

ATTACHMENT 5

LEP REVIEW PROGRAM STAGE 1 PLANNING PROPOSAL; Table summarising feedback from community & community submissions

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<b>General Matters related to LEP Review Program Stage 1 Planning Proposal</b>				
<b>Long-term Planning</b> <ul style="list-style-type: none"> <li>Proposals for area up to 2040 are not practical as future Councillors may wish to pursue different development proposals.</li> </ul>	04	<p>There is a legislative requirement to review the Local Strategic Planning Statement (LSPS) at least every 7 years.</p> <p>The LSPS commits to reviewing the Statement at least every 4 years as the Community Strategic Plan is reviewed. It also acknowledges that more frequent reviews will be undertaken as needed to ensure it remains responsive, relevant and local.</p> <p>Updates to the LSPS will inform future LEP amendments where required.</p>	No changes proposed.	None required.
<b>Removed matters</b> <ul style="list-style-type: none"> <li>Noted that the proposed amendments removed from the planning proposal would have helped residents.</li> <li>Concerned with the removal of the amendment to protect known koala corridors. Questions whether something better will be put in place of those words and how Council can preside over the decline of koalas.</li> </ul>	09, 33	<p>A number of amendments have been removed from the planning proposal either by the NSW Government or at Council's request for various reasons. Where relevant, the intention is to include these matters in separate planning proposal when the outstanding matters can be resolved.</p> <p>The proposed koala habitat protection amendment was removed from the planning proposal by the NSW Government Department of Planning as it was considered to duplicate functions under the new Koala SEPP which commenced on 1 March 2020.</p> <p>The content of the updated SEPP was not known at the time of the original planning proposal was prepared. Council has engaged a consultant to prepare a Koala Pan of Management for the Shire. The potential value of a clause within the local environmental plan will be reconsidered following the completion of this work.</p>	No changes proposed.	None required.
<b>Governance/ Clearness of Amendments</b> <ul style="list-style-type: none"> <li>Unable to understand what is being proposed</li> <li>Needed earlier involvement in process to understand document</li> <li>Concern with cost of notification letters</li> </ul>	12, 21, 24, 40	This process relates to making amendments to legislation. Due to the statutory nature of the process it is acknowledged that the planning proposal document seeks to explain complex information. The format, structure and content of the document is	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Seeks advice on how the proposed changes in the future affect land-holding.</li> <li>Letter does not explain the amendments in detail and residents are required to sift through pages upon pages of information.</li> </ul>		<p>established by guides published by the Department of Planning, Industry and Environment.</p> <p>To support the public exhibition a number of supporting documents were provided on Your Say Wollondilly, Council's engagement platform, to assist the community and other stakeholders to understand the proposed amendments. These included frequently asked questions and summary documents.</p> <p>Council staff were also available by phone and email to respond to enquiries and assist explaining the proposed amendments.</p> <p>There is a statutory requirement for Council to inform all potentially affected properties in writing of a proposed amendment. In addition the Gateway determination required Council to notify landowners affected by the proposed Metropolitan Rural Area amendment in writing.</p> <p>The correspondence posted was a 'notification letter'. The letter's intention was to notify the recipient of the proposed amendment and to let them know where further information was available and how to make a submission. It is difficult to provide comprehensive information in a document that tends to be 1-2 pages long.</p>		
<ul style="list-style-type: none"> <li>There has not been a full and comprehensive notification of affected landholders. Some land holders have not received notification at all, others have only received the letter from Council notifying them in the last fortnight, yet the letter is dated May. It is not fair to those who have been notified late or not at all to implement the Metropolitan Rural Area at this time.</li> </ul>	54	<p>Letters were posted to the landowner and occupant for all lots within the proposed Metropolitan Rural Area on the basis of the landowner details held by Council. There were also some additional letters sent associated with other amendments where relevant.</p> <p>Council posted the notification letters in late May and it is disappointing that some of the letters were not received sooner. Unfortunately the delivery timeframe is beyond Council's control. A number of late submissions have been accepted and considered. At the time of writing the report all submissions received have been considered.</p>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<b>LEP Amendment Objectives</b> <ul style="list-style-type: none"> <li>Supports objectives of the proposed amendments,</li> <li>Support the overall review process and believe the final outcome to be a worthwhile project for the Shire.</li> <li>Looks to be quite a sound document.</li> <li>Supports the intent of the change to the provisions of the LEP.</li> <li>General support for the planning proposal.</li> <li>The planning proposal intent is generally considered to be appropriate and, in most cases, supported.</li> </ul>	34, 35, 36, 37, 52, 55, 60, 70, 78	Noted.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Welcomes the opportunity to review the draft LEP once it has been placed on exhibition.</li> </ul>	60	<p>The public exhibition for the LEP Review Program Stage 1 Planning Proposal is now complete and it is not foreseen that a further exhibition will be required.</p> <p>It is important to note that the wording used for amendments to the Wollondilly Local Environmental Plan used throughout the planning proposal are indicative only. The final wording will be drafted by the NSW Parliamentary Counsel's Office by specialist lawyers after Council has resolved to support and finalise the amendments.</p>	No changes proposed.	None required.
<b>LEP Review Program</b> <ul style="list-style-type: none"> <li>Considers the planning proposal only goes so far and fails to adequately give effect to the Western City District Plan.</li> <li>Council should set out its planned timeframe for completion of the next phase of the LEP updated, being the completion of its Local Housing Strategy.</li> <li>Council should take necessary action to ensure its policy settings are appropriate for the continuation of new housing supply at or above the currently level.</li> </ul>	78	<p>The tight timeframe available under the NSW Government's Accelerated LEP Review Program has directed the scope and content of this initial planning proposal and has meant that only limited amendments can be considered at this time.</p> <p>A number of technical studies, including the local housing strategy, are currently being prepared and will inform future more comprehensive amendments to the local environmental plan and alignment with the Western District Plan.</p> <p>It is intended to publicly exhibit these studies later this year.</p>	No changes proposed.	None required.
<b>Planning Proposal (Section C 3.7; Likely environmental effects)</b>	33	The section in question includes a response to the question on whether there is a likelihood that critical habitat and threatened species, population or	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Reject the suggestion that detail should be left to consultants hired by developers at the development application stage.</li> </ul>		<p>ecological communities, or their habitats, will be adversely affected by the proposal.</p> <p>As the Planning Proposal includes shire wide amendments it is not possible to consider the impacts on any particular site especially when the type of development is not known.</p> <p>The Planning Proposal acknowledges that the development assessment process already accommodates the need for a detailed site assessment under existing environmental management provisions in the local environmental plan.</p>		
<b>AMENDMENT No 1: Embed the consideration of health outcomes in the assessment of development</b>				
<b>Red Tape</b> <ul style="list-style-type: none"> <li>Does not support additional constructions and restrictions,</li> <li>There are already sufficient restrictions and obstacles that protect health and environment in the current LEP.</li> <li>Further restrictions, red tape, reports, consultancies, obstacles, complications, delays, irrelevant criteria are not justified.</li> </ul>	02,	<p>Council has been working in partnership with the South Western Sydney Local Health District for a number of years to better understand and identify opportunities to integrate the consideration of health into land use planning.</p> <p>It is considered that recognition of this link as one of the overarching aims of the local environmental plan will complement this work.</p> <p>The Aims of Plan set the high level policy direction and assist with determining the application of the controls. The proposed additional aim is not considered to add unnecessary additional restrictions to the development approval process.</p>	No changes proposed.	None required.
<b>Issues that fall within 'health consideration'</b> <ul style="list-style-type: none"> <li>If the definition of health consideration covers the buildings utilising the whole area of the building block with little outside space for children to play and multi storey units and houses with no eaves so you are so close to your neighbours you can hear every word spoke this is an impact on people's health.</li> <li>The Planning Proposal does not fully explain what specific health outcomes will be considered; to what degree, and what impact will a health outcome have on the evaluation of a development proposal in the future, are</li> </ul>	27, 33, 41, 53, 71, 78	<p>The Aims of Plan set the high level policy direction and assist with determining the application of the controls.</p> <p><i>Wollondilly 2040 Local Strategic Planning Statement</i> recognises 'Embedding health and wellbeing considerations into land use planning for health places' as one of 18 planning priorities to shape how we achieve Wollondilly's land use vision.</p> <p>Planning Priority 6 in Wollondilly 2040 provides further information and actions around health.</p>	No changes proposed.	None required.



MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<p>these health outcomes specified in any document. Within each health outcome, are there specific stages of a health 'issue' that would be assessed proportionally/disproportionately in light of a submission that was anti-development?</p> <ul style="list-style-type: none"> <li>• Would welcome further information being provided regarding how these objectives will be implemented in terms of the assessment of projects and whether there is an intention to develop guidelines of development control provisions.</li> <li>• If they were followed by suitable detail, pleased with words in the planning proposal referring to health and wellbeing of communities and the zone objective to <i>support the health and wellbeing of the community by protecting biodiversity and providing opportunities for people to engage with nature.</i></li> <li>• Calls for the LEP to indicate which health outcomes are to be achieved, measured, predicted and evaluated.</li> </ul>				
<ul style="list-style-type: none"> <li>• Is this supposed to be a new consideration that did not exist before?</li> </ul>	26	<p>There is an increasing acknowledgement that the physical environment is an important determinant of health and that decisions about the built environment exacerbate or mitigate health and well-being outcomes.</p> <p>Council has been working in partnership with the South Western Sydney Local Health District for a number of years to better understand and identify opportunities to integrate the consideration of health into land use planning.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>• Advocates for the wood fires in urban areas to be banned related to the proposed amendment.</li> </ul>	59	Noted.	No changes proposed.	Consider the health impacts of wood fires and the merits of developing planning policy.
<p><b>Principle of Amendment</b></p> <ul style="list-style-type: none"> <li>• Supports proposal/amendment</li> <li>• Support the intention to include the consideration of human health in land use</li> </ul>	29, 31, 78, 79, 53	Noted.	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<p>planning decisions in-principle as this is an important issue. The proposed LEP zone objectives would appear appropriate.</p> <ul style="list-style-type: none"> <li>Aiming to embed the consideration of health outcome in the assessment of development is a good move.</li> </ul>				
<b>AMENDMENT No 2: Recognise the role and function of the Metropolitan Rural Area</b>				
<p><b>Red Tape &amp; Governance</b></p> <ul style="list-style-type: none"> <li>Does not support the additional constraints and restrictions that will be imposed by the additional requirements of the MRA criteria.</li> <li>There are already sufficient restrictions and obstacles that protect health and environment in the current LEP.</li> <li>Further restrictions, red tape, reports, consultancies, obstacles, complications, delays, irrelevant criteria are not justified.</li> <li>Concern for additional difficulty and expense to get approval for simple applications</li> <li>Does not fit within efficient planning reform as it adds further complexity.</li> </ul>	02, 09, 54	<p>The introduction of the proposed amendment is not intended to require the preparation of additional documentation, in most cases, to support development applications such as studies. It is acknowledged that there may be some development applications that will require additional evidence to justify their proposals.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Heavily focussed on agricultural and mineral use. Calls for greater protection for current homes (already approved) so that lifestyle and quality of life is protected by ensuring appropriate land use on neighbouring and surrounding land.</li> </ul>	03	<p>There was not enough information provided in the submission to understand the key concerns. For example, is the concern with rural housing adjoining farms, housing in mining subsidence areas or another scenario.</p> <p>Although the intent of the proposed amendment, in part, seeks to establish a more robust approach to protecting and managing conflict on agricultural land. At a site level the proposed clause is intended to protect rural uses and contribute to the ongoing viability of local industries.</p> <p>The proposed amendment seeks to introduce a framework for the consideration of the values of the Shire's rural areas. How it will apply as part of the assessment of a development application will depend on the location and context of the development site. All of the matters for consideration may not be relevant to a development application and will be considered on its merits.</p>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Questions whether the proposed amendment means green belt areas, parks or open space?</li> </ul>	27	The proposed metropolitan area will take in rural and residential zoned areas across most of the Shire and is not intended to establish green belt areas.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>The broad brush approach for the MRA causes inefficiencies in the evaluation of planning proposal, as application of the MRA controls (as yet undecided) will be difficult where the land does not meet the MRA objectives in the first place.</li> </ul>	54	<p>The proposed amendments will apply to development applications.</p> <p>The consideration of the MRA for planning proposals (such as rezonings) is informed by the Greater Sydney Region Plan, the Western City District Plan and Wollondilly 2040 Local Strategic Planning Statement.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Concerned that there is not sufficient detail in the proposed amendment to ensure the control is strong and has legal clout and will not be ineffective. "Consider" is not strong enough. Acknowledges that many details may need to be in other documents and requests the LEP refer to those documents.</li> <li>Request that, until planning elements of the MRA are further resolved, that the proposal not be applied, due to the uncertainty, the inadequate notification of landholders, and the inadequate determination of how the rules will be formulated or applied.</li> </ul>	33, 54	<p>It is recommended that the proposed clause should be supported by controls in the development control plan to provide further guidance. Any future controls within the development control plan would provide more detailed direction in applying the clause.</p> <p>These could be progressed while the planning proposal is being finalised.</p>	No changes proposed.	None required.
<p><b>Concept of MRA</b></p> <ul style="list-style-type: none"> <li>Questions whether it has not been recognised before?</li> <li>How does the proposed control affect future development proposal on submitters land; who's proposals, the land owners or Council's?</li> <li>Various questions about intent of amendments; why is their small block lumped into one zoning with large properties, how will this affect land valuation, why is some land excluded, will this affect land use and future DA's?</li> <li>Supports intent of amendments, however, concerned as to whether the proposed MRA amendment will have any impact on the continuing operations of submitters sites and opportunities for expansion of those operations.</li> </ul>	26, 50, 53, 54, 60, 71	<p>The proposed amendment seeks to introduce a framework for the consideration of the values of the Shire's rural areas by introducing a clause that requires consideration of the Metropolitan Rural Area as part of the assessment of a development application.</p> <p>The proposed amendment will only affect land where a development application is lodged. So in terms of 'future development', this I intended to refer to where an owner or other person lodges a development application. It is not intended to identify areas where housing growth will be encouraged in the future.</p> <p>The proposed amendment will not change the land use zone. It is also unlikely to affect land values as it will not, in principle, change the types of development permissible.</p>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Would be more effective if the LEP required development proposed to not decrease land areas in Wollondilly Shire for Koala and other endangered wildlife.</li> <li>Will the current land use zoning remain in place or will they be replaced by the MRA zoning?</li> </ul>		Council is currently preparing a Koala Plan of Management for the Wollondilly area in accordance with the State Environmental Planning Policy (Koala Habitat Protection) 2019. Once completed, this should enable better planning for developments so that they avoid or mitigate impacts on koala habitat.		
<ul style="list-style-type: none"> <li>Does not want to add recognition to the role and function of the MRA as it is only a strategic idea and does not have NSW Acts and regulations.</li> </ul>	38	The principle of the Metropolitan Rural Area is supported by Wollondilly 2040, Council's adopted Local Strategic Planning Statement.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>The MRA clause is wide-reaching and vague. It is not clear why it applies to normal and residential areas. It is jargon planning-speak. How would it be applied?</li> <li>It is unclear how the 'matters for consideration' will be considered and what would be required of the landholder to demonstrate compliance, and under what situations compliance would be required.</li> </ul>	46, 54	<p>The proposed amendment seeks to introduce a framework for the consideration of the values of the Shire's rural areas which are referred to as the 'Metropolitan Rural Area'. It will not exclusively apply to rural zoned land. It is intended to implement the principles of the MRA on the ground to development proposals.</p> <p>It is recommended that the proposed clause should be supported by controls in the development control plan to provide further guidance. Any future controls within the development control plan would provide more detailed direction in applying the clause.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Supports the MRA, particularly the acknowledgment to provide mineral and energy resources while sustaining local rural towns.</li> </ul>	62	Noted.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Concerned with how the existing use of the site as a school meets the objectives of the MRA; Seeks confirmation/acknowledgment from Council that the existing use on the site (school) has existing use rights and of the significant infrastructure on the site. Notes that the existing infrastructure might not be consistent with the objectives relating to the land identified as being within the MRA.</li> </ul>	74	<p>In principle, there is not considered to be a conflict with a school being located within the Metropolitan Rural Area. Particularly, an existing one.</p> <p>Existing use rights would prevail over the proposed new clause, however it would still apply in terms of the design or character of a proposed development.</p> <p>The matter raised in relation to the current use relying on existing use rights is considered to be a separate matter.</p>	No changes proposed.	Submission to be considered as part of broader work currently being progressed as part of the LEP Review Program as part of the Rural Lands Strategy. Particularly, the relevance of the current land use zone.
<ul style="list-style-type: none"> <li>It has some conditions that would be likely difficult to apply, such as the likelihood that any</li> </ul>	54	Ministerial Directions made under section 9.1(2) of the <i>Environmental Planning and Assessment Act 1979</i>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
proposals would be required to demonstrate water availability. E.g. regarding the S117 Ministerial Direction 1.5 Rural Lands. How will proponents and/or Council obtain information about "water availability" in the rural MRA areas to support their planning proposals. Such requirements need to be nuted out fully before the MRA is put in place.		(previously section 117(2)) predominantly apply to planning proposals. The matter raised by this submission would apply to the consideration of a planning proposal and not a development application.		
<b>Concept of MRA; preventing development of land</b> <ul style="list-style-type: none"> <li>Objects to amendments as they would adversely affect submitters and neighbouring properties with regard to future urban development.</li> <li>Although landowners can apply to rezone land it will be overridden by the District Plan's vision (ratified now by the change in the LEP), to keep the Shire rural – that is to preserve what remains of rural land to provide rural vistas for the anticipated tourist boom in the area.</li> <li>Opposes the proposed amendment as the MRA supports protecting mineral and energy resources and extractive industries, this in turn will allow mining under Bargo and cause extensive damage to submitters property and their health and wellbeing and then in turn with subsidence occurring not allow subdivision for a very long time.</li> <li>This is sterilisation of rural land without compensation.</li> <li>Identifying land within the MRA should not impact on any potential subdivision for submitter.</li> <li>Objects to the planning proposal as it will decimate growth.</li> <li>Landowners in Menangle should not be confined by the MRA and should be afforded the opportunity to take advantage of Menangle's unique transport and infrastructure connectivity to use their land for a more productive and economically beneficial purpose similar to recent rezoning for residential development.</li> </ul>	28, 38, 44, 47, 54, 64, 72, 73	<p>The proposed Metropolitan Rural Area amendment does not change the existing development potential of land throughout Wollondilly. In that, in principle, if land can or cannot be subdivided at present under the Wollondilly Local Environmental Plan the proposed MRA clause will not change this.</p> <p>The application of the Metropolitan Rural Area at a strategic level (i.e. in the consideration of planning proposals to rezone land) is informed by the Greater Sydney Region Plan, the Western City District Plan and Wollondilly 2040 Local Strategic Planning Statement. The MRA is applied differently at a strategic level to what is proposed by this amendment. The proposed amendment will apply to development applications. Land cannot be rezoned by a development application. If there is considered to be strategic planning merit and land is rezoned, the proposed clause could not then prevent the subsequent subdivision.</p>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Menangle is well positioned to contribute both housing and employment lands to accommodate the Western City District's growing population.</li> <li>Concerned that the proposed amendments will prevent development and progress; specifically rural residential development and economic investment in tourism and agribusiness including scientific research. Locking up land will create a land bank for state planning to dump future residential development or other proposals in Wollondilly.</li> <li>Support for rural residential development as a counter to state planning dumping inappropriate development in the area.</li> <li>Concerned that the MRA prevents mum and dad owners from developing their land and saving it for the developers.</li> </ul>				
<p><b>Concept of the MRA; viability rural industries</b></p> <ul style="list-style-type: none"> <li>The viability of rural industries are constrained by cost of land, lot sizes, rules and regulations.</li> <li>No consideration has been given to the cost of infrastructure to set up a tourism operation or the biosecurity issues.</li> <li>Land values as a result of the massive development and already fragmented rural areas and the high rates preclude establishment of viable rural industries in the Shire. Rural land is more likely to be purchased for 'lifestyle' blocks and will cause more conflict with the few existing producers.</li> <li>Concerned that the statistics relied on to support the preservation of 'productive rural land in Wollondilly are inflated and out of date.</li> <li>Questions farming in Wollondilly; farm ground here is only good for chickens, pigs or dog farming. Farms are only viable along the river beds and difficulties with building new dams and being harassed by government departments.</li> <li>Submitters and surrounding land is not suitable for farming.</li> </ul>	44, 17, 54, 64, 71	<p>The proposed amendment seeks to introduce a framework for the consideration of the values of the Shire's rural areas which are referred to as the 'Metropolitan Rural Area'. It will not exclusively apply to rural zoned land.</p> <p>It is also noted that the proposed Metropolitan Rural Area amendment does not change the existing development potential of land throughout Wollondilly. In that, in principle, if land can or cannot be subdivided at present under the Wollondilly Local Environmental Plan the proposed MRA clause will not change this.</p> <p>The proposed amendment, in part, seeks to establish a more robust approach to protecting and managing conflict on agricultural land. At a site level the proposed clause is intended to protect rural uses and contribute to the ongoing viability of local industries.</p> <p>The application of the Metropolitan Rural Area at a strategic level (i.e. in the consideration of planning proposals to rezone land) is informed by the Greater Sydney Region Plan, the Western City District Plan and Wollondilly 2040 Local Strategic Planning Statement. The MRA is applied differently at a strategic level to</p>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Concern raised with the application of the MRA where there are land use conflicts between rural enterprises and urban development.</li> </ul> <p>There has been no scoping and evaluation undertaken to ascertain the viability of existing rural enterprises, the fit for purpose nature of these lands identified through the MRA map, the limitations of these systems and the metropolitan/rural conflicts that arise when rural enterprises co-exist with not rural enterprises (residential development). Supports the application of the MRA in areas where there are no land use conflicts. <ul style="list-style-type: none"> <li>The MRA does nothing to support nor encourage farmers in their endeavours, as no financial support, incentives or subsidies are offered, as is available in a widespread manner overseas.</li> </ul> </p>		<p>what is proposed by this amendment. The proposed amendment will apply to development applications. Land cannot be rezoned by a development application. If there is considered to be strategic planning merit and land is rezoned, the proposed clause could not then prevent the subsequent subdivision.</p> <p>More generally, land use planning has a significant impact on the viability of agricultural industries. However, it is only one of many inputs and cannot be relied on alone to ensure viability of rural industries.</p>		
<ul style="list-style-type: none"> <li>The proposal to recognise the role and function of the MRA, including a new local provision and associated mapping is accepted, subject to its pragmatic implementation.</li> </ul>	29, 31	Noted.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Concerned that the amendment has left the door open for development. Advocates for a buffer between housing/development and National Parks and other Public Land to manage bush fire threats and wildlife protection.</li> </ul>	30	<p>The proposed Metropolitan Rural Area amendment does not change the existing development potential of land throughout Wollondilly. In that, in principle, if land can or cannot be subdivided at present under the Wollondilly Local Environmental Plan the proposed MRA clause will not change this.</p> <p>The Planning Proposal does not include any amendments to rezone land to enable housing growth.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Understand that the LEP is being formulated to reinforce the Greater Sydney Region Plan and the Western City District plan which establish the Metropolitan Rural Area.</li> </ul> <p>All of these plans have been established without adequate and timely consultation with stakeholders and in particular rural land holders.</p>	44	<p>These plans have been finalised after extensive community and stakeholder engagement.</p> <p>The principle of the Metropolitan Rural Area is considered to be consistent with and complementary to the land use vision for Wollondilly established by the recently made <i>Wollondilly 2040 Local Strategic Planning Statement</i> for an 'enviable lifestyle of historic villages, modern living, rural lands and bush'.</p>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
		Wollondilly 2040 was also informed by extensive community and stakeholder consultation.		
<p><b>Matters for consideration identified by proposed clause; <i>Enhancing habitat and biodiversity and preserving scenic land</i></b></p> <ul style="list-style-type: none"> <li>• Applaud Council for the inclusion of these matters for consideration but are dismayed by the lack of detail about how biodiversity and scenery are going to be protected and enhanced.</li> <li>• Advocates for the creation of a publicly owned buffers. Especially above the Tahmoor Gorge and the Nepean Gorge upstream from it and in exchange for the right to develop and make windfall profits.</li> </ul>	33	<p>The proposed amendment seeks to introduce a framework for the consideration of the values of the Shire's rural areas which are referred to as the 'Metropolitan Rural Area'.</p> <p>It is recommended that this should be supported by controls in the development control plan to provide further guidance.</p> <p>The advocacy for incentives to establish a protected buffer around scenic land is noted. However, this is beyond the scope of the planning proposal. The proposed MRA clause may be relevant to a development application which seeks to preserve land adjoining gorges.</p>	No changes proposed.	None required.
<p><b>Matters for consideration identified by proposed clause; <i>Protecting Mineral and energy resources and extractive industries</i></b></p> <ul style="list-style-type: none"> <li>• Two of the matters for consideration contradict each other; 'protecting mineral and energy resources and extractive industries' and preserving scenic land'.</li> </ul> <p>The coal mine which dumps polluted water in the Bargo River contaminating water supply and drains the water table under Thirlmere Lakes which is partly responsible for the lack of water in this unique lake system protecting the environment is surely more important than extracting coal for export to China and adding to the CO2 in the atmosphere and oceans.</p> <ul style="list-style-type: none"> <li>• Concern that there are no limitations on mining.</li> <li>• Urban development within approved mining areas should occur after mining is complete.</li> <li>• The inclusion of Menangle within the MRA does not afford any extra protection to activities involving the extraction of mineral resources in Menangle and is unnecessary.</li> </ul>	16, 30, 62, 64	<p>The proposed amendment seeks to introduce a framework for the consideration of the values of the Shire's rural areas. How it will apply as part of the assessment of a development application will depend on the location and context of the development site. All of the matters for consideration may not be relevant to a development application and will be considered on its merits.</p>	No changes proposed.	None required.



MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<b>Matters for consideration identified by proposed clause; <i>Preserving land for productive rural uses</i></b> <ul style="list-style-type: none"> <li>The development of land surrounding the rotolactor in Menangle is case in point. It is now too late, exceptional agricultural land is now being utilised by a developer for housing. Other agricultural areas must be saved.</li> </ul>	41	<p>The proposed amendments will apply to development applications.</p> <p>The consideration of the MRA for planning proposals (such as rezonings) is informed by the Greater Sydney Region Plan, the Western City District Plan and Wollondilly 2040 Local Strategic Planning Statement.</p>	No changes proposed.	None required.
<b>Matters for consideration identified by proposed clause; <i>Adequately managing hazards</i></b> <ul style="list-style-type: none"> <li>Flooding in Picton is a recognised hazard and must be ameliorated. The recently completed flood studies recommend a retention basin amongst other matters, this aspect must be attended too before other major housing development, i.e. Picton East, commence.</li> </ul>	41	Noted. No changes are considered necessary in response to this submission.	No changes proposed.	None required.
<b>Suggested matters to be included</b> <ul style="list-style-type: none"> <li>There is no mention of protecting our dams. Dams are a vital water source for Australian fauna and flora. It is a water source for migratory birds, Dams are a safe place for bush fires and were used by helicopters to fight the most recent bush fires. In drought periods and with the loss of creeks etc, due to the damage of mining, dams can be the only water source left for wildlife. Yet dams are being filled in throughout our Shire.</li> </ul>	30	<p>The proposed amendment seeks to introduce a framework for the consideration of the values of the Shire's rural areas.</p> <p>The submitters concerns and potential cumulative impacts associated with the loss of earth dams are noted, however it is not considered appropriate to include a reference specifically to farms dams within the proposed amendment.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>The MRA is a risk for Wollondilly as the NSW Government has control over that land and will release that control when it benefits their agenda. Protections need to be put in place in the LEP to ensure that the planned orbital does not generate further release of mass housing, adding to the congestion of motorways.</li> </ul>	58	The principle of the Metropolitan Rural Area is considered to be consistent with and complementary to the land use vision for Wollondilly established by the recently made <i>Wollondilly 2040 Local Strategic Planning Statement</i> for an 'enviable lifestyle of historic villages, modern living, rural lands and bush'. Wollondilly 2040 was also informed by extensive community and stakeholder consultation.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Advocates for no more growth for The Oaks to retain rural feel of area.</li> </ul>	18	Noted. The Planning Proposal does not include any amendments to rezone land to enable housing growth.	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<p><b>MRA Boundary</b></p> <ul style="list-style-type: none"> <li>It is not considered appropriate that the Picton township and support lands on its immediate interface be identified on the MRA Map.</li> </ul> <p>Acknowledges that this is a matter which needs to be addressed in a review of the Western City District Plan.</p> <ul style="list-style-type: none"> <li>Objects to the inclusion of Menangle in the MRA as is it not an intensive agricultural area. Considers including Menangle in the MRA will have minimal impact in protecting agricultural land production in the Greater Sydney Area.</li> <li>As the proposed Outer Sydney Orbital (M9) road will materially alter the rural landscape and affect the agricultural use of land in Menangle, Menangle should not be designated as MRA.</li> <li>Urges Council not to adopt the NSW Government's MRA concept within the LEP to Menangle.</li> <li>Requests removal of submitters lot in Picton from the MRA map.</li> <li>Advocates for removal of submitters lot in Picton from the MRA map on the basis that the land received a positive Gateway determination to rezone the land for low density residential development.</li> <li>The poor/lazy application of the MRA to large swathes of the shire does not take account of the values in its application, as it applies everywhere. The MRA should be targeted to preserve certain aspect of the shire.</li> </ul>	29, 31, 54, 64, 70, 79	<p>The boundary for the proposed Metropolitan Rural Area amendment has been taken from the Greater Sydney Region Plan.</p> <p>It is not intended to exclusively identify rural zoned areas and includes Wollondilly's towns and villages with the exception of NSW Government designated growth areas (i.e. Wilton and Greater Macarthur). It includes those areas that will remain predominantly rural in their character, even where there is limited growth planned.</p> <p>It is not possible to change the boundary of the Metropolitan Rural Area through the local environmental plan.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>The Rural Lands Strategy should inform a review of the MRA boundary.</li> <li>The Rural Lands Strategy and Local Housing Strategies should champion a future review of the Western City District Plan in terms of the Metropolitan Rural Area.</li> </ul>	31, 79			
<ul style="list-style-type: none"> <li>Requests the proposed MRA map is amendment to exclude the Moreton Park Road Menangle landholdings. The submission notes</li> </ul>	65, 66			

