



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*.

ADRIAN HOHENZOLLERN
As delegate for 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.