



16 October 2018

Ms Ann-Maree Carruthers  
Director Sydney Region West  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Our Ref: 1/2018/PLP  
Your Ref: PP\_2017\_THILL\_006\_01

Dear Ann-Maree

### **Planning Proposal 1/2018/PLP – 55 Coonara Avenue, West Pennant Hills**

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At its ordinary meeting of 25 September 2018 Council resolved as follows:

- 1. Council request the Department of Planning and Environment endorse an alternate approach under the current Gateway Determination so that the local provision is able to facilitate suitable assessment of the subdivision and development of micro lot housing as part of the maximum 600 dwellings over the site.*
- 2. The Draft Voluntary Planning Agreement, as detailed in Attachment 5, be subject to a legal review at the cost of the proponent, prior to public exhibition*
- 3. The Draft Voluntary Planning Agreement be updated, as required, prior to exhibition to incorporate the recommendations of the legal review.*
- 4. The draft Voluntary Planning Agreement and the Draft Hills Development Control Plan Part D Section 19 – 55 Coonara Avenue as detailed in Attachments 4 and 5 be exhibited concurrently with the planning proposal.*

In accordance with the Gateway Conditions, the planning proposal applicable to land at 55 Coonara Avenue, West Pennant Hills has been amended, as documented in Attachment 1. It is noted that the Gateway conditions only reference the inclusion of a dwelling cap. However, the proposed micro-dwelling type is an integral part of the negotiated master planned outcome and have been considered within the context of the single ownership of the site and the alternative that such housing provides to apartment living.

As has been discussed, a mechanism change through a local provision is proposed to deliver smaller lot sizes (86m<sup>2</sup>) without mapping on the minimum lot size map or limiting the options of development of the site. Given this is a new type of housing product for the Shire, it is important that the assessment of both the subdivision and dwelling is considered together to provide certainty that all residential lots can achieve an appropriate level of amenity.

Further to the above, the Gateway Determination requires the planning proposal to be completed by 31 January 2019. To allow for an appropriate consultation period and consideration of any issues raised during this period, a further six (6) month extension is requested.

The amended planning proposal is included in Attachment 2 for review and endorsement from the Department of Planning and Environment. I trust that the conditions of the Gateway Determination have been sufficiently addressed in the amended planning proposal. Should you require any further assistance in this matter please feel free to contact Rebecca Templeman, Strategic Planning Coordinator on 9843 0567.

Yours faithfully

A handwritten signature in cursive script that reads "Stewart Seale".

**Stewart Seale**  
**MANAGER FORWARD PLANNING**

Attachment 1: Explanation of Consistency with Gateway Conditions

Attachment 2: Amended Planning Proposal and supporting documents

Attachment 1 – Table showing how Gateway Conditions have been addressed.

Condition	Explanation	Section
1(a) remove references to proposed amendments to Schedule 1 – Additional Permitted Uses	All reference to Schedule 1 amendments removed from planning proposal.	N/A
1(b) amend the planning proposal to seek to rezone the site from B7 Business Park to R3 Medium Density Residential, R4 High Density Residential, RE1 Public Recreation, and appropriate environmental zones (such as E4 Environmental Living, E3 Environmental Management, and E2 Environmental Conservation) in accordance with Part 2 of The Hills Local Environmental Plan 2012	Proposed zoning amended in accordance with condition.	Part 4 (a)
1(c) amend the planning proposal to seek amendments to the minimum lot size map, floor space ratio map, and height of buildings map, in accordance with the Hills Local Environmental Plan 2012	Mapping complies with condition.	Part 4
1(d) update the planning proposal to provide more information regarding community benefits associated with the proposal, including the identification of traffic and transport accessibility improvement options for the Cherrybrook precinct and additional supporting information for local infrastructure to be provided, and updated supporting studies as identified in Council's report dated 25 July 2017	Community benefits associated with the planning proposal included.	Part 3 (9)
1(e) update the Explanation of Provisions to include a satisfactory arrangements provision for contributions to State public infrastructure and to include a proposed local provision facilitating a maximum of 600 dwellings over the site.	<p>Planning proposal updated to include satisfactory arrangements provision for contributions to State infrastructure. LEP 2012 currently includes provision within Part 6 for arrangements for designated State public infrastructure and public utility infrastructure. Mapping the developable parts of the site (residential zoned land) on the Urban Release Area Map will ensure these provisions apply to the site.</p> <p>The planning proposal has been amended to include a local provision was included to facilitate a maximum of 600 dwellings over the site as well as an additional amendment and to facilitate micro lot housing.</p>	Part 2

<p>1(f) refer the planning proposal and its accompanying Ecological Assessment to the Rural Fire Service and update in accordance with any comments received.</p>	<p>Planning proposal was referred to the Rural Fire Service for comments. No objections were raised in regards to on the ecological assessment.</p>	<p>Part 3 (8)</p>
<p>1(g) update the planning proposal as required to ensure the following matters are addressed:</p> <ol style="list-style-type: none"> <li>1 ecological values (flora and fauna);</li> <li>2 the use of appropriate land use zones;</li> <li>3 investigation of infrastructure and traffic considerations</li> </ol>	<p>Issues addressed in planning proposal</p>	<p>Part 3</p>