

LIVERPOOL CITY COUNCIL

CITY STRATEGY REPORT

ORDINARY MEETING

19/04/2010

ITEM NO:	STRA 02	FILE NO:	2010/0379
SUBJECT:	AMENDMENT NO. 9 TO LIVERPOOL LEP 2008 - REZONING OF LAND AT 441 HOXTON PARK ROAD		
OWNERS:	MR ANGELO AND MRS MARIA MAGGIOTTO 441 HOXTON PARK ROAD HINCHINBROOK		

EXECUTIVE SUMMARY:

Council received an application from the owner of 441 Hoxton Park Road Hinchinbrook seeking the rezoning of part of this site from R2 Low Density Residential to B1 Neighbourhood Centre. The rezoning will allow for the development of a small retail centre which will service the surrounding residents in Hinchinbrook and eastbound traffic along Hoxton Park Road.

The rezoning application is supported by a retail assessment that justifies demand for additional retail floorspace in this general locality. The report also states that the proposal would not result in an unacceptable impact on the existing retail centre located nearby at 598 Hoxton Park Road Hoxton Park.

This report also addresses the rezoning of land off Inverell Avenue Hinchinbrook which is no longer being perused. At its meeting on 15 February 2010, Council considered a proposed amendment to rezone part of Lot 1422 within DP 854378 from RE1 Public Recreation to R2 Low Density Residential and rezone a corresponding area of part of Lot 312 in DP 842093 and Lot 1418 in DP 854378 (off Inverell Avenue Hinchinbrook) from R2 Low Density Residential to RE1 Public Recreation. Since Council's resolution, Council has received a revised residential lot layout which retains the existing zones. It is considered that the revised proposal provides an appropriate option for future residential development and removes the need to commence a complex land acquisition and rezoning process.

It is recommended that Council proceeds with the rezoning of part of 441 Hoxton Park Road by forwarding the Planning Proposal to the Minister for Planning for consideration.

DETAILED REPORT:

Background

The subject sites were identified under the Hoxton Park Release Area Structure Plan in the 1980 with parts of the sites excluded from urban development due to aircraft noise from Hoxton Park Airport. The airport ceased operating in December 2008 and the area was rezoned R2 Low Density Residential with the RE1 Public Recreation land providing for a park/open space for local residents as part of Liverpool LEP 2008.

More recently the Government Road Structure Plan was developed involving all the undeveloped properties in the area to illustrate the pattern of development for the land bounded by the M7 Motorway, Hoxton Park Road and the Good Samaritan Catholic College Hinchinbrook. The plan consists of an indicative road layout and potential subdivision pattern for the land previously affected by airport noise. The structure plan has been recently amended to incorporate the current configuration of RE1 Public Recreation Land adjacent to Inverell Avenue, Hinchinbrook.

In December 2009 an application was received to rezone approximately 5239sqm of land at 441 Hoxton Park Road Hinchinbrook from R2 Low Density Residential to B1 Neighbourhood Centre (Refer to Figure 1 below). The rezoning seeks to facilitate the development of a small neighbourhood centre aimed at providing for convenience shopping and services to the local residents and eastbound traffic on Hoxton Park Road.

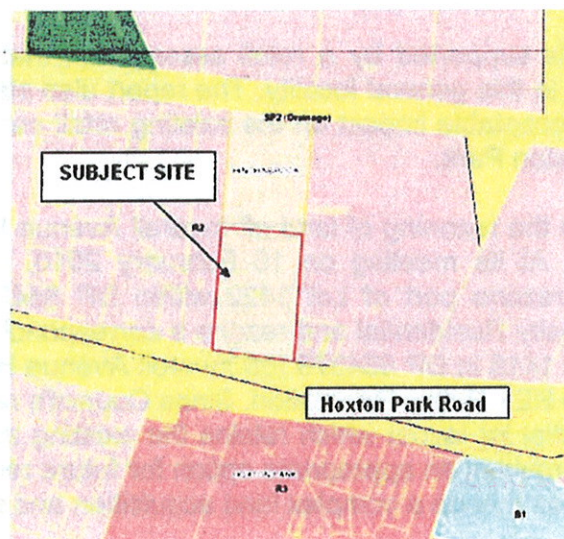


Figure 1: Part of 441 Hoxton Park Road Hinchinbrook subject to rezoning

This rezoning was considered by Council on 15 February 2010 as part of Liverpool LEP Amendment No. 8 where Council resolved (inter alia) as follows:

That Council;

"Supports the amendments proposed under the Liverpool Environmental Plan 2008 Amendment No. 8 as detailed in the report and attached Planning Proposal with the exclusion of LEP change 4 and LEP change 10".

