

PLANNING PROPOSAL - LIVERPOOL LEP 2008 AMENDMENT NO. 9

REZONING OF LAND AT 441 HOXTON PARK ROAD

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 detail the proposed rezoning of land at 441 Hoxton Park Road Hinchinbrook from R2 Low Density Residential to B1 Neighbourhood Centre. The rezoning is to facilitate a future application for the development of a small scale neighbourhood commercial centre of up to 1000sqm of retail and business floorspace. The proposed neighbourhood centre is aimed at providing for convenience shopping to the local residents and eastbound traffic on Hoxton Park Road.

Part 2 – Explanation of provisions

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

Rezoned approximately 5239sqm of land at 441 Hoxton Park Road Hinchinbrook from R2 Low Density Residential to B1 Neighbourhood Centre.

Required amendments: Amend the following LLEP Maps for the reasons specified.

- Land Zoning- to reflect the intended zoning for the land
- Floor Space Ratio- to apply appropriate floor area restrictions for future development
- Height of Building- to set an appropriate maximum height for proposed development
- Lot Size Maps- to remove the minimum subdivision lot size requirement relating to the previous zone; R2 Low Density Residential.

The rezoning seeks to facilitate the development of a small neighbourhood centre aimed at providing for convenience shopping to the local residents and eastbound traffic on Hoxton Park Road. The proposed B1 Neighbourhood Centre zone permits a range of small scale retail and business outlets within convenient access to the local neighbourhood.

Part 3 – Justification

A. Need for the planning proposal.

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

The draft Local Environmental Plan is not a result of any strategic study or report. The amendment has been undertaken in order to amend the zoning of land subject to the rezoning application received by the landowner of 441 Hoxton Park Road Hinchinbrook.

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

Amending Liverpool Local Environmental Plan 2008 is the only means to achieve the intended outcomes.

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

The community benefit is derived from the proposed neighbourhood centre which will provide for small scale retail and business services for the locality.

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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 draft 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 not inconsistent with Council's strategic plans.

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

The draft Local Environmental Plan is not inconsistent 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):

- Business and Industrial zones
- Residential Zones
- Integrating Land Use and Transport
- Flood Prone Land
- Approval and Referral Requirements
- Site Specific Provisions
- Implementation of the Metropolitan Strategy

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.

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

There are no environmental effects from this Draft Local Environmental Plan. The amendment has been undertaken in order to rezone land that has already been zoned for an urban purpose.

- 3. How has the planning proposal adequately addressed any social and economic effects?**

The rezoning will allow for the development of a small retail centre which will service the surrounding residential development in Hinchinbrook and the passing eastbound traffic along Hoxton Park Road. An assessment has been provided by a retail expert that justifies demand for additional retail floorspace in this locality. The report also states that the proposal would not result in an unacceptable impact on the existing retail centre located at 598 Hoxton Park Road Hoxton Park. The widening of Hoxton Park Road (which is currently underway) includes a central median and as such the proposed retail precinct would be accessed by eastbound traffic with a left turn in and out of the proposed centre. This also limits the affectation of trade at the retail centre at 598 Hoxton Park Road as westbound traffic trade is preserved.

D. State and Commonwealth interests.

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

The planning proposal does not significantly increase the demand for 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 requirements to engage State authorities and public exhibition are detailed by the Minister for Planning at the Gateway Determination.

On 19 April 2010, Council resolved to progress with the draft LEP Amendment, Council has written to the Department of Planning seeking Gateway Determination.

Part 4 – Community Consultation

Council proposes that the draft LEP is publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979 and the Departments Gateway Determination.

The community will be notified of the commencement of the exhibition period via a notice in a local newspaper, exhibition notices at Councils administration building and city centre library and on Liverpool City Council's website.

During the public exhibition period, the following material will be made available for inspection:

- The planning proposal, in the form approved for community consultation by the Director General of Planning;
- The Gateway Determination; and
- Any studies relied upon by the planning proposal.

Attachment 1:

Figure 1 - Site Plan - 441 Hoxton Park Road Hinchinbrook