

**State Environmental Planning Policy (Sydney Region Growth Centres) 2006 - Box Hill
Employment Lands**

Proposal Title :	State Environmental Planning Policy (Sydney Region Growth Centres) 2006 - Box Hill Employment Lands		
Proposal Summary :	The proposal seeks to rezone two areas identified as Area 1 and Area 2 (refer to Figure 1 in the planning proposal). Area 1 contains approximately 53 hectares of land within the Box Hill Industrial Precinct and proposes to rezone the site from IN2 Light Industrial to part B6 Enterprise Corridor, part RE1 Public Recreation, part R3 Medium Density Residential and Part R2 Low Density Residential. The purpose of the proposal is to facilitate greater job diversity and employment opportunities to meet the needs of future residents within the Box Hill Precinct. Given the B6 zone is proposed for the majority of the existing employment lands it is also proposed to rezone Area 2, being existing land zoned B6 Enterprise Corridor west of the proposed Box Hill Town Centre to R1 General Residential and remove 'shop top' housing as a permitted land use in the B6 zone.		
PP Number :	PP_2015_THILL_002_00	Dop File No :	15/04132

Proposal Details

Date Planning Proposal Received :	18-Dec-2014	LGA covered :	The Hills Shire
Region :	Metro(Parra)	RPA :	The Hills Shire Council
State Electorate :	CASTLE HILL	Section of the Act :	55 - Planning Proposal
LEP Type :	Precinct		

Location Details

Street :			
Suburb :		City :	Postcode :
Land Parcel :	Various sites in Rouse Hill and Box Hill as listed on page 1 of the planning proposal		

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DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	Sydney North West	Release Area Name :	
Regional / Sub Regional Strategy :	Metro North West subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	Both
No. of Lots :	0	No. of Dwellings (where relevant) :	265
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :

If No, comment : To the best of the knowledge of Metropolitan Region (Parramatta), the Department's Code of Practice in relation to communications and meetings with lobbyists has been complied with. Metropolitan Region (Parramatta) has not met with any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.

POLITICAL DONATIONS DISCLOSURE STATEMENT

Political donations disclosure laws commenced on 1 October 2008. The legislation requires the public disclosure of donations or gifts for certain circumstances relating to the planning system.

Planning Circular PS 08-009 specifies that a person who makes a public submission to the Minister or Secretary is required to disclose all reportable political donations (if any).

The Department has not received any disclosure statements for this planning proposal.

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Have there been meetings or communications with registered lobbyists? **No**

If Yes, comment : **The Department's Lobbyist Contact Register has been checked on 2 March 2015, and there are no records of contact with lobbyists in relation to this proposal.**

Supporting notes

Internal Supporting Notes : **DWELLING YIELD**

The proposed amendment will increase the area of land zoned residential (R1, R2 & R3). The estimated potential dwelling yield under the existing plan for the subject land is 24 dwellings. The total yield will increase to 289 dwellings under the proposal, which equates to an increase of 265 dwellings.

JOB YIELD

The existing estimated potential job yield for the subject land is 3,180 jobs. The proposed amendment will reduce the area of land zoned for employment (IN2) but increase the land zoned B6 Enterprise Corridor. The estimated net result is a reduction of 18 jobs to leave an expected job yield of 3,162. The estimated job loss is negligible.

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **Yes. The objective of the proposal is to facilitate greater job diversity and employment opportunities within the Box Hill Industrial Precinct while providing additional housing options and local open space to meet the needs of future residents.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposed outcomes will be achieved by rezoning the majority of existing light industrial IN2 zoned land within the Box Hill Precinct to flexible employment, residential and public recreational uses (B6, R2, R3, RE1). The rezoned employment area will have increased development opportunity through an amended floor space ratio and more flexible subdivision outcomes by way of a reduced minimum lot size. In addition, land zoned B6 Enterprise Corridor west of the proposed Box Hill Town Centre will be rezoned to R1 General Residential and 'shop top' housing removed as a permitted land use in the B6 zone.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.3 Heritage Conservation

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.4 Planning for Bushfire Protection

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of A Plan for Growing Sydney

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Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

**SEPP No 55—Remediation of Land
SEPP (Infrastructure) 2007
SEPP (Sydney Region Growth Centres) 2006
SREP No. 20 - Hawkesbury–Nepean River (No. 2 - 1997)**

e) List any other matters that need to be considered :

N/A

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

SECTION 117 DIRECTIONS

1.1 Business and Industrial Zones

Direction 1.1 applies as the proposal reduces land within an existing IN2 Light Industrial zone by rezoning to part B6 Enterprise Corridor, part open space and part residential zones. The reduction in industrial land is offset by the increase in floor space ratio and the B6 zoning that will allow more intensive business/industry and a range of options. Council estimates that the existing 3,180 jobs will be reduced by only 18. It is considered that the proposal is generally consistent with the objectives of Direction 1.1 as the introduction of the B6 zoning will result in a negligible impact on the ability of the sites to generate employment.

