

**LIVERPOOL CITY COUNCIL
LOCAL PLANNING PANEL REPORT**

2 September 2019

Proposal	Planning proposal to prepare a principal LEP - <i>Liverpool Local Environmental Plan 2020</i>
Recommendation	Proceed to Gateway determination
Planning Officer	Nancy-Leigh Norris – Strategic Planner

1. EXECUTIVE SUMMARY

This planning proposal has been prepared in response to recent amendments to the *Environmental Planning and Assessment Act 1979* (the Act) and the establishment of the Western City Deal. An accelerated review of the *Liverpool Local Environmental Plan 2008* (LLEP 2008) has occurred in conjunction with the development of Liverpool's Draft Local Strategic Planning Statement (LSPS) *Connected Liverpool 2050*.

This planning proposal is to establish the *Liverpool Local Environmental Plan 2020* (LLEP 2020), which will repeal the LLEP 2008. The planning proposal is the first phase of implementation of the LSPS, with subsequent additional amendments anticipated over the coming years to implement further LSPS actions and outcomes from the finalisation of studies and development of strategies.

This planning proposal contains a number of amendments, falling under the following areas:

- Rezoning of certain R4 High Density Residential land in Moorebank
- Rezoning of Casula Crossroads Industrial Precinct
- Rezoning of numerous sites owned and operated by Sydney Water
- Implementation of various LSPS Actions
- Various housekeeping amendments

The amendments in the planning proposal are consistent with all relevant legislation, plans, strategies and Ministerial Directions. The rezoning of certain R4 High Density Residential land in Moorebank is considered to be justifiably consistent with Ministerial Direction 3.1 Residential Zones. Further, the proposed amendments are all deemed to have site specific and strategic merit. This report provides a summary and brief explanation of the proposed amendments in order to provide guidance when assessing the planning proposal itself.

2. BACKGROUND

The existing *Liverpool Local Environmental Plan 2008* (LLEP 2008) has been in force since its gazettal on 29 August 2008. This instrument was prepared to comply with the State Government requirement for a Standard Instrument Local Environmental Plan, thereby replacing the *Liverpool Local Environmental Plan 1997*.

Since its gazettal, a significant number of amendments to the LLEP 2008 have occurred. Notably, Amendment No. 52, which was gazetted on 5 September 2018 and focused on the Liverpool City Centre, with the aim of facilitating its growth into Sydney's third CBD.

Accelerated Local Environmental Plan Review

Following an amendment to the *Environmental Planning and Assessment Act 1979* (the Act), Sydney Councils were required to review their local environmental plans and prepare a planning

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proposal to give effect to the district strategic plans. Under Section 3.9 of the Act, Councils were also required to prepare a Local Strategic Planning Statement (LSPS).

Under the Western Sydney City Deal, Council is undertaking a review of the LLEP 2008 within an accelerated two-year timeline. The finalisation of the LEP is to be completed by June 2020.

The following work has been undertaken as part of the LEP Review and LSPS development:

- Initiation of studies, including the Liverpool Housing Study (SGS) and the Industrial Land Development Study (APP);
- An LEP Health Check to test alignment of the current LEP and Council's broader strategic planning framework with the Western City District Plan, including a:
 - Review of Council's Community Strategic Plan (CSP), *Our Home, Liverpool 2027*, to provide direction for the LSPS; and
 - Review of other local strategies, including the *Economic Development Strategy* and *Community Facilities Strategy* to ensure alignment with current strategic direction and to set priorities;
- Councillor workshops on 24-26 November 2018 and 7 June 2019 to understand Councillors' broad vision for the LGA, as well as key issues, themes and priorities that should be reflected in the LSPS;
- Advice from external agencies, including the Department of Planning, Industry and Environment (DPIE), Greater Sydney Commission (GSC), South West Sydney Local Health District, the NSW Department of Primary Industries and Sydney Water; and
- A comprehensive community consultation.

The LSPS is anticipated to be finalised in December 2019 and the LEP review process is being separated into distinct phases. This planning proposal is the first phase of the implementation of certain LSPS actions into the LEP, as well as the inclusion of other justified minor and housekeeping amendments. There are various short, medium and long term LSPS actions that will be implemented through subsequent amendments to the LEP including a number of actions to be given effect in 2020-2021.

3. DETAILS OF THE PROPOSAL

The planning proposal has been prepared in accordance with the Department of Planning, Industry and Environment's guide to preparing planning proposals. The objective of the planning proposal is to establish the *Liverpool Local Environmental Plan 2020*, by reflecting the strategic vision for the Liverpool LGA, as identified within the Western City District Plan and the Draft LSPS. The planning proposal intends to update the LEP to strengthen and reflect its intended use. This is achieved through a number of proposed amendments, as summarised within Part 2 of the planning proposal. In summary, the planning proposal can be broken down into the following sections:

- Moorebank rezoning;
- Crossroads Casula Industrial Precinct rezoning;
- Sydney Water sites rezoning;
- Draft LSPS Actions; and
- Various LEP written instrument and mapping amendments.

4. PROPOSED AMENDMENTS

The planning proposal justifies the proposed amendments against all relevant legislation, plans, strategies and Ministerial Directions, and all amendments have been shown to have site specific and strategic merit. For the purposes of this report, the proposed amendments have been summarised in order to provide guidance when assessing the planning proposal itself.

