

11.3 AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL TO REZONE LAND AT 107 HAUSSMAN DRIVE THORNTON

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| FILE NO: | RZ21002 |
| ATTACHMENTS: | 1. Planning Proposal (under separate cover) |
| RESPONSIBLE OFFICER: | Matthew Prendergast - Group Manager Planning & Environment Andrew Neil - Manager Strategic Planning Adam Ovenden - Coordinator City Planning |
| AUTHOR: | Leonie Bryson - Strategic Planner |
| APPLICANT: | McCloy Group Pty Ltd |
| OWNER: | McCloy Group Pty Ltd |
| PROPOSAL: | Land Rezoning |
| LOCATION: | 107 Haussman Drive, Thornton |
| ZONE: | From Rural to Residential |

EXECUTIVE SUMMARY

The Planning Proposal seeks to rezone land at 107 Haussman Drive, Thornton (Lot 2 DP 1145348), from a rural zone to a residential and environmental protection zone. The site is a former clay pit commonly known as the 'CSR Quarry' and is located on the corner of Raymond Terrace Road and Haussman Drive. In September 2019 a Development Application (DA 17-2593) was approved on the land for the construction of a Seniors Living Development consisting of 156 Self Contained Dwellings and Associated Community Facilities. The landowner (McCloy Group Pty Ltd) has since made the commercial decision to seek a rezoning to enable residential subdivision.

The land is identified in endorsed Council strategies as an area for future residential investigation and biodiversity conservation. It is considered that a rezoning on this site would enable a greater diversity of housing options and provide a higher level of environmental protection for the important ecological values on the land.

The Planning Proposal for 107 Haussman Drive Thornton is provided as Attachment 1 to this report for Council's consideration. The officer's assessment of the rezoning request and supporting site studies has informed the Planning Proposal and recommendations within.

Notwithstanding the need for certain issues to be resolved, it is considered that the proposed amendment to planning controls and rezoning of land has strategic and site-specific merit to progress to the NSW Department of Planning, Industry and Environment for a Gateway assessment.

A Councillor briefing was held on 15 February 2022 where staff provided an overview of the Planning Proposal. Following a site visit by Senior Council staff on 21 Feb 2022, the proposed zoning map within the Planning Proposal has been updated to reflect the initial zoning map submitted by the proponent. This report now seeks Council's endorsement to progress this

Planning Proposal and request a Gateway Determination from the Department of Planning, Industry and Environment.

OFFICER'S RECOMMENDATION

THAT

- 1. Pursuant to Section 3.34(1) of the Environmental Planning and Assessment Act 1979, Council submit the planning proposal, to the Department of Planning, Industry and Environment seeking a Gateway Determination.**
- 2. Following issue of a Gateway determination, Council undertake consultation with the community and relevant government agencies in accordance with Section 3.34 and Schedule 1 of the Environmental Planning and Assessment Act 1979 and the conditions of the Gateway Determination.**
- 3. A further report be presented to Council following the public exhibition period, to demonstrate compliance with the Gateway determination and provide details of any submissions received throughout that process.**

PROCEEDINGS IN BRIEF

A motion was moved to add Point 4 to the Officers Recommendation:

THAT

- Pursuant to Section 3.34(1) of the Environmental Planning and Assessment Act 1979, Council submit the planning proposal, to the Department of Planning, Industry and Environment seeking a Gateway Determination.
- Following issue of a Gateway determination, Council undertake consultation with the community and relevant government agencies in accordance with Section 3.34 and Schedule 1 of the Environmental Planning and Assessment Act 1979 and the conditions of the Gateway Determination.
- A further report be presented to Council following the public exhibition period, to demonstrate compliance with the Gateway determination and provide details of any submissions received throughout that process.
- Council prior to the determination of a development application, prepare a precinct plan in accordance with cl.6.3 of the Maitland Local Environmental Plan 2011, addressing traffic movement and ingress/egress for the development of 107 Haussman Drive, Thornton. The precinct plan should include (but not be limited to) consideration of the impact on the Haussman Drive intersection as well as investigate connection of a future development of the 107 Haussman Drive site to the intersection with Settlers Boulevard.

Moved Cr P Garnham, Seconded Cr R Aitchison

The motion when put to the meeting was declared carried

COUNCIL RESOLUTION

THAT

- 1. Pursuant to Section 3.34(1) of the Environmental Planning and Assessment Act 1979, Council submit the planning proposal, to the Department of Planning, Industry and Environment seeking a Gateway Determination.**
- 2. Following issue of a Gateway determination, Council undertake consultation with the community and relevant government agencies in accordance with Section 3.34 and Schedule 1 of the Environmental Planning and Assessment Act 1979 and the conditions of the Gateway Determination.**
- 3. A further report be presented to Council following the public exhibition period, to demonstrate compliance with the Gateway determination and provide details of any submissions received throughout that process.**
- 4. Council prior to the determination of a development application, prepare a precinct plan in accordance with cl.6.3 of the Maitland Local Environmental Plan 2011, addressing traffic movement and ingress/egress for the development of 107 Haussman Drive, Thornton. The precinct plan should include (but not be limited to) consideration of the impact on the Haussman Drive intersection as well as investigate connection of a future development of the 107 Haussman Drive site to the intersection with Settlers Boulevard.**

Moved Cr P Garnham, Seconded Cr R Aitchison

CARRIED

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 12 for and 1 against, as follows:

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| For: | Cr R Aitchison | Against: | Cr B Whiting |
| | Cr L Baker | | |
| | Cr K Ferguson | | |
| | Cr S Fisher | | |
| | Cr P Garnham | | |
| | Cr M Griffin | | |
| | Cr B Hackney | | |
| | Cr S Halliday | | |
| | Cr B Mitchell | | |

Mayor P Penfold
Cr K Ranadive
Cr M Yarrington