

PLANNING PROPOSAL – 6/2013/PLP Rouse Hill Regional Centre (Residential Precincts)

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 the Rouse Hill Regional Centre

MAPS:

- **MAP A** Land Use Zoning – LEP 2012
- **MAP B** Existing Building Height – LEP 2012
- **MAP C** Proposed Building Height – LEP 2012

SUPPORTING MATERIAL:

- **Attachment A** Council Report and Resolution 23 April 2013

PART 1 OBJECTIVES OR INTENDED OUTCOMES

The purpose of the plan is to increase the maximum building height for specific locations within the Southern, Eastern and Central Residential Precincts of the Rouse Hill Regional Centre, as per the table below.

Location	Existing	Proposed
Southern Precinct	15m	21m
Eastern Precinct	10m	12.5m
Central Precinct	12m	21m

The plan also proposes to amend Clause 4.1B – Exceptions to Minimum Lot Sizes for Certain Residential Development of The Hills LEP 2012 to reduce the minimum lot size for small lot housing from 240m² to 160m² by including provision 3(c) below.

4.1B Exceptions to minimum lot sizes for certain residential development

- (1) *The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*
- (2) *This clause applies to development on land in the following zones:*
 - (a) *Zone R3 Medium Density Residential,*
 - (b) *Zone R4 High Density Residential.*
- (3) *Development consent may be granted to a single development application for development to which this clause applies that is both of the following:*
 - (a) *the subdivision of land into 3 or more lots,*
 - (b) *the erection of an attached dwelling or a dwelling house on each lot resulting from the subdivision, if the size of each lot is equal to or greater than:*
 - (i) *for the erection of a dwelling house—240 square metres, or*
 - (ii) *for the erection of an attached dwelling—240 square metres.*
- (c) *in the case of land within the Rouse Hill Regional Centre, the erection of an attached dwelling or a dwelling house on each lot resulting from the subdivision, if the size of each is equal to or greater than:*
 - (i) *for the erection of a dwelling house - 160 square metres or*
 - (ii) *for the erection of an attached dwelling - 160 square metres*

The proposed minimum lot size amendment is not supported on the basis that the current minimum lot size of 240m² for small lot housing is considered an appropriate minimum that reflects the quality of housing product envisaged for The Hills Shire. It is

important to note that the delivery of housing on lots as small as 160m² is not precluded by setting a minimum lot size of 240m², only that the outcome must be justified in terms of providing a functional product with good amenity.



Aerial Photograph

PART 2 EXPLANATION OF THE PROVISIONS

The planning proposal requests increased building heights for specific locations within the Southern, Eastern and Central Residential Precincts of the Rouse Hill Regional Centre as per Table 1.

The proposed amendments will facilitate greater building height at locations where additional height is considered appropriate. The proposed amendments will help to achieve key principles of the Rouse Hill Regional Centre Master Plan, including:

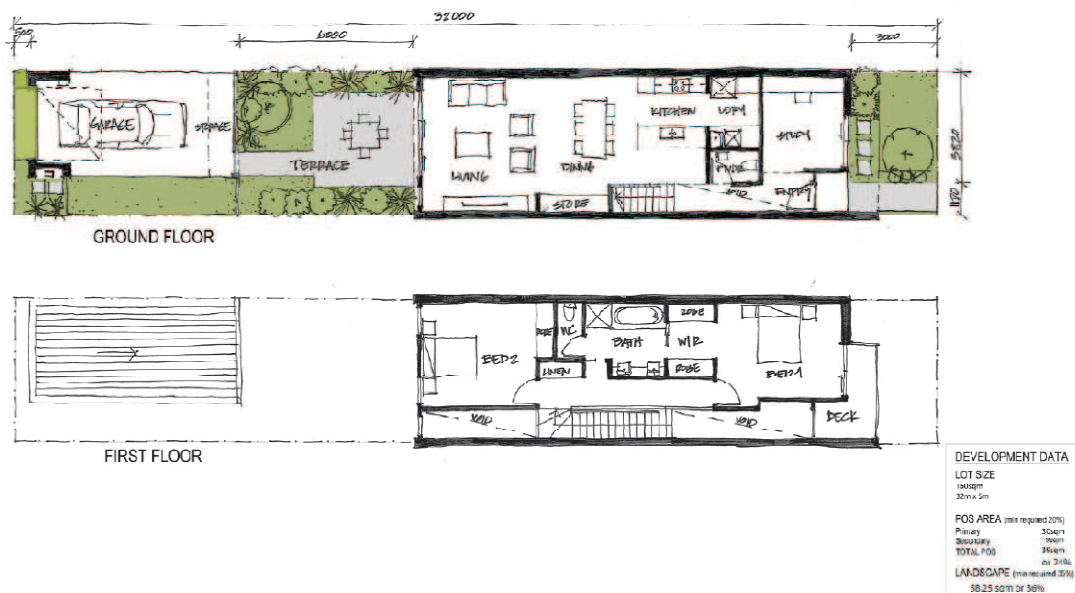
- To provide a visually significant structure as the southern gateway to the Rouse Hill Regional Centre;
- To maximise higher density residential development within a walkable distance to existing and future public transport; and
- To reflect proximity to the Town Centre in terms of higher density housing and mix of housing types.

The planning proposal is further seeking to amend Clause 4.1B – Exceptions to Minimum Lot Sizes for Certain Residential Development of The Hills LEP 2012 to permit a reduction in the minimum lot size for small lot housing within the Rouse Hill Regional Centre from 240m² to 160m².

The applicant has argued that the minimum lot size should be reduced on the basis that additional flexibility is required to ensure the development outcomes envisaged by the Master Plan and provided for under Council's previous LEP 2005. The applicant has also indicated that product of this size would comprise a relatively small percentage of the overall dwelling yield.

The minimum lot size of 240m² within The Hills LEP 2012 is based on a standard 8m x 30m lot size which is currently being delivered in release areas such as Kellyville, North Kellyville and Rouse Hill. The market has shown a positive response to this product as there is sufficient space to build a small dwelling as well as provide open space, landscaping, carparking, privacy and solar access in line with Council's current requirements.

An example floor plan provided by the applicant indicates a 160m² lot on which an attached terrace is situated (below).



Example floor plan for a 160m² allotment

The example does not comply with the existing or proposed standards for landscaping/open space. The proposed DCP controls require 40% of the lot area to be allocated for landscaping and open space. This allocation is responsive to the fact that the Rouse Hill Regional Centre offers significant regional open space within the Town Square, Leisure Square and Caddies Creek parkland for the use and enjoyment of residents, to offset a reduced provision within individual developments.

DCP standards are set to ensure that design of proposed development takes into account factors such as overshadowing, privacy and landscaping that contribute to lifestyle and amenity of future residents. The delivery of housing on lots as small as 160m² is not precluded by setting a minimum lot size of 240m², only that the outcome must be justified in terms of providing a functional product with good amenity.

PART 3 JUSTIFICATION

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 Lend Lease GPT Pty Ltd to increase building height and reduce the minimum lot size for small lot housing.

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 increase the building height for specific locations within the Centre is the best means to achieve greater height and implement key principles of the Master Plan.

However, it is considered that the proposal to amend the minimum lot size from 240m² to 160m² does not encourage housing diversity without adversely impacting residential amenity. The current minimum lot size of 240m² for small lot housing is considered an appropriate minimum lot size that reflects the quality of housing product envisaged for The Hills Shire.

The delivery of housing on lots as small as 160m² is not precluded by setting a minimum lot size of 240m², only that the outcome must be justified in terms of providing a functional product with good amenity.

B. Relationship to strategic planning framework

3. *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)?*

Yes – The planning proposal is consistent with the applicable regional and subregional strategies as detailed below.

Metropolitan Plan for Sydney 2036

The strategic plan prepared by the NSW Government entitled the *Metropolitan Plan for Sydney 2036* aims to integrate land use and transport planning to provide a framework for the growth and development of the Sydney region to 2036.

The planning proposal is considered to be consistent with this direction as it will increase the range of residential options within the Centre and provide a range of housing types close to existing and proposed infrastructure and services. The land is well located to utilise existing public transport including the North West Transit Way and future public transport provided by the North West Rail Link. An increase in density is consistent with the plan as it will encourage public transport patronage and promote the benefits of concentrating development within centres.

Draft Metropolitan Strategy for Sydney to 2031

The draft *Metropolitan Strategy for Sydney to 2031* is a growth plan which is underpinned by transport and infrastructure initiatives to deliver an adequate supply of housing and employment opportunities through to 2031. The plan is first of the 'Regional Growth Plans' outlined in *NSW 2021: A plan to make NSW number one* that will be delivered under the Government's new planning system.

The planning proposal is consistent with the broad objectives of the draft strategy as it will increase the supply of housing within a planned Major Centre and integrate housing with transport options to encourage public transport patronage and improve Sydney's ecological sustainability.

Draft North West Subregional Strategy

The draft *North West Subregional Strategy* was prepared by the NSW Government to implement the Metropolitan Plan and the State Plan. It was exhibited in December 2007 through to March 2008 and is currently being reviewed by the Department of Planning and Infrastructure. The draft strategy has set a target for The Hills Shire to provide an additional 36,000 dwellings by 2031. In addition to ensuring sufficient zoned land to accommodate housing targets, Council also has a role in considering proximity to public transport when

planning for new dwellings to respond to State Plan targets for jobs closer to home.

The planning proposal is considered to be consistent with the draft strategy because it will provide increased height, density and a range of housing opportunities to capitalise on existing strategic transport corridors, local bus routes and the proposed North West Rail Link.

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

Yes – The planning proposal is consistent with Council's Local Strategy as detailed 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.

The Hills Shire Local Strategy

Residential Direction

The draft North West Subregional Strategy sets a target for the Shire to contribute an additional 36,000 dwellings from 2004 to 2031 to accommodate a share of Sydney's population growth. The Residential Direction indicates that there is sufficient capacity to accommodate these targets but highlights that a strategic focus is needed to ensure that current and future opportunities are realised and reflect desired planning outcomes in terms of location and sustainability.

The Residential Direction identifies a target of 21,500 dwellings to be located in the existing urban release areas such as Rouse Hill. The site is well placed to accommodate a share of these dwellings and the planning proposal will assist in reaching these targets by providing a greater range of housing options and increasing residential density in a location which is supported by infrastructure, allowing residents access to transport, shopping and employment.

Integrated 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. Relevant actions include promoting the delivery of key rail infrastructure and planning for a concentration of and/or intensity of land use activities around major public transport nodes.

The planning proposal is seeking to provide an increased range of housing options, provide greater density in specific areas and intensify development of the Centre.

The planning proposal is consistent with Council's Integrated Transport Direction.

Centres Direction

Rouse Hill is identified as a planned Major Centre under the Centres Direction. Major Centres encourage a mix of business, retail, residential and community uses. Built form such as height reflects the role of the Centre as a primary retail and commercial hub and taller built form of eight (8) or more storeys is required for commercial development within the Centre.

The planning proposal is consistent with the future status of Rouse Hill as a Major Centre.

5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

Yes – The plan is consistent with the relevant State Environmental Planning Policies as detailed below.

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP aims to facilitate the delivery of infrastructure across the State including identifying matters to be considered for development adjacent to different types of Infrastructure.

Future development of the site will be required to consider the provisions of the Infrastructure SEPP and as part of the planning proposal consultation with the relevant public authorities including Transport for NSW and Roads and Maritime Services.