Moorebank

In response to a notice of motion at its meeting on 6 February 2019, Council resolved to consult with the residents of Moorebank with a view of reducing the density in the R4 High Density Residential zone. As part of this consultation, a letter was sent to residents, an online survey was established (395 responses received) and a consultation event was attended by 112 people on 7 March 2019. Majority of survey submissions (78.2%), responded as being ‘strongly against’ the current R4 High Density Residential zone. Almost 20% of survey respondents lived within the R4 zone, majority of which responded as being ‘strongly against’ the current zoning. The findings of this community engagement were presented at a Councillor briefing on 7 July 2019, and at the Council meeting on 27 March 2019, where Council noted that a local housing strategy is being prepared as part of the LEP review process. Specific advice regarding the rezoning of part of Moorebank has been provided by SGS (refer to Attachment D of planning proposal), and SGS have also prepared a Housing Study for Liverpool (refer to Attachment E of the planning proposal).

This planning proposal includes the rezoning of certain R4 High Density Residential zoned land (identified in blue within Figure 1) to R3 Medium Density Residential, and in accordance with Table 1. Refer to Part 4 of the planning proposal for additional mapping.

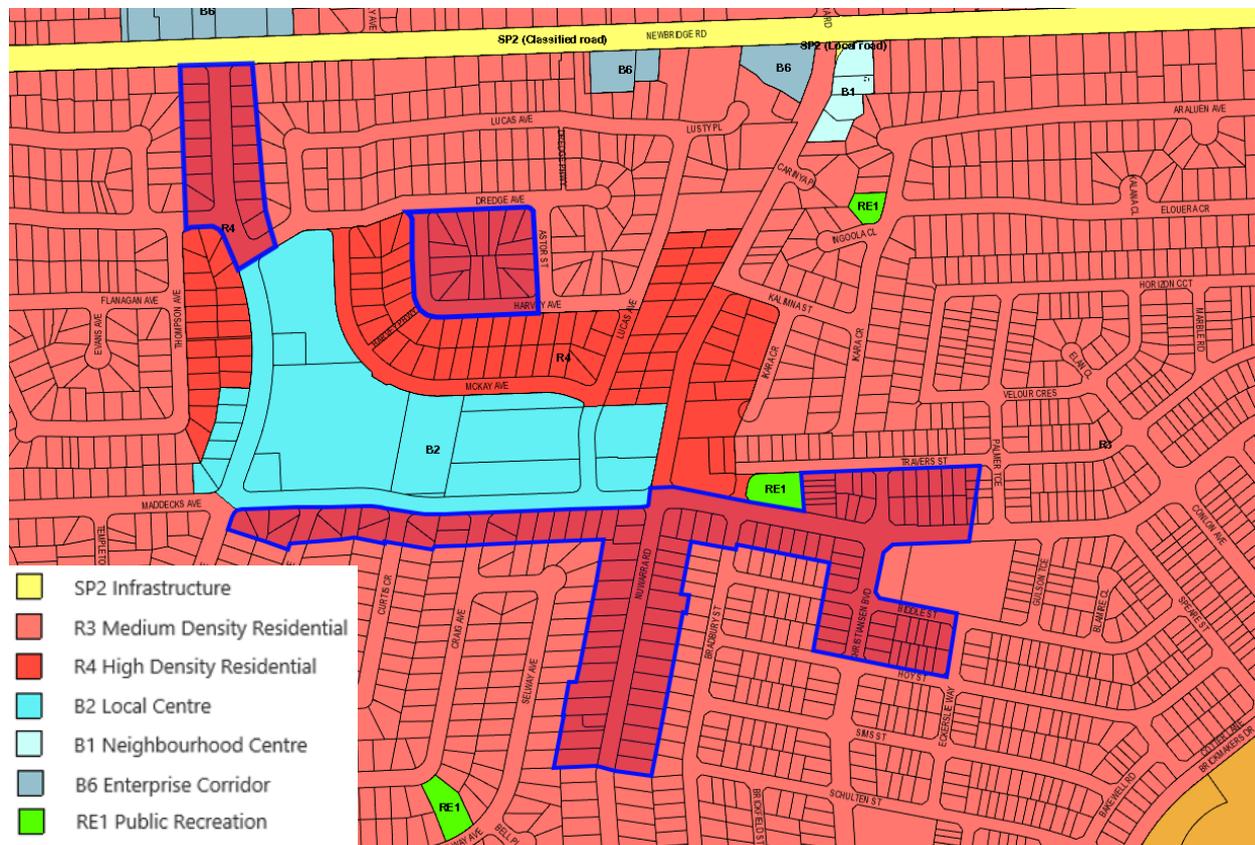


Figure 1: Moorebank existing land use zone map (subject area identified in blue)

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Table 1: Moorebank existing and proposed development standards

	LLEP 2008	LLEP 2020
Land use zoning	R4 High Density Residential	R3 Medium Density Residential
Minimum lot size	U – 1,000m ² D – 300m ² (Area 1)* <small>*Clause 4.1: allows 180m² to 225m² in certain circumstances</small>	D – 300m ² (Area 2)** G – 450m ² <small>**Clause 4.1: allows 200m² to 250m² in certain circumstances</small>
Height of buildings	M – 12m O – 15m	I – 8.5m
Floor space ratio	I – 0.75:1 N – 1.0:1	D – 0.5:1 and D – 0.5:1 (Area 2)^ G – 0.65:1 and G – 0.65:1 (Area 2)^ <small>^Clause 4.4: allows additional 0.05:1 to 0.1:1 in certain circumstances</small>

