



# PRECISE PLANNING

**Planning | Development | Management**

INTEGRATED DEVELOPMENT APPLICATION

## ***Statement of Environmental Effects***

Proposed Thirteen (13) lot subdivision  
Major Roberts Avenue TAHMOOR  
(Lot 39 DP 1215451)

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### Planning | Development | Management

This Report has been prepared exclusively for submission to Council as an accompaniment to a Development Application, which seeks approval for demolition of existing structures, a subdivision creating thirteen (13) residential lots and associated civil works.

The information contained in this Report has been compiled from both primary and secondary information sources.

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# GLOSSARY AND ABBREVIATIONS

## ABBR. / TERM DESCRIPTION

APZ	Asset Protection Zone
BHAR	Bushfire hazard assessment report
CEEC	Critically endangered ecological community
DA	Development application
DCP	Development Control Plan
DPE	Department of Planning and Environment
EEC	Endangered ecological community
EPA Act	NSW <i>Environmental Planning and Assessment Act 1979</i>
EPA Reg's	NSW <i>Environmental Planning and Assessment Regulations 2000</i>
EPBC Act	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESA	Environmental Site Assessment (Stage 1)
FFA	Flora and fauna assessment
ha	Hectares
LEP	Local Environmental Plan
LGA	Local Government Area
LES	Local environmental study
PBP	Planning for Bushfire Protection 2006
PESA	Preliminary Environmental Site Assessment (Stage 2)
REP	Regional Environmental Plan (Deemed SEPP)
RF Act	NSW <i>Rural Fires Act 1997</i>
RFS	NSW Rural Fire Service
SANSW	Subsidence Advisory NSW
SEPP	State Environmental Planning Policy
TIA	Traffic impact assessment
TSC Act	NSW <i>Threatened Species Conservation Act 1995</i>
VPA	Voluntary planning agreement
WDCP	Wollondilly Development Control Plan 2016
WLEP	Wollondilly Local Environmental Plan 2011

## EXECUTIVE SUMMARY

Consideration	Detail	Response
Subject land	Lot 39 DP 1215451 – Major Roberts Avenue TAHMOOR	
Proposal (for which this application seeks consent)	Subdivision of the subject land into thirteen (13) residential lots, as well as a fire trail, as shown on the proposed plan of subdivision prepared by Robert Moore and Associates Pty Ltd ('survey plan').	
Type of development	Integrated development pursuant to S4.46(1) EPA Act	Requires Council to refer application to SANSW, RFS and NRAR for concurrence
Existing improvements		Vacant land
Compliance	EPA Act EPA Reg's RF Act WLEP WDCP	Capable of compliance
Non-compliance		Capable of compliance
Biodiversity	Land is affected by Natural Resources – Biodiversity map in WLEP 2011	Refer to FFA by Ecoplanning (see section 4.1 of this report)
Contamination		No contamination assessment undertaken
Bushfire	Bushfire prone land. A bushfire report has been prepared	Recommendations have been made (see section 4.5 of this report)
Salinity		No salinity assessment undertaken
Traffic	No TIA undertaken for this proposal	Unlikely to be any notable impact on the operation of the overall traffic network (see section 4.3 of this report)
Mine Subsidence	MS District	SANSW concurrence required
Services	See section 4.6 of this report	Electricity, water, sewerage, telecommunications and gas services can be provided to all proposed lots
Stormwater	Stormwater Management Plan prepared by Diversi which includes OSD and water quality management	Refer to section 4.7 of this report
Street tree planting	Refer to landscape plan by HLS Pty Ltd	Refer to section 4.8 of this report
Aboriginal archaeology	An AHIP has been issued covering this site	OEH advice is that the conditions of the AHIP have been satisfied

The proposed subdivision is considered to be efficient and proper management of the land resource, consistent with Council and the community's expectation for the land and with manageable built and natural environmental impacts. The proposal is worthy of Council's support.

