

Planning Proposal

To Amend Wollondilly Local Environmental Plan 2011

Tylers Rd Bargo Planning Proposal

For the rezoning of land located at 20 Tylers, Bargo (Lot 2
DP 270325) for *R5 Large Lot Residential* purposes

2nd March 2020

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Introduction

The Tylers Road Planning Proposal report is a rezoning submission made to Wollondilly Shire council for and on behalf of L & R Projects Pty Ltd, being the owners of the land at Tylers Rd Bargo.

The purpose of this submission is to request Wollondilly Shire Council support and prepare a planning proposal that amends Wollondilly Local Environmental Plan 2011 to rezone approximately 2.8 hectares of Lot 2 DP 270325, being the portion of land zoned SP2 to R5 Large Lot Residential development.

The whole site is approximately 9.4 hectare in size with two land zonings applied. The larger E2 section is approximately 6.6 hectares and SP2 section being approximately 2.8 hectares.

For the purpose of this planning proposal the SP2 section of Lot 2 DP 270325 is referred to as the subject site.

In accordance with the NSW Department of Planning and Environment's 'planning gateway' process, it is acknowledged that this Tylers Rd Planning Proposal report is the first step in the making of an amendment to Wollondilly Local Environment Plan 2011.

This Report has been prepared in accordance with the NSW Department of Planning and Environment's (DoP&E) documents A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals (August 2016).

The Tylers Rd Planning Proposal submission is structured to address the following matters as set out in the department's Guide to preparing Planning Proposals:

- Part 1 - A statement of the objectives or intended outcomes of the Planning Proposal (and proposed LEP amendment);
- Part 2 - An explanation of the provisions that are to be included in the Planning Proposal (and proposed LEP amendment);
- Part 3 - The justification for those objectives, outcomes and provisions and the process for their implementation;
- Part 4 - Relevant support mapping;
- Part 5 - Details of the community consultation that is to be undertaken in respect of the Planning Proposal; and
- Part 6 - Projected project timeline.

Site Description

The site is a large allotment in the Bargo locality, the frontage of the site runs along Tylers Rd, and situated south of Bargo Sportsground. The site is within walking distance of the Bargo commercial area, Bargo railway station and Bargo Primary school.

The total area of the subject site is 2.8 hectares. The site is triangular in shape with a large frontage along Tylers Rd, being 268 metres in length as in figure one.

Figure 1



The site is relatively flat to gently sloping and is traversed by one natural water drainage line in the northeast area of the site.

The subject site consists of cleared and vegetated areas. The existing dwelling and treatment works are surrounded by compacted driveways, landscaping and parking areas.

The site has reticulated water and sewer, electricity and telecommunications services available to site. Although reticulated sewer is available on site it is currently not available for any additional lots. Water is available with an extension of the waterline pipe and approval for subdivision has been granted by the SA Mines Advisory Annexure I.

The northern boundary adjoins two lots, Bargo Sports Ground zoned RE1 Public recreation and the second lot is currently zoned RU2 but recently a planning proposal to rezone land to R5 has been supported.

The adjoining lands to the west is the balance of land being zoned E2 and the lot adjacent is zoned rural and contains vegetation with one residence and shed with cleared areas around the structures.

To the east of the site is land zoned R2 and Warartah Highlands Village. To the south is land zoned rural and R5.

The subject site is currently zoned SP2 and E2

Wollondilly Local Environmental Plan 2011 states the principal land use controls for this zoning to be:

SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; The purpose shown on the [Land Zoning Map](#), including any development that is ordinarily incidental or ancillary to development for that purpose; Roads

4 Prohibited

Any development not specified in item 2 or 3

The designated infrastructure was a wastewater treatment plant.

This wastewater treatment plant is now no longer required and redundant.

The subject site was rezoned to SP2 in 2011 when the current Wollondilly LEP 2011 was implemented to ensure that wastewater treatment facilities were provided and maintained for the treatment of wastewater from Waratah Highlands village. The provision of the facilities were required until such time as Waratah Highlands Village connected to Sydney Water reticulated Sewer works. The village was connected in 2015 and the wastewater treatment plant is no longer required.

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

2 Permitted without consent

Nil

3 Permitted with consent

Environmental facilities; Environmental protection works; Information and education facilities; Oyster aquaculture; Roads; Water supply systems

The subject site was rezoned to E2 in 2011 when the current Wollondilly LEP 2011 was implemented. This was to ensure the conservation of flora that was located on the subject site. This planning proposal does not propose a change to the zoning of the land but does suggest a change of minimum lot size to E2 section of land.

Figure 1



Part 1 – Objectives or Intended Outcomes for Tylers Rd Planning Proposal

The objective of this Planning Proposal is to amend the provisions of Wollondilly Local Environmental Plan (WLEP) 2011 as they apply to the subject site to allow for large lot residential development that is compatible with the constraints of the site.

Part 2 – Explanation of Provisions

To achieve the objectives of the Planning Proposal, the following amendments to the Wollondilly Local Environmental Plan (WLEP) 2011 are proposed:

- Amend the Land Zoning Map from SP2 to Zone R5 Large Lot Residential
- Amend the Lot Size Map from 100 hectare to minimum 4,000 square metres across the R5 zoned part of the site.
- Amend the Lot size Map from 100 hectares to minimum of 5 hectares across the E2 zoned part of the site
- Amend the Height of Buildings Map to reflect a Maximum Building Height Category of 9 metres across the R5 part of the site.

The proposed map amendments are included at Part 5 – Mapping.

Part 3 – Justification

It is initially noted that the level of justification for a planning Proposal should:

- Be proportionate to the impact the planning proposal will have
- Comprehensive without necessarily being exhaustive
- Be sufficient to allow a Gateway determination to be made with the confidence that the LEP can be finalised in accordance with proposed timeframe.

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

This planning proposal is being lodged by the landholder. The Planning Proposal is not the result of any strategic study or report.

The Growth Management Strategy (GMS) was adopted in February 2011. The subject site is not identified as part of the 'potential residential growth areas' within the structure plan for Bargo. Although, the GMS does identify Bargo as having potential for significant growth in new residential development to the year 2036. This is mostly due to the township's proximity to the Hume Highway, the presence of

a railway station and primary school and the capacity for the commercial uses to be intensified. However, the provision of new residential land was anticipated by the GMS to occur on the eastern side of the existing township.

Nevertheless, the GMS acknowledges that other land may also be appropriate for future residential development and may be consistent with the relevant policy directions, even if it is not identified as such on the relevant structure plan. The proposal is considered to be consistent with Key Policy Directions of the GMS, as discussed in detail in Appendix C.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that a Planning Proposal is the best means of achieving the objective and intended outcomes. The current land use zone prohibits further development at the scale proposed in this proposal. The lot is less than the minimum lot size of 100 hectares and cannot be subdivided under the current provisions of WLEP 2011. The planning proposal allows a more appropriate and consistent zoning allocation for land that has a dwelling.