This rezoning is supported by the *Draft SGS Moorebank Rezoning Advice* (SGS 2019; Attachment D) and *Liverpool Housing Study* (SGS 2019; Attachment E of the planning proposal) on the following grounds:

- The rezoning is justifiably consistent with the 9.1 Ministerial Direction ‘3.1 Residential Zones’ as discussed within Table 10 of the planning proposal;
- There is adequate capacity in the broader LGA to accommodate housing demand to 2036;
- Whilst serviced by a retail centre and community facilities which contribute to suitability for additional housing capacity, Moorebank has limited public transport accessibility to justify additional housing density;
- Despite the construction of some high density residential developments in Moorebank, the Housing Study indicates that apartment development outside of the Liverpool City Centre is mostly unfeasible. Conversely, medium density development is more economically feasible and therefore may be more likely to generate additional housing capacity within the Moorebank;
- The uses enabled by the R3 Medium Density Residential zone are more compatible with the predominant low density residential character and are less likely to result in interface issues such as visual bulk and scale, overshadowing and loss of visual and acoustic privacy;
- The Housing Study (p.166) and Draft SGS Moorebank Rezoning Advice (p.12) notes that land prices for properties zoned R4 are likely to be inflated by expectations of apartment development. The study notes that the R4 zone may be constraining rather than encouraging development.
- A transition to R3 may open up a potentially easier complying development pathway through the low rise medium density housing code (when implemented). This could make development more feasible in the area, as noted in the Liverpool Housing Study (p166).
- R4 High Density Residential zone has been retained in portions of the Moorebank town centre precinct where high density residential development has occurred; and
- There may be other areas within Moorebank may be better suited to high density residential uses, such as Moorebank East which is currently under preliminary investigation and subject to several planning proposals.

Figure 2 below identifies Development Applications for residential flat buildings that have been approved, or are under assessment in Moorebank. Majority of pending and approved DAs are located within the R4 High Density Residential Area that is to be retained. DA-488/2019 at 51 Maddecks & 113-115 Nuwarra Road (lodged 7 August 2019) is currently under assessment and is located within the area to be rezoned.

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Figure 2: Development Applications for Residential Flat Buildings in Moorebank

Table 2: Development Applications for Residential Flat Building in Moorebank

Address	Lot & DP	Application No.	Status
96 Nuwarra Road	Lot 1 DP 1158289	DA-1314/2011	Approved
80-82 Lucas Avenue	Lot 7 DP 236405 Lot 8 DP 236405	DA-147/2016	Approved
101 Nuwarra Road	Lot 101 DP 601256	DA-1248/2016	Approved
19-21 Harvey Avenue	Lot 29 DP 236405 Lot 30 DP 236405	DA-745/2017	Approved
87-91 Nuwarra Road	Lot 110 DP 235787 Lot 6 DP 236405 Lot 5 DP 236405	DA-109/2018	Approved
32-34 Mckay Avenue	Lot 18 DP 236405 Lot 19 DP 236405	DA-995/2017	Under assessment
61-65 Lucas Avenue 36 Mckay Avenue 31 Harvey Avenue	Lots 21, 22, 24 & Cnr Lots 20, 23 DP 236405	DA-552/2018	Under assessment
23-29 Harvey Avenue	Lots 25, 26, 27 & 28 DP 236405	DA-627/2018	Under assessment
2 Kalimna Street 86 Nuwarra Road	Cnr Lot 608 DP 242697 Lot 607 DP 242697	DA-49/2019	Under assessment
14 Thompson Avenue 29-31 Stockton Avenue	Lot 121 DP 1200839 Lot 122 DP 235784 Lot 122 DP 1200839	DA-199/2019	Under assessment
113-115 Nuwarra Road 51 Maddecks Avenue	Lot 11 DP 229881 Lot 102 DP 550996 Cnr Lot 7 DP 260750	DA- 488/2019	Under assessment
14 Mckay Avenue	Lot 69 DP 235785	DA-100/2017	Refused
2-4 Travers Street	Lot 1160 DP 1113292	DA-314/2017	Refused

Crossroad Casula Industrial Precinct

The existing Casula Crossroads Industrial Precinct is defined by the IN3 Heavy Industrial zone between the Hume Motorway (west) and Campbelltown Road (east). It is currently occupied by a number of large-medium format industrial developments that are mostly functioning as distribution and logistics warehouses. Occupants include Cosentino, WesTrac, Electrolux and Versiclad.

The *Liverpool Industrial Development Lands Study* (APP 2019) identifies that the current IN3 Heavy Industrial zoning could be revised given the future trajectory of this precinct in the context of the broader Liverpool industrial landscape. Accordingly, it is proposed to rezone the industrial precinct from IN3 Heavy Industrial to IN2 Light Industrial, with commensurate amendments to minimum lot size and maximum FSR. This will help to provide a much needed increase in IN2 land, which was identified as being in short supply throughout the industrial studies completed in recent years (APP & Knight Frank).