# 1.

## INTRODUCTION

### 1.1 General

This planning report has been prepared to accompany a development application, lodged pursuant to Sections 3.39(a) and (b) *Environmental Planning & Assessment Act 1979* (**‘EPA Act’**), to be considered concurrently with a Planning Proposal relating to the same land. This development application seeks approval to the subdivision creating thirteen (13) residential lots (see plan of proposed subdivision), including the construction of a fire trail, as shown on the detail plan prepared by Robert Moore and Associates.

The proposed LEP amendment (**‘planning proposal’**) is currently with Council for finalisation, which will reduce the minimum lot size to 700sqm and introduce an E2 Environmental Protection zone for 30 metres along the creek line.

#### ***Type of application***

The proposal is lodged as ***integrated development***, requiring Council to seek concurrence from Subsidence Advisory NSW (**‘SANSW’**), as the land is located in a Mine Subsidence District, NSW Rural Fire Service (**‘RFS’**), as the land is shown as bushfire prone on the bushfire prone land maps and Natural Resource Access Regulator (**‘NRAR’**), as works are proposed within 40 metres of Myrtle Creek.

### 1.2 Site identification

This application involves a single lot, which is described as follows:

Street Address	Existing lot / DP	Area of existing lots	Improvements
<b>Major Roberts Drive Tahmoor</b>	Lot 39 DP 1215451	2.478ha	Vacant land

**TABLE 1**

Land particulars

### 1.3 Supporting documentation

The application is supported by the following documents:

Document	Author	Reference
<b>Detail survey</b>	Robert Moore and Associates	Drawing Ref 100021 DT14A dated 5 November 2018
<b>Plan of proposed subdivision</b>	Robert Moore and Associates	Drawing Ref 100021 P66/D dated 13 December 2018
<b>Flora and fauna assessment</b>	Ecoplaning	Project No 2018-035 Version xxx dated xxx
<b>Vegetation Management Plan</b>	Ecoplaning	Project Number 2018-035 Version xxx dated xxx
<b>Stormwater Management Plan ('SMP') – report and plan set</b>	Diversi and Robert Moore and Associates	Diversi – Ref 19001-RPT01-A-SWMS dated 14 February 2019; Robert Moore and Associates – Drawing 100021 E5/B dated 14 January 2019
<b>Bushfire report</b>	Peterson Bushfire	Ref 18057 dated 9 December 2018
<b>Planning report</b>	Precise Planning	1324 dated February 2019
<b>Street tree planting plan</b>	HLS Pty Ltd	L01 and L02 Issue P1 dated 15 February 2019
<b>Waste Management Plan</b>	Precise Planning	Unreferenced and undated

**TABLE 2**

List of supporting documentation

### 1.4 Zone and permissibility

The land is currently zoned R2 Low Density Residential pursuant to WLEP. Subdivision is enabled pursuant to cl.2.6 of WLEP. However, a proposed LEP amendment is currently with Council for finalisation, which will reduce the minimum lot size to 700sqm and introduce an E2 Environmental Protection zone for 30 metres along the creek line.

### 1.5 Planning considerations

Consideration	Response
<b>Zone</b>	Currently R2 Low Density Residential. The planning proposal will introduce an E2 Environmental



Consideration	Response
	<i>Protection zone along the creek line</i>
<b>Compliance with aims of WLEP and regard to zone objectives</b>	<i>Refer to s.5.3 of this report</i>
<b>Compliance with DCP provisions</b>	<i>Refer to s.5.5 of this report</i>
<b>Bushfire prone land</b>	<i>Bushfire prone. Refer to bushfire report</i>
<b>Contamination</b>	<i>No assessment undertaken</i>
<b>Mine Subsidence District</b>	<i>SANSW concurrence will be required</i>
<b>WLEP lot size map</b>	<i>Currently, the minimum lot size is 4,000sqm. The planning proposal will reduce the minimum lot size to 700sqm</i>
<b>Additional permitted uses map</b>	<i>No</i>
<b>Height of buildings map</b>	<i>9 metres</i>
<b>Land Reservation Acquisition map</b>	<i>No</i>
<b>Heritage map</b>	<i>No</i>
<b>Natural resources - biodiversity map</b>	<i>Yes. Refer to FFA</i>
<b>Natural resources - water map</b>	<i>Yes, along Myrtle Creek</i>
<b>Original holdings map</b>	<i>No</i>
<b>Urban release areas map</b>	<i>Yes</i>
<b>Odour buffer map</b>	<i>No</i>
<b>Water catchment area</b>	<i>No</i>
<b>Endangered ecological communities</b>	<i>Refer to FFA</i>