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<p>the Moreton Park Road landholdings have been identified in the Interim Greater Macarthur 2040 plan as Future Employment Lands, subject to investigation.</p> <ul style="list-style-type: none"> <li>Requests the proposed MRA map is amendment to exclude the Station Street Menangle Precinct; the transition to a new set of zoning controls which seek to lock in the concept of the MRA at this location would be clearly inappropriate given the likelihood of future urban change.</li> </ul>				
<b>AMENDMENT No 3: Protect land required to provide essential services to support existing and future populations (Rezoning Sydney Water Land)</b>				
<ul style="list-style-type: none"> <li>Understood that Sydney Water Land was a buffer zone for catchment areas. What would the proposed rezoning be?</li> <li>Does not support changing the zone to National Parks; concerns that it would create more problems such as the recent bush fires.</li> </ul>	27	<p>The proposed amendment seeks to rezone 24 lots containing operational infrastructure in different locations across Wollondilly to SP2 Infrastructure (Water Supply System).</p> <p>The land to be rezoned are not buffer areas to catchment land.</p> <p>The planning proposal does not include any amendments to rezone land within National Parks.</p>	No changes proposed.	None required.
<p><b>Incorrect Address</b></p> <ul style="list-style-type: none"> <li>The address for the sites at 20 Moreton Park Road (Lot 1 in DP 1200484) is incorrect.</li> </ul>	25	<p>The amendment has been included at the request of Sydney Water and the property references included within the planning proposal are based on the information provided by Sydney Water.</p> <p>Although the property address will not be shown on the mapping if finalised it is considered appropriate to ensure there is no ambiguity as to what land is to be rezoned. The lot and deposited plan reference and mapping included within the planning proposal are correct.</p> <p>It is recommended that the property reference for the land is question is clarified in finalising the planning proposal.</p>	Update property reference for included land at Douglas Park to Lot 1 in DP 1200484, Moreton Park Road, Douglas Park.	Notify Sydney Water of the correct address for the lot.
<p><b>General Statement</b></p> <ul style="list-style-type: none"> <li>Support for changes in area for rezoning and development.</li> </ul>	20, 26, 41, 78	<p>Noted.</p> <p>The land is referred within the planning proposal as 'Sydney Water Land' for easy reference. It refers to</p>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Questions why is it called Sydney Water Land; staff advised the amendment is about heavy pump and machinery industry and not water.</li> <li>Appropriate action</li> <li>If this proposed to rezone land is supported by Sydney Water, submitter has no concern or comment to make.</li> </ul>		<p>land within the planning proposal owned by Sydney Water and proposed to be rezoned to an infrastructure land use zone.</p> <p>The amendment has been included and progressed at Sydney Water's request.</p>		
<b>AMENDMENT No 4: Enable advertising signage on sports fields</b>				
<b>Development Standard; Size limits for signage</b> <ul style="list-style-type: none"> <li>Questions proposed size limit 800 x 200 as existing signs are 900 x 2.4 to fit fencing panels.</li> <li>Size limit should be increased. 2m is insufficient.</li> </ul>	13, 15	<p>In response to the feedback received from the public exhibition it is considered that some of the proposed development standards including the size limits for signage.</p> <p>While the inclusion of an exempt development provision within the local environmental plan benefits sporting clubs, any amendment to the development standards could only be achieved through a planning proposal.</p> <p>It is recommended that the key principles for advertising signage are retained within the local environmental plan. Those matters that may require a different approach for different sportsgrounds or where there may be multiple solutions (for example the material or mode of attachment) could be removed from the amendment and included within a guideline.</p>	Remove the development standard relating to maximum advertising display area and include these in a guideline.	Prepare a guideline for Sponsorship Advertising at Sporting Facilities be prepared to support the planning proposal.
<b>Development Standard; Material</b> <ul style="list-style-type: none"> <li>Signs should be permitted to be manufactured from Coreflute material rather than "metal frames"; it is safe, cost effective, quick to produce, easy to fix, light weight and durable.</li> <li>Metal frames should be required; they fix the size of the sign, expensive to purchase and install, and permanent fixings would be necessary.</li> </ul>	15	<p>In response to the feedback received from the public exhibition it is considered that some of the proposed development standards including the signage material.</p> <p>While the inclusion of an exempt development provision within the local environmental plan benefits sporting clubs, any amendment to the development standards could only be achieved through a planning proposal.</p> <p>It is recommended that the key principles for advertising signage are retained within the local environmental plan. Those matters that may require a different approach for different sportsgrounds or where there may be multiple solutions (for example</p>	Remove the development standard relating to metal frames and include these in a guideline.	Prepare a guideline for Sponsorship Advertising at Sporting Facilities be prepared to support the planning proposal.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
		the material or mode of attachment) could be removed from the amendment and included within a guideline.  In principle, no objection is raised to the use of Coreflute for sponsorship advertising signage.		
<b>Temporary Signage</b> <ul style="list-style-type: none"> <li>Temporary signage that is put out for game day isn't appropriate; extra time required for volunteers to install and remove signage each game, sponsors reduce value for money as the signs are only seen for a short period of time, never looks tidy, banners aren't straight and generally sag, signage appearance deteriorates quickly from being packed and unpacked regularly</li> </ul>	15	Inclusion of a development standard to prohibit temporary signage is considered to be too restrictive.	No changes proposed.	None required.
<b>Proposed Development Standards; Unaddressed Matters</b> <ul style="list-style-type: none"> <li>Local sporting club relies on advertising signage on balcony which is not covered by the proposed standards.</li> </ul>	13, 15	<p>Club identification signage on the balcony at Victoria Park, Picton is considered appropriate. However, this location is quite prominent and it is not considered that enabling sponsorship advertising should be permitted as exempt development (i.e. without the need for a formal approval).</p> <p>If a sponsorship advertising sign is not able to meet the development standards this does not necessarily mean the sign is prohibited. Rather, that the proposed sign is not considered to be minor and requires development consent.</p>	Enable balcony signage at Victoria Park, Picton, as exempt development but limited to a club identification sign.	None required.
<ul style="list-style-type: none"> <li>Fixing methods should be detailed in the LEP; cable ties are ideal as they don't damage the existing fence the sign is fixed to, tek screws and other fixings should be permitted.</li> </ul>	15	<p>It is agreed that tek screws should not be used at some locations, particularly where new fencing has been installed recently.</p> <p>It has been recommended that those matters that may require a different approach for different sportsgrounds or where there may be multiple solutions (for example the mode of attachment) could be included within a guideline.</p>	No changes proposed.	Prepare a guideline for Sponsorship Advertising at Sporting Facilities be prepared to support the planning proposal.
<ul style="list-style-type: none"> <li>Requests an approval process for signage; not everyone has 'artistic flair'.</li> </ul>	15	The aim of the proposed amendment is enable local sporting clubs to erect sponsorship advertising signage without the need for any form of formal approval.	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
		The proposed standards are considered appropriate to manage any potential adverse impacts.		
<ul style="list-style-type: none"> <li>Notes the development standard related to alcohol and suggests same consideration be given to companies associated with gambling, i.e. TAB Betting companies.</li> </ul>	41	The suggested additional reference is considered to have merit.	Refine the proposed standard provision prohibiting signs advertising tobacco or alcohol related products to also refer to gambling.	None required.
<ul style="list-style-type: none"> <li>Signage on the copper log fencing around Hume Oval should be prohibited. It would spoil the park outlook of the ground itself and would attract graffiti.</li> </ul>	43	<p>It not considered that there is justification to exclude this sporting area in Picton from the proposed amendment.</p> <p>It is also noted that the log fencing at Hume Oval will mostly likely be upgraded as part of future improvements to the precinct.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>There has been no environmental conditions specified to mitigate the bad effects of advertising. It must be an oversight that there has been no mention of the environmental requirement for a "dark sky" at night. Find a way to specify dark sky requirements in the LEP.</li> </ul>	53	<p>The cumulative impacts of signage will be minimised by:</p> <ul style="list-style-type: none"> <li>Restricting the location of sponsorship advertising to internal fencing around the sporting area. Sponsorship advertising will not be permitted on perimeter fencing or as a free standing sign, -</li> <li>Requiring sponsorship signage to be oriented towards the playing field and not towards a public road, and</li> <li>Introducing display area requirements.</li> </ul> <p>Notwithstanding, the inclusion of an additional standard to clarify that illuminated signage is not permitted as exempt development is considered to have merit.</p> <p>This would not prohibit illuminated signage, it would mean that illuminated signage would require development approval. The development approval process would then enable consideration of the impacts.</p>	Include a new development standard to prevent illuminated advertising signs being exempt development.	None required.
<p><b>Who benefits from sponsorship money</b></p> <ul style="list-style-type: none"> <li>Questions who would receive the money charged to the sponsors to place advertising at</li> </ul>	27	Local not-for-profit sports clubs operate on limited budgets. For many clubs, external funding, through sponsorship allows them to provide benefits to their members and the community. Individual clubs	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
sports grounds and where would such money be spent?		determine how to spend sponsorship money, which could include facility upgrades, development programs, subsidising fees, uniforms, sports equipment etc.		
<b>AMENDMENT No 5: Strengthen provisions relating to the subdivision of land within Original holdings</b>				
<ul style="list-style-type: none"> <li>Supports more dense rural lots sizes for Original holdings; i.e. supports 2.5 acre minimum lot size in the future so long as site coverage is controlled.</li> </ul>	01	<p>The proposed amendment does not seeks to strengthen the intent of an existing clause by making it more robust and less open to interpretation.</p> <p>It is not intended to change the subdivision potential of land within an Original holding.</p>	No changes proposed.	None required.
<b>Zoning/ Original holding boundary</b> <ul style="list-style-type: none"> <li>Advocates for land at Rotherwood Road, Razorback to be included within the area covered by the Original holdings clause for consistency and to enable subdivision.</li> </ul>	08	The land covered by the clause was identified in a study undertaken in 1996. The proposed amendment does not proposed to amend the boundaries of land identified as Original holdings.	No changes proposed.	None required.
<b>Purpose of Control</b> <ul style="list-style-type: none"> <li>Supports retention as a buffer zone for villages and sensitive native habitat.</li> <li>Submitted confused by amendment and that there is no proposal for subdivision of E4 Environmental Living.</li> <li>Opposed to proposed change until submitter understands the impact; what are the changes to density, how will amendment affect submitters land.</li> </ul>	26, 27, 63	<p>The planning proposal seeks to strengthen the provisions relating to the subdivision of land within Original holdings.</p> <p>It seeks to do this by ensuring the clause is applied as intended by removing the opportunity for ambiguity in its application. Specifically by clarifying what land the density standard applies to.</p> <p>It is noted that the proposed amendment will have no impact on the submitters land as it has already been subdivided.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Submitter indicates that their land currently has the potential to achieve the 1 lot per 4 hectares if subdivided. Submitter indicates that the proposed strengthening of the Original holdings provision will affect the subdivision potential of their land.</li> </ul>	49	<p>The proposed amendment is not intended to change the subdivision potential of land within an Original holding.</p> <p>If land could be subdivided prior to the clause, as intended by the clause, then the potential to subdivide will remain.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Submitter appears to understand that their land is being rezoned to E4 Environmental Living and advocates for the ability to subdivide.</li> </ul>	52	The planning proposal does not include any amendments to rezone land, other than the land identified by Sydney Water for rezoning to an infrastructure land use zone.	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<b>Concept of Original holding</b> <ul style="list-style-type: none"> <li>Questions the principle of 'Original holding', for example;                             <ul style="list-style-type: none"> <li>What period of time is 'original' deemed to be taken from,</li> <li>Why does it apply to some land in E4 and not others/ why not land in rural landscape zones</li> <li>How was land chosen,</li> </ul> </li> </ul>	67	<p>The Original Holdings Map identifies areas within Brownlow Hill, Menangle, Pheasants Nest, Razorback and Werombi which are considered to have a sensitive rural landscape character that should be retained.</p> <p>There has been a longstanding protection of these areas which were identified in 1996 as part of the <i>Review of Rural Lands Report</i>.</p> <p>The density clause was originally introduced on 20 September 1993 through the <i>Wollondilly Local Environmental Plan 1991</i> and the principle of the control has been carried over to the <i>Wollondilly Local Environmental Plan 2011</i>.</p> <p>However, although the intention of the clause was not intended to change, the process of transitioning the local environmental plan to the NSW Government's Standard Instrument 'template' in 2011 meant that the clause was not included in the current local environmental plan in the same way. Overtime the interpretation of this clause has been challenged on a number of occasions through the Courts. The proposed amendments are in response to recent legal challenges.</p> <p>An Original holding refers to land identified as an Original holding on the Original Holdings Map which forms part of the LEP. The boundary for the Original holding is taken from a lot that was in existence prior to 20 September 1996.</p>	No changes proposed.	None required.
<b>AMENDMENT No 6: Ensure that relevant land is reserved for certain public purposes</b>				
<ul style="list-style-type: none"> <li>It is appropriate to remove land from the Land Reservation Acquisition map where it has been acquired by the relevant acquisition authority.</li> </ul>	78	Noted.	No changes proposed.	None required.
<b>Future use of land</b> <ul style="list-style-type: none"> <li>Questions what will happen to the land. Will it be rezoned to medium density housing?</li> <li>So long as Lot 100 is being retained for a future car park submitter supports the amendments; Unsure if amendment meant that land was</li> </ul>	27, 55	<p>The land to be removed from the Land Reservation Acquisition Map was identified for the following public purposes:</p> <ul style="list-style-type: none"> <li>Car park (Oak St, Thirlmere)</li> <li>Local open space (Menangle Street West &amp; Menangle Street, Picton)</li> </ul>	No changes proposed.	None required.



MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
going to be released or if it had already been acquired by the Council. If the amendment meant that land was being released for non-council purposes, submitter strongly opposed to it. Submission relates to land identified for car parking in Thirlmere.		<ul style="list-style-type: none"> <li>Regional open space (Appin Road, Appin)</li> </ul> <p>The land identified in the planning proposal has already been acquired and therefore no longer needs to be identified for future acquisition.</p> <p>There is nothing to suggest that the land will be used for any other purposes.</p>		
<b>What land does it apply to?</b> <ul style="list-style-type: none"> <li>Mapping not available.</li> </ul>	26	The land affected by this amendment is illustrated within the planning proposal by Map 4 on pages 42 through to 44.	No changes proposed.	None required.
<b>AMENDMENT No 7: Savings &amp; Transition Provisions</b>				
<b>Principle of Control</b> <ul style="list-style-type: none"> <li>Appears to be normal procedure. However, notes that on some development applications the works proceed prior to approval. Perhaps a procedure might be adopted to prevent these types of activities.</li> </ul>	41	<p>Noted.</p> <p>It is challenging to prevent unlawful activities such as undertaking development without the necessary approvals. This is beyond the scope of this program.</p>	No changes proposed.	None required.
<b>MATTERS OUTSIDE THE SCOPE OF THE STAGE 1 PLANNING PROPOSAL</b>				
<b>Request for additional matters to be included Planning Proposal/LEP</b> <ul style="list-style-type: none"> <li>Seeks an amendment to Schedule 1 'Additional permitted uses' of the LEP for a dwelling entitlement to several properties in Picton to resolve an ongoing matter.</li> <li>Seeks the inclusion of a publicly owned buffer above the cliff-tops between Tahmoor and Wilton should be part of the LEP.</li> <li>The riverine areas, and ecological valuable forest need to be preserved in the LEP with sufficient urban buffer, to ensure the nature-based and rural tourism (among other things) is preserved.</li> </ul>	33, 58, 70	<p><b>General Response to Matters Outside the Scope of the Stage 1 Planning Proposal</b></p> <p>A significant number of submissions raised matters that are unrelated to the seven proposed amendments included within the planning proposal. For example, 43 of the 82 community and stakeholder submissions raised unrelated matters. However, some of these submissions also provided feedback on the proposed amendments.</p> <p>A summary of the issues raised are included here to ensure transparency and also because they provide a useful record of local issues.</p> <p>The public exhibition invited feedback on the amendments detailed within the planning proposal document.</p> <p>The matter identified in this section are not considered relevant because they advocate for or seek changes that are unrelated to the specific proposed amendments or matters that cannot be addressed through the local environmental plan.</p>	Not applicable to the scope of the Stage 1 Planning Proposal.	Submission #70 to be considered as part of broader work currently being progressed as part of the LEP Review Program as part of the Rural Lands Strategy.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
		<p>In particular, it is noted that,</p> <ul style="list-style-type: none"> <li>it is not possible to include brand new amendments into the planning proposal at this late stage,</li> <li>although the LEP Review Program has a broader scope, this planning proposal is limited to 7 amendments,</li> <li>the planning proposal is not intended to be a 'call for sites' for rezoning</li> </ul>		
<ul style="list-style-type: none"> <li>The environmental controls in the proposed LEP only appear to protect the environment, nature, biodiversity and sustainability. The LEP must be written so that it will protect the ideals of a natural environment. Should be rewritten to require;                             <ul style="list-style-type: none"> <li>Measurement of environmental outcomes</li> <li>Calculation of development effects on these outcomes</li> <li>Specify environmental outcomes to be achieved</li> <li>An aim to be carbon neutral</li> <li>A development proposal to be accompanied by calculations of its carbon dioxide and greenhouse gas emission during construction and lifetime</li> </ul> </li> </ul>	53	Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).	Not applicable to the scope of the Stage 1 Planning Proposal.	None required.
<p><b>Strategic Framework;</b></p> <ul style="list-style-type: none"> <li>Wollondilly 2040 Local Strategic Planning Statement; Dispute the LSPS in its current format. Particularly concerned with the 20 year timeframe and taking away people's rights. In particular advocates for more change around Silverdale.</li> <li>LEP/Aims of Plan; Submission provides comments against current 'Aims of Plan';                             <ul style="list-style-type: none"> <li>The need for infrastructure before further housing is approved, particularly in Picton,</li> </ul> </li> </ul>	21, 41, 58	<p>There is a legislative requirement to review the Local Strategic Planning Statement (LSPS) at least every 7 years.</p> <p>The LSPS commits to reviewing the Statement at least every 4 years as the Community Strategic Plan is reviewed. It also acknowledges that more frequent reviews will be undertaken as needed to ensure it remains responsive, relevant and local.</p> <p>Updates to the LSPS will inform future LEP amendments where required.</p>	Not applicable to the scope of the Stage 1 Planning Proposal.	<p>Inform submitters of the upcoming public exhibition for the following strategies:</p> <ul style="list-style-type: none"> <li>Local housing strategy,</li> <li>Rural Lands Strategy,</li> <li>Employment Lands Strategy,</li> <li>Scenic &amp; Cultural Lands Strategy,</li> <li>Urban Tree Canopy Plan &amp; Landscape Strategy, and</li> <li>Centres Strategy.</li> </ul>

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>- Concern with a recent development in Razorback which is not in line with protecting suitable agricultural land,</li> <li>- Concern with character of recent development in Picton and that Picton and Thirlmere will join up.</li> <li>• Draft Economic Development Strategy; Disappointment in draft Economic Development Strategy and advocates for assessment and feasibility of employment land requirements taking into account future population growth.</li> <li>• Wilton Health and Wellbeing Strategy; Advocates for more of an emphasis on urban design to achieve social wellbeing and health outcomes.</li> </ul>		Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).		
<b>Land use conflict</b> <ul style="list-style-type: none"> <li>• Calls for controls to prevent incompatible recreational use of land around other rural residential properties such as golf courses, dirt bike.</li> <li>• Advocates for provisions to prevent noisy dirt bikes and quad bikes to be used in the rural area, especially in the E4 Environmental Living Zone.</li> </ul>	01, 48	Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).	Not applicable to the scope of the Stage 1 Planning Proposal.	Consider whether there is merit to investigate domestic land use conflicts further noting other commitments.
<b>Rural Lifestyle subdivision</b> <ul style="list-style-type: none"> <li>• General support for larger lots sizes for 'rural residential' that maintain rural landscape</li> <li>• Advocates for 2 hectare lots to retain rural residential character while satisfying need for growth</li> <li>• Advocates for change to RU1 zoning in Oakdale to allow residents with acreage between Oakdale and Nattai to subdivide their property.</li> <li>• Advocates for further rural style large lot development to the south of Silverdale, especially in response to the Western Sydney Airport.</li> <li>• Advocates for rezoning land in Yanderra for R5 Large Lot residential on the basis that land is not sustainable for farming, no water supply, and is vacant.</li> </ul>	01, 04, 05, 14, 17, 21, 39, 75, 77	Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).	Not applicable to the scope of the Stage 1 Planning Proposal.	Inform submitters of the upcoming public exhibition for the following strategies: <ul style="list-style-type: none"> <li>• Local housing strategy,</li> <li>• Rural Lands Strategy,</li> <li>• Employment Lands Strategy,</li> <li>• Scenic &amp; Cultural Lands Strategy,</li> <li>• Urban Tree Canopy Plan &amp; Landscape Strategy, and</li> <li>• Centres Strategy.</li> </ul>

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Advocates for one acre lots and development to progress services/infrastructure in Silverdale (aged care facilities, second crossing out of Silverdale, public transport).</li> <li>Considers 2 to 5 acre lots would be easier to maintain and would help with the control of weeds and vermin.</li> <li>Advocates for subdivision of submitter's land so that submitter can remain in area as they get older and find it increasingly difficult to manage the land.</li> </ul>				
<b>Advocates for subdivision/rezoning/development of land</b> <ul style="list-style-type: none"> <li>Advocates for redevelopment in Thirlmere to create local jobs and provide affordable living.</li> <li>Council need to look at amending the LEP on all land in the Shire and not just what is in this proposal. Advocates to allow land owners to subdivide, leading to more ratepayers and growing towns.</li> <li>Requests consideration of rezoning submitters property for R2 Low Density Residential/retirement village development</li> <li>Advocates for inclusion of site in broader LEP Review and rezoning of submitter's land for seniors living.</li> <li>Advocates for the submitters site in Picton to be rezoned to R2 Low Density Residential.</li> <li>Advocates for consideration of submitters land in The Oaks for rezoning to R2 Low Density Residential at the later stages of the LEP Review Program.</li> <li>Advocates for the reduction in the minimum lot size for subdivision for the submitters land in The Oaks within the R3 Medium Density Zone as part of the later stages of the LEP Review Program.</li> <li>Advocates for rezoning submitters land in Belimbla Park for R5 Large Lot Residential.</li> <li>Advocates for rezoning submitters land in Mount Hunter for R5 Large Lot Residential.</li> </ul>	04, 05, 06, 18, 21, 22, 23, 28, 29, 31, 34, 35, 36, 37, 38, 42, 45, 56, 57, 64, 65, 68, 77, 79, 80	Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).	Not applicable to the scope of the Stage 1 Planning Proposal.	Inform submitters of the upcoming public exhibition for the following strategies: <ul style="list-style-type: none"> <li>Local housing strategy,</li> <li>Rural Lands Strategy,</li> <li>Employment Lands Strategy,</li> <li>Scenic &amp; Cultural Lands Strategy,</li> <li>Urban Tree Canopy Plan &amp; Landscape Strategy, and</li> <li>Centres Strategy.</li> </ul>

