

The Hills LEP 2012 (Amendment No. xx) - Box Hill North Precinct

Proposal Title : The Hills LEP 2012 (Amendment No. xx) - Box Hill North Precinct

Proposal Summary : The proposal seeks to create an urban residential precinct by rezoning land within Box Hill Precinct from RU6 Transition to a combination of R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living, B2 Local Centre and RE1 Public Recreation.

PP Number : PP_2013_THILL_015_00

Dop File No : 13/18156

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
- 2.1 Environment Protection Zones
- 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
- 6.2 Reserving Land for Public Purposes
- 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) Prior to exhibition, the RPA must undertake consultation with the following agencies and update the proposal accordingly:

- a) Office of Environment and Heritage,
- b) Hawkesbury - Nepean Catchment Management Authority,
- c) Department of Education and Communities,
- d) Deerubbin Local Aboriginal Land Council,
- e) Office of Water,
- f) Ambulance Service of NSW,
- g) Department of Primary Industries - Agriculture,
- h) Endeavour Energy,
- i) Transport for NSW,
- j) Fire and Rescue NSW,
- k) Department of Health and Ageing,
- l) NSW Police Force,
- m) NSW Rural Fire Service,
- n) Transport for NSW - RailCorp,
- o) Transport for NSW - Roads and Maritime Services,
- p) State Emergency Service,
- q) Sydney Water, and
- r) Telstra.

With the exception of d) and g) above, the consultation must include a request for advice on the necessary public infrastructure requirements for the development.

(2) Prior to exhibition, the proposal must be updated to include justification of inconsistencies with section 117 directions:

- 1.2 Rural Zones,
- 3.4 Integrating Land Use and Transport (following the drafting of a TMAP in consultation with Transport for NSW),
- 4.4 Planning for Bushfire Protection (following consultation with the Rural Fire Service)

and

6.2 Reserving Land for Public Purposes (following consultation with the Department of Education and Communities);

(3) Prior to exhibition, the proposal must be updated to include the subject land on the Urban Release Area Map and ensure that Clause 6.1 (Arrangements for designated State public infrastructure) applies;

(4) Community consultation for 28 days; and

(5) The timeframe for completing the local environmental plan is to be 18 months from the week following the date of the Gateway Determination.

Supporting Reasons :

While there is currently no need for a residential precinct of this size in this location, Sydney's population growth is unlikely to abate in the future, and the proposal is capable of meeting a long-term need.

Rezoning for residential development on the subject site has previously been considered inappropriate due to the cost and timing of infrastructure servicing, but Council has indicated that infrastructure will be provided at no cost to government.

Panel Recommendation

Recommendation Date : **14-Nov-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

The planning proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public exhibition, Council is to update the planning proposal to include the subject land on the Urban Release Area Map and ensure Clause 6.1 Arrangements for designated State public infrastructure of the Hills LEP 2012 applies.

2. Prior to undertaking public exhibition and following consultation with public authorities, 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:

- **1.2 Rural Zone**
- **3.4 Integrating Land Use and Transport**
- **4.4 Planning for Bushfire Protection**
- **6.2 Reserving Land for Public Purposes**

3. Council is to ensure 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 zones. This report is to be included as part of the public exhibition material.

4. 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).**

5. 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:

- **Office of Water**
- **Ambulance Service of NSW**
- **Endeavour Energy**
- **TransGrid**

- Jemena
- Fire and Rescue NSW
- NSW Health
- NSW Police Force
- State Emergency Service
- Sydney Water
- Telstra
- Department of Primary Industries – Agriculture
- Office of Environment and Heritage
- Deerubbin Local Aboriginal Land Council
- Hawkesbury – Nepean Catchment Management Authority
- Department of Education and Communities (S117 Direction 6.2 Reserving Land for Public Purposes)
- Transport for NSW (S117 Direction 3.4 Integrating Land Use and Transport)
- RailCorp (S117 Direction 3.4 Integrating Land Use and Transport)
- Roads and Maritime Services (S117 Direction 3.4 Integrating Land Use and Transport)
- NSW Rural Fire Service (S 117 Direction 4.4 Planning for Bushfire Protection)

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.

6. 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).

7. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Plan making delegation:

The Minister delegated his plan making powers to councils in October 2012. Council has now accepted this delegation, however has not sought delegation for this planning proposal. Council should not be issued with plan making delegation in this instance due to the scale and regional significance of the proposal.

Signature:



Printed Name:

NEIL SELMON

Date:

27/11/13