

Received 14.9.18

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Reference: PP_2018_OBERON_001_00
Address: 2519 O'Connell Road, O'Connell NSW 2795 (Part Lot 4 in DP: 1023024)

I object to the abovementioned Planning Proposal and request that the Department consider my concerns. I object to the:

1. **The planning proposal to rezone land RU1 Primary Production to R5 Large Lot Residential is not strategically considered and is inconsistent with the vision endorsed by the Oberon Land Use Strategy.**

- a. The number of potential rural residential allotments created by the LUS was the main concern of residents during the public consultation period. Resulting in Council reducing the number of potential allotments in order to ameliorate the residents concerns. As such the proposal to provide a further potential 17 allotments is in complete contrast with the intent of the LUS.
- b. The increased growth of O'Connell will create demand on Oberon Council for the provision of services and infrastructure.
- c. I am concerned about the protection of the significant rural aesthetic of O'Connell
- d. The development impinges upon the scenic importance of the Urban Conservation area and agricultural use of adjoining lands.

2. **Impacts upon the Agricultural use of the land and potential for land use conflict:**

- a. There is no compelling reason that this agricultural land should be rezoned to lifestyle living lots.
- b. The Planning Proposal has failed to provide evidence that additional R5 zoned land would contribute to the social and economic welfare of the O'Connell community.
- c. This planning proposal is inconsistent with the Rural Planning Principles identified in the State Environmental Planning Policy (Rural Lands) 2008 specifically:
 - i. The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas.
 - ii. Recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
 - iii. The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,
- d. The rezoning of the land will permit rural residential development adjacent to primary production zoned land to the north and south. This will potentially create land use conflicts.

3. **Pressure for services and infrastructure:**

- a. Oberon LEP 2013 has enabled substantial growth potential within O'Connell, without the provision of appropriate servicing. It is this cumulative impact of the combined R5 zoned land in O'Connell that is likely to impact on the growth of the primary service centre of Oberon. It is important to note that O'Connell is located 22km North of Oberon.
- b. The additional lot supply in O'Connell will generate disproportionate demands for services and infrastructure in the O'Connell which is currently not zoned to allow commercial, retail or community facilities, other than those within existing heritage items.
- c. The prohibition of commercial type services in the RU1 zoning of O'Connell is a limitation for the expansion of O'Connell. As population grows there will be a demand for Council to provide services to support the community and to facilitate uses that are currently prohibited. It has been stated that this lack of a village or local centre zone has been recently identified in the community and as the town grows and social disadvantage arises due to the inaccessibility to basic services.
- d. There is also no tangible economic or social gain for the community and therefore it is considered that this planning proposal and resulting subdivision would be a net loss for the O'Connell and for Oberon Council.

4. **There is a demonstrated history of NO community interest in the Planning Proposal:**

- a. During the public submission of the initial LUS 44 direct submissions were received referring to the Conservation Area and strategic development proposed around the O'Connell area.
- b. Approximately 25% of all submissions received by Council for O'Connell residents objected to the possibility of 86 lots within the O'Connell precinct (18 direct submissions).

"From the submission processes and through consultation with the government authorities it was found that concern was raised over the average lot yield proposed as part of the draft strategy. Assessment was undertaken seeking common ground between development and over development of the O'Connell area." Oberon LUS

- c. From a result of the open public sessions and the public exhibition submission period of the LUS, O'Connell and the surrounding area, was by far the most contentious area within the current draft strategy, with approximately 53% of all submissions relating to the O'Connell precinct. Of those relating to O'Connell approximately 41% of the submissions related to the proposed 86 allotments to be created within the strategy and the need for Council to re-consider its position.
- d. Given the nature of the submissions a level of compromise was required to be considered within the LUS and the Council ultimately reduced the number of allotments to be potentially created at O'Connell by increasing the Minimum Lot Size of these potential allotments. Thus, reducing the potential number of lots from 86 to 64 (with a 10ha Minimum lot size).
- e. The Planning proposal by Hill potentially generates a further 17 allotments, bring the potential number of R5 zoned allotments in O'Connell to 81 and as such undoing the original concessions granted by Oberon Council within the amended LUS.

5. **Over supply of land with dwelling potential**

- a. There has been no evidence provided within the Planning Proposal that there is less than 10 years supply of rural lifestyle living sites and/or a lack of supply of rural lifestyle living sites in O'Connell and thus the need for the proposed rezoning.
- b. Within the LGA there are potentially approximately 1,600 dwelling entitlements within the rural zone through the combination of potential land holdings and current approvals

in the rural zone. Based on historic dwelling demand/approvals for the past 11 years of an average of 29.1 dwellings per year in rural zoned lands, the lots available of 1,600, **equates to 56 years of supply.**

6. **O'Connell Urban Conservation area:**

- a. O'Connell has historical, historical association, aesthetic, technical, social and rarity values. It is of high local significance with aspects of state level significance.
- b. The planning Proposal does not adequately address the potential impact upon the O'Connell Urban Conservation area.
- c. **The Oberon LUS sets out clearly the criteria that is to be used in identifying future rural lifestyle living sites and the objectives for this type of development. The LUS clearly states: "Areas which are particularly visible from key visual points and which would impact on the historic, rural character of the Oberon LGA are not favoured for rural residential development."**


7. **Additionally** I would like to refute the four main reasons that Oberon Council gave at its meeting on 20th February 2018 for supporting the Planning Proposal and requesting a gateway determination, with the following information:

- a. **The area was not included in the 2013 LEP because Mr Lenord Hill told me a week before he was killed in a road accident "that the Council expected him to tar the Box Flat Road before they would allow him the Subdivision and there was no way he was going to do that!"**

As Box Flat Road is not only very narrow, it also has a 45% angle bend in it, and could not possibly cope with the traffic of 17 extra homes using it in its present state.

- b. The land is not of low agricultural value as there are still many long standing families in the Valley with prosperous farms and grazing business's, and many "new" settlers using their areas for agricultural pursuits. These pursuits would be effected by the lowering of the water table, sewage drainage, roaming domestic pets, to name a few.
- c. Services and Infrastructure are only available 20km away in Bathurst and Oberon. If the O'Connell Valley population is to be raised by the amount this development, and the many others that would follow, then there would need to be included in the planning provision for garbage collection, articulated water, gas, and sewerage disposal. All the roads would need to be widened and straightened, all of which would be cost on Oberon rate payers, unless the Developers were made to Contribute fully.
- d. For the 10 years before the 2013LEP, the Community was always very strong in expressing their opinion that they did not want unsympathetic, unplanned small lot subdivision. Unfortunately, this has been mostly ignored and we are vey hopeful that this time, the Community wishes will be taken into account.

Yours Sincerely


Gavin Christie

 O'Connell 2795

27 August 2018

Damien Pfeiffer Director Regions,
Western Planning Services
PO Box 58,
Dubbo NSW 2830
Email: westernregion@planning.nsw.gov.au

Dear Mr Pfeiffer,

Reference: PP_2018_OBERON_001_00

Address: 2519 O'Connell Road, O'Connell NSW 2795 (Part Lot 4 in DP: 1023024)

The O'Connell Valley Community Group Inc. would like to forward to you our concerns relating to the abovementioned Planning Proposal and request that the Department consider our groups concerns with respect to the proposed review of the Gateway Conditions imposed by you.

1. The planning proposal to rezone land RU1 Primary Production to R5 Large Lot Residential is not strategically considered and is inconsistent with the vision endorsed by the Oberon Land Use Strategy.
 - a. The number of potential rural residential allotments created by the LUS was the main concern of residents of O'Connell during the public consultation period. Resulting in Council reducing the number of potential allotments in order to ameliorate the residents concerns. As such the proposal to provide a further potential 17 allotments is in complete contrast with the intent of the LUS.
 - b. The increased growth of O'Connell will create demand on Oberon Council for the provision of services and infrastructure which will have detrimental impacts upon O'Connell's scenic heritage value.
 - c. We are concerned about the protection of the significant rural aesthetic of O'Connell as the proposed development impinges upon the scenic importance of the Urban Conservation area and agricultural use of adjoining lands.

