

Amend the Lot Size Map for 219 Bells Line of Road, North Richmond to permit a minimum lot size of 4ha.

Proposal Title : Amend the Lot Size Map for 219 Bells Line of Road, North Richmond to permit a minimum lot size of 4ha.

Proposal Summary : The proposal seeks to amend the relevant Lot Size Map under Hawkesbury Local Environmental Plan 2012 to permit a minimum lot size of 4 hectares at 219 Bells Line of Road, North Richmond. The amendment will enable subdivision of the lot into two smaller lots for rural residential development.

PP Number : PP_2015_HAWKE_006_00 Dop File No : 15/11532

Proposal Details

Date Planning Proposal Received : 07-Jul-2015 LGA covered : Hawkesbury

Region : Metro(Parra) RPA : Hawkesbury City Council

State Electorate : HAWKESBURY Section of the Act : 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : 219 Bells Line of Road

Suburb : North Richmond City : NSW Postcode : 2754

Land Parcel : Lot 87 DP 1040092

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre : N/A Release Area Name : N/A

Regional / Sub Regional Strategy : Metro North West subregion Consistent with Strategy : Yes

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MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	1
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **To the best of the knowledge of the regional team, the Department's Code of Practice in relation to communications and meetings with Lobbyists has been complied with. Metropolitan (Parramatta) has not met with any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.**

POLITICAL DONATIONS DISCLOSURE STATEMENT

Political donations disclosure laws commenced on 1 October 2008. The legislation requires the public disclosure of donations or gifts for certain circumstances relating to the Planning system.

"The disclosure requirements under the new legislation are triggered by the making of relevant planning applications and relevant public submissions on such applications.

The term relevant planning application means:

- A formal request to the Minister, a council or the Secretary to initiate the making of an environmental planning instrument..."

Planning Circular PS 08-009 specifies that a person who makes a public submission to the Minister or Secretary is required to disclose all reportable political donations (if any).

The Department has not received any disclosure statements for this Planning Proposal.

Have there been meetings or communications with registered lobbyists? :

No

If Yes, comment : **The Department's Lobbyist Contact Register was checked on 3 August 2015. There are no records of contact with lobbyists in relation to this proposal.**

Supporting notes

Internal Supporting Notes :

ERROR IN COUNCIL RESOLUTION AND COVER LETTER

The planning proposal and attachments were originally received by the Department on 29 June 2015. On receipt it was noted that an incorrect resolution was recorded in the typed Minutes of Council's Ordinary Meeting of 26 May 2015, stating that lot sizes of 4,000sqm and 1ha were proposed for the site. In addition, the incorrect resolution was recorded in the cover letter to the Department dated 24 June 2015.

On 7 July Council provided a subsequent resolution, correctly recorded in the Minutes of Council's Ordinary Meeting of 30 June 2015. The corrected resolution states that a lot size of 4ha is proposed for the entire site. The Amendment to the Resolution and Minutes of Council's Ordinary Meeting of 30 June 2015 are attached at Tag F.

BACKGROUND AND ZONING

In 2011 the landowner submitted a development application to Council seeking approval

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for a two lot Torrens title subdivision of the site under State Environmental Planning Policy No. 1 - Development Standards. Council resolved not to support the application. In 2015 the landowner submitted the current planning proposal to Council for consideration. Council resolved to support the proposal on 26 May 2015 and 30 June 2015.

LOCATION

The site is located on the western side of Bells Line of Road, North Richmond, approximately one kilometre from North Richmond Village Centre. The land has an area of 19.2ha and an irregular shape. Redbank Road bisects the site into parts, the northern part having an area of 6.7ha and the southern part an area of 12.5ha, as shown in Figure 1 of Council's Ordinary Meeting Report (Tag F).

SITE CHARACTERISTICS AND ZONING

The site is zoned RU1 Primary Production and the current minimum lot size for subdivision is 10ha. The site is situated above the 1 in 100 year ARI flood level.

The land has an elevation of approximately 65m AHD towards Bells Line of Road and then falls south-westerly towards the two existing dams at a level of approximately 43 AHD. Land near the south-eastern and north-eastern corners of the site and the intersection of Bells Line of Road and Redbank Road has a slope greater than 15%. A slope analysis map can be found on page 60 of Council's Ordinary Meeting Report (Tag F).

The southern part of the site contains a local heritage listed residence known as 'Hillcrest', a tennis court, outbuildings, part of the Fairfax (Rural Press) Media complex carpark and a dam, as well as grasslands and some scattered clusters of trees.

The northern part of the site is vacant and has been used in the past for light grazing. The majority of the site is covered by vegetation, grasslands and scattered clusters of trees along the northern boundary.

The surrounding land uses include rural residential properties, Colo High School, Fairfax (Rural Press) Media complex, grazing lands and urban housing.

ACCESS, TRAFFIC AND TRANSPORT

The northern and southern areas of the site have separate vehicular accesses off Redbank Road. There is no access to Bells Line of Road. Council notes that 'Redbank Road experiences a relatively high traffic volume including school traffic to and from both Colo High School and Kuyper Christian School. The creation of an additional lot will not significantly impact on the local traffic network.

Public transport in the area comprises two bus routes along Bells Line of Road. Westbus Route 680 operates every 30-45 minutes at peak times between Richmond and Bowen Mountain. Westbus Route 682 operates every 30 minutes during peak times between Richmond and Kurrajong. On weekends the buses run very limited services.

REDUCTION IN AREA PROPOSED TO BE ZONED AS FOUR HECTARE MINIMUM LOT SIZE

The portion of the site to the north of Redbank Road is 6.7ha. The 12.5ha southern portion of the site contains a heritage residence known as 'Hillcrest', a listed heritage item with local significance. To enable separation of the northern and southern parcels, the proposed 4ha lot size control need only apply to the northern portion. If the control is applied to the whole existing lot then the southern portion could potentially be subdivided into 3 lots, though environmental constraints may prevent this from occurring. Confining the lot size alteration to the northern portion removes any potential impact on 'Hillcrest' homestead and curtilage and existing biodiversity areas. It is recommended that Council give consideration to only applying the new lot size control to the northern portion.

The matter has been discussed with Council staff. This suggested approach would not prevent the proponent from achieving the desired lot separation of the northern and southern portions, and would lead to a more orderly and efficient planning proposal.

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PRECEDENT

Council has advised that the any precedence for subdivision of lots severed by existing roads is unlikely to become an issue. Council has identified only a few properties with similar road severance situations, most of which are zoned E1 - National Park, and a few sites around Glossodia. Council does not consider that any precedent will be set for properties in North Richmond.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : The objective of the planning proposal is to enable subdivision of Lot 87 DP 1040092, being 219 Bells Line of Road, North Richmond, to permit two rural residential lots.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The intent of the planning proposal may be achieved through amendment to the relevant Lot Size Map under Hawkesbury Local Environmental Plan 2012. The current Lot Size Map displays a minimum lot size of 10ha for the site. The proposed Lot Size Map displays a minimum lot size of 4ha.

Alternatively the reduction in lot size may be achieved through insertion of a clause provision into Schedule 1 Additional Permitted Uses of Hawkesbury Local Environmental Plan 2012 permitting a maximum number of two lots on the site. Council notes that the Department has previously advised for similar proposals that an amendment of the lot size map is the preferred approach.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.2 Rural Zones

1.3 Mining, Petroleum Production and Extractive Industries

2.3 Heritage Conservation

3.1 Residential Zones

3.3 Home Occupations

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.4 Planning for Bushfire Protection

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SREP No 9—Extractive Industry (No 2—1995)

SREP No. 20 - Hawkesbury—Nepean River (No. 2 - 1997)

e) List any other
matters that need to
be considered :

No other matters require consideration.

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Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

117 DIRECTIONS

DIRECTION 1.2 RURAL ZONES

Direction 1.2 applies as the proposal affects land within an existing rural zone, being RU1 Primary Production. The proposal contains provisions that will increase the permissible density of land within the RU1 zone on land that is not located within an existing town or village. The increase in density from one lot to two lots is considered a minor variation as the land is surrounded by lots varying in size from 8000sqm to 16ha, many of which are used for residential or light industrial purposes. The site is located within 1km of North Richmond village centre.

The site is within a Class 3 agricultural land classification in accordance with the NSW Department of Primary Industries' Land Classification mapping. Class 3 land is grazing land or land well suited to pasture improvement with moderate production level. The land has no record of use for intensive agriculture and has most recently been used for light grazing.

The proximity of the site to surrounding smaller rural residential properties, the constraints on the land and the bisection of the site by Redbank Road indicate that the site is unlikely to provide a sustainable and viable area for primary production/agricultural use.

Any inconsistency with the objectives of Direction 1.2 is therefore considered to be of minor significance.

DIRECTION 1.3 MINING, PETROLEUM PRODUCTION AND EXTRACTIVE INDUSTRIES

Direction 1.3 applies as the planning proposal may have the effect of restricting the potential development for mining, petroleum production and extractive industries through an increase in residential density. The subject land is not located within the Identified Resource Area or the Potential Resource Area or the Transition Area - areas adjacent to identified resource areas as defined by mineral resource mapping provided by the former NSW Resource and Energy Division of NSW Trade and Investment. Further, the subject land is not located within or in the vicinity of land described in Schedules 1, 2 and 5 of the Sydney Regional Environmental Plan No. 9 - Extractive Industry (No 2 - 1995). Council intends to consult with the Deputy Secretary of the NSW Department of Industry - Resources and Energy to ensure that there are no issues with development on the land relating to resources extraction. Pending the result of the consultation, the proposal is consistent with Direction 1.3 in all aspects.

DIRECTION 2.3 HERITAGE CONSERVATION

Direction 2.3 applies when a relevant planning authority prepares a planning proposal. The southern part of the site contains a heritage residence known as 'Hillcrest', listed in Schedule 5 Environmental Heritage of Hawkesbury Local Environmental Plan 2012 as a heritage item with local significance. Enabling subdivision and the likely construction of a dwelling on the northern part of the site will not affect 'Hillcrest' or the surrounding curtilage. In addition, the heritage provisions contained within Plan 2012 will ensure that 'Hillcrest' and the surrounding curtilage is protected.

However, as it is proposed that the minimum lot size reduction of 4ha be applied to the entire site, the 12.5ha southern section of the site could potentially be further subdivided. Although it is unlikely that the southern section could be developed due to the environmental and heritage constraints on the site, it is recommended that Council consider applying the lot size reduction of 4ha to the northern section of the site only.

There are no known significant Aboriginal sites on the land or nearby. The proposal is considered to be consistent with Direction 2.3.

DIRECTION 3.1 RESIDENTIAL ZONES

Direction 3.1 does not apply as the planning proposal is not within an existing or

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proposed residential zone and the RU1 Primary Production zone does not permit significant residential development.

DIRECTION 3.4 INTEGRATING LAND USE AND TRANSPORT

Direction 3.4 does not apply as the proposal does not create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.

DIRECTION 4.1 ACID SULFATE SOILS

Direction 4.1 applies as the site is located on land identified as 'Class 5' on the Acid Sulphate Soils Planning Map, as prepared by the Department of Planning and Environment. Hawkesbury Local Environmental Plan 2012 Clause 6.1 (2) requires that works on land in a 'Class 5' area require council consent if the site is within 500 metres of adjacent 'Class 1, 2, 3 or 4' land. All the land within 500 metres of the site is identified as 'Class 5' and development consent is therefore not specifically required for works that might disturb acid sulfate soils. Due to the low increase in residential density and the permissibility of development it is considered that the proposal is consistent with Direction 4.1.

