



New South Wales

Liverpool Local Environmental Plan 2008 (Amendment No 52)

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*.

MARCUS RAY

As delegate for the Greater Sydney Commission

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1 Name of Plan

This Plan is *Liverpool Local Environmental Plan 2008 (Amendment No 52)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to certain land at Liverpool city centre, in particular land identified as “Area 7”, “Area 8”, “Area 9” and “Area 10” on the Floor Space Ratio Map.

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 4.6 Exceptions to development standards

Insert “7.5A,” after “6.6,” in clause 4.6 (8) (ca).

[2] Clause 6.3 Application of Part

Insert “or intensive urban development area” after “urban release area”.

[3] Clause 6.4A

Insert after clause 6.4:

6.4A Arrangements for designated State public infrastructure in intensive urban development areas

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the development of land wholly or partly for residential purposes, to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
- (2) Despite all other provisions of this Plan, development consent must not be granted for development for the purposes of residential accommodation (whether as part of a mixed use development or otherwise) in an intensive urban development area that results in an increase in the number of dwellings in that area, unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land on which the development is to be carried out.
- (3) This clause does not apply to a development application to carry out development on land in an intensive urban development area if all or any part of the land to which the application applies is a special contributions area (as defined by section 7.1 of the Act).
- (4) In this Part:
intensive urban development area means the area of land identified as “Area 7”, “Area 8”, “Area 9” or “Area 10” on the Floor Space Ratio Map.

[4] Clause 6.6 Development control plan

Insert “or intensive urban development area” after “urban release area” in clause 6.6 (1).

[5] Clause 7.2 Sun access in Liverpool city centre

Omit the matter relating to the public right of way on either side of Macquarie Street, between Elizabeth Street and Memorial Avenue from the table to the clause.

Insert instead:

Land within 4m of the public right of way on either side of Macquarie Street, between Elizabeth Street and Memorial Avenue (except the most southern 60m)	21m
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[6] Clause 7.5 Design excellence in Liverpool city centre

Omit clause 7.5 (4)–(8).

[7] Clause 7.5A

Insert after clause 7.5:

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

- (1) This clause applies to land development on land that:
 - (a) is identified as “Area 8”, “Area 9” or “Area 10” on the Floor Space Ratio Map, and
 - (b) has a lot size exceeding 1500m², and
 - (c) has 2 or more street frontages.
- (2) Despite clauses 4.3 and 4.4, if at least 20% of the gross floor area of a building is used for the purposes of business premises, centre-based child care facilities, community facilities, educational establishments, entertainment facilities, food and drink premises, functions centres, information and education facilities, medical centres, public administration buildings or retail premises:
 - (a) the height of the building may exceed the maximum height shown for the land on the Height of Buildings Map, and
 - (b) the maximum floor space ratio of the building may exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map but must not exceed:
 - (i) in relation to a building on land identified as “Area 8” or “Area 10” on the map—10:1, or
 - (ii) in relation to a building on land identified as “Area 9” on the map—7:1.
- (3) Development consent must not be granted under this clause unless:
 - (a) a development control plan that provides for the matters specified in subclause (4) has been prepared for the land, and
 - (b) the site on which the building is located also includes recreation areas, recreation facilities (indoor), community facilities, information and education facilities, through site links or public car parks.
- (4) The development control plan must include provision for how proposed development is to address the following matters:
 - (a) the suitability of the land for development,
 - (b) the existing and proposed uses and use mix,
 - (c) any heritage issues and streetscape constraints,
 - (d) the impact on any conservation area,
 - (e) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (f) the bulk, massing and modulation of buildings,
 - (g) street frontage heights,
 - (h) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
 - (i) the achievement of the principles of ecologically sustainable development,
 - (j) encouraging sustainable transport, including increased use of public transport, walking and cycling, road access and the circulation network

- and car parking provision, including integrated options to reduce car use,
- (k) the impact on, and any proposed improvements to, the public domain,
- (l) achieving appropriate interface at ground level between buildings and the public domain,
- (m) the excellence and integration of landscape design.

[8] Clause 7.14 Minimum building street frontage

Insert after clause 7.14 (2):

- (3) This clause does not apply in respect of development on land identified as “Area 7” or “Area 8” on the Floor Space Ratio Map.