

Reclassification of 18X Water Street, Hornsby

Proposal Title : **Reclassification of 18X Water Street, Hornsby**

Proposal Summary : **Reclassification of land at 18X Water Street, Hornsby from community land to operational land.**

PP Number : **PP_2013_HORNS_001_00** Dop File No : **13/07409**

Proposal Details

Date Planning Proposal Received : **24-Apr-2013** LGA covered : **Hornsby**

Region : **Sydney Region West** RPA : **The Council of the Shire of Horn**

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

LEP Type : **Reclassification**

Location Details

Street : **18X Water Street**

Suburb : **Hornsby** City : **Sydney** Postcode : **2073**

Land Parcel : **Lot 15, DP 204624**

DoP Planning Officer Contact Details

Contact Name : **Shane Nugent**

Contact Number : **0298601173**

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RPA Contact Details

Contact Name : **Vanessa Scandurra**

Contact Number : **0298476782**

Contact Email : **vscandurra@hornsby.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

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

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

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

:

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings 10

(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

Have there been No

meetings or

communications with

registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

The site proposed for reclassification is a small parcel of approximately 675 square metres. It adjoins an unfenced stormwater drain. Council has advised that it does not contain any play equipment, seating or other facilities, and is underutilised. A larger park with a range of facilities is located within about 200 metres.

Current zoning of the land in Hornsby Shire LEP 1994 is Residential C (Medium/High Density). In the draft Hornsby LEP the proposed zone is R4 High Density Residential, with a maximum height of 17.5 metres (5 storeys).

The planning proposal includes the discharge of Public Reserve status of the land. As this requires the approval of the Governor, the making of the Plan cannot be delegated to Council.

External Supporting
Notes :

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : The objective is to reclassify the site to operational land to enable it to be integrated with an adjoining development for multi-unit housing in accordance with its zoning.

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

Is an explanation of provisions provided? Yes

Comment : The planning proposal is to reclassify the site at 18X Water Street to operational land, and to discharge any trusts, interests, dedications, restrictions and covenants affecting the land.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

6.1 Approval and Referral Requirements

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6.2 Reserving Land for Public Purposes

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 19—Bushland in Urban Areas

SEPP No 65—Design Quality of Residential Flat Development

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 :

The site was identified for residential development in the Hornsby Housing Strategy, which was agreed by the Director General and implemented through Hornsby Shire LEP 1994, Amendment No. 99, published in 2011.

The planning proposal is not consistent with S.117 direction 6.2 Reserving Land for Public Purposes. It seeks to revoke the Public Reserve status of the land. The proposal argues that this is justified as the site is of limited value as a public reserve due to its small size and proximity to a stormwater outlet. A larger open space area with a range of amenities is located nearby.

The proposal is consistent with other S.117 directions.

The proposal is consistent with all SEPPs.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

A map showing the location of the land to be reclassified is provided in Appendix B of the planning proposal.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Public consultation for 28 days is proposed.

A public hearing in accordance with Section 29 of the Local Government Act 1993 is proposed.

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 : **July 2013**

Comments in relation
to Principal LEP :

Assessment Criteria

Need for planning proposal :	A planning proposal is necessary to reclassify the site as operational land. Reclassification is necessary if the land is to be sold to be integrated with development of an adjoining site for high density residential. The current zoning of the land permits high density residential, so rezoning is not necessary.
Consistency with strategic planning framework :	Hornsby is identified as a Major Centre in the Metropolitan Strategy. The proximity of the site to transport and services makes it an appropriate location for high density residential development.
Environmental social economic impacts :	The proposal will have minimal environmental or economic impact. The social impact will be low. Council has advised that the current space is underutilised. There is a larger open space area with a range of amenities within 200 metres of the site.

Assessment Process

Proposal type :	Minor	Community Consultation Period :	14 Days
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Timeframe to make LEP :	9 Month	Delegation :	DDG
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Public Authority
Consultation - 56(2)(d)
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Is Public Hearing by the PAC required?	No
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(2)(a) Should the matter proceed ?	Yes
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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

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Water_Street_Reclassification_Covering_Letter.pdf	Proposal Covering Letter	Yes
Water_Street_Reclassification_Planning_Proposal.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones**
 6.1 Approval and Referral Requirements
 6.2 Reserving Land for Public Purposes
 6.3 Site Specific Provisions
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **It is recommended that the planning proposal be approved, subject to public exhibition for a minimum of 28 days.**

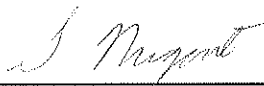
It is recommended that the Director General or his delegate approve the inconsistency of the proposal with S.117 direction 6.2 Reserving Land for Public Purposes as being of minor significance, as the site is small, underutilised and not suitable for use as open space, and a larger park with a range of amenities is located nearby.

Supporting Reasons : **The proposal is to reclassify a small parcel of approximately 675 square metres. The land is zoned for high density residential development. Council has advised that the land is not suitable for use as open space, and is currently underutilised. A much larger park with a range of play equipment and other amenities is located within 200 metres.**

Use of the land for high density housing is consistent with the Hornsby Housing Strategy and the Draft Metropolitan Strategy.

The proposal involves the discharge of the Public Reserve status. As this requires the agreement of the Governor, it is not possible to delegate the making of the plan to Council.

Signature:



Printed Name:

SHANE NUGENT

Date:

8/5/13

A/TEAM LEADER