DIRECTION 4.4 PLANNING FOR BUSHFIRE PROTECTION

Direction 4.4 applies as the site is identified as (and is surrounded by) Vegetation Category 1 zoned land on Council's Bushfire Prone Land Map. The Direction requires Council to consult with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway determination and prior to community consultation. The proposal is considered consistent with Direction 4.4 subject to Council completing the consultation process with NSW Rural Fire Service (as conditioned in the Gateway determination).

DIRECTION 6.1 APPROVAL AND REFERRAL REQUIREMENTS

Direction 6.1 applies on preparation of any planning proposal. The proposal is a straightforward rezoning that does not require the concurrence, consultation or referral of development applications to a Minister or public authority. The proposal has not been identified as designated development. The planning proposal is therefore considered to be consistent with Direction 6.1.

DIRECTION 6.3 SITE SPECIFIC PROVISIONS

Direction 6.3 applies as the planning proposal allows a particular development to be carried out. The planning proposal is consistent with Direction 6.3 as it amends the lot size map for the site to an existing category in Hawkesbury Local Environmental Plan 2012. The proposal does not impose any development standards or requirements in addition to those already contained in the Plan.

DIRECTION 7.1 IMPLEMENTATION OF A PLAN FOR GROWING SYDNEY

The subject land falls within the Metropolitan Rural Area as identified by A Plan for Growing Sydney, however the North Richmond area is not identified as being of any regional or strategic significance.

The Plan refers generally to the importance of sustaining the viability of agricultural resources and rural residential areas within the Metropolitan Rural Area and West subregion. Due to the location of the subject land within 1km of the North Richmond centre and the prevalence of smaller surrounding lot sizes, the subject land is unlikely to be viable for agricultural purposes and is suitable to contribute to the expansion of North Richmond. In addition, the planning proposal will facilitate development of an additional dwelling within 1km of North Richmond village, an established centre with a good range of shops, two schools, churches, a community centre and public transport.

SEPPS AND SREPS

SEPP NO. 55 - REMEDIATION OF LAND

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Council records do not indicate the land has been used for any intensive agriculture or farming and has recently been used for light grazing only. Clause 6 of SEPP 55 requires that Council carry out an investigative study if contamination is suspected. Council has stated that any investigation could be carried out following the issue of the Gateway determination. It is considered that, due to the low risk of soil and groundwater contamination, an Investigative Study is not required.

SREP NO. 9 — EXTRACTIVE INDUSTRY (NO. 2—1995)

The site is not within the vicinity of land described in Schedule 1, 2 or 5 of the SREP, however the SREP applies to all land within the Hawkesbury Local Government Area. The subdivision is unlikely to restrict the removal of deposits of extractive material from such land. The land and surrounding area have no history of extractive industry. In addition, the approval of the Deputy Secretary of the NSW Department of Industry - Resources and Energy will be sought for the amendment according to the terms of 117 Direction 1.3 Mining, Petroleum and Extractive Industries. Due to the minor significance of the lot size amendment it is therefore considered that the proposal is consistent with SREP No. 9.

SREP NO. 20 - HAWKESBURY-NEPEAN RIVER (NO. 2 - 1997)

The aim of SREP No. 20 is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The site falls within the Middle Nepean and Hawkesbury River Catchment Area of SREP 20.

It is considered that the proposal is a minor lot size variation, with a potential increase of only one dwelling, and can be achieved without any significant adverse impact on the Hawkesbury River Catchment. The site contains two dams, but no watercourses. In addition the site is not situated within an area of scenic significance under this SREP. It is recommended that Local Land Services NSW be consulted prior to finalisation of the proposal, however it is considered that the proposal is generally consistent with the aims and objectives of SREP No. 20.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Maps are provided in the Minutes of Council's Ordinary Meeting of 26 May 2015 as follows:**
Slope Analysis Map - page 60
Aerial View - page 65
Site Map - page 66
Proposed Minimum Lot Size Map - page 68

A site survey map is also included on page 28 of the Flora and Fauna Survey.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Community consultation will be carried out in accordance with the conditions of the Gateway determination.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

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Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **September 2012**

Comments in
relation to Principal
LEP :

Hawkesbury Local Environmental Plan 2012 commenced on 21 September 2012.