The proposed R5 Large Lot Residential area would provide a transition between the urban and rural zones on the South Western edge of Bargo.

Section B – Relationship to strategic planning framework

- 3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

A Plan for Growing Sydney

A Plan for Growing Sydney was released on 14 December 2014 and is an action plan that guides land use planning decisions up until 2034. It consists of a number of directions and actions that focus around the following four (4) goals:

- ECONOMY; a competitive economy with world class services and transport;
- HOUSING; a city of housing choice with homes that meet our needs and lifestyles;
- LIVEABILITY; a great place to live with communities that are strong, healthy and well connected; and
- ENVIRONMENT; a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The proposal is consistent with the policy objectives of A Plan for Growing Sydney as it presents an opportunity to increase housing supply at a moderate scale in close proximity to an existing residential area and transport as well as ensuring that future residential development takes appropriate measures to minimise impacts on the environment.

GREATER SYDNEY REGION PLAN – A METROPOLIS OF THREE CITIES

The Metropolitan and sub-regional planning context has recently been revised with the adaption of the Greater Sydney Region Plan – A Metropolis of Three Cities and the Western City District Plan.

The Greater Sydney Region Plan (GSRP) was released in March 2018 and is the current Metropolitan Plan for Sydney. It sets the 40-year vision up to 2056 and provides a 20-year plan to manage growth and change in Sydney. Further, the Plan seeks to integrate with the companion State Infrastructure Strategy 2018-2038 and Future Transport Strategy. Refer to the following tables regarding compliance with the GSRP

The proposal is importantly consistent with the key directions in respect of infrastructure and collaboration, liveability and sustainability, summarised as follows and detailed discussion in appendix D

Infrastructure and collaboration:

Objective 4: Infrastructure use is optimised

Liveability:

Objective 6: Services and infrastructure meet communities' changing needs

Objective 7: Communities are healthy, resilient and socially connected.

Objective 10: Greater Housing Supply

Objective 11: Housing is more diverse and affordable

Sustainability::

Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced

Objective 29: Environmental, social and economic values in rural areas are protected and enhanced.

Objective 37: Exposure to natural and urban hazards is reduced.

WESTERN CITY DISTRICT PLAN

The Western City District Plan (WCDP) was released in March 2018 and provides a 20 year plan to manage growth in the context of economic, social and environmental matters to achieve the vision for Greater Sydney at a District Level. It is founded on 10 Directions, consistent with the Greater Sydney Regional Plan and reflected in Key Priorities and Actions as below and discussed in detail appendix E.

As with the Greater Sydney Region Plan the proposal in the WCDP context is seen to be consistent with the key directions in respect of: infrastructure and collaboration, liveability and sustainability in particular:

Infrastructure and collaboration:

Planning Priority W1 – Planning for a city supported by infrastructure

Liveability:

Planning Priority W3 – Providing services and social infrastructure to meet peoples changing needs.

Planning Priority W4 – Fostering healthy, creative, culturally rich and socially connected communities

Planning Priority W5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport.

Sustainability:

Planning Priority W14 – Protecting and enhancing bushland and biodiversity

Planning Priority W16 – Protecting and enhancing scenic and cultural landscapes

The site is within the Metropolitan Rural Area, Planning Priority W17 (Better managing rural areas).

This planning priority is not relevant to this site as the site is zoned SP2 not Rural.

Nevertheless, even if the land was currently zoned rural and Planning Priority W17 did apply, the land is too small a parcel to be of any significant farming production value. Not a realistic parcel of land for agricultural production.

The rezoning of land to R5 does not compromise the character of the immediate area instead enhances the character of rural space by providing natural organic housing growth around existing townships and infrastructure.

4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

Wollondilly Growth Management Strategy 2011

A key land use planning issue for Wollondilly is to manage pressures for growth against the context of a broad community desire to keep the Shire rural. This is a challenging balancing act and an inevitable consequence of being a rural area on the fringe of a major metropolis.

The Growth Management Strategy 2011 (GMS) was prepared to provide a strategic led response to this issue, and does so by providing:

- clear policy directions on growth issues;
- a strategic framework against which to consider Planning Proposals;
- a long-term sound and sustainable approach to how the Shire develops and changes into the future;
- a basis to inform Council decisions and priorities regarding service delivery and infrastructure provisions;
- direction and leadership of the community on growth matters;
- advocating for better infrastructure and services; and
- a strategy/response for how the Council sees the State Government's Metropolitan and subregional planning strategies being implemented at the local level.

All Planning Proposals relating to Wollondilly are assessed against the Key Policy Directions of the GMS. Overall, the Planning Proposal is considered to be consistent with the Key Policy Directions. A table detailing the assessment of the proposal against the key directions is provided in Appendix C.

Wollondilly Community Strategic Plan 2033

The Wollondilly Community Strategic Plan 2033 (WCSP), adopted by Council 17 June 2013, is Council's overarching plan that sets out the long term strategic aspirations of the community of Wollondilly over a 20 year period until 2033.

The proposal is consistent with the vision of growth in the WCSP and an assessment of the Planning Proposal against the five themes is provided below:

Sustainable and Balanced Growth:

- Integration with physical and social fabric of existing neighbourhoods

The proposal is consistent with Council's position on growth as it will provide for minor incremental growth around an existing village in keeping with rural lifestyle

Outcomes

- (1) A build environment that supports liveable communities, respects the character setting and heritage of our towns and retains the vision of Rural Living.
The proposal has the capacity to be consistent with the desired outcome.

- (2) A unique environment and rural landscape balanced with managed growth that is consistent with Council's position on Growth and vision of Rural Living.

The planning proposal is of a scale and nature which supports and enhances this outcome.

- (3) A strong local economy providing employment and other opportunities
A modest contribution to local employment will accompany development of the planning proposal during construction phase. Further, future residents will increase the patronage of local retail and commercial facilities.

Strategies

It is noted that in realising the preceding outcomes, the proposal is not inconsistent with the following strategies.

- Strategy GR1 – Growth

- □ Manage growth to ensure that it is consistent with Council's Position on Growth and achieved positive social, economic and environmental outcomes for Wollondilly's towns and villages.
- Strategy GR2 – Built Environment
Manage land use and development to achieve a high-quality built environment and innovative planning outcomes, while protecting our agricultural and rural landscape.
- Strategy GR4 – Liveable Communities
Plan for and enhance Wollondilly's liveability by encouraging great places to live with communities that are resilient, safe, affordable, healthy, well connected and retain their unique characters.

Management and Provision of Infrastructure

Strategies

In seeking to provide requisite community infrastructure that the proposed development can leverage off, Council's commitment is highlighted in the following Strategies:

Strategy IN2 – Provision of Infrastructure and Facilities

Strategy IN3 – Manage Infrastructure and Facilities

Manage infrastructure and community facilities to provide for and respond to community needs, improve safety and improve choices.

Adequate public infrastructure and essential services would be provided as part of the future development of the site, the site is located close to current trainline and retail stores.

Caring for the Environment

Council's commitment is highlighted in the following strategies of relevance to the proposal.

Strategy EN1 – Protect and Enhance biodiversity, waterways and groundwaters

Maintain and enhance the condition of biodiversity including the condition of water sources (both surface and groundwater).

Strategy EN2 – Protect the environment from development pressures

Contribute to development to achieve positive environmental social and economic outcomes.

The proposed Tylers Rd Planning Proposal does not effect the already zoned E2 section of the land. The balance of the land is zoned E2. The rezoning of the SP2 land will create a better opportunity of the environment being cared and maintained.

Looking After the Community

It is noted in the context of the subject outcomes that the proposal is not inconsistent with the following strategies:

Strategy CO2 – Health and Wellbeing

Promote and support community health and wellbeing and plan for long term health services for the Shire.

Strategy CO3 – Social Planning

Undertake strategic social planning approaches regarding community needs and issues, particularly in relation to future population growth.

The Planning Proposal is in the best interests of the community; providing development in character with the local town. Giving a choice in housing options, and creating a healthier lifestyle.

The subject site adjoins the Bargo Sportsground, which is used extensively by the public as a recreational area and is opposite Waratah Highlands retirement village. It would be in the best interest of the community for the subject site to be no longer zoned SP2 sewerage treatment to eliminate potential odour and to create a maintained Bushfire barrier to the Retirement Village and sports oval.

5. Is the Planning Proposal consistent with applicable state environmental planning policies?

A preliminary assessment of the Planning Proposal's consistency with all State Environmental Planning Policies (SEPP's) is provided in Appendix A

The following SEPPs have particular relevance to the subject site and are discussed in further detail below:

- SEPP No. 44 - Koala Habitat Protection;
- SEPP No. 55 - Remediation of Land; and
- REP No.20 - Hawkesbury–Nepean River (No 2 - 1997).

SEPP 44 - Koala Habitat Protection

Wollondilly Shire is listed as an applicable Local Government Area under Schedule 1 of SEPP 44 and therefore requires consideration during the Planning Proposal process. Consideration must firstly be given to whether any part of the land comprises potential Koala Habitat which is defined in the SEPP as follows: 'Potential koala habitat means areas of native vegetation where the trees of the types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.'

The Flora and Fauna Assessment was prepared in June 18 notes that the subject site contains both *Eucalyptus Tereticornis* and *Eucalyptus Amplifolia*. However the site contains few mature canopy trees. The assessment determines that the site therefore constitutes marginal potential koala habitat for the purposes of the SEPP.

No signs of Koalas were recorded within the subject site (such as scratch marks or scats) during field assessment. The assessment concluded that the land has not been assessed as core Koala habitat, as there are no signs of a resident population in the immediate surrounds of the subject site. See appendix F for more detail

SEPP 55 - Remediation of Land

Clause 6 of SEPP 55 (Contamination and remediation to be considered in zoning or rezoning proposal) provides:

- (1) *In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:*
 - (a) *The planning authority has considered whether the land is contaminated, and*
 - (b) *If the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
 - (c) *If the land requires remediation to be made suitable for any purpose for which land in that zone*

is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.

Note: In order to satisfy itself as to paragraph (c), the planning authority may need to include certain provisions in the environmental planning instrument.

- (2) Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.*
- (3) If a person has requested the planning authority to include land of a class identified in subclause (4) in a particular zone, the planning authority may require the person to furnish the report referred to in subclause(2).*
- (4) The following classes of land are identified for the purposes of this clause:*
 - (a) land that is within an investigation area,*
 - (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
 - (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:*
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

A review of the site history and Stage 1 Contamination Assessment indicates that the site from 2004 to 2015 was used as wastewater treatment facility, treating the waste water generated by Waratah Highlands Village. Minor earthworks have been conducted to allow vehicular access and a house construction. Council records, NSW Workcover and NSW OEH records do not suggest any potential sources of contamination onsite or any previous potentially contaminating land uses associated with the site.

Possible past contamination risks are characterised as low, Preliminary Phase 2 ESA) is recommended to confirm the status of site which could be addressed at the time of any future Development Applications. See appendix J

SREP 20 - Hawkesbury–Nepean River (No 2 - 1997)

An assessment of riparian ecology and stormwater management has been undertaken. The outcome of this assessment provides assistance in relation to the matters listed in SREP 20.

The subject site lot sizes are adequate is size to dispose of wastewater on site. The recommendation in relation to the drainage line on the subject site is for a 10m buffer on each side of the drainageline measured from the top of the bank.

See Appendix F and K for more detail.

6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

All relevant directions can be accommodated or departures justified, the Planning Proposal is consistent with applicable Section 117 Directions.

For a complete assessment of all applicable Ministerial Directions, refer to Appendix B.

Direction 1.3 Mining, Petroleum Production and Extractive Industries

This direction applies to the proposal as the subject land is affected by a current coal lease. Under this Direction, a relevant planning authority when preparing a Planning Proposal must consult the Director-General of the Department of Primary Industries (DPI) to identify any:

- (i) resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and;
- (ii) existing mines, petroleum production operations or extractive industries occurring in the area subject to the Planning Proposal.

Wollondilly Council is the relevant planning authority and will consult with the Director-General of the Department of Primary Industries. At this stage the Planning Proposal is consistent with Direction 1.3

Direction 2.1 Environmental Protection Zones

This Direction applies to the Planning Proposal as the balance of the block is currently zoned E2 which is of environmental significance. The planning proposal is not seeking to change or alter section of the property.

Direction 4.2 Mine Subsidence and Unstable Land

This direction applies to as the site is located within the Bargo Mine Subsidence District. Under this Direction, a relevant planning authority must, when preparing a Planning Proposal that would permit development on land that is within a Mine Subsidence District:

(a) consult the Mine Subsidence Board to ascertain:

- (i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and*
- (ii) the scale, density and type of development that is appropriate for the potential level of subsidence, and The Mine Subsidence Board were consulted with through the process, and did not object to the proposal but requested that Council consult with Tahmoor Colliery. The Colliery recommended that development on the site not proceed until 2035 due to medium term mining proposals. It is recommended that the proposal be forwarded to the Department of Planning and Environment to ascertain whether a co-existence framework can be established.*

Preliminary consultation has been undertaken with the Mine Subsidence Board (now Subsidence Advisory NSW). No objections were raised to the proposed rezoning. As well the Mine Subsidence approval has been given for the subdivision of land. See attachment I

The proposal is considered to be consistent with this Direction.

. Direction 4.3 Flood Prone Land

The subject land is not mapped as flood prone. It is considered that any flood affected areas could be appropriately managed through engineering works at the subdivision stage once lot layout has been finalised and drainage integrated with the natural assets of the site.

The proposal is considered to be consistent
with this Direction.

Direction 4.4 Planning for Bushfire Protection

This direction applies to the proposal as the subject site contains bushfire prone land.
For full details refer to appendix G – Bushfire Report.
In summary the report supports the planning proposal and recommends an APZ of 25m which can be achieved .

Section C – Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposal does not adversely affect critical habitat, threatened species or ecological communities. Refer to Flora and Fauna report for detailed discussion. Appendix F

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Wastewater Management

Sydney Water has indicated that they will not be allowing or considering any new connections to the Bargo Priority Sewerage Program (PSP) for any proposed development that is outside the subsidised service area. Sydney Water indicated that there will be very limited additional capacity available to the Bargo area.

The proposal has a minimum lot size of 4000 square metres for the R5 zoned land to ensure that individual lots can accommodate onsite wastewater disposal.

A wastewater management assessment based on minimum 4000sqm lots has been undertaken and recommended that there is adequate area to service wastewater generated on each lot. Refer to appendix K

Traffic and Transport

There is not a significant increase of traffic due to the proposal. Further details of traffic can be addressed through any future development applications

Bushfire

A bushfire report has been undertaken and APZ recommendation is 25m, which the lots can accommodate. For further details refer to appendix G

Flooding and Drainage

There is a drainage line that runs through the eastern end of the property. Further drainage needs can be addressed at any future development application. The property is not located within council flooding maps.

Odour Assessment

Currently the zoning and use of the land is for the treatment of sewerage, this planning proposal reduces any potential odour issue

E2 land Management

The E2 section of the property is to be maintained and held in private ownership. This will ensure continual on going maintenance such as fencing and weed control. Further maintenance needs and detail can be addressed through any future development applications.

Has the Planning Proposal adequately addressed any social and economic effects?

The proposal will help to address the current land supply limitations and provide for minor incremental growth around Bargo township. Bargo has established services and facilities which will be available to potential new residents should the site be considered suitable for accommodating new dwellings.

The proposal will also have a small positive economic impact upon the development / construction industry, inclusive of the prospects of local employment (both in design and construction). The local

businesses at Bargo and other proximate centres such as Tahmoor and Picton are likely to benefit through enhanced trade. As such, no adverse social and / or economic impacts are foreshadowed under the proposal.

Section D – State and Commonwealth interests

9. Is there adequate public infrastructure for the Planning Proposal?

Sewer

The proposed 4000 square metre minimum lot size will adequately accommodate onsite effluent disposal.

Water

The proposed lots can be serviced by a drinking water extension off the 100mm main in Tylers Street and cut in junctions. The water runs along the street frontage of the subject site servicing the existing house on site.

Roads

The proposal will be serviced by the existing road system of Tylers Rd.

Electricity

The proposal does not anticipate any issue with electrical servicing to the lots as the subject site is already has electrical connection.

Community infrastructure

Provision of public infrastructure, including community infrastructure, will involve relevant contributions pursuant to Section 94 of the Environmental Planning & Assessment Act (EP&A Act) 1979.

There is a bus service operated by Picton Bus lines servicing the Bargo area, providing a public transport connection to Tahmoor, Picton, Camden, Campbelltown and beyond. Bargo also has a railway station on the main southern train line.

10. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The relevant State and Commonwealth public authorities will be consulted following the outcome of the Gateway determination. Council would be responsible for carrying out this consultation in accordance with Schedule 1 Part 1 of the EP&A Act.

Part 4 – Mapping

Map 1 – Site Identification Map



Map 2 -Current Land Use Zoning and Lot size



Map 3 – Proposed Land Use Zoning and Lot Size



Map 4- Proposed height



Part 5 – Community Consultation

Community consultation remains an important element of the Plan making process. The companion document “A Guide to Preparing Local Environmental Plans” outlines community consultation parameters.

The subject provisions in respect of notification and the exhibition materials to support the consultation will be observed.

It is considered that the Tylers Rd Planning Proposal is of a “low impact” nature¹ and should be exhibited for a maximum period of 14 days.

Typically, Council (as the PPA) is likely, to pursue the following actions as a minimum:

Public exhibition

The public exhibition of the will require:

1. Notification in a newspaper that circulates in the area affected by the planning proposal
2. Notification on the website of the Planning Proposal Authority (PPA)
3. Notification in writing to affected and adjoining landowners, unless the PPA is of the opinion that the number of landowners makes it impractical to notify them.

Written notice

The written notice for the PRPPR will:

- Give a brief description of the objectives or intended outcomes of the planning proposal
- Indicate the land affected by the planning proposal
- State where and when the planning proposal can be inspected
- Give the name and address of the PPA for the receipt of submissions
- Indicate the last date for submissions
- Confirm whether delegation for making the LEP has been issued to the PPA

Exhibition material

The following material will be made available for inspection during the public exhibition period:

- The planning proposal in the form approved for community consultation by the Gateway determination
- The Gateway determination; and
- Supporting and technical information relied upon by the planning proposal

The views of State and Commonwealth Public Authority will be critical in the advancement of the Planning Proposal as referred to in Section 5.5.3 above and should be obtained during the consultation phase.

Any submissions received in response to the community consultation would need to be fully considered, in accordance with the prevailing statutory provisions.

Part 6 – Project Timeline

Action	Time Date
Lodgement of Planning Proposal with Council	January 2020
Review by Council Community and public Authority consultation+	January, February, March 2020 March 2020 community advertisement
Refer to Local Planning Panel Report to Council	April 2020
Referral to Department of Planning and Environment for a Gateway Determination	May 2020
Anticipated commencement date (Date of Gateway Determination)	June 2020
Anticipated timeframe for completion of additional information	July 2020
Community and Authority Consultation	August 2020
Consideration of submissions by Council and potential amendments	September 2020
Report to Council	October 2020
Submission to Department of Planning and Environment to finalise the LEP amendment	November 2020
Anticipated making of LEP amendment if delegated	December 2020
Anticipated date of LEP amendment notification to Department of Planning and Environment	January 2021

Conclusion

The Tylers Rd planning Proposal has established a persuasive case for an amendment to Wollondilly Local Environmental Plan, 2011 so as to permit development of the subject land for the purpose of Rural Residential Living R5, subject to consent.

There is a demand for more diverse housing forms in the Wollondilly LGA..

The Tylers Rd Planning Proposal is appropriately located for such purpose, being contiguous

with the Bargo Township, close to local service infrastructure and a transition between urban and rural, providing an opportunity of sensitively integrating with and conserving the environmental aspects of the property.

Importantly, positive social, economic and environmental outcomes will be delivered by the Tylers Rd Planning Proposal.

The Tylers Rd Planning Proposal Report is accordingly recommended as the “trigger” for Council resolving to prepare a relevant Planning Proposal to facilitate the rezoning of the subject site in a timely and consultative manner.

Prepared by

A handwritten signature in black ink, appearing to read 'T Meredith'.

Tina Meredith

Sophos Investments Pty Ltd

Appendices

A. Compliance with SEPPs

Table indicating compliance with applicable State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans).

B. Assessment against Section 9.1 Directions

Table indicating compliance with applicable section 9.1 Ministerial Directions issued under the Environmental Planning and Assessment Act (EP&A Act) 1979.

C. Assessment against Wollondilly GMS

Table indicating compliance with relevant Key Policy Directions within Wollondilly Growth Management Strategy (GMS) 2011.

D. Greater Sydney Regional Plan - Metropolis of three Cities

E. Western City District Plan Planning Priorities

F. Flora and Fauna Assessment

G. Bushfire Hazard Risk Assessment

H. Aboriginal Cultural Heritage Assessment Report

I. SA Advisory Approval Letter (Mine Subsidence)

J. Phase 1 Contamination Report

K. Waste Water Assessment Report

L. Concept Plan

Appendix A

Compliance with SEPPs

The table below indicates compliance, where applicable, with State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans).

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
1	Development Standards	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
4	Development Without Consent and Miscellaneous Complying Development	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
6	Number of Storeys in a Building	Yes	The planning proposal does not contain provisions that will contradict or will hinder the application of the SEPP.
14	Coastal Wetlands	N/A	Not applicable in the Shire of Wollondilly.
15	Rural Land-Sharing Communities	N/A	Not applicable in the Shire of Wollondilly.
19	Bushland in Urban Areas	N/A	Not applicable in the Shire of Wollondilly.
21	Caravan Parks	Yes	The Planning Proposal will not contain provisions that will contradict or will hinder the application of the SEPP.
22	Shops and Commercial Premises	N/A	Not applicable to this Planning Proposal.
26	Littoral Rainforests	N/A	Not applicable in the Shire of Wollondilly.
29	Western Sydney Recreation Area	N/A	Not applicable in the Shire of Wollondilly.
30	Intensive Agriculture	N/A	Not applicable to this Planning Proposal.
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal does not contain provisions that will contradict or will hinder the application of the SEPP.
33	Hazardous and Offensive Development	N/A	Not applicable to this Planning Proposal.
36	Manufactured Home Estates	N/A	Not applicable in the Shire of Wollondilly.
39	Spit Island Bird Habitat	N/A	Not applicable in the Shire of Wollondilly.
41	Casino/Entertainment Complex	N/A	Not applicable in the Shire of Wollondilly.
44	Koala Habitat Protection	Yes	Refer to discussion under Part 3 Section B-5 of this report.
47	Moore Park Showground	N/A	Not applicable in the Shire of Wollondilly.
50	Canal Estates	N/A	Not applicable to this Planning Proposal.

52	Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	Not applicable in the Shire of Wollondilly.
53	Metropolitan Residential Development	N/A	Wollondilly Shire is exempt from this SEPP.

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
55	Remediation of Land	Yes	Refer to discussion under Part 3 Section B-5 of this report.
59	Central Western Sydney Economic and Employment Area	N/A	Not applicable in the Shire of Wollondilly.
60	Exempt and Complying Development	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
62	Sustainable Aquaculture	N/A	Not applicable in the Shire of Wollondilly.
64	Advertising and Signage	N/A	Not applicable to this Planning Proposal.
65	Design Quality of Residential Flat Development	N/A	Residential flat buildings are prohibited on the subject land.
70	Affordable Housing (Revised Schemes)	N/A	Not applicable in the Shire of Wollondilly.
71	Coastal Protection	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Affordable Rental Housing) 2009	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
	SEPP (Housing for Seniors or People with a Disability)	Yes	The Planning Proposal does not contain provisions that will contradict or would hinder a future application for SEPP (HSPD) housing.
	SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP. Future development applications for dwellings will need to comply with this policy.
	SEPP (Kurnell Peninsula) 1989	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Major Development) 2005	N/A	Not applicable to this Planning Proposal.
	SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	This Planning Proposal does not contain any provisions which would contradict or hinder the application of this SEPP.
	SEPP (Temporary Structures) 2007	N/A	Not applicable to this Planning Proposal.
	SEPP (Infrastructure) 2007	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
	SEPP (Kosciuszko National Park - Alpine Resorts) 2007	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Rural Lands) 2008	N/A	Not applicable in the Shire of Wollondilly.

SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP at future stages, post rezoning.
SEPP (Western Sydney Parklands) 2009	N/A	Not applicable in the Shire of Wollondilly.

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
	SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable in the Shire of Wollondilly.
	SEPP (Sydney Drinking Water Catchment) 2011	Yes	This proposal is consistent with this SEPP.
Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans)		Consistency	Comments
9	Extractive Industry (No 2)	Yes	This proposal is consistent with this SREP.
20	Hawkesbury–Nepean River (No 2 - 1997)	Yes	This proposal is consistent with this SREP.

Appendix B

Assessment against Section 9.1 Directions

The table below assesses the Planning Proposal against Section 9.1 Ministerial Directions issued under the Environmental Planning and Assessment Act (EP&A Act) 1979.

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
1. Employment and Resources			
1.1 Business and industrial Zones	Yes	Yes	The Planning Proposal does not propose any new business or industrial land. Therefore it is considered that the Planning Proposal is consistent with Direction 1.1.
1.2 Rural Zones	Yes	Yes	The Planning Proposal would allow for the rezoning of land from a SP2 zone to an urban zone which would also enable an increase in density of the land which is not inconsistent with the Direction
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Yes	The proposal at present is consistent with the direction. Refer to Part 3 Section B-6 of this report for further discussion in this regard.
1.4 Oyster Production	N/A	N/A	Direction does not apply.
1.5 Rural Lands	N/A	N/A	Not applicable in the Shire of Wollondilly.
2. Environment and Heritage			
2.1 Environmental Protection Zones	Yes	Yes	The environmental sensitive section of the land currently zoned E2 is adequately protected.
2.2 Coastal Protection	N/A	N/A	Direction does not apply.

2.3 Heritage Conservation	Yes	Yes	<p>An Aboriginal Heritage Assessment has been undertaken and its findings used to revise this Planning Proposal. This has been discussed elsewhere in this Planning Proposal.</p> <p>At present it would appear that the Planning Proposal is consistent with Direction 2.3.</p>
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Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
2.4 Recreation Vehicle Area	Yes	Yes	<p>The Planning Proposal does not propose any provisions that would enable the land to be developed for the purpose of a recreational vehicle area.</p> <p>Therefore it is consistent with Direction 2.4.</p>
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	N/A	Direction does not apply.

