

Liverpool City Council

Planning Proposal

Lot 1, 2 and 3 DP 239468 Pleasure Point

Draft Liverpool LEP 2008 Amendment No.7

Part 1 - Objectives

The planning proposal applies to Lot 1, 2 and 3 DP 239468 (otherwise known as 15 Green Street, 17 Green Street and 32 Pleasure Point Road, Pleasure Point respectively).

The objective of the Planning Proposal is to subdivide and subsequently rezone the above properties to create three additional allotments from the E3 Environmental Management zone to the R2 Low Density Residential zone. The remainder of the sites will retain its E3 Environmental Management zoning and are subject to the current planning controls under Liverpool LEP 2008. The proposal to subdivide and rezone these lots is depicted in the following image.



Figure 1: Indicative map of land to be subdivided and rezoned (with new lot numbers)

Part 2 - Explanation of provisions

To achieve the objective mentioned above, the Planning Proposal will need to amend Liverpool Local Environmental Plan 2008 (LLEP 2008).

A number of amendments must be made to LLEP 2008, particularly in respect to mapping. These amendments are noted as follows:

- Amendment to LLEP 2008 Land Zoning Map Sheet LZN-015, which indicates the rezoning of the subject sites from Zone E3 Environmental Management zone to Zone R2 Low Density Residential.
- Amendment to LLEP 2008 Floor Space Ratio Map Sheet FSR-015, which indicates the application of a maximum floor space ratio control of 0.5:1.
- Amendment to LLEP 2008 Height of Buildings Map Sheet HOB-015, which indicates the application of a maximum building height control of 8.5 metres.
- Amendment to LLEP 2008 Lot Size Map Sheet LSZ-015, which indicates the introduction of a minimum lot size control of 700 square metres.

The planning proposal also puts forward the introduction of a new minimum lot size standard to LLEP 2008.

As the application of the 600m² minimum subdivision lot size may potentially alter the desired density of the area, Council is seeking to add a 700m² minimum lot size to the new lots as this will allow the subdivision, while creating flexibility for the development of the 2.5m wide accessway. To maintain consistency, the 700m² minimum lot size will be applied to all the R2 zoned properties along Pleasure Point Road.

Council intends to apply the same height and FSR controls to the proposed residential land in order to promote uniformity in development standards within the area. Once rezoned, the subject sites will have a maximum building height limit of 8.5m and an FSR control of 0.5:1.

Part 3 - Justification

A. Need for the planning proposal

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

The need for the Planning Proposal has arisen from a rezoning application received on 28 October 2009 which seeks to rezone land along Pleasure Point Road from E3 Environmental Management to R2 General residential.

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

The intent of the Planning Proposal is to rezone land from E3 Environmental Management to R2 Low Density Residential in order to allow for the subsequent subdivision of three additional residential lots. The rezoning process and associated Planning Proposal is the only way to achieve the desired outcome.

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

The Planning Proposal seeks to rezone approx 2417m² of E3 Environmental Management land to residential. This is considered of minimal public cost as this area is considered a small proportion of the total E3 Environmental Management land in the vicinity. Further the E3 zoned land is in private ownership and therefore does not have a direct benefit to the public in terms of public use and access.

B. Relationship to strategic planning framework

4. *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 NSW Governments South-West Subregional Strategy does not incorporate specific direction in regards to the retention of the environmental protection zones. The proposal is not considered to have a direct impact upon the environmental qualities in the area.

5. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

The Planning Proposal is not inconsistent with Councils strategic direction.

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

The Planning Proposal is not inconsistent with State Environmental Planning Policies.

7. *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

The Planning Proposal is inconsistent with Ministerial Direction G12 Environmental Protection as it seeks to rezone land from an Environmental Protection zone (i.e. E3 Environmental Management) to an R2 Low Density Residential zone.

The proposal consists of the rezoning of 2417m² of E3 Environmental Management zone and while the areas to be rezoned do possess vegetation, these areas are not considered to perform a biodiversity corridor function as there is no linkage between these and adjacent areas of vegetation. Further, an assessment has been provided by an accredited Arboriculturalist detailing that the vegetation species located within the subject sites are not environmentally significant. Further consultation will be carried out with the Department of Environmental, Climate Change and Water in respect to State legislative requirements.

C. Environmental, social and economic impact

8. *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 draft LEP will not impact on critical habitat or threatened species, populations or ecological communities. Any development proposal arising from this LEP amendment will be subject to the current environmental considerations set out in the Liverpool LEP 2008 and relevant State and Federal Government legislation.

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

The draft LEP will not impact on critical habitat or threatened species, populations or ecological communities. An assessment has been provided by an accredited Arboriculturalist detailing that the vegetation species located within the subject sites are not environmentally significant. Further, consultation will be carried out with the Department of Environmental, Climate Change and Water in respect to State legislative requirements.

10. How has the planning proposal adequately addressed any social and economic effects?

The LEP will allow for landowners to develop residential development in accordance with zone objectives. The Planning Proposal does not contravene economic or social objectives for the area.

D. State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?

Any future development on land would utilise existing infrastructure available to the adjoining residential lots along Pleasure Point Road. Further, infrastructure authorities will have to the opportunity to request further infrastructure upgrades however this is not expected considering the rezoning will result in only three additional residential lots.

12. 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?

Council will forward the proposal to the Department of Planning for Gateway Determination in due course as required by the Environmental Planning and Assessment Act 1979.

Part 4 - Community Consultation

The Gateway Determination will specify the community consultation that must be undertaken for this Planning Proposal. Generally the Department of Planning have set a 14 day public exhibition period for planning proposals considered to be of low impact and a 28 day exhibition period for all other proposals.

