



New South Wales

# **The Hills Local Environmental Plan 2019 (Amendment No 3)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**CATHERINE VAN LAEREN**

As delegate for the Minister for Planning and Public Spaces

## **The Hills Local Environmental Plan 2019 (Amendment No 3)**

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### **1 Name of Plan**

This Plan is *The Hills Local Environmental Plan 2019 (Amendment No 3)*.

### **2 Commencement**

- (1) This Plan commences on the day on which it is published on the NSW legislation website, except as provided by subclause (2).
- (2) Schedule 1.2 commences on 25 December 2020.

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

This Plan applies to land to which *The Hills Local Environmental Plan 2019* applies, including certain land in Castle Hill.

### **4 Maps**

The maps adopted by *The Hills Local Environmental Plan 2019* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

## **Schedule 1      Amendment of The Hills Local Environmental Plan 2019**

### **1.1 Amendments to commence on publication**

**[1] Clause 7.11 Development on certain land within the Sydney Metro Northwest Urban Renewal Corridor**

Insert “or “Area B”” after ““Area A”” in clause 7.11(2).

**[2] Clause 7.11(3A)**

Insert after clause 7.11(3)—

- (3A) Despite clause 4.4, the consent authority may consent to development on Lot 501, DP 739611, being land to which this clause applies, with a floor space ratio that does not exceed the increased floor space ratio identified on the Floor Space Ratio Incentive Map, if the consent authority is satisfied that—
- (a) at least 20% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development are to be used as social housing premises, and
  - (b) the following minimum number of car parking spaces are to be provided for the development—
    - (i) for each dwelling—1 car parking space,
    - (ii) for every 5 dwellings—1 car parking space, in addition to the car parking space required for the individual dwelling.

**[3] Clause 7.11(4)**

Insert in alphabetical order—

*social housing premises* has the same meaning as in the *Residential Tenancies Act 2010*.

**[4] Clause 7.11A, heading**

Omit “at 6–12A and 16–20 Garthowen Crescent, Castle Hill”.

Insert instead “on certain land within the Castle Hill North Precinct”.

**[5] Clause 7.11A(2)**

Insert ““Area G”, “Area H”, “Area I”, “Area J”, “Area K” or” after “identified as”.

**[6] Clause 7.11A(3)(a)–(h)**

Omit clause 7.11A(3)(a)–(f). Insert instead—

- (a) all lots comprising the land are amalgamated into a single lot,
- (b) the requirements of clause 7.11(3) have been met,
- (c) in relation to land identified as “Area G” on the Key Sites Map—publicly accessible common open space with a width of at least 5 metres will be provided along the eastern boundary of the land adjacent to Larool Crescent Reserve,
- (d) in relation to land identified as “Area H” on the Key Sites Map—publicly accessible common open space with a width of at least 5 metres will be provided along the western boundary of the land adjacent to Larool Crescent Reserve,

- (e) in relation to land identified as “Area I” on the Key Sites Map—the development will include active street frontages on Pennant Street,
- (f) in relation to land identified as “Area J” on the Key Sites Map—pedestrian links will be provided through the land to connect Larool Crescent to Les Shore Place,
- (g) in relation to land identified as “Area K” on the Key Sites Map—
  - (i) buildings on the land will not exceed three storeys along the Larool Crescent and Carramarr Road frontages, and
  - (ii) pedestrian links will be provided through the land to facilitate access between Barrawarn Place and Larool Crescent Reserve,
- (h) in relation to land identified as “Area L” on the Key Sites Map—
  - (i) buildings on the land will be setback from Garthowen Crescent by at least 7.5 metres, and
  - (ii) pedestrian links will be provided through the land to connect the northern and southern frontages to Garthowen Crescent, and
  - (iii) one basement parking area will be provided on the land, including access roads through the land that will enable residents to enter into and exit from the northern and southern frontages to Garthowen Crescent, and
  - (iv) buildings on the land will not overshadow or detract from the heritage value of Garthowen and a ground level common open space will be provided between Garthowen and those buildings.

**[7] Clauses 7.16 and 7.17**

Insert after clause 7.15—

**7.16 Development on certain land at Castle Hill**

- (1) This clause applies to land identified as “Area 1” on the Clause Application Map.
- (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority has obtained the concurrence of Transport for NSW.
- (3) In deciding whether to grant concurrence, Transport for NSW must take into consideration the potential effects of the development on proposed future road infrastructure in the locality.
- (4) Transport for NSW has 21 days from receiving the consent authority’s request to inform the consent authority of its decision.
- (5) In this clause—  
*Transport for NSW* has the same meaning as in the *Transport Administration Act 1988*.

**7.17 Development at 1–56 Pennant Way, Castle Hill**

- (1) The objective of this clause is to facilitate appropriate pedestrian access between Larool Crescent and Les Shore Place.
- (2) This clause applies to land at 1–56 Pennant Way, Castle Hill, being Lot 501, DP 739611.
- (3) Development consent must not be granted for development for the purposes of residential accommodation on land to which this clause applies unless the consent authority is satisfied—

- (a) that pedestrian links will be provided through the land to connect Larool Crescent to Les Shore Place, or
- (b) having regard to the nature, scale and location of the development in relation to the land, that those pedestrian links would not be appropriate.

**[8] Dictionary**

Insert in alphabetical order—

**Clause Application Map** means the The Hills Local Environmental Plan 2019 Clause Application Map.

**1.2 Amendments to commence on 25 December 2020**

**[1] Clause 1.8A, heading**

Omit “provision”. Insert instead “provisions”.

**[2] Clause 1.8A(4)**

Insert after clause 1.8A(3)—

- (4) An amendment made to this Plan by Schedule 1.2 of *The Hills Local Environmental Plan 2019 (Amendment No 3)* does not apply to a development application made but not finally determined before the commencement of the amendment.

**[3] Clause 7.11 Development on certain land within the Sydney Metro Northwest Urban Renewal Corridor**

Omit clause 7.11(3)(e). Insert instead—

- (e) if the development is on land identified as “Area A” on the Floor Space Ratio Map, the following minimum number of car parking spaces are to be provided for the development—
  - (i) for each dwelling—1 car parking space,
  - (ii) for every 5 dwellings—1 car parking space, in addition to the car parking space required for the individual dwelling, and
- (f) if the development is on land identified as “Area B” on the Floor Space Ratio Map, the maximum number of car parking spaces that are to be provided for the development is the sum of the following—
  - (i) for each studio or 1 bedroom dwelling—0.5 car parking spaces,
  - (ii) for each 2 bedroom dwelling—0.8 car parking spaces,
  - (iii) for each 3 or more bedroom dwelling—1.3 car parking spaces,
  - (iv) for every 5 dwellings—0.2 car parking spaces, in addition to the car parking spaces required for each individual dwelling.

**[4] Clause 7.11(3A)(b)**

Omit the paragraph. Insert instead—

- (b) the maximum number of car parking spaces that are to be provided for the development is the sum of the following—
  - (i) for each studio or 1 bedroom dwelling—0.5 car parking spaces,
  - (ii) for each 2 bedroom dwelling—0.8 car parking spaces,
  - (iii) for each 3 or more bedroom dwelling—1.3 car parking spaces,
  - (iv) for every 5 dwellings—0.2 car parking spaces, in addition to the car parking spaces required for each individual dwelling.