3. Housing, Infrastructure and Urban Development

3.1 Residential Zones	Yes	Yes	<p>The Planning Proposal presents an opportunity to increase housing supply at a moderate scale in close proximity to an existing residential area as well as ensuring that future residential development takes appropriate measures to minimise impacts on the environment. It has been demonstrated that the land can be adequately serviced with appropriate infrastructure.</p> <p>Therefore it is considered that the Planning Proposal is consistent with Direction 3.1.</p>
3.2 Caravan Parks and Manufactured Home Estates	Yes	Yes	<p>The Planning Proposal retains all existing zones in which caravan parks are permitted.</p> <p>Therefore the Planning Proposal is consistent with Direction 3.2.</p>
3.3 Home Occupations	Yes	Yes	<p>The Planning Proposal does not alter the current exempt development provisions that enables for the development of home occupations.</p> <p>Therefore no further consideration of the matters in relation to Direction 3.3 is necessary.</p>
3.4 Integrating Land Use and Transport	Yes	Yes	<p>The proposal is within walking distance (i.e 700m) of the Bargo commercial area, buses and rail. The proposal is considered to be generally consistent with this direction.</p>
3.5 Development Near Licensed Aerodromes	Yes	Yes	<p>The proposal will not create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.</p>
3.6 Shooting Ranges	Yes	Yes	<p>The proposal will not affect, create, alter or remove a zone or a provision relating to land adjacent to and/or adjoining an existing shooting range.</p>

4. Hazard and Risk

4.1 Acid Sulphate Soils	N/A	N/A	Direction does not apply
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4.2 Mine Subsidence and Unstable Land	Yes	Yes	The proposal is consistent with the direction. Refer to Part 3 Section B-6 of this report for further discussion in this regard. Mine Subsidence SA advisory has given approval.
4.3 Flood Prone Land	Yes	Yes	The proposal is consistent with the direction. Refer to Part 3 Section B-6 of this report for further discussion in this regard.

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
4.4 Planning for Bushfire Protection	Yes	Yes	The proposal is consistent with this direction. Adequate arrangements for bushfire protection, having regard to PBP 2006, are dealt with in accordance with the Bushfire Impact Assessment.
5. Regional Planning			
5.1 Implementation of Regional Strategies	N/A	N/A	Revoked.
5.2 Sydney Drinking Water Catchments	Yes	Yes	The proposal is consistent with this direction. It is expected that any residential development on the subject site would have a neutral or beneficial effect on water quality.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A	Direction does not apply.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A	Direction does not apply.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	N/A	Revoked.
5.6 Sydney to Canberra Corridor	N/A	N/A	Revoked.
5.7 Central Coast	N/A	N/A	Revoked.
5.8 Second Sydney Airport: Badgerys Creek	N/A	N/A	Direction does not apply.
5.9 North West Rail Link Corridor Strategy	N/A	N/A	Direction does not apply.
5.10 Implementation of Regional Plans	Yes	Yes	The proposal is consistent with this direction as the Planning Proposal is consistent with Regional Plan - <i>A Plan for Growing Sydney</i> .
6. Local Plan Making			
6.1 Approval and Referral Requirements	Yes	Yes	The proposal is consistent with this direction as it does not alter the provisions relating to approval and referral requirements.
6.2 Reserving Land for Public Purposes	Yes	Yes	This Planning Proposal is consistent with this direction as it does not create, alter or reduce existing zoning or reservations of land for public purposes.

6.3 Site Specific Provisions	N/A	N/A	The proposal is consistent with this direction as it will rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone.
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7. Metropolitan Planning

Ministerial Direction	Applicable to Draft LEP	Consistency of draft LEP with Direction	Assessment
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	Yes	This Planning Proposal is consistent with the Metropolitan Strategy.
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	N/A	The subject site is not located within the Greater Macarthur Land Release Investigation Area.
7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A	N/A	Direction does not apply.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	N/A	Direction does not apply.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	N/A	Direction does not apply.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	N/A	The subject site is not located within the Wilton Priority Growth Area.

Appendix C

Assessment against Wollondilly GMS

Wollondilly Growth Management Strategy (GMS) was adopted by Council in February 2011 and sets directions for accommodating growth in the Shire for the next 25 years. All Planning Proposals which are submitted to Council are required to be assessed against the Key Policy Directions within the GMS to determine whether they should or should not proceed.

The following table sets out the Planning Proposal's compliance with relevant Key Policy Directions within the GMS:

Key Policy Direction	Comment
General Policies	
P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.	The proposal, as noted throughout this table, satisfies this Key Policy Direction.
P2 All land use proposals need to be compatible with the concept and vision of 'Rural Living' (defined in Chapter 2 of the GMS).	The proposal is consistent with the concept and vision of 'Rural Living'. The limited residential development on land already cleared land will not adversely affect Bargo's townscape, the surrounding rural landscape or the cultural heritage of the area.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	Community consultation will be undertaken in accordance with Council's notification policy. This is discussed in Part 5 – Community Consultation.
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	There have been no such representations regarding this proposal and therefore this Key Policy Direction has been satisfied.
P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.)	The site is continuous with the existing urban edge of Bargo and is within walking distance of the commercial area, railway station, primary school and Bargo sportsground. The site is close to collector/main roads and bus routes. The site is considered suitable to accommodate the growth and expansion of Bargo. Conservation and enhancement of natural systems is intended. Existing infrastructure is to be utilised and embellished.
Housing Policies	
P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.	The proposal contributes toward Council's dwelling target for Bargo outlined in the GMS. The Structure Plan for Bargo includes the general area east of the town as a 'potential residential growth area'. Nevertheless, the GMS acknowledges that other land may also be appropriate for future residential development and may be consistent with the relevant policy directions, even if it is not identified as such on the relevant structure plan.

P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types.

The proposal will contribute to a mix of housing types in the locality and will assist with housing affordability in the Wollondilly area.

Key Policy Direction	Comment
P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the “rural fringe”).	The proposal promotes lower density development on the existing urban fringe of Bargo.
P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.	The site is located immediately adjacent to the existing town limit.
Macarthur South Policies	
P11 Council does not support major urban release within the Macarthur South area at this stage.	Key Policy Direction P11 is not applicable to this proposal.
P12 Council considers that in order to achieve sound long-term orderly planning for the eventual development of Macarthur South an overall master plan is required.	Key Policy Direction P12 is not applicable to this proposal.
P13 Council will not support further significant new housing releases in Macarthur South beyond those which have already been approved. Small scale residential development in and adjacent to the existing towns and villages within Macarthur South will be considered on its merits.	Key Policy Direction P13 is not applicable to this proposal.
P14 Council will consider proposals for employment land developments in Macarthur South provided they: <ul style="list-style-type: none"> ▪ Are environmentally acceptable; ▪ Can provide significant local and/or subregional employment benefits; ▪ Do not potentially compromise the future orderly master planning of the Macarthur South area; ▪ Provide for the timely delivery of necessary infrastructure; ▪ Are especially suited to the particular attributes of the Macarthur South area AND can be demonstrated as being unsuitable or unable to be located in alternative locations closer to established urban areas; ▪ Do not depend on the approval of any substantial new housing development proposal in order to proceed (Employment land proposals which necessitate some limited ancillary or incidental housing may be considered on their merits). 	Key Policy Direction P14 is not applicable to this proposal.

