



New South Wales

# **The Hills Local Environmental Plan 2012 (Amendment No 32)**

under the

**Environmental Planning and Assessment Act 1979**

The Greater Sydney Commission makes the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

**DAVE WALKER, GENERAL MANAGER, THE HILLS SHIRE COUNCIL**  
As delegate for the Greater Sydney Commission

## **The Hills Local Environmental Plan 2012 (Amendment No 32)**

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### **1 Name of Plan**

This Plan is *The Hills Local Environmental Plan 2012 (Amendment No 32)*.

### **2 Commencement**

This Plan commences on the day on which it is published on the NSW legislation website.

### **3 Land to which Plan applies**

This Plan applies to:

- (a) Lot 101, DP 1176747, RMB 47 Spurway Drive, Baulkham Hills, and
- (b) Lot 32, DP 247442, 30 Fairway Drive, Kellyville, and
- (c) Lot 33, DP 247442, Spurway Drive, Baulkham Hills.

### **4 Maps**

The maps adopted by *The Hills Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the Greater Sydney Commission on the making of this Plan.

### **5 Amendment of The Hills Local Environmental Plan 2012**

#### **Clause 7.10**

Insert after clause 7.9:

#### **7.10 Residential development yield on certain land**

- (1) The objectives of this clause are as follows:
  - (a) to ensure the provision of a mix of dwelling types in residential flat buildings, providing housing choice for different demographics, living needs and household budgets,
  - (b) to ensure that development for residential flat buildings does not place an unreasonable burden on the provision of services, facilities and infrastructure in the area to which this clause applies,
  - (c) to provide opportunities for suitable housing density that is compatible with existing development and the future character of the surrounding area,
  - (d) to promote development that accommodates the needs of larger households, being a likely future residential use.
- (2) This clause applies to land identified as “Area B” on the Key Sites Map.

- (3) The consent authority may consent to the erection of residential flat buildings on the land containing a maximum of 1,300 dwellings.
- (4) If development under this clause will result in no more than 600 dwellings in residential flat buildings, development consent may be granted for the development only if the height of each residential flat building does not exceed 16 metres.
- (5) If development under this clause will result in more than 600 dwellings in residential flat buildings, development consent may be granted for the development only if:
  - (a) no more than 25% of the total number of dwellings (to the nearest whole number of dwellings) forming part of the development are studio or 1 bedroom dwellings, or both, and
  - (b) at least 10% of the total number of dwellings (to the nearest whole number of dwellings) forming part of the development are 3 or more bedroom dwellings, and
  - (c) the development comprises the following:
    - (i) Type 1 apartments—up to 30% of the total number of dwellings (to the nearest whole number of dwellings), and
    - (ii) Type 2 apartments—up to 30% of the total number of dwellings (to the nearest whole number of dwellings), and
    - (iii) Type 3 apartments, and
  - (d) the following minimum number of car parking spaces are provided in the development:
    - (i) for each 1 bedroom dwelling—1 car parking space, and
    - (ii) for each 2 or more bedroom dwelling—2 car parking spaces, and
    - (iii) for every 5 dwellings—2 car parking spaces, in addition to the car parking spaces required for the individual dwelling.
- (6) In this clause:

**Type 1 apartment** means:

  - (a) a studio or 1 bedroom apartment with an internal floor area of at least 50m<sup>2</sup> but less than 65m<sup>2</sup>, or
  - (b) a 2 bedroom apartment with an internal floor area of at least 70m<sup>2</sup> but less than 90m<sup>2</sup>, or
  - (c) a 3 or more bedroom apartment with an internal floor area of at least 95m<sup>2</sup> but less than 120m<sup>2</sup>.

**Type 2 apartment** means:

  - (a) a studio or 1 bedroom apartment with an internal floor area of at least 65m<sup>2</sup> but less than 75m<sup>2</sup>, or
  - (b) a 2 bedroom apartment with an internal floor area of at least 90m<sup>2</sup> but less than 110m<sup>2</sup>, or
  - (c) a 3 or more bedroom apartment with an internal floor area of at least 120m<sup>2</sup> but less than 135m<sup>2</sup>.

**Type 3 apartment** means:

  - (a) a studio or 1 bedroom apartment with a minimum internal floor area of 75m<sup>2</sup>, or
  - (b) a 2 bedroom apartment with a minimum internal floor area of 110m<sup>2</sup>, or

- (c) a 3 or more bedroom apartment with a minimum internal floor area of 135m<sup>2</sup>.

***internal floor area*** does not include the floor area of any balcony.