

Campsie Street, Wilton

Proposal Title : **Campsie Street, Wilton**

Proposal Summary : **To amend the minimum lot size for that part of Lot 200 DP 854626, Campsie Street, Wilton, zoned RU2 Rural Landscape.**

PP Number : **PP_2013_WOLLY_009_00** Dop File No : **13/10294**

Proposal Details

Date Planning Proposal Received : **21-Jun-2013** LGA covered : **Wollondilly**

Region : **Sydney Region West** RPA : **Wollondilly Shire Council**

State Electorate : **WOLLONDILLY** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Campsie Street**

Suburb : **Wilton** City : **Sydney** Postcode : **2571**

Land Parcel : **Lot 2 DP 854626**

DoP Planning Officer Contact Details

Contact Name : **Mato Prskalo**

Contact Number : **0298601534**

Contact Email : **mato.prskalo@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Alexandra Long**

Contact Number : **0246778226**

Contact Email : **alex.long@wollondilly.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Stephen Gardiner**

Contact Number : **0298601536**

Contact Email : **stephen.gardiner@planning.nsw.gov.au**

Land Release Data

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

Regional / Sub Regional Strategy : **Metro South West subregion** Consistent with Strategy : **Yes**

Campsie Street, Wilton

MDP Number :

Date of Release :

Area of Release (Ha)
:

Type of Release (eg
Residential /
Employment land) : N/A

No. of Lots : 0

No. of Dwellings
(where relevant) : 0

Gross Floor Area : 0

No of Jobs Created : 0

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

If No, comment :

Have there been No
meetings or
communications with
registered lobbyists? :

If Yes, comment : At this point in time, to the best of the regional team's knowledge, the Department's Code of Practice in relation to communications with lobbyists has been complied with.

Supporting notes

Internal Supporting
Notes :

The Proposal is supported in principle as it will rectify a map anomaly, allowing subdivision of the site in accordance with its split-zoning, i.e. RU2 Rural Landscape and R2 Low Density Residential. Currently, subdivision is not possible as the minimum lot size for the part of the site zoned RU2 Rural Landscape exceeds the size of that land.

The Height of Buildings Map does not require a corresponding amendment as it currently reflects the correct height controls.

The site was zoned under the principal LEP, and unfortunately, an appropriate minimum lot size was not included over the site. Council has advised that the lot size proposed was originally intended.

DELEGATION

The Proposal, as submitted by Council, did not identify whether Council was seeking an Authorisation to make the local environmental plan for the Proposal. Consequently, Council was requested to provide this information but was unable to do so prior to the completion of this report. It is expected this form will be available on Monday 24 June and can be loaded to the tracking system.

It is considered that, due to the minor nature of the Proposal, delegation is to be given for Council to exercise the Minister's plan making powers. Council staff have agreed to this position.

External Supporting
Notes :

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : The site is currently zoned part RU2 Rural Landscape and part R2 Low Density Residential. The objective is to change the minimum lot size of the portion of land zoned RU2 Rural Landscape from 16 hectares to 3 hectares. This will enable subdivision of the residential

zoned portion from the rural zoned portion (which will be reduced to 3.9 hectares).

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

Is an explanation of provisions provided? Yes

Comment : The Proposal will be facilitated by amending Wollondilly LEP 2011 as follows:

LOT SIZE MAP (Sheet LSZ_011C)

Amend the minimum lot size for the site from 16 hectares (i.e. category AB1, shown as purple) to 3 hectares (i.e. category Q, shown as pink) as shown on page 10 of the Proposal document.

A copy of the Proposal is provided in the 'Documents' section of this report. The proposed map change is shown on page 34 of the Proposal document.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

1.2 Rural Zones

* May need the Director General's agreement

3.1 Residential Zones

4.2 Mine Subsidence and Unstable Land

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? No

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

d) Which SEPPs have the RPA identified?

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

SECTION 117 DIRECTIONS

DIRECTION 1.2 - RURAL LAND

This Direction applies as the Proposal affects land within an existing rural zone. The Proposal is consistent with the Direction as it will enable the appropriate subdivision of land that is already zoned for rural purposes.

DIRECTION 3.1 - RESIDENTIAL ZONES

This Direction applies as the Proposal will affect an existing residential zone. The Proposal is consistent with the Direction as it will enable the appropriate subdivision of land that is already zoned for residential purposes.

DIRECTION 4.2 - MINE SUBSIDENCE AND UNSTABLE LAND

This Direction applies as the site is located within a proclaimed mine subsidence district, i.e. Wilton. It is considered that, due to the nature of the Proposal, it is not inconsistent with the Direction.

DIRECTION 7.1 IMPLEMENTATION OF THE METROPOLITAN PLAN FOR SYDNEY 2036

This Direction requires the Proposal to be consistent with the Metropolitan Plan for Sydney 2036. It is considered that the Proposal is not inconsistent with the above plan as it will facilitate the orderly use of land which has already been rezoned.

SEPPs

It is considered that, due to the nature of the Proposal, it is not inconsistent with any SEPPs or deemed SEPPs.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes to publicly exhibit the Proposal for a period of 28 days. It is considered that, given the minor nature of the Proposal, a 14 day consultation period is sufficient.**

Additional Director General's requirements

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

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment : **The front page of the Proposal incorrectly refers to the site as '...Lot 2...' and should instead refer to '...Lot 200...'. The Gateway determination should require Council to amend the Proposal to rectify the error prior to exhibition.**

Proposal Assessment

Principal LEP:

Due Date : **February 2011**

Comments in relation to Principal LEP : **Wollondilly LEP 2011 was notified in February 2011. The principal LEP zoned the subject land part Zone RU2 Rural Landscape and part Zone R2 Low Density Residential. The minimum lot sizes, however, do not reflect the nature of the zones that have been applied to the land.**

Assessment Criteria

Need for planning proposal : **A planning proposal is the best means of facilitating the rectification of the anomaly. Currently, the land controls are ineffective, in that the residential zoning and rural zoning that has been applied, cannot be held in separate ownership. Through subdivision, the Proposal seeks to rectify this issue.**

Consistency with strategic planning framework : **The Proposal is not inconsistent with the Metropolitan Plan for Sydney 2036, the draft South West Subregional Strategy or Council's Growth Management Strategy due to its minor nature.**

Environmental social economic impacts : **No significant environmental, social or economic impacts are expected due to the minor nature of the Proposal.**

The minimum lot size proposed for the rural land will not alter or hinder its use for rural purposes.

DWELLINGS

The residential land is 1,153 sqm. and the minimum lot size for a dwelling is 700 sqm. under clause 4.1 Minimum Subdivision Lot Size of Wollondilly LEP. The rural land is 3.9 hectares and the minimum lot size for a dwelling, subject to the proposed subdivision,

would be 3 hectares.

While it is unclear whether there are any dwellings currently on the site, the Proposal would enable the development of a dwelling in each zone.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 Month** Delegation : **RPA**

Public Authority
Consultation - 56(2)(d)
:

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

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

If no, provide reasons : **It is considered that no consultation with public authorities is necessary due to the minor nature of the Proposal.**

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

If Yes, reasons :

Identify any additional studies, if required. :

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 : **The development potential of the residential portion of the site is minor and will remain unaffected.**

Documents

Document File Name	DocumentType Name	Is Public
Cover_Letter.pdf	Proposal Covering Letter	Yes
Planning_Proposal.pdf	Proposal	Yes
Council_Report.pdf	Study	Yes
Council_Resolution.pdf	Study	Yes
Proposed_map.pdf	Map	Yes

Planning Team Recommendation

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

S.117 directions: **1.2 Rural Zones
3.1 Residential Zones
4.2 Mine Subsidence and Unstable Land
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the Proposal proceed subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 1979 for a period of 14 days;

2. The timeframe for completing the Local Environmental Plan is to be 6 months from the week following the date of the Gateway determination;

3. Delegation is to be given for Council to exercise the Minister's plan making powers; and

4. Council is to amend the property description on the front page of the Proposal document to refer to the correct lot number prior to undertaking public exhibition.

Supporting Reasons :

The Proposal will rectify a map anomaly and provide opportunity for the rural and residential zoned portions of land to be held in separate ownership.

Signature:



Printed Name:

STEPHEN GARDINER

Date:

21/6/13