

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

Proposal Title : **Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone**

Proposal Summary : **The proposal seeks to rezone land at 268 to 278 New Line Road, Dural, from IN2 Light Industrial to B2 Local Centre, for commercial and retail purposes; and amend the Additional Permitted Use Map to not apply to the subject land.**

PP Number : **PP_2016_HORNS_002_00** Dop File No : **16/08460**

Proposal Details

Date Planning Proposal Received : **04-Jul-2016** LGA covered : **Hornsby**

Region : **Metro(Parra)** RPA : **The Council of the Shire of Horn**

State Electorate : **HORNSBY** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **268-278 New Line Road**

Suburb : **Dural** City : **Hornsby** Postcode : **2158**

Land Parcel :

DoP Planning Officer Contact Details

Contact Name : **Tessa Parmeter**

Contact Number : **0298601555**

Contact Email : **tessa.parmeter@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Vanessa Scandurra**

Contact Number : **0298476726**

Contact Email : **vscandurra@hornsby.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Terry Doran**

Contact Number : **0298601579**

Contact Email : **Terry.Doran@planning.nsw.gov.au**

Land Release Data

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

Regional / Sub Regional Strategy : Consistent with Strategy :

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
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 :

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

If Yes, comment : **The Lobbyist Contact Register was checked on 20 June 2016 and indicated no contact with lobbyists regarding this planning proposal.**

Supporting notes

Internal Supporting Notes : **THE PROPOSAL**

It is proposed to rezone land from IN2 Light Industrial to B2 Local Centre. No change is sought for land zoned E3 Environmental Management.

Council have identified the relationship between planning proposal PP_2014_HORNS_002_00 (rezoning of South Dural precinct for urban development), which seeks allow approximately 3,000 new dwellings at South Dural, and this proposal which seeks (in part) to service the increase in proposed population at South Dural.

It is noted that Council has resolved to support a request for a Gateway determination on the condition that:

- an updated Economic and Employment Land Assessment that establishes the demand for retail and employment floorspace arising from the estimated future population of the South Dural Planning proposal is provided; and
- an updated traffic assessment that considers the future traffic movements arising from the South Dural Planning Proposal is provided; and
- a voluntary Planning Agreement that secures the provision of traffic facilities as offered by the proponent.

LOCAL GOVERNMENT AREA

The site is located within the Shire of Hornsby, and adjoins the Hills Shire Local Government Area. The Hills Shire is located to the north west of the site, partially separated by land fronting New Line Road.

POLITICAL DONATIONS DISCLOSURE STATEMENT

Political donations disclosure laws commenced on 1 October 2008. The legislation requires the public disclosure of donations or gifts for certain circumstances relating to the planning system.

"The disclosure requirements under new legislation are triggered by the making of relevant planning applications and relevant public submissions on such applications".

The term relevant planning authority means:

"A formal request to the Minister, a council or the Secretary to initiate the making of an

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

environmental planning instrument..."

Planning Circular PS08-009 specifies that a person who makes a public submission to the Minister or the Secretary is required to disclose all reportable political donations (if any).

The Department has not received any disclosure statements for this planning proposal.

DEPARTMENT COMMENT

As the subject proposal is primarily based on future demand generated by an indicative, foreshadowed population growth in the area subject to a separate planning proposal for the South Dural area (PP 2014 HORNS 002 00), it is recommended that the subject proposal proceeds following finalisation of the South Dural proposal.

DELEGATION

Based on the nature of this planning proposal and the integral link to PP_2014_HORNS_002_00, the Commission's plan making powers should not be issued to Council in this instance.

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : The planning proposal seeks to amend the Hornsby Local Environmental Plan 2013 to rezone the subject land from IN2 Light Industrial to B2 Local Centre to enable a wider range of commercial uses, including a full sized supermarket.

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

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

Comment : The planning proposal seeks to apply the following planning controls to land at 268 to 278 New Line Road, Dural:

- amend the land zoning map to apply a B2 Local Centre zoning to the land currently zoned IN2 Light Industrial; and
- amend the additional permitted use map to modify the extent of Area 5 so that it does not apply to the subject land. Area 5 in the additional permitted uses schedule permits bulky goods premises with development consent in the IN2 Light Industrial zoned land at Dural Service Centre.

NB: The additional permitted use would not be required as bulky goods premises are permissible with consent in the B2 Local Centre zone.

No change is sought for land zoned E3 Environmental Management that currently applies to the site.

It appears on the land zoning maps that small strips of SP2 zoned land, adjoining property Nos. 272-274 and 276-278 New Line Road, are part of those lots.

It is recommended that prior to exhibition the planning proposal be amended to clarify if the land zoned SP2 Infrastructure is included within the planning proposal. This may require Council to address the consistency of the planning proposal with Section 117 Direction 6.2 - Reserving Land for Public Purposes.

No amendment is proposed to the existing maximum building height of 10.5m and the maximum floor space ratio of 0.7:1.

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

4.3 Flood Prone Land

* May need the Director General's agreement

4.4 Planning for Bushfire Protection

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 44—Koala Habitat Protection

SEPP No 55—Remediation of Land

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

SECTION 117 DIRECTIONS

Based on the information in the planning proposal, this proposal is consistent with all the S117 Directions, except as follows:

1.1 BUSINESS AND INDUSTRIAL ZONES

The Direction applies, as the planning proposal intends to rezone land zoned IN2 Light Industrial to B2 Local Centre, which will reduce the potential floorspace for industrial uses in industrial zones.

It is noted that while the planning proposal submitted to Council was accompanied by an economic impact assessment, the peer review concluded that the planning proposal failed to demonstrate the need for more retail facilities in the proposed location. However, should the South Dural Precinct be released, this may provide the demand for the proposed retail facilities. In this regard, it would be appropriate to consider locations both within the precinct and the Dural Service Centre so that local retail and employment uses are appropriately located and integrated.

Accordingly, Should the planning proposal proceed, it is recommended that the consistency with Section 117 Direction 1.1 - Business and Industrial Zones, be further considered upon completion of an updated economic and employment land assessment that establishes demand for retail and employment floor space arising from the estimated future population of the South Dural Planning Proposal.

4.3 FLOOD PRONE LAND

The Direction applies as the subject land is identified as subject to flood risk. As the land is currently zoned for urban purposes, it is considered appropriate that the flood prone land may be dealt with during the development application stage.

It is recommended that an extract of Council's flood prone land map is included in the planning proposal prior to exhibition.

It is further recommended that the Secretary's delegate agree, that the inconsistency with Section 117 4.3 - Flood prone land is of minor significance.

4.4 PLANNING FOR BUSHFIRE PROTECTION

The southern area of the subject land is identified as bushfire prone land on Council's mapping system.

It is accordingly recommended that NSW Rural Fire Service be consulted prior to community consultation, in order to ensure consistency with this Direction.

It is further recommended that an extract of Council's bushfire prone land map be included in the planning proposal prior to exhibition.

6.2 RESERVING LAND FOR A PUBLIC PURPOSE

It appears on the land zoning maps that small strips of SP2 zoned land, adjoining

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

property Nos. 272-274 and 276-278 New Line Road, are part of those lots. Council has not provided an assessment of the consistency of the planning proposal with Section 117 Direction 6.2.

It is recommended that prior to exhibition the planning proposal be amended to clarify if the land zoned SP2 Infrastructure is included within the planning proposal. This may require Council to address the consistency of the planning proposal with Section 117 Direction 6.2 - Reserving Land for Public Purposes.

STATE ENVIRONMENTAL PLANNING POLICIES

Based on the information in the planning proposal, this proposal is consistent with all State Environmental Planning Policies (SEPPs) and deemed SEPPs, except for:

SEPP No. 44 - KOALA HABITAT PROTECTION

Council records indicate that the land adjacent to the subject land is identified as a potential koala habitat.

While not directly impacting upon the proposal, it is recommended that Council be advised in the covering letter to the determination to consider this matter.

SEPP No. 55 - REMEDIATION OF LAND:

Clause 6 of the SEPP requires that in preparing a planning proposal, the planning authority is to have considered whether the land is contaminated, and if the land is contaminated, can the land be remediated to be suitable for its intended use.

Should the planning proposal proceed, a preliminary investigation of the land should be carried out in accordance with the contaminated land planning guidelines.

It is recommended that the above be addressed as a Gateway determination condition.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The maps are adequate for public exhibition purposes although the map legends for each map should be relocated to appear on the same page as each relevant map to ensure clarity.

An extract of Council's flood prone land map should also be included in the planning proposal prior to exhibition.

Further, an extract of Council's bushfire prone land map should be included in the planning proposal prior to exhibition.

Should the planning proposal proceed, prior to finalisation, Council will also need to prepare LEP maps in accordance with the technical mapping standards requirements.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

It is agreed with Council that an exhibition period of 28 days is appropriate.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

Overall adequacy of the proposal

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

If No, comment : **There is adequate information to assess the planning proposal.**

Proposal Assessment

Principal LEP:

Due Date : **September 2013**

Comments in relation to Principal LEP : **Hornsby Local Environmental Plan 2013 was notified in September 2013.**

Assessment Criteria

Need for planning proposal :

BEST MECHANISM FOR ACHIEVING THE INTENDED OUTCOME:

The subject site is zoned IN2 Light Industrial in Hornsby Local Environmental Plan 2013.