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Requests consideration of submitters land (Oakdale) in large lot residential zoning for future housing development.</li> <li>Advocates for lots large than 20 acres in the Razorback area to be able to subdivide a block of 10 acres. Particularly to enable landowners to age in place.</li> <li>Advocates for suitability of Menangle for release and redevelopment.</li> <li>Questions Council's approach to supporting one growth front at a time. Advocates for a second stage to the Greater Macarthur Growth Area including lands to the west of the Hume Highway. Advocates for a Master Planning process to explore these opportunities.</li> <li>Advocates for more growth around railway lines, particularly Douglas Park and Menangle, to support case for electrification of rail and to support local businesses.</li> <li>Advocates for inclusion of land in Picton (site of a withdrawn planning proposal) within the LEP Review Program for future housing.</li> <li>Advocates for submitter's and adjoining properties in Bargo be set aside for residential development.</li> <li>Advocates for the Eltondale Masterplan and further development for Silverdale on the basis that this would lead to road upgrades, a flood free bridge over the river and a high school. Existing infrastructure cannot cope with small subdivisions recently progressing.</li> </ul>				
<b>Support for Limiting Growth</b> <ul style="list-style-type: none"> <li>Advocates for no more growth for The Oaks to retain rural feel of area. Concerns with road capacity and maintenance. Acknowledges benefits of growth but feel the country feel is being lost.</li> <li>Does not support any further growth.</li> <li>The Shire is rapidly losing its rural appeal and is gradually being swallowed up by intensive housing development.</li> </ul>	19, 27, 30, 41, 51, 76	Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).	Not applicable to the scope of the Stage 1 Planning Proposal.	Inform submitters of the upcoming public exhibition for the following strategies: <ul style="list-style-type: none"> <li>Local housing strategy,</li> <li>Rural Lands Strategy,</li> <li>Employment Lands Strategy,</li> <li>Scenic &amp; Cultural Lands Strategy,</li> <li>Urban Tree Canopy Plan &amp; Landscape Strategy, and</li> <li>Centres Strategy.</li> </ul>

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Strongly disagree with the over development of the Wollondilly area. Particular concern for the environment.</li> <li>Does not support further development similar to recent development at Myrtle Creek; concerns with creating future slum area.</li> <li>Does not support proposed amendments which seeks to rezone land within Thirlmere. On the basis of retaining the areas rural aspect and limiting the strain that more residents would place on infrastructure, schooling, amenities, water, and heritage listed Lakes. The increased rates would also make the area less affordable.</li> </ul>				
<b>Protecting land for agriculture</b> <ul style="list-style-type: none"> <li>Request for greater flexibility; Not all land within the RU2 Rural Landscape zone is suitable for agriculture and would require intensive fertilisation and increase of water storage for this to be workable.</li> <li>Being a primary producer is getting harder with our unpredictable weather and drought.</li> </ul>	07, 75	Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).	Not applicable to the scope of the Stage 1 Planning Proposal.	Inform submitters of the upcoming public exhibition for the following strategies: <ul style="list-style-type: none"> <li>Local housing strategy,</li> <li>Rural Lands Strategy,</li> <li>Employment Lands Strategy,</li> <li>Scenic &amp; Cultural Lands Strategy,</li> <li>Urban Tree Canopy Plan &amp; Landscape Strategy, and</li> <li>Centres Strategy.</li> </ul>
<b>Relevant land use zone</b> <ul style="list-style-type: none"> <li>Questions relevance of land use zone for submitters land.</li> <li>Seeks consideration of rezoning submitters land to R2 Low Density Residential so that the existing caravan park does not rely on existing use rights.</li> </ul>	10, 69	Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).	Not applicable to the scope of the Stage 1 Planning Proposal.	Inform submitters of the upcoming public exhibition for the following strategies: <ul style="list-style-type: none"> <li>Local housing strategy,</li> <li>Rural Lands Strategy,</li> <li>Employment Lands Strategy,</li> <li>Scenic &amp; Cultural Lands Strategy,</li> <li>Urban Tree Canopy Plan &amp; Landscape Strategy, and</li> <li>Centres Strategy.</li> </ul>
<b>Managing Bush Fire Prone Land</b> <ul style="list-style-type: none"> <li>Advocates for rural residential subdivision as a solution to enable better preparation for bushfires.</li> </ul>	04, 11	Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).	Not applicable to the scope of the Stage 1 Planning Proposal.	Share submission #11 with Council's representative on the Wollondilly/Wingecarribee Bush Fire Management Committee for action if appropriate.

MATTER RAISED IN SUBMISSION	SUBMISSION No.	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Advocates for an update to the Bush Fire Management and Hazard Reduction Plan for Eagle Creek, Theresa Park/Werombi.</li> </ul>				
<b>Significant Infrastructure</b> <ul style="list-style-type: none"> <li>Western Sydney Airport; State Government proposals for area will change development in Theresa Park as Western Sydney Airport comes on stream,</li> <li>Picton Bypass; Calls for the concept of a Picton Bypass to be retained. Especially after the evacuation of Tahmoor during the summer bush fires.</li> <li>Second river crossing over the Nepean River; A second exit over the Nepean River is required. Particularly to evacuate from floods and bushfire (It is noted that a number of submissions made a reference to the need for a second exit or bridge in advocating for further development in Silverdale area).</li> <li>Masterplan; Advocates for a masterplan for Silverdale similar to Wilton.</li> </ul>	04, 21, 39, 61	Refer to the general response to matters outside the scope of the Stage 1 Planning Proposal on page 20 (above).	Not applicable to the scope of the Stage 1 Planning Proposal.	None required.

**ATTACHMENT 6 – LEP Review Program Stage 1 Planning Proposal Submissions Matrix;  
Community & Stakeholder Submissions**

Submission No.	AMENDMENT No. <sup>1</sup>																							
	General		1	2				3			4		5		6			7	N/A					
	General matter related to Planning Proposal	Complexity of document	Concern with additional steps for approval	Issues covered by 'health consideration'	Concept of Amendment (health)	Concern with additional steps for approval	Greater protection for residential development	Concept of MRA	Suitability of Matter for consideration	MRA Boundary	Purpose of rezoning	Incorrect Address	General Support	Suggests alternative standards	Who benefits from sponsorship money	Review boundaries for zoning/Original holdings	Support for principle of subdivision	Principle of control	Future use of land	Land to which it applies	Principle of amendment	Principle of amendment	Matters outside the scope of the Stage 1 Planning Proposal	Advocates for further subdivision/rezoning
1																								
2																								
3																								
4																								
5																								
6																								
7																								
8																								
9																								
10																								
11																								
12																								
13																								
14																								
15																								
16																								
17																								
18																								
19																								
20																								
21																								
22																								
23																								
24																								
25																								
26																								

<sup>1</sup>  
 Amendment 1: Embedding Health in Land Use Planning  
 Amendment 2: Metropolitan Rural Area  
 Amendment 3: Rezoning Sydney Water Land  
 Amendment 4: Sponsorship advertising at sporting facilities  
 Amendment 5: Original holdings  
 Amendment 6: Land Reservation Acquisition  
 Amendment 7: Savings and Transition Provision



LEP Review Program Stage 1 Planning Proposal - Submissions Matrix; Community & Stakeholder Submissions

Submission No.	AMENDMENT No. <sup>1</sup>										N/A																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
	General	1	2			3	4	5	6	7																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
	General matter related to Planning Proposal Complexity of document Concern with additional steps for approval Issues covered by 'health consideration' Concept of Amendment (health) Concern with additional steps for approval Greater protection for residential development Concept of MRA Suitability of Matter for consideration MRA Boundary Purpose of rezoning Incorrect Address General Support Suggests alternative standards Who benefits from sponsorship money Review boundaries for zoning/Original holdings Support for principle of subdivision Principle of control Future use of land Land to which it applies Principle of amendment Principle of amendment Matters outside the scope of the Stage 1 Planning Proposal Advocates for further subdivision/rezoning																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
27																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				

LEP Review Program Stage 1 Planning Proposal - Submissions Matrix; Community & Stakeholder Submissions

Submission No.	AMENDMENT No. <sup>1</sup>																					N/A		
	General		1	2				3		4	5			6			7							
	General matter related to Planning Proposal	Complexity of document	Concern with additional steps for approval	Issues covered by 'health consideration'	Concept of Amendment (health)	Concern with additional steps for approval	Greater protection for residential development	Concept of MRA	Suitability of Matter for consideration	MRA Boundary	Purpose of rezoning	Incorrect Address	General Support	Suggests alternative standards	Who benefits from sponsorship money	Review boundaries for zoning/Original holdings	Support for principle of subdivision	Principle of control	Future use of land	Land to which it applies	Principle of amendment	Principle of amendment	Matters outside the scope of the Stage 1 Planning Proposal	Advocates for further subdivision/rezoning
61																							•	
62								•																
63																								
64								•															•	•
65												•												•
66												•												
67																		•						
68																							•	•
69																							•	
70	•																						•	
71				•				•																
72								•																
73								•																
74					•			•																
75																							•	•
76																							•	
77																							•	•
78	•				•								•								•			
79					•			•				•											•	•
80																							•	•
81	•																							
82	•																							
Total <sub>2</sub>	16	2	2	4	7	2	1	26	1	7	1	1	2	5	1	1	2	5	2	1	1	1	43	27

<sup>2</sup> Total = the no. of submissions that raised the matter.

ATTACHMENT 7

LEP REVIEW PROGRAM STAGE 1 PLANNING PROPOSAL; Table summarising feedback from Public Agencies & Adjoining Councils

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<b>Blue Mountains City Council</b>				
<ul style="list-style-type: none"> <li>Support the proposed introduction of a new local provision and associated mapping to protect and enhance the values of the Metropolitan Rural Area.</li> </ul>	2	Noted.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Suggest that the final drafting of the clause gives as strong a weight as possible to the protection of the MRA values in development assessment. In particular, wording to the effect of being satisfied that there is no adverse impact on the values of the MRA, not just that the values of the MRA be considered.</li> </ul>	2	<p>The legal drafting of the local environmental plan is undertaken by the NSW Government Parliamentary Counsel's Office.</p> <p>An instruction to draft legislation for this amendment would be made by the Department of Planning, Industry &amp; Environment following Council's support to finalise the planning proposal as Council does not have delegation to make the amendments.</p> <p>As part of this process, the 'instruction' includes advising the PCO of the issues to deal with and why they need to be dealt with. It is not considered appropriate at this stage to identify the proposed wording.</p> <p>Notwithstanding the procedural process, the description of the proposed amendment under Part 2 of the planning proposal has been set out to model the intended sequence and approach for a final clause.</p>	No changes proposed.	None required.