Assessment Criteria

Need for planning
proposal :

The subject land is not specified in any regional or subregional State strategy, however the site is contained within an area around North Richmond marked for longer-term development within Hawkesbury's Residential Land Strategy 2011. North Richmond is classified within the Land Strategy as a 'Village', second only to the main centres of Richmond and Windsor in size, and is located within 3km of Richmond.

In addition, Council's Residential Land Strategy 2011 recognised the need to maintain the ongoing viability of rural villages through residential development (Section 6.5 Rural Village Development Criteria). The Strategy states that all future low density and large lot residential development in rural villages should cluster around villages with services that meet existing neighbourhood criteria services as a minimum (within a 1km radius). The proposal is a low density development within 1km of the environs of North Richmond and therefore is considered to contribute to the ongoing viability of the village.

HAWKESBURY RESIDENTIAL LAND STRATEGY 2011

The relevant criteria for rural residential development under the Hawkesbury Residential Land Strategy 2011 are as follows:

- 1. Be able to have onsite sewerage disposal**
- 2. Cluster around or on the periphery of villages**
- 3. Cluster around villages with services that meet existing neighbourhood criteria services as a minimum (within a 1km radius)**
- 4. Address environmental constraints and have minimal impact on the environment**
- 5. Be within the capacity of the rural village**

It is considered that the proposal meets the first four criteria and that North Richmond has capacity to support one additional dwelling without negative impact.

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Consistency with strategic planning framework :

A PLAN FOR GROWING SYDNEY

The subject land falls within the Metropolitan Rural Area as identified by A Plan for Growing Sydney, however the North Richmond area is not identified as being of any regional or strategic significance.

The Plan refers generally to the importance of sustaining the viability of agricultural resources and rural residential areas within the Metropolitan Rural Area and West subregion. Due to the location of the subject land within 1km of the North Richmond centre and the prevalence of smaller surrounding lot sizes, the subject land is unlikely to be viable for agricultural purposes and is suitable to contribute to the expansion of North Richmond.

DRAFT NORTH WEST SUBREGIONAL STRATEGY

The draft North West Subregional Strategy does not refer to the site specifically. The draft Strategy states that rural lands need to be protected from incompatible uses for their ongoing viability. As the site has limited agricultural capability and is surrounded by smaller rural residential lots, it is not considered to be significant rural resource land.

In a minor way the rezoning may contribute to the Hawkesbury's housing target of 5,000 new dwellings for Hawkesbury by 2031. The proposal is considered to be generally consistent with the draft Subregional Strategy.

Environmental social economic impacts :

ENVIRONMENTAL IMPACTS

The Terrestrial Biodiversity Map of LEP 2012 identifies 60% of the site area as 'Connectivity between remnant vegetation and Endangered Ecological Communities'. The central part of the northern area of the site is predominantly free from Significant Vegetation and Connectivity and could potentially be developed. Council's vegetation mapping records the site as supporting Shale Plains Woodland and Shale Sandstone Transition Forest, a sub-set of Cumberland Plain Woodland which is a critically Endangered Ecological Community under the Threatened Species Conservation Act 1995. Terrestrial Biodiversity Map BIO_008AA is attached at Tag H with the site marked.

A flora and fauna survey and assessment report from 2011 was provided with the proposal. The report surveyed the site and surrounding area and found that none of the flora or fauna species defined under the Threatened Species Conservation Act 1995 or the Environmental Protection and Biodiversity Conservation Act 2000 were present within the survey area.

Given the date of the report and inadequacies of the report, Council has suggested that an additional flora and fauna report could be undertaken as part of the Gateway conditions. Given Council's concerns, an updated report is considered to be appropriate in this case.

The site has access to water, electricity, telephone and transport services from the site boundaries. Council considers that sufficient land area is available on each proposed lot for the erection of a house and associated structures, wastewater treatment and disposal and appropriate buffer zones.