Employment Policies

P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes.

The proposal does not include employment lands. The proposal will create short-term employment opportunities through the construction jobs associated with the civil and building works, and will provide stimulus to the local economy by boosting population.

Key Policy Direction	Comment
<p>P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.</p>	<p>The site is not zoned to facilitate further employment opportunities.</p>
Integrating Growth and Infrastructure	
<p>P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community.</p>	<p>Initial investigations have found that reticulated water is available in the area. Effluent disposal will be via onsite disposal systems</p> <p>The site is accessible from the existing local road network.</p> <p>Picton Bus lines operate a bus service to and from Bargo.</p> <p>Increased population resulting from the rezoning would increase the feasibility of businesses in Bargo.</p> <p>Developer contributions payable at the development application stage will fund necessary local infrastructure required to support future development.</p>
<p>P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.</p>	<p>The proposal site is located within 600 metres from the edge of the Bargo town centre.</p> <p>Developing the site would make the provision of services and infrastructure in the area more efficient and viable.</p>
<p>P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.</p>	<p>The proposal does not contribute toward dispersed population growth; it proposes urban growth in close proximity to the Bargo urban area.</p>
<p>P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.</p>	<p>The proposal contributes toward Council's dwelling target for Bargo identified in the GMS.</p>
Rural and Resource Lands	
<p>P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.</p>	<p>Specialist studies have been prepared and preliminary consultation has occurred with relevant public agencies to investigate potential environmental and cultural impacts on the Shires land. Potential impacts and proposed mitigation measures have been discussed in detail in Sections C of this report. It is not expected that the Planning Proposal would result in any adverse impacts on these factors</p>
<p>P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.</p>	<p>Key Policy Direction P22 is not applicable to this proposal.</p>

Appendix D

Greater Sydney Regional Plan -Metropolis of three cities

Table 1 – Greater Sydney Regional Plan Objectives

Objectives	Page No
<p>Objective 22: Investment and business activity in centres</p> <p>Expanding rural towns and villages beyond their current boundaries to accommodate new business activity should be considered only when this is linked to a growth management plan for the whole town or village, and should not compromise the values and character of nearby rural and bushland areas.</p> <p>Response</p> <p><i>The proposal is not centre-based and clearly not focused upon creating new business activity in their own right. Rather the modest scaled development seeks to reinforce the performance of the existing centre.</i></p>	121
<p>Objective 24: Economic sectors are targeted for success</p> <p>The proximity of rural-residential development to agricultural, mining and extractive industries that generate odour, noise and other pollutants can be a source of conflict. There is a need to provide important rural industries with certainty so their operations can continue without encroachment from incompatible land uses. At the same time, the protection of land for biodiversity offsets and the rehabilitation of exhausted resource extraction areas supports the re-establishment of significant ecological communities in the Metropolitan Rural Area into the future.</p> <p>Response</p> <p><i>The development of rural industries and resource production is not compromised by the proposal. There are no nearby highly productive agricultural enterprises compromised by the proposal. Further, the subject land has particularly low inherent agricultural productive capacity. The application of significant capital to facilitate intensive agricultural pursuits is unlikely to produce a suitable return on investment and would likely have adverse impacts upon existing nearby residential development. Additionally, intensive agricultural operations, if associated with controlled climate production, may impact adversely on the prevailing landscape quality.</i></p>	141

Objectives	Page No
<p>Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced.</p> <p>Providing incentives for landowners in the Metropolitan Rural Area to protect and enhance the environmental values of their land and connect fragmented areas of bushland can deliver better outcomes for biodiversity and greater opportunities to create biodiversity offsets.</p> <p>Response</p> <p><i>The balance of the land is still zoned E2, the planning proposal is not seeking rezoning of that portion of land</i></p>	156
<p>Objective 28: Scenic and cultural landscapes are protected.</p> <p>The Metropolitan Rural Area and the Protected Natural Area create a range of attractive visual settings to the north, west and south of Greater Sydney. With rising demand for biodiversity offsets and continuing support for traditional forms of agriculture within the Metropolitan Rural Area, more opportunities can be realised to protect and enhance natural landscapes.</p> <p>Response</p> <p><i>The subject land does not compromise a unique scenic or cultural landscape. It merely represents a non-urban landscape, which is contiguous with large lot residential development and rural residential development.</i></p>	158

<p>Objective 29: Environmental, social and economic values in rural area are protected and enhanced.</p> <p><i>Urban development is not consistent with the values of the Metropolitan Rural Area. This Plan identifies that Greater Sydney has sufficient land to deliver its housing needs within the current boundary of the Urban Area, including existing Growth Areas and urban investigation areas associated with the development of the Western Sydney Airport. This eliminates the need for the Urban Area to expand into the Metropolitan Rural Area. From time to time, there may be a need for additional land for urban development to accommodate Greater Sydney's growth, but not at this stage. Future region plans will identify if additional areas of land in the Metropolitan Rural Area are required for urban development.</i></p> <p><i>Restricting urban development in the Metropolitan Rural Area will help manage its environmental, social and economic values, help to reduce land speculation, and increase biodiversity from offsets in Growth Areas and existing urban areas.</i></p> <p>Towns and villages: <i>Maintaining and enhancing the distinctive character of each rural and bushland town and village is a high priority. Ongoing planning and management of rural towns and villages will need to respond to local demand for growth, the character of the town or village and the values of the surrounding landscape and rural activities.</i></p> <p>Response</p> <p>The local fabric is enhanced via provision of larger blocks close to town; the local economy benefits from the development through support of social and physical infrastructure, on-going maintenance activities and patronage of local retail, commercial and recreational facilities and services.</p>	<p>160-163</p>
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Greater Sydney Regional Plan Strategies

‘Strategies’ are the overarching methods for the achievement of ‘objectives’

Strategies	Page No
<p>Strategy 16.1 <i>Manage the interfaces of industrial areas, trade gateways and intermodal facilities (such as the Western Sydney Airport and Badgerys Creek Aerotropolis) by providing buffer areas to nearby activities such as residential uses that are sensitive to emissions from 24- hour port and freight functions.</i></p> <p>Response The subject land and broader locality has no immediate relationship with the proposed Western Sydney Airport and related proposed Aerotropolis.</p>	96
<p>Strategy 29.1 <i>Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.</i></p> <p>Response Appropriate place-based planning outcomes are achieved as is encapsulated in the commentary in respect of Objective 29, in the preceeding table.</p>	163
<p>Strategy 29.2 <i>Limit urban development to within the Urban Areas of Wollondilly (including the Wilton Growth Area).</i></p> <p>Response The existing and proposed urban areas cannot provide the diversity of housing outcomes desired. The proposal constitutes an immediate and limited expansion of the existing urban area.</p>	156

Appendix E

Western City District Plan Planning Priorities

‘Planning Priorities’ outline how each specific region of Sydney will achieve the ‘objectives’ listed in the Greater Sydney Regional Plan

Planning Priorities	Page No
The District Plan informs the local strategic planning statements and local environmental plans, the assessment of planning proposals as well as community strategic plans and policies.	16
<p>Liveability: A place-based and collaborative approach is required to maintain and enhance the liveability of the Western City District. This can be achieved by the following Planning Priorities:</p> <p>W1- Planning for a city supported by infrastructure</p> <p>W3 – Providing services and social infrastructure to meet people’s changing needs</p> <p>W4 – Fostering healthy, creative, culturally rich and socially connected communities</p> <p>W5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <p>W6 – Creating and renewing great places and local centres, and respecting the District’s heritage.</p> <p>Response <i>The proposal provides housing choice, supports the local of the town, enhances the environmental aspects of the land and helps to support local infrastructure both in terms of transport and community.</i></p>	27

<p>Sustainability: For the District, an integrated approach to improving sustainability can be achieved by the following Planning Priorities:</p> <p>W12 – Protecting and improving the health and enjoyment of the District’s waterways W13 – Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element W14 – Protecting and enhancing bushland and biodiversity W15 – Increasing urban tree canopy cover and delivering Green Grid connections W16 – Protecting and enhancing scenic and cultural landscapes W17 – Better managing rural areas W18 – Delivering high quality open space W19 – Reducing carbon emissions and managing energy, water and waste efficiently W20 – Adapting to the impacts of urban and natural hazards and climate change.</p> <p>Response <i>The proposal respects local sustainability aspirations of Planning Priority initiatives through the enhancement of bushland and biodiversity, protecting and enhancing scenic aspect of the town by providing a natural transition between urban and rural lands. The proposal has been designed to satisfactorily address local bushfire hazards.</i></p>	<p>106</p>
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Planning Priorities	Page No
<p>Planning Priority W5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <p>The Growth Area programs of the NSW Department of Planning and Environment guide the development of new communities in land release areas and provide significant capacity into the medium and longer term. These include the North West, South West, Wilton and parts of the Greater Macarthur Growth Areas. Gives effect to GSRP objectives 10 and 11.</p> <p>Response</p> <p>The Growth Area Programs do not address housing supply, choice and affordability for people who wish to reside in the existing character rich Villages and Townships of the Shire. The proposal will address such uncatered for demand in the Bargo community.</p>	42
<p>Planning Priority W16: Protecting and enhancing scenic and cultural landscapes.</p> <p>The Wollondilly, Blue Mountains and Hawkesbury local government areas benefit from substantial areas of protected national parks, rivers and creeks, and water catchments that provide outstanding landscapes and views. Rural towns and villages in the valleys and plains to the east of the national parks are set between a series of hills and ridgelines that are special to the District's character and identity.</p> <p>Ridgelines are highly valued elements of scenic landscapes, and development should not diminish their scenic quality.</p> <p>Continued protection of the Western City District's scenic and cultural landscapes is important for the sustainability, liveability and productivity of the District.</p> <p>Gives effect to GSRP objective 28</p> <p>Response</p> <p><i>The landscape quality of the planning proposal is in keeping with Bargo township providing a rural landscape close to town.</i></p>	124
<p>Planning Priority W17: Better managing rural areas</p> <p><i>A Metropolis of Three Cities</i> takes a strategic approach to delivering Greater Sydney's future housing needs within the current boundary of the Urban Area including Growth Areas. Urban development in the Metropolitan Rural Area will only be considered in the urban investigation areas identified in <i>A Metropolis of Three Cities</i>.</p> <p>Maintaining and enhancing the distinctive character of each rural and bushland town and village is a high priority. Ongoing planning and management of rural towns and villages will need to respond to local demand for growth,</p> <p>The Western City District's rural areas contain large areas that serve as locations for people to live in a rural or bushland setting. Rural-residential development is not an economic value of the District's rural areas and further rural-residential development is generally not supported. Limited growth of rural-residential development could be considered where there are no adverse impacts on the amenity of the local area and the development provides incentives to maintain and enhance the environmental, social and economic values of the Metropolitan Rural Area. This could include the creation of protected biodiversity corridors, buffers to support investment in rural industries and protection of scenic landscapes.</p> <p>Gives effect to GSRP objective 29</p> <p>Response</p> <p><i>The proposal acknowledges the strategic approach to housing provision, which underpins</i></p>	126

the GSRP. Realisation of development opportunities to the urban investigation areas fails to acknowledge the need for organic growth of existing villages and towns in the provision of diverse housing opportunities and their immediate hinterland (such as the subject site).

'Realistic' agricultural productivity and resource 'exploration' are not compromised by the proposal.

The proposal does not compromise the character of the immediate precinct, as previously referenced. Consistent with the Priority, the proposal seeks to provide for local housing growth; whilst respecting the general landscape qualities

Planning Priority W20: Adapting to the impacts of urban and natural hazards and climate change.

Consideration of natural hazards and their cumulative impacts includes avoiding growth and development in areas exposed to natural hazards and limiting growth in existing communities that are exposed and vulnerable to natural hazards.

Gives effect to GSRP objectives 36,37 and 38

Response

The proposal has been demonstrated to be capable of complying with the principles underpinning 'Planning for Bushfire Protection 2006'.

Planning Priorities	Page No
<p>Planning Priority W20: Adapting to the impacts of urban and natural hazards and climate change.</p> <p>Consideration of natural hazards and their cumulative impacts includes avoiding growth and development in areas exposed to natural hazards and limiting growth in existing communities that are exposed and vulnerable to natural hazards.</p> <p>Gives effect to GSRP objectives 36,37 and 38</p> <p>Response <i>The proposal has been demonstrated to be capable of complying with the principles underpinning 'Planning for Bushfire Protection 2006'.</i></p>	136

Western City District Plan Actions

‘Actions’ are methods for the implementation of ‘planning priorities’ and objectives’.

Actions	Page No
<p>Action 35: Protect and support agricultural production and mineral resources (in particular, construction materials) by preventing inappropriately dispersed urban activities in rural areas.</p> <p>Response <i>As communicated previously, ‘realistic’ agricultural productivity and resource ‘exploration’ are not compromised by the proposal.</i></p>	77

Actions	Page No
<p>Action 78: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.</p> <p>Response <i>The proposal, as previously identified, has adapted a place-based approach, with positive and/or satisfactory environmental, social and economic outcomes.</i></p>	127

<p>Action 79: Limit urban development to within the Urban Areas of Wollondilly (including the Wilton Growth Area)</p> <p>Response <i>Limiting urban development to the existing urban areas does not prohibit natural organic growth, as previously identified, the planning proposal land is next to existing residential urban land, recreational land making it a natural transition between urban areas and rural.</i></p>	<p>127</p>
<p>Action 88: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards.</p> <p>Response <i>The matter of natural and urban hazards has previously been addressed and a balanced planning outcome demonstrated. The proposal is not dense or intensified but balanced.</i></p>	<p>139</p>