

The Hills LEP 2012 - Housekeeping Amendment No. 1

Proposal Title : **The Hills LEP 2012 - Housekeeping Amendment No. 1**

Proposal Summary : **The planning proposal seeks to implement a number of minor changes to correct anomalies and to ensure that The Hills LEP 2012 accurately reflects The Hills Shire Council's current policy positions.**

PP Number : **PP_2014_THILL_003_00** Dop File No : **14/06823**

Proposal Details

Date Planning Proposal Received : **16-May-2014** LGA covered : **The Hills Shire**

Region : **Metro(Parra)** RPA : **The Hills Shire Council**

State Electorate : **BAULKHAM HILLS
CASTLE HILL
HAWKESBURY
PARRAMATTA** Section of the Act : **55 - Planning Proposal**

LEP Type : **Housekeeping**

Location Details

Street : City : Postcode :

Suburb : City : Postcode :

Land Parcel : **Various locations**

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : **Derryn John**

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Land Release Data

Growth Centre : **N/A** Release Area Name :

Regional / Sub Regional Strategy : **Metro North West subregion** Consistent with Strategy : **Yes**

The Hills LEP 2012 - Housekeeping Amendment No. 1

MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots : 0	No. of Dwellings (where relevant) :	0
Gross Floor Area : 0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **To the best of the knowledge of the regional team, the Department's Code of Practice in relation to communications and meetings with Lobbyists has been complied with. Metropolitan Delivery (Parramatta) has not met with any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **The Department's Lobbyist Contact Register has been checked on 18 August 2014, and there have been no records of contact with lobbyists in relation to this proposal.**

Supporting notes

Internal Supporting Notes :

External Supporting Notes : **Metropolitan Delivery (Parramatta) has received a request from Planning Strategies, Housing and Infrastructure (the area of the Department which administers State Environmental Planning Policy (Sydney Region Growth Centres) 2006) to progress the removal of the Box Hill and Box Hill Industrial Precincts (item 2.8 in the explanation of provisions) independently of the remainder of the Housekeeping Amendment, and to do so under section 73A of the Act. Metropolitan Delivery (Parramatta) has no objection to progressing this item independently, and a separate entry on the LEP tracking system has been generated for item 2.8. Please see PP_2014_THILL_005_00 for more information.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The proposal seeks to rectify various anomalies in The Hills LEP 2012 and ensure that it is accurate and up to date with current Council policy positions as well as State government legislative requirements.**

To this end, the proposal's intent is to implement a number of changes to the written instrument (including identification of certain terms as permissible or otherwise in the land use table, extension of exempt development criteria, correction of suburb names and suchlike) and a number of changes to the maps (including rectification of some policy translation issues, corrections to height of building maps, rezoning of some public reserves to RE1 Public Recreation, changes to various controls to reflect existing land uses, and rezoning of superfluous SP2 Infrastructure-zoned land to an appropriate zone).

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The planning proposal consists of a number of changes to the instrument and a number of**

changes to the maps.

INSTRUMENT CHANGES:

- 1.1 - insert 'highway service centre' as prohibited in residential, business and industrial zones;
- 1.2 - insert 'airstrip' as prohibited in business and industrial zones;
- 1.3 - insert 'helipad' as prohibited in some identified business and industrial zones;
- 1.4 - insert 'port facilities' as prohibited in all zones;
- 1.5 - insert 'jetties' as permissible with consent in RU2, SP3 and W2 zones;
- 1.6 - insert 'boat launching ramps' as permissible with consent in RU2, SP3 and W2 zones;
- 1.7 - remove 'waste disposal facilities' as prohibited in IN2 Light Industrial;
- 1.8 - change 'registered clubs' from permitted to prohibited in B1 Neighbourhood Centre;
- 1.9 - insert 'extractive industries' as permitted with consent in RU2 Rural Landscape;
- 1.10 - replace reference in Clause 7.7(6) so that it refers to Subclause (5) rather than Subclause (4);
- 1.11 - amend Schedule 2 (Exempt Development), replacing 'commercial' with 'business' and adding E3, E4 and SP3 zones to Signage - real estate signs;
- 1.12 - Schedule 5 - change item I19's suburb listing from Baulkham Hills to Castle Hill;
- 1.13 - Schedule 5 - change item A7's address from 196 Wisemans Ferry Road to 76 Wisemans Ferry Road;
- 1.14 - Schedule 5 - change item I29's address from 257 Windsor Road to 1 Russell Street and update property description;
- 1.15 - Schedule 5 - change item I185's property description to Pt Lot 101 DP 1058862;
- 1.16 - Schedule 5 - remove items I38, I186, I39 and I40 from Schedule to reflect their inclusion in SEPP (Sydney Region Growth Centres) 2006;
- 1.17 - Schedule 5 - change item I25's property description to Lot 101 DP 1176747 and Lot 2 DP 1160957.

