

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF DRAFT LEP: The Hills Local Environmental Plan 2012 (Amendment No.)

ADDRESS OF LAND: This plan applies to Lots 1-3 in DP 135989; Lot 122 in DP 1113073 and Lot 1001 in DP 1132811 Windsor Road, Kellyville under the The Hills Local Environmental Plan 2012.

MAPS:

- **Attachment A** Locality map (Existing zoning) LEP 2012
- **Attachment B** Proposed zoning map LEP 2012

SUPPORTING MATERIAL:

- **Attachment C** Aerial photograph
- **Attachment D** State Environmental Planning Policies
- **Attachment E** Section 117 Directions

1. OBJECTIVE OF PROPOSED LOCAL ENVIRONMENTAL PLAN (LEP):

The purpose of the plan is to rezone privately owned land being lots 1-3 in DP 135989; lot 122 in DP 1113073 and lot 1001 in DP 1132811 Windsor Road, Kellyville, currently, zoned R2 Low Density Residential with a minimum allotment size of 700m².

2. PROVISIONS TO BE INCLUDED IN PROPOSED LEP:

The proposal involves an amendment to The Hills Local Environmental Plan 2012 to allow a rezoning for multi dwelling residential development. The rezoning will help to facilitate future subdivision for residential purposes in keeping with development in the surrounding area. The planning proposal is seeking to amend the existing R2 Low Density Residential zone to R3 Medium Density Residential zone under the Hills Local Environmental Plan 2012. The rezoning will permit, with development consent, multi-unit and integrated housing with a minimum lot size of 240m².

3. JUSTIFICATION FOR THE PLANNING PROPOSAL:

A. Need for the planning proposal

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

No – this planning proposal is a result of an application from Group Development Services Pty Ltd seeking to rezone the subject site from R2 Low Density Residential to R3 Medium Density Residential. Supporting information provided with the application included a Traffic Report prepared by Thompson Stanbury Associates dated June 2012 and signed support from affected landowners/ interested parties.

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

Yes – The planning proposal to rezone the subject site is considered the most appropriate means of achieving the intended outcomes.

3. Is there a net community benefit?

Yes – The proposed rezoning will result in a net community benefit by providing opportunities for the development of housing which;

- addresses dwelling targets
- provides for sustainable living and facilitating quality housing outcomes
- responds to housing needs
- provision for additional housing options on land close to a major centre
- meets the outcomes and strategies to provide for balanced urban growth.

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)?

Metropolitan Plan for Sydney 2036

The strategic plan prepared by the New South Wales Government entitled the Metropolitan Plan for Sydney 2036 seeks to locate living and employment opportunities within accessible locations such as subject site. The planning proposal is consistent with the strategic direction of this plan as it will provide for higher residential density and housing opportunities in locations that are accessible by public transport, walking and cycling.

North West Subregional Strategy

The North West Strategy sets a target for Hills Shire to contribute an additional 36,000 dwellings by 2031. Of this target 14,500 dwellings are identified for the North West Growth Centre and 21,500 dwellings are to be provided within the existing urban areas and release areas. Whilst the land is zoned low density residential, it is adjacent to existing medium density residential housing and capable of being serviced for more residential development.

The subject land is serviced and located within walking distance of Kellyville shopping centre. The rezoning of the subject land in the manner proposed is consistent with the policy of appropriately increasing density in areas that can take advantage of existing infrastructure and amenities.

2. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with Hills 2026 Community Strategic Direction, Council's Draft Local Strategy, Residential Direction and Transport Direction as summarised below:

Hills 2026 Community Strategic Direction

The Hills 2026 Community Strategic Direction is the first 20 year outlook for The Hills Shire. It is a direction that creates a picture of where The Hills would like to be in the future. The direction is based on community aspirations gathered throughout months of community engagement and consultation with members of the community.

The planning proposal is consistent with the following Hills 2026 Community Outcomes, and relevant Key Directions:

BUG 1 – I can get where I need to go; and
BUG 2 – There are a range of housing options.

In addition to the Community Strategic Direction, Council has adopted a draft Local Strategy together with a number of other Strategic Directions – Residential, Employment Lands, Environmental and Leisure, Waterways, Centres, Integrated Transport and Rural Lands. The planning proposal is consistent with the relevant objectives and actions identified in these strategies.

Draft Local Strategy

Council's Draft Local Strategy was adopted in 2008, it is the principal document for communicating the future planning of the Shire and includes the objectives of longer term planning projects of the State Government as well as responding to, and planning for, local needs such as employment, housing and transport. The Strategy identifies a demand for 36,000 dwellings to meet the Shire's needs by 2031 to which this site will contribute.

Residential Direction

Council's Residential Direction was adopted by Council in June 2008 and aims to provide an additional 36,000 dwellings by 2031 for the Shire. The direction also seeks to provide for a diversity of housing choice, well located housing close to services and infrastructure, a built environment that reflects the 'garden shire' image and the development of communities that offer a sense of place and community connection. The ultimate goal is to create housing options that promote sustainable economic, environmental and social outcomes for the residents of the Shire.

The subject planning proposal is consistent with the following key directions:-

- R1 Accommodate population growth
- R2 Respond to changing housing needs
- R4 Facilitate quality housing outcomes

Transport Direction

A key objective of the Integrated Transport Direction is to ensure that planning and future development supports the provision of an efficient transport network.

The site is in 400 metre radius from the existing bus route T64 (Rouse Hill to Parramatta) and in 800 metre radius from bus route 610 (Rouse Hill to Railway Square). These existing bus services provide public transport services and linkages to the various centres in the locality and beyond, including Parramatta, Baulkham Hills, Castle Hill and the Sydney Central Business District.

Proximity to the future train stations at Norwest Business Park and the Hills Centre, access to employment within the Norwest Business Park and Castle Hill Industrial Area and local shops will also support the objectives of this direction.

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

The plan is consistent with the relevant state environmental planning policies as indicated in **Attachment D**.

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

The plan is consistent with the relevant Ministerial Directions as outlined in **Attachment E**.

3.1 Residential Zones

The proposed zoning will permit medium residential density, close to shops and transport and will utilise existing and proposed services and infrastructure.

3.3 Home Occupations

Home occupations are proposed to be a permissible use in residential zones.

3.4 Integrating Land Use and Transport

The site is located in a fully developed residential area within a reasonable distance of shops, services and public transport (buses).

6.1 Approval and Referral Requirements

The planning proposal is consistent with this direction.

7.1 Implementation of the Metropolitan Strategy

The planning proposal satisfies objectives to provide residential dwellings within close proximity to transport and services, and is therefore consistent with the broad strategic and policy directions conveyed in the *Metropolitan Plan for Sydney 2036*.

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 part of the site which forms the planning proposal is vacant, generally void of vegetation and significant trees. Therefore, the planning proposal will not adversely affect critical habitat or threatened species, populations or ecological communities or their habitats. It is not considered that there are any other likely environmental effects that cannot be addressed and mitigated through the development application assessment process.

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

No.

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

The proposed amendments to The Hills Local Environmental Plan 2012 are consistent with recent policy decisions of Council and will assist with the provision for additional housing options on land close to a local centre and meet the outcomes and strategies to provide for balanced urban growth.

It is considered that the proposal will have positive social and economic effects as a result of allowing the viable development of land and increasing housing choice and affordability in a readily accessible locality.

D. State and Commonwealth interests

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

Numerous bus stops are available within the immediate vicinity, 400m and 800m of the site along Windsor Road, Green Road and Wrights Road. It is therefore considered that there is a suitable public infrastructure in the immediate vicinity to support intensified uses on the site.

2. 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?

Following the Gateway determination, relevant agencies will be consulted. Any proposed variations to the planning proposal would be addressed in the submission following the consultation period.