The proposal is required to enable commercial and retail consistent with the existing commercial and light industrial corridor in Dural.

The planning proposal is the best means of achieving the intended outcome of rezoning of the land for commercial and retail purposes.

NEED FOR THE PLANNING PROPOSAL

In its initial assessment of the planning proposal, Council contracted GLN Planning to undertake an independent review of the planning proposal.

The independent evaluation recommended that the planning proposal not proceed at this time on the basis that:

- o **the Dural Service Centre is identified as a small village within Council's commercial centres hierarchy, and the preferred location for small and medium scale commercial and retail uses that service the community;**
- o **further, the centre's developable area should reflect its role and not result in development competing with other centres;**
- o **Council's 2008 Employment Study and 2009 Dural Service Centre Study indicated that there is no underlying demand for additional floor area beyond that already provided.**
- o **Further, given the availability of other potential sites including Round Corner, Dural, the need for, and location of, additional retail floor space would be more appropriately considered in conjunction with the South Dural planning proposal.**

GLN Planning concluded that Council not proceed with the planning proposal at this time, as insufficient evidence has been provided to support a full line supermarket based on the existing population of the trade area. Further, demand may be generated by the South Dural planning proposal.

DEPARTMENT COMMENT

In accordance with the independent review, the need for the proposed retail and supermarket development is based on an increased population catchment which may occur with the finalisation of the South Dural planning proposal.

Further, the review indicates there is sufficient retail and land available to expand retail opportunities for the existing catchment.

Accordingly, unless the South Dural planning proposal is finalised, there may not be

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

sufficient demand for the proposed development, which will occur as a result of the proposed rezoning.

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

Consistency with strategic planning framework :

A PLAN FOR GROWING SYDNEY

The planning proposal is consistent with 'A Plan for Growing Sydney', in respect of the following:

- Direction 1.7 - providing more jobs closer to home.

Once the South Dural planning proposal is finalised, this rezoning would assist in providing retail and commercial jobs closer to a new residential precinct.

CONSISTENCY WITH LOCAL STRATEGIC PLANNING FRAMEWORK

The planning proposal is consistent with Council's community strategic plan 'Your Community Plan 2013-2023' as it aims to achieve a balance for the natural and built environment by monitoring and reviewing existing planning controls to ensure quality outcomes for the long term benefit of the Shire.

The planning proposal also encourages consistency with Hornsby Shire Council's h Outcome 3 of the strategic plan: 'Our living centres are vibrant and viable'.

CONSISTENCY WITH KU-RING-GAI AND HORNSBY SUBREGIONAL EMPLOYMENT STUDY (2008)

The Ku-ring-gai and Hornsby Subregional Employment Study recommends that the Dural Service Centre (DSC) broaden the range of permissible uses to include a local level retail and professional services and provide a limited area of B2 Local Centre zoned land to introduce some local centre uses.

It also identified that the DSC has an oversupply of industrial floor space by 142,056sqm. With the proposed decrease in industrial land of 38,800 sqm, there remains an 'oversupply' of industrial floor space of 55,863 sqm.

DEPARTMENT COMMENT

As the study is 8 years old, it is unclear if this oversupply remains applicable to the area. This may be clarified in the economic and employment lands assessment recommended to be required as part of the Gateway determination.

CONSISTENCY WITH SOUTH DURAL PLANNING PROPOSAL

The Council report of 13 April 2016 recommended that Council forward the Planning Proposal to the Department of Planning and Environment and seek a conditional Gateway determination, and that prior to public exhibition, the proponent prepares an updated economic and traffic assessment based on the future needs of the South Dural Precinct and submits a Planning Agreement to secure the provision of traffic facilities to support the proposal.

South Dural planning proposal (PP_2014_HORNS_002_00) is to rezone land bounded by Old Northern Road, New Line Road and Hasting Road, Dural for urban development.

A conditional Gateway determination was issued on 7 March 2014. The proposal is to permit urban development, enable the development of up to 3,000 dwellings, and potentially include a business zone. The initial Gateway determination included a 24 month timeframe (to 14 March 2016). This was extended until 14 March 2018.

At this time, the final land use zones, extent of zoning and layout of the development is not known. There is the potential for the proposal to incorporate its own local centre and full size supermarket on the site.

