



New South Wales

The Hills Local Environmental Plan 2019 (Amendment No 12)

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*.

JANE GROSE

As delegate for the Minister for Planning and Public Spaces

The Hills Local Environmental Plan 2019 (Amendment No 12)

under the

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1 Name of Plan

This Plan is *The Hills Local Environmental Plan 2019 (Amendment No 12)*.

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) land to which *The Hills Local Environmental Plan 2019* applies, and
- (b) certain land to which *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* applies, namely land within the following—
 - (i) the North Kellyville Precinct,
 - (ii) the Box Hill Precinct,
 - (iii) the Box Hill Industrial Precinct.

Schedule 1 Amendment of The Hills Local Environmental Plan 2019

Schedule 2 Exempt development

Insert at the end of the Schedule—

Signage—Bus shelter advertising

- (1) Maximum—1 advertising panel per bus shelter, but the panel may have an advertisement on each side.
- (2) Maximum display area per panel on each side—1.2m × 1.8m.
- (3) Must not contain flashing or moving electronic content.
- (4) Must comply with the *Disability Standards for Accessible Public Transport 2002* made under the *Disability Discrimination Act 1992* of the Commonwealth and relevant Australian standards.
- (5) Must not adversely impact the amenity of a heritage item.
- (6) Must be erected by or on behalf of the Council.

Signage—Advertising affixed to pole of street sign

- (1) Maximum—2 advertising panels per street sign, but the panels may have an advertisement on each side.
- (2) Maximum display area per panel on each side—1.2m × 1.8m.
- (3) Must not contain flashing or moving electronic content.
- (4) Must comply with the *Disability Standards for Accessible Public Transport 2002* made under the *Disability Discrimination Act 1992* of the Commonwealth and relevant Australian standards.
- (5) If the street sign is in Zone RU1, Zone RU2, Zone RU3, Zone RU6, Zone R2 or Zone E4—must only be located on or near a main road.
- (6) Must not adversely impact the amenity of a heritage item.
- (7) Must be erected by or on behalf of the Council.

Signage—Advertising on side of pedestrian bridge above road

- (1) Maximum—1 advertising panel per direction of traffic under pedestrian bridge.
- (2) Must provide safe vertical clearance for vehicles.
- (3) Must not block visibility of oncoming traffic.
- (4) Must not contain flashing signage.
- (5) Must comply with the *Minimum coefficients of Luminous intensity per unit area for Class 2A Material* in AS/NZS 1906.1:2007, *Retroreflective materials and devices for road traffic control purposes, Part 1: Retroreflective sheeting*.
- (6) Must not adversely impact the amenity of a heritage item, the curtilage of a heritage item or existing public view lines of the heritage item.
- (7) Must be erected by or on behalf of the Council.

Schedule 2 Amendment of State Environmental Planning Policy (Sydney Region Growth Centres) 2006

[1] Appendix 2 North Kellyville Precinct Plan

Insert after Part 2—

Part 3 Exempt development

3.1 Exempt development

- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
- (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
- (3) To be exempt development, the development—
 - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* or, if there are no such relevant provisions, must be structurally adequate, and
 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.
- (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if—
 - (a) the building has a current fire safety certificate or fire safety statement, or
 - (b) no fire safety measures are currently implemented, required or proposed for the building.
- (5) To be exempt development, the development must—
 - (a) be installed in accordance with the manufacturer’s specifications, if applicable, and
 - (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval.

Note. See *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* and Part 5A of the *Local Land Services Act 2013*.
- (6) A heading to an item in Schedule 2 is part of that Schedule.

[2] Appendix 2, Schedule 2

Insert after Schedule 1—

Schedule 2 Exempt development

(Clause 3.1)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

Signage—Bus shelter advertising

- (1) Maximum—1 advertising panel per bus shelter, but the panel may have an advertisement on each side.
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- (3) Must not contain flashing or moving electronic content.
- (4) Must comply with the *Disability Standards for Accessible Public Transport 2002* made under the *Disability Discrimination Act 1992* of the Commonwealth and relevant Australian standards.
- (5) Must not adversely impact the amenity of a heritage item.
- (6) Must be erected by or on behalf of the Council.

Signage—Advertising affixed to pole of street sign

- (1) Maximum—2 advertising panels per street sign, but the panels may have an advertisement on each side.
- (2) Maximum display area per panel on each side—1.2m × 1.8m.
- (3) Must not contain flashing or moving electronic content.
- (4) Must comply with the *Disability Standards for Accessible Public Transport 2002* made under the *Disability Discrimination Act 1992* of the Commonwealth and relevant Australian standards.
- (5) If the street sign is in Zone R2 or Zone E4—must only be located on or near a main road.
- (6) Must not adversely impact the amenity of a heritage item.
- (7) Must be erected by or on behalf of the Council.

Signage—Advertising on side of pedestrian bridge above road

- (1) Maximum—1 advertising panel per direction of traffic under pedestrian bridge.
- (2) Must provide safe vertical clearance for vehicles.
- (3) Must not block visibility of oncoming traffic.
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- (5) Must comply with the *Minimum coefficients of Luminous intensity per unit area for Class 2A Material* in AS/NZS 1906.1:2007, *Retroreflective materials and devices for road traffic control purposes, Part 1: Retroreflective sheeting*.
- (6) Must not adversely impact the amenity of a heritage item, the curtilage of a heritage item or existing public view lines of the heritage item.
- (7) Must be erected by or on behalf of the Council.

[3] Appendix 11 The Hills Growth Centre Precincts Plan

Insert after Part 2—

Part 3 Exempt development

3.1 Exempt development

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- (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
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 - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
 - (c) must not be designated development, and
 - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.
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 - (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval.

Note. See *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* and Part 5A of the *Local Land Services Act 2013*.
- (6) A heading to an item in Schedule 2 is part of that Schedule.

[4] Appendix 11, Schedule 2

Insert after Schedule 1—

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(Clause 3.1)

Note 1. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

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- (6) Must be erected by or on behalf of the Council.

Signage—Advertising affixed to pole of street sign

- (1) Maximum—2 advertising panels per street sign, but the panels may have an advertisement on each side.
- (2) Maximum display area per panel on each side—1.2m × 1.8m.
- (3) Must not contain flashing or moving electronic content.
- (4) Must comply with the *Disability Standards for Accessible Public Transport 2002* made under the *Disability Discrimination Act 1992* of the Commonwealth and relevant Australian standards.
- (5) If the street sign is in Zone R2—must only be located on or near a main road.
- (6) Must not adversely impact the amenity of a heritage item.
- (7) Must be erected by or on behalf of the Council.

Signage—Advertising on side of pedestrian bridge above road

- (1) Maximum—1 advertising panel per direction of traffic under pedestrian bridge.
- (2) Must provide safe vertical clearance for vehicles.
- (3) Must not block visibility of oncoming traffic.
- (4) Must not contain flashing signage.
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