LEP Change 4 is in regards to the zoning change at Inverell Avenue and change 10 was in respect to 441 Hoxton Park Road (Figure 1).

LEP Change 4 was a proposed amendment to rezone part of Lot 1422 within DP 854378 from RE1 Public Recreation to R2 Low Density Residential and rezone a corresponding area of part of Lot 312 in DP 842093 and Lot 1418 in DP 854378 (off Inverell Avenue Hinchinbrook) from R2 Low Density Residential to RE1 Public Recreation. Since Council's resolution, Council has received a revised lot layout which retains the existing zones. It is considered that the revised proposal provides an appropriate option for residential development and removes the need to commence a complex land acquisition and rezoning process.

Potential development

The rezoning of part of 441 Hoxton Park Road Hinchinbrook from R2 Low Density Residential to B1 Neighbourhood Centre seeks to facilitate the development of a small neighbourhood centre aimed at providing for convenience shopping to the local residents who will have pedestrian connectivity to the centre. The location also takes advantage of potential commuter trade travelling eastbound on Hoxton Park Road.

The B1 Neighbourhood Centre zone also permits shop top housing which is defined as dwellings that are attached to the rear of or above retail or business premises. The development of shop top housing in conjunction with commercial premises is considered ideal as it provides for an alternative form of housing close to services and retail outlets.

Economic impact

The rezoning application for 441 Hoxton Park Road Hinchinbrook was supported by a retail assessment that justifies up to 1000sqm of retail and business floorspace in this general locality. Limiting the potential commercial floorspace to 1000sqm would not significantly impact upon the trade of the existing centre at 598 Hoxton Park Road and Carnes Hill Marketplace and proposed local centre at Middleton Grange.

The widening of Hoxton Park Road (which is currently underway) includes a central median and as such the proposed retail precinct would only be accessed by eastbound traffic thus preserving westbound commuter trade to the existing centre at 598 Hoxton Park Road Hoxton Park.

It should be noted that a service station, convenience store and fast food outlet development incorporating 650m² of retail floorspace has been approved for the subject site. As that development is deemed to have substantially commenced, the consent is valid in perpetuity.

This rezoning amendment will limit retail and business floorspace to 1000sqm of gross floor area effectively only increasing the potential commercial floorspace by 350sqm but would allow for a mixed use type development which integrates with the surrounding predominately residential area.

Planning proposal

An integral part of amending the LEP is the preparation of a Planning Proposal which stipulates the intent, benefits and impacts of the LEP amendment as well as compliance with relevant State Government growth strategies, Ministerial Directions and State Environmental Planning Policies.

The Planning Proposal is considered by the Department of Planning through the Gateway Determination. If the Determination is favourable, Council, at the direction of the Department undertakes a public exhibition and government authority consultation.

A copy of the Planning Proposal has been attached for reference.

Amendment to Planning Instruments

In order to facilitate the rezoning and provide for the required development controls, the proposed rezoning will require alterations to the following Liverpool LEP 2008 maps:

- 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 limits for future development;
- Lot Size Maps- to set the minimum subdivision lot size for the site.

Conclusion

A neighbourhood centre at 441 Hoxton Park Road is supported as it will provide for small scale retail and business services to the immediate locality and eastbound commuters travelling along Hoxton Park Road.

Council is no longer pursuing the proposed rezoning of the open space land adjacent to Inverell Avenue as the recently revised concept lot layout is considered to be an appropriate option.

It is recommended that Council proceeds with the making of the plan to rezone the southern portion of 441 Hoxton Park Road to B1 Neighbourhood Centre and forwards the Planning Proposal to the Minister for Planning for consideration.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council's current budget arising from this report.

RECOMMENDATION:

That Council:-

1. Pursues an amendment to the Liverpool Environmental Plan 2008 to rezone Part of 441 Hoxton Park Road Hinchinbrook from R2 Low Density Residential to B1 Neighbourhood Centre, and make consequential amendments to the floor space ratio, height of buildings and minimum lot size Liverpool Local Environmental Plan 2008 maps to facilitate the neighbourhood centre development.
2. Forwards the Planning Proposal to the Minister for Planning seeking Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.

SIGNED BY:

Milan Marecic
Director
City Strategy

Attachments: Planning Proposal - Liverpool Local Environmental Plan Amendment No. 9