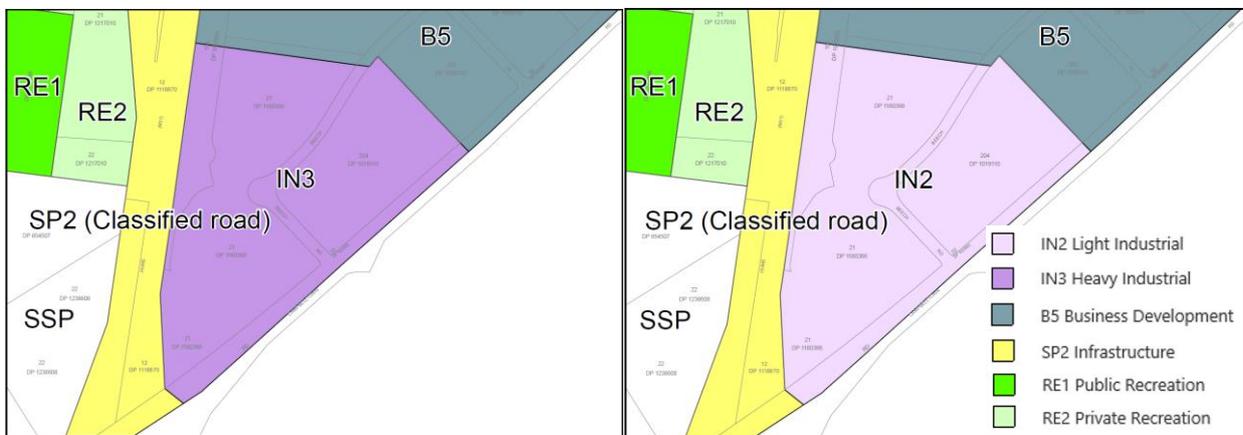


Figure 3: Casula Crossroads existing and proposed land use zoning

Table 3: Casula Crossroads existing and proposed development standards

	LLEP 2008	LLEP 2020
Land Use Zone	IN3 Heavy Industrial	IN2 Light Industrial
Minimum Lot Size	V – 2,000m ²	U – 1,000m ²
Height of Building	Part P – 18m Part U – 30m	No change
Floor Space Ratio	Nil	N – 1.0:1

Sydney Water Infrastructure

A total of twelve sites, comprising of 13 lots, owned and operated by Sydney Water are to be rezoned from various land use zones to SP2 Infrastructure (refer to Part 4 of the planning proposal for current and proposed zoning maps for these sites). These amendments were initiated by a request from Sydney Water after a recent review of their property portfolio. Refer to Attachment J for Sydney Water correspondence which states:

“The infrastructure is critical to the servicing of the existing population and future growth within Liverpool City. As part of recognising the permanent nature of these infrastructure assets and their requirements for protection, Sydney Water recommends the rezoning of these sites to SP2 Infrastructure, as part of the upcoming Liverpool Local Environmental Plan (LEP) Review.

Sydney Water believed that the re-zoning of these lots to SP2 – Infrastructure:

- Better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure;
- Provides clarity to the local community as to the current and intended use of the land;

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- *Is consistent with Liverpool LEP 2008 SP2 zone objectives to provide for infrastructure and related uses;*
- *Confirms the land use is intended to support population growth within the LGA, providing services and infrastructure to meet peoples changing needs.”*

Land Use Table Amendments

Amendments to land use tables are proposed in various zones. This includes industrial zones in accordance with recommendations from the suite of industrial studies attached to this planning proposal, as well as changes to rural and business land use zones.

The following amendments are proposed within the LEP Land Use Tables:

Table 4: Proposed Amendments to Land Use Tables

Land Use Zone	Proposed Amendment
RU1 Primary Production	Update reference to Western Sydney International Airport, and amend Land Use Table to specify 'Environmental protection works' as permitted with consent
B1 Neighbourhood Centre	Add an objective to facilitate sense of place, and amend Land Use Table to add 'Car parks' as permitted with consent
B2 Local Centre	Add 'Car parks' as permitted with consent
B3 Commercial Core	Add 'Amusement centres' and 'Car parks' as permitted with consent
B4 Mixed Use	Add 'Amusement centres', 'Artisan food and drinks industries' and 'High technology industries' as permitted with consent
B5 Business Development	Add 'Kiosks' as permitted with consent
B6 Enterprise Corridor	Remove 'Multi dwelling housing' as permitted with consent
IN1 General Industrial	Remove 'Cemeteries', and add 'Vehicle sales or hire premises' as permitted with consent
IN2 Light Industrial	Remove 'Cemeteries' and 'Recreation facilities (major)' as permitted with consent
IN3 Heavy Industrial	Add 'Liquid fuel depots' and 'Vehicle sales or hire premises' and remove 'Cemeteries', 'Light industries', 'Recreation facilities (outdoor)', 'Sex services premises' and 'Storage premises' to and from permitted with consent

Clause 5.4 Miscellaneous Permissible Uses

This amendment seeks to implement new provisions which limit 'Depots', 'Transport Depots' and 'Warehouse or distribution centres', to a maximum area of 2,000m² in the IN2 Light Industrial zone. These changes are direct responses to the analysis and recommendations contained within the suite of industrial studies forming part of this planning proposal. Of these studies, the most recent *Liverpool Industrial Lands Development Study* (APP 2019, **Attachment I**) specifically recommends these changes.

