

***SECTION 75W MODIFICATION REQUEST - PITT TOWN
PART 3A CONCEPT PLAN***

BLIGHTON PRECINCT - PITT TOWN SUBDIVISION

LOT 12 DP 1021340



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1.0 INTRODUCTION

This Section 75W modification application has been lodged to modify Concept Approval MPA No. 07_0140 granted by the Department of Planning on 10 July 2008. The application specifically relates to a proposed reconfiguration of residential allotments on Lot 12 DP 1021340 (Lot 12) in the Pitt Town development area (PTDA) in north west Sydney. The proposed reconfiguration would result in the creation of 3 additional residential blocks on Lot 12.

Adjoining landholder consent has not been sought as part of this modification application as a section 8F designation pursuant to the Environmental Planning and Assessment Regulation 2000 was granted by the Department of Planning and Environment on 17 May 2016.

2.0 SITE DESCRIPTION

Lot 12 is located on the Hawkesbury River within the Blighton Precinct of the PTDA (Figure 1). The Blighton Precinct is located directly to the west of the Cleary Precinct. Lot 12 has an area of 9.465 hectares and has a long history of agricultural use dating back to the first European settlers.

Lot 12 is serviced by Hall and Hawkesbury Streets and has been subdivided into 11 separate residential blocks. An existing dwelling is located on the northern most block of Lot 12 and is the only existing dwelling within the Blighton Precinct. The site has sweeping views to the north and west across the Hawkesbury River flood plain with a proposed open space reserve abutting the northern boundary. The Blighton Precinct has a minimum lot size of 4000m² and is designed to be sympathetic with the historical past and the rural setting of the area.



Figure 1. Lot 12 on the eastern section of the Blighton Precinct circled in red with the Cleary Precinct directly to the east

3.0 APPROVALS BACKGROUND

The PTDA was initially granted Concept Plan approval pursuant to repealed Part 3A of the Environmental Planning and Assessment Act 1979 on 10 July 2008. The Concept Plan approval contains a series of conditions that recognise that modifications may be necessary throughout the development stages of the PTDA due to circumstances that were not anticipated at the time of approval. Conditions A2 and A5 of Schedule 2 in the Concept Plan instrument of approval state that the development is to be generally consistent with the Environmental Assessment lodged during the application and approval process. These conditions recognised that changes would likely be required during the staged development of the PTDA. Conditions A2 and A5 are set out below.

A2. Development in Accordance with Documentation and Plans

The development shall be generally consistent with the following documentation and plans:

- a) **Pitt Town Residential Precinct Environmental Assessment (Folder 1 & 2)**, prepared by Don Fox Planning and dated December 2007; except as amended by the Preferred Project Report titled **Pitt Town Residential Precinct Concept Plan Preferred Project Report**, prepared by Johnson Property Group and dated 28 March 2008, incorporating a **Statement of Commitments** prepared by Johnson Property Group.
- b) **Pitt Town Masterplan**, dated 25 March 2008 and prepared Brown Consulting.
- c) **Masterplan for Bonavista**, Drawing No. L03017-BONA-V5, dated 5 November 2007 and prepared by Brown Consulting; **Masterplan for Fernadell**, Drawing No. L03017-FERN-V5, dated 5 November 2007 and prepared by Brown Consulting; **Masterplan for Blighton**, Drawing No. L03017-Bligh-V6, dated 27 March 2008 and prepared by Brown Consulting; **Masterplan for Cleary**, Drawing No. L03017-CLEARY-V6, dated 27 March 2008 and prepared by Brown Consulting; **Masterplan for Thornton**, Drawing No. L03017-THORN-V6, dated 27 March 2008 and prepared by Brown Consulting; and **Boat Launching Ramp & Trailer Park**, Drawing No. JPG-L-BL 01 A, dated 6 November 2007 and prepared by Design & Construction Services.

A5. Determination of Future Applications

The determination of future applications for development is to be generally consistent with the terms of approval of MPA No. 07_0140 as described in Part A of Schedule 1 and subject to the modifications of approval set out in Parts A and B of Schedule 2.

The revised lot layout presented in this modification application is considered to be generally consistent with the Masterplan for the following reasons.

- The revised layout does not result in any additional environmental impacts
- The revised layout does not result in any significant demand increases on services or infrastructure
- The revised layout does not result in any increase in impacts on traffic flow or traffic safety (**Refer to advice in Attachment 1**)
- The revised layout causes no additional impact on heritage matters (**Refer to advice in Attachment 2**)
- The revised layout does not disadvantage any adjoining landholders
- The revised layout has a small increase in the number of lots. However, the lot sizes are consistent with the zoning rules for the Blighton Precinct
- All lots in the revised layout have good street access to either Hall or Hawkesbury streets

- The increase in the number of residential blocks on Lot 12 will be offset by the loss of up to 6 residential blocks in the adjoining Cleary Precinct as described in Section 4 below

Four section 75W modifications to MPA No. 07_0140 have so far been approved as well as a series of section 96 applications across the various DA approved PTDA precincts. These modifications reflect the evolving nature of projects such as the PTDA as development proceeds.

3.1 APPROVED SUBDIVISION CONFIGURATION

A revised modified subdivision configuration for Lot 12 was approved by the Department of Planning and Infrastructure on 18 December 2014 as MPA No. 07_0140 MOD 4. Development application approval was later granted by Hawkesbury City Council on 4 December 2015 in accordance with DA 0832 / 14. The approved subdivision configuration for Lot 12 is shown at **Attachment 3**.

The block reconfiguration proposed by this modification application only affects blocks 1, 8, 10 and 11 on Lot 12 which results in the creation of new proposed blocks 901 – 907.

4.0 PROPOSED SUBDIVISION RECONFIGURATION

The proposed subdivision reconfiguration for Lot 12 is shown at **Attachment 4**. The reconfiguration would result in the creation of 3 additional residential allotments. Investigations carried out on likely impacts on traffic conditions and Heritage values associated with the creation of 3 additional allotments concluded that the additional allotments would not adversely impact either of these matters. The traffic investigation concluded that the existing road network in the PTDA is capable of handling the small increase in traffic associated with the creation of additional allotments. Similarly, the Heritage investigation concluded that heritage management controls currently in place in the Blighton Precinct would be used to preserve heritage values associated with the proposed reconfiguration. Both of these investigations are set out in **Attachments 1 and 2** respectively.

The creation of 3 new blocks will be further offset by the likely loss of up to 6 residential blocks in the adjoining Cleary Precinct. The reduction of 6 blocks will result from a section 96 application (S960011/16) currently with Council. This application proposes an amendment to the staging for stage 6 of the adjoining Cleary Precinct development that would result in creation of Stages 6A and 6B. The section 96 application also includes a proposal to increase the width of road frontages from the existing 25 metres to 35 metres. The increase in road frontage width will result in an increase in allotment size and a subsequent reduction of up to 6 residential allotments in this precinct. Council have indicated in principle agreement with the above section 96 application and approval is expected in June 2016.

5.0 CONCLUSION

The revised subdivision configuration for Lot 12 results in the creation of an additional 3 residential allotments. This proposal is considered generally consistent with Concept Approval MPA No. 07_0140 for the reasons outlined in Section 3.0 above. The reconfiguration would not result in any increased environmental, traffic, infrastructure or heritage impacts and can be developed using existing development controls for Lot 12 and surrounding subdivision areas. The creation of an additional 3 allotments will also be offset by the likely loss of up to 6 allotments in the adjoining Cleary Precinct.