

Planning Proposal to rezone land at No.64 Mackillop Drive, Baulkham Hills.

Proposal Title : **Planning Proposal to rezone land at No.64 Mackillop Drive, Baulkham Hills.**

Proposal Summary : **This Planning Proposal seeks to rezone part of the site at No. 64 Mackillop Drive, Baulkham Hills (part of Lot 2 DP 817696) from the proposed R2 Low Density Residential zone under the draft Hills LEP 2010, to part R3 Medium Density Residential and part R4 High Density Residential, to enable medium and high density residential development on the site.**

The proposed rezoning will permit the development of an estimated 195 dwellings (in total) on the site.

The proposal also seeks to apply a maximum building height control of 16 metres over the portion of the site that is proposed to be rezoned R4 High Density Residential.

PP Number : **PP_2012_THILL_002_00** Dop File No : **12/08417**

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones**
- 1.2 Rural Zones**
- 1.3 Mining, Petroleum Production and Extractive Industries**
- 1.5 Rural Lands**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 2.4 Recreation Vehicle Areas**
- 3.1 Residential Zones**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 3.5 Development Near Licensed Aerodromes**
- 4.1 Acid Sulfate Soils**
- 4.2 Mine Subsidence and Unstable Land**
- 4.3 Flood Prone Land**
- 4.4 Planning for Bushfire Protection**
- 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 proceeds, subject to the following conditions:

- 1. The Director General's delegate agrees that the inconsistency with section 117 Directions 4.3 Flood Prone Land and 6.3 Site Specific Provisions is justified;**
- 2. Council is to consult with the Office of Environment and Heritage;**
- 3. Council is to consult with the NSW Rural Fire Service, prior to the exhibition of the proposal;**
- 4. Community consultation is required for a period of 28 days; and**
- 5. The planning proposal is completed within 12 months.**

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

Panel Recommendation

Recommendation Date : 24-May-2012

Gateway Recommendation : Passed with Conditions

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

1. Council needs to ensure that appropriate maps are prepared clearly illustrating the provisions of the proposal, including the area of the site to which the rezoning applies and the existing zoning under the draft Hills LEP 2012 for the purposes of community consultation. Council needs to also ensure that all mapping is prepared in accordance with the Department's Standard Technical Requirements for LEP Maps prior to the finalisation of the planning proposal.

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 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).

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

- Office of Environment and Heritage
- NSW Rural Fire Service
- Transport for NSW - Roads and Maritime Services
- Sydney Water

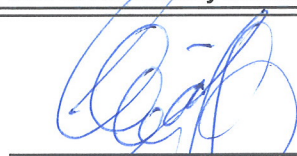
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may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

4. Further to Condition 3 above, Council is to consult with the Commissioner of the NSW Rural Fire Service and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, and forward a copy of the revised planning proposal to the Department's Regional Office.

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.

Signature:



Printed Name:

Neil McKeown

Date:

5.6.12