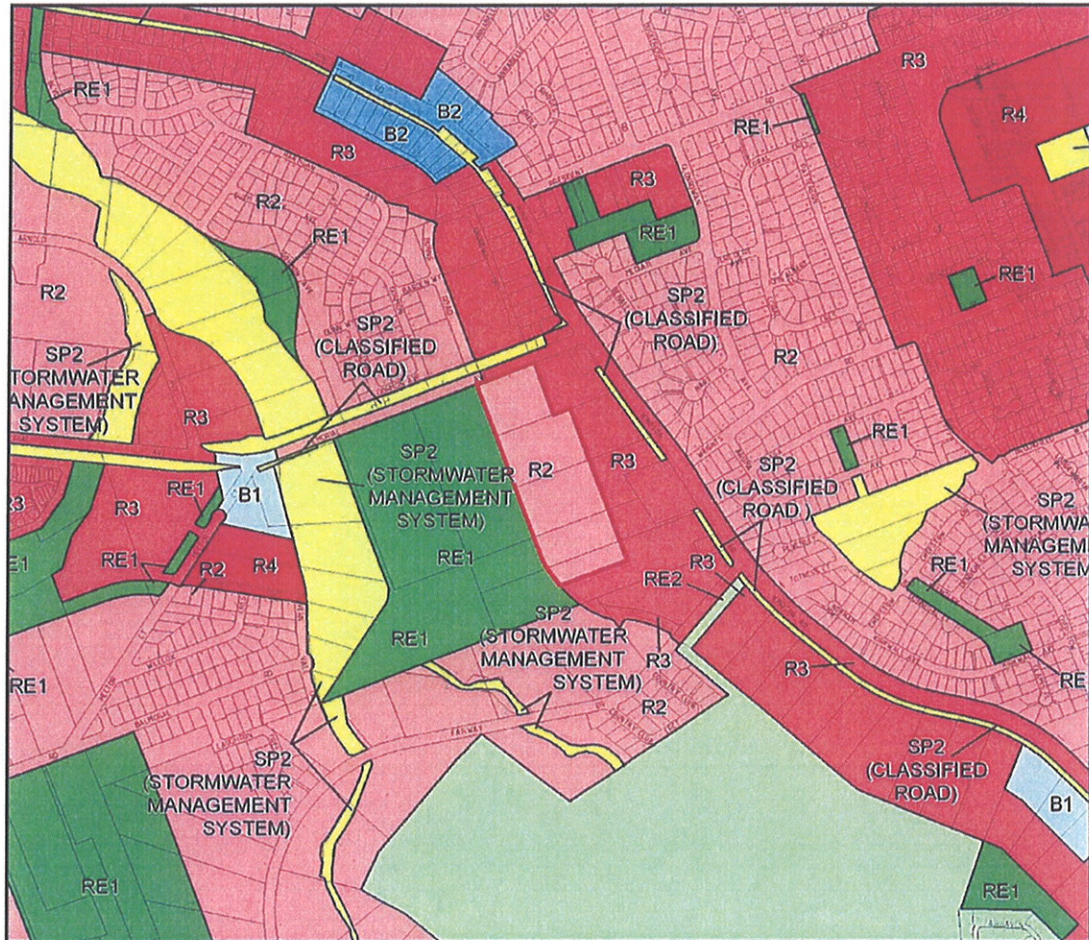
4. DETAILS OF THE COMMUNITY CONSULTATION THAT IS TO BE UNDERTAKEN:

It is intended to advertise the proposed amendments in local newspapers. The exhibited material will be on display at Council's Administration Building located at 129 Showground Road, Castle Hill between the hours of 8.30am to 4.30pm Monday to Friday. The exhibition material will also be made available on Council's website. In addition, letters will be issued to adjoining property owners advising them of the proposed rezoning.

The Gateway determination will identify any additional consultation required.

Attachment A

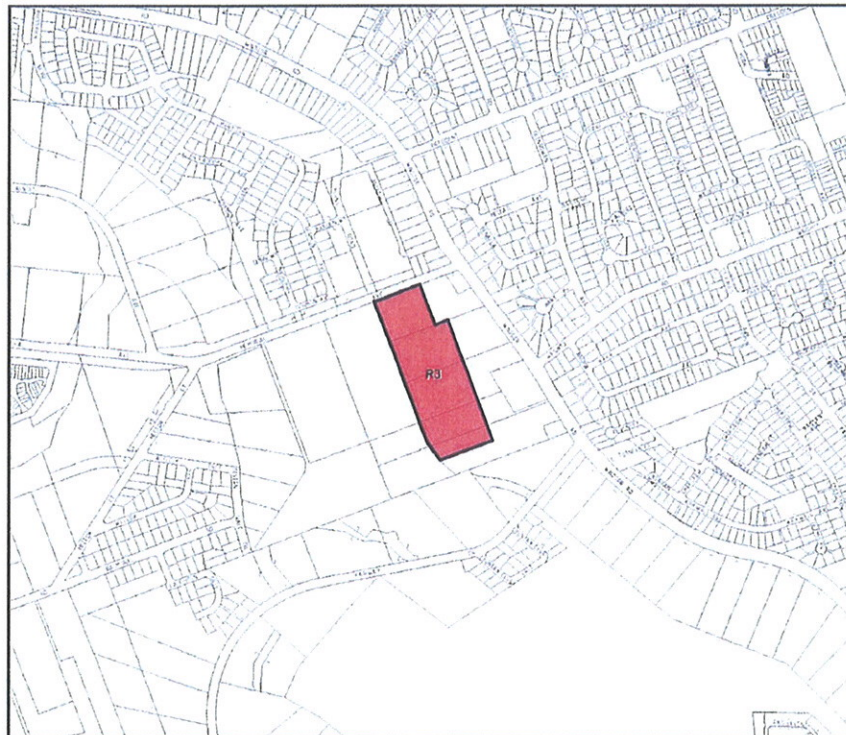
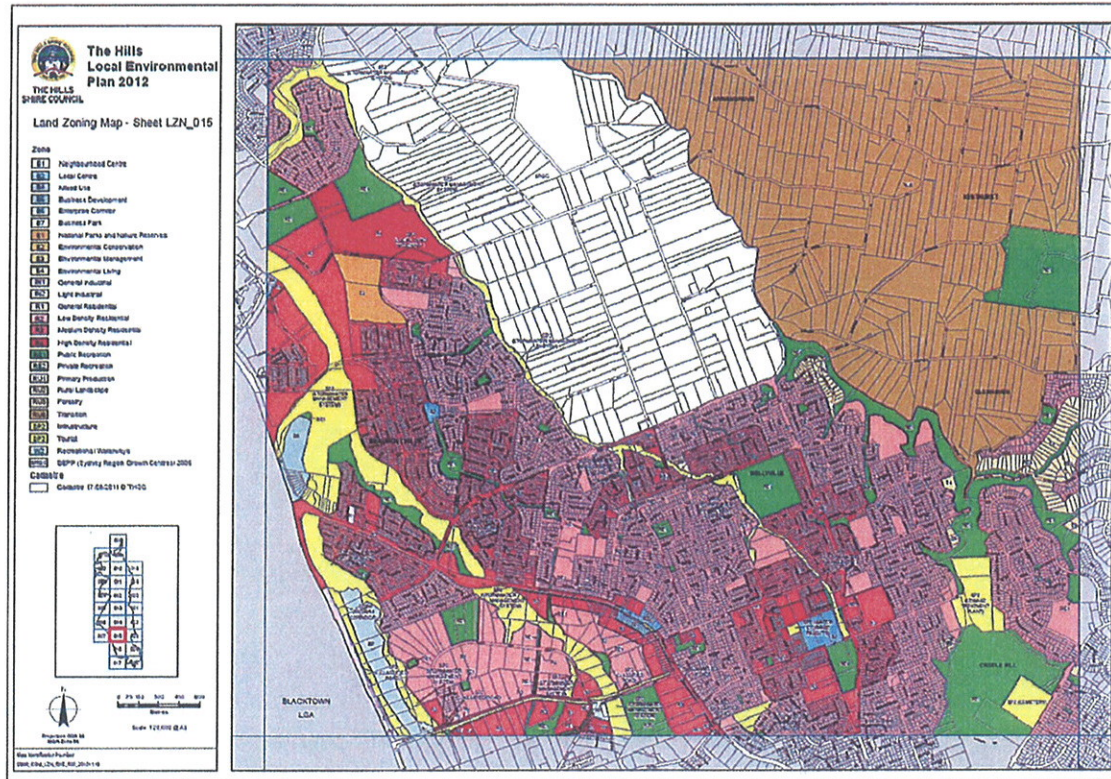
Locality map (existing zoning) LEP 2012