**TABLE 3**  
Planning considerations

## 1.6 Site-specific constraints

Based on the conclusions of the various specialist reports, the site has no major constraints that would hinder or prevent the development of the site as proposed, once the LEP amendment is finalised.

# 2.

## SITE ANALYSIS (existing)

Characteristic	Analysis
<b>Property description</b>	<i>Major Roberts Avenue TAHMOOR (Lot 39 DP 1215451)</i>
<b>Location, dimensions, shape, area, orientation</b>	<i>Northern side of Major Roberts Avenue, roughly shaped as a rhombus except for a northern boundary following creek contour, comprising a total of approximately 2.478ha</i>
<b>Access</b>	<i>Major Roberts Avenue, a bitumen-sealed, residential road</i>
<b>Contours and levels</b>	<i>Shown on detail plan</i>
<b>Existing vegetation</b>	<i>Refer to FFA</i>
<b>Existing improvements</b>	<i>Vacant Land</i>
<b>Significant views</b>	<i>The site enjoys limited district views</i>
<b>Stormwater</b>	<i>Surface water generally flows north, towards Myrtle Creek</i>
<b>Electricity</b>	<i>Underground supply in Major Roberts Avenue</i>
<b>Water</b>	<i>Reticulated water supply in Major Roberts Avenue</i>
<b>Sewer</b>	<i>Sewerage connection available</i>
<b>Gas</b>	<i>Natural gas is available</i>
<b>Microclimate</b>	<i>The location and topography does not create a microclimate</i>
<b>Fences, easements</b>	<i>Generally rural-type fencing where in existence; no easements</i>
<b>Natural features</b>	<i>There are no noteworthy natural features</i>
<b>Surrounding development</b>	<i>Residential</i>
<b>Street frontage features</b>	<i>There are no noteworthy street frontage features</i>
<b>Heights - subject and adjoining land</b>	<i>No significant changes</i>
<b>Significant noise sources</b>	<i>No significant noise sources affecting the land</i>
<b>Bushfire risk</b>	<i>Land is bushfire prone</i>
<b>Contamination</b>	<i>No assessment undertaken</i>
<b>Salinity</b>	<i>No assessment undertaken</i>
<b>Acid sulphate soil</b>	<i>No testing undertaken on this occasion</i>
<b>Flooding</b>	<i>Not considered flood-prone</i>

**TABLE 4**  
Site analysis

# 3.

## PROPOSED SUBDIVISION

### 3.1 Layout and yield

The layout depicted on the survey plan is a logical division of the land and does not hinder the future development of the remainder of the precinct. A yield of 13 lots achieves a dwelling density of 5.24 dwellings/ha.

The proposed fire trail is proposed as 6 metres wide and has been shown as a 'through trail', connecting to the proposed subdivision adjoining to the east. This application seeks consent from Council to construct a fire trail within the road reserve area to the east, with gated access for RFS vehicles and personnel only.

### 3.2 Proposed lot analysis

All lots are regularly shaped and will accommodate a variety of dwelling types and sizes. All lots will have frontage to a public road and will comply with the minimum dimensional and area controls contained in Wollondilly LEP 2011, subject to the proposed LEP amendment being made, as well as WDCP 2016.

The riparian area adjacent to Myrtle Creek is incorporated into the lot at each end of the proposed subdivision, into order to minimise the number of individual owners.

