

The Hills LEP 2012 - Amendment 19 (Rural Cluster subdivision in RU6 Zone)

Proposal Title : The Hills LEP 2012 - Amendment 19 (Rural Cluster subdivision in RU6 Zone)

Proposal Summary : To introduce the opportunity for rural cluster subdivision on land zoned RU6 Transition Zone.

PP Number : PP_2013_THILL_010_00 Dop File No : 13/08803-1

Planning Team Recommendation

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

S.117 directions :
1.2 Rural Zones
2.1 Environment Protection Zones
2.3 Heritage Conservation
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
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 proceeds subject to the following conditions:

- (1) The Director General's delegate agrees that the inconsistency with Section 117 direction 4.3 Flood Prone Land is of minor significance;
- (2) Consultation with the Commissioner of the NSW Rural Fire Service, in accordance with S.117 Direction 4.4 Planning for Bushfire Protection, prior to undertaking community consultation in satisfaction of section 57 of the Act, and taking into account any comments so made;
- (3) Community consultation for 28 days;
- (4) Consultation with:
Hawkesbury - Nepean Catchment Management Authority,
Office of Environment and Heritage,
NSW Rural Fire Service,
Transport for NSW - Roads and Maritime Services,
Sydney Water,
Transgrid, and
Endeavour Energy;
- (5) The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway determination.

Council has not requested delegation for the making of this plan. However, it is considered that the nature of the planning proposal is the result of local strategies, and it is appropriate that Council use the Minister's delegation for the making of the plan.

Supporting Reasons : The proposed changes to Rural cluster subdivision clause (clause 4.1AA (3A) Minimum subdivision lot size for community title schemes) would enable development to occur in a manner which ensures the on-going management and viability of significant vegetation communities.

Panel Recommendation

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Recommendation Date : 27-Jun-2013

Gateway Recommendation : Passed with Conditions

Panel

The planning proposal should proceed subject to the following conditions:

Recommendation :

1. 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).

2. 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:

- Sydney Water
- Transgrid
- Endeavour Energy
- Hawkesbury - Nepean Catchment Management Authority
- Office of Environment and Heritage
- Transport for NSW - Roads and Maritime Services
- NSW Rural Fire Service (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.

3. 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).

4. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

MEL SELMAN

Date:

3/7/12