



New South Wales

# **The Hills Local Environmental Plan 2012 (Amendment No 43)**

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*.

**MICHAEL EDGAR, GENERAL MANAGER, THE HILLS SHIRE COUNCIL**  
As delegate for the Greater Sydney Commission

## **The Hills Local Environmental Plan 2012 (Amendment No 43)**

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### **1 Name of Plan**

This Plan is *The Hills Local Environmental Plan 2012 (Amendment No 43)*.

### **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 the land to which *The Hills Local Environmental Plan 2012* applies.

### **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.

## **Schedule 1      Amendment of The Hills Local Environmental Plan 2012**

### **Clause 7.7**

Omit the clause. Insert instead:

#### **7.7 Design excellence**

- (1) The objective of this clause is to deliver the highest standard of architectural and urban design.
- (2) This clause applies to development involving the erection of a new building or external alterations to an existing building if the building has a height of 25 metres or more.
- (3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:
  - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (b) whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain,
  - (c) whether the development detrimentally impacts on view corridors,
  - (d) whether the development detrimentally impacts on any land protected by solar access controls established under a development control plan,
  - (e) the requirements of any development control plan to the extent that it is relevant to the proposed development,
  - (f) how the development addresses the following matters:
    - (i) the suitability of the land for development,
    - (ii) existing and proposed uses and use mix,
    - (iii) heritage issues and streetscape constraints,
    - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
    - (v) bulk, massing and modulation of buildings,
    - (vi) street frontage heights,
    - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
    - (viii) the achievement of the principles of ecologically sustainable development,
    - (ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
    - (x) the impact on, and any proposed improvements to, the public domain,
    - (xi) the configuration and design of public access areas, recreation areas and communal open space on the site and whether that design incorporates exemplary and innovative treatments,

- (g) the findings of a panel of 3 or more persons that has been convened by the consent authority for the purposes of reviewing the design excellence of the development proposal.