



THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

3 Columbia Court, Baulkham Hills NSW 2153
PO Box 7064, Baulkham Hills BC 1755
ABN 25 034 494 656 | DX 9966 Norwest

14 May 2018

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

Our Ref: 7/2015/PLP
Your Ref: PP_2017_THILL_004_00

Dear Ann-Maree

Referral of Planning Proposal for Finalisation – 582 and 582a Old Northern Road, Dural

Council at its meeting of Tuesday 24 April 2018 Council considered a report on the outcomes of the public exhibition of a planning proposal applicable to land at 582 and 582a Old Northern Road, Dural and resolved as follows:

- 1. The draft Voluntary Planning Agreement be subject to a legal review.*
- 2. Following the completion of the legal review, the draft Voluntary Planning Agreement and draft amendments to The Hills Development Control Plan 2012 Part B Section 2 – Residential (Attachment 1 – ECM No.16466540) be publicly exhibited for a period of 28 days.*
- 3. The planning proposal, to rezone the subject site from RU6 Transition to R3 Medium Density Residential and to reduce the minimum lot size from two (2) hectares to 700m², be progressed to the Department of Planning and Environment for finalisation, requesting that the plan not be made until the VPA has been executed.*
- 4. The Department of Planning and Environment be advised that this rezoning is not required to meet Council's housing targets and that Office of Environment and Heritage has not resolved ecological issues.*

Council has been working through the infrastructure concerns raised during the exhibition period. The proponent has submitted a draft Voluntary Planning Agreement that will secure monetary contributions for local infrastructure. As per Council's resolution, the draft VPA has now been referred for external legal review.

It is important to note that while the subject planning proposal was considered to have sufficient strategic merit by the Sydney West Central Planning Panel at its rezoning review meeting of 1 February 2017, development on the site is not required for residential development given the availability of zoned and serviced land elsewhere in the Shire.

This approach is consistent with the Greater Sydney Region Plan and the Central City District Plan released March 2018 which seeks to limit urban development to within the urban area, noting it is

not consistent with the values of the metropolitan rural area. The site being located on the periphery of the Round Corner Dural Town Centre and at the edge of the metropolitan rural area, is intended to provide a transition between rural and other land uses of varying intensities. There is enough land zoned for medium density residential development in more appropriate locations for additional housing that will meet the relevant State Government dwelling targets.

Further, it noted that the Office of Environment and Heritage have decided not to make comment on the proposal, despite the Planning Panel requiring consultation with OEH and the consideration of Shale Sandstone Transition Forest on the site. Whilst Council have attempted to address the ecological issues on the site, the Department may wish to discuss the matter further with the Office of Environment and Heritage - Regional Operations Team.

Notwithstanding the lack of strategic merit and unresolved ecological issues, given the stage that the planning proposal has reached and the opportunity to deliver local infrastructure improvements, Council has resolved to progress the planning proposal. As Council was not granted delegation in the Gateway Determination issued on 25 May 2017, it is requested that the Department of Planning and Environment not finalise the plan until the VPA has been executed to ensure that funding for local infrastructure is secured.

Should you require further information please contact Ashley Cook, Senior Town Planner on 9843 0382.

Yours faithfully

A handwritten signature in cursive script, reading 'Stewart Seale'.

Stewart Seale
MANAGER – FORWARD PLANNING

Attachment 1: Final Planning Proposal and Attachments
Attachment 2: Maps