



Office of
Environment
& Heritage

Your reference: MPA07_0140_MOD3
Our reference: DOC13/83687
Contact: Rachel Lonie, 99956837

Mr Chris Ritchie
A/Director Industry, Social Projects & Key Sites
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Jane Flanagan

Dear Mr Ritchie

I refer to your letter received 15 November 2013 by the Office of Environment and Heritage (OEH) requesting comment on a Section 75W Modification Application for a revised lot layout on Lot 12 DP 1021340 Pitt Town.

Comments are provided in Attachment 1.

If you have any queries regarding this advice please contact Rachel Lonie, Conservation Planning Officer on 9995 6837 or by email at rachel.lonie@environment.nsw.gov.au (note work days are Monday and Wednesday only).

Yours sincerely

S. Harrison 09/12/13

SUSAN HARRISON
Senior Team Leader Planning
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ATTACHMENT 1. Office of Environment and Heritage (OEH) comment on a Section 75W Modification Application for a revised lot layout on Lot 12 DP 1021340 Pitt Town.

The proposal is to subdivide Lot 12 DP 1021340 into 11 rural housing allotments and a 12th lot to be dedicated to Council as a public reserve. This is required to resolve the issue of overlapping lots with the adjoining Lot 11 DP 1021340 (which has a different owner) and the approved Pitt Town Concept Plan Master Plan lot layout (Blighon Precinct).

1. Hawkesbury River Buffer Area

The report suggests that Hawkesbury Council no longer has an interest in acquiring and maintaining the riverfront land that was identified for dedication as a public reserve in the approved Concept Plan. It is understood that acquisition of this land was part of the identified Section 94 contributions.

As noted in the Pitt Town Concept Plan *Preferred Project Report* the reserve area provided an important buffer to the Hawkesbury River with environmental, water quality and scenic values. The report stated that *"the proposed open space will provide a minimum 45 metre wide buffer to the Hawkesbury River from the top of the river bank and in addition, no development will be permitted within the proposed lots for a further 45 metres (due to flooding constraints), thus providing a setback in excess of 90 metres."* The land contains some vegetation and is part of a broader riparian corridor also proposed to be public open space.

OEH considers that the area identified for dedication as a public reserve should not be included in Lot 1 but should remain a separate lot. If Council determines it does not have an interest in acquiring this land for open space then OEH recommends that the land not be absorbed into Lot 1 but rather be zoned for conservation (i.e. E2 Environment Conservation). It is anticipated that the Section 94 contribution plan would need to be amended accordingly and OEH considers that the funding should be used for a similar investment in open space in the Pitt Town area.

2. Aboriginal Cultural Heritage

The Pitt Town area is a landscape of high Aboriginal cultural and scientific significance. The Section 75W Modification Report states that the revised layout has the same number of lots and the lot sizes are consistent with the zoning rules in the Part 3A Concept Plan approval.

It is noted that the revised layout retains the larger lot sizes (1 hectare) for the lots closer to the Hawkesbury River and in the area that was formerly identified as having significant Aboriginal heritage values. It is therefore considered that the revised layout will not result in an increased impact to Aboriginal objects and is generally in accordance with the Part 3A Concept Plan approval.

If there is expected to be an increased impact, appropriate management and mitigation measures will have to be put in place. OEH's preference is that identification of the archaeological and cultural values in the area is undertaken early and impacts are avoided where possible.