

Planning Proposal - Liverpool LEP 2008

Amendment No. 12

This planning proposal has been drafted in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (the Act) and the Department of Planning's guide to preparing planning controls. A Gateway Determination under Section 56 of the Act is requested.

Part 1 – Objectives

The objective of this planning proposal is to address various minor discrepancies within the Liverpool Local Environmental Plan 2008 relating to the Heritage Schedule and Mapping, Land Zoning Maps, exempt and complying development schedule and generic controls.

Further the plan incorporates rezonings and requests from the RTA and seeks to reclassify 3 parcels of Council owned land.

Part 2 – Explanation of provisions

A number of amendments are proposed to Liverpool LEP (LLEP) 2008, particularly in respect to the LEP maps. The requested amendments to LLEP 2008 are described as follows:

1. Amendment Applies to	2. Explanation of the Provision
Schedule 5 – Heritage Items	Various heritage items are incorrectly identified within Schedule 5 and Heritage Mapping within the LLEP 2008. The planning proposal aims to amend the appropriate descriptions in this regard. The following items need to be updated: • Item 49 – Dwellings – Suburb name should be Casula not Liverpool • Item 75 – Dwelling – Should be Warwick Farm (Not Liverpool) • Delete property description column within Schedule for Conservation Areas.
LLEP 2008 Maps	• Rezone the following properties from R2 Low Density Residential to RE1 Public Recreation as they have been acquired by Council under the Moorebank Voluntary Acquisition Scheme:

	• 41 Newbridge Road • 53 Rickard Road • 36 Newbridge Road • 118 Newbridge Road The corresponding Lot Size, Floor Space Ratio, and Height of Buildings maps will also need to be updated to provide appropriate controls for the properties. • As per request from the RTA, amend zoning of Lot 1 DP 1148521, 616 Hoxton Park Road from SP2 Classified Road to R3 Medium Density Residential and update the corresponding Lot Size, FSR, and Height of Building maps. • Rezoning of Lot A DP 35980 from RE1 Public Recreation to R4 High Density Residential. • As per request from the RTA zone land adjacent to the M7 and Hoxton Park Road from SP2 Classified Road to the adjoining zone as parcels are considered to be surplus. Update corresponding Lot Size, Floor Space Ratio and Height of Buildings maps. • Amend the Lot Size maps to introduce minimum lot size control to 221 Hoxton Park Road to ensure consistency with the adjoining land.
Land Use Table	Permit "Rural Supplies" within RU1 and RU4 zones. Update Land Use Table to introduce secondary dwellings within RU1 and RU4 zones.
Schedule 2 and 3 – Exempt and Complying Development	Include controls for Bus Shelter Advertising within the LLEP to meet the following criteria: • The size of the sign must not exceed 1.5m Width X 2.5m Height • 2 signs per bus shelter • Must not be flashing

Add Clause to Part 7 – Additional Local Provisions.	Clause 7.10 (2) (b) prescribes that a dual occupancy is permissible in rural zones where there is an area of not less than: (i) 10 hectares, if in Zone RU1 Primary Production, or (ii) 2 hectares, if in Zone RU2 Rural Landscape or Rural Small Holdings Add a Clause to Part 7 to allow Secondary Dwellings on sites where dual occupancies aren't permissible due to the minimum lot size provision.
Schedule 4 – Classification and Reclassification of public land.	• Reclassification of Lot A DP 35980 182 Moore Street Liverpool , Cnr Lot 709 DP 238939 1A Bellbird Place Cartwright and Cnr Lot 708 DP 238939 13 Kemra Place Cartwright and Cnr Lot 338 DP 227167 Cartwright Avenue Cartwright from Community to Operational land.

Part 3 – Justification

A. Need for the planning proposal.

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

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

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

From time to time, it is necessary for Council to conduct a general amendment to its Local Environmental Plan to ensure that the instrument and maps remain current, accurate, and effective. The objective of this procedural amendment is to rectify a range of minor discrepancies and omissions that have been identified by various stakeholders. Council considers that a procedural amendment to LLEP 2008 to be the most appropriate way of achieving this outcome.

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

The proposal will ensure that the LLEP 2008 instrument and associated maps remain current, accurate and effective and seek to provide certainty to landowners and the community.