Map Document: S:\Projects\PlanServ\Zoning\PLP_Draft\LEP\2012\09_2012_PLP\09_2012_PLP_L2H1_Extract.mxd

Attachment B

Proposed zoning map LEP 2012



Map Document: S:\Projects\PLP\Zoning\PLP_Ordnance\2012-09_2012_PLP_09_2012_PLP_126_Extract.mxd

Attachment C

Aerial photograph



**ATTACHMENT D
STATE ENVIRONMENTAL PLANNING POLICIES**

INSTRUMENT		RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
<u>S.E.P.P.</u>			
1	Development Standards	NO	
4	Development without Consent and Miscellaneous Exempt & Complying Development	NO	
6	Number of Storeys in a Building	NO	
10	Retention of Low-Cost Rental Accommodation	NO	
19	Bushland in Urban Areas	NO	
21	Caravan Parks	NO	
22	Shops and Commercial Premises	NO	
30	Intensive Agriculture	NO	
32	Urban Consolidation	NO	
33	Hazardous and Offensive Development	NO	
50	Canal Estate Development	NO	
55	Remediation of Land	YES	CONSISTENT
62	Sustainable Aquaculture	NO	
64	Advertising and Signage	NO	
65	Design Quality of Residential Flat Development	NO	
70	Affordable Housing (Revised Schemes)	NO	
	Housing for Seniors or People Living with a Disability (2004)	NO	
	Building Sustainability Index: BASIX 2004	NO	
	Major Projects 2005	NO	
	Sydney Region Growth Centres 2006	NO	
	Mining, Petroleum Production and Extractive Industries 2007	NO	
	Temporary Structures and Places of Public Entertainment (2007)	NO	
	Infrastructure (2007)	NO	
<u>SYDNEY REP</u>			
9	Extractive Industry	NO	
18	Public Transport Corridors	NO	
19	Rouse Hill Development Area	NO	
20	Hawkesbury – Nepean River	YES	CONSISTENT

ATTACHMENT E
SECTION 117 DIRECTIONS

<u>S117(2) MINISTERIAL DIRECTIONS</u>		RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
1. Employment and Resources			
1.1 Business and Industrial Zones	NO		
1.2 Rural Zones	NO		
1.3 Mining, Petroleum Production and Extractive Industries	NO		
1.4 Oyster Aquaculture	NO		
1.5 Rural Lands	NO		
2. Environment and Heritage			
2.1 Environmental Protection Zones	NO		
2.2 Coastal Protection	NO		
2.3 Heritage Conservation	NO		
2.4 Recreation Vehicle Areas	NO		
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	YES		CONSISTENT
3.2 Caravan Parks and Manufactured Home Estates	NO		
3.3 Home Occupations	YES		CONSISTENT
3.4 Integrating Land Use and Transport	YES		CONSISTENT
3.5 Development Near Licensed Aerodromes	NO		
4. Hazard and Risk			
4.1 Acid Sulfate Soils	NO		
4.2 Mine Subsidence and Unstable Land	NO		
4.3 Flood Prone Land	NO		
4.4 Planning for Bushfire Protection	NO		
5. Regional Planning			
5.1 Implementation of Regional Strategies	NO		
5.2 Sydney Drinking Water Catchments	NO		
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NO		
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NO		
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	NO		
5.6 Sydney to Canberra Corridor	NO		
5.7 Central Coast	NO		
5.8 Second Sydney Airport: Badgerys Creek	NO		
6. Local Plan Making			
6.1 Approval and Referral Requirements	YES		CONSISTENT
6.2 Reserving Land for Public Purpose	NO		
6.3 Site Specific Provisions	NO		
7. Metropolitan Planning			
7.1 Implementation of the Metropolitan Plan for Sydney 2036	YES		CONSISTENT