

The Hills Local Environmental Plan 2012 - Amendment No. 18 - to increase the height of buildings and decrease the minimum lot size applicable to certain residential development in the Rouse Hill Regional Centre

Proposal Title : **The Hills Local Environmental Plan 2012 - Amendment No. 18 - to increase the height of buildings and decrease the minimum lot size applicable to certain residential development in the Rouse Hill Regional Centre**

Proposal Summary : **The proposal seeks to amend the planning controls applicable to specific locations within the Southern, Eastern and Central Residential Precincts of the Rouse Hill Regional Centre, restoring the controls that applied to these areas prior to the introduction of The Hills LEP 2012.**

PP Number : **PP_2013_THILL_009_00** Dop File No : **13/09106**

Planning Team Recommendation

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

S.117 directions : **2.3 Heritage Conservation
3.1 Residential Zones
3.3 Home Occupations
3.4 Integrating Land Use and Transport
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 proceed subject to the following conditions:**

(1) Consultation with (a) Roads and Maritime Services, (b) the Office of Environment and Heritage, (c) the Hawkesbury-Nepean Catchment Management Authority, and (d) Urban Growth NSW (formerly Landcom);

(2) The Director General's delegate agrees that any inconsistencies with section 117 directions 2.3 Heritage Conservation and 6.1 Approval and Referral Requirements are justified and/or of minor significance;

(3) Inclusion of the proponent's intended addition to Clause 4.1B(3) of The Hills LEP 2012, to ensure that certain residential development is permissible on lots as small as 160m²;

(4) Community consultation for 28 days; and

(5) The timeframe for completing the local environmental plan is to be 9 months from the week following the date of the Gateway Determination.

Supporting Reasons : **The planning proposal will ensure consistency with the Rouse Hill Master Plan, which is the result of an extensive strategic planning process. Adoption of the proponent's intended addition to Clause 4.1B(3) will greatly assist in meeting the Master Plan's target of 1,800 new dwellings. Further, the proposal will provide for intensification of residential development in a planned Major Centre, close to shops, services and transport.**

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 amend the planning proposal to advise that clause 4.1B 'Exceptions to minimum lot sizes for certain residential development' of The Hills LEP 2012 will be amended to permit subdivision down to, and certain residential development on, lots equal to or greater than 160sqm in R3 Medium

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Density Residential and R4 High Density Residential zones within the Rouse Hill Regional Centre.

2. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to reflect the correct year for the consideration of submissions, consideration of the proposal and the making of the plan. The project timeline within the planning proposal is to reflect the 9 month timeframe allocated for completing the LEP.

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 and/or to comply with the requirements of relevant S117 Directions:

- Transport for NSW - Roads and Maritime Services
- Hawkesbury - Nepean Catchment Management Authority
- Urban Growth NSW
- Office of Environment and Heritage (S117 Direction 2.3 Heritage Conservation)

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 9 months from the week following the date of the Gateway determination.

Plan making delegations:

Council has not requested delegation for the making of this plan. The LEP Review Panel has recommended Council be issued with plan making delegation because the proposal is considered to be a matter of local significance.

Signature:



Printed Name:

NEIL SELMAN

Date:

19/6/13