



qB162294

11/02552

Department Generated Correspondence (Y)

Contact: Felicity No
Phone: (02) 9873 8500
Fax: (02) 9873 8599
Email: Felicity.No@planning.nsw.gov.au
Postal: Locked Bag 5020, Parramatta NSW 2124

Our ref: PP_2011_THILL_001_00 (11/01478)
Your ref: FP25

Mr Dave Walker
General Manager
The Hills Shire Council
PO Box 75
CASTLE HILL NSW 1765

Dear Mr Walker,

Re: Planning Proposal to rezone land around the Riverside Oaks Golf Course, Cattai from Rural 1(b) to RE2 Private Recreation, E2 Environmental Conservation and W2 Recreational Waterway

I am writing in response to your Council's letter dated 22 December 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Baulkham Hills Local Environmental Plan 2005 to rezone land around the Riverside Oaks Golf Course, Cattai from Rural 1(b) to RE2 Private Recreation, E2 Environmental Conservation and W2 Recreational Waterway with a proposed minimum lot size of 150sqm to enable development of a tourist/residential resort around the Golf Course.

As delegate of the Minister for Planning, I have now determined that the planning proposal should not proceed for the reasons outlined in the attached Gateway Determination.

The information provided in support of the planning proposal does not demonstrate adequate strategic justification for the proposal to proceed. The scale and nature of development envisaged in the proposal is more representative of a residential release area, rather than an addition of ancillary residential accommodation. As such, it is not supported in the location.

Furthermore, the intent of the planning proposal to permit all forms of residential accommodation in the RE2 zone is not supported. The RE2 zone is generally intended to cover a wide range of recreation areas and facilities on land that is privately owned or managed (refer DoP PN-06-002). The mandated objectives of the zone relate to recreational uses, and this zone was not intended to be applied to areas where large-scale residential development is proposed. Land should be zoned according to its primary purpose and therefore the insertion of residential accommodation as a permissible use in the RE2 zone is not supported.

The Planning Proposal is inconsistent with various section 117 Directions including 2.1 Environmental Protection Zones, 2.3 Heritage Conservation, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land, 6.3 Site Specific Provisions and 7.1 Implementation of the Metro Strategy. In addition, there has been an apparent lack of consultation with the RFS as to the suitability of the land for residential purposes given the bush fire risk associated with the site.

Should you have any queries in regard to this matter, please contact Felicity No of the Regional Office of the Department on 02 9873 8500.

Yours sincerely,



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

17/3/11

Gateway Determination

Planning Proposal (Department Ref: PP_2011_THILL_001_00 (11/01478)): to rezone land around the Riverside Oaks Golf Course, Cattai from Rural 1(b) to RE2 Private Recreation, E2 Environmental Conservation and W2 Recreational Waterway

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Baulkham Hills Local Environmental Plan 2005 to rezone land around the Riverside Oaks Golf Course, Cattai from Rural 1(b) to RE2 Private Recreation, E2 Environmental Conservation and W2 Recreational Waterway with a proposed minimum lot size of 150sqm to enable development of a tourist/residential resort around the Golf Course should not proceed for the following reasons:

1. Insufficient supporting information has been provided by Council to justify such a land release. The land is not identified for release in the Subregional Strategy, or a Council Strategy endorsed by the Department.
2. The Planning Proposal is inconsistent with various section 117 Directions.
3. The basic premise of permitting all forms of residential accommodation in the RE2 zone is not supported.
4. Due consideration has not been given to the impact of 700 new dwellings at this location on the local/regional road network, on infrastructure/servicing or on the river and existing flora/fauna. Thus, this location is not considered appropriate for a residential land release.

Dated

17th

day of

march

2011.



**Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning**