

Planning proposal to rezone No.301 Samantha Riley Drive, Kellyville to enable mixed use business and residential apartment development.

Proposal Title :	Planning proposal to rezone No.301 Samantha Riley Drive, Kellyville to enable mixed use business and residential apartment development.		
Proposal Summary :	The Planning Proposal seeks to rezone Lots 101 and 103 DP 122070, No. 301 Samantha Riley Drive, Kellyville from Employment Area 10(a) (Business Park) zone to the R1 General Residential zone under the draft The Hills LEP 2010 or the 2(a4)(Town Centre) zone under Baulkham Hills LEP 2005 to enable mixed use business and residential apartment development.		
PP Number :	PP_2011_THILL_018_00	Dop File No :	11/21530

Planning Team Recommendation

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

- S.117 directions :
- 1.1 Business and Industrial Zones
 - 3.1 Residential Zones
 - 3.4 Integrating Land Use and Transport
 - 4.3 Flood Prone Land
 - 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : It is recommended that the Planning Proposal proceed with the following conditions

CONDITIONS

1. The Planning Proposal is to be amended prior to community consultation with the following changes:

- (a) Separate existing and proposed zoning maps with property description and height of building and floor space ratio maps.
- (b) A revised Net Community Benefit Test, in accordance with the evaluation criteria set out in the Draft Centre Policy, is to be submitted prior to community consultation.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act:

- Roads and Maritime Services
- Office of Transport

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

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- Supporting Reasons :
1. The rezoning will assist in achieving employment and housing targets in the North West Subregion.
 2. The rezoning of the sites is consistent with both State and local strategic framework and will have minimal environmental, social and economic on the locality.
 3. The rezoning will allow for a mixed use business and residential development in close proximity to public transport services.

Panel Recommendation

Recommendation Date : 08-Dec-2011

Gateway Recommendation : Passed with Conditions

Panel

The Planing Proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to undertake a preliminary urban design and site capability assessment to address the following:
 - a. Whether the site can support a higher density form of development (residential and employment) taking into consideration its strategic location adjoining public transport infrastructure;
 - b. The potential development capacity of the site to accommodate higher density outcomes and whether an alternative zone such as the R4 High Density Residential rather than R1 Low Density Residential would better reflect its development capacity;
 - c. Whether the proposed FSR of 1.6:1 and building height limit of 28 metres are appropriate for the site or whether these should be revised based on the site's development capacity; and
 - d. Whether the site can provide an increased employment capacity taking into consideration an amended FSR and the site's strategic location.
2. Council is to amend its planning proposal prior to public exhibition to reflect the outcomes of the above study, if necessary.
3. Council is to prepare and exhibit appropriate zoning (current and proposed) FSR and Height of Building maps for the subject site reflecting the outcomes of the above study and in accordance with the Department's Technical Guidelines for preparing Standard Instrument LEP Maps. Maps identifying the subject site and identifying the site's property description details are also to be provided for public exhibition purposes.
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

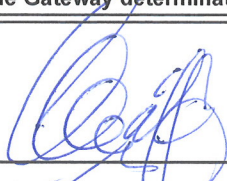
6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if

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reclassifying land).

7. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGiffin

Date:

14.12.11