B. Relationship to strategic planning framework.

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

The amendment to Local Environmental Plan is not inconsistent with the objectives and actions contained within the Sydney Metropolitan Strategy and draft Southwest Subregional Strategy.

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

The Draft Local Environmental Plan is consistent with Council's strategic plans.

- 3. Is the planning proposal consistent with the applicable state environmental planning policies?**

The draft Local Environmental Plan is consistent with the applicable state environmental planning policies.

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

The planning proposal is consistent with the following applicable Ministerial directions (s.117 directions):

Ministerial Direction	Objective	Consistent	
1.1 Business and Industrial Zones	This direction aims to protect employment land and encourage employment	Yes	The proposed amendment is considered consistent within this requirement.
1.2 Rural Zones	This direction requires that a draft LEP protect the agricultural production value of rural, and facilitates the orderly and economic development of rural land for agricultural related land uses.	Yes	The LEP amendment will result in additional permissible uses within rural zoned land. However, these additional land uses have not been proposed within the RU2 zones to protect rural landscapes.
2.1 Environmental Protection Zones	This direction is to protect and conserve environmentally sensitive	Yes	The proposal does not have a major impact on environmentally

	areas.		sensitive areas.
2.3 Heritage Conservation	The direction requires the LEP to include provisions that protect environmental heritage and indigenous heritage significance.	Yes	The LEP amendment proposes to update the heritage schedule and relevant mapping to ensure heritage items are identified accurately.
3.1 Residential Zones	The direction requires a draft LEP to facilitate the provision of housing.	Yes	The proposed rezoning of Lot A DP 35980 will allow for additional housing.
3.4 Integrating Land Use and Transport	The direction requires the LEP to be consistent with state policies in terms of urban land use.	Yes	The draft LEP is consistent with the Direction.
4.4 Planning for Bushfire Protection	The direction requires the LEP to incorporate provisions that protect life, property and the environment from bush fire hazards by discouraging incompatible land uses in bush fire prone areas.	Yes	The draft LEP is consistent with this requirement.
6.1 Approval and Referral Requirements	This direction requires that the LEP provisions encourage the efficient and appropriate assessment of development.	Yes	This draft LEP will not have any major impacts on the effective or appropriate assessment of development.
6.2 Reserving Land for Public Purposes	The direction states that the amendment should not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director – General of the Department of Planning.	Yes	The proposal does not reduce the area of existing zonings of land for public purposes. The intention to reclassify and rezone will provide opportunities for investment in quality and usefulness of other public spaces.
7.1 Implementation of the Metropolitan Strategy	The direction requires the vision, land use strategy, policies, outcomes and actions within the Metropolitan strategy to be implemented within the LEP.	Yes	The LEP amendment is consistent with the objectives of the Draft South West Subregional Strategy.

The Environmental Planning and Assessment Act 1979 allows scope to be inconsistent with the terms of this direction if the planning authority can satisfy the Director-General of the Department of Planning (or an officer of the

Department nominated by the Director-General) that the provisions of the planning proposals that are inconsistent with the terms of the direction are of minor significance.

C. Environmental, social and economic impact.

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

The proposed amendments to the draft Local Environmental Plan are unlikely to affect critical habitat or threatened species, populations or ecological communities, or their habitats. There will be no potential for loss of vegetation deemed environmentally significant as a result of the proposal.

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

No other environmental effects are anticipated as a result of the procedural LEP Amendment.

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

The planning proposal meets the social and economic objectives of the area.

D. State and Commonwealth interests.

- 1. Is there adequate public infrastructure for the planning proposal?**

The amendment does not warrant changes to the delivery of public infrastructure.

What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

The requirement for consultation with State and Commonwealth public authorities will be undertaken if directed by the DoP. It should be noted that rezonings of certain parcels included in this proposal are consistent with RTA requests.

Part 4 - Community Consultation

No consultation has been carried out with State and Commonwealth public authorities. Consultation will occur with relevant public authorities identified as part of the gateway determination.

"A guide to preparing local environmental plans" has been prepared by the Department of Planning to assist Council's in preparing planning proposals and LEPs. As the amendment includes reclassification of land, it is considered that

the draft LEP will need to be exhibited in accordance with best practise guidelines.

Written notice and display materials will be in accordance with the document "A guide to preparing local environmental plans". A report on submissions will be presented to Council for its consideration following the exhibition period.

