

The Hills LEP 2012 Amendment - 11-13 Solent Circuit, Baulkham Hills

Proposal Title : **The Hills LEP 2012 Amendment - 11-13 Solent Circuit, Baulkham Hills**

Proposal Summary : **The proposal seeks to facilitate a mixed use development on the site currently occupied by the Sydney Ice Arena by increasing building height from RL 116m to RL 143.2m, increasing floor space ratio from 1.49:1 to 2.42:1, and allowing certain additional permitted uses in that portion of the site zoned SP2 Infrastructure.**

PP Number : **PP_2014_THILL_001_00** Dop File No : **14/02559**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
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 planning proposal proceed, subject to the following conditions:**

- 1. Community consultation is required under sections 56(2) and 57 of the EP&A Act 1979 for a minimum period of 28 days.**
- 2. The timeframe for completing the planning proposal is to be 12 months from the week following the date of the Gateway determination.**
- 3. Delegation is to be given to Council to exercise the Minister's plan making powers.**
- 4. Council is to consult with the following agencies:**
 - Transport for NSW**
 - Transport for NSW - Roads and Maritime Services**
 - Sydney Water**
 - Endeavour Energy**
 - Telstra.**
- 5. Council is to satisfy the Director General of the Department of Planning and Infrastructure that inconsistency with S117 Direction 5.9 North West Rail Link Corridor Strategy and the Norwest Structure Plan is justified prior to finalisation of the Plan.**
- 6. Prior to exhibition, Council is to amend the planning proposal to clearly state which uses are to be included in Schedule 1 for that portion of the site zoned SP2 Infrastructure.**
- 7. Prior to exhibition, Council is to amend the additional permitted uses map to more reflect the land which will be affected, and is to include a zoning map in the planning proposal to provide site context.**

Further, it is recommended that the Gateway determination letter address the inconsistency with section 117 Direction 5.9 (North West Rail Link Corridor Strategy). The proposed increase in maximum building height is inconsistent with the North West Rail Link Corridor Strategy and the Norwest Structure Plan, which identifies a considerably smaller maximum building height than that proposed by the Planning Proposal. The Gateway determination letter should ask that Council ensure that the inconsistency with the strategic planning framework is justified particularly in relation to the impact of the height increase on any expectations within the community. This is consistent with the

approach taken in the revised Gateway determination letter issued for PP_2013_THILL_017_00 on 11 February 2014.

Supporting Reasons : **The proposal is generally supported, as it will provide housing and commercial space in close proximity to public transport and within an existing centre.**

Panel Recommendation

Recommendation Date : **20-Feb-2014**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The planning proposal should proceed subject to the following conditions:**

- 1. The use of Schedule 1 to permit certain additional land uses on part of the site zoned SP2 Infrastructure is not supported and should be removed from the planning proposal. Council is to rezone the subject land to an appropriate business zone, such as B2 Local Centre, which permits the proposed land uses. Council is to amend the planning proposal accordingly prior to undertaking public exhibition.**
- 2. Prior to undertaking public exhibition, Council is to update the planning proposal to include existing and proposed land zoning maps which are at an appropriate scale, and clearly identify the subject land and provide site context.**
- 3. Council is to satisfy the Director General of Planning and Infrastructure that any inconsistency with S117 Direction 5.9 North West Rail Link Corridor Strategy and the Norwest Structure Plan is justified, prior to finalisation of the Plan.**
- 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 (Planning & Infrastructure 2013).**
- 5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:**
 - Transport for NSW**
 - Roads and Maritime Services**
 - Sydney Water**
 - Endeavour Energy**
 - Telstra**

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 12 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. Council should be issued with plan making delegation because the proposal is considered to be a matter of local planning significance.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

3/3/14