

Memorandum

To File

From Ashley Albury
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Date 23 September 2016

Subject: PLANNING PROPOSAL – REZONE LAND TO PERMIT FUTURE RURAL RESIDENTIAL SUBDIVISION – POONCARIE ROAD, NORTH WENTWORTH – GATEWAY DETERMINATION (PP_2016_WENT_004_00)

Purpose

To recommend that the Executive Director, Planning Services determine to proceed with a planning proposal to rezone land from RU1 to Rural Residential Living, at part Lot 1 DP 1193874, 'Kelso Station' Pooncarie Road, North Wentworth.

Background

- Wentworth Council has lodged a Planning Proposal to rezone approximately 28 ha from Primary Production RU1 to E4 Environmental Living.
- The proposed rezoning would create 14 lots ranging in size from 7500sqm through to 1.9 ha.
- The Planning Team Report has recommended that the Planning Proposal not proceed, for the following reasons:
 - (a) The planning proposal to rezone land RU1 Primary Production to E4 Environmental Living is not strategically endorsed.
 - (b) The planning proposal has the potential to create undesirable and unnecessary risk in relation to flooding.
 - (c) The planning proposal does not adequately address inconsistencies with section 117 Directions 1.2 Rural Zones, 1.5 Rural Lands, 4.3 Flood Prone Land as well as *State Environmental Planning Policy (Rural Lands) 2008* as it may create potential land use conflict by expanding a rural residential area into rural lands.

Issue

I have reviewed both the submitted Planning Proposal and the Planning teams report and provide the following Comments:

Strategic Justification

It is recognised that the site has not been identified in an endorsed strategy, however the proposal creates an additional 14 lots, the site is contiguous to an existing approved development and is a logical extension. It will also provide further opportunity for Lifestyle lots in relatively close proximity to the Township of Wentworth. The proposal is minor in nature. It is noted that the Council is currently undertaking a Rural Lands

Strategy as yet this has not been completed and it is appropriate that Council finalise this work.

Flooding

The proposal is within the identified 'Flood Planning Area' in the Wentworth Local Environmental Plan 2011. The proposed development is inconsistent with 117 Direction 4.3. It is therefore recommended that prior to Public consultation a Flood Study and Flood Plain Management Plan for the site be undertaken in consultation with the Office of Water and Office of Environment and Heritage.

Zoning

The proponent has proposed that the site be rezoned to E4 Environmental Living. This is not considered appropriate. The Wentworth LEP currently does not have a E4 Environmental Living zone, however one is proposed as part of amendment 5 of the Wentworth LEP, the proposed E4 zone will have a number of rural uses, which would be incompatible on this site given the proposed size of the lots. The intention of the proposed development is Rural lifestyle and clearly the most appropriate zone is R5 Large Lot Residential. It is therefore recommended that the planning proposal be amended to reflect this. I have spoken with Councils Manager of Planning Michele Bos in regards to this and she agreed that this approach was appropriate.

Comments

Given the scale and nature of the proposed planning proposal it is considered that it is appropriate that Planning proposal proceed to Gateway determination, with the condition attached to the determination

Recommendation

It is recommended that the Executive Director Regions signs the Gateway Determination.



Ashley Albury
Director Regions, Western