

Additional permitted uses at RMB104, 104A and RMB 105 Windsor Rd and part of 1-3 Wilkins Ave, Beaumont Hills

Proposal Title :	Additional permitted uses at RMB104, 104A and RMB 105 Windsor Rd and part of 1-3 Wilkins Ave, Beaumont Hills		
Proposal Summary :	The proposal seeks to amend Schedule 1 "Additional Permitted Uses" of The Hills LEP 2012 to permit 'landscaping material supplies' and/or 'garden centre' on RMB104, 104A and RMB105 Windsor Rd and part of 1-3 Wilkins Ave, Beaumont Hills		
PP Number :	PP_2014_THILL_002_00	Dop File No :	14/02795

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones
- 3.1 Residential Zones
- 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, subject to the following conditions:

1. The Director-General (or delegate) agrees that the inconsistency of this proposal with Section 117 Directions 3.1 Residential Zones and 6.3 Site Specific Provisions is justified.
2. Council is to update the Planning Proposal prior to exhibition to provide further justification of the plan's inconsistency with Section 117 Direction 5.9 North West Rail Link Corridor Strategy with regards to the proposal's intent to permit commercial uses on land designated for low density residential development in the Kellyville Structure Plan.
3. Community consultation is required for a period of 28 days.
4. Consultation is undertaken with the following public authorities:
 - a) Endeavour Energy (electricity)
 - b) Jemena (gas)
 - c) NSW Rural Fire Service
 - d) Sydney Water
 - e) Telstra
5. Delegation is to be given to Council to exercise the Minister's plan-making powers.
6. The planning proposal is to be finalised within 9 months.

Supporting Reasons : The proposal has merit, ensuring continued employment and business retention close to public transport, while retaining the current R3 zoning for future residential development.

Panel Recommendation

Recommendation Date :	27-Feb-2014	Gateway Recommendation :	Passed with Conditions
Panel Recommendation :	The planning proposal should proceed subject to the following conditions:		
	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		

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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).

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:

- Endeavour Energy
- Jemena
- Sydney Water
- Telstra
- NSW Rural Fire Service (S117 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.

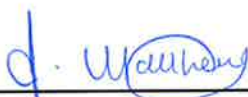
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 9 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. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

28/2/14