



Urban Renewal and Major Sites, Strategic Assessment

Planning Assessment Report

Application to Modify the Minister's Approval for the Pitt Town Residential Precinct Concept Plan

Major Project 07_0140 MOD 2

1 BACKGROUND

The Minister for Planning approved a Concept Plan for the subdivision of Pitt Town Residential Precinct on 10 July 2008 subject to modifications. The approval provided for the subdivision of the site into 659 allotments within five precincts for new residential dwellings and associated recreational facilities and infrastructure services.



Figure 1: Approved Concept Plan – Pitt Town Residential Precinct

On 8 October 2009 the proponent submitted a modification application under Section 75W of the Environmental Planning and Assessment Act 1979 (the Act) seeking approval for a revised subdivision layout in response to Council concerns regarding the volume of cut and fill earthworks

2 THE PROPOSED MODIFICATIONS

The application seeks to modify the Concept Plan approval to adjust the lot layout within the Cleary Precinct to provide better engineering design outcomes, including drainage of stormwater and retention of existing trees.

It should be noted that this modification does not increase the total number of approved residential lots in the Cleary Precinct or the site overall (note: an area of open space along the river has been added as a residual lot for subdivision purposes).

The proposed modification is an alternative lot layout (**Tag C**) to reduce the amount of earthworks required, while still allowing the site to drain effectively. The main changes include:

- An additional road that runs parallel to the southern section of Hall Street;
- Removal of two proposed intersections connecting Hall Street and associated truncation of those two formerly connecting roads; and
- Adjustment to the size, shape and orientation of some lots in response to the new road layout.

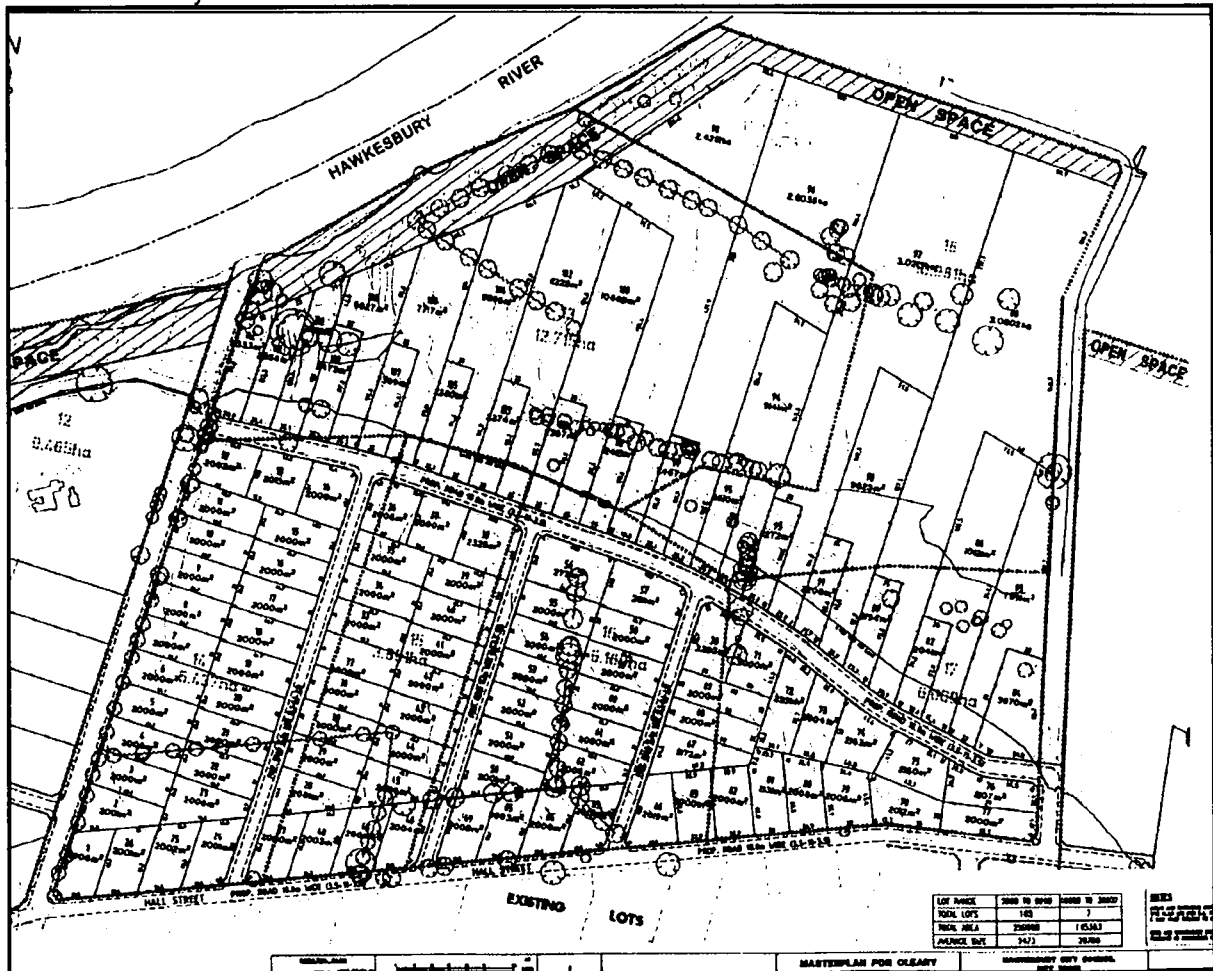


Figure 2: Approved Concept Plan Cleary Precinct Layout

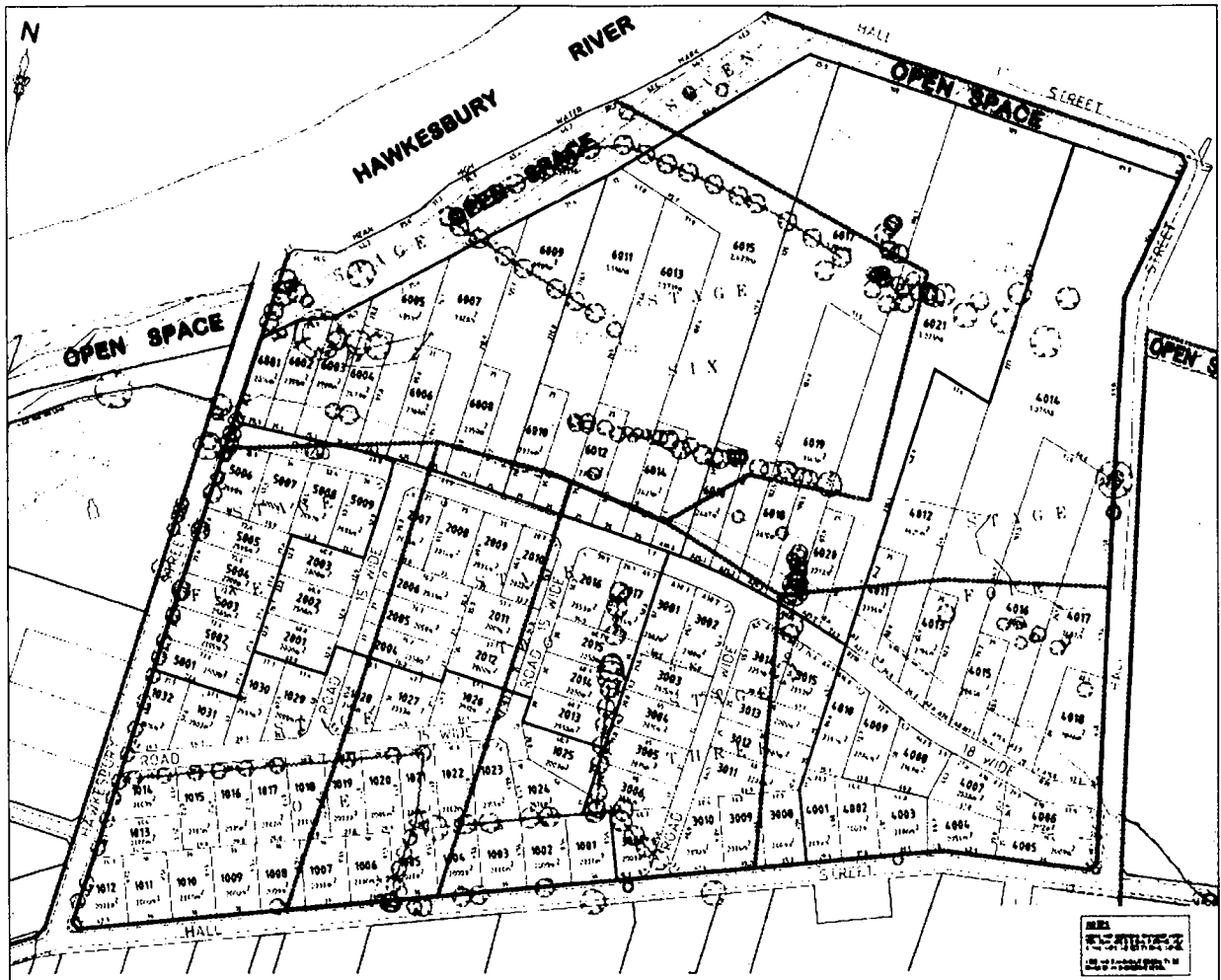


Figure 3: Proposed amended lot layout for Cleary Precinct

3 ASSESSMENT PROCESS

Section 75W(2) of the Act provides that a proponent may request the Minister to modify their approval of a project. The proposed modifications (as listed above) seek to change the terms of the Minister's determination through amendments to the approved plans and conditions and the Minister's approval is required.

Director-General's Environmental Assessment Requirements (DGRs) have not been issued due to the minor nature of the modification. It is considered that the impacts arising from the proposed modification are minimal and similar to the original proposal.

Modifications are not required to be publicly exhibited, and as the proposed changes to the subdivision layout were minor in nature, formal exhibition was not undertaken. The request for the modification was, however, placed on the Department's website in accordance with Clause 8G of the Environmental Planning and Assessment Regulation 2000.

As the changes involved amending the road layout in response to Council requests, the Department discussed the proposal with Hawkesbury Council staff who confirmed their support for the proposal.

4 CONSIDERATION

Subdivision and road layout

Subsequent to the Minister's approval of the Concept Plan under Part 3A, the Proponent submitted a Development Application to Hawkesbury Council seeking subdivision approval for the Cleary Precinct. Council raised concerns regarding the volume of engineering cut and fill earthworks proposed, where in some cases roads needed to be cut in at 3-4m depths below the natural surface. Further concerns were raised that this amount of cut and fill may reduce the ability to retain existing trees in the precinct.

The Proponent, in consultation with Council, has prepared an alternative lot layout that they outline will reduce the amount of earthworks required and ensure the retention of existing trees in order to address the concerns raised. The change in the subdivision layout requires a modification to the Minister's approval. Council have indicated that they are satisfied the new layout addresses their concerns appropriately.

The proposed road and subdivision layout reduces the number of intersections along Hall Street which may reduce vehicle conflicts but this also reduces the pedestrian permeability of the former connected grid layout. However, given the low density nature of the subdivision and the expected reliance on vehicle transport, the proposed layout is considered to provide acceptable access.

It should be noted that the modification does not result in the total number of residential lots exceeding 659 (or 112 for the Cleary Precinct) as the lots have merely been rearranged. The lot arrangements remain consistent with the Concept Plan approval and there are no additional impacts to the site.

Residual lot for open space

The Concept Plan approved 112 lots in the Cleary Precinct. The Section 75W modification proposes to create a residual lot for the flood prone land adjacent to the Hawkesbury River thus resulting in 113 lots. The future ownership and management arrangements for this land were unresolved at the time of the Concept Plan determination and the negotiations between Council and the Proponent are continuing. Therefore the residual lot is proposed to be created to enable the subdivision of the residential lots to proceed while these negotiations are completed. To account for this, the wording of Modification B3 should be modified slightly to refer to the maximum number of 'residential lots' (rather than just 'lots').

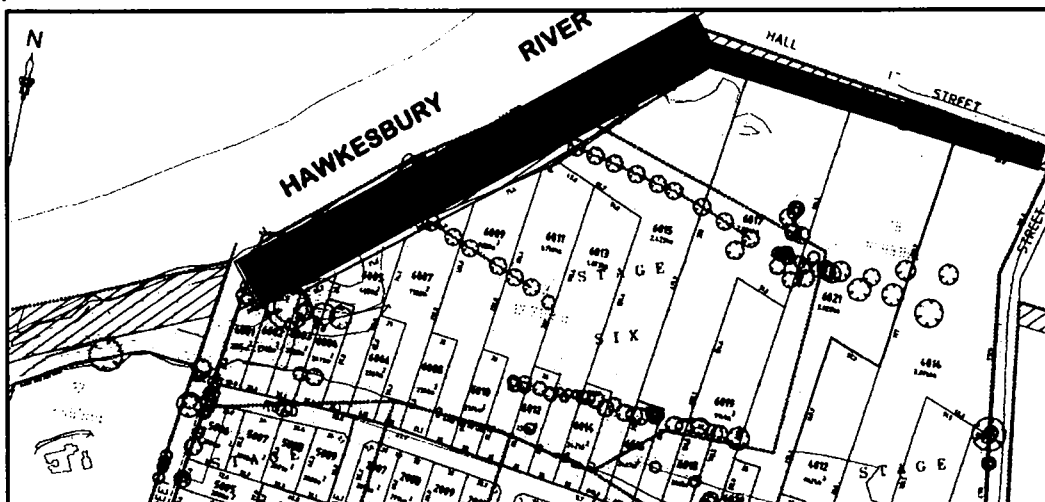


Figure 4: Approximate location of residual lot along river (in green)

5 CONCLUSION

In conclusion, the modifications to the Cleary Precinct are acceptable with conditions and are generally consistent with the approved Concept Plan.

6 RECOMMENDATION

It is recommended that Executive Director of Urban Renewal and Major Sites under delegated authority:

- **approve** the modifications as detailed in this report;
- **sign** the attached Modification Approval under Section 75W (Modification of Minister's Approval) of Part 3A of the Act (**Tag A**); and
- **sign** the attached letter (**Tag B**).

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Modification of Major Project Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

I, the Executive Director of Urban Renewal & Major Sites as delegate of the Minister for Planning, under s.75W of the *Environmental Planning and Assessment Act 1979*, modify the Project approval referred to in Schedule 1 and modified in a manner set out in Schedule 2.



Executive Director, Urban Renewal & Major Sites
As delegate for the Minister for Planning

Dated this 18 day of 11th 2009

MP 07_0140 MOD2

SCHEDULE 1

Concept Approval: determined by the Minister for Planning on 10 July 2008.

In respect of: Major Project MP07_0140 Pitt Town Residential Precinct.

For the following: A Concept Plan involving:

- Subdivision to create a total of 659 allotments within five precincts.
- Provision of a 4.1 metre wide boat ramp with 16 car parking spaces and 14 car/trailer parking spaces adjacent to the Hawkesbury River.
- Provision of related infrastructure comprising water supply mains, sewerage mains, road works, stormwater mains and water quality control and detention works.

Modification: The Modification Application comprises the Modification Request letter from Johnson Property Group dated 8 October 2009 and the accompanying plans and forms. Modification of the above approval is requested to adjust the lot layout within the Cleary Precinct to provide better engineering design outcomes, including drainage of stormwater and retention of existing trees.

SCHEDULE 2

Major Project No 07_0140 Concept Approval is modified in the following manner (Mod 2):

In Schedule 2:

(a) Amend Modification A2 - *Development in Accordance with Documentation and Plans* as follows:

Replace b) with:

- b) *Pitt Town Masterplan Revision 2*, dated 12 November 2009 and prepared by Brown Consulting.**

Replace c) with:

- 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 Revision 2, dated 12 November 2009 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.

Except for otherwise provided by the Department's modifications of approval as set out in Schedule 2, Part B of the Concept Plan Approval and the proponent's revised Statement of Commitments received by the Department on the 18 April 2008.

(a) Amend Modification B3 – *Lot Layout and Distribution* as follows:

Replace clause with:

The lot layouts shown for each precinct are considered to be indicative only, however the maximum number of lots within each precinct as approved in this concept plan are not to exceed:

- Fernadell – 210 residential lots
- Bona Vista – 246 residential lots
- Blighton – 19 residential lots
- Cleary – 112 residential lots
- Thornton – 72 residential lots
- Residual lots as required