

COUNCIL AGENDA

ORDINARY COUNCIL MEETING

29 May 2024

BOOK 1

PLAN 01	Housekeeping amendments to Liverpool Development Control Plan 2008 - Conservation and Employment Zone Reform
----------------	---

Strategic Objective	Liveable, Sustainable, Resilient Deliver effective and efficient planning and high-quality design to provide best outcomes for a growing city
File Ref	259343.2023
Report By	Stephen Peterson - Senior Strategic Planner
Approved By	Lina Kakish - Director Planning & Compliance

EXECUTIVE SUMMARY

Renaming of 'Environment' Zones to 'Conservation' Zones

On 1 December 2021, the Department of Planning, Housing and Infrastructure (DPHI) amended Clause 2.1 (Land use zones) of the *Standard Instrument — Principal Local Environmental Plan* to rename 'Environmental' zones to 'Conservation' zones. This amendment did not impact land use tables, objectives or controls, and only changed the zone prefix and name.

Since this amendment, the *Liverpool Local Environmental Plan 2008* (LLEP 2008) has been updated to reference the Conservation zone names. As the *Liverpool Development Control Plan 2008* (LDCP 2008) references the former Environmental zones, a housekeeping review of the LDCP 2008 has been undertaken to reference the Conservation zone names.

'Employment' Zones Reform

In May 2021, the DPHI proposed to replace the existing 'Business' and 'Industrial' zones with 'Employment' zones. The new 'Employment' zones were subsequently introduced into the *Standard Instrument (Local Environmental Plans) Order 2006* in December 2021

Employment zones commenced within the LLEP 2008 on 26 April 2023. Due to references throughout the LDCP 2008 to the former Business and Industrial zones, a review of the LDCP 2008 has been undertaken to remove references to the former Business and Industrial zones, and replace with the new Employment zone names.

In addition to renaming the zones, the Employment Zones Reform introduced Key Site Areas for certain employment zoned land. In this regard, the LDCP 2008 has been updated with the 'area map' reference where applicable.

Other Amendments

The Liverpool Local Strategic Planning Statement, '*Connected Liverpool 2040*', includes a short-term action to review the LDCP 2008 to encourage new commercial and industrial buildings to be rooftop solar ready. To address this, a new control relating to rooftop solar panels is drafted within Part 4 (Development in Liverpool CBD), Part 6 (Development in Business areas) and Part 7 (Development of Industrial Areas) of the LDCP 2008.

A minor typographical amendment has also been made within Part 7 (Development in Industrial Areas) of the LDCP 2008. This amendment is to specify the depth of landscaped area from a street frontage required for industrial sites, as this control currently refers to 'width' instead of 'depth'.

This Report details the required updates to the LDCP 2008 in response to the zone name changes under the LLEP 2008. It is recommended that amendments to the LDCP 2008 are supported. If supported, the proposed amendments will undergo community consultation in accordance with Council's Community Participation Plan.

RECOMMENDATION

That Council:

1. Receives and note this Report;
2. Supports "in principle" the proposed housekeeping amendments to the Liverpool Development Control Plan 2008 in response to zone name changes to the former Environmental, Business and Industrial zone names, and further amendments in response to industrial and commercial rooftop solar panel provisions, and industrial landscaping controls;
3. Undertakes public exhibition of the draft Liverpool DCP amendments for a minimum of 28 days in accordance with Council's Liverpool Community Participation Plan;
4. Delegates authority to the Acting CEO (or delegate) to proceed with finalising the amendment if no submissions opposing the amendment are received. Alternatively, if submissions are received, receives a further report on the outcomes of the public exhibition period.

REPORT

Background

The Liverpool Development Control Plan 2008 (LDCP 2008) provides detailed planning and design guidelines to support the planning controls in areas subject to the *Liverpool Local Environmental Plan 2008* (LLEP 2008).

Renaming of ‘Environment’ Zones to ‘Conservation’ Zones

On 1 December 2021, the Department of Planning, Housing and Infrastructure (DPHI) amended Clause 2.1 (Land use zones) of the *Standard Instrument — Principal Local Environmental Plan*. The amendment meant that the overall group name of the ‘Environmental’ zones was changed to ‘Conservation’ zones, and the numbering E1, E2, E3 changed to C1, C2 and C3. The change applies to all Standard Instrument Local Environmental Plans (LEPs) in NSW. The land use zones under the LLEP 2008 were amended on 1 December 2021 as per Table 1 below.

Table 1: Comparison of former Environmental zones and new Conservation zones

Former Environmental Zone	New Conservation Zone
E1 National Park and Nature Reserve	C1 National Park and Nature Reserve
E2 Environmental Conservation	C2 Environmental Conservation
E3 Environmental Management	C3 Environmental Management

The changes outlined in Table 1 above were administrative in nature. There were no changes to Land Use Tables, or development controls. In this regard, a supporting review of the LDCP 2008 has been undertaken to change any reference to the former Environmental Zones to the equivalent new Conservation zone names.

Employment Zones Reform

In May 2021, the DPHI proposed to replace the existing ‘Business’ and ‘Industrial’ zones with ‘Employment’ zones. The Employment zones were subsequently finalised in December 2021 and commenced within the LLEP 2008 on 26 April 2023.

Table 2 demonstrates how all Business and Industrial zoned land were replaced by new Employment zones, which combined various zones.

