

PO Box 161
WALLERAWANG NSW 2845

7 August 2013

General Manager
LEP Submission
Lithgow City Council
PO Box 19
LITHGOW NSW 2790

Dear Sir

Reference: LEP 2013

**Submission for N & N Morrissey
Lot 61 DP 861078 - 1024 Pipers Flat Road, Pipers Flat
Current Zoning: Rural 1(a)
Proposed Zoning under Proposed LEP 2013: RU1**

We would propose that Lot 61 in DP 861078 be included in the proposed adjoining R5 Zone, rather than be included in the RU1 Primary Production Zone.

The primary objective of the Primary Production Zone is “to encourage sustainable primary industry production by maintaining and enhancing the natural resource base”.

This parcel of land has been classified by the NSW Department of Primary Industries, Agriculture, as having an Agricultural Suitability of Class 3. Land within that Class is not suited to continuous cropping, and is suitable only for grazing.

It has been shown previously in the courts that even a property of several hundred hectares of Class 3 land cannot provide a sustainable income. A parcel of 78.95 hectares of such land certainly cannot provide a yield which would be capable of sustaining a family income.

Therefore, it is essential that such a farming operation needs to be supplemented by off-farm incomes, essentially rendering the property as a residence only - not a farming operation.

As the property cannot ever be considered to be able to generate any level of “sustainable primary production”, it is reasonable to try to find an alternative. Adjacent land to the West, which has the same Agricultural Suitability, has previously been subdivided into 2ha blocks in an attempt to satisfy the demand for small rural blocks. Adjoining land to the South is similarly fragmented, being 10.52ha, 13.21ha, 16.83ha, 24.1ha, and so on.

Land further down Range Road has previously been subdivided into 10ha blocks.

As the population of the metropolitan area grows, so does the demand for “lifestyle” blocks of land, which provide some separation from the adjoining neighbours, without being so large that the owners cannot maintain the land. Already the available land within an easy commutable distance of Sydney has been developed, and there is increasing demand for blocks slightly further out. The land around Bowral has been fully utilised, as with all available land in the Blue Mountains.

It is impossible to reverse the process of fragmentation that past authorities have permitted, so it is incumbent to now find the best use of the land.

The primary objective of the R5 Zone - Large Lot Residential is “to provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality”.

In order to ensure that this objective is met with any future subdivision, the following provisions would be included:

1. Access

Access would be limited mainly to Range Road, thus restricting random access to the main thoroughfare;

2. Bushfire

This property is gently sloping to the North, with a variety of timber, which all provides a pleasing aspect for “lifestyle” residents. The adjoining properties have been cleared over the years, thereby creating an environment that is easily protected against bushfire, thus minimising any additional burden that may be placed on emergency services in the protection of properties.

3. Water Quality

The property is sufficiently distant from any waterway to ensure that on-site sewage treatment processes will not impact the water quality in Pipers Flat Creek.

4. Amenity

There is no environmentally sensitive location on the property, nor does it have scenic quality, as it is relatively low-lying with respect to the surrounding hills.

5. Services

In keeping with the objectives of the zone, the services that would be provided would be only those that would be expected in a rural situation, thereby not increasing the demand for public facilities or services.

Council’s Primary Vision Statement is to “encourage community growth and development”. The vision statement is further developed by expanding the concept of “Growth” to include “Providing for sustainable and planned growth, while enhancing the existing rural and village identity”.

Since 1999, we have made various attempts to address Council on the issue of permitting possible subdivision of Lot 61. The response in 1999 effectively was that there was a large land bank of 2ha lots, and Council was loath to permit further

development. We were then told in 2000 that no further action could be expected until 2002. In 2003, we were told that the process of forming a Rural/Residential Study was progressing. This was reiterated in 2004. Following our letter in 2007, Council responded along the lines that: (a) the Draft Strategic Plan could not be immediately finalised; and (b) there was still "sufficient supply of lands ...to fulfil the desired growth rates ..."

It does appear that Council is somewhat reticent to follow its Primary Vision Statement, as we are now at 2013, some 14 years since our correspondence trail commenced, and we are no further forward in getting any resolution, or, in fact, having any really meaningful discussions.

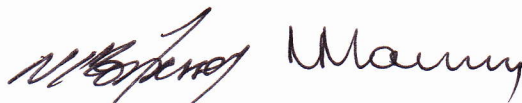
With respect to the Land Bank situation, contact with the local Real Estate Agents has revealed that the supply has been severely reduced to a drastically low level. Recently, a neighbour advertised 4 rural blocks for sale, and was inundated with expressions of interest. This, as well as comments from the Professional Salesmen, indicates the demand is active, while the supply is very low. At present two local Agents have nil listings while the third has minimal.

At a recent discussion with Council, Officers expressed the view that increasing the number of rural residential blocks would possibly place a greater demand on existing facilities, such as the Library. We agree with that assertion, but also would like to point out that extra revenue would be generated from Section 94 contributions.

It is time for Council to get back to its roots, and "encourage development" rather than finding ways to restrict it.

In summary, we would ask that Council consider including Lot 61 DP 861078 within the Large Lot Residential Zone R5.

Yours faithfully

A handwritten signature in black ink, appearing to read "Neal & Narelle Morrissey". The signature is written in a cursive, flowing style.

Neal & Narelle Morrissey