Sydney Regional Environmental Plan No. 19 – Rouse Hill Development Area

SREP No. 19 intends to help accommodate Sydney's growing population through the release of land for urban development, with 9,400 hectares of land at Rouse Hill aimed at providing a future Regional Centre including a commercial core, areas for residential development and protection of environmentally sensitive areas.

The planning proposal will help to achieve the objectives of SREP No. 19.

Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River

The aim of SREP No. 20 is to protect the environment of the Hawkesbury – Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. This requires consideration of the impacts of the development on the environment, the feasibility of alternatives and consideration of specific matters such as environmentally sensitive areas, water quality, water quantity, flora and fauna, riverine scenic quality, agriculture, and metropolitan strategy.

It is considered that the planning proposal achieves satisfactory compliance with the provisions of SREP No. 20 (No. 2 – 1997).

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

Yes – The plan is consistent with the relevant Ministerial Directions as outlined below.

2.3 Heritage Conservation

This Direction aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This Direction requires that a planning proposal must contain provisions that facilitate the conservation of environmental heritage.

The planning proposal applies to land which is located within the vicinity of a heritage item known as Mungerie House. The approved Master Plan identifies a 70m curtilage around Mungerie House where building height is limited to one (1) storey.

Sites where additional building height is proposed do not fall within the 70m curtilage. Therefore, the proposed height amendments do not contravene the maximum one (1) storey height limit. However, it is important that future multi-storey developments within the vicinity of the heritage item consider any potential impacts and this would have to be considered as part of future development applications.

3.1 Residential Zones

This Direction aims to encourage a broad range of building types and locations available in the housing market, make more efficient use of existing infrastructure and services and reduce consumption of land for housing and associated urban development on the urban fringe.

The planning proposal is consistent with this direction as it will provide a greater range of housing options and increase density in proximity to existing infrastructure and services.

3.3 Home Occupations

The purpose of this Direction is to permit home occupations to be carried out in dwelling houses without the need for development consent.

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

3.4 Integrating Land Use and Transport

The purpose of this direction is to ensure that urban development ensures that housing and jobs are easily accessible through a variety of means including walking, cycling and public transport, reliance on private vehicle use is minimised, and that development supports the viable operation of public transport.

The planning proposal is consistent with this direction as it will increase residential density in an area with high accessibility by public transport, cycling and walking.

6.1 Approval and Referral Requirements

This Direction aims to minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.

The planning proposal is consistent with this direction.

6.3 Site Specific Provisions

This Direction relates to the use of site specific planning controls.

The planning proposal is consistent with this direction.

7.1 Implementation of the *Metropolitan Plan for Sydney 2036*

The purpose of this Direction is to ensure that planning proposals comply with the strategic objectives and actions of the *Metropolitan Plan for Sydney 2036*. Inconsistencies are possible only if they are minor or if the intent of the Metropolitan Plan for Sydney 2036 is achieved.

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

C. Environmental, social and economic impact

7. *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?*

No – Land to which the planning proposal relates is predominantly vacant, generally void of vegetation and significant trees. Therefore, it is considered that the planning proposal is unlikely to create any adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitats.

There is a small amount of vegetation on the Caballo Street site within the Eastern Precinct. However, a Vegetation Management Plan prepared as part of the approved Master Plan provides objectives and guidelines for the protection of any significant vegetation.

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

No – There are no other likely environmental impacts as a result of the planning proposal.

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

The planning proposal is not anticipated to have any negative social or economic impacts on the locality. The planning proposal will provide additional housing close to services supported by infrastructure. In turn, this will support the growth of Rouse Hill as a Major Centre and take advantage of the strategic location of the site.

Potential traffic impacts should be considered as part of the planning proposal as an uplift in density is likely to increase traffic and parking demands. Whilst no traffic study was submitted with the planning proposal, the Gateway determination will identify if any study is required.

