

Hawkesbury LEP 2012 (Amendment No __) - 36 Argyle Street, South Windsor

Proposal Title : **Hawkesbury LEP 2012 (Amendment No __) - 36 Argyle Street, South Windsor**

Proposal Summary : **The proposal seeks to allow development for light industrial purposes on land currently zoned for private recreation by rezoning it from RE2 Private Recreation to IN2 Light Industrial. The site is part of the South Windsor RSL Club, and is surplus to the Club's requirements.**

PP Number : **PP_2013_HAWKE_001_00** Dop File No : **13/03054**

Proposal Details

Date Planning Proposal Received : **01-Feb-2013** LGA covered : **Hawkesbury**

Region : **Sydney Region West** RPA : **Hawkesbury City Council**

State Electorate : **RIVERSTONE** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **36 Argyle Street**

Suburb : **South Windsor** City : Postcode : **2756**

Land Parcel : **Lot 201 DP 801553**

DoP Planning Officer Contact Details

Contact Name : **Chris Browne**

Contact Number : **0298601108**

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RPA Contact Details

Contact Name : **Karu Wijayasinghe**

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DoP Project Manager Contact Details

Contact Name : **Derryn John**

Contact Number : **0298601505**

Contact Email : **derryn.john@planning.nsw.gov.au**

Land Release Data

Growth Centre : **N/A** Release Area Name :

Regional / Sub Regional Strategy : **Metro North West subregion** Consistent with Strategy : **Yes**

MDP Number :	N/A	Date of Release :	
Area of Release (Ha) :	1.10	Type of Release (eg Residential / Employment land) :	Employment Land
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 : **THE SITE**

The site occupies 2.33 hectares at the eastern corner of Argyle and Mileham Streets in South Windsor. It is 700m by road from Windsor railway station, and is close to Windsor Road and Richmond Road, the main roads in the area.

The surrounding land on the same side of Mileham Street is an industrial area; the land immediately to the north-east is zoned IN2 Light Industrial, and the land to the south-east and south-west is zoned IN1 General Industrial. The opposite side of Mileham Street is zoned R3 Medium Density Residential, though the development of this has largely not yet been capitalised on, with the land for the most part occupied by detached dwellings and dual occupancies.

BACKGROUND

The planning proposal is the result of a rezoning application lodged with Hawkesbury City Council by the landowner (the South Windsor RSL Club). The Club occupies the western corner of the site, and the landowner has indicated that 1.1 hectares of the remaining land is surplus to requirements.

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 planning proposal is to allow the most appropriate use of the surplus land by rezoning it to IN2 Light Industrial to match the adjacent zone.**

Council's report is attached.

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

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

Comment : **The proposal's intent is to rezone Lot 201 DP 801533 from RE2 Private Recreation to IN2 Light Industrial by amending the land zoning map in Hawkesbury LEP 2012 (Map Identification No. 3800_COM_LZN_008DA_020_20120625).**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

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 1—Development Standards

SEPP No 55—Remediation of Land

SEPP No 64—Advertising and Signage

SEPP (Exempt and Complying Development Codes) 2008

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

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

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

If No, explain :

1.1 Business and Industrial Zones

The intent of the planning proposal is to rezone land for industrial purposes. As such, it is consistent with this direction.

3.4 Integrating Land Use and Transport

The proposal seeks to add employment land to South Windsor, and will likely result in increased movement of people to and from the site. The site is located 700m from Windsor railway station, and is close to the area's major roads. It has good pedestrian access to the South Windsor small village centre and to the adjacent residential area. The proposal is therefore in keeping with this direction.

4.1 Acid Sulfate Soils

The site is identified as Class 5 (less constrained) on the Hawkesbury LEP 2012 Acid Sulfate Soils map. Given that the LEP contains provisions for development on Class 5 land, and that no specific development has yet been proposed for this site, any inconsistency with this direction is minor.

4.3 Flood Prone Land

The site has been identified as flood prone, and the proposal is therefore inconsistent with section 5 of this direction, as the proposal is to rezone land from a Recreation to an Industrial zone. Hawkesbury City Council adopted the Hawkesbury Floodplain Risk Management Study and Plan in December 2012, and section 6.3 of Hawkesbury LEP 2012 contains provisions for development in flood-prone areas. An industrial zone is also a better outcome than residential in terms of flood risk. This being the case, the

inconsistency is of minor significance, though Council should consult the State Emergency Service prior to exhibition of the draft Plan.

6.1 Approval and Referral Requirements

The proposal does not contain any unnecessary approval or referral requirements, and is thus consistent with this direction.

6.3 Site Specific Provisions

The proposal seeks nothing beyond the rezoning of the site to IN2 Light Industrial, which is the neighbouring zone. It is therefore consistent with this direction.

7.1 Implementation of the Metropolitan Plan for Sydney 2036

The proposal seeks to provide 1.1ha of industrial land in a location well served by transport and services. As such, it will assist in meeting a number economic objectives and actions in the Metropolitan Plan, specifically:

Objective E.1 To ensure adequate land supply for economic activity, investment and jobs in the right locations;

Objective E.3 To provide employment lands to support the economy's freight and industry needs;

Objective E.5: To increase and diversify the jobs and skill base of Western Sydney; and Action E3.2 Identify and retain strategically important employment lands.

In addition, the proposal will assist with the draft North West Subregional Strategy action A.1.1.2: To provide suitable commercial sites and employment lands in strategic areas.

As such, the proposal is consistent with this direction.

SEPP No 1 - Development Standards

There is nothing in the proposal that is inconsistent with or will interfere with SEPP 1.

SEPP No 55 - Remediation of Land

It is not known whether there is any contamination of the site, but it is worth noting that the intent of the proposal is to rezone the site from RE2 Private Recreation (a zone which is unlikely to cause contamination) to IN2 Light Industrial (a zone which is more likely to cause contamination).

Council proposes that contamination investigation should occur at the development application stage. This approach is supported.

SEPP No 64 - Advertising and Signage

There is nothing in the proposal that is inconsistent with or will interfere with SEPP No 64.

SEPP (Exempt and Complying Development Codes) 2008

There is nothing in the proposal that is inconsistent with or will interfere with the Codes SEPP.

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

The aim of SREP 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. As this planning proposal seeks a small increase (1.1ha) in light industrial land, it will have little to no effect on the Hawkesbury-Nepean River system, and is therefore not inconsistent with SREP 20.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The planning proposal is to amend the Hawkesbury LEP 2012 land zoning map (Map Identification No. 3800_COM_LZN_008DA_020_20120625). Council has provided a copy of the draft map.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council has said that it will comply with the Gateway Determination. Council considers this a low impact proposal, and as such proposes a 14-day exhibition period.

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 : **Hawkesbury LEP 2012 is the Principal LEP.**

Assessment Criteria

Need for planning proposal : **The planning proposal is the result of an application from the landowner, and stems from a desire to improve the economic viability of the South Windsor RSL Club and to provide further light industrial land in the South Windsor industrial area.**

Consistency with
strategic planning
framework :

The planning proposal is consistent with the following strategic documents.

METROPOLITAN PLAN FOR SYDNEY 2036

In providing for industrial land in western Sydney, this proposal is consistent with Objectives E.1 (To ensure adequate land supply for economic activity, investment and jobs in the right locations), E.3 (To provide employment lands to support the economy's freight and industry needs) and E.5 (To increase and diversify the jobs and skill base of Western Sydney), and Action A.3.2 (Identify and retain strategically important employment lands) of the Plan.

DRAFT NORTH WEST SUBREGIONAL STRATEGY

The planning proposal will assist in meeting the draft Strategy's target of 3,000 new jobs for the Hawkesbury local government area by 2031. The site is located in the South Windsor industrial area, which the draft Strategy names as the largest industrial centre in the Hawkesbury local government area.

HAWKESBURY EMPLOYMENT LANDS STRATEGY (HELS) 2008

This Strategy is informed by the draft North West Subregional Strategy, and identifies preferred locations for employment types; the South Windsor industrial area is identified as a suitable location for further industrial jobs. The Strategy also makes note of the fact that much of the LGA's vacant employment land is vacant due to being located away from transport infrastructure or its not being serviced. This proposal is for land that is already serviced, and is located close to the main roads of the LGA and to Windsor railway station.

Environmental social
economic impacts :

ENVIRONMENTAL

The site is located in a developed area and is bounded by industrial land on one side and residential land on the other. No endangered ecological communities or remnant vegetation have been identified on the site.

Flooding is a risk for this site. Hawkesbury City Council has adopted the Hawkesbury Floodplain Risk Management Study and Plan (2012), but has not yet implemented its actions. As such, the State Emergency Service should be consulted prior to public exhibition of the planning proposal.

SOCIAL

The planning proposal may have a minor negative impact on the amenity of residents on the opposite side of Mileham Street, as it is likely to result in industrial building on what is currently a vacant lot. The overall social impact will, however, be positive, in that it will provide for jobs in South Windsor and will assist in the continued existence of the South Windsor RSL Club.

ECONOMIC

The proposal will provide 1.1ha of employment land on a site which is currently vacant and which is serviced and located close to transport. This will have a positive impact on Hawkesbury's economy, as will the continued viability of South Windsor RSL Club.

Assessment Process

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

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

Public Authority **Hawkesbury - Nepean Catchment Management Authority**
 Consultation - 56(2)(d) **Office of Environment and Heritage**
 : **State Emergency 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. :

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
Section 56 letter from Council.pdf	Proposal Covering Letter	Yes
Planning proposal.pdf	Proposal	Yes
Map showing proposed zone.pdf	Map	Yes
Council report.pdf	Determination Document	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **It is recommended that the proposal proceed with the following conditions:**

(1) The Director General's delegate agrees that any inconsistency with section 117 directions 4.1 (Acid Sulfate Soils) and 4.3 (Flood Prone Land) is of minor significance;

- (2) The Relevant Planning Authority consults the State Emergency Service, the Hawkesbury - Nepean Catchment Management Authority and the Office of Environment and Heritage prior to public exhibition of the planning proposal;
- (3) Community consultation for 14 days;
- (4) The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway Determination.

Supporting Reasons :

While the intent of the proposal is to allow the landowner to turn 1.1ha of a 2.33ha site into industrial land, it should be noted that Hawkesbury City Council proposes to rezone the entire 2.33ha site from RE2 Private Recreation to IN2 Light Industrial. While this is more than is strictly necessary, it is not considered problematic, as registered clubs are permitted as an innominate use in the IN2 Light Industrial zone, meaning that the Club could continue to function and develop without relying on existing use rights. Further, the rezoning is consistent with the surrounding IN2 Light Industrial area. If the remainder of the site (ie. the Club) were to be eventually converted to industrial use, the Windsor and South Windsor area still contains a number of registered clubs.

Signature:



Printed Name:

DERRYN JOHN

Date:

22/2/13