### 3.3 Proposed civil and other works

It is proposed to construct the fire trail within the road reserve area on the western side, as well as west/east across the site as shown on the plan of proposed subdivision. The proposed fire trail will be constructed in accordance with requirements of Planning for Bushfire Publication 2006. Relevant service providers will be consulted in relation to the provision of services.

### 3.4 Waste management

#### *During construction*

Minimal waste will be produced during construction of the subdivision:

- All worker's rubbish will be collected in a site skip bin for disposal to landfill

- All displaced soil will be used in regrading on the site
- All vegetation will be taken to Bargo Waste Management Centre for processing and re-use
- All excess road construction material will be taken back by the suppliers
- All offcuts (eg concrete pipes etc) will be taken to Bargo Waste Management Centre for landfill or transported to a location for crushing and re-use
- Demolition waste will be sorted for potential reuse / recycling and transported to Bargo Waste Management Centre

### ***Ongoing waste management***

Future dwellings will be supplied with standard-issue collection bins for general waste, recycling and greenwaste. These bins will be collected by Council's kerbside waste collection trucks and transported to Jack's Gully at Narellan.

# 4.

## IMPACTS AND MITIGATION - Specialist studies

### 4.1 Contamination

The land has, in part, been the subject of recent development applications. No contamination assessment has been carried out for this proposal.

### 4.2 Salinity

The land has, in part, been the subject of recent development applications. No salinity assessment has been carried out for this proposal.

### 4.3 Traffic

Given the scope of this proposal, and work previously completed for the rezoning of the land, a traffic impact assessment was considered unnecessary.

All traffic generated by this proposal will utilise Major Roberts Avenue.

The RMS Guide to Traffic Generating Developments anticipates about 10 vehicle movements per day, which equates to a range of about 120 additional vehicle movements per day, over and above the current potential. The road width and sight distances are adequate to accommodate the additional traffic.

The proposal, in relation to traffic generation, is unlikely to have any notable impact upon the operation of overall road network.

### 4.4 Flora and fauna

The site is the subject of an Biobanking Statement issued by the Office of Environment and Heritage.

### 4.5 Bushfire

As the land is shown as bushfire prone on the bushfire prone land maps, a Bushfire Assessment (**'bushfire report'**) has been prepared.

The recommendations of the bushfire report are as follows:

1. A 15 m APZ is to be maintained within the road reserve at the western end of the subject land as shown on Figure 4.
2. A 30 m APZ is to be maintained between the E2 zone and all building envelopes as shown on Figure 4.
3. The APZs and lots (not including land zoned E2) need to be maintained to achieve the performance requirements of an Inner Protection Area (IPA) as specified by PBP. The following guide can be used:
  - a) Canopy treatment: The tree canopy is to be discontinuous with gaps between crowns of at least 2 to 5 m. Small clumps of trees can remain forming one larger crown providing larger gaps to the next adjacent crown of minimum 5 m is achieved.
  - b) Understorey treatment: Shrubs, saplings and understorey vegetation should not be within the APZ.
  - c) Groundcover treatment: Groundcovers such as grasses are to be regularly mowed or slashed to minimal height (i.e. 100 mm), and ground fuels are to be maintained in a minimal state by removing all dead vegetative material by raking and removing leaf litter and other fine fuels such as sticks and fallen dead-wood.
4. Any landscaping proposed across the subdivision is to achieve performance objectives of an Inner Protection Area (IPA) as described by PBP.
5. A perimeter fire trail is required between building envelopes and the E2 zone, to be linked to the public road network at either end of the subject land. The trail is to be compliant with the design standards listed at Section 4.1.3(3) of Planning for Bushfire Protection 2006.
6. Electricity should be underground wherever practicable. Where overhead electrical transmission lines are installed, the vegetation clearance distances are to comply with ISSC 3 Guideline for Managing Vegetation Near Power Lines (Industry Safety Steering Committee 2005). The guidelines specify a clearance distance of 0.5 m for a typical connection for residential dwellings.
7. Any gas services are to be installed and maintained in accordance with AS/NZS 1596- 2008 The storage and handling of LP gas.

### **Bushfire trails**

In addition to the bushfire trail to be constructed along the rear of the small lots, the application proposes to construct an access trail within the [currently] unformed section of the road reserve on the western side of the land. This trail will double as the APZ required by the bushfire report. In order to avoid unauthorised access, it is suggested that a gate be erected with an approved RFS lock.

## **4.6 Services**

### **Electricity**

The subdivision will be supplied with electricity from the existing underground supply in Major Roberts Avenue. Endeavour Energy will be consulted following development approval to determine the need, if any, for amplification of the existing network.

## **Water**

The subdivision will be supplied with reticulated water supply from the existing water main in Major Roberts Avenue. Sydney Water will be consulted following development approval to determine the need, if any, for amplification of the existing network.

## **Sewerage**

Each proposed lot will be provided with a sewerage point of connection.

## **Telecommunications**

The subdivision will be supplied with telecommunications services from the existing cabling in Major Roberts Avenue. NBNCo will be consulted following development approval to determine requirements.

## **Gas**

Gas will be extended to the subdivision from its current location to service the new lots in the proposed subdivision.

### **4.7 Stormwater**

Stormwater is proposed to be managed in accordance with the stormwater management plan prepared by Diversi. The proposal incorporates an interallotment drainage line across the lots and addresses water quality objectives by way of individual rain gardens and rainwater tanks for each lot. The MUSIC modelling results are included with the proposed development

### **4.8 Street tree planting**

Street tree planting is proposed as detailed on the landscape plan by HLS Pty Ltd.

### **4.9 Aboriginal Archaeology**

The site is the subject of an AHIP issued by the Office of Environment and Heritage, thus this is not a relevant consideration for Council.

# 5.

## STATUTORY PROVISIONS

### 5.1 Environmental Planning & Assessment Act 1979

Element	Component	Specifics	Response
<b>Objects of the Act</b>			<i>This proposal is either consistent with, or else does not hinder the attainment of, the relevant objects of the Act, specifically objects (a)(i), (ii) and (vi).</i>
<b>S.4.15 assessment</b>	EPIs	SEPPs	SEPP 44 – No core habitat (see FFA) SEPP 55 – See contamination reports
		REPs	Sydney REP 20 – see s.5.2 of this report
		LEPs	WLEP 2011 – see s.5.3 of this report
	Draft EPIs		None of relevance
	DCPs	WDCP 2016	See s.5.5 of this report
	Planning agreements	VPA with DPE	Negotiations are underway with DPE to put in place a VPA for the payment of State Infrastructure Contributions (SIC)
	EPA Regs		The proposal is capable of compliance with the relevant requirements of the Regulations
	Coastal Zone Management Plan		Not applicable
	Likely impacts		See s.4 of this report
	Suitability of the site		See s.5.9 of this report
	Submissions		A matter for Council's consideration
	Public interest		See s.5.11 of this report

**TABLE 6**  
EPA Act 1979



## **5.2 Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 – 1997)**

The *general planning considerations* (cl.5) and *specific planning policies and recommended strategies* (cl.6) have been considered in the design of this proposal.

In relation to cl.5, there are no feasible alternatives to the proposal, given the objective of providing for residential housing stock in the local area.

In relation to cl.6:

(1) Total Catchment Management – All lots will be connected to Sydney Water’s reticulated sewerage system. Stormwater will be managed in accordance with Council’s engineering standards and the SMP.

(3) Water Quality – Water quality will be managed in accordance with the strategy set out in the SMP.

(4) Water Quantity – Water quantity will be managed in accordance with the strategy set out in the SMP.

(5) Flora and fauna – refer to the FFA, which concludes that the proposal will not result in a significant impact on threatened species or their habitats.

(10) Urban development – This part mainly relates to the rezoning stage. Variable lot sizes have been achieved with this proposal.

(12) Metropolitan strategy – These matters have been considered in the rezoning process.

## **5.3 Wollondilly Local Environmental Plan 2011 (WLEP 2011)**

### **5.3.1 Aims / objectives of the Plan**

The particular aims of WLEP 2011 are as follows:-

- (a) *to provide for the management of natural resources and the protection of the natural landscape character,*
- (b) *to protect, conserve and enhance the built, landscape and Aboriginal cultural heritage,*
- (c) *to protect water quality in land that is situated within water supply catchments,*
- (d) *to encourage development that provides for an integrated transport and infrastructure system and adequate facilities and service provision for future growth,*
- (e) *to recognise, manage and protect rural resource lands for sustainable agriculture and extractive industry practices,*

- (f) to maintain the separation between towns and villages to retain their unique character and rural and natural settings.

The proposal is generally consistent with, or else does not hinder the attainment of, the relevant aims of the Plan.

### 5.3.2 Zone and zone objectives

Cl.2.3(2) of WLEP 2011 requires the consent authority to have regard to the objectives for development in the zone. The following table is included to assist Council with this task.

#### R2 Low Density Residential zone

Zone objective	Response
<b>To provide for the housing needs of the community within a low density residential environment</b>	<i>The proposal achieves this objective by providing additional, fully serviced residential lots suitable for future housing</i>
<b>To enable other land uses that provide facilities or services to meet the day to day needs of residents</b>	<i>Not applicable</i>

**TABLE 7**

R2 zone objectives

### 5.3.3 Land Use permissibility

Subdivision is permissible pursuant to cl.2.6(1) of WLEP.

### 5.3.4 Other Relevant Clauses

#### Clause 4.1 – Minimum subdivision lot size

The LEP map currently specifies a minimum lot size of 4,000sqm, although this will be amended to 700sqm when the LEP amendment is finalised. All lots comply with the proposed minimum lot size control of 700sqm.

#### Part 6 – Urban Release Areas (URA)

The land is located in an URA, according to the WLEP URA map. Therefore, the provision of Part 6 WLEP apply:

#### Clause 6.1 – Arrangements for designated State public infrastructure

The proponent is negotiating with DPE in relation to a contribution for the purposes of a State Infrastructure Contribution (SIC). It is anticipated that the DPE will shortly be in a position to provide Council with the certification required to satisfy this clause.

#### Clause 6.2 – Public Utility Infrastructure

Based on the attached infrastructure reports, it is contended that essential services will be available to the subject land when required.

#### Clause 6.3 – Development Control Plan

Refer to Table 9, section 5.5 of this report

#### Clause 7.1 – Essential Services

Each lot will be serviced with reticulated water, sewerage, electrical, gas and telecommunications services (refer to s.4.6 of this report).

#### Clause 7.2 – Biodiversity Protection

- Subclause 2 – Part of the land is identified as “sensitive land” on the Biodiversity map
- Subclauses 3 and 4 – Refer to the report by Eco Planning.

#### Clause 7.3 – Water Protection

- Subclause 2 – Part of the land is identified as “sensitive land” on the Water map
- Subclauses 3 and 4 – The current LEP amendment will introduce an E2 Environmental Protection zone along the creek, which is considered to address the matters required by subclauses 3 and 4.

### **5.4 Relevant Draft Environmental Planning Instruments**

We are not aware of any draft local environmental plans that would impact on this proposal.

## 5.5 Relevant Development Control Plans

### ***Wollondilly Development Control Plan 2016***

Volumes 1, 2 and 3 of WDCP are relevant to this proposal.

