateway determination Issued
January 2025	State agency consultation
February 2025	Public Exhibition Period
March-April 2025	Consideration of submissions and proposal post-exhibition
May 2025	Post-exhibition report to Council
June 2024	Submission to the Department for finalisation
August 2025	Legal drafting and making of the new LEP

## Attachments

1. Local Planning Panel Report & Recommendation
2. Residential Lands Investigation (Mecone, 2024)
3. Commercial Lands Investigation (Mecone, 2023)
4. Industrial Lands Investigation (Mecone, 2023)
5. Part 3B Codes SEPP Analysis
6. Written Instrument Report (Part 2 Explanation of Provisions)
7. Land Use Matrix
8. Comparison to LLEP 2008 Mapping
9. Comparison to LLEP 2008 Written Instrument
10. Consolidated Council Reports & Resolutions
  - a. 27 July 2022 – Principles for LEP Review
  - b. 31 August 2022 – Endorsement of LEP Review Scoping Report
  - c. 26 April 2023 – Post Exhibition Report
  - d. 28 February 2024 – Conservation Zones Study
  - e. 29 May 2024 – Draft Principal Planning Proposal to establish a new LEP
  - f. 24 July 2024 – Confirmation of Governance Committee Meeting Minutes (Report Back on Investigations)
11. Liverpool Biodiversity Study 2019
12. Council Owned Land Review
13. Land Acquisition Layer Review
14. LEP Review Engagement Action Plan
15. LEP Review Early Engagement Outcomes Report
16. Draft LEP Mapping (Part 4 of Planning Proposal)
17. Endorsed Liverpool Conservation Zones Study