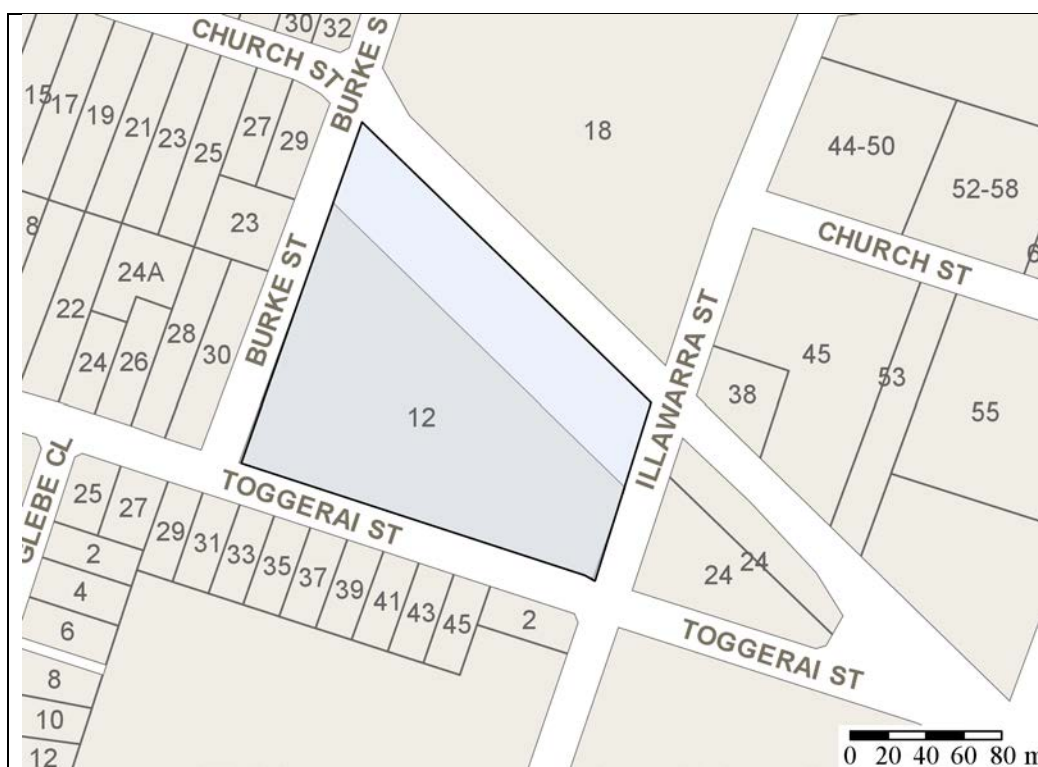


Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 21 November 2016

PE2 – Planning Proposal Bulli Appin Road – Development Control Plan Provisions

PE2 **Planning Proposal Bulli Appin Road – Development Control Plan Provisions**
 265508 TRIM 6585

Applicant: **Michael Brown Planning Strategies Pty Ltd**
Owner: **Mr DW Atcheson**



LOCATION MAP ↑ N

Stage	Completed
Preliminary notification	25/01/2012-17/02/2012
Gateway Determination	24/1/2014
Consultation with Public Agencies	08/12/2014 – 22/01/2015
Specialist Studies	March 2016
Public exhibition/community consultation	Not yet completed
Referred to Minister for Publication	Not yet completed

Planning & Economy

PE2 – Planning Proposal Bulli Appin Road – Development Control Plan Provisions

EXECUTIVE SUMMARY

- The purpose of this report is to seek Council's endorsement to publicly exhibit proposed amendments to the Wollondilly Development Control Plan, 2016 for: Volume 3 Subdivision of Land and Volume 4 Residential Development to accompany the Bulli Appin Road Planning Proposal.
- Under legislation, a person who makes a relevant planning application or public submission is required to disclose any reportable political donations. The disclosure requirements extend to any person with a financial interest in the application or any associate of the person making a public submission. No disclosure of political donation has been made in association with this application.
- It is recommended that:
 - Council support the proposed amendments of the Wollondilly Development Control Plan, 2016.
 - The proposed amendments of the Wollondilly Development Control Plan, 2016 be placed on public exhibition at the same time as the Bulli – Appin Road Planning Proposal.
 - The applicant and persons who have made submissions regarding this proposal be notified of Council's decision.

REPORT

1.1 DESCRIPTION OF PLANNING PROPOSAL

The proposal seeks to amend the provisions of Wollondilly Local Environmental Plan, 2011 as they apply to Lot 78 DP 752012, No. 12 Bulli Appin Road Appin and the portion of the Bulli Appin Road reserve that adjoins the property to the North.

The proposal seeks to rezone 1.93ha of rural land (RU2 Rural Landscape) and part of the unformed road reserve adjoining the site for the purposes of residential development (R2 Low Density Residential). The proposal also seeks to introduce a minimum lot size to the site of 975 sqm and maximum building height of 6.8 metres.