### **VOLUME 1 – General; PART 2 – General considerations for all development**

DCP reference	Response
<b>Part 1 - Preliminary</b>	<i>The proposed subdivision is categorised as a “medium subdivision”</i>
<b>Part 2 – General considerations for all development</b>	<ol style="list-style-type: none"> <li>1. The relevant safety and human health risks listed have been considered in the various specialist reports accompanying the application</li> <li>2. The existing road layout provides a high level of permeability and is generally consistent with the connections shown on the precinct structure plan</li> <li>3. The concurrence of SANSW will be required</li> <li>4. The future lots will be connected to a reticulated sewerage system</li> <li>5. The land is not located within a drinking water catchment</li> </ol>
<b>Part 3 – Variations to this plan</b>	<i>Noted</i>
<b>Part 4 – Community engagement</b>	<i>Noted</i>
<b>Part 5 – Colonial Heritage (General)</b>	<i>Noted. There are no items of heritage significance located either on or in the vicinity of the subject land.</i>
<b>Part 6 – Heritage (Specific locations)</b>	<i>N/A</i>
<b>Part 7 – Aboriginal Heritage</b>	<i>The land is the subject of an AHIP issued by the Office of Environment &amp; Heritage (‘OEH’). We are advised that the conditions of the AHIP have been satisfied</i>
<b>Part 8 – Flooding</b>	<i>The land is not subject to flooding, as far as we are aware</i>
<b>Part 9 – Environmental Protection</b>	<i>Refer to FFA. The land is subject to a Biobank Statement issued by OEH.</i>
<b>Part 10 – Tree removal</b>	<i>Trees will be removed during the course of construction of the subdivision, as envisaged by the FFA and Biobank Statement</i>
<b>Part 11 – Landscaping</b>	<i>Refer to the street tree planting plan prepared by HLS Pty Ltd</i>
<b>Part 12 – Signage</b>	<i>N/A</i>

**TABLE 8**

General considerations for all development  
Volume 1, WDCP 2016

### **VOLUME 2 – Urban Release Areas**

Requirements of WLEP	Response
<b>(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing</b>	<i>The proposal involves a single stage. The development of this land will not prejudice the development of other lots in the precinct</i>

Requirements of WLEP	Response
<b>(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists</b>	The road network is already existing
<b>(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain</b>	Refer to the street tree planting plan
<b>(d) a network of passive and active recreational areas</b>	Utilise existing facilities in Tahmoor, Thirlmere and Picton
<b>(e) stormwater and water quality management controls</b>	Refer to CSMP
<b>(f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected</b>	Refer to bushfire report; The land is not flood prone; Refer to contamination report
<b>(g) detailed urban design controls for significant development sites</b>	The subject land is not a significant site
<b>(h) measures to encourage higher density living around transport, open space and service nodes</b>	The land is not specifically desirable for higher density living
<b>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses</b>	N/A
<b>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking</b>	Utilise existing facilities in Tahmoor, Thirlmere and Picton

**TABLE 9**

Urban Release Areas  
Volume 2, WDCP 2016

### **VOLUME 3 – Subdivision of land**

#### **PART 2 – General Requirements for All Development**

Element	Objective	Control	Response
2.1 Traffic and Transport	Various		The proposal has regard to the relevant objectives because it is compliant with the controls
		1. Compliance with Council's Design Specifications	Complies
		2. Access handles	Complies
		3. Access handles	Complies
		4. Access handles	Complies
		5. Road infrastructure enhancement	Complies
		6. Safe intersection sight distance	Complies
		7. LED lighting for new street lights	Noted

