

Draft Amendment No 6 to The Hills LEP 2012 - Rezoning of Bella Vista Farm Park

Proposal Title : **Draft Amendment No 6 to The Hills LEP 2012 - Rezoning of Bella Vista Farm Park**

Proposal Summary : **To rezone Bella Vista Farm from RE1 Public Recreation to B7 Business Park.**

PP Number : **PP_2013_THILL_006_00**

Dop File No :

13/08127-1

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Not Recommended**

S.117 directions : **1.1 Business and Industrial Zones
2.3 Heritage Conservation
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 not proceed.**

Supporting Reasons : **As discussed in the "Assessment" section.**

Panel Recommendation

Recommendation Date : **13-Jun-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 update the planning proposal to address the below matters:**
 - a. requirement under the conditions of land transfer, for the land to be used for community purposes and for any compensation from an alteration in the use, zoning or disposal of any part of the site to be paid to the Sydney Regional Development Fund or its successors,**
 - b. the minimum lot size, floor space ratio and height of buildings controls to be applied to the subject site,**
 - c. public open space requirements of the broader Bella Vista and North West precincts in the context of anticipated population growth which is to occur under the draft structure plan of the North West Rail Link Corridor Strategy, and**
 - d. the type and extent of future uses proposed for the subject site, the management of the site and the impacts of the proposed uses on the site and surrounding area.**
- 2. Council is to update the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with the below S117 Directions and other relevant documents:**
 - 1.1 Business and Industrial Zones**
 - 2.3 Heritage Conservation**
 - 6.2 Reserving Land for Public Purpose**
 - 7.1 Implementation of the Metropolitan Plan for Sydney 2036**
 - draft North West Subregional Strategy**
 - North West Rail Link Corridor Strategy**
 - draft Metropolitan Strategy for Sydney to 2031 (March 2013) or the final Metropolitan Strategy**

Council is to update the planning proposal accordingly prior to undertaking public exhibition, and provide a copy of the revised planning proposal to the department's

regional office.

3. 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 a minimum of 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 2013).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- NSW Aboriginal Land Council
- Office of Environment and Heritage
- Department of Planning and Infrastructure – Office of Strategic Lands

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. 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).

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

Plan making delegations:

It is recommended Council not be issued with delegation because various strategic matters are to be addressed by Council before the planning proposal can proceed to public exhibition, including matters regarding the conditions of land transfer. Furthermore, the Bella Vista Farm Conservation Management Plan - Review and Update has not been endorsed by the Office of Environment and Heritage.

Signature:



Printed Name:



Date:

