



planning consultants

4 July 2017
Our Ref: 9768A.3WG

The Secretary
The Department of Planning & Environment
GPO Box 39
SYDNEY 2001

Lodged via North West Draft Exhibition Package Portal

Dear Ms McNally

**Amendments to State Environmental Planning Policy (Sydney Region Growth Centres)
2006 – for the North West Priority Growth Area
24 Stringer Road, North Kellyville**

1.0 Introduction

DFP has been commissioned by Mrs Lyn Smyth, the land owner of 24 Stringer Road, North Kellyville to review the proposed amendments to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP SRGC) as it applies to her property.

24 Stringer Road, North Kellyville is legally described as Lot 52, DP 861531 and is located in the North Kellyville Precinct. The site is zoned E4 Environmental Living and SP2 Drainage. The site has an approximate area of 6.1 hectares. A Locality Plan is provided at **Figure 1** below.

The E4 Environmental Living Zone permits with development consent a range of land uses including, dwelling houses, dual occupancies, group homes, health consulting rooms, horticulture and recreation facilities.

The minimum lot size is 4000sqm.

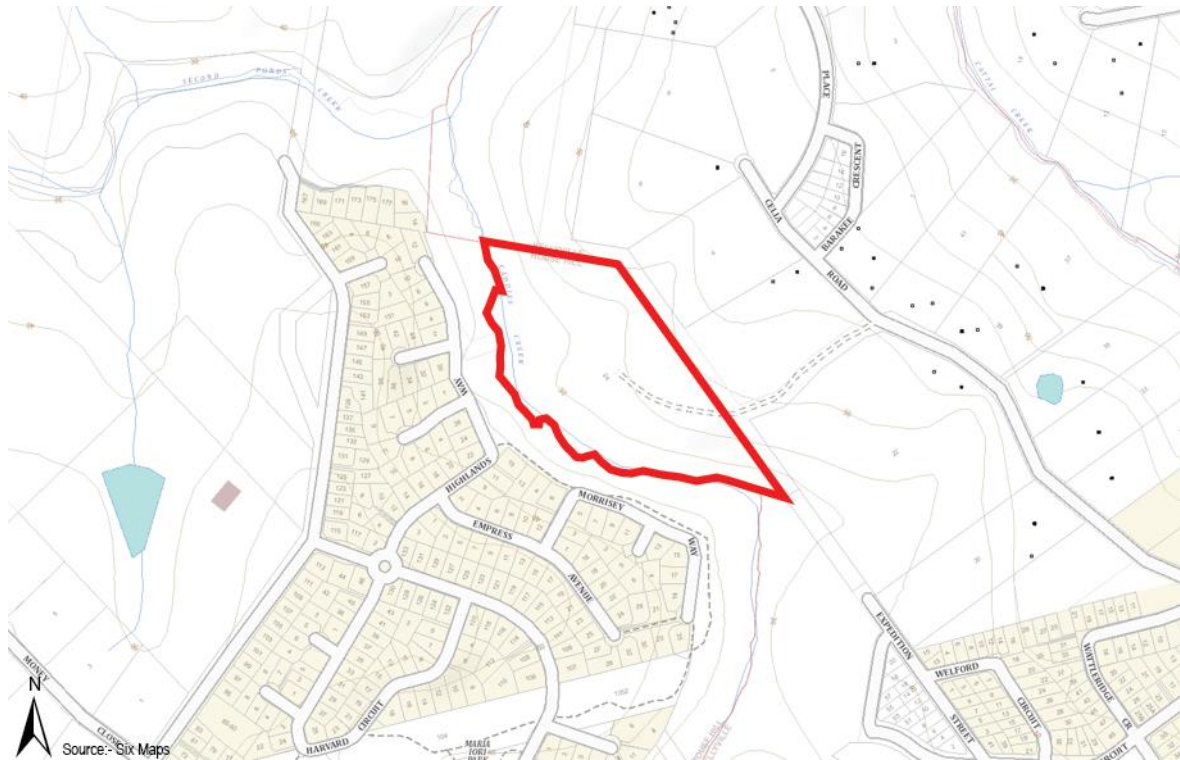


Figure 1 – Locality Plan

The site is nominated as Existing Native Vegetation Area and Native Vegetation Retention Area on Sheet NVP008 of the Native Vegetation Protection Map. An extract of this Map is provided at **Figure 2** below.

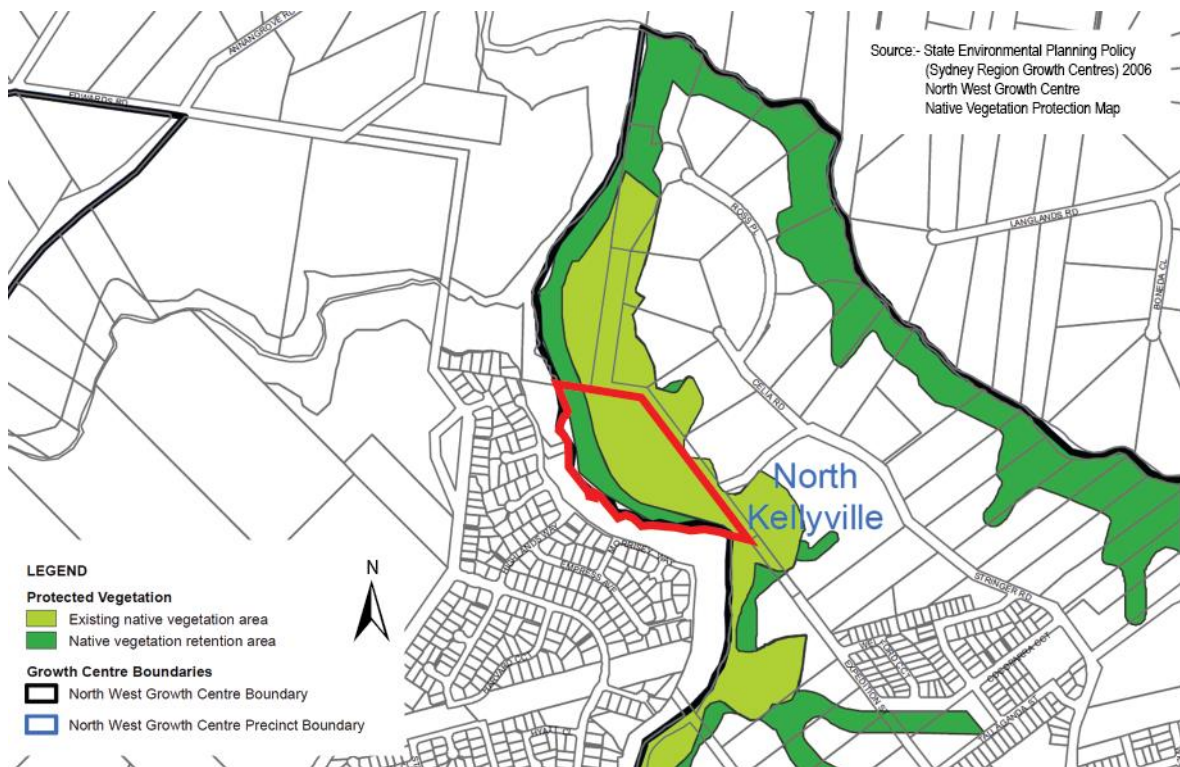


Figure 2 – Native Vegetation Management Plan Map Extract

A development application was approved by The Hills Shire Council in the late 1990s for the construction of a residential dwelling house on the subject site. Work did not commence on this development application and accordingly the consent has lapsed.

