

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 20 June 2016

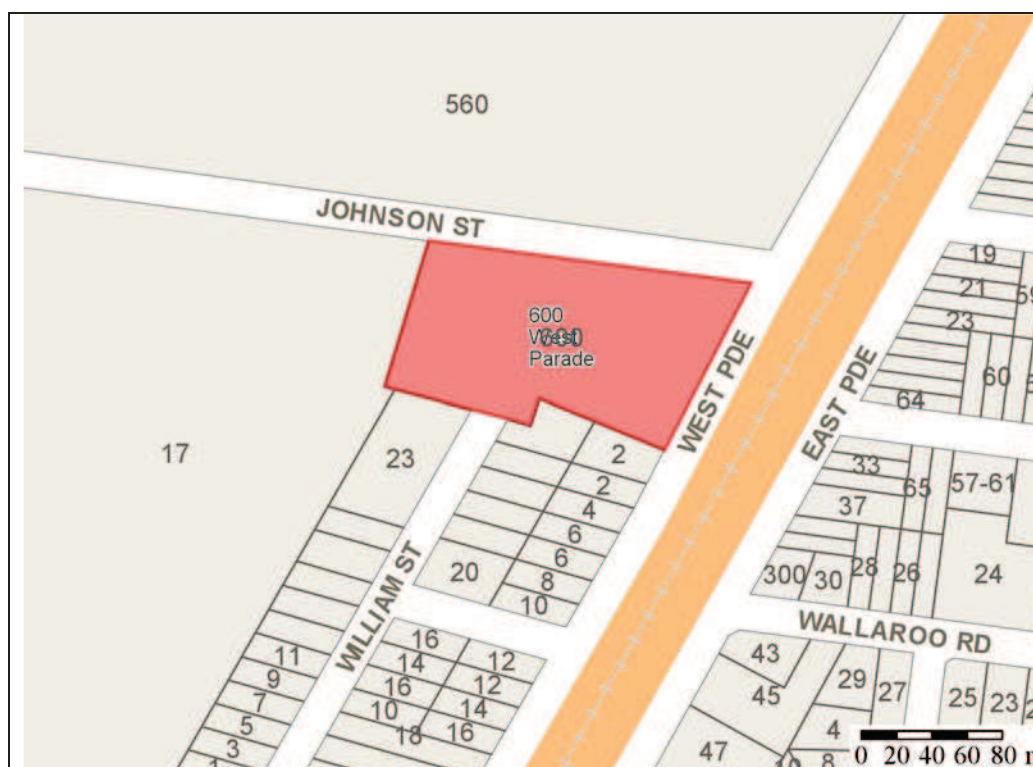
PE5 – Maximum Building Height: 600 West Parade Buxton

PE5

Maximum Building Height: 600 West Parade Buxton
265508

TRIM 8757

Applicant: Joanne Tapp Town Planning
Owner: Mr S M Farmer



↑
LOCATION MAP N

Stage	Completed
Preliminary notification	30 September 2015
Gateway Determination	Not yet completed
Consultation with Public Agencies	Not yet completed
Specialist Studies	Not yet completed
Public exhibition/community consultation	Not yet completed
Referred to Minister for Publication	Not yet completed

PE5 – Maximum Building Height: 600 West Parade Buxton

EXECUTIVE SUMMARY

- At the Ordinary Council meeting held on Monday 15 February 2016, Council resolved to support the draft planning proposal to amend the Wollondilly Local Environment Plan 2011 for Lot 1 DP 940895 (No. 600 West Parade, Buxton also known as 10 Johnson Street, Buxton)
- The proposed amendment will rezone rural land for residential purposes and protect environmentally sensitive land.
- The purpose of this report is to further define the scope of the planning proposal by including an additional height of buildings provision for the proposed residential zoned land component consistent with the approach taken on other residential zoned land in Wollondilly.
- Under legislation, a person who makes a relevant planning application or public submission is required to disclose any reportable political donations. The disclosure requirement extends to any person with a financial interest in the application or any associate of the person making a public submission. No disclosure of political donation has been made in association with this application.
- It is recommended that Council support the inclusion of provisions within the planning proposal relating to the height of buildings so that the height of any building for future development will not exceed 9 metres.

REPORT

1.1 BACKGROUND

At the Ordinary Council meeting held on 15 February 2016, Council resolved to support an amendment to the Wollondilly Local Environment Plan 2011 for Lot 1 DP 940895 (No. 600 West Parade, Buxton also known as 10 Johnson Street, Buxton).

