



New South Wales

Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S07/02096/PC)

KRISTINA KENEALLY MP
Minister for Planning

2009 No 41

Clause 1 Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)

Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)*.

2 Aims of plan

The aims of this plan are:

- (a) to rezone land to which this plan applies from Residential 2 (a2) Zone, Special Uses 5 (a) (Educational Establishment) Zone and Special Uses 5 (b) (Existing and Proposed Roads) Zone to Business 3 (a) (Retail) Zone under *Baulkham Hills Local Environmental Plan 2005*, and
- (b) to provide for the maximum floor space ratio and building heights for development on the land to which this plan applies.

3 Land to which plan applies

This plan applies to land situated within the Baulkham Hills local government area, being that part of Pennant Street, between Showground Road and Castle Street, Castle Hill, Lot 111, DP 880469, 2 Showground Road, Castle Hill, Lots 1–10, DP 135596, 4–22 Showground Road, Castle Hill, Lots 8 and 9, DP 28135, 24–26 Showground Road, Castle Hill, Lot 10, DP 20028, Lots 12 and 13, Sec 3, DP 2496 and Lot 1, DP 137044, 2–10 Pennant Street, Castle Hill, Lot 3, DP 1073392, 15A Castle Street, Castle Hill, Lots 6–9, Sec 3, DP 2496 and Lots 31 and 32, DP 515782, 17–25 Castle Street, Castle Hill, Lot 11, Sec 3, DP 2496, 27 Castle Street, Castle Hill, Lot 20, DP 28895, 29 Castle Street, Castle Hill, Lot 191, DP 869861, 31 Castle Street, Castle Hill, Lots 21–28, DP 28896, 1–15 Kentwell Avenue, Castle Hill and Lot 192, DP 869861, 17 Kentwell Avenue, Castle Hill, as shown edged heavy black on the map marked “Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)” deposited in the office of the Council of the Shire of Baulkham Hills.

4 Amendment of Baulkham Hills Local Environmental Plan 2005

Baulkham Hills Local Environmental Plan 2005 is amended as set out in Schedule 1.

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Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in alphabetical order in clause 5 (1):

building height means the vertical distance between ground level (existing) at any point to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

ground level (existing) means the existing level of a site at any point.

[2] Clause 5 (1), definition of “the map”

Insert in appropriate order:

Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)

[3] Clause 60

Insert after clause 59:

60 Development within Castle Hill

- (1) This clause applies to the land shown edged heavy black on the map marked “Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)”.
- (2) The objectives of this clause are:
 - (a) to control the bulk and scale of future development on the land, and
 - (b) to ensure that future development is compatible with the scale and character of adjoining development.
- (3) The consent authority must not consent to the carrying out of development on land to which this clause applies unless:
 - (a) the floor space ratio of the development does not exceed the maximum floor space ratio as shown on the map marked “Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)—Castle Hill Floor Space Ratio Map”, and

- (b) the building height of the development does not exceed the maximum building height as shown on the map marked “Baulkham Hills Local Environmental Plan 2005 (Amendment No 16)—Castle Hill Building Height Map”.