

Planning Proposal

to amend Wollondilly Local Environmental Plan 2011

Land Adjoining Oakdale Public School

for the rezoning of land located at Lot 1 DP 835288 (No.1550) Burragorang Road, Oakdale



Introduction

This Planning Proposal has been prepared as a result of an application from SitePlus Pty Limited seeking an amendment to the provisions of Wollondilly Local Environmental Plan 2011 (WLEP 2011) as they apply to Lot 1 DP 835288 (No.1550) Burragorang Road, Oakdale.

A resolution to prepare the Planning Proposal and seek a Gateway determination was made by Council at its Ordinary Meeting held on Monday 16 July 2012. A copy of the Agenda and Minutes of this meeting are included as Attachment 1.

Site Details

The site is located on the northern side of Burragorang Road and west of the Oakdale Primary School.

The site currently features scattered remnant native vegetation throughout most of the site with the density and integrity of vegetation increasing towards the northern boundary. The vegetation on the site is identified as Shale Sandstone Transition Forest (SSTF) on the Office of Environment and Heritage Cumberland Plain Vegetation Mapping. SSTF is an Endangered Ecological Community. There is one dwelling on the site and the land has been used for low intensity cattle grazing. There are two earth dams within the site. Adjoining the site to the west, north and south west are rural properties.

Residential properties are located to the east and south east of the site. Oakdale Public School is adjacent to part of the eastern boundary of the site.

Immediately adjacent to the western boundary and extending north from Burragorang Road is a right of carriageway servicing four rural residential allotments to the west of the site. The right of carriageway is privately owned and the subject site does not have legal access rights to this carriageway.

The site and the general locality of Oakdale are within the Warragamba Special Area Schedule 2 land being a buffer to the strictly protected Schedule 1 lands surrounding Warragamba Dam.

Planning Proposals in the Locality

Council is currently dealing with three (3) Planning Proposals in the Oakdale locality being:

- this Planning Proposal;
- land in Egans Road, Oakdale (Gateway determination issued
- land adjoining Oakdale Sportsfields (in Council's Ordinary Meeting Agenda of 18 March 2013 pre-Gateway).

Part 1 – Objectives or Intended Outcomes

Key objective

The key objective of this Planning Proposal is:

To investigate the capabilities of the site for the potential future uses characteristic of low density residential and rural residential purposes.

The intended outcomes of the Planning Proposal are as follows:

- To ensure all potential issues related to strategic planning of the potential future development of the site are addressed satisfactorily
- To ensure biodiversity, water quality and other natural assets are protected.
- To ensure there is adequate infrastructure to service the likely future development of the site without compromising the standards of infrastructure provision for the locality
- To ensure there are no detrimental impacts to adjoining properties and the biodiversity and water quality standards for the locality
- To create opportunities for the development of the site for a range of housing types and the provision of infrastructure, services and facilities suitable to the needs of the existing and future community
- To create appropriate links and interfaces between the site and adjoining and nearby land uses.

Part 2 – Explanation of Provisions

The Planning Proposal seeks to amend the provisions of WLEP 2011 as they apply to the subject site to:

- change the Land Zoning Map from Zone RU1 Primary Production to part Zone R2 Low Density Residential and part Zone R5 Large Lot Residential (see Attachment 2);
- change the Lot Size Map such that the land in Zone R2 shall have a minimum lot size of 450 square metres and the land in Zone R5 shall have a minimum lot size of 4,000 square metres (see Attachment 3)
- change the Height of Buildings Map to impose a height limit of 9 metres for the entire site (see Attachment 4)
- inclusion of areas within the site containing Endangered Ecological Communities and habitat for threatened species and Endangered Ecological Communities in the Natural Resources – Biodiversity Map (note that these areas are yet to be determined by specialist studies).

Part 3 – Justification

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

This Planning Proposal is not the direct result of any strategic study or report although the site area is partly identified in the Wollondilly Growth Management Strategy 2011 (GMS) Structure Plan for Oakdale as 'potential residential growth area' (see Attachment 5). The GMS is discussed later with regard to this planning proposal.

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

The site is currently within Zone RU1 Primary Production with a minimum allotment size of 20 hectares. An amendment to the provisions of WLEP 2011 is the only means of achieving the objectives and intended outcomes to accommodate residential-scale development within the site.

Section B – Relationship to strategic planning framework

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

The planning proposal is consistent with the aims of the Metropolitan and sub-regional strategies in relation to providing a variety of new housing with the potential for efficient use and extension of existing infrastructure, services and facilities. The planning proposal would need to demonstrate consistency with strategies relating to biodiversity and natural assets to achieve sustainable outcomes. An evaluation of the capacity of infrastructure, services, facilities and the compatibility with natural assets is to be investigated with specialist studies.

Assessment Criteria

Does the proposal have strategic merit?

There is strategic merit in the proposal as a potential area to accommodate growth and expansion of the existing Oakdale locality. The site adjoins existing residential zoned land and land used for urban purposes. The site also adjoins existing utility services.

Relevant Section 117(2) Directions

Attachment 9 contains a checklist of the Directions in accordance with Section 117(2) to the *Environmental Planning and Assessment Act, 1979*. The Attachment also contains a discussion of the Directions which require detailed attention being:

- Direction 1.2 Rural Zones
- Direction 3.1 Residential Zones
- Direction 4.4 Planning for Bushfire Protection
- Direction 5.2 Sydney Drinking Water Catchments

With respect to Directions 3.1, 4.4 and 5.2 the Planning Proposal has the potential to comply as detailed in Attachment 9.

With respect to Direction 1.2, the Planning Proposal does not comply. Council requests the Director-General (or his delegate) make an exception for this Planning Proposal on the grounds that:

- the Growth Management Strategy identifies the site as potentially appropriate to accommodate the future residential growth immediately adjacent to the existing urban edge of Oakdale
- intends to investigate the consequences for potential agricultural production on adjoining and nearby land; and
- in the relative scale of the proportion of rural zoned land to urban zoned land in the Oakdale locality, this Planning Proposal is of minor significance.

4. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Wollondilly Council's Community Strategic Plan

The proposal has the potential to be consistent with the goals of Council's Community Strategic Plan as outlined below.

Environment

- *A community that is surrounded by a built and natural environment that is valued and preserved*
- *A community that has opportunities to engage with and actively care about their natural environment*

The significance of the natural assets within the site shall be determined by specialist studies and, if appropriate, management strategies can be recommended for the restoration and future protection of natural resources features. Remnant vegetation and the natural drainage system are likely to be recommended for retention, protection and enhancement with any future development of the site and water quality and quantity will be subject to further assessment in consultation with Sydney Catchment Authority.

Economy

- *A community that has access to employment and is supported through strong and diverse economic activity*
- *A community that is supported through appropriate, sustainable land use*

The development of the site can be expected to add to the local resident population and potentially increase the amount of local spending in the nearby commercial centres of Oakdale and The Oaks. Local employment created by the proposal would be limited to short term construction contracts.

Infrastructure

- *A community that has access to a range of viable transport options*
- *Communities that are supported by safe, maintained and effective infrastructure*

Oakdale is currently serviced by buses. The proposal is unlikely to change the frequency or capacity of existing bus services. Should the development proceed, shared pathways will be required to integrate the site with the adjoining primary school and the nearby commercial land in Oakdale to provide safe and convenient movement of pedestrians and cyclists.

Community

- *A resilient community that has access to a range of activities, services and facilities*
- *An engaged, connected and supported community that values and celebrates diversity*

The proposal has the potential to create a variety of lot sizes generally consistent with the variety of lots in the locality. The development is not of a scale that would be expected to change the diversity of the community nor the range of activities, services and facilities currently available in the locality.

Governance

- *A community that is supported through engagement, collaboration and partnerships across government agencies and private business*
- *A transparent, effective and sustainable Council*

The community engagement process recommended by this Planning Proposal is a 28 day public exhibition and community engagement / consultation of the Planning Proposal and supporting specialist studies. A local community meeting is considered unnecessary given the few responses

received. Consultation with public agencies is also recommended and will be guided by the instructions issued by the Gateway process.

Wollondilly Growth Management Strategy

The Growth Management Strategy (GMS) was adopted by Council on 21 February 2011. It contains Key Policy Directions and Assessment Guidelines for the evaluation of planning proposals and Council decisions on growth. All planning proposals will need to address and be consistent with these criteria.

Attachment 8 sets out the GMS Key Policy Directions and Assessment Criteria as they relate to this proposal.

In summary, the Planning Proposal has the potential to be consistent with the relevant Key Policy Directions and Assessment Criteria to the extent that can be determined at this time.

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

A review of State Environmental Planning Policies ('SEPPs') is included in Attachment 10.

Whilst a number of policies may be applicable at the development application stage those applicable to this planning proposal are:

*State Environmental Planning Policy no. 55 – Remediation of Land ("SEPP 55");
Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River 1997 ("SREP 20")
State Environmental Planning Policy (Sydney Drinking Water Catchments)*

SEPP 55

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

In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:

- (a) the planning authority has considered whether the land is contaminated, and;*
- (b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and;*
- (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.*

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

(2) Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.

(3) If a person has requested the planning authority to include land of a class identified in subclause (4) in a particular zone, the planning authority may require the person to furnish the report referred to in subclause (2).

(4) The following classes of land are identified for the purposes of this clause:

- (a) land that is within an investigation area,*
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*

- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:
- (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

The land was used for agricultural purposes. Agriculture is a potentially contaminating activity and accordingly a preliminary contaminated land investigation is expected to be undertaken prior to a decision as to whether the land may require remediation and has the potential to be used for residential and rural residential purposes.

SREP 20

Clause 4 of SREP 20 requires assessment of the general planning considerations set out in clause 5, and the specific planning policies and related recommended strategies set out in clause 6 in the preparation of an environmental planning instrument.

Consideration of the 'clause 5' matters is set out below

Matter	Comment
Aim of the Plan	An extension of the existing urban area of Oakdale will be subject to an assessment of a Total Water Cycle Management Plan in consultation with Sydney Catchment Authority.
strategies listed in the Action Plan of the Hawkesbury-Nepean Environmental Planning Strategy	Management of water quality impacts can be achieved through revegetation and management of the riparian corridor and use of Water Sensitive Design principles at development stage. Initial concepts for WSUD are expected to be included with the Total Water Cycle Management Plan
any feasible alternatives to the development	Alternatives are limited to housing in accordance with SEPP Seniors Housing. However, rezoning of the site is considered to have greater capacity to achieve future residential land uses which are more compatible with the site, surroundings and the availability of services and facilities in the local area.
relationship between the different impacts of the development or other proposal and the environment, and how those impacts will be addressed and monitored	The site is partially cleared with remnant and regrowth vegetation characteristic of SSTF. Options for ensuring this remnant vegetation and related habitat is conserved are expected to be examined further with specialist studies.

Consideration of the 'clause 6' matters is set out below:

Matter	Comment
1.Total catchment management	Future residential development has the potential to be serviced by reticulated water and sewer.
3.Water quality	A comprehensive Stormwater Management System based on principles of Water Sensitive Urban Design (WSUD) is expected to be included in a Total Water Cycle Management Plan should the Planning Proposal proceed.
5.Cultural heritage	A heritage assessment would be required to investigate the potential occurrence of items and places of Aboriginal significance. There are no items or places of European heritage significance within nor

	adjoining the site.
6. Flora & Fauna	The site is partially cleared and contains remnant SSTF a feature of <i>Cumberland Plain Woodland</i> . The land is not included within the priority conservation lands detailed in the State Government's <i>Cumberland Plain Recovery Plan</i> but the remnant SSTF vegetation is worth conserving as the site is not large enough for an offsetting opportunity.
10. Urban Development Strategy	This land adjoins existing urban land.
12. Metropolitan Strategy Impacts	The Metropolitan Strategy does not account for site constraints which define the capability of specific lots.

State Environmental Planning Policy (Sydney Drinking Water Catchments)

The site is within the Sydney Drinking Water Catchment and this Policy therefore applies to the Planning Proposal. The Planning Proposal has the potential to achieve the aims of the Policy through the preparation of a Total Water Cycle Management Plan to be submitted for assessment with other specialist studies and for assessment by Sydney Catchment Authority post-Gateway.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is generally consistent with applicable Directions as determined at this preliminary stage. (See Attachment 9 and Part 3 (4) above).

Section C – Environmental, social and economic impact.

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

A specialist study of flora, fauna and habitats is expected to be prepared should the Planning Proposal proceed. This study is expected to further inform decisions on the most appropriate means of protecting and enhancing biodiversity, managing bushfire hazard and accommodating future residential development within the site and for adjoining lands. Amendments to the Natural Resources – Biodiversity maps are to be considered based on the outcomes of the study of flora, fauna and habitats.

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

A range of specialist studies would be required to investigate environmental concerns identified and determine appropriate management solutions.

Supporting specialist studies required in terms of likely environmental effects would include the following:

- Total Water Cycle Management Plan including Flood Management and Stormwater Management Plan, surface and ground water impacts and management
- Aboriginal Archaeological and European Heritage Cultural Assessment
- Transport and Movement Assessment
- Bushfire Hazard Management Plan
- Phase 1 Contamination Assessment
- Salinity Assessment
- Flora, Fauna and Habitat Impact Assessment
- Riparian ecology assessment

- Capacity of infrastructure, services and facilities

9. How has the planning proposal adequately addressed any social and economic effects?

Future residential development of the site is expected to result in net positive social and economic impacts for the Oakdale locality such as increased local spending, opportunities for new integrating infrastructure such as reticulated sewer extension, share pathways and potential for upgrades of the local road network. Biodiversity protection and enhancement and improvements to water quality and quantity may also be achieved.

Section D – State and Commonwealth interests.

10. Is there adequate public infrastructure for the planning proposal?

The potential for the property to be serviced by essential infrastructure will need to be examined should the Planning Proposal progress.

The development needs to be connected to reticulated water and sewer. The development consent for reticulated sewer services to The Oaks, Oakdale and Belimbla Park areas has recently been amended to remove the mapped servicing boundaries. This site now has the potential to be provided with reticulated sewer services.

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

Consultation pre-Gateway

Sydney Catchment Authority (SCA)

SCA was consulted in accordance with the requirements of Direction 5.2 Sydney Drinking Water Catchment specified in Section 117 to the Environmental Planning and Assessment Act, 1979 (EP&A Act, 1979).

SCA provided informative comment on the land capability noting that:

- any development proposal must demonstrate a Neutral or Beneficial Effect (NorBE),
- the capacity of the site shall be subject to an investigation of soil suitability for on-site effluent disposal and the potential impacts of on-site disposal on the SSTF vegetation and habitat
- stormwater quality modelling is required with specific modelling parameters recommended
- preliminary advice based on Strategic Land and Water Capability Assessments is that reticulated sewer is essential to support redevelopment of lots any smaller than 4,000 square metres.

Further consultation with SCA is recommended should Council support the preparation of a draft Planning Proposal and forwarding to the Gateway.

Sydney Water Corporation

Sydney Water previously advised that reticulated sewer services were not available at the time of consultation. These conditions have since changed and reticulated sewer is potentially available to the site subject to the landowner / developer applying direct to Sydney Water once a development consent has been issued for the use of the land which requires reticulated sewer.

Post-Gateway Consultation

Subject to a positive Gateway determination and based on the identified issues and constraints, consultation is required with public agencies including but not limited to:

- Office of Environment and Heritage
- Sydney Catchment Authority
- Rural Fire Service
- Roads and Maritime Services
- Sydney Water Corporation
- Department of Education and Communities

Initial consultation has been undertaken with Sydney Catchment Authority (SCA) and Sydney Water and copies of the agency responses are included in Attachment 11. The response from Sydney Water has since been superseded by the amendment to servicing boundaries for reticulated sewer as described in 10 above. The issues raised by SCA are addressed in part by the change to Sydney Water's servicing capacity. Other issues raised by SCA are expected to be further investigated with specialist studies should the Planning Proposal proceed.

Part 4 – Mapping

Maps are being prepared in accordance the Standard Technical Requirements for LEP maps and are included in Attachments 2 to 4 inclusive. Adjustments are expected to be made to these maps subject to the recommendations of the specialist studies should the Planning Proposal proceed and subject to further instructions from the Gateway determination. Amendments to the Natural Resources – Biodiversity and Natural Resources – Water maps are also anticipated subject to recommendations from specialist studies and consultation with public agencies.

Part 5 - Community Consultation

Public Exhibition / Community Engagement

The Planning Proposal does not fall within the definition of “low impact” Planning Proposals and therefore it is recommended the proposal be subject to exhibition for a minimum of 28 days. The exhibition is recommended to include notification of the exhibition period via a notice in a local newspaper, a notice on Council's website and letters to adjoining and nearby landowners.

The written notice will:

- give a brief description of the objectives and intended outcomes of the Planning Proposal
- identify the land the subject of the Planning Proposal
- provide details of when and where the details of the Planning Proposal can be inspected
- give the contact details of Council for the receipt of submissions and for any enquiries; and
- indicate the last date for submissions to be received by council
- and include any other information as instructed by the Gateway process.

During the exhibition period, the following material will be made available for inspection (subject to any additional instructions from the Gateway process):

- the Planning Proposal
- the Gateway determination
- all specialist studies upon which the Planning proposal relies.

Initial (non-statutory) notification of the application for a Planning Proposal was conducted by Council whereby notified adjoining and nearby landowners for a period of 28 days prior to the Ordinary Council Meeting of 16 July, 2012. The details of submissions received in response are discussed in Attachment 1.

Part 6 – Project Timeline

Project detail	Timeframe	Timeline
Anticipated commencement date (date of Gateway determination)	6 weeks from submission to DP&I	Mid April 2013
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	6 week period after Gateway determination	End of May 2013
Anticipated timeframe for the completion of required technical information - after Specialist Study requirements determined	3 month period	August 2013
Commencement and completion dates for public exhibition period – after amending planning proposal if required, preparation of maps and special DCP provisions	2 month period	November / December 2013
Dates for public hearing (if required)	Not required	N/A
Timeframe for consideration of submissions	1 month	January 2014
Timeframe for the consideration of a proposal post exhibition including amendments and maps and report to Council	2 months	February / March 2014
Date of submission to the Department to finalise the LEP (including 6 week period for finalisation)	1 months	April 2014
Anticipated date RPA will make the plan if delegated	Not applicable	N/A
Anticipated date RPA will forward to the Department for notification	Not applicable	N/A

Based on the project timeline above it is anticipated that a time frame of approximately 13 months would provide sufficient time for the completion of the project and finalisation of the LEP amendments.

Attachments

Attachment 1 – Ordinary Meeting Agenda Item PE5 of 18 June, 2012 and Resolution No. 159/2012

Attachment 2 – Proposed Land Zoning Map

Attachment 3 – Proposed Lot Size Map

Attachment 4 – Proposed Height of Buildings Map

Attachment 5 – Structure Plan for Oakdale from Wollondilly Growth Management Strategy

Attachment 6 – Checklist Metropolitan Plan for Sydney 2036

Attachment 7 – Checklist Draft South West Subregional Plan

Attachment 8 – Checklist Wollondilly Growth Management Strategy

Attachment 9 – Checklist Section 117(2) Directions

Attachment 10 – Checklist State Environmental Planning Policies

Attachment 11 – Preliminary consultation responses from Sydney Water and Sydney Catchment Authority

Attachment 1

Ordinary Meeting Agenda Item PE5 of 18 June 2012 and Resolution No. 159/2012

WOLLONDILLY SHIRE COUNCIL

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 18 June 2012

PE5

Draft Planning Proposal - Land Adjoining Oakdale Public School 73SPER

TRIM 6649

APPLICANT:
OWNER:

Siteplus Pty Limited
MacBeth Family Trust



REPORT

EXECUTIVE SUMMARY

- Siteplus has submitted a draft Planning Proposal for land adjoining Oakdale Public School being Lot 1 DP 835288 (No. 1550) Burragorang Road, Oakdale.
- The request seeks to change the zoning of the land from Zone RU1 Primary Production to part Zone R3 Medium Density Residential, part Zone RE1 Public Recreation and part Zone R5 Large Lot Residential.
- The request has been subject to initial notification with mixed responses.
- Sydney Catchment Authority (SCA) has been consulted and has provided informative feedback on land capability, lot sizes and stormwater management requirements.
- Sydney Water Corporation can not provide a definitive response at this time due to the need to reallocate funding and resources.



- There have not been any disclosures of political donations made in regard to this application.
- It is recommended that Council support the preparation of a draft Planning Proposal which is different from the request in that the zoning of the land be part Zone R2 Low Density Residential and part Zone R5 Large Lot Residential and land within the site be set aside for a self-contained package water and sewage treatment plant.
- It is also recommended that the draft Planning Proposal be referred to the Gateway process with recommendations for a list of specialist studies and proposed methods of consultation and community engagement as detailed in this report.

BACKGROUND

Description of the site and surrounds

The site is located on the northern side of Burragorang Road and west of the Oakdale Public School as shown in Figure 1.

The site currently features scattered remnant native vegetation throughout most of the site with the density and integrity of vegetation increasing towards the northern boundary. The vegetation on the site is identified as Shale Sandstone Transition Forest (SSTF) on the Office of Environment and Heritage Cumberland Plain Vegetation Mapping. SSTF is an Endangered Ecological Community. There is one dwelling on the site and the land has been used for low intensity cattle grazing.

Adjoining the site to the west, north and south west are rural properties. Residential properties are located to the east and south east of the site. Immediately adjacent to the western boundary and extending north from Burragorang Road is a right of carriageway servicing four rural residential allotments to the west of the site.

The Oakdale locality is within the drinking water catchment to Warragamba dam.

An aerial photo of the site is included in Attachment 1 to this report.

The site and the general locality of Oakdale are within the Warragamba Special Area Schedule 2 land being a buffer to the strictly protected Schedule 1 lands surrounding Warragamba Dam.

The Request for a Draft Planning Proposal

The request for a draft Planning Proposal was submitted to Council in a format prepared in accordance with 'A Guide to Preparing Planning Proposals' Department of Planning, 2009. The request makes preliminary comment on the following matters in relation to the site and its setting:

- project objectives and justification
- adopted plans and strategies
- infrastructure and services
- rural character
- water quality and quantity
- geotechnical issues
- bushfire hazard
- natural assets (flora, fauna and water)
- transport and access.

The request proposed that the LEP be amended for the subject site as follows:

- change the Land Zoning Map (Ref. LZN_007B) to change the zoning of the land from Zone RU1 Primary Production to part Zone R3 Medium Density Residential, part Zone RE1 Public Recreation and part Zone R5 Large Lot Residential;
- change the Height of Buildings Map (Ref. HOB_007B) to introduce a building height limit of 9 metres for that portion of the site to be zoned residential (currently there is no height limit)

Change the Minimum Lot Size Map (Ref. LSZ_007B) to change the minimum lot size from 20 hectares to 700 square metres for land proposed to be Zone R3 Medium Density Residential and 4,000 square metres for land proposed to be in Zone R5 Large Lot Residential.

The request also proposed a subdivision layout to create within the land to be in Zone R3 Medium Density Residential:

- a large residue lot to contain the existing dwelling (approximately 12,400 square metres)
- a large lot for a potential child care centre adjoining the Public school (approximately 3,400 square metres)
- a large lot for a potential Seniors Housing development fronting Burragorang Road (approximately 9,600 square metres).
- larger lots on corner sites to potentially accommodate dual occupancy developments.

A concept plan showing the zoning and as prepared by the proponent is included in Attachment 2.

CONSULTATION

Sydney Catchment Authority (SCA)

SCA was consulted in accordance with the requirements of Direction 5.2 Sydney Drinking Water Catchment specified in Section 117 to the *Environmental Planning and Assessment Act, 1979* (EP&A Act, 1979).

SCA provided informative comment on the land capability noting that:

- any development proposal must demonstrate a Neutral or Beneficial Effect (NorBE),
- the capacity of the site shall be subject to an investigation of soil suitability for on-site effluent disposal and the potential impacts of on-site disposal on the SSTF vegetation and habitat
- stormwater quality modelling is required with specific modelling parameters recommended
- preliminary advice based on Strategic Land and Water Capability Assessments is that reticulated sewer is essential to support redevelopment of lots any smaller than 4,000 square metres.

Further consultation with SCA is recommended should Council support the preparation of a draft Planning Proposal and forwarding to the Gateway.

Sydney Water Corporation

Letters were sent seeking advice from Sydney Water on whether the site is to be serviced by reticulated sewer. The site is currently outside the mapped service area boundary for the West Camden Sewage Treatment Plant (STP) and a modification of development consent for the STP is required before Sydney Water can potentially provide services. This requires significant allocation of resources and funding by Sydney Water and a definitive response can not be provided at this time.

We will continue to seek confirmation from Sydney Water regarding this matter but in the meantime a draft Planning Proposal must require the provision of an on-site, self-contained package treatment plant if the site is to support lot sizes less than 4,000 square metres.

The matter of availability of reticulated sewer can be highlighted in the request to the Gateway process so that Sydney Water may be required to give a response to the Minister for Planning and Infrastructure or his delegate at that time.

Initial Notification

Initial notification resulted in six (6) written responses which are summarised in Table 1 below.

Table 1 – Summary of submissions received in response to initial notification

Issues Raised which are relevant to the assessment of the application
• Support
• Neutral • Request additional information
• Neutral • Request additional information
• Objection • Prefer rural community and character • Increased population with inadequate infrastructure and services • Protect water catchment
• Objection • Medium density will change demographic • Medium density will change rural nature • Insufficient infrastructure and services (including emergency services and health services) • Additional traffic near school • Harrison Lane is a private carriageway and can not be used for the development site • Proposed seniors housing lacks public transport and facilities • Lack of community support services • No pre-school, child care centre or kindergarten • Limited public recreation • Expansion of Oakdale Commercial area unlikely
• Objection • Too many dwellings and smaller dwellings not compatible with rural character • Increase in traffic – school car park already very busy and reduces safety for children walking and riding bikes • Inadequate services, facilities and public transport for additional dwellings and seniors housing • Potential for polluted runoff into water catchment lands • Harrison Lane a private road • Additional driveway crossings to Burraborang Road would be dangerous for traffic • Not concerned at current lack of existing services, facilities and commercial premises

None of the matters raised in submissions warrant the refusal of the request at this time. Comments on the issues raised are included in the section of this report titled 'Relevant Considerations'.

Relevant Managers and Specialist staff within Council

A copy of the request for a draft Planning Proposal was circulated to relevant specialist staff within Council being:

- Manager Community Services
- Manager Infrastructure Planning
- Manager Environmental Services
- Manager Development Services
- Manager Facilities & Recreation
- Development Engineer
- Traffic Engineer
- Design Engineer

No issues were identified which would warrant the refusal of the request at this time. Matters relating to land proposed to be in Zone RE1 Public Recreation are discussed in the section of this report titled 'Relevant Considerations'.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

Environment

- A community that is surrounded by a built and natural environment that is valued and preserved
- A community that has opportunities to engage with and actively care about their natural environment

The significance of the natural assets within the site shall be determined by specialist studies and, if appropriate, management strategies can be recommended for the restoration and future protection of natural resources features. Remnant vegetation and the natural drainage system are likely to be recommended for retention, protection and enhancement with any future development of the site.

Economy

- A community that has access to employment and is supported through strong and diverse economic activity
- A community that is supported through appropriate, sustainable land use

The development of the site can be expected to add to the local resident population and potentially increase the amount of local spending in the nearby commercial centres of Oakdale and The Oaks. Local employment created by the proposal would be limited to short term construction contracts.

Infrastructure

- A community that has access to a range of viable transport options
- Communities that are supported by safe, maintained and effective infrastructure

Oakdale is currently serviced by buses. The proposal is unlikely to change the frequency or capacity of existing bus services. Should the development proceed, shared pathways will be required to integrate the site with the adjoining Public school and the nearby commercial land in Oakdale to provide safe and convenient movement of pedestrians and cyclists.

Community

- A resilient community that has access to a range of activities, services and facilities
- An engaged, connected and supported community that values and celebrates diversity

The proposal has the potential to create a variety of lot sizes generally consistent with the variety of lots in the locality. The development is not of a scale that would be expected to change the diversity of the community nor the range of activities, services and facilities currently available in the locality.

Governance

- A community that is supported through engagement, collaboration and partnerships across government agencies and private business
- A transparent, effective and sustainable Council

The community engagement process recommended for the draft Planning Proposal (should Council support the project) is a 28 day public exhibition of the draft Planning Proposal and supporting specialist studies. A local community meeting is considered unnecessary given the few responses received.

POLICIES & LEGISLATION

- *Environmental Planning and Assessment Act, 1979*
- *Environmental Planning and Assessment Regulation, 2000*
- *Standard Instrument (Local Environmental Plan) Order*

RELEVANT CONSIDERATIONS

1. Zone R3 Medium Density Residential

The request for a draft Planning Proposal includes changing the zoning of part of the site to Zone R3 Medium Density Residential. The objectives for this zone as listed in WLEP 2011 are:

- To provide for the housing needs of the community within a medium density residential environment
- To provide a variety of housing types within a medium density residential environment
- To enable other land uses that provide facilities and services to meet the day to day needs of residents
- To encourage the provision of affordable housing

In comparison, the existing residential land within Oakdale is in Zone R2 Low Density Residential for which the objectives are:

- To provide for the housing needs of the community within a low density residential environment
- To enable other land uses that provide for facilities and services to meet the day to day needs of residents

The differences between the land use tables for each zone show that the following land uses are permissible with consent in Zone R3 but not Zone R2:

- attached dwellings
- group homes and hostels
- multi-dwelling housing
- residential flat buildings
- serviced apartments.

The minimum lot size for land in Zone R3 is 975 square metres which reflects the intention for amalgamation of land to achieve medium density development sites capable of supporting multi dwelling housing, attached dwellings and residential flat buildings.

The minimum lot size in Zone R2 ranges from 975 square metres for unsewered land to 250 square metres in the Bingara Gorge Estate at Wilton.

There are existing areas of Zone R3 Medium Density Residential area those adjoining the commercial centres of The Oaks, Picton, Tahmoor, Thirlmere and Bargo. The criteria used to select areas for Zone R3 Medium Density Residential with the implementation of the Standard Instrument LEP are listed in the Medium Density Review by Rohan Dickson and Associates (RDA) for Council as:

- Proximity to existing retail areas and public transportation, prioritising the zoning of appropriate sites within distances of no more than approximately 400 metres from these amenities to encourage more pedestrian-friendly urban design.
- The existing character and built heritage of areas and the impact of our recommendations on these community assets.
- The proposed future character of each community
- Current zoning constraints, including areas that are ill-suited for medium density residential development and zones that cannot currently be changed.
- Environmental constraints, including areas prone to flooding.

Based on these criteria, RDA did not recommend medium density residential land in the Oakdale locality.

It is considered more compatible with the existing potential constraints of the site and the character of the Oakdale locality that Council support that area of the site requested as Zone R3 Medium Density to be Zone R2 Low Density Residential. A map of the recommended zoning is included in Attachment 3.

2. Essential Services – Reticulated Sewer

Reticulated sewer provided either by Sydney Water Corporation or by way of an on-site package treatment plant is essential to support the potential development of the land for lots of a rural-residential and / or residential scale.

Council can support the request and prepare a Draft Planning Proposal only if either (i) Sydney Water Corporation confirm reticulated sewer services can be provided to future residential allotments, or (ii) provisions are made for an on-site package sewage treatment plant within the site. Under either option, other constraints are required to be investigated to ensure that the future lot sizes shall be compatible with the requirements for having a Neutral or Beneficial Effect (NorBE) and no significant detrimental impact to the SSTF and habitat for SSTF within the site.

3. Public Recreation Space and Stormwater Management

The request proposes part of the site to become Zone RE1 Public Recreation which would require the dedication of this land to Council. The request states that the land proposed to be within Zone RE1 is likely to contain a stormwater management system, a natural drainage line, a proposed public road and an access path for pedestrians and cyclists through the site to Blattman Avenue and the Oakdale Public School.

Council has not identified a need for this form of public open space in this locality and Council is not supportive of taking care, control and ownership of a stormwater management system servicing new private allotments particularly when that stormwater management system is likely to be of a high standard and cost for operation and maintenance given the sensitivity of the site within the catchment. Public access can be achieved without the need to dedicate the land to Council or rezoning to Zone RE1 Public Recreation.

Council can support the request subject to the land that may be required for stormwater management being included in private land. It is also recommended that the land required for stormwater management be included in the minimum number of future private allotments to ensure consistency of management and maintenance. Therefore this land should be included in Zone R5 Large Lot Residential.

To achieve public access for pedestrians and cyclists through the site to Blattman Avenue and Oakdale school, Council can require the provision of a shared pathway within the public road reserve. The location of roads and shared pathways shall be subject to further investigation as the draft Planning Proposal proceeds.

4. Growth Management Strategy

The site is indicated in the Structure Plan for Oakdale as potentially accommodating residential growth.

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Table 2 summarises the Key Policy Directions of the Growth Management Strategy that are relevant to the assessment of the request for a draft Planning Proposal. Comments as to how the Policy Directions relate to the request are also included in the table.

Table 2 – Comments on Key Policy Directions of the GMS as they relate to the request for a draft Planning Proposal

Key Policy Direction	Comment
General Policies	
<i>P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.</i>	The proposal, as noted throughout this table, satisfies this Key Policy Directions to the extent that can be determined at this time.
<i>P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)</i>	For those elements which can be determined at this time, the Planning Proposal has the potential to be reasonably consistent with the elements of 'rural living' (see Table 3 below).
<i>P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.</i>	Initial notification indicates three (3) objections. The issues raised that are relevant to the request are examined in Section 5 below. Further engagement is required with public exhibition of specialist studies and relevant issues shall be further examined
<i>P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.</i>	The request does not mention personal financial circumstances of the land owner(s).
<i>P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).</i>	The scale of the request is considered to be compatible with, and proportional to, the scale and character of the Oakdale locality subject to Council supporting a change to the request to replace Zone R3 Medium Density with Zone R2 Low Density Residential.
Housing Policies	
<i>P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.</i>	The GMS identifies the need for growth and expansion of Oakdale in proportion to the scale of the existing village and its facilities and services.
<i>P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing</i>	There is potential to create opportunities for a variety of housing types from small lots and dual occupancies to large residential lots. Seniors housing may also be permitted with consent subject to compliance with the provisions of State Environmental Planning Policy (Seniors Housing)

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Key Policy Direction	Comment
<i>needs of its different community members and household types.</i>	2004
<i