2.3 Heritage Conservation

Direction 2.3 applies as the area identified by the planning proposal is adjacent to the Hunting Lodge which is listed as an item of State Significance. Special area controls for the Hunting Lodge are contained within The Box Hill Development Control Plan. The Control Plan contains a Precinct Plan Control area for the Hunting Lodge which identifies curtilages and controls for surrounding development. Diagrams of the State Heritage Listing curtilage and Precinct Plan Control area can be found at Figures 11 and 12 of the planning proposal. As part of future development the Control Plan requires that any housing to the north of the Hunting Lodge, across the proposed road be set back 5m from the property boundary. It is proposed that this control be replicated as part of amendments to the Control Plan in relation to the proposed residential zone to the east. It is considered that the proposal is consistent with Direction 2.3 as it contains provisions that facilitate the conservation of the adjacent heritage item.

3.1 Residential Zones

Direction 3.1 applies as the proposal seeks to rezone industrial land to residential. The proposal provides for approximately 289 residential dwellings and includes R1, R2 and R3 areas. The majority of the land will have the opportunity of utilising recent changes to the planning framework for the Growth Centres in relation to smaller lots and approval pathways. The residential areas are located close to existing infrastructure and transport, close to the future North West Rail Link, the Rouse Hill Major Centre and bus routes, with minor road network improvements proposed to facilitate the potential increase in commercial and residential traffic. The proposed framework therefore encourages variety and choice in housing types for future residents of the Precinct and is considered to be generally consistent with the Direction.

3.4 Integrating Land Use and Transport

Direction 3.4 applies as the proposal removes and creates zones relating to urban land. The subject areas are situated close to existing and proposed transport infrastructure, including the North West Rail Link (with good access to both Rouse Hill and Cudgong Road Stations) and the District and Regional bus routes proposed as part of the planning for the North West Growth Centre.

In addition, the sites' proximity to the Rouse Hill Major Centre and future release areas in the Blacktown Local Government Area will ensure that housing is situated close to jobs and services.

An expansion of business uses in the south of the precinct will ensure a greater range of employment opportunities for local residents and will also provide additional urban services to meet the needs of residents and workers in these areas. The proposal is considered to be generally consistent with the objectives and aims of the Direction.

4.4 Planning for Bushfire Protection

Direction 4.4 applies as a small portion of the land to be zoned B6 Enterprise Corridor is classified as bushfire prone land (Category 1) – Buffer Zone (refer to Figure 14 Bushfire Prone Land Map in the planning proposal). Accordingly, any future development of this land may require the establishment of the Asset Protection Zones (APZs) and the preparation of a bushfire report. Council intends to undertake consultation with the Commissioner of the NSW Rural Fire Service, consistent with the consultation requirements of the Gateway determination. It is considered that adequate provisions will be in place with regard to Planning for Bushfire Protection 2006 and that the proposal is generally consistent with Direction 4.4.

6.1 Approval and Referral Requirements

The planning proposal does not contain provisions that will increase approval and referral requirements from the Minister or public authority and does not contain any designated development. The planning proposal is considered to be consistent with Direction 6.1.

6.2 Reserving Land for Public Purposes

Direction 6.2 applies as the proposal seeks to reserve an additional 3.3ha of land for local open space purposes. The Hills Shire Council is the intended acquisition authority. The proposal is consistent with the objectives of the Direction. It is recommended that the Secretary' delegate grant approval.

6.3 Site Specific Provisions

The planning proposal does not impose more restrictive site specific development controls on any of the identified land. The proposal is considered to be consistent with Direction 6.3.

7.1 Implementation of A Plan for Growing Sydney

The proposal is considered to be consistent with the directions of A Plan for Growing Sydney as it supports the following key Directions within the Plan:

2.1 Accelerate housing supply across Sydney.

The rezonings should provide an increase of 289 homes close to existing infrastructure.

2.3 Improve housing choice to suit different needs and lifestyles.

The rezonings will provide a combination of R1, R2 and R3 areas.

1.7 Grow strategic centres – providing more jobs close home. The proposed residential areas are located close to Blacktown and Rouse Hill strategic centres.

SEPPs

SEPP No 55—Remediation of Land

As part of the planning for the broader Box Hill and Box Hill Industrial Precincts, a Land Capability, Salinity and Contamination Assessment was undertaken by WSP Environment and Energy. The assessment did not show any definitive link between current and known past land uses and evidence of contamination, however a number of recommendations were made. Council incorporated these recommendations into the Development Control Plan as follows:

- 1. Stage 1 – A Preliminary Site Contamination Investigation is required**
- 2. Stage 2 – Further assessment is required where a Stage 1 report identifies a contamination risk**
- 3. An assessment for asbestos on all properties will be required prior to residential development.**

The proposal is considered to satisfactorily address the requirements of SEPP 55.

SEPP (Infrastructure) 2007

The key objective of the Policy is to assist in facilitating the delivery of infrastructure across NSW. The proposal will provide greater flexibility in the location of infrastructure and service facilities through the rezoning of the IN2 Light Industrial into a combination of open space land, varying residential densities and B6 Enterprise Corridor. The Gateway determination lists a number of public authorities with which Council is required to consult prior to development commencing, including the Roads and Maritime Services.

SEPP (Sydney Region Growth Centres) 2006

The subject land is within the Box Hill and Box Hill Industrial Precincts under the SEPP and forms part of the North West Growth Centre. The proposal will better provide for economically viable development within the precinct alongside the delivery of a wider range of employment opportunities through the rezoning from IN2 Light Industrial to B6 Enterprise Corridor, to meet both local and regional demand. Additionally the proposal will create additional opportunities for the development of a variety of housing types, and new open spaces to meet the recreation needs of the future population. Accordingly, it is considered that the planning proposal, along with the amendments to the applicable Development Control Plan and Contributions Plan, will assist in achieving the aims of the SEPP.

Further consideration of the Growth Centres SEPP is provided under Proposal Assessment.

SREP No. 20 - Hawkesbury-Nepean River (No. 2 - 1997)

The aim of SREP No 20 (No. 2 - 1997) 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. Consultation with the Hawkesbury Nepean Catchment Authority (Local Land Services) will be required as a condition of the Gateway determination. Neither Areas 1 (Box Hill Industrial Precinct) and 2 (Box Hill Precinct) of the proposal are located close to a water body. Appropriate controls are contained within the Box Hill Industrial Development Control Plan 2014 to ensure that future development does not adversely impact the catchment. The proposal is considered to satisfactorily address the requirements of SREP 20.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The following existing and proposed maps are provided:

- Zone
- Floor Space Ratio
- Minimum Lot Size
- Height of Buildings
- Residential Density
- Land Reservation Acquisition

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council intends to advertise the planning proposal in local newspapers and on display at Council's administration building, in Castle Hill Library and Vinegar Hill library (Rouse Hill). The proposal will also be made available on Council's website. In addition, letters will be issued to all affected and adjoining property owners and stakeholders.

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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 : **October 2012**

Comments in
relation to Principal
LEP :

The Hills Local Environmental Plan 2012 was notified on 5 October 2012.

Assessment Criteria

Need for planning
proposal :

The proposal is the outcome of a strategic review of The Box Hill Industrial Precinct completed by Council in December 2014. A detailed analysis of the need for the proposal is contained in the planning proposal under Section A. The key points are summarised below:

- 1. The B6 Enterprise Corridor zone will provide wider opportunity for emerging industries and innovative local businesses.**
- 2. The proposed prohibition of 'shop top housing' in the B6 zone will remove potential for land use conflict and ensure future development is focused on employment delivery.**
- 3. The rezoning of the town centre interface area to R1 General Residential will better meet the land use and character objectives for this area by removing land uses which have the potential to impact on residential amenity.**
- 4. The proposed increase in residential density requires an increase in open space to meet the needs of the new community.**

Employment Lands

Consistency with strategic planning framework :

A Plan for Growing Sydney

The proposal is considered to be consistent with the directions of A Plan for Growing Sydney as it supports the following key Directions within the Plan:

2.1 Accelerate housing supply across Sydney.

The rezonings should provide an increase of 289 homes close to existing infrastructure.

2.3 Improve housing choice to suit different needs and lifestyles.

The rezonings will provide a combination of R1, R2 and R3 areas.

1.7 Grow strategic centres – providing more jobs close home. The proposed residential areas are located close to Blacktown and Rouse Hill strategic centres.

However, prior to exhibition, the planning proposal should be updated to include a discussion regarding its consistency with 'A Plan for Growing Sydney' which was adopted by the State Government in December 2014.

Draft North West Subregional Strategy

The draft North West Subregional Strategy identifies a need for 47,000 additional jobs and 36,000 additional dwellings to be accommodated within The Hills Shire by 2031. An overarching theme of the strategy is for dwelling and employment growth to be concentrated within centres and near to public transport hubs. The proposal will facilitate the delivery of 289 additional dwellings within a 30 minute commute of major centres such as Norwest, Rouse Hill strategic centre, Castle Hill and the future Box Hill Business Park. In addition, the rezoning of part of the IN2 Light Industrial zone to B6 Enterprise Corridor will be consistent with the Strategy as the employment capacity of the precinct will be largely maintained.

SEPP (Sydney Region Growth Centres) 2006

Given the proposed changes to the Growth Centres SEPP the planning proposal was referred to the Department's Infrastructure Housing and Employment Division for comment. This Division is responsible for delivering the Government's strategic outcomes for the Growth Centres.

Infrastructure, Housing and Employment advised that there are not any in-principle objections to the proposal, and commented that:

- The rezoning of the existing IN2 zoned land at Box Hill Industrial to allow for B6, R2, RE1 and R3 uses appears to be appropriate as the employment generation figures will facilitate greater job diversity and employment opportunities within the precinct and allow for additional housing options while maintaining the employment capacity of the precinct.
- The proposal will allow employment outcomes to be met within a reduced land area, therefore it is considered appropriate to allow for commensurate residential zoned land. The proposal will allow for an additional 289 dwellings which would assist in providing new housing in western Sydney close to where jobs will be located.
- The proposed B6 zone will continue to allow for light industrial land uses.
- Within the context of the proposal it is appropriate that the B6 Enterprise Corridor land within the Box Hill Town Centre be rezoned as the new B6 zone at Box Hill Industrial will accommodate future employment growth.

Given the above comments it is considered that the planning proposal is consistent with the Growth Centres SEPP.

Environmental social economic impacts :

Environmental Impacts

Biodiversity Certification of the Growth Centres SEPP was granted in December 2007. A patch of Cumberland Plain Woodland exists to the east of Box Road within a certified area. No threatened species assessments are required under the Threatened Species Conservation Act 1995 on certified land, however any future development will be subject to assessment for development approval.

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Social and Economic

Although the extent of employment land will reduce as a result of the rezoning, the employment capacity of the Precinct will be largely maintained given there will be an increase in the maximum floor space ratio potential and higher job densities associated with the increased commercial and business

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **DDG**

Public Authority Consultation - 56(2) (d) : **Hawkesbury - Nepean Catchment Management Authority
Office of Environment and Heritage
NSW Rural Fire Service
Transport for NSW
Transport for NSW - Roads and Maritime Services
Sydney Water
Telstra
Transgrid**

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. :

If Other, provide reasons :

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
The Hills Shire Council_18-12-2014_Box Hill Employment Lands - The Hills Growth Centre Precincts Plan_.pdf	Proposal	Yes
BoxHill and BoxHill Industrial Development Control Plan 2014.pdf	Determination Document	Yes
Planning Team Report for rezoning of various lots within the Box Hill Industrial Precinct.pdf	Determination Document	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

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S.117 directions:

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.4 Planning for Bushfire Protection
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions
- 7.1 Implementation of A Plan for Growing Sydney

Additional Information :

In consideration of Section 117 Direction 6.2 Reserving Land for Public Purposes, it is recommended that the Secretary's delegate give approval to the rezoning to create an additional 3.3ha of land for public purposes in the RE1 Public Recreation zone.

It is recommended that the proposal proceed, subject to the following conditions:

1. Prior to exhibition, the planning proposal should be updated to include a discussion regarding its consistency with 'A Plan for Growing Sydney' which was adopted by the State Government in December 2014.

2. Community consultation is required for a period of 28 days.

3. Consultation is undertaken with the following public authorities:

- a) Endeavour Energy
- b) Local Land Services (former Hawkesbury Nepean Catchment Management Authority)
- c) Jemena
- d) NSW Office of Environment and Heritage - (Heritage Division)
- e) NSW Rural Fire Service
- f) Roads and Maritime Services
- g) Sydney Water
- h) Telstra
- i) Transgrid
- j) Transport for NSW

4. The planning proposal is to be finalised within 12 months.

Supporting Reasons :

The proposal will facilitate greater job diversity and employment opportunities within the Box Hill Industrial Precinct through retaining existing jobs and providing for a greater range of development options. The proposed residential and recreation zones will provide a variety of additional housing options and local open space to meet the needs of future residents.

Signature:



Printed Name:

DERRYN JOHN

Date:

3 MARCH 2015