MAPPING CHANGES:

- 2.1 - rezone various properties in Glenhaven from R2 Low Density Residential to E4 Environmental Living for consistency with earlier zoning;
- 2.2 - rezone 69 Acres Road, Kellyville, from R3 Medium Density Residential to R2 Low Density Residential for consistency with previously adopted density controls;
- 2.3 - change maximum height of building for certain land at Norwest Town Centre from 16m to RL116 for consistency with previously adopted controls;
- 2.4 - change maximum height of building at 19-21 Windsor Road, North Rocks from 16m to 30m for consistency with earlier controls and existing development approval;
- 2.5 - change maximum height of building at 354-368 Old Northern Road, Castle Hill from 9m to 8m for consistency with earlier controls;
- 2.6 - change maximum height of building at 355 North Rocks Road, North Rocks from 9m to 8m for consistency with earlier controls;
- 2.7 - change minimum lot size at 115 and 115A Old Castle Hill Road, Castle Hill from 700m² to 2000m² for consistency with earlier controls;
- 2.8 - remove the Box Hill Precincts from the land zoning, lot size, height of building, heritage and land reservation acquisition maps to reflect their inclusion in SEPP (Sydney Region Growth Centres) 2006 [NOTE: this provision has been removed and will be processed via a separate planning proposal, PP_2014_THILL_005_00];
- 2.9(a) - rezone a portion of road reserve adjoining 354 Annangrove Road, Box Hill from RU2 Rural Landscape to IN2 Light Industrial, change height of building from 10m to 16m and change minimum lot size from 40ha to 8,000m²;
- 2.9(b) - rezone road reserve at corner of Withers Road and Annangrove Road from RU2 Rural Landscape to IN2 Light Industrial, change minimum lot size from 40ha to 8000m² and change height of building from 10m to 16m; apply the same height and lot size changes (but not the rezoning) to part of road reserve fronting 336 Annangrove Road and part of road reserve adjacent to 336 Annangrove Road;
- 2.9(c) - rezone part of Old Pitt Town Road, part of Nelson Road and part of Edwards Road

from Nelson to Annangrove Road from RU2 Rural Landscape to RU6 Transition and change minimum lot size from 40ha to 2ha;
 2.10 – change HER map to apply item I29 to the entirety of SP86046 (1 Russell Street, Baulkham Hills) to reflect a 2012 consolidating subdivision;
 2.11 – change HER map to remove Lot 100 DP 1176747 from item I25 (Castle Hill Country Club avenue of trees) to reflect a recent subdivision;
 2.12 – apply adjoining building height to roads zoned SP2 Infrastructure at 26 locations throughout the Shire;
 2.13 – apply adjoining building height to certain roads in various locations to rectify mapping anomalies;
 2.14 – rezone land at Sunderland Avenue Reserve, Castle Hill from R2 Low Density Residential to RE1 Public Recreation and remove from height of buildings map;
 2.15 – rezone land at Darcey Avenue Reserve, Castle Hill from R2 Low Density Residential to RE1 Public Recreation and remove from height of buildings map;
 2.16 – rezone land at River Oak Circuit Reserve, Kellyville from R3 Medium Density Residential to RE1 Public Recreation and remove from height of buildings map;
 2.17 – rezone land at Excelsior Reserve, West Pennant Hills from R2 Low Density Residential to RE1 Public Recreation and remove from height of buildings map;
 2.18 – adjust boundaries (rezone and change minimum lot size) for some land at Homeworld V, Kellyville to more accurately reflect existing land uses;
 2.19 – rezone Lot 103 DP 1140711, Withers Road, Kellyville from part R4 High Density Residential and part RE1 Public Recreation to SP2 Infrastructure (Stormwater Management System) and remove from height of building map to rectify a mapping anomaly;
 2.20 – rezone land at 2-4 Resolution Place, Rouse Hill from R3 Medium Density Residential to B6 Enterprise Corridor and apply a floor space ratio of 1:1, a height of building of 12m and a minimum lot size of 600m² to better reflect existing use;
 2.21 – change height of building for land at Lot 5 DP30916, Commercial Road, Rouse Hill from 12m to 16m and apply the 16m height limit to adjoining roads to reflect adjacent building height;

SITE-SPECIFIC MAPPING CHANGES:

3.1 – rezone Lot 1 DP 1017968 (part of 13 Greenwich Place, Kellyville) from SP2 Infrastructure (Stormwater Management System) to R2 Low Density Residential and apply a height of building of 10m to reflect advice from Sydney Water that the land is no longer needed for stormwater management;
 3.2 – rezone part of RMB 113 Windsor Road, Beaumont Hills and Lots 28 & 29 DP 13822 Windsor Road, Beaumont Hills from SP2 Infrastructure (Stormwater Management System) to B6 Enterprise Corridor and apply a height of building of 12m, a floor space ratio of 1:1 and a minimum lot size of 600m² to reflect advice from Sydney Water that the land is no longer needed for stormwater management.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

1.2 Rural Zones

2.1 Environment Protection 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

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 19—Bushland in Urban Areas

SEPP No 33—Hazardous and Offensive Development
SEPP (Infrastructure) 2007
SEPP (Mining, Petroleum Production and Extractive Industries)
2007
SEPP (Rural Lands) 2008
SREP No 9—Extractive Industry (No 2—1995)

e) List any other
matters that need to
be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

1.1 Business and Industrial Zones

The planning proposal contains provisions which will provide minor increases in area and development potential of employment land. It contains one provision (see item 2.6 in explanation of provisions) which seeks to reduce the height of building for a single lot zoned B1 Neighbourhood Centre from 9m to 8m for consistency with earlier controls. This is a very minor reduction in development potential, and is extremely unlikely to have any practical effect.

The proposal is therefore consistent with this Direction.

1.2 Rural Zones

Mapping change 2.9 (see explanation of provisions) seeks to rezone certain land bordering the Box Hill and Box Hill Industrial Precincts from RU2 Rural Landscape to IN2 Light Industrial and RU6 Transition. The purpose of this rezoning is to correct mapping anomalies. Because the properties in question are road reserves, this will not result in any loss of agricultural land.

The proposal is therefore consistent with this Direction.

2.1 Environment Protection Zones

The proposal will not result in any loss of land zoned for environmental protection purposes, and instead seeks to rezone land from R2 Low Density Residential to E4 Environmental Living.

The proposal is therefore consistent with this Direction.

2.3 Heritage Conservation

The proposal contains a number of corrections to the listing of heritage items; these will improve clarity with regard to the identification of these items, and are therefore in keeping with the intent of this Direction.

The proposal is therefore consistent with this Direction.

3.1 Residential Zones

The proposal seeks to rezone 26 residential lots in Glenhaven from R2 Low Density Residential to E4 Environmental Living (see item 2.1 in explanation of provisions). The purpose of this is to correct a mapping anomaly that occurred in the preparation of The Hills LEP 2012 and re-apply the environmental protection that applied to this land under Baulkham Hills LEP 2005. This is in keeping with the existing use of the land, and there is no accompanying increase in minimum lot size.

The proposal also seeks to rezone land at 69 Acres Road, Kellyville, from R3 Medium Density Residential to R2 Low Density Residential (see item 2.2 in explanation of provisions) to correct an anomaly and revert to the controls which previously applied to

the land. It is currently occupied by a Scout Hall, and the proposed zoning reflects both this existing use and that of the adjoining residential land.

The planning proposal also contains a provision (item 2.19 in the explanation of provisions) which will rezone a small portion of land from part R4 High Density and part RE1 Public Recreation to SP2 Infrastructure (Stormwater Management System) in order to correct a mapping anomaly. As this land is required for drainage, this change will have no practical impact on the residential development potential of the land.

In addition, the proposal seeks to rezone land at four public reserves from residential zonings to RE1 Public Recreation (see items 2.14-2.17 in explanation of provisions). The purpose of this is to correct mapping anomalies. The land in question is already being used for public recreation purposes and is in public ownership, so the change will not result in the loss of any actual residential land.

Finally, the proposal contains two provisions which may result in a very slight reduction of residential development potential. Item 2.5 in the explanation of provisions seeks to reduce the height of building for eight residential lots from 9m to 8m in the interests of consistency with earlier controls and adjacent land; this is unlikely to have any practical impact. Item 2.7 in the explanation of provisions seeks to increase the minimum lot size for two lots zoned E4 Environmental Living from 700m² to 2000m² in recognition of earlier controls and environmental constraints on the land. These constraints mean that this change will not have any impact on the actual development potential of the land.

Any inconsistency with this Direction is therefore considered minor.

3.3 Home Occupations

The proposal will not result in any change to the carrying out of low-impact small businesses in dwelling houses.

It is therefore consistent with this Direction.

3.4 Integrating Land Use and Transport

The proposal is unlikely to have any significant impact on the movement of people or the development of transport networks to facilitate that movement.

The proposal is therefore consistent with this Direction.

4.4 Planning for Bushfire Protection

While the proposal affects a number of properties identified on the Bushfire Prone Land Map (see items 2.1, 2.5, 2.17 and 2.19), it will not have an impact on the way these properties are approached in terms of planning for bushfire protection.

The proposal is therefore consistent with this Direction.

6.1 Approval and Referral Requirements

The proposal does not create any new approval or referral requirements. It is therefore consistent with this Direction.

6.2 Reserving Land for Public Purposes

The planning proposal contains two provisions (items 3.1 and 3.2 in the explanation of provisions) which seek to rezone land from SP2 Infrastructure (Stormwater Management System) to various appropriate zones. This is in response to advice from Sydney Water that the land is no longer needed for stormwater management purposes, and it is

therefore unnecessary to reserve this land for public use.

The planning proposal also contains a provision (item 2.19 in the explanation of provisions) which will rezone land from part R4 High Density and part RE1 Public Recreation to SP2 Infrastructure (Stormwater Management System) in order to correct a mapping anomaly. It is considered that this constitutes reserving the land for the appropriate public purpose.

Finally, the proposal contains a number of provisions (items 2.14-2.17 in the explanation of provisions) which will rezone land from residential zones to RE1 Public Recreation. Although this land is already in public ownership and operating as public reserves, this recognition of the land for public purposes is in keeping with the intent of this Direction.

The proposal is therefore consistent with this Direction.

6.3 Site Specific Provisions

The proposal does not seek to introduce any site-specific provisions. It is therefore consistent with this Direction.

7.1 Implementation of the Metropolitan Plan for Sydney 2036

The planning proposal's purpose is to correct a number of anomalies and further the rational planning of land in The Hills Shire as laid out in Council's strategic planning documents. Given that these documents are in keeping with the intent of the Metropolitan Plan for Sydney 2036, it is considered that the proposal is working to deliver the objectives of the Metropolitan Plan.

The proposal is therefore consistent with this Direction.

SEPP No 19—Bushland in Urban Areas

The proposal contains a number of provisions relating to urban areas with bushland, however none of these provisions will result in a reduction in bushland. The rezoning of land in Glenhaven from R2 Low Density Residential to E4 Environmental Living (item 2.1 in the explanation of provisions) will improve the level of protection for bushland on the subject sites.

The proposal is therefore consistent with this SEPP.

SEPP No 33—Hazardous and Offensive Development

The proposal contains a provision which intends to identify extractive industries as permitted with consent on land zoned RU2 Rural Landscape (item 1.9 in the explanation of provisions) to rectify an error made in the drafting of The Hills LEP 2012. Council's policy intent was to allow this land use in this zone, but it was accidentally prohibited in this zone as part of the group term 'agriculture'.

There is nothing in this provision which is inconsistent with the SEPP.

SEPP (Infrastructure) 2007

The proposal contains a number of mapping changes that seek to clarify the boundaries of land to be used for infrastructure purposes (items 2.9, 2.19, 3.1 and 3.2 in the explanation of provisions), generally relating either to road reserves (item 2.9) or to stormwater management systems (items 2.19, 3.1 and 3.2).

While the proposal does not appear to be in any way inconsistent with the SEPP, it is recommended that Council undertake consultation with Roads and Maritime Services and Sydney Water.

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

The proposal contains a provision which intends to identify extractive industries as permitted with consent on land zoned RU2 Rural Landscape (item 1.9 in the explanation of provisions) to rectify an error made in the drafting of The Hills LEP 2012. Council's policy intent was to allow this land use in this zone, but it was accidentally prohibited in this zone as part of the group term 'agriculture'.

There is nothing in this provision which is inconsistent with the SEPP.

SEPP (Rural Lands) 2008

Mapping change 2.9 (see explanation of provisions) seeks to rezone certain land bordering the Box Hill and Box Hill Industrial Precincts from RU2 Rural Landscape to IN2 Light Industrial and RU6 Transition. The purpose of this rezoning is to correct mapping anomalies. Because the properties in question are road reserves, this will not result in any loss of agricultural land. It is not inconsistent with the Rural Planning Principles or Rural Subdivision Principles contained in State Environmental Planning Policy (Rural Lands) 2008.

The proposal is therefore consistent with this Direction.

SREP No 9—Extractive Industry (No 2—1995)

The proposal contains a provision which intends to identify extractive industries as permitted with consent on land zoned RU2 Rural Landscape (item 1.9 in the explanation of provisions) to rectify an error made in the drafting of The Hills LEP 2012. Council's policy intent was to allow this land use in this zone, but it was accidentally prohibited in this zone as part of the group term 'agriculture'.

This provision will increase the land available for extractive industries in close proximity to the Sydney metropolitan area. It is therefore consistent with the SEPP.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : Council has provided aerial photographs and mapping excerpts showing the changes that are to occur.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : The Hills Shire Council has undertaken to advertise the planning proposal in local newspapers, place it on display at libraries and Council offices, advertise it on Council's website and notify affected and surrounding property owners by mail. Council has not specified the length of the intended exhibition; given the nature of the planning proposal, a 28-day exhibition period would be appropriate.

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : Metropolitan Delivery (Parramatta) has received a request from Planning Strategies, Housing and Infrastructure (the area of the Department which administers State Environmental Planning Policy (Sydney Region Growth Centres) 2006) to progress the removal of the Box Hill and Box Hill Industrial Precincts (item 2.8 in the explanation of provisions) independently of the remainder of the Housekeeping Amendment, and to do so under section 73A of the Act. Metropolitan Delivery (Parramatta) has no objection to progressing this item independently, and a separate entry on the LEP tracking system has been generated for item 2.8. Please see PP_2014_THILL_005_00 for more

information.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

The Hills LEP 2012 is a Principal LEP.

Assessment Criteria

Need for planning
proposal :

The purpose of the planning proposal is to correct a number of anomalies in The Hills LEP 2012 (both in the written instrument and the maps) and to improve consistency within the Plan and with Council's policy positions. It will result in a more consistent and rational implementation of local and State government policy.

Consistency with
strategic planning
framework :

The provisions of the planning proposal are chiefly administrative in nature, and aim to improve the clarity, consistency and rationality of The Hills LEP 2012. As such, they are consistent with:

- the Metropolitan Plan for Sydney 2036, which aims to integrate land use and transport planning to provide a framework for the growth and development of the Sydney region;
- the draft Metropolitan Strategy for Sydney 2031, which aims for balanced growth, a liveable city, productivity and prosperity, a healthy and resilient environment, and accessibility and connectivity;
- the draft North West Subregional Strategy, which aims to deliver the outcomes of the Metropolitan Strategy in the North West Subregion;
- the Hills Future Community Strategic Plan, which aims for transparent and accountable management of the Shire and for balanced urban growth;
- the Residential Direction of the Local Strategy, which aims to deliver housing in a balanced and rational way;
- the Employment Lands Direction of the Local Strategy, which aims to deliver employment land in a balanced and rational way;
- the Integrated Transport Direction of the Local Strategy, which aims to ensure that future development supports the provision of an efficient transport network to meet the community's needs;
- the Centres Direction of the Local Strategy, which aims to establish a hierarchical network of centres to support the public's needs; and
- the Environment and Leisure Direction of the Local Strategy, which aims to protect the Shire's open spaces and provide a clear strategy for their management and planning.

Environmental social
economic impacts :

ENVIRONMENTAL:

While the majority of the proposal's provisions will not result in any change to the development potential of the subject land, the proposal contains a provision (item 1.9 in the explanation of provisions) which seeks to allow extractive industries as permitted with consent on land zoned RU2 Rural Landscape. As this is a rectification of an anomaly and will correctly implement existing Council policy, it does not constitute a major change, but it is recommended that the Office of Environment and Heritage be consulted.

The rezoning of land in Glenhaven from R2 Low Density Residential to E4 Environmental Living (item 2.1 in the explanation of provisions) will improve the level of protection for bushland on the subject sites, and will provide an improved environmental outcome in this area.

SOCIAL:

The proposal is unlikely to result in any significant social impact.

ECONOMIC:

The rezoning of land at Beaumont Hills from SP2 Infrastructure (Stormwater Management System) to B6 Enterprise Corridor (item 3.2 in the explanation of provisions) will provide extra land for employment, which is likely to have a positive economic impact.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	RPA
Public Authority Consultation - 56(2) (d) :	Office of Environment and Heritage Transport for NSW - Roads and Maritime Services Sydney Water		

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
1 - Cover letter.pdf	Proposal Covering Letter	Yes
2 - Planning proposal.pdf	Proposal	Yes
6 - Council report.pdf	Proposal	Yes
FINAL MINUTES - 26 NOVEMBER 2013.pdf	Determination Document	Yes
Email from Planning Strategies, Housing and Infrastructure 6 March 2014.pdf	Proposal	Yes

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
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
6.2 Reserving Land for Public Purposes
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) Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning & Assessment Act 1979 and/or to comply with the requirements of relevant Section 117 Directions:

- a) Transport for NSW – Roads and Maritime Services,
- b) Sydney Water, and
- c) the Office of Environment and Heritage.

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.

(2) Prior to exhibition, the proposal must be updated to remove provision 2.8 (the removal of Box Hill and Box Hill North Precincts from The Hills LEP 2012), which is to be pursued as a separate planning proposal.

(3) Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 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 Local Environmental Plans (Department of Planning & Infrastructure 2013).

(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 Environmental Planning & Assessment Act 1979. 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) Delegation is to be given to Council to exercise the Minister's plan-making powers.

(6) 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 :

The planning proposal will, by correcting anomalies and improving consistency with State and local policy directions, provide a more accurate, more rational planning regimen for The Hills Shire, and is unlikely to result in any significant adverse impacts.

Signature:



Printed Name:



Date:



