

ITEM **PLANNING PROPOSAL -
HOUSEKEEPING AMENDMENT -
REVIEW OF CLASSIFIED ROAD
WIDENING (14/2013/PLP)**

THEME:	Balanced Urban Growth
OUTCOME:	7 Responsible planning facilitates a desirable living environment and meets growth targets.
STRATEGY:	7.2 Manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.
GROUP:	STRATEGIC PLANNING
AUTHOR:	TOWN PLANNER PIERS HEMPHILL
RESPONSIBLE OFFICER:	MANAGER FORWARD PLANNING STEWART SEALE

EXECUTIVE SUMMARY

This report recommends that the second housekeeping amendment to *The Hills Local Environmental Plan 2012* (LEP 2012) be forwarded to Planning and Infrastructure (formally the Department of Planning and Infrastructure) for Gateway Determination. The proposed amendments seek to rezone 44 parcels to the SP2 Infrastructure zone, 27 parcels from the SP2 Infrastructure zone, to include 32 of the parcels on the Land Reservation Acquisition map and to remove 28 parcels from the Land Reservation Acquisition map.

The purpose of these amendments is to manage the land for future road infrastructure as identified by Roads and Maritime Services (RMS). Other existing SP2 Infrastructure zoned parcels are to be rezoned and removed from the Land Reservation Acquisition map as they are no longer required by RMS. Some changes are also required to the Floor Space Ratio, Minimum Lot Size and Height of Buildings maps to ensure the rezoned parcels are consistent with their surrounding land uses and to ensure LEP 2012 is accurate and consistent with the adopted strategic policy position of Council.

APPLICANT

The Hills Shire Council – Council Initiated

HISTORY

- 29 March 2011 –
13 May 2011** Draft The Hills Local Environmental Plan 2010 was exhibited. The then Roads and Traffic Authority (RTA) requested various changes to Council's Land Zoning and Land Reservation Acquisition Maps.
- 05 October 2012** The Hills Local Environmental Plan 2012 gazetted. All of the changes requested by the RTA were not included given the need to ensure a consistent approach was taken to how land required for road widening was zoned and identified on the Land Reservation Acquisition Map.

BACKGROUND

During the exhibition of Draft *The Hills Local Environmental Plan 2010* (DLEP 2010) the then Roads and Traffic Authority requested various changes to Council's Land Zoning and Land Reservation Acquisition maps. A number of the requested changes were made to the maps, however due to the extent of the changes it was considered appropriate that a review of the road widening mapping be carried out in consultation with Roads and Maritime Services (RMS) with the identified changes made as a housekeeping amendment to LEP 2012.

In July 2011 RMS provided Council with GIS data which identified the extent of land to be acquired by RMS. Council officers have since carried out a review, in consultation with RMS, to identify inconsistencies between the RMS Land Acquisition map and Council's Land Zoning and Land Reservation Acquisition maps.

The above review has now been completed and required updates are outlined in Attachment 1.

REPORT

The purpose of this report is to outline the amendments necessary to manage land identified by RMS for future acquisition for the purpose of road widening. Required changes to LEP 2012 include rezoning 44 parcels to SP2 Infrastructure, adding 32 parcels to the Land Reservation Acquisition Map and associated changes to the Floor Space Ratio, Minimum Lot Size and Height of Buildings maps as identified in Attachment 1. Other amendments include rezoning 27 parcels from SP2 Infrastructure, removing 28 parcels from the Land Reservation Acquisition map and associated changes to the other LEP maps as they are no longer required by RMS.

The SP2 Infrastructure zone provides for infrastructure and related uses by preventing development that is not compatible with, or that may detract from the provision of that infrastructure. In order to assist with the provision of future road projects, Council seeks to zone any land which RMS requires to SP2 Infrastructure and identify currently in private ownership on its Land Reservation Acquisition Map to prevent development which may impact on future road widening.

The subject land is to be zoned SP2 Infrastructure and identified on the Land Reservation Acquisition Map to provide for its acquisition by RMS for future road projects consistent with Clause 5.1 of LEP 2012.

Public Transport Corridors

In April 2010 Council was advised by the then Department of Planning that the 'Public Transport Corridors' associated with *Sydney Regional Environmental Plan No. 18 – Public Transport Corridors (SREP 18)* were to be zoned SP2 Infrastructure and marked as 'Public Transport Corridor'. The draft LEP was subsequently amended to reflect this advice.

The map provided by the RMS to identify required acquisitions did not include land identified as 'Public Transport Corridor'. As RMS is the relevant acquisition authority for this land, Council sought clarification from RMS on the extent of this acquisition requirement and confirmation as to whether these areas are still required. Advice from RMS in August 2013 resulted in the identification of six (6) additional locations along Windsor Road for 'Public Transport Corridor'. These are outlined in Attachment 1.

The Review Process

In determining what amendments will be required to LEP 2012 a number of criteria were established. These criteria include:

- Land to be acquired by RMS must be zoned SP2 Infrastructure;
- If the land to be acquired is privately owned the land must be identified on the Land Reservation Acquisition map;
- If the land to be acquired is owned by a public authority the land must not be identified on the Land Reservation Acquisition map; and
- If RMS has already acquired the land or if the land is no longer required by RMS it must be zoned consistent with the adjoining zone and removed from the LRA Map.

It is noted that under the Standard Instrument Local Environmental Plan, written consent is required from public authorities to being listed under clause 5.1 of the LEP as the relevant authority for the acquisition of land shown on the Land Reservation Acquisition Map for "Classified road" and "Public Transport Corridor" purposes. Whilst the acquisition maps have been prepared in consultation with the RMS, formal consent will be sought during the exhibition stage, should the planning proposal be supported and Gateway Determination issued.

Attachment 1 of this report provides a table of proposed amendments (69 updates). Each update has been allocated with a unique 'update number' to assist with the interpretation of the extent of each change. For each update the table identifies the affected properties, the required amendment to the Land Zoning Map, the required amendment to the Land Reservation Acquisition Map and any required associated amendments including changes to the Floor Space Ratio, Minimum Lot Size and Height of Buildings maps, to ensure consistency with the controls for the surrounding area. The table also includes the relevant LEP 2012 Map Sheet within which the site is located.

CONCLUSION

The proposed housekeeping amendments include the correction of the LEP 2012 Zoning and Land Reservation Acquisition Maps to be consistent with the requirements of RMS. Other associated changes to the Floor Space Ratio, Minimum Lot Size and Height of Buildings maps are also required to the parcels to ensure they are consistent with surrounding land uses.

Whilst generally minor in nature, the amendments are considered necessary to ensure LEP 2012 is accurate and consistent with the adopted strategic policy position of Council. The amendments ensure that The Hills Shire can be effectively governed in terms of land use planning and management in a manner that is clear, transparent, responsive and compliant with legislative requirements.

It is therefore recommended that a planning proposal containing the amendments as outlined in Attachment 1 be forwarded to Planning and Infrastructure for Gateway Determination.

IMPACTS

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

The Hills Future - Community Strategic Plan

The proposed housekeeping amendments to LEP 2012 will provide Council with an accurate and improved regulatory framework for land use planning decisions within the Shire, consistent with the requirements of RMS. The amendments will prevent land use conflicts where future road widening is to occur and will promote safer roads and minimise traffic congestion.

RECOMMENDATION

A planning proposal be forwarded to Planning and Infrastructure setting out the proposed housekeeping amendments outlined in Attachment 1 of this report for Gateway Determination.

ATTACHMENTS

1. Schedule of proposed amendments to LEP 2012 map sheets (69 pages)