This amendment will see the identified land rezoned from RU1 Primary Production to R5 Large Lot Residential with a portion of E3 Environmental Management.

Council also resolved that a planning proposal for this amendment be prepared for a Gateway determination. A copy of this original report and Minutes are provided at Attachment 1 and 2.

1.2 PROPOSED ADDITIONAL PROVISIONS – HEIGHT OF BUILDINGS

The original report did not include provisions for building height related to the residential component of the proposal. This report seeks to further define the planning proposal, by ensuring that the Height of Buildings provisions within the WLEP 2011 will apply to the residential land use zone component, before the proposal is forwarded to the NSW Government Department of Planning & Environment for a Gateway Determination.

PE5 – Maximum Building Height: 600 West Parade Buxton

The majority of residentially zoned land across Wollondilly is identified on the Height of Buildings Map, which forms part of the WLEP 2011, as having a maximum building height of 9m. There are some small areas around the Shire where a site specific assessment has determined that a maximum building height of 6.8m is more appropriate.

All residentially zoned land in Buxton currently has a maximum building height of 9m and it is proposed to apply the same height to the proposed R5 Large Lot Residential component of the planning proposal. This maximum height limit would allow a two-storey building.

The Height of building provisions within the WLEP 2011 do not tend to be applied to Environmental Protection Zones and so no height restriction is proposed for the E3 Environmental Management component of the proposal.

1.3 CONSULTATION

The absence of Height of Building provisions from the report to Council on this proposal in February was an oversight and the proposed inclusion of these provisions is to ensure Council has robustly defined the scope of the planning proposal before it is forwarded to the Minister for Planning to request a Gateway Determination.

This should ensure delays are avoided later in the Gateway Process.

The report to Council in February detailed consultation undertaken to date with Council staff, public agencies and the community. A copy of the report is provided at Attachment 1. No issues have been raised to date related to the height of future development and so it is considered appropriate to apply a maximum height of 9 metres consistent with the approach taken to other areas in Wollondilly.

1.4 OPTIONS FOR INCLUSION OF HEIGHT OF BUILDINGS PROVISION WITHIN THE PLANNING PROPOSAL

This report seeks to include further define the scope of the amendments proposed by the planning proposal to the WLEP 2011 by including height of buildings provisions so that the height of development on the R5 Large Lot Residential component would be limited to 9m.

Should Council resolve to support the inclusion of a building height provision within the planning proposal, this would be included in the Planning Proposal to be sent to the Minister for Planning for a Gateway determination.

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 20 June 2016

PE5 – Maximum Building Height: 600 West Parade Buxton

Council's options are:

1. Resolve to support the inclusion of a provision to limit the height of buildings to 9 metres on land zoned R5 Large Lot Residential within the Planning Proposal.
2. Resolve to support the planning proposal in a different form; which could include an alternate building height provision for the site.
3. Resolve to proceed with the planning proposal in the form supported at Council Meeting held on 15 February 2016 in which case, no provision for height of buildings would be included within the planning proposal.

Option 1 is the recommendation of this report.

1.5 WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

Following consideration of initial consultation and notification and a preliminary assessment of the proposal, it is considered that the proposed amendments to WLEP 2011 for this planning proposal, including those already supported by Council should take the form as described below:

- Amend the Land Zoning Map from land use zone RU1 Primary Production to E3 Environmental Management and R5 Large Lot Residential (supported by Council on 15 February 2016);
- Amend the Lot Size Map from a minimum lot size category of 40 hectares to 4000 sqm (supported by Council on 15 February 2016);
- Amend the Height of Buildings Map to include a height limit of 9 metres for the proposed R5 Large Lot Residential land (proposed by this report).

ATTACHMENTS:

1. Report of Planning and Economy to the Ordinary Meeting of Council held Monday 15 February 2016 for agenda item PE4- Draft Proposal – West Parade, Buxton
2. Minutes of the Ordinary Meeting of Council held Monday 15 February 2016 for agenda item PE4 – Draft Planning Proposal – West Parade, Buxton

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 20 June 2016

PE5 – Maximum Building Height: 600 West Parade Buxton

RECOMMENDATION

1. That the West Parade, Buxton Planning Proposal also include a provision to amend the Wollondilly Local Environmental Plan 2011 by amending the Height of Buildings Map to include a height limit of 9 metres for proposed R5 Large Lot Residential land.
2. That the Height of Building provision be included into the Planning Proposal and forwarded to the Minister for Planning and Environment for a Gateway Determination.
3. That Council request the Minister to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment act, 1979.
4. That the applicant and submitters be notified of Council's Resolution.