

Reference: SH: PP 2021-2808



4 May 2021

NSW Planning Industry and Environment
PO Box 58
DUBBO NSW 2830

Attention: Garry Hopkins

Dear Garry

Planning Proposal PP 2021-2808 (PP) to amend Lithgow Local Environmental Plan 2014- Amendment 6 – Lidsdale- Response to request for further information.

I refer to the abovementioned Planning Proposal and the request for further information in relation to the strategic and site-specific merit of the proposal, particularly in relation to Site 1.

Council provides the following in support of Minute 21-8 (25 January 2021) and the submitted Planning Proposal.

Strategic Merit Test

The proposal is not the result of a strategic study or report. The background to the planning proposal is outlined in the report to Council dated 25 January 2021 provided in Appendix 1 of the proposal. The demand drivers for both land use zones have remained substantially the same since the endorsement of the Lithgow Land Use Strategy 2010-2030 in 2011.

The proposal is generally consistent with relevant directions of the Central West and Orana Regional Plan and the Growth Management Principles of the Lithgow Land Use Strategy 2010-2030 as outlined in Table 2 and 3 of the Planning Proposal.

The proposal is inconsistent with the Structure Plans and Planning Priority 9 adopted in the Lithgow 2040 LSPS. However, this inconsistency is considered to be of minor local significance resulting in no net loss of IN2 zoned land in the Wallerawang/Lidsdale precinct once the Planning Proposal (PP -2020-3329) for additional IN2 land in Main St Wallerawang is finalised.

The nature and scale of this spot rezoning will not materially alter the planning outcomes sought through the Lithgow 2040 Local Strategic Planning Statement for either this precinct or the Local Government Area.

Site Specific Merit and Land Use Conflict

Council concedes that the juxtaposition of R5 and IN2 zones may create the potential for land use conflict if future subdivision was to occur in the R5 zone. However, there are numerous examples across the zoning framework of the Lithgow LGA where these circumstances exist. Specifically, this scenario currently exists to the north of both the sites the subject of this planning proposal and immediately south of the IN2 zone, a situation created under the Lithgow Local Environmental Plan 2014.

Site 1 has an area of 2.97ha consisting of primarily two larger lots of irregular shape. The northern most primary lot (Lot1 DP 914028) has sufficient physical separation from the IN2 zone, to reduce any potential land use conflict.

The southernmost primary lot (Lot 1 DP 914029) has an existing substantial dwelling with ancillary development located towards the centre of the lot. Without demolition of this dwelling, the theoretical lot yield with a 2000m² minimum lot size is unlikely to be achieved.

Whilst not ideal, mitigating measures such as land or vegetated buffers within any new lots and/or increased lot areas are a reasonable means of addressing this scale of potential land use conflict at the development assessment stage.

The existing light industrial land uses have co-existed with adjoining residential development for many years without reported land use conflict. Any extension, intensification or change of land use within the IN2 zone in the future also needs to consider the objectives of the zone and in this regard the following *'To minimise any adverse effect of industry on other land uses'*.

Council notes that a preliminary contamination assessment will be required should a favourable Gateway Determination be issued.

Informal consultation with Crown Lands has occurred with regard to the Enclosure Permits within Site 1 who have raised no objection to the proposed land use zoning change. Council concurs that formal consultation is required should a favourable Gateway Determination be issued.

In conclusion, the elected Council have unanimously supported the Planning Proposal as submitted and will await the Gateway Determination.

If you require further clarification or information please do not hesitate to contact me on 02 63549906.

Yours sincerely

Sherilyn Hanrahan
STRATEGIC LAND USE PLANNER