



New South Wales

Liverpool Local Environmental Plan 2008 (Amendment No 63)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

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A handwritten signature in blue ink, appearing to read 'A. Hohenzollern'.

27 April 2022

Adrian Hohenzollern
Director, Metro West
Western Parkland City
Strategic Land Use Planning
Department of Planning and Environment

Delegate of the Minister for Planning

Liverpool Local Environmental Plan 2008 (Amendment No 63)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Liverpool Local Environmental Plan 2008 (Amendment No 63)*.

2 Commencement

This Plan commences on 1 November 2022.

3 Land to which Plan applies

This Plan applies to the following land—

- (a) Lots 2–5 and 6, DP 1207518,
- (b) Lot 1, DP 1078564,
- (c) Lot 12, DP 1108343,
- (d) Lot 102, DP 1128111.

4 Maps

The maps adopted by *Liverpool Local Environmental Plan 2008* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Liverpool Local Environmental Plan 2008

[1] Clause 7.1A Arrangements for designated State public infrastructure in intensive urban development areas

Omit “or “Area 12” on” from clause 7.1A(4).

Insert instead “, “Area 12” or “Area 13” on”.

[2] Clause 7.42

Insert after clause 7.41—

7.42 Development of Middleton Grange town centre

- (1) This clause applies to the following land—
 - (a) Lots 2–5 and 6, DP 1207518,
 - (b) Lot 1, DP 1078564,
 - (c) Lot 12, DP 1108343,
 - (d) Lot 102, DP 1128111.
- (2) Development consent must not be granted to development if the development will result in any of the following—
 - (a) the total number of residential apartments on the land exceeding 671,
 - (b) the total residential floor area of all buildings on the land exceeding 72,000m²,
 - (c) the total non-residential ground floor area of all buildings on the land exceeding 26,000m².
- (3) Development consent may be granted to development that includes non-residential upper floor area of a building, but only if—
 - (a) the development will not result in the total non-residential upper floor area of all buildings on the land exceeding 10,000m², and
 - (b) the consent authority is satisfied that—
 - (i) the development is consistent with *Connected Liverpool 2040* as published by the Council in March 2020, and
 - (ii) the inclusion of non-residential upper floor area of buildings in the development is justified having regard to the economic impact assessment prepared in relation to the development application.
- (4) Development consent must not be granted to development on land in Zone B2 that has a property boundary shown with a dark blue dotted line on the Key Sites Map that will result in—
 - (a) despite clause 4.3—a building on the land that will exceed a height of 8.5m, or
 - (b) a setback of less than 4m from the property boundary as shown with a dark blue dotted line on the Key Sites Map.
- (5) Development consent must not be granted to development on the land unless the development includes an area of not less than 2500m² to be used for the purposes of a public park.
- (6) The land to be used as a public park under subclause (5) must be located on the land shown as coloured light pink on the Key Sites Map that is in Zone B2.

(7) In this clause—

non-residential floor area, of a building, means floor area used for non-residential purposes.

non-residential ground floor area, of a building, means the non-residential floor area on the ground floor of the building.

non-residential upper floor area, of a building, means the non-residential floor area on a floor above the ground floor level of the building.

residential floor area, of a building, means floor area used for residential purposes.

[3] Schedule 1 Additional permitted uses

Insert at the end of the Schedule, with appropriate clause numbering—

Use of certain land at Middleton Grange town centre

- (1) This clause applies to land shown as coloured light blue on the Key Sites Map in Zone R1 General Residential.
- (2) Development for the purposes of restaurants or cafes is permitted with development consent.