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Additionally, a new subclause will limit the size of 'Vehicle sales or hire premises' to 500m² within industrial zones. This is to provide some flexibility within industrial zones, without impacting on the intended purpose of industrial precincts. The maximum floor area restriction will guarantee that these uses are ancillary to the primary employment uses within industrial precincts. Where they are not ancillary, the maximum floor space controls ensure that these uses are kept to a modest scale.

Clause 5.16 – Addition of Optional Standard Instrument Clause

The Standard Instrument LEP contains various optional clauses that can be adopted within LEPs. This planning proposal includes the adoption of optional *Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones*. The objective of this clause is to 'minimise potential land use conflict between existing and proposed development on land in the rural, residential or environment protection zones concerned (particularly between residential land uses and other rural land uses).'

The clause is applied where subdivision or erection of a dwelling is proposed on land within specified zones, including the following zones applicable to the Liverpool LGA:

- RU1 Primary Production
- RU2 Rural Landscape
- RU4 Primary Production Small Lots
- R5 Large Lot Residential
- E2 Environmental Conservation
- E3 Environmental Management

The clause requires the existing uses to be considered in accordance with the proposed residential development, including whether the proposed use will be compatible with the locality, and if implementation of measures is proposed to minimise potential incompatibility. The adoption of this clause does not limit residential development, but ensures the existing uses are taken into consideration appropriately.

Part 6 - Urban Release Areas

Part 6 Urban Release Areas and the corresponding Urban Release Area Map (URA map) within the LLEP 2008 identify various release areas within the LGA. This planning proposal removes the Elizabeth Hills, Old Glenfield Road and Voyager Point release areas from the URA map. These areas have been fully developed and are serviced with public utility infrastructure. The existing and approved uses of this land will remain as existing.

Part 6 of the written instrument refers to 'intensive urban development areas' which are identified as Areas 7-11 on the floor space ratio map. As these areas are situated within the Liverpool city centre, all references to 'intensive urban development areas' are to be relocated to Part 7, Division 1 Liverpool city centre provisions.

Clause 7.5 Design Excellence in Liverpool city centre

This clause applies to development of a new building, or external alterations to an existing building, within the Liverpool city centre. The objective is to 'deliver the highest standard of architectural and urban design', and requires developments to address a number of matters to ensure design excellence. This includes an assessment of the suitability of the site, land use mix, heritage, streetscape, bulk, massing and modulation, environmental impacts, ecologically sustainable development principles, access and the public domain. This planning proposal introduces 'waste and recycling infrastructure' as an additional consideration when assessing design excellence. This will encourage developments to include for development within the Liverpool city centre to seek out innovative and sustainable waste management solutions. This

amendment is meeting the Draft LSPS Action 15.2: "Review LEP and DCP to address sustainable waste outcomes".

Clause 7.5A Additional provisions relating to certain land at Liverpool city centre

This clause was introduced as part of Amendment 52, and allows for increased height and floor space ratio standards provided at least 20% of the gross floor area is used for specific uses identified within this clause. This planning proposal intends to amend this clause to specify that this clause relates to the 'development site' instead of the 'building', and use the master term 'Commercial premises', rather than listing 'retail premises' and 'business premises'. This is an administrative change, and does not impact the objectives of Amendment 52, as approved by Council and gazetted.

Clause 7.8A Floodplain risk management

This clause takes into consideration the safe occupation and evacuation from certain sensitive land uses in the event of flood events which exceed the flood planning level. The clause currently applies to various uses including child care centres, hospitals and group homes. This planning proposal proposes the addition of 'residential accommodation' as a use that is also to be considered as part of this clause, to ensure these developments are safe for future occupants.

Clause 7.13 Minimum lot width in Zones R1, R2, R3 and R4

This clause specifies minimum lot widths for the subdivision of land, to ensure the resulting land is capable of accommodating residential development. When variations of this clause currently occur due to the creation of irregular shaped lots (eg around culs-de-sac), the applicant is required to submit Clause 4.6 variation as part of their development application. This clause is proposed to be removed as part of this planning proposal, as minimum lot widths can be effectively regulated through Part 1 of Liverpool's Development Control Plan 2008 (General controls for all development).

Clause 7.15 Minimum building street frontage in Zone B6

This clause specifies that development consent must not be granted for the erection of a new building, or additions to an existing building, on land in Zone B6 Enterprise Corridor unless the site has a frontage to a classified road of at least 90m, or 30m if it also fronts a non-classified road. This clause is proposed to be removed as part of this planning proposal as all developments fronting classified roads are referred to the RMS for assessment and comment. The assessment of site constraints can be individually assessed during this consultation. The removal of this clause will also remove the requirement for the submission of Clause 4.6 variations when applications do not meet this requirement.

Clause 7.16 Ground floor development in Zones B1, B2 and B4

The objective of this clause is to 'ensure active uses are provided at the street level to encourage the presence and movement of people'. This planning proposal includes the addition of another objective to 'promote the economic strength of mixed use areas'. Additionally, the clause is to be amended to specify that ground floor development within the B4 Mixed Use zone is to comprise of retail and business premises only. This will prevent the permissibility of a broad commercial use, which may result in office spaces with limited street activation. The new clause has only been applied to the B4 Mixed Use zone, as it may be too onerous for smaller B1 and B2 centres.

