

The Hills Local Environmental Plan 2012 - Amendment - 488-494 Old Northern Road, Dural

Proposal Title : The Hills Local Environmental Plan 2012 - Amendment - 488-494 Old Northern Road, Dural

Proposal Summary : The proposal seeks to rezone land at Lot 2 DP 839151 (488-494 Old Northern Road, Dural) from RU6 Transition to part B2 Local Centre and part R3 Medium Density Residential, and to apply a floor space ratio of 0.75 to the B2 portion of the site.

PP Number : PP_2013_THILL_003_00 Dop File No : 13/04245

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
2.3 Heritage Conservation
3.1 Residential Zones
3.3 Home Occupations
3.4 Integrating Land Use and Transport
4.4 Planning for Bushfire Protection
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 with the following conditions:

- (1) The Director General's delegate agrees that any inconsistencies with section 117 directions 1.2 (Rural Zones), 4.4 (Planning for Bushfire Protection) and 7.1 (Implementation of the Metropolitan Plan for Sydney 2036) are of minor significance;
- (2) The Relevant Planning Authority conducts a preliminary contamination investigation prior to public exhibition of the planning proposal;
- (3) The Relevant Planning Authority consults the Rural Fire Service, Roads and Maritime Services, The Office of Environment and Heritage, Sydney Water and Endeavour Energy prior to public exhibition of the planning proposal;
- (4) Community consultation for 14 days;
- (5) The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway Determination.

Supporting Reasons : While the proposal does constitute a loss of potential agricultural land, the site's agricultural potential appears to be severely limited, and the proposed delivery of retail and residential development is in keeping with the strategic direction of both State and local governments.

Panel Recommendation

Recommendation Date : 14-Mar-2013

Gateway Recommendation : **Passed with Conditions**

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

1. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land. Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
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 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 2012).

3. 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:

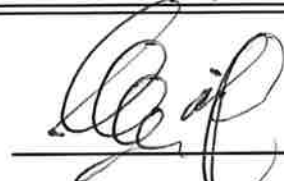
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Hawkesbury Nepean Catchment Management Authority
- Office of Environment and Heritage
- Transport for NSW – Roads and Maritime Services
- Endeavour Energy
- Sydney Water

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.

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:

19.3.13