HERITAGE IMPACTS

The southern part of the site contains a heritage residence known as 'Hillcrest', listed in Schedule 5 Environmental Heritage of Hawkesbury Local Environmental Plan 2012 as a heritage item with local significance. Enabling subdivision and the likely construction of a dwelling on the northern part of the site will not affect 'Hillcrest' or the surrounding curtilage. In addition, the heritage provisions contained within Plan 2012 will ensure that 'Hillcrest' and the surrounding curtilage is protected.

However, as it is proposed that the minimum lot size reduction of 4ha be applied to the entire site, the 12.5ha southern section of the site could potentially be subdivided. Although it is unlikely that the southern section could be developed due to the environmental and heritage constraints on the site, it is recommended that Council

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consider applying the lot size reduction of 4ha to the northern section of the site only.

There are no known significant Aboriginal sites on the land or nearby.

SOCIAL AND ECONOMIC IMPACTS

The small increase in residential density will contribute to the ongoing viability of the North Richmond Village. As such there will be a minor, positive social and economic impact from the reduction in minimum lot size.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) : **Hawkesbury - Nepean Catchment Management Authority
Office of Environment and Heritage
NSW Department of Primary Industries - Agriculture
NSW Rural Fire Service
Transport for NSW - Roads and Maritime Services
Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Flora

Fauna

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Letter to DP&E requesting a Gateway determination_24 June 2015.pdf	Proposal Covering Letter	Yes
Planning Proposal for 219 Bells Line of Road, North Richmond.pdf	Proposal	Yes
Council Report - Ordinary Meeting_30 June 2015.pdf	Proposal	Yes
Council Resolution_30 June 2015.pdf	Proposal	Yes

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Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.2 Rural Zones**
- 1.3 Mining, Petroleum Production and Extractive Industries**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.4 Planning for Bushfire Protection**
- 6.1 Approval and Referral Requirements**
- 6.3 Site Specific Provisions**
- 7.1 Implementation of A Plan for Growing Sydney**

Additional Information :

- 1. Council give consideration to applying the proposed 4 hectare minimum lot size across the northern section of the lot only.**

- 2. The reduction in lot size is to be achieved through implementation of the proposed Lot Size Map, with a reduction in lot size to 4 hectares.**

- 3. Prior to exhibition, Council is to prepare a flora and fauna study for the site. This is to be included in the planning proposal's exhibition package.**

- 4. Council is to consult with the Deputy Secretary of the Department of Industry - Resources and Energy as per the requirements of S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.**

- 5. Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.**

- 6. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:**

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and**
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning & Infrastructure 2013).**

- 7. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning & Assessment Act 1979 and/or to comply with the requirements of relevant Section 117 Directions:**

- Greater Sydney Local Land Services (previously Sydney-Nepean Catchment Authority)
- Endeavour Energy
- Office of Environment and Heritage - Regional Operations (Environment)
- NSW Department of Primary Industries – Agriculture
- NSW Department of Industry – Resources and Energy
- NSW Rural Fire Service
- Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

- 8. A public hearing is not required to be held into the matter by any person or body under**

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section 56(2)(e) of the Environmental Planning & Assessment Act 1979. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

9. Delegation is to be given to Council to exercise the Minister's plan-making powers.

10. The timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

The proposal has merit and will contribute to the ongoing viability of North Richmond. The layout and constraints of the site, bisected into two distinct sections by Redbank Road, reduce the potential to use the northern area of the site for agricultural purposes. The subject land is identified in Council's Residential Land Strategy 2011 as having potential for longer-term residential development. In addition the site is located within 1km of North Richmond village and meets the general criteria for rural residential development identified in the Strategy. It is recommended that the reduction in lot size is achieved through implementation of the proposed Lot Size Map, with a reduction in lot size to 4 hectares.

Signature:



Printed Name:

DERRYN JOHN

Date:

19 AUGUST 2015