2.0 Amendments to the SEPP SRGC 2006

The amendments to the SEPP SRGC that relate to the Native Vegetation and Riparian Protection areas are limited to update the terms referred to in the SEPP and do not seek to amend the intent or operation of the Clause. It is requested that the land owner of 24 Stringer Road has the opportunity to undertake an independent Flora & Fauna assessment of the site to determine whether the entire site should be identified as Native Vegetation Retention Area and Existing Native Vegetation Area or whether there is an area on the site that can accommodate residential development, without affecting the significance of the flora and fauna on the site.

The Hills Shire Council previously granted development consent for a dwelling house on the site prior to the gazettal of the SEPP SRGC, however under the existing controls in the SEPP SRGC, development consent could not be granted to construct even 1 dwelling on the site as the part of the site with a topography that could facilitate a dwelling is listed as existing Native Vegetation Area.

The subject site contains an electricity easement which is regularly maintained by Endeavour Energy and there are areas on the site that contain open grassland that contains exotic ground covers and other weeds that are not characteristic of a Native Vegetation Retention Area.

The owner of the site, Mrs Lyn Smyth, has engaged Abel Ecology to undertake an independent flora and fauna assessment and ground truthing study to determine if the site can accommodate a dwelling house without impacting upon the native flora and fauna characteristics of the site. The Flora and Fauna assessment could not be undertaken prior to the exhibition period for the SEPP amendments, however is currently being prepared and it is requested that once this work is completed that it be forwarded to the Department of Planning for their assessment and consideration.

At this point in time, it is not possible to determine what the outcome of that Flora and Fauna survey will be, however should the Flora and Fauna assessment indicate that there are areas on the site that could accommodate a dwelling house without interfering with the Native Vegetation Retention area, then it would be requested that the map be amended to reflect the ground truthing study.

Should development consent be granted for a dwelling house in the future, then Council could impose conditions to ensure that a Vegetation Management Plan is required that will protect the areas of Ecological significance and reduce the opportunity for continued weed infestation on the site.

Without a dwelling being located on the site, there is no opportunity for a Vegetation Management Plan to be firstly, prepared for the site and secondly, implemented.

3.0 Conclusion

The vast majority of properties in the North Kellyville area that have been identified as containing existing native vegetation area also include areas on the site that could facilitate urban development. However, this is not the case with 24 Stringer Road where the entire 6 hectare site is characterised as Existing Native Vegetation Area or Native Vegetation Retention Area. Allowing an independent assessment of the Flora and Fauna characteristics of the site will enable a detailed assessment to be undertaken to determine whether the site can accommodate even one dwelling house. Should the site be able to accommodate a dwelling



house without interfering with the existing native vegetation, then it would be the recommendation of DFP Planning that should a Development Application be lodged, Council would impose a condition of consent requiring the implementation of a Vegetation Management Plan that would ensure there was a Weed Management Schedule and if necessary, augmentation of the native vegetation area.

Without a dwelling or other residential development on the site, there is no opportunity for ongoing vegetation management to be imposed. The site already contains areas of weed infestation which will only increase as surrounding properties are developed for residential purposes.

The subject site is zoned E4 Environmental Living zone which enables the construction of dwelling houses on the site, however the listing of the entire site as Existing Native Vegetation Area prevents even one dwelling house from being constructed.

Once the independent Flora & Fauna Assessment has been prepared, DFP will forward this information to the Department of Planning & Environment. Should the Flora & Fauna Assessment indicate that there are areas on the site that do not contain existing native vegetation and that there is an area that can accommodate a dwelling house, we would make a further submission that the mapping be amended to reflect the ground truthing exercise being undertaken.

DFP trusts the information contained in this letter adequately explains our request, however should there be any further queries, please do not hesitate to contact Warwick Gosling on 9980 6933.

Yours faithfully
DFP PLANNING PTY LTD

A handwritten signature in black ink, appearing to read 'W Gosling', written in a cursive style.

WARWICK GOSLING
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Reviewed: _____

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