Further, should the South Dural planning proposal not be finalised, there will potentially be insufficient justification for this planning proposal to proceed, as there will be an insufficient population catchment.

CONSISTENCY WITH COUNCIL RESOLUTION

Hornsby Shire Council resolved to seek a conditional Gateway determination for the planning proposal, seeking that the following occurs prior to exhibition:

- o an updated Economic and Employment Land Assessment that establishes demand for retail and employment floor space arising from the estimated future population of South Dural planning proposal;
- o an updated traffic assessment that considers the future traffic movements arising from the South Dural planning proposal; and
- o a planning agreement that secures the provision of traffic facilities as offered by the proponent.

DEPARTMENT COMMENT

It is noted that the Gateway determination cannot require a local planning agreement being entered into prior to the planning proposal.

Council has also resolved to write to the proponent advising that Council's ongoing support for the planning proposal is conditional upon the progression of the South Dural planning proposal which requires the commitment of the NSW Government to fund its share of the costs associated with the upgrade of the State Road network.

Environmental social
economic impacts :

ENVIRONMENTAL

The proposed rezoning of the site would not apply to the portion of the E3 Environmental Management zone. There would be no environmental impact on the site. It is considered that the land being rezoned from IN2 Light Industrial to B2 Local Centre would not create any adverse environmental impacts.

SOCIAL

The proposed retail development would provide the local community with greater choice of retail options within different local centres. Should the South Dural precinct rezoning proceed, this would service the catchment created from that development.

ECONOMIC

The documentation and studies submitted with the planning proposal indicate that proposed retail development would not pose an unreasonable adverse impacts on the existing local centres.

The submitted economic impact assessment was independently peer reviewed on behalf of Council. The peer review concluded that there was insufficient evidence provided to support a full line supermarket based on the existing population of the trade area. Sufficient demand, however, would be generated by the potential population growth created in the area of the South Dural planning proposal, provided it is not catered for within the Precinct.

Should this planning proposal proceed ahead of the South Dural planning proposal, it has the potential to impact on the existing local centres of Round Corner Town Centre, Dural Village and the existing business zoned land within Dural Service Centre. The Round Corner Town Centre in The Hills local government area.

LOSS OF INDUSTRIAL ZONED LAND

The proposal would decrease industrial zoned land by 38,800 sqm in the Dural Service Centre (DSC). The Ku-ring-gai and Hornsby Subregional Employment Study (2008) identified that the DSC has an oversupply of industrial floor space by 142,056 sqm. With the proposed decrease in industrial land of 38,800 sqm, there is therefore a potential 'oversupply' of industrial floor space of 55,863 sqm.

It is acknowledged that while the proposal will result in a decrease in industrial zoned land, the proposed rezoning and development of the site has the potential to create jobs within the Dural Service Centre with the change to B2 Local Centre zone.

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

TRAFFIC

The proposal has the potential to increase traffic in the area, generated by the proposed retail development on the site.

The planning proposal is supported by a traffic study that concluded the surrounding road network could accommodate the traffic generated by the proposed development with a signalised site access operating at a good level of service with spare capacity.

The traffic study was independently peer reviewed on behalf of Council. The peer review concluded that the traffic and parking assessment is lacking in detail to enable a robust and transparent assessment of the potential impacts of the planning proposal, and recommended further examination if the planning proposal proceeded.

Prior to requesting a Gateway determination for the planning proposal, Council consulted with Roads and Maritime Services (RMS). RMS raised concern with the proposed signalised T intersection on New Line Road. RMS advised it would require additional detail on the proposed layout to determine whether it could be accommodated within the existing road reserve or whether land acquisition would be required.

RMS also advised that the proposal would require upgrades to New Line Road, which would require contributions and potential agreements between Council and RMS.

It is noted that road upgrades and infrastructure upgrades are a component of the Gateway determination for the South Dural planning proposal. A number of meetings have occurred between the Department, Roads and Maritime Services, Hornsby Council and the applicant for the South Dural planning proposal in relation to infrastructure and road upgrades required for the South Dural proposal.

In response to the peer review conclusions and the submission from RMS, Council resolved that a conditional Gateway determination be sought, requiring:

- o an updated traffic assessment that considers the future traffic movements arising from the South Dural planning proposal; and
- o a planning agreement that secures the provision of traffic facilities as offered by the proponent.

Department Comment:

Should the planning proposal proceed, it is recommended that an updated traffic study be prepared that considers the future traffic movements arising from the South Dural planning proposal, and consultation with Transport for NSW and Roads and Maritime Services occurs, prior to public exhibition.

BUSHFIRE PRONE LAND

The planning proposal identifies that the subject land is mapped as bushfire prone land. A copy of the bushfire prone land map has not been included in the planning proposal. As urban uses are currently permissible on the site, it is recommended if the planning proposal proceeds, that a condition be included in the Gateway determination to include a map that identifies the bushfire prone land on the site, and consultation with the Rural Fire Service occurs prior to exhibition.

FLOOD PRONE LAND

The planning proposal identifies that land at 276-278 New Line Road, Dural is subject to flood risk. A copy of the flood risk map has not been included in the planning proposal.

Department Comment:

As the land is currently zoned for urban development, flood risk on the site can be addressed as part of any future development application.

Should the planning proposal proceed, it is recommended that the planning proposal be amended to include a flood risk map for the subject land.

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **24 months** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) : **NSW Rural Fire Service
Transport for NSW
Transport for NSW - Roads and Maritime Services
Adjoining LGAs
Other**

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 : **As the catchment of population to support this proposed rezoning is resultant from the South Dural planning proposal being finalised, there is merit in considering this proposal at a later stage, when the final outcome and timing of the South Dural planning proposal is known.**

Identify any additional studies, if required. :

Economic
Other - provide details below
If Other, provide reasons :

It is recommended that an updated traffic assessment be prepared prior to the planning proposal proceeding to public exhibition.

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 : **The planning proposal notes that the proponent has offered to enter into a planning agreement to secure the provision of traffic facilities required to support the proposal. This would be developed in consultation with Roads and Maritime Services.**

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal.pdf	Proposal	Yes
Cover Letter.pdf	Proposal Covering Letter	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
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection**

Additional Information : **DELEGATION OF THE GREATER SYDNEY COMMISSION'S PLAN MAKING FUNCTIONS
Based on the nature of this planning proposal and the connection with**

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

PP_2014_HORNS_002_00, the Commission's plan making powers should not be issued to Council in this instance.

CONSISTENCY WITH SECTION 117 DIRECTIONS

It is recommended that the Director, Sydney Region West, as delegate of the Secretary, agree that the inconsistency with Section 117 Direction 4.3 - Flood Prone land is of minor significance.

RECOMMENDATION

It is recommended the planning proposal proceed, subject to the following conditions:

1. The planning proposal is not to proceed until the South Dural planning proposal (PP_2014_HORNS_002_00) is submitted to the Department for finalisation.
2. Prior to public exhibition, Council is to update the planning proposal to:
 - a. identify the property description of the land included within the proposal; and
 - b. update the planning proposal to identify any proposed amendments to the SP2 zoned land within the subject land, and if required, address consistency of the planning proposal with Section 117 Direction 6.2 – Reserving land for public purpose;
 - c. include a map identifying the flood prone land and bushfire prone land within the subject area; and
 - d. amend the maps in the planning proposal to ensure the map legend and map extract is on the same page to ensure the maps are legible.
3. Prior to public exhibition, Council is to undertake the following work:
 - a. an updated economic and employment assessment that establishes demand for retail and employment floor space arising from the estimated future population of the South Dural planning proposal;
 - b. an updated traffic assessment that considers future traffic movements arising from the South Dural planning proposal; and
 - c. preliminary investigations in accordance with the requirements of State Environmental Planning Policy No. 55- Remediation of Land.
4. The planning proposal is to be amended, where necessary, to include the outcome of the additional work identified above. Council is required to seek the agreement of the Director, Sydney Region West, prior to the amended planning proposal proceeding to public exhibition.
5. Prior to public exhibition, Council is to consult with Transport for NSW and Transport for New South Roads and Maritime Services. 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. Council is to take into account any comments received from each public authority and update the planning proposal accordingly.
6. Prior to public exhibition, Council is to consult with the Commissioner of the NSW Rural Fire Service in accordance with Section 117 Direction 4.4 – Planning for Bushfire Protection. Council is to take into account any comments received from the Commissioner and update the planning proposal accordingly.
7. Community consultation is required under sections 56(2)(c) and 57 of the 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 and Infrastructure 2013).
8. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

Rezoning of part of the Dural Service Centre from IN2 Light Industrial zone to B2 Local Centre zone

- Office of Environment and Heritage; and
- The Hills Shire Council

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.

9. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the 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).

10. The timeframe for completing the LEP is to be 24 months from the week following the date of the Gateway determination.

Supporting Reasons :

Should the South Dural planning proposal proceed with residential development, the population increase would provide the population catchment necessary to support this rezoning. In turn, this rezoning would provide retail opportunities for the new residential precinct.

Signature:



Printed Name:

T. DORAN

Date:

25/7/16