Clause 7.21 Delayed rezoning of certain land

This clause and the corresponding maps are proposed to be removed as part of this planning proposal. The maps currently identify an area of land within Edmondson Park South as being subject to delayed rezoning. This land has since been rezoned under the *State Environmental Planning Policy (State Significant Precincts) 2005* and no longer forms part of the LLEP 2008. As no other land within the LGA is subject to delayed rezoning, the clause and maps can be removed.

Clause 7.33 Dwelling houses in Zone R3 and Zone R4 – Height and FSR controls

This clause specifies that dwelling houses built within the R3 Medium Density Residential and R4 High Density Residential zones may not exceed a height of 8.5m and FSR of 0.6:1. This planning proposal amends this clause to only relate to dwelling houses in the R4 zone. The FSR of 0.6:1 is generally above the base FSR of 0.5:1 for the R3 Medium Density Residential zone and results in an unnecessarily excessive footprint for dwelling houses in this zone. This then limits the provision of suitable landscaped and private open space areas, and results in the development of excessive hard spaces. Dwelling houses in the R3 Medium Density zone can be built under the existing development standards mapped for that zone.

New Part 7 Clause for Liverpool City Centre Medical Precinct

Schedule 1 Clause 10 applies to land zoned R4 High Density Residential that is bounded by Campbell Street, Bigge Street, Lachlan Street and Goulburn Street. It specifies that development for the purposes of light industry is permitted with consent, but only if the industry is medical research and development. Additionally, it permits development for the purposes of office premises with consent, but only with respect to medical or health uses. This area currently encompasses the Sydney Southwest Private Hospital, numerous medical centres, recently developed residential flat buildings, one of which has ground floor medical uses (pathology), and a site awaiting the development of approved RFB (DA-1212/2015).

This clause is being relocated to Part 7 Local Provisions, as it is better identified as an additional local provision and not an additional permitted use. The planning proposal also amends the clause to extend the area to which this clause applies further south to Elizabeth Street (instead of Campbell Street). This will encompass a block of B4 Mixed Use zoned land, which currently contains a women’s medical centre, radiology centre, breast screening centre, and children and adolescent mental health services. The purpose of this amendment is to facilitate the viability and growth of the existing Liverpool Health and Innovation Precinct. This aligns directly to the objectives within the District Plan and the LSPS. The area to which this clause applies is to also be identified within the Key Sites Map.



Figure 4: Proposed and existing Key Sites Maps within the Health Precinct

Schedule 1 Additional Permitted Uses

This schedule has been amended to remove clauses which have facilitated the completion of the corresponding development and clauses which are deemed to be void. Various clauses have also been relocated to Part 7 Division 2 Other provisions, as they are deemed to be additional local provisions rather than additional permissible uses. Refer to Attachment A within the planning proposal for an explanation of proposed amendments, including amendments to Schedule 1.

Schedule 2 – Exempt Development

This planning proposal introduces an exempt development clause for community events held on land owned or under the control of Council. Council currently operates an ongoing DA (DA-

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620/2015) to hold community events on seven sites across the LGA. This DA consent lapses and is renewed every 5 years. The addition of this clause will remove the need for this ongoing DA. Despite the removal of the need for a DA, all events will still be assessed by Council officers in accordance with Councils *Public Events Manual 2019*. This amendment is in accordance with Draft LSPS Action 11.5 'Amend LEP to increase land-use flexibility for festival uses'.

Schedule 2 has been reviewed against the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and duplications between the SEPP and LEP have been removed. Refer to Attachment A of the planning proposal for additional details.

Schedule 5 Environmental Heritage

Items 2, 3 and 51 are proposed to be removed from the schedule as they are being demolished as part of the Western Sydney Airport works and no new heritage items are proposed. Other amendments to the schedule include the corrections of property descriptions, addresses and Lot and DP numbers, as well as to correct the categorisation of three items as being of archaeological significance, and the addition of the reference CO1 to the existing heritage conservation area. These amendments are in accordance with Draft LSPS Action 8.3 Review and update heritage provision in LEP, and address anomalies. Refer to Part 4 of the planning proposal for corresponding mapping amendments.

Key Sites Map

Clause 7.28 *Minimum rear setbacks at Georges Fair Moorebank*, stipulates a minimum rear setback of 10m for land identified in orange within the Key Sites Map. As this residential area has been fully developed, Clause 7.28 and the corresponding identification within the Key Sites Map is to be removed.

Schedule 1 Clause 7 allows entertainment facilities and restaurants or cafes as permitted with consent on lots zoned R4 High Density Residential and marked pink within the Key Sites Map. The area to which this clause applies has been reduced to apply to lots surrounding Moorebank Town Centre only, which will ensure business uses are compacted within the centre. This clause is being relocated to Part 7 as it is better identified as a local provision, and will apply to existing R4 High Density Residential land and proposed R3 Medium Density Residential land.

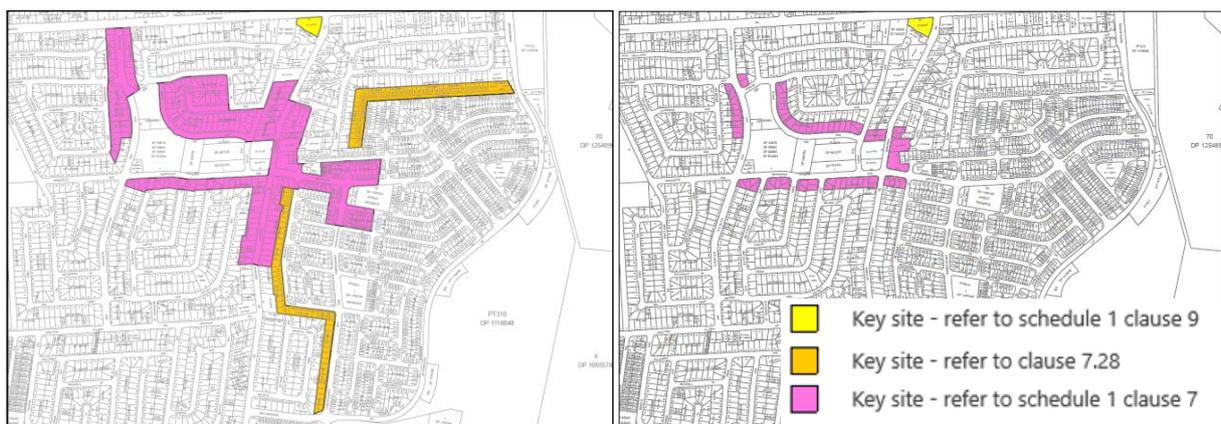


Figure 5: Existing and proposed Key Sites Map at Moorebank

Environmentally Significant Land

Various land across the LGA is identified as Environmentally Significant Land under the LLEP 2008. This planning proposal intends to remove the ESL maps from the LLEP 2008, as updated biodiversity maps are currently being prepared by Council. These new biodiversity maps will be publically available on Councils website to ensure they are still used as part of the assessment process. As the new maps will not form part of the planning legislation, they can be frequently updated without the need for a planning proposal. This means that an accurate assessment of the natural environment can occur at the development application stage. The definitions within the LEP are to be amended to reference maps held on Councils website.

Mapping Amendment - Dalmeny Reserve

Dalmeny Reserve in Prestons is owned and under the control of Liverpool City Council. The current LEP zoning and land acquisition maps do not reflect the current and future intent of the land. The site is currently zoned RE1 Public Recreation and R2 General Residential, with a small fraction marked for land acquisition by Council. As land acquisition is complete, the site is to be rezoned entirely to RE1 Public Recreation, with no land acquisition requirements mapped.

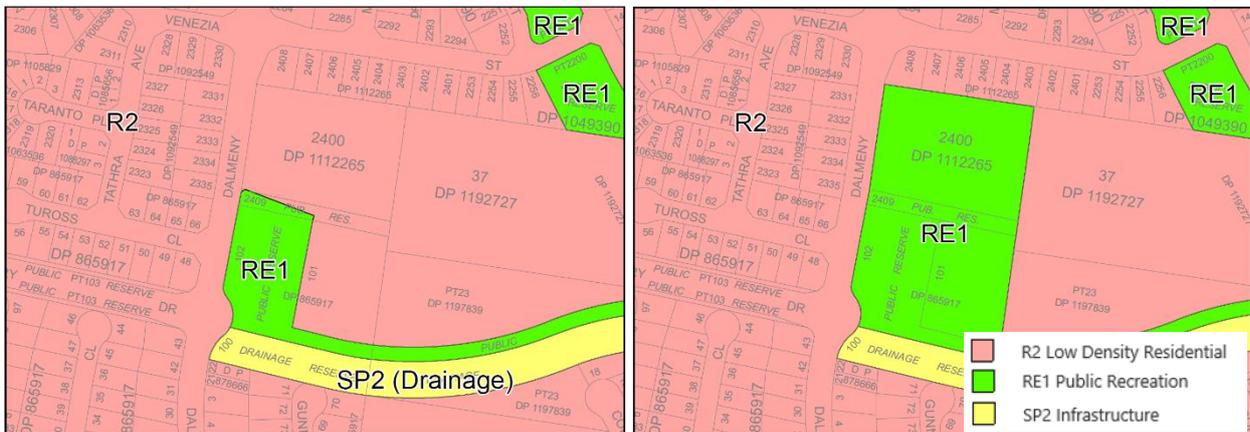


Figure 6 Proposed and existing Land Zoning Maps for Dalmeny Reserve

Mapping Amendment – Land Acquisition

1. **Bigge Street:** Land along Bigge Street, between Elizabeth Street and Moore Street, is currently marked for acquisition by Council. This land is no longer required, and can be removed from the land acquisition map layer.

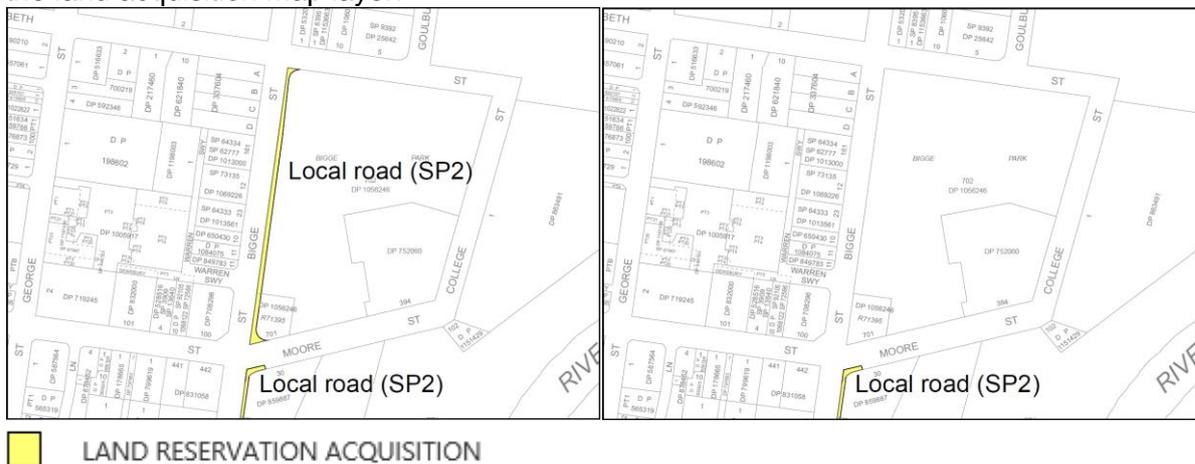


Figure 7: Existing and proposed Land Reservation Acquisition Map at Bigge Park, Liverpool

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2. *Fifteenth Avenue*: Land at Lot 2 DP 1074727 does not reflect the correct land acquisition requirements for a Classified road (SP2). The area to be acquired is already zoned SP2 Infrastructure, however the acquisition layer in accordance with this zoning is not reflected in the land acquisition layer. The acquisition authority is "Roads and Maritime Services" under Part 5.1 of the LLEP 2008.

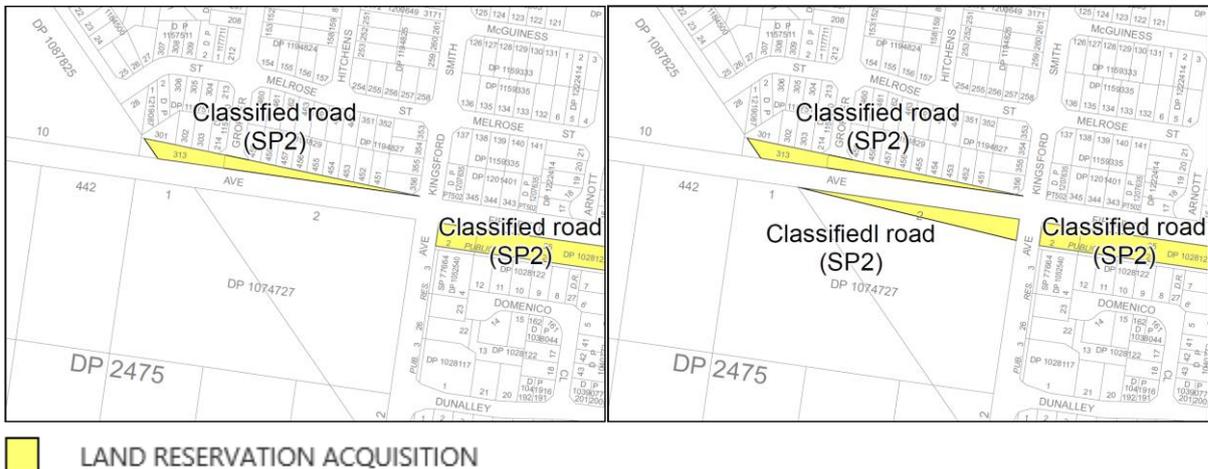


Figure 8: Existing and proposed Land Reservation Acquisition Map at Lot 2 DP 1074727

Miscellaneous Amendments

Various housekeeping amendments are proposed within this planning proposal. This includes the update of references to *Environmental Planning and Assessment Act 1979* clauses, an update to references to legislation, updated property descriptions, and general wording changes. The removal of references to 'repealed' clauses and the removal of historical map versions are also proposed as this planning proposal is to result in a new LEP.

5. NEXT STEPS

Following the Panel's consideration, changes may be made to the planning proposal. The proposal will then be reported to Council seeking endorsement. Should the LLEP 2020 be endorsed, it will be forwarded to the Department of Planning and Environment seeking a Gateway determination.

Following a Gateway Determination in support of the planning proposal, there will be public authority and community consultation, a public exhibition period and a further report to Council, prior to proceeding with the making of any amendment to the LLEP 2008.

6. CONCLUSION

The above amendments to the LLEP 2008 to establish the LLEP 2020 are presented to the Panel as contained within to the planning proposal for consideration and advice.

7. RECOMMENDATION

That the planning proposal is supported and be presented to Council at the next available meeting seeking a Gateway determination.

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8. ATTACHMENTS

1. Planning Proposal	202825.2019-001
2. Planning Proposal Attachments	
▪ A – Proposed LEP Amendments	In planning proposal
▪ B – Proposed Amendments to Schedule 5	In planning proposal
▪ C – Draft Liverpool LSPS, Connected Liverpool 2050	136599.2019
▪ D – Draft SGS Moorebank Rezoning Advice	217391.2019
▪ E – Liverpool Housing Study (SGS)	164051.2019
▪ F – Industrial Employment Lands Study (Knight Frank)	163582.2019
▪ G – Supplement to Industrial Employment Lands Study (Knight Frank)	163585.2019
▪ H – Industrial Lands Snapshot (Mecone & JLL)	342075.2018
▪ I – Liverpool Industrial Development Lands Study (APP)	190467.2019
▪ J – Sydney Water Correspondence	207989.2019
▪ K – Moorebank schedule of lots to be rezoned	In planning proposal