

LIVERPOOL CITY COUNCIL

CITY STRATEGY REPORT

ORDINARY MEETING

15/02/2010

ITEM NO:		FILE NO:	2010/0124
SUBJECT:	LIVERPOOL LOCAL ENVIRONMENTAL PLAN 2008 - AMENDMENT NO.8		

EXECUTIVE SUMMARY:

Council is seeking to amend the Liverpool Local Environmental Plan (LLEP) 2008 in order to incorporate a number of minor amendments including changes to the land use zoning of land as well as amendments to the development controls such as maximum building heights, floor space ratios and minimum lot sizes.

The rezoning of land and amendments to development standards have originated from a number of sources including the acquisition of land under the Moorebank Voluntary Acquisition Scheme, requests from government authorities, applications from private landowners and to address anomalies identified in the Plan. Further, it is proposed that an update is carried out to correct outdated property references within the LLEP 2008 Heritage Schedule (Schedule 5).

In the preparation of LLEP Amendment No.8, a 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. The Planning Proposal stipulates the aims and any impacts the LEP Amendment may have. A copy of the Planning Proposal prepared for this amendment has been attached.

It is recommended that Council proceeds with the making of the plan by forwarding the Planning Proposal to the Minister for Planning for consideration.

DETAILED REPORT:

The purpose of this amendment is to undertake a number of minor amendments including changes to the land use zoning of certain parcels of land as well as amendments to the development controls such as maximum building heights, floor space ratios and minimum lot sizes. Further, it is proposed that an update is carried out to correct outdated property references within the LLEP 2008 Heritage Schedule (Schedule 5).

The following is an appraisal of the proposed changes:

Proposed Amendments to Liverpool LEP 2008

- Rezone the flood prone land known as 39 Newbridge Road, 24 and 58 Rickard Road from R2 Low Density Residential to RE1 Public Recreation. Council has resolved to acquire these properties under the Moorebank Voluntary Acquisition Scheme. Rezoning these properties will prohibit any future residential development on this land.
- Update the floor space ratios that apply to land zoned R4 High Density Residential zones in Ashcroft, Green Valley, Chipping Norton, Casula, Cartwright and Moorebank. The current floor space ratios are deemed insufficient to encourage redevelopment and are not commensurate with the available building height limits.
- Update the lot descriptions of properties within the LEP Heritage Schedule (Schedule 5) as a result of recent subdivisions.
- Council has received a request from the landowner to rezone land from RE1 Public Recreation to R2 Low Density Residential for Lots 1422 and 1418 of Inverell Avenue Hinchinbrook. The rezoning of this land is consistent with the Structure Plan prepared during the rezoning of the Government Road precinct in Hinchinbrook.
- Council is no longer seeking to extend Ingham Drive to the southern side of the Hume Highway at Casula. It is proposed to rezone 626 Hume Highway Casula from SP2 Infrastructure to R2 Low Density Residential with the intention of selling the land.
- Rezone 49 Medley Avenue Liverpool from RE2 Private Recreation to R2 Low Density Residential to rectify an error that occurred during the drafting of Liverpool LEP 2008. In order to control any future development of that parcel, the corresponding Minimum Lot Size, Height of Buildings and Floor Space Ratio LEP maps will also be updated.
- Increase the Floor Space Ratio from 0.1:1 to 0.15:1 for approximately 8 hectares of land along Zouch Road Edmondson Park. The land is adjacent to the suburb of Denham Court and the increase in floor space ratio will allow for development on the scale consistent with Denham Court.
- The Roads and Traffic Authority has written to Council requesting that any future draft Local Environmental Plans are updated with the amended RTA road boundaries for the M5 motorway. It is recommended that the Land Use Zoning maps and corresponding Floor Space Ratio, Lot Size Map and Height of Buildings maps are updated accordingly to reflect the new road boundaries.
- The NSW Land and Property Management Authority have informed Council of the creation of Lot 7307 DP 1146730. The lot was created to include the Liverpool weir which crosses the Georges River east of Liverpool rail station. It is proposed that the lot is zoned RE1 Public Recreation in order to maintain consistency with the adjoining zoning of Light Horse Park
- Consideration of the rezoning application received from the owner of 441 Hoxton Park Road Hinchinbrook. The application seeks to rezone this parcel 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 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.

LEP Amendment Process

In July 2009, the NSW Government introduced reforms to the Environmental Planning and Assessment Act 1979 to expedite the assessment and processing of local environmental plans. The major milestones of an amending LEP are as follows:

- The preparation of a Planning Proposal (per Section 55 of the Act) by Council that stipulates the aims and any impacts of the proposed LEP amendments. (Refer to the attached Planning Proposal).
- The forwarding of Council's resolution and Planning Proposal to the Department of Planning seeking Gateway Determination. This Determination stipulates whether the Minister for Planning supports the amendment, and if so, it details the requirement of any further technical studies, consultation with Government authorities (per Section 56 of the Act) and public exhibition timeframes (per Section 57 of the Act).
- After the consideration of submissions, the Planning Proposal may need to be amended, resent for a Gateway Determination or forwarded to the Department of Planning for legal drafting and gazettal.

Conclusion

Council seeks to continually update the Liverpool LEP in line with requests received from government departments, rezoning applications from private landowners and to correct anomalies when noticed from time to time.

It is recommended that Council proceeds with the making of the plan by forwarding the Planning Proposal to the Minister for Planning for consideration.

FINANCIAL IMPLICATIONS:

There are no additional financial implications.

RECOMMENDATION:

That Council:-

1. Support the amendments proposed under the Liverpool Environmental Plan 2008 Amendment No. 8 as detailed in the report and attached Planning Proposal.
2. Forward 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: Liverpool Local Environmental Plan Amendment No. 8 Planning Proposal