<sup>1</sup>

Amendment 1: Embedding Health in Land Use Planning  
 Amendment 2: Metropolitan Rural Area  
 Amendment 3: Rezoning Sydney Water Land  
 Amendment 4: Sponsorship advertising at sporting facilities  
 Amendment 5: Original holdings  
 Amendment 6: Land Reservation Acquisition  
 Amendment 7: Savings and Transition Provision

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
		The approach taken does not limit the application of the proposed amendment to consider only 'adverse' impacts. It is intended that the proposed clause could also add support to a development application.		
<ul style="list-style-type: none"> <li>Directs Council to aims and local provisions within the Blue Mountains LEP 2015 that speak to the protection of the environmental and cultural values of the area that may provide a reference of precedent Council may wish to use in negotiating the final drafting of the proposed Metropolitan Rural Area provision (noting that the Blue Mountains LGA is entirely classified as Metropolitan Rural Area)</li> </ul>	2	<p>The matters currently listed for consideration as part of the proposed Metropolitan Rural Area local provision have been identified on the basis of a review of the <i>Greater Sydney Region Plan</i> and the <i>Western City District Plan</i> and the 'values' these policies identify in discussing the Metropolitan Rural Area as relevant to Wollondilly and the approach taken in <i>Wollondilly 2040 Local Strategic Planning Statement</i>.</p> <p>The advice in this submission is noted. In particular, the Blue Mountains local environmental plan includes aims and local provisions which can inform future amendments to the Wollondilly local environmental plan following the completion of a number of technical studies currently being progressed as part of the Accelerated LEP Review Program.</p>	No changes proposed.	Advice to inform negotiations with the Parliamentary Counsel's Office, where relevant in drafting the legislation.
<b>Campbelltown City Council</b>				
<ul style="list-style-type: none"> <li>The proposed objectives and amendments are noted. Council would be pleased to be advised of future amendments and continue to collaborate on regional matters of relevance to our Local Government Areas.</li> </ul>	General	Noted.	No changes proposed.	None required.
<b>Department of Planning, Industry and Environment (Environment, Energy and Science Group (EES))</b>				
<ul style="list-style-type: none"> <li>Recommends alternative wording for the proposed new additional objective for E1, E2 and E3 zones:</li> </ul>	1	The purpose of the proposed amendment is to embed the consideration of 'health' in the assessment of development.	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<p>"To support the health and wellbeing of the community by protecting, <b><i>maintaining and enhancing</i></b> biodiversity and providing opportunities for people to engage with nature".</p>		<p>The suggested wording is not considered to add value to the proposed amendment and would shift the focus of the proposed new aim.</p>		
<ul style="list-style-type: none"> <li>Recommends alternative wording for the proposed new additional objective for the E4 zone:</li> </ul> <p>"To support the health and wellbeing of the community by <b><i>protecting, maintaining and enhancing</i></b> biodiversity and providing opportunities for people to engage with nature within a residential setting".</p> <p>Planning Priority W17 in the Greater Sydney Commission's Western City District Plan (Better Managing Rural Areas) refers to 'the creation of protected biodiversity corridors' (page 126).</p> <p>EES recommends specific reference is included to protect, maintain and enhance existing or potential corridor connections through the landscape within the Metropolitan Rural Area lands, for example protecting corridor connections between the Nepean River corridor and the Burragorang State Conservation Area, Nattai State Conservation Area and Nattai National Park.</p>	1	<p>The purpose of the proposed amendment is to embed the consideration of 'health' in the assessment of development.</p> <p>The suggested wording is not considered to add value to the proposed amendment and would shift the focus of the proposed new land use zone objective.</p> <p>It is important to note that the wording used for amendments to the Wollondilly Local Environmental Plan used throughout the planning proposal are indicative only. The final wording will be drafted by the NSW Parliamentary Counsel's Office by specialist lawyers after Council has resolved to support and finalise the amendments.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Recommends alternative wording for one of the matters (Enhancing Habitat and biodiversity) proposed to be considered for development applications in the Metropolitan Rural Area.</li> </ul> <p>Recommends this is amended so that the consent authority considers any impacts of the proposed development on: "<b><i>protecting, maintaining and enhancing</i></b> habitat, <b><i>corridor connections through the landscape</i></b> and biodiversity'.</p>	2	<p>The proposed amendment seeks to introduce a framework for the consideration of the values of the Shire's rural areas and incorporates succinct references for the matter to be considered.</p> <p>The proposed wording is not consistent with the proposed approach for other matters and is not considered appropriate for this section.</p>	No changes proposed.	Consider EES's submission as part of the development of any future planning controls proposed for inclusion in the development control plan to support the Metropolitan Rural Area clause.

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
		<p>It is important to note that the wording used for amendments to the Wollondilly Local Environmental Plan used throughout the planning proposal are indicative only. The final wording will be drafted by the NSW Parliamentary Counsel's Office by specialist lawyers after Council has resolved to support and finalise the amendments.</p> <p>It is recommended that the proposed clause should be supported by controls in the development control plan to provide further guidance. Any future controls within the development control plan would provide more detailed direction in applying the clause and could incorporate the suggested text/matter where appropriate.</p>		
<p><b>Removed matters; Koala habitat protection</b></p> <ul style="list-style-type: none"> <li>Notes the removal of an amendment to protect koala habitat corridors and the intention to progress a separate planning proposal. Supports the introduction of a local provision with associated mapping to protect known koala corridors and is available to assist Council to develop a local provision.</li> </ul>	N/A	<p>The proposed introduction of a clause related to koala habitat protection was removed from the planning proposal by the Department as it was considered to duplicate functions under the new Koala State Environmental Planning Policy (SEPP) which commenced on 1 March 2020.</p> <p>The content of the updated SEPP was not known at the time of the original planning proposal was prepared.</p> <p>Council is currently preparing a Koala Plan of Management in accordance with the SEPP. As part of this process further consideration will be given to whether there is still considered to be merit for a local provision within the local environmental plan.</p>	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Notes an inconsistency in terms of site references within the planning proposal;</li> </ul> <p>Map 2 in the proposal shows additional lots are proposed to be affected (Lot 1 DP</p>	3	<p>Agree that there is an inconsistency in terms of the site references within the planning proposal between the list of Sydney Water sites to be rezoned in Part 2 Explanation of Provisions and</p>	Remove mapping from Part 4 associated with 550 Wilton Road, Appin (Lots 1 to 3 in DP 808006 and Lots 3 & 4 in DP 1085929).	None required.

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
808006; Lot 2 DP 808006; Lot 3 DP 808006; Lot 3 DP 1085929 and Lot 4 DP1085929 at 500 Wilton Road Appin - see page 25) when compared to the lots included in the table on pages 10-11.		<p>proposed amendments to the Land Use Zone Map illustrated by the comparison map under Part 4 Mapping.</p> <p>Land at 550 Wilton Road, Appin is not listed at Part 2 but is identified on mapping at Part 4. On 16 December 2019 Council resolved to remove all land associated with 550 Wilton Road, Appin from the planning proposal. The retention of the mapping within the planning proposal is an oversight and should be removed.</p> <p>It is recommended that the need for this correction is recognised as part of any Council resolution to remove any ambiguity.</p>		
<ul style="list-style-type: none"> <li>Aerial photography shows that some the lots which are currently zoned RU1 and RU2 retain remnant bushland.</li> </ul> <p>The submission recognises that the objectives for the RU1 and RU2 land use zones make reference to 'maintaining and enhancing the natural resource base' whereas there is no similar objective under the proposed infrastructure zone.</p> <p>The submission also notes that Lot 24 Sec 1, DP 2893 still retains some vegetation on the eastern side of the lot which adjoins an E2 zoned riparian corridor along Stonequarry Creek.</p> <p>Where possible it is recommended Sydney Water retains any remnant native vegetation on the lots which are proposed to be rezoned to SP2.</p>	3	<p>The planning proposal seeks to rezone the land to more accurately reflect the current land use on the identified sites.</p> <p>It is also noted that operational infrastructure needs maintenance which can sometimes be achieved more easily under an infrastructure zone.</p> <p>An infrastructure zone will not remove the need for any future development to comply with statutory requirements in terms of vegetation.</p>	No changes proposed.	The submission will be shared with Sydney Water for their information as part of the future management of the sites.
<b>Department of Primary Industries – Agriculture (Land use)</b>				
<ul style="list-style-type: none"> <li>DPI Agriculture supports the proposal to introduce a clause in the LEP to embed considerations to protect and enhance the</li> </ul>	2	Noted.	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
values of the Metropolitan Rural Area (MRA).				
<ul style="list-style-type: none"> <li>The proposed requirement to consider adequate buffers to protect productive agriculture is supported.</li> </ul> <p>DPI Agriculture's document <i>Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline</i> may assist in the preparation of development controls for this purpose.</p> <p>Welcomes the opportunity to have input into any DCP controls relating to buffer distances for agriculture.</p>	2	Noted.	No changes proposed.	<p>Consider the <i>Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline</i> as part of the preparation of any supporting planning controls within the development control plan.</p> <p>Council will also consult with DPIE as part any future preparation of planning controls.</p>
<p><b>Incompatible land uses</b></p> <ul style="list-style-type: none"> <li>Supports the intent of the clause to prevent incompatible land uses but notes that the proposal does not indicate any intended changes to the Land Use Table of the LEP to alter the extent of permissible land uses in rural zones.</li> </ul> <p>Suggest that Council should review the extent of permissible land uses in rural zones and whether these are suitable within the context of the MRA.</p> <p>For example, funeral homes, places of worship, secondary dwellings and transport depots are permissible in the RU1 Primary Production and RU2 Rural Landscape zones. The rural land strategy may be the appropriate strategic mechanism to address this issue and inform a future LEP amendment.</p>	2	<p>A review of permissible land uses would need to be undertaken separately to the progress of the current planning proposal as it is not possible to include new amendments at this late stage.</p> <p>A review of the land use table is likely to be required in response to the Rural Lands Strategy which is currently under preparation.</p>	No changes proposed.	The submission will be shared with the relevant staff preparing the Rural Lands Strategy.
<p><b>Preserve land for productive rural uses</b></p> <ul style="list-style-type: none"> <li>Supports the intent of the proposed clause to preserve land for productive rural uses. However, recommends further clarification of what constitutes "productive rural uses".</li> </ul>	2	It is recommended that the proposed clause should be supported by controls in the development control plan to provide further guidance. Any future controls within the development control plan would provide more detailed direction in applying the clause and could	No changes proposed.	Consider DPI's submission as part of the development of any future planning controls proposed for inclusion in the development control plan to support the Metropolitan Rural Area clause.



MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
Rural land can be used for a range of productive uses, some of which can be incompatible with agricultural land uses, such as residential, tourism and some commercial or community land uses such as funeral homes, hospitals, mortuaries, places of worship, recreation (indoor) and (outdoor), and secondary dwellings.		provide further clarification on 'productive rural uses'.		
<b>School Infrastructure NSW (SINSW) – part of Department of Education</b>				
<ul style="list-style-type: none"> <li>Generally supportive of the proposed draft amendments to the WLEP 2011, subject to consideration of school heritage listings within the WLEP 2011. This will ensure that school infrastructure can be appropriately provided into the future to service a growing population.</li> </ul>	All	Noted. See below for heritage listings matter.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Requests that Council review the heritage listings and maps that apply to SINSW schools under Schedule 5 of the WLEP 2011. Heritage listings and mapping should only reflect the elements of significance rather than the entire site. This will ensure vital alterations and additions to non-heritage significant school elements can be carried out as exempt or complying development under <i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</i>, where appropriate.</li> </ul>	N/A	<p>Heritage listings tend to be applied to the whole lot. However, there are examples within the local environmental plan where only partial areas have been identified.</p> <p>Further evidence is likely to be required to support any amendment to the area identified on the Heritage Map.</p> <p>Further investigation is required to understand the merits of the suggested amendment and what information would be required.</p>	No changes proposed.	<p>Investigate the requested amendments further with SINSW.</p> <p>Seek advice from the NSW Government (DPIE and/or Heritage NSW) on the merits and what would be required to progress the requested amendments.</p>
<b>South Western Sydney Local Health District (SWSLHD)</b>				
<ul style="list-style-type: none"> <li>Applauds the inclusion of the health-focussed objective within the planning proposal.</li> <li>Acknowledges the integration of the health statement from the Community Strategic Plan into the Local Strategic Planning Statement and now the draft LEP document and that this approach is being translated to other councils across the Western Parkland City.</li> </ul>	1	Noted.	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<b>Transport for NSW (TfNSW)</b>				
<b>Property and Transport Reservations</b> <ul style="list-style-type: none"> <li>All existing TfNSW corridors and reservations need to be maintained and appropriately reflected in the Land Zoning and Land Reservation Acquisition maps as SP2 Infrastructure.</li> </ul> <p>TfNSW will provide shapefiles of its reservations under separate correspondence to assist Council in reflecting these requirements on request.</p> <p>No new reservations or SP2 zones relating to TfNSW are to be added (or removed), without prior written approval.</p>	6	The Planning Proposal does not include any amendments related to TfNSW corridors.	No changes proposed.	Request shapefiles from TfNSW to identify whether any amendments are required to the Land Reservation Acquisition Map and associated clause as part of a future amendment.
<ul style="list-style-type: none"> <li>Supports Councils approach to completing studies and strategies; in particular the draft housing and employment strategies.</li> </ul> <p>Welcomes the opportunity to continue to work collaboratively with Council on studies.</p>	General	Noted.	No changes proposed.	Consult with TfNSW as part of the finalisation of specialist studies.
<ul style="list-style-type: none"> <li>Consideration should be given to explicitly mention cycling provision/tree canopy/ weather protection/ etc in the commentary of 'walkable' in support of the health and well-being of the community.</li> </ul>	1	<p>Noted.</p> <p>If Council supports the finalisation of the proposed amendments to the local environmental plan there will not be a requirement to update the planning proposal document prior to submitting it to the NSW Government for finalisation.</p> <p>However, any future submission to the Department of Planning, Industry and Environment would be accompanied by the Council report including this attachment. Council is also likely to be required to provide the Department with a copy of the public agency submissions.</p>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
		The inclusion of additional commentary is not considered to add any additional value to the progress of the planning proposal at this late stage in the process. However, the identified links between elements of the built environment and health and wellbeing of the community are acknowledged.		
<b>Water NSW</b>				
<b>Support</b> <ul style="list-style-type: none"> <li>WaterNSW is generally supportive of the Proposal, particularly the new health-related provisions. However, further review of the LEP is required to align it with the final LSPS.</li> </ul>	General comment & 1	Noted.	No changes proposed.	None required.
<b>Advocacy for amendments</b> <ul style="list-style-type: none"> <li>Notes that feedback/suggestions for LEP amendments from Water NSW to the LSPS have not been addressed in the current planning proposal. Requests that the proposal clarifies how and when further reviews of the LEP will be undertaken to align it with the final LSPS.</li> <li>There are clear opportunities to optimise water management protection outcomes through further LEP amendments by aligning the LEP with the final Wollondilly 2040 LSPS and Wollondilly's recently exhibited Integrated Water Management Study and Policy.</li> </ul>	General	Noted.  The LEP Review Program tight timeframes set by the NSW Government have directed the scope and content of this initial planning proposal and has meant that only limited amendments could be progressed at this time.  In order to meet the program timeframes the planning proposal was progressed prior to the LSPS being finalised. It was not possible to consider the outcome of the public exhibition for that process to inform the scope of the Stage 1 Planning Proposal.  It is intended that updates to the local environmental plan in response to the broader LEP Review Program will be progressed in stages.	No changes proposed.	Meet with Water NSW to discuss potential future amendments to the local environmental plan.
<ul style="list-style-type: none"> <li>Recommends alternative wording for the proposed new additional Aim:  "to encourage development that supports the health and wellbeing of local resident,</li> </ul>	1	The current Aims of Plan already include aims that consider natural environment, particularly aims (a) and (c);  <i>(a) to provide for the management of natural resources and the</i>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<p>workers and visitors by promoting healthy built <b>and natural</b> environments'</p> <p>This would help protect the Special Areas and water quality in the Shire for both environmental and human health reasons, particularly given the significance of the Shire for Sydney's water supply.</p>		<p><i>protection of the natural landscape character.</i></p> <p><i>(c) to protect water quality in land that is situated within water supply catchments,</i></p> <p>The purpose of the proposed amendment is to embed the consideration of 'health' in the assessment of development.</p> <p>The suggested wording is not considered to add value to the proposed amendment and would shift the focus of the proposed new aim.</p>		
<ul style="list-style-type: none"> <li>Supports the new additional zone objective for the RU1, RU2 and RU4 zones which promotes the use of sustainable land management practices.</li> </ul>	1	Noted.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Recommends alternative wording for the proposed new zone objective for the E1, E2 and E3 zones:</li> </ul> <p>"To support the health and wellbeing of the community by protecting biodiversity <b>and water quality</b> and providing <b>suitable</b> opportunities for people to engage with nature."</p> <p>This suggestion is made given the importance of the Wollondilly Shire's drinking water supply, the need to protect Schedule 1 Special Area from illegal access, while taking into account community desires to experience nature.</p>	1	<p>The inclusion of a reference to 'suitable' is considered to have merit.</p> <p>It is important to note that the wording used for amendments to the Wollondilly Local Environmental Plan used throughout the planning proposal are indicative only. The final wording will be drafted by the NSW Parliamentary Counsel's Office by specialist lawyers after Council has resolved to support and finalise the amendments.</p>	Update the proposed new zone objective for the E1, E2 and E3 land use zones to refer to 'suitable' opportunities for people to engage with nature.	None required.
<ul style="list-style-type: none"> <li>Requests that the heads of consideration include "Protecting water catchments".</li> </ul> <p>This would help protect water quality in the SDWC as well as other catchments outside the SDWC. It also implicitly links</p>	2	Based on a review of the Greater Sydney Region Plan, the Western City District Plan and Wollondilly 2030 Local Strategic Planning Statement the suggested additional matter is considered to have merit for inclusion	Include 'protecting water catchments' as a matter for consideration.	None required.

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
with the health-based outcomes given effect by the Proposal.		and reflects one of the values of the Metropolitan Rural Area.		
<ul style="list-style-type: none"> <li>Supports the proposed amendments to clause 4.1B.</li> </ul>	5	Noted.	No changes proposed.	None required.
<ul style="list-style-type: none"> <li>Requests discussion of the Planning Proposal's consistency with Ministerial Direction 5.2 Sydney Drinking Water Catchments within the body of the proposal (i.e. within section B3.6) and not just in the summary table.</li> </ul>	All	<p>If Council supports the finalisation of the proposed amendments to the local environmental plan there will not be a requirement to update the planning proposal document prior to submitting it to the NSW Government for finalisation.</p> <p>However, any future submission to the Department of Planning, Industry and Environment would be accompanied by the Council report including this attachment. Council is also likely to be required to provide the Department with a copy of the public agency submissions.</p> <p>The objective of Ministerial Direction 5.2 Sydney Drinking Water Catchments is to protect water quality in the Sydney drinking water catchment. It applies when a planning proposal applies to land within the Sydney drinking water catchment.</p> <p>The planning proposal, in its current form, doesn't include any provision that will enable new development in the Sydney Drinking Water catchment and considered to be consistent with the Ministerial Direction.</p> <p>It is also noted that the recommended inclusion of an additional heads of consideration for the proposed Metropolitan Rural Area for 'protecting water catchments' will support the objective of the Ministerial Direction.</p>	No changes proposed.	None required.

MATTER RAISED IN SUBMISSION	Proposed LEP amendment <sup>1</sup> feedback relates to:	COUNCIL'S RESPONSE	DETAILS OF ANY CHANGES PROPOSED TO THE PLANNING PROPOSAL IN RESPONSE	OTHER ACTION REQUIRED
<ul style="list-style-type: none"> <li>Requests that any future amendment to align the LEP with the LSPS, considers the following matters:                             <ul style="list-style-type: none"> <li>Expand the Aims of the Plan to include explicit provisions for waterway and riparian protection, groundwater protection, stormwater management and water sensitive urban design.</li> <li>Include a local provision for stormwater management,</li> <li>expand the current Essential Services clause (cl. 7.1) to include 'stormwater drainage or on-site conservation'</li> <li>Implementing a standalone clause for the protection of groundwater.</li> </ul> </li> </ul>	N/A	Noted.	No changes proposed.	Consider suggestions when determining the scope of future amendments to the local environmental plan as part of the LEP Review Program.
<b>Wollongong City Council</b>				
<ul style="list-style-type: none"> <li>Council has no comment.</li> </ul>	N/A	Noted	No changes proposed.	None required.