Table 2: Employment zones reform and key site area maps

Former LLEP 2008 Zone	New LLEP 2008 zone	New Key Site Area
B1 Neighbourhood Centre	E1 – Local Centre	(Area G)
B2 Local Centre	E1 – Local Centre	(Area C)
B3 Commercial Core	E2 – Commercial Centre	(Area D)
B4 Mixed Use	MU1 – Mixed Use	
B5 Business Development	E3 – Productivity Support	(Area E)
B6 Enterprise Corridor	E3 – Productivity Support	(Area A)
IN1 General Industrial	E4 – General Industrial	(Area F)
IN2 Light Industrial	E4 – General Industrial	(Area B)
IN3 Heavy Industrial	E5 – Heavy Industrial	
IN3 Heavy Industrial land – Chipping Norton	E4 – General Industrial	

As noted in Table 2, the Employment Zones Reform introduced new 'Area' mapping for certain Employment zones. Given that certain Business and Industrial zones were combined (e.g. B1 and B2 zones were combined to E1), the introduction of 'Areas' ensured relevant clauses under the LLEP 2008 for this land could still be applied.

A supporting review of the LDCP 2008 has been undertaken to remove references to former Business or Industrial zones, and replace these with the new relevant Employment zone and Employment Zone 'Areas'.

Liverpool Local Strategic Planning Statement (Connected Liverpool 2040)

Local Planning Priority 15 of the Liverpool Local Strategic Planning Statement '*Connected Liverpool 2040*' includes an action (15.5) which commits Council to "*review DCP to encourage new commercial and industrial buildings to be rooftop solar ready*". In this regard, Part 4 (Development in Liverpool CBD), Part 6 (Development in Business areas) and Part 7 (Development of Industrial Areas) of the LDCP 2008 includes a new control under building design which reads as follows:

For Part 7: All new Industrial buildings are to demonstrate on the architectural plans that the rooftop of all new buildings includes measures to be ready for the installation of solar panels.

For Parts 4 and 6: All new commercial buildings are to demonstrate on the architectural plans that the rooftop of all new buildings includes measures to be ready for the installation of solar panels.

Housekeeping Amendment to LDCP 2008 Part 7 (Development in Industrial Areas)

A minor housekeeping amendment has been identified within Part 7 (Development in Industrial Areas) regarding the front landscaping of industrial areas. The intent of the control is to specify the dimension of landscaping required for an industrial site from the street frontage. Currently the control refers to a minimum landscape width, however, the intent of the control is to

regulate the depth. As such, an amendment is proposed to replace the word ‘*width*’ with ‘*depth*’ to ensure landscaping is provided at a 10 metre depth along the frontage.

Next Steps

The proposed amendments are anticipated to align the LDCP 2008 with the LLEP 2008.

In accordance with the *Environment Planning and Assessment Regulation 2021*, and Council’s Liverpool Community Participation Plan, the amendment will be placed on public exhibition for a minimum of 28 days.

If no objections are received, the amendments to the LDCP 2008 will be finalised and published on the Council website. If objections are received, a Post-Exhibition Report will be prepared and referred to Council for consideration and endorsement.

FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

CONSIDERATIONS

Economic	Facilitate economic development.
Environment	Enhance the environmental performance of buildings and homes. Protect, enhance and maintain areas of endangered ecological communities and high-quality bushland as part of an attractive mix of land uses.
Social	There are no social and cultural considerations.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	Section 3.45 of the <i>Environmental Planning and Assessment Regulation 2021</i>
Risk	There is no risk associated with this Report.

ATTACHMENTS

1. Marked up version - LDCP 2008 Part 1 General Controls for all Development - May 2024 (Under separate cover)
2. Marked up version - LDCP 2008 Part 2.3 Georges fair Moorebank - May 2024 (Under separate cover)
3. Marked up version - LDCP 2008 Part 2.10 Moorebank East - May 2024 (Under separate cover)

4. Marked up version - LDCP 2008 Part 2.11 Land Subdivision and Development in Edmondson Park - May 2024 (Under separate cover)
5. Marked up version one - LDCP 2008 Part 2.13 Pleasure Point - May 2024 (Under separate cover)
6. Marked up version - LDCP 2008 Part 3.9 Boarding House Development - May 2024 (Under separate cover)
7. Marked up version - LDCP 2008 Part 4 Liverpool city centre - May 2024 (Under separate cover)
8. Marked up version - LDCP 2008 Part 5 Development in Rural and E3 zones - May 2024 (Under separate cover)
9. Marked up version - LDCP 2008 Part 6 Development in Business Zones - May 2024 (Under separate cover)
10. Marked up version - LDCP 2008 Part 7 Development in Industrial Zones - May 2024 (Under separate cover)



MINUTES OF THE ORDINARY MEETING HELD ON 29 MAY 2024

PRESENT:

Mayor Ned Mannoun

Councillor Ammoun

Councillor Goodman

Councillor Dr Green

Councillor Hadid OAM

Councillor Harle

Councillor Kaliyanda

Councillor Karnib (online)

Councillor Macnaught

Councillor Rhodes

Mr Jason Breton, Acting Chief Executive Officer

Mr Farooq Portelli, Director Corporate Support

Ms Tina Bono, Director Community & Lifestyle

Ms Lina Kakish, Director Planning & Compliance

Ms Michelle Mcilvenny, Director Customer Experience & Business Performance

Mr Shayne Mallard, Director City Futures

Mr Peter Scicluna, Acting Director Operations

Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement

Mr Luke Oste, Coordinator Strategic Planning

Mr John Lac, Manager Project Delivery

Mr Tim Pasley, Manager Resource Recovery

Ms M'Leigh Brunetta, Manager Civic and Executive Services

Ms Melissa Wray, Councillor Executive and Support Officer

Ms Susan Ranieri, Coordinator Council and Executive Services

The meeting commenced at 2.03pm.