Element	Objective	Control	Response
2.2 Wastewater		8. Streetlight location near intersection	Noted
		9. Splayed corners 4 x 4	Complies
	Various		The proposal has regard to the relevant objectives because it is compliant with the relevant controls
		1. Acceptable options for wastewater management	Site will be connected to reticulated sewerage
		2. Pump out	N/A
2.3 Stormwater		3. Unsewered land	N/A
	Various		The proposal has regard to the relevant objectives because it is compliant with the relevant controls
		1. Satisfactory stormwater arrangements	Refer to SMP
		2. Medium and Large subdivisions	Refer to SMP
2.4 Lot Shape	Various		The proposal has regard to the relevant objectives because it is compliant with the relevant controls
		1. Lots in zones other than residential	N/A
		2. Minimum widths and depths	Complies
		3. Where the controls do not apply	N/A
		4. Where the controls do not apply	N/A
		5. Exception for irregularly shaped lots	Noted
		6. Calculating minimum lot size	Noted
		7. Lots facing a culdesac	N/A
2.5 Landscape and character	Subdivisions designed to enhance landscape character		The proposal has regard to the relevant objective because it is compliant with the relevant controls
		1. Subdivision of land in environmental and rural zones	N/A
		2. Not 2 independent access handles along a boundary	N/A
		3. Landscaping along access handle	Refer to landscape plan
		4. Specifications for landscaping along access	Refer to landscape plan

Element	Objective	Control	Response
2.6 Corner allotments		handle	
		5. Landscaping along access handle not to obscure buildings at end of handle	Refer to landscape plan
		6. Street tree planting	Refer to street tree planting plan
	Safe vehicular access and maximum streetscape amenity		The proposal has regard to the objectives because it is compliant with the relevant controls
		1. Nominate building envelope	The survey plan nominates a potential building envelope on each corner lot
		2. Vehicle access point	Not required
2.7 Building envelopes		3. Controls do not apply where there is an existing dwelling	N/A
2.8 Environmental protection			The provisions of 2.7 do not apply to this proposal
	Protection of significant native vegetation from establishment of APZs		The proposal has regard to the objective because it is compliant with the relevant controls
		1. Provide APZs outside significant stands of native vegetation	Complies
		2. Limit impacts on watercourses and vegetation	N/A
2.9 Non-residential development			The provisions of 2.9 do not apply to this proposal
Aboriginal heritage			
2.10 Agricultural subdivision			The provisions of 2.10 do not apply to this proposal

**TABLE 10**

Volume 3, Part 2, General requirements for all developments  
WDCP 2016

### **PART 3 – Controls for specific locations**

#### **Section 3.4 – Tahmoor West**

##### **Objectives**

- 1) All roads and pathways have direct links to the road network
- 2) Myrtle Creek and the vegetation have been managed through the LEP amendment process.
- 3) Noted
- 4) Noted

- 5) Noted. The land is already the subject of an AHIP issued by OEH

### **Controls**

- 1) This control will have to be modified in order to be consistent with the proposed LEP amendment
- 2) The land is already subject to an AHIP issued by OEH
- 3) N/A to this proposal
- 4) Noted, compliant – all roads are existing
- 5) Bus stop and shelter already erected.

## **5.6 Planning Agreements**

### ***Planning Agreement with DPE***

The proponent is offering to enter into a VPA with DPE to satisfy cl.6.1 WLEP (State Infrastructure Contributions ('SIC')).

## **5.7 Relevant Provisions of the Regulations**

This proposal is capable of compliance with the relevant provisions of EPA Regs.

## **5.8 Impact of the Development**

Potential impacts and mitigation measures (where necessary) are discussed in section 4 of this report.

## **5.9 Suitability of the site**

It is considered that the land is generally suitable for the proposed development, based on the conclusions of the various specialist reports.

## **5.10 Submissions**

Public submissions will be a matter for consideration by Council.

## **5.11 Public Interest**

It is considered that the proposal is in the public interest. It proposes a subdivision of the land into thirteen (13) lots, generally compliant with the WLEP and WDCP provisions (except where they are to be modified by the proposed LEP amendment), with manageable impact to the natural or built environment and placing manageable increased demands on public infrastructure.



# 6.

## CONCLUSION

On merit it is considered that this application be approved subject to conditions. It does not seek to vary any guidelines or requirements of the planning controls applying to the area, except where indicated. On balance it is considered that this application seeks consent to a reasonable proposal. It is requested that Council officers exercise delegated authority to approve this development.

Yours faithfully

**PRECISE PLANNING**