

Amend Minimum Lot Size Map - Lot 3 DP 1013344, 76 Drapers Creek Road Colo Vale

Proposal Title :	Amend Minimum Lot Size Map - Lot 3 DP 1013344, 76 Drapers Creek Road Colo Vale		
Proposal Summary :	To amend the minimum lot size for Lot 3 DP 1013344, 76 Drapers Creek Road, Colo Vale from 40 hectares to 20 hectares to enable the construction of a dwelling house. As the WLEP 2010 does not have a minimum lot size category of 20 hectares, the Planning Proposal also will require the amendment of all Minimum Lot Size Maps to include this category (to be labelled AB2) in the legends. The 40 hectare category is currently labelled AB2 and therefore all 40 hectare land will need to be relabelled as AB3.		
PP Number :	PP_2012_WINGE_001_00	Dop File No :	12/01887

Planning Team Recommendation

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

- S.117 directions :
- 1.2 Rural Zones
 - 1.5 Rural Lands
 - 2.3 Heritage Conservation
 - 3.3 Home Occupations
 - 4.4 Planning for Bushfire Protection
 - 5.2 Sydney Drinking Water Catchments
 - 6.1 Approval and Referral Requirements
 - 6.2 Reserving Land for Public Purposes
 - 6.3 Site Specific Provisions

Additional Information : It is recommended that the proposal proceeds through the Gateway subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the Planning Proposal must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009). This will involve the preparation of Maps that introduce a new 20ha minimum lot size to the legend of all Lot Size Map sheets.

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act.

Environment Protection Authority
Sydney Catchment Authority
Hawkesbury Nepean Catchment Management Authority
NSW Rural Fire Service

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. 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).

4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

SECTION 117 DIRECTIONS

5. s117 Direction 4.4 Planning for Bushfire Protection - Consultation with the NSW Rural Fire Service is to be undertaken prior to community consultation and its comments taken into account.

6. s117 Direction 5.2 Sydney Drinking Water Catchments - Consultation with the Sydney Catchment Authority is required and this would be appropriate during public exhibition.

7. The Planning Proposal is considered to be consistent with all other s117 Directions or the Director General can be satisfied that any inconsistencies are considered to be of minor significance.

8. No further referral is required in relation to s117 Directions for the plan in its current form.

Supporting Reasons : The Planning Proposal enables the construction of a dwelling house on the site at the location of the partially constructed health retreat. As the site is 21.1 hectares in area, the change in minimum lot size to 20 hectares enables the provision of the dwelling house without the risk of undesirable further subdivision.

Panel Recommendation

Recommendation Date : 16-Feb-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Sydney Catchment Authority
- Hawkesbury - Nepean Catchment Management Authority
- Office of Environment and Heritage
- NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

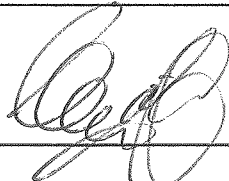
3. Further to Condition 2 above, Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal prior to exhibition if necessary.

4. Further to Condition 2 above, Council is to consult with the Sydney Catchment Authority prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 5.2 Sydney Drinking Water Catchment and amend the planning proposal prior to exhibition if necessary.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. 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).

6. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGowan

Date:

24.2.12