The proposal will potentially allow for the development of approximately 30 dwellings.

1.2 BACKGROUND

The Planning Proposal was endorsed by Council at its meeting on 16 September 2013. The proposal has since received a Gateway Determination to proceed from the Department of Planning and Environment dated 24 January 2014.

PE2 – Planning Proposal Bulli Appin Road – Development Control Plan Provisions

The Planning Proposal is now ready to be placed on formal public exhibition to seek community feedback.

At the time when Council supported the Planning Proposal a number of issues concerning future development of the site had been identified and Council resolved that these matters must be addressed.

These issues included air quality, noise, dust and amenity associated with the main road and nearby colliery, stormwater and drainage design, connection to sewer, access onto Bulli Appin Road, drainage, minimise access points to the local road, pedestrian and cycleway linkages and timing.

Since then a number of specialist studies have been carried out to support the proposal and feedback from government agencies has been sought.

Recommendations from the studies and from agency submissions have identified issues that should be addressed at the development application stage.

To ensure these are adequately dealt with, a draft Development Control Plan is being proposed to address these issues.

1.3 SITE DESCRIPTION

The proposal relates to land located at the eastern entrance of the village of Appin along the boundary of Bulli Appin Road. This location is considered to be a Gateway into the Village and future residential development should be sympathetic to this key location.

The site also adjoins vegetated rural lands to the east and encompasses a vegetated road reserve along the Bulli Appin Road that the land owner has since purchased from the Crown. This vegetation includes a row of gum trees that form a line of trees into the village.

This vegetation has been identified in the flora and fauna study as having ecological value and also acts to provide shade and buffer dust from the road.

The site is also located less than 300 metres away (at the most southern point) from the nearby Appin Colliery and within walking distance to the Appin Village Centre.

PE2 – Planning Proposal Bulli Appin Road – Development Control Plan Provisions

1.4 WOLLONDILLY DEVELOPMENT CONTROL PLAN 2016 AMENDMENTS

It is proposed to amend the Wollondilly *Development Control Plan 2016* (Wollondilly DCP) to provide site specific controls within the subdivision and residential volumes to guide future development on this site at the development application stage.

The key reason for site specific controls is a need to respond to and address the planning proposal site’s prominent location on the eastern entrance to Appin from Wollongong. The site’s location provides an opportunity to form an attractive gateway to and a ‘sense of arrival’ to Appin through high quality building design, particularly along Bulli Appin Road and Illawarra Street.

Site specific controls are also required in response to the outcomes of the specialist studies, public agency consultation undertaken for the planning proposal and to reflect Council resolution’s relating to residential development at this site.

These controls are considered appropriate in response to the issues raised and it is proposed that the community be consulted on these controls at the same time as the planning proposal by holding the public exhibitions for each of these processes at the same time.

The amended Wollondilly DCP provisions are included in Attachment 1.

Proposed Control Topic	Description
Prominent Sites	Requirements to address the gateway position of the site, the rural outlook of the location and to retain the existing vegetation
Road Transport Infrastructure and Pedestrian Access	Requirements to ensure road and pedestrian infrastructure and access is adequate, does not place additional burden on Bulli Appin Road and is provided in a timely manner.
Noise and contamination	Requirements to address potential noise, dust, vibration and contamination issues at the subdivision stage
Streetscape and rural outlook	Requirements to retain the existing streetscape and enhance the rural outlook
Habitability and community connectedness	Requirements to enhance community connectedness and protect future residents from unacceptable levels of noise.

PE2 – Planning Proposal Bulli Appin Road – Development Control Plan Provisions

It should be noted that the statutory planning process for amending a development control plan under the *Environmental Planning and Assessment Regulation 2000* is that Council can only amend a development control plan by replacing it in full with a subsequent development control plan and repealing the former plan. So although this report refers to amending the Wollondilly DCP with the inclusion of additional controls, in order for these to be lawful the current development control plan would need to be repealed and replaced with the new plan which would include the current controls and the new controls proposed by this report if adopted by Council after consultation.

1.5 FINANCIAL IMPLICATIONS

Funding for this project to date has been achieved through Council's adopted Fees and Charges.

Council has experienced a record increase in the number of Planning Proposals submitted in addition to the Wilton Junction project. Note that the Wilton Junction project is not a planning proposal but has had significant impact on Strategic Planning resources.

All proposals which result in an increased intensity of land use within the Shire shall also lead to increased demand for Council services and facilities over time.

Council will need to consider this in the adopted budget and forward estimates.

ATTACHMENTS

1. Proposed Amendments to the Wollondilly DCP 2016

RECOMMENDATION

1. That Council support the proposed amendments to Wollondilly Development Control Plan 2016 as described in Section 1.4 and the attached draft amended provisions.
2. That the amended provisions to the Wollondilly Development Control Plan 2016 be publically exhibited at the same time as the public exhibition for the Bulli Appin Road Planning Proposal.
3. That the applicant and persons who have made submissions regarding the Planning Proposal be notified of Council's decision.