

**ITEM-2****NOTICE OF MOTION - REVIEW OF RU6 TRANSITION ZONE**

I, the undersigned Councillor hereby give notice of my intention to move at the next Ordinary Meeting of Council that –

**MOTION**

The General Manager prepare and forward a planning proposal to the Department of Planning and Environment to amend our LEP in the following way:

1. Include two additional local objectives within the RU6 Transition zone of The Hills Local Environmental Plan 2012:
  - To maintain the rural and scenic character of the land
  - To provide for a range of land uses compatible with the rural residential character
2. Remove the following land uses as permitted within the RU6 Transition zone of The Hills Local Environmental Plan 2012:
  - Cemeteries
  - Places of public worship
3. Introduce a local clause to reflect the DCP site coverage controls into our Local Environmental Plan.



Councillor Robyn Preston

**BACKGROUND**

Council's Rural Strategy used the term 'rural living mixed uses' to identify the southern rural areas which include Glenorie, Middle Dural, Dural, Glenhaven, Kenthurst, Annangrove, Nelson and Box Hill. It identified that this area was made up of mostly 2 hectare lots and had a predominance of rural residential land uses (72%) being dwelling houses and home businesses. Other significant land uses included rural villages (11.7%) native vegetation (5.8%) and intensive plant uses (5.5%).

With the aim of providing a level of certainty to the people who live in the rural area, the identified strategies included preserving the open rural landscape and protecting the amenity of residents. I am concerned that the current LEP may not have sufficient protections for this area to preserve the quality of life enjoyed by residents in this rural zone.

The current objectives for the RU6 Transition zone are:

- To protect and maintain land that provides a transition between rural and other land uses of varying intensities or environmental sensitivities; and
- To minimise conflict between land uses within this zone and land uses within adjoining zones;
- To encourage innovative and sustainable tourist development, sustainable agriculture and the provision of farm produce directly to the public.

The first two objectives are required as part of any Standard Instrument LEP and the third was an outcome of Council's Rural Strategy work. I consider that objectives are needed that recognise the rural and scenic character and the need for land uses to be compatible with this character. The features of this area are significant enough to warrant specific objectives that promote land uses compatible with the scenic landscape and dominant rural residential character.

The RU6 Transition zone allows for a variety of uses and we currently deal with scale, compatibility of use and impacts through our DCP controls including site coverage requirements. For lots between 2 and 10 hectares the maximum site coverage contained in our DCP is 15% or 2,500m<sup>2</sup>. Unfortunately, with changes to planning legislation in recent years, the status of DCPs has been relegated to 'guidelines' which makes it difficult to implement these key desired outcomes. I feel we need better objectives and primary controls in our LEP to meet community expectations. Firstly we should prohibit uses that by their nature cause impact. Secondly we can look at increasing the clarity around the objectives for the zone and thirdly we can explore a local clause to place site coverage requirements in our LEP.

There needs to more consideration of the impacts of certain land uses on the amenity and character of the rural area. The land uses currently permitted that have a high potential to result in land use conflict and impact on the lifestyle of residents in the rural area are cemeteries and places of public worship. The impacts could include dust, odour, noise, visual impacts and lack of privacy on adjoining properties, overshadowing and disturbance associated with lighting, traffic and operating hours.

Development Applications for cemeteries typically receive a large number of submissions relating to proximity to schools, traffic impacts (specifically during funeral services and processions), noise impacts from the construction of graves through sandstone, run-off and odour impacts from burial plots. This use should only be permitted in the RU2 Rural Landscape zone as the larger lot sizes are able to better manage impacts on amenity and local character and they are less likely to be co-located with other traffic inducing uses such as educational establishments.

Places of public worship, regardless of denomination, have the potential to cause amenity and traffic impacts in the surrounding area. Council currently receives complaints from resident's adjoining places of worship, particularly about noise and traffic congestion. This land use can also impact on resident's ability to park in their own street on weekends. These land uses are mandated as permissible in the R3 Medium Density Residential and the R4 High Density Residential zone. Council also permits places of worship in most other zones including the business zones, industrial zones as well as the RU2 Rural Landscape zone where the impacts can be better managed.

I believe Council offers enough choice for the location of places of public worship without having to encroach on RU6 Transition zone areas. Given the potential for these developments to be larger scale facilities, impacts are difficult to manage on smaller 2 hectare parcels.

I ask that a planning proposal be prepared by the General Manager and put forward to the Department of Planning and Environment to strengthen the objectives, to prohibit cemeteries and places of public worship within the RU6 Transition zone and to introduce site coverage controls into our LEP.

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**MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 24 October 2017**

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**ITEM-1 CONFIRMATION OF MINUTES**

A MOTION WAS MOVED BY COUNCILLOR PRESTON AND SECONDED BY COUNCILLOR THOMAS THAT the Minutes of the Ordinary Meeting of Council held on 10 October 2017 be confirmed.

THE MOTION WAS PUT AND CARRIED.

**545 RESOLUTION**

The Minutes of the Ordinary Meeting of Council held on 10 October 2017 be confirmed.

**PETITIONS**

**546 PETITIONS TO THE CITY OF PARRAMATTA COUNCIL – LACK OF PARKING AT THE SHOPPING VILLAGE ON CARMEN DRIVE, CARLINGFORD**

Councillor Uno tabled a petition of 840 signatures from the Community and Residents of Carlingford and West Pennant Hills regarding the lack of parking at the Shopping Village on Carmen Drive, Carlingford.

**COMMUNITY FORUM**

*There were no addresses to Council during Community Forum.*

**ITEM-2 NOTICE OF MOTION - REVIEW OF RU6 TRANSITION ZONE**

A MOTION WAS MOVED BY COUNCILLOR PRESTON AND SECONDED BY COUNCILLOR HASELDEN THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED.

**547 RESOLUTION**

The General Manager prepare and forward a planning proposal to the Department of Planning and Environment to amend our LEP in the following way:

1. Include two additional local objectives within the RU6 Transition zone of The Hills Local Environmental Plan 2012:
  - To maintain the rural and scenic character of the land
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  - Places of public worship
3. Introduce a local clause to reflect the DCP site coverage controls into our Local Environmental Plan.

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**MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 24 October 2017**

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*Being a planning matter, the Mayor called for a division to record the votes on this matter*

**VOTING FOR THE MOTION**

Mayor Dr M R Bryne  
Clr R A Preston  
Clr Dr P J Gangemi  
Clr B L Collins OAM  
Clr M G Thomas  
Clr R K Harty OAM  
Clr E M Russo  
Clr F P De Masi  
Clr A J Hay OAM  
Clr A N Haselden  
Clr S P Uno  
Clr R Jethi

**VOTING AGAINST THE MOTION**

Clr R M Tracey

**ITEM-3**

**POST EXHIBITION - PLANNING PROPOSAL - 434  
OLD NORTHERN ROAD AND 2 & 2A FULLERS ROAD,  
GLENHAVEN (4/2017/PLP)**

A MOTION WAS MOVED BY COUNCILLOR PRESTON AND SECONDED BY COUNCILLOR COLLINS OAM THAT the Recommendation contained in the report be adopted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY.

**548 RESOLUTION**

1. The planning proposal be progressed to finalisation to amend The Hills Local Environmental Plan 2012 to:
  - a. Amend Schedule 1 to include Seniors Housing as an additional permitted use capped at nine (9) self-care units; and
  - b. Identify the site on the Additional Permitted Uses Map.
2. Draft amendments to The Hills Development Control Plan 2012 Part B Section 2 – Residential (Attachment 1 – ECM No.16294173) be adopted and come into force following the notification of the planning proposal.

*Being a planning matter, the Mayor called for a division to record the votes on this matter*

**VOTING FOR THE MOTION**

Mayor Dr M R Bryne  
Clr R A Preston  
Clr Dr P J Gangemi  
Clr B L Collins OAM  
Clr M G Thomas  
Clr R K Harty OAM