D. State and Commonwealth interests

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

It will be necessary to ensure that future residential development will be supported by the necessary services such as electricity, telecommunication, gas, water, sewer and stormwater drainage. The Gateway determination will identify if any study is required in this regard.

11. 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?

It is envisaged that consultation will be required with agencies including Transport for NSW and Roads and Maritime Services, Sydney Water, Integral Energy and the Office of Environment and Heritage. A list of the relevant agencies will be determined as part of the Gateway Determination.

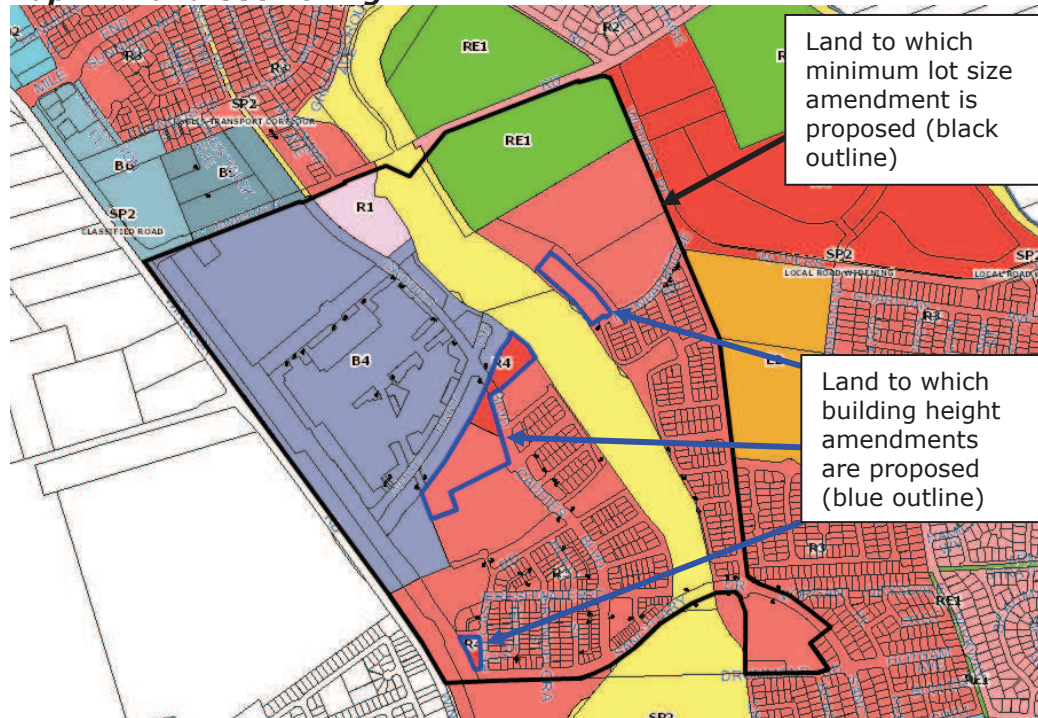
Following the Gateway determination, all relevant agencies will be consulted. Any proposed variations to the planning proposal would be addressed in the submission following the consultation period.

PART 4 MAPPING

Planning proposals should be supported by relevant and accurate mapping where appropriate. The mapping should be clear and accurately identify, at an appropriate scale, relevant aspects of the proposal including:

- the land subject to the planning proposal
- current land use zone/s applying to the land
- current development standards relating to the land (i.e. FSR, building height, minimum lot size)
- the proposed alternative zone, if a change in zone is proposed
- a map illustrating the extent of the proposed revised development standard, if a change to a development standard is proposed

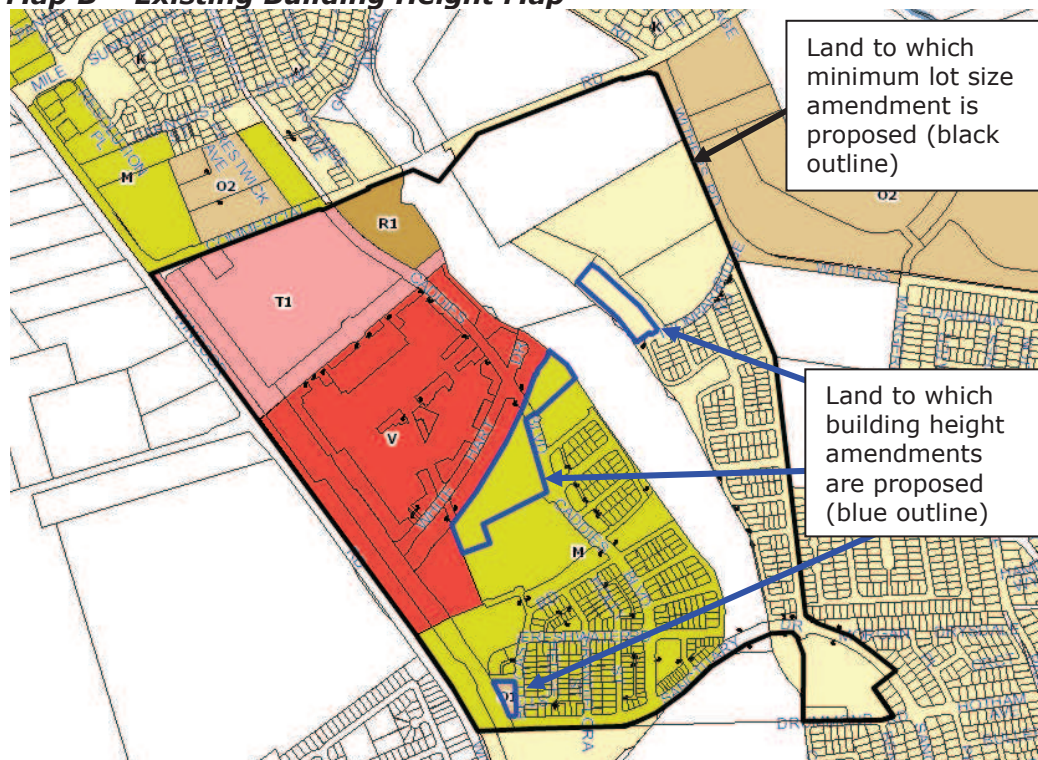
Map A – Land Use Zoning



Land Use Zones:

- R1 – General Residential
- R3 – Medium Density Residential
- R4 – High Density Residential

Map B – Existing Building Height Map



Building Heights:

- K – 10 metres
- M – 12 metres
- O1 – 15 metres
- R1 – 21 metres
- V – 36 metres

Map C – Proposed Building Height Map

- Please note, Council have requested information from the applicant on the future subdivision layout for the Central Precinct. Once finalised and more accurate maps have been received from the applicant, Council will forward these to the Department.

PART 5 COMMUNITY CONSULTATION

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 as well as at Castle Hill Library and Rouse Hill Library. 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.

PART 6 PROJECT TIMELINE

The following project timeline provides an estimated timeframe for each stage of the planning proposal.

STAGE	ESTIMATED DATE
Estimated Commencement Date (Gateway Determination)	June 2013
Estimated Completion of Required Studies	July/August 2013
Estimated pre exhibition Government Agency Consultation	September 2013
Estimated commencement of Public Exhibition Period	October 2013
Estimated completion of Public Exhibition Period	November 2013
Estimated post exhibition Government Agency Consultation	December 2013
Estimated timeframe for consideration of submissions	February 2013
Estimated timeframe for consideration of proposal post exhibition – Report to Council	March 2013
Estimated date Council will make the Plan (if delegated)	April 2013
Estimated date Council will forward to Department for notification (if not delegated)	May 2013