2. Impacts upon the Agricultural use of the land and potential for land use conflict:
 - a. There is no compelling reason that this agricultural land should be rezoned to lifestyle living lots as the Planning Proposal has failed to provide evidence that additional R5 zoned land would contribute to the social and economic welfare of the O'Connell community.
 - b. This planning proposal is inconsistent with the Rural Planning Principles identified in the State Environmental Planning Policy (Rural Lands) 2008 specifically:
 - i. The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas.
 - ii. Recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
 - iii. The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities.
 - c. The rezoning of the land will permit rural residential development adjacent to primary production zoned land to the north and south. This will potentially create land use conflicts which have not been adequately addressed by the proponent

3. Pressure for services and infrastructure:
 - a. Oberon LEP 2013 has enabled substantial growth potential within O'Connell, without the provision of appropriate servicing. It is this cumulative impact of the combined R5 zoned land in O'Connell that is likely to impact on the growth of the primary service centre of Oberon. It is important to note that O'Connell is located 22km North of Oberon.
 - b. The additional lot supply in O'Connell will generate disproportionate demands for services and infrastructure in the O'Connell which is currently not zoned to allow commercial, retail or community facilities, other than those within existing heritage items.
 - c. The prohibition of commercial type services in the RU1 zoning of O'Connell is a limitation for the expansion of O'Connell. As population grows there will be a demand for Council to provide services to support the community and to facilitate uses that are currently prohibited. It has been stated that this lack of a village or local centre zone has been recently identified in the community and as the town grows and social disadvantage arises due to the inaccessibility to basic services.
 - d. There is also no tangible economic or social gain for the community and therefore it is considered that this planning proposal and resulting subdivision would be a net loss for the O'Connell and for Oberon Council.
 - e. Pressure for infrastructure and services without adequate strategic planning will result in pressure being applied to develop the Urban Conservation area of O'Connell, resulting in substandard and ill planned and conceived development. Strategic planning control are required to protect the heritage and scenic significance of the O'Connell valley. Oberon Council does not have a strategic planner in its employ.

4. There is a demonstrated history of NO community interest in the Planning Proposal:
 - a. During the public submission of the initial LUS 44 direct submissions were received referring to the Conservation Area and strategic development proposed around the O'Connell area.
 - b. Approximately 25% of all submissions received by Council for O'Connell residents objected to the possibility of 86 lots within the O'Connell precinct (18 direct submissions).

"From the submission processes and through consultation with the government authorities it was found that concern was raised over the average lot yield proposed as part of the draft strategy. Assessment was undertaken seeking common ground between development and over development of the O'Connell area." Oberon LUS

- c. From a result of the open public sessions and the public exhibition submission period of the LUS, O'Connell and the surrounding area, was by far the most contentious area within the current draft strategy, with approximately 53% of all submissions relating to the O'Connell precinct. Of those relating to O'Connell approximately 41% of the submissions related to the proposed 86 allotments to be created within the strategy and the need for Council to re-consider its position.
- d. Given the nature of the submissions a level of compromise was required to be considered within the LUS and the Council ultimately reduced the number of allotments to be potentially created at O'Connell by increasing the Minimum Lot Size of these potential allotments. Thus, reducing the potential number of lots from 86 to 64 (with a 10ha Minimum lot size).
- e. The Planning proposal by hill potentially generates a further 17 allotments, bring the potential number of R5 zoned allotments in O'Connell to 81 and as such undoing the original concessions granted by Oberon Council within the amended LUS.

5. Over supply of land with dwelling potential
 - a. There has been no evidence provided within the Planning Proposal that there is less than 10 years supply of rural lifestyle living sites and/or a lack of supply of rural lifestyle living sites in O'Connell and thus the need for the proposed rezoning.
 - b. The Oberon Councils only strategic document (the LUS) states that within the LGA there are potentially approximately 1,600 dwelling entitlements within the rural zone through the combination of potential land holdings and current approvals in the rural zone. Based on historic dwelling demand/approvals for the past 11 years of an average of 29.1 dwellings per year in rural zoned lands, the lots available of 1,600, equates to 56 years of supply. How can the Department of Planning and Environment qualify the need for further rezoning within Oberon LGA let alone the locality of O'Connell.

6. O'Connell Urban Conservation area:
 - a. O'Connell has historical, historical association, aesthetic, technical, social and rarity values. It is of high local significance with aspects of state level significance.
 - b. The planning Proposal does not adequately address the potential impact upon the O'Connell Urban Conservation area, especially in relation to demand for services.
 - c. The Oberon LUS sets out clearly the criteria that is to be used in identifying future rural lifestyle living sites and the objectives for this type of development. The LUS clearly states: "Areas which are particularly visible from key visual points and which would impact on the historic, rural character of the Oberon LGA are not favoured for rural residential development."

The members of the O'Connell Valley Community Group urge you to consider the issues raised in our correspondence.

Regards

Jaclyn Burns on behalf of the O'Connell Valley Community Group Inc.

Wisemans Creek NSW 2795