



The Hills Local Environmental Plan 2012 - Amendment No __ - North Rocks Road, North Rocks

Proposal Title : The Hills Local Environmental Plan 2012 - Amendment No __ - North Rocks Road, North Rocks

Proposal Summary : The proposal seeks to facilitate residential development by rezoning Lot 1 DP 792565, No. 221 North Rocks Road, North Rocks from IN1 General Industrial to R3 Medium Density Residential.

PP Number : PP_2013_THILL_002_00 Dop File No : 13/03292

Proposal Details

Date Planning Proposal Received : 12-Feb-2013 LGA covered : The Hills Shire
Region : Sydney Region West RPA : The Hills Shire Council
State Electorate : BAULKHAM HILLS Section of the Act : 55 - Planning Proposal
LEP Type : Spot Rezoning

Location Details

Street : 221 North Rocks Road
Suburb : North Rocks City : Postcode : 2151
Land Parcel : Lot 1 DP 792565

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : Derryn John
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Land Release Data

Growth Centre : N/A Release Area Name : N/A
Regional / Sub Regional Strategy : Metro North West subregion Consistent with Strategy : Yes

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MDP Number :	N/A	Date of Release :	
Area of Release (Ha) :	1.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with :	Yes		
If No, comment :	To the best of the knowledge of the regional team, the Department's Code of Practice in relation to communications and meetings with Lobbyists has been complied with. Sydney West has not met with any lobbyist in relation to this proposal, nor has the Regional Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.		
Have there been meetings or communications with registered lobbyists? :	No		
If Yes, comment :	The Department's Lobbyist Contact Register has been checked on 21 February 2013, and there have been no records of contact with lobbyists in relation to this proposal.		
Supporting notes			
Internal Supporting Notes :	<p>THE SITE</p> <p>The site is on the northern side of North Rocks Road, and occupies the eastern end of the 46ha North Rocks industrial precinct (zoned IN1 General Industrial). The site itself is 1ha. The land to the east and south of the site is taken up by detached dwellings in an R2 Low Density Residential zone, and there is a small area of R3 Medium Density Residential immediately to the north.</p> <p>BACKGROUND</p> <p>The planning proposal is the result of an application made to The Hills Shire Council by the landowner, who sought a more profitable use than the site's current industrial zoning allows. The proponent proposed an R1 General Residential zone for the site, but Council at its meeting of 27 November 2012 resolved instead to forward the proposal to the Department with an R3 Medium Density Residential zone applying to the site.</p> <p>The proponent was not satisfied with this approach, and Council requested that the Department delay consideration of the planning proposal until Council could discuss options with the proponent. Council then requested on 12 February 2013 that the Department proceed with its consideration.</p>		
External Supporting Notes :			

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the proposal is to convert industrial land that the owner considers no longer appropriate for industrial use into medium density residential land.**

The rear of the site is within the bushfire prone land vegetation buffer. The land immediately behind this portion of the site has been developed for multi dwelling housing, providing both a precedent and a buffer.

This notwithstanding, the direction requires that the relevant planning authority must therefore, prior to exhibition, obtain written advice from the Commissioner of the NSW Rural Fire Service (RFS) to the effect that the RFS does not object to the proposal going ahead.

6.1 Approval and Referral Requirements

The proposal does not introduce provisions which require approval or referral of future applications. As such, it is consistent with the direction.

7.1 Implementation of the Metropolitan Plan for Sydney 2036

The proposal aims to provide housing close to existing transport and services. As such it is consistent with the housing provisions in the Metropolitan Plan. It also, however, aims to reduce the stock of employment land in The Hills local government area, which is contrary to the employment objectives of the Metropolitan Plan.

Given the current vacancy of the industrial premises on the site, and its proximity to an existing residential area, it is considered that this inconsistency is of minor significance.

SEPP No 55—Remediation of Land

The SEPP requires that a Council, in rezoning land, is satisfied that the land can be made suitable for the intended purpose. In this case, with a rezoning from industrial to residential use, this is particularly important.

Given that the industrial use of the site is indicative of potential contamination, a Preliminary Contamination Assessment was submitted with the proposal, and found a low potential for contamination, but recommended that further testing be carried out at the development stage. While this may be a valid approach, it is possible that residential development on the site may be carried out piecemeal, meaning that further contamination assessment would be required for each new dwelling. It is considered that it would be more efficient and provide greater certainty to carry out a comprehensive contamination assessment prior to exhibition of the planning proposal.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The proposal seeks to amend sheet 25 of The Hills LEP 2012 Land Zoning, Height of Buildings, Lot Size and Floor Space Ratio maps. Council has provided copies of the draft maps.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council intends to advertise the planning proposal in local newspapers, display it in Council premises (including libraries) and publish it on Council's website. Council will also send letters to nearby property owners, and is willing to arrange resident information sessions if necessary.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : The Hills LEP 2012 is the Principal LEP.

Assessment Criteria

Need for planning proposal :

The planning proposal is the result of an application to Council made by the landowner, and stems from a wish on the part of the proponent to make the site financially viable. The site's current zoning has resulted in its being vacant since March 2011, and the owner seeks a means of having the site occupied.

Consistency with strategic planning framework :

METROPOLITAN PLAN FOR SYDNEY 2036

The proposal could be interpreted as being inconsistent with Actions E3.2 and E3.3 of the Plan, which promote the identification and retention of strategically important employment lands and the strengthening of existing freight and industry clusters. It is arguable, though, that these are not applicable to the subject site, as it is not identified as having any strategic importance.

The proposal, in providing for new housing, is in keeping with the residential section of the Metropolitan Plan.

DRAFT NORTH WEST SUBREGIONAL STRATEGY

The draft Strategy classifies the North Rocks industrial area as 'Category 1 land', which is employment land to be retained. The site is, however, physically dislocated (by a change in level and by different access) from the industrial area proper, and is more closely linked to the adjacent residential area.

The draft Strategy also contains directions on housing provision, including a target of 36,000 new dwellings for The Hills LGA by 2031. The planning proposal will assist in meeting this target.

THE HILLS SHIRE LOCAL STRATEGY

As with the higher level strategies, the planning proposal is not entirely consistent with the Employment Lands Direction in the Local Strategy, but is entirely consistent with the Residential Direction. The introduction of the R3 Medium Density Residential zone on this site will contribute to housing choice in an area that is well serviced.

Environmental social economic impacts :

ENVIRONMENTAL

The site has been functioning as an industrial site for several years, and this generally has a greater environmental impact than residential uses. It is unlikely that there are any threatened species or habitats on the site.

SOCIAL

It is unlikely that the proposal will result in any negative social impacts. It will provide

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housing choice in an established residential area close to shops and services.

ECONOMIC

It is unlikely that the proposal will result in any negative economic impacts. The site's current zoning is not contributing to the local economy, given that it has been vacant since March 2011, and there will be a slight positive economic impact due to the construction of housing.

The population increase is likely to result in increased demand for public amenities and services, and this is to be addressed via Council's Section 94A Contributions Plan.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 Month** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **NSW Rural Fire Service**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Bushfire

Other - provide details below

If Other, provide reasons :

In order to ensure consistency with SEPP 55 (Remediation of Land), a comprehensive contamination assessment should be carried out prior to exhibition.

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
section 56 letter from council without attachments.pdf	Proposal Covering Letter	Yes
planning proposal.pdf	Proposal	Yes
maps.pdf	Map	Yes
council report 27 nov 2012.pdf	Proposal	Yes

