

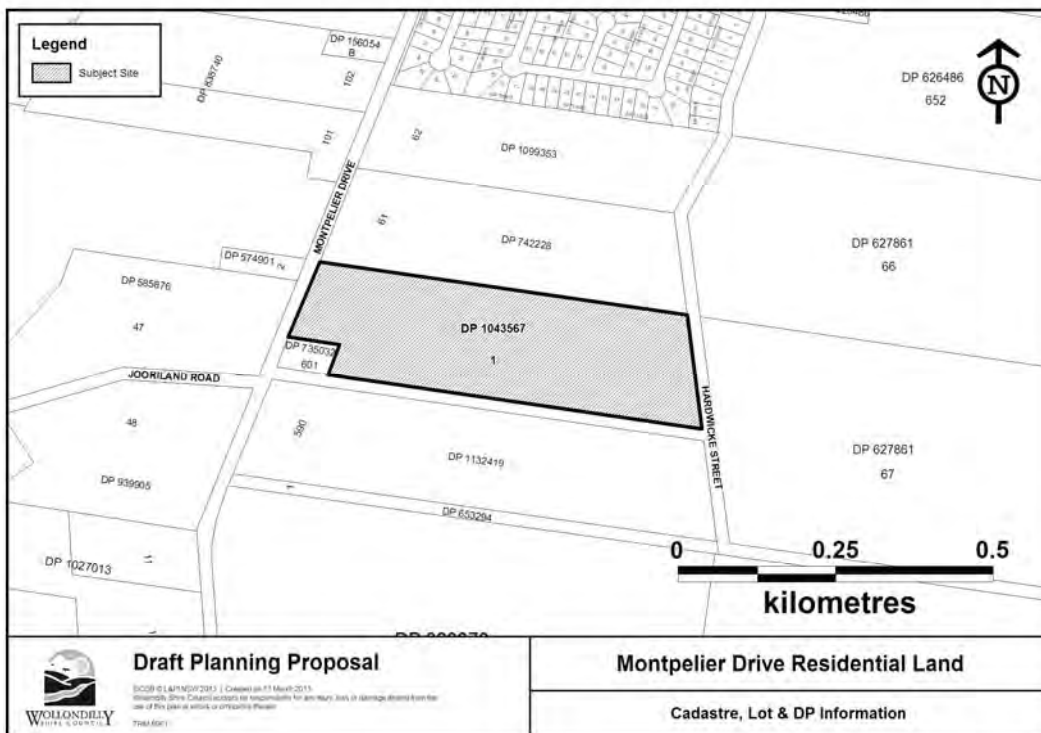
PE2

Planning Proposal - Montpelier Drive Residential Land
41KCAR

TRIM 6961

APPLICANT: Pascoe Planning Solutions
OWNER: Mr D C Beauchamp & Mrs T C Beauchamp

REPORT



Stage	Completed
Preliminary notification	26 November 2012 – 7 January 2013
Gateway Determination	Not yet completed
Consultation with Government Authorities	Not yet completed
Specialist Studies	Not yet completed
Public exhibition/community consultation	Not yet completed

EXECUTIVE SUMMARY

- Council has received a draft Planning Proposal to rezone land at No 790 Montpelier Drive, The Oaks, from Zone RU2 Rural Landscape to Zone R2 Low Density Residential with a minimum lot size of 975m² and a maximum building height of 9 metres.
- A preliminary assessment of the proposal against the Growth Management Strategy indicates that the proposal is consistent with the relevant key principles and assessment criteria.

PE2 – Planning Proposal - Montpelier Drive Residential Land

- There have not been any disclosures of political donations made in regard to this application.
- Accordingly this report recommends:
 - That Council support the preparation of a draft Planning Proposal for the amendment to the provisions of Wollondilly Local Environmental Plan (WLEP 2011) as they apply to land at No 790 Montpelier Drive, The Oaks being Lot 1 DP 1043567
 - That the Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination
 - That the applicant and persons who made submissions regarding the draft Planning Proposal be notified of Council's decision.

BACKGROUND

Site Description

The subject land is located around 820m south of The Oaks town centre and comprises one parcel of land with an area of 10.765 ha. The site adjoins land to the north which was rezoned in 2012 for low density residential purposes. A road reserve is located along the southern boundary of the site and a rural grazing property containing a large dam adjoins to the south of this reserve. An unformed section of Hardwicke Street road reserve runs along the eastern boundary of the site.

The site is relatively flat with a gentle slope from the east to the west and is regular in shape except on the western end where another property was excised from a former holding. A tributary of Werri Berri Creek runs through the western portion of the property and flows into a small dam. There is a small amount of vegetation around this creek line and dam. A dwelling and ancillary buildings are situated towards the middle of the site. The site is mainly used for rural residential purposes.

Description of Draft Proposal

The application proposes to amend the provisions of WLEP 2011 as they apply to the subject site to:

- change the Land Zoning Map from Zone RU2 Rural Landscape to Zone R2 Low Density Residential
- change the Lot Size Map from no minimum lot size to a 975m² minimum lot size
- change the Height of Buildings Map from no maximum building height to a maximum building height of 9 metres.

The proposed rezoning to low density residential would allow for the development of around 60 residential allotments.

PE2 – Planning Proposal - Montpelier Drive Residential Land

Objective

The application states that the objective of the proposed changes to WLEP 2011 is as follows:

To facilitate the comprehensive subdivision for residential purposes of land contiguous with the expanding township of The Oaks in an integrated manner, in accordance with its environmental capacity and capitalising on the ability to augment existing infrastructure.

CONSULTATION

Consultation with Council Managers and Specialist Staff

Comments on the application were sought from Managers and Specialist staff within Council including the following:

- Manager Community Services
- Manager Infrastructure Planning
- Manager Environmental Services
- Manager Development Assessment and Strategic Planning
- Manager Facilities and Recreation.

The main matters raised by Council staff requiring further investigation are:

- aviation risk
- traffic and transport
- density and rural character
- sewerage infrastructure
- hydrology
- heritage.

Aviation Risk

The end of the east-west runway for The Oaks Airfield is located around 370 metres west and slightly north of the site on the western side of Montpelier Drive. As part of the rezoning of land (The Oaks South Planning Proposal) adjoining to the north an assessment of aviation risk from use of the east-west runway and consultation with the Civil Aviation Safety Authority (CASA) was undertaken to ensure that the land could be safely developed for residential purposes.

Initial discussions between the owner of the subject site and the CASA have been undertaken and according to the owner these discussions have indicated that CASA has no objection to the proposed residential rezoning. However an aviation risk assessment for the site and further consultation with CASA would be co-ordinated by Council should a positive Gateway Determination be received to progress this planning proposal.

PE2 – Planning Proposal - Montpelier Drive Residential Land**Traffic and Transport**

The main vehicular access to the site from Montpelier Drive is potentially available via the unformed road reserve adjoining the southern boundary of the site. This road reserve is slightly off centre in relation to Jooriland Road on the western side of Montpelier Drive. To provide an effective intersection design the road reserve would need to be realigned to be opposite Jooriland Road. The owner of the subject site has had discussions with an adjoining owner who would be agreeable to allowing a portion of their property to be used for realignment of the road reserve.

Additionally, discussions were held with the applicant and owners of land adjoining to the north recently rezoned to residential. This land is the subject of a subdivision application with Council in relation to vehicular, pedestrian and cycleway links between the sites and along the frontage to Montpelier Drive. The placement of additional traffic in Hardwick Street would have impacts on established areas of The Oaks and was not permitted in the Planning Proposal to the North. It is recommended that future access to Hardwick Street be prevented for this proposal also.

A traffic and transport study should be undertaken to examine the traffic access and transport options and potential traffic impacts from the proposed rezoning should the planning proposal receive a positive Gateway Determination.

Density and Rural Character

The lot size is proposed to be 975m² which is relatively large in terms of current minimum low density residential lot sizes in the Wollondilly Shire. Land recently rezoned to the north also has a 975m² minimum lot size but the density provisions in the Volume 8 Wollondilly DCP The Oaks South Special Provisions ensures land on the southern part of that site has a lower overall density and therefore includes some lots larger than the 975m² minimum. As the subject site will potentially become the urban-rural edge of The Oaks village there may be a need for a larger lot size or density provision in keeping with the adjoining land and further investigation would be required should the proposal be supported and receive a positive Gateway Determination.

Sewerage Infrastructure

To allow for the proposal to rezone this land for residential purposes reticulated sewerage services should be required. The owner has received information from Sydney Water indicating that the West Camden Sewerage Treatment Plant would have sufficient capacity to service 66 residential allotments with reticulated sewer. Further consultation would be required with Sydney Water in regard to the provision of reticulated sewer services.

PE2 – Planning Proposal - Montpelier Drive Residential Land**Hydrology and Riparian Land**

The north western corner of the site is impacted by flooding from the watercourse. An assessment is required to determine the extent of this flooding and the potential impact from an increased density of development. An analysis of the site in relation to water sensitive urban design and the role of the small dam in achieving improved water quality for the site would be required. Stormwater treatment approaches and treatment of the riparian land in terms of maintaining water quality would be important as the site is within the drinking water catchment. The need for the imposition of a riparian buffer to protect the natural watercourse and habitat should also be assessed.

Heritage

The site does not contain any heritage items but there are two heritage items located opposite the site which are listed under WLEP 2011. These items are Rose Cottage located on Montpelier Drive and The Oaks Airfield. An assessment of potential impact from the planning proposal on these items would be required.

The Oaks South Planning Proposal Land Specialist Studies and DCP Special Provisions

A number of specialist studies were undertaken on adjoining land to the north in relation to the planning proposal for rezoning to residential. These studies, particularly in relation to noise assessment and flora and fauna will be re-examined as the information from these studies should be able to inform recommendations for future potential development of this site. The DCP Special Provisions within Volume 8 will also be examined to determine whether they would also be applicable to this site.

Community Consultation

In accordance with Council's notification policy, initial community consultation has been undertaken. The Planning Proposal was published on Council's web site from November 26 2012 until January 7 2013 for a six week period including the Christmas/New Year period. Adjoining and nearby residents were also notified. Three (3) submissions were received. The feedback provided in the submissions is considered in the following table:

PE2 – Planning Proposal - Montpelier Drive Residential Land
Table 1 – Submissions from Community Notification

Issues raised in submission	Comments
Density and rural character	
Lot sizes should be at least 4000m ² to maintain the rural landscape and to be in accord with the property acreages along Montpelier Drive which are equal or larger to this size. The site is around 1km south of The Oaks and is predominately rural in nature and usage.	Sydney Water is unlikely to provide reticulated sewer services to 4000m ² residential lots and as this land is within the drinking water catchment reticulated sewer is necessary to ensure water quality is maintained. However an assessment of lot sizes and density in relation to the rural character should be undertaken.
Watercourse and flooding	
The natural watercourse that runs through the front of the property should be preserved to ensure its natural flow. This is essential especially given the very large water catchment to the south and the nature of local flooding through the watercourse during heavy rainfall.	It is agreed that this natural watercourse should be retained and revegetated to improve water quality and riparian habitat. An assessment of potential flooding impacts will also be undertaken if the proposal is supported.
Traffic and road layout	
Council must give serious consideration to the increase in local traffic on Montpelier Drive and introduce traffic calming measures such as reduced speeds and or a roundabout at the intersection of the proposed new road with Montpelier Drive. The conceptual plans seem to place an over reliance on the proposed road pattern for the land to the north and in our view the subdivision of the subject land should seek to encourage access off Montpelier Drive via the reserved road along the southern boundary based on the origin and destination movements to/from the north.	Further traffic assessment will be undertaken and consideration given to the use of the unformed road reserve for the main vehicular access to the site. Road, pedestrian and cycle links to the land to the north are considered to be essential for efficient use of infrastructure and to encourage community development.

PE2 – Planning Proposal - Montpelier Drive Residential Land

Issues raised in submission	Comments
Planning Agreement	
The planning proposal does not include a planning agreement as occurred with the rezoning to the north. This is disappointing as the proposal makes reference to the provision of “better infrastructure and services”. The proponent should be required to demonstrate how this Outcome can be achieved, absent a Planning Agreement, to a level commensurate with that proposed in development of the land to the north.	There is no necessity for a planning agreement to accompany a planning proposal. The planning agreement for The Oaks South planning proposal was instigated by the landowners and was not a Council requirement. The need for a planning agreement will be assessed in terms of the provision of necessary infrastructure and community facilities required as determined by further investigation should the planning proposal receive a positive Gateway Determination.
Adjoining subdivision	
For the record Figure 1 of the proposal does not include the current subdivision plan for the land to the north. It should be appreciated that the current DCP providing special provisions for The Oaks South was formulated before the now submitted proposal and it contains urban interface provisions with little weight should the land the subject of the current proposal be developed for residential purposes.	Noted The DCP provisions relating to the adjoining subdivision in relation to this site and the urban interface are still applicable but may require variation should this planning proposal lead to the site being developed for residential purposes.
Further rezoning	
There are no objections to this proposal and it would be anticipated that if the proposed rezoning is successful that the properties on the western side of Montpelier Drive would be considered for rezoning.	The Growth Management Strategy Structure Plan for The Oaks includes some land to the west of Montpelier Drive which could be considered for rezoning. To facilitate a rezoning would require the submission of a planning proposal from landowners in this area.

PE2 – Planning Proposal - Montpelier Drive Residential Land

Consultation with Government Departments

If endorsed by Council, consultation on the Planning Proposal will be required with the Department of Planning and Infrastructure (DP&I). Consultation with the following government agencies is expected to be required subject to a positive Gateway Determination.

- Office of Environment and Heritage
- Sydney Water
- Sydney Catchment Authority

Further community consultation

If this planning proposal progresses, further community consultation opportunities will occur as part of the preparation and exhibition of a draft local environmental plan in accordance with the Gateway process. Council has the opportunity to recommend the engagement process and other consultation appropriate for this draft proposal.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

The following is a preliminary assessment of the draft Planning Proposal with consideration to the relevant outcomes sought by the Community Strategic Plan.

Community Outcomes

CO-1 The safety, health and well being of the Wollondilly community is improved

CO-3 Wollondilly community is more engaged, more caring and more inclusive

Community safety in terms of aviation in particular is an issue which must be investigated should the Planning Proposal proceed. There will be further opportunities for community engagement should Council resolve to continue with this proposal.

Environment Outcomes

EO-2 The impact of existing and new development on the environment is reduced

EO-3 The Wollondilly community lives and works more sustainably

These are aims which will be embodied in the assessment and outcomes of this (and every) Planning Proposal.

PE2 – Planning Proposal - Montpelier Drive Residential Land

Infrastructure Outcomes

IO-1 The growing vibrancy and liveability of the Shire's towns and villages enhances their strong sense of local identity and place

IO-2 Well-managed infrastructure supports sustainable living

The capacity of essential infrastructure required to support the potential changes in land uses will be investigated should the Planning Proposal proceed.

Governance Outcomes

GO-1 Stronger partnerships between all levels of government and the Wollondilly community facilitate the delivery of effective and accountable services

Consultation with government agencies is an essential step in the Planning Proposal process.

POLICIES & LEGISLATION

Planning Proposals

The draft Planning Proposal has been prepared in accordance with section 55 of the Environmental Planning and Assessment Act 1979 and relevant Department of Planning & Infrastructure guidelines including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'. The draft Planning Proposal addresses the matters required by the Director-General to be addressed in all Planning Proposals.

The application for a Planning Proposal is requesting the rezoning of the subject land. If Council wishes to proceed with the proposal to rezone the land, Council must resolve to support the draft Planning Proposal and to forward it to the Minister for Planning & Infrastructure for a Gateway Determination.

Council's Options/Role

In deciding whether to forward the Planning Proposal on to the Minister for Planning & Infrastructure for a Gateway Determination, Council is effectively endorsing the Planning Proposal in principle and from that point on the Planning Proposal is deemed to be Council's Planning Proposal - no longer the applicant's Planning Proposal. Despite the Planning Proposal becoming Council's at that point, the costs of any required studies are to be borne by the applicant.

PE2 – Planning Proposal - Montpelier Drive Residential Land

Council's options are:

1. Resolve to support the draft Planning Proposal. Council then sends it to the Minister for a Gateway Determination. Unresolved matters are assumed to be capable of resolution through future studies as determined by the Gateway process.
2. Resolve that the Planning Proposal needs to be amended before it can receive Council support and be forwarded to the Minister for a Gateway Determination.
3. Resolve not to support the Planning Proposal. The applicant could choose to revise/amend their proposal and submit a new application. There are no appeal rights through the Land and Environment Court against Council's refusal to support a Planning Proposal. However should Council resolve not to support the applicants request the applicant can apply for a pre-gateway review in accordance with section S36(5) of the Environmental Planning and Assessment Act, 1979.

Option 1 is the recommendation of this report.

At the Gateway Determination, the Minister will decide:

- Whether the proposal is justified on planning grounds
- Whether the planning proposal should proceed (with or without variation)
- Whether the planning proposal should be resubmitted for any reason (including for further studies or other information, or for the revision of the planning proposal)
- The community consultation required
- Any consultation required with State or Commonwealth agencies
- Whether a public hearing by the Planning Assessment Commission or other specified person or body is required
- The timeframes for the various stages of the procedure to make the amendment
- Whether the function of making the LEP is to be exercised by the Minister for Planning & Infrastructure or delegated to Council.

The Planning Proposal and supporting studies are placed on public exhibition. The written draft local environmental plan amendment (the draft LEP) is prepared by Parliamentary Counsel when the Planning Proposal is finalised, immediately before it is made by the Minister or delegate. The LEP takes effect when it is published on the NSW legislation website. The ultimate development of the land would then require further approvals through detailed Development Applications.

PE2 – Planning Proposal - Montpelier Drive Residential Land
State Environmental Planning Policy 55 - Remediation of Land (SEPP55)

Under SEPP 55, planning authorities are required to consider the potential for contamination to adversely affect the suitability of a site for its proposed use. The policy states that land must not be developed if it is unsuitable for a proposed use due to contamination. Historically the subject site may have been used for agricultural purposes which can result in contamination and therefore a Stage 1 preliminary investigation into potential contamination is required to determine whether a more detailed Stage 2 investigation and sampling is required.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The Montpelier Drive Residential Land planning proposal site falls within Sydney Drinking Water Catchment and accordingly will have to comply with this policy. The policy aims are outlined below:

- (a) to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal, and
- (b) to provide that a consent authority must not grant consent to a proposed development unless it is satisfied that the proposed development will have a neutral or beneficial effect on water quality, and
- (c) to support the maintenance or achievement of the water quality objectives for the Sydney drinking water catchment.

Site Specific Development Control Provisions

Consideration needs to be given to Part 6 Urban release area of WLEP which requires the provision of adequate arrangements for the provision of public infrastructure and development controls to achieve planning objectives.

Site Specific Development Control Provisions may be prepared for the subject land which would include specific site objectives and development controls for the future development of the site. These provisions would be expected to include a range of design and built form controls, including (but not limited to):

- Lot density provisions
- Site revegetation
- Pedestrian and cycleway links
- Effective treatment of the urban and rural interface
- Urban sensitive water design
- Noise mitigation measures.

The range of provisions included would be informed by specialist studies undertaken to support the proposal. Any site specific provisions would be reported to Council when prepared.

PE2 – Planning Proposal - Montpelier Drive Residential Land
RELEVANT CONSIDERATIONS
Growth Management Strategy (GMS)

The site is identified in the Structure Plan for The Oaks as a 'potential residential growth area'. The land adjoins land to the north which was rezoned to Zone R2 Low Density Residential in 2012.

Table 2 summarises the Key Policy Directions of the GMS that are relevant to the assessment of the application. Comments as to how the Key Policy Directions relate to the application are also included in the Table.

Table 2 – GMS Key Policy Directions

Key Policy Direction	Comment
General Policies	
P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.	The proposal, as noted throughout this table, satisfies this Key Policy Direction.
P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)	The proposal is generally consistent with the concept and vision of 'Rural Living'. It provides for low density housing directly adjoining an existing town which reduces the likelihood of the further fragmentation of rural lands.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	Three (3) submissions were received regarding this proposal. Concerns related to the rural landscape character, traffic and vehicular access and retention of the natural watercourse. These concerns will be addressed in further investigations and specialist studies should the draft planning proposal be supported and receive a positive Gateway Determination.
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	There have been no such representations regarding this proposal and therefore this Key Policy Direction has been satisfied.

PE2 – Planning Proposal - Montpelier Drive Residential Land

Key Policy Direction	Comment
<i>P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).</i>	The proposal represents a logical rezoning of the subject site for low density purposes in keeping with land adjoining the site to the north. Within the constraints of the site the proposal is considered appropriate as it will facilitate the orderly development of housing. Conservation and enhancement of natural systems is intended. Existing infrastructure is to be utilised and embellished.
Housing Policies	
<i>P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.</i>	The proposal contributes toward Council's dwelling target for The Oaks outlined in the GMS but will not result in this target being exceeded. The Structure Plan for The Oaks identifies the subject land as a 'potential residential growth area'.
<i>P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types.</i>	The proposal aims to provide for <i>R2 Low Density Residential</i> land with a minimum lot size of 975m². This would allow for a range of housing types including affordable housing. However there may be a need for some larger lots to maintain rural character, conserve any native vegetation remaining on the site, to provide flood free land and to reduce fragmentation of the riparian corridor.
<i>P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the "rural fringe").</i>	The proposed lot size is relatively large but further assessment of density in relation to the location of the site on the edge of the town would be required.
<i>P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.</i>	The land is located immediately to the south of the existing urbanised area of The Oaks.
Macarthur South Policies	
<i>Key Policy Directions P11, P12, P13 and P14 are not applicable to this planning proposal. The subject land is not with the Macarthur South area</i>	Not applicable.

PE2 – Planning Proposal - Montpelier Drive Residential Land

Key Policy Direction	Comment
Employment Policies	
P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes	Although there are no employment lands proposed, there will be short-term employment opportunities through the construction jobs associated with the civil and building works. The proposal will also provide stimulus to the local economy by boosting population.
P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.	The site is not proposed to be zoned to facilitate further employment opportunities. Modest opportunities may exist for home business and tradesman residency.
Integrating Growth and Infrastructure	
P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community.	Assessment will aim to determine that the addition of residential allotments in the locality shall not adversely burden Council as infrastructure requirements should be readily able to be financed by the developers or through Council's development contributions scheme and direct payments to infrastructure providers.
P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.	The proposal site is located around 820m south from The Oaks village centre. Development of the site would require construction of roads and drainage infrastructure and extension of existing utilities.
P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.	The proposal does not contribute toward dispersed population growth; it proposes urban growth directly to the south of The Oaks urban area.
P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.	This is an area identified as a being a potential residential growth area on the The Oaks Structure Plan in the GMS. The proposal contributes toward Council's dwelling target for The Oaks identified in the GMS.

PE2 – Planning Proposal - Montpelier Drive Residential Land

Key Policy Direction	Comment
Rural and Resource Lands	
P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.	Existing sewerage systems should have the capacity to cater for the additional growth forecast through this and other proposals in the area. Applying the principles of Water Sensitive Urban Design to future development will ensure sustainability and water quality objectives are met. It is proposed to maintain and improve native vegetation and habitat to protect biodiversity.
P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.	Key Policy Direction P22 is not applicable to the proposal.

FINANCIAL IMPLICATIONS

As noted previously in this report, the planning proposal is deemed to be Council's planning proposal once endorsed by Council and forwarded to the Minister. Despite the planning proposal becoming Council's at that point, the costs of any required studies are to be borne by the applicant. Additionally the proponent is required to pay a fee for Council's review of the studies.

As the planning proposal proceeds, investigations into contributions towards infrastructure provision through planning agreements and section 94 contributions would be undertaken.

CONCLUSION

The planning proposal seeks to amend the provisions of WLEP 2011 as they apply to the subject site to:

- change the Land Zoning Map from Zone RU2 Rural Landscape to Zone R2 Low Density Residential
- change the Lot Size Map from no minimum to a minimum lot size of 975m² or greater depending on further investigation
- change the Height of Buildings Map from no height limit to a maximum height of 9 metres.

There may also be a need to increase the minimum lot size and change the Natural Resources – Water map depending on the outcomes of further investigations of the site.

PE2 – Planning Proposal - Montpelier Drive Residential Land

This planning proposal is considered to be consistent in principle with Council's adopted Growth Management Strategy and it is therefore recommended that the planning proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination.

ATTACHMENTS

1. Map – Aerial Photograph
2. Map – Current and Proposed Zoning

RECOMMENDATION

1. That Council support the Montpelier Drive Residential Lands Planning Proposal to rezone land located at 790 Montpelier Drive, The Oaks (Lot1 DP1043567) and the amendment of the provisions of WLEP 2011 as follows:
 - change the Land Zoning Map from Zone RU2 Rural Landscape to Zone R2 Low Density Residential
 - change the Lot Size Map from no minimum to a minimum lot size of 975m² or greater depending on the outcomes from further investigation
 - change the Height of Buildings Map from no height limit to a maximum height of 9 metres
 - change the Natural Resources – Water Map depending on the outcomes from further investigation.
2. That the planning proposal be forwarded to the Minister for Planning and Infrastructure for a Gateway Determination.
3. That the Minister for Planning and Infrastructure and the applicant be advised that Council does not support access to Hardwick Street.
4. That the applicant and persons who made submissions regarding the planning proposal be notified of Council's decision.
5. That the applicant be advised that should the rezoning proceed that Council will require the provisions of a shared pathway/cycleway along Montpellier Drive linked to pathways to the North.

