



THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL
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25 January 2023

Ms Catherine Van Laeren
Executive Director, Central River City & Western Parkland City
Greater Sydney, Place & Infrastructure
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

Our Ref: 1/2023/PLP

Dear Ms Van Laeren,

PLANNING PROPOSAL SECTION 3.34 NOTIFICATION

Proposed State Environmental Policy (Precincts – Central River City) 2021 (Amendment No (#)) – to reclassify a portion of the subject site within the Box Hill Precinct from “community” land to “operational” land

Pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), it is advised that a planning proposal has been prepared for the above amendment. The Planning Proposal seeks to promote orderly development outcomes for the subject site and surrounds by enabling the consolidation of 487m² of surplus Council-owned land into the adjoining residential subdivision and the construction of an important local road link by the adjoining developer.

Section 9.1 Ministerial Direction, Local Planning Panels Direction - Planning Proposals (2018) requires all planning proposals prepared after 1 June 2018 to be referred to the Local Planning Panel for advice unless the Council's General Manager determines that the planning proposal relates to:

- a) *The correction of an obvious error in a local environmental plan,*
- b) *Matters that are of a consequential, transitional, machinery or other minor nature, or*
- c) *Matters that the council's general manager considers will not have any significant adverse impact on the environment or adjoining land.*

Council's General Manager has determined that the planning proposal meets all the above criteria and therefore the proposal is not required to be referred to the Local Planning Panel for advice. Specifically, the planning proposal would correct an error whereby the portion of the subject land which is zoned R3 Medium Density Residential was classified as “community” land despite never being intended to be used for a community purpose. The current classification prevents the achievement of the development and precinct planning outcomes envisaged for the land under the Precincts – Central River City SEPP and Box Hill DCP, the planning proposal seeks to rectify this.

The proposal will not result in any adverse impacts on the environment or adjoining land (noting also that any future development on the adjoining land will be subject to a separate development assessment process).

Please find enclosed the information required in accordance with the guidelines '*A guide to preparing planning proposals*' issued under Section 3.33(3) of the EP&A Act and LEP Practice Note PN 16-001 '*Classification and reclassification of public land through a local environmental plan*'. The planning proposal and supporting material is enclosed with this letter for your consideration.

Following receipt by Council of the Department's written advice, Council will proceed with the planning proposal. Any future correspondence in relation to this matter should quote reference number 1/2023/PLP.

Should you require further information please contact Emma Langan, Town Planner on 9843 0243.



Megan Munari
PRINCIPAL COORDINATOR FORWARD PLANNING

Attachment 1: Section 3.34 Planning Proposal (1/2023/PLP) incorporating:

- Attachment A** Assessment against State Environment Planning Policies
- Attachment B** Assessment against Section 9.1 Local Planning Directions
- Attachment C** Council Report and Minute, 26 October 2022
- Attachment D** Title Search on Lot 2 DP 621465
- Attachment E** Information checklist for proposals to reclassify public land through a SEPP