

Planning proposal to rezone certain land on Windsor Road, Kellyville

Proposal Title :	Planning proposal to rezone certain land on Windsor Road, Kellyville		
Proposal Summary :	The planning proposal seeks to amend The Hills Local Environmental Plan 2012 to rezone part of Lots 1-3 in DP 135989, Lot 122 in DP 1113073 and Lot 1001 in DP 1132811 Windsor Road, Kellyville from R2 Low Density Residential to R3 Medium Density Residential.		
PP Number :	PP_2013_THILL_001_00	Dop File No :	13/01710

Planning Team Recommendation

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

S.117 directions : **3.1 Residential Zones
3.3 Home Occupations
3.4 Integrating Land Use and Transport
6.1 Approval and Referral Requirements
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the planning proposal proceed, subject to the following conditions:**

1. Prior to exhibition, Council amends the 'statement of objectives' of the planning proposal to include specific reference to the application of this proposal to only 'part' of the above mentioned allotments, and to better clarify the intended outcome of the proposed land use rezoning to permit (with consent) the future development of multi-dwelling and small lot housing (with minimum lot size of 240m2) on the subject land.

2. Prior to exhibition, Council is to revise the planning proposal to include a 'project timeline'. This project timeline is to be prepared in accordance with the requirements outlined in the latest version of the Department's 'Guide to Preparing Planning Proposals'.

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

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

Further, Council be required to consult with the relevant public authorities, under section 56(2)(d) of the Environmental Planning and Assessment Act 1979, as identified in this report.

Supporting Reasons : **It is considered that this planning proposal has merit for progression.**

Panel Recommendation

Recommendation Date : **24-Jan-2013** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

1. Prior to undertaking public exhibition, Council is to amend the 'statement of objectives' within the planning proposal to clearly advise that the rezoning will only apply to part of Lots 1, 2 & 3 DP 135989, part of Lot 122 DP1113073 and part of Lot 1001 DP1132811 as shown on the draft land zoning map. Council should amend the planning proposal to clearly advise of the intended outcome of the proposed rezoning.

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:

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- (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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).

3. 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.

4. 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 reclassifying land).

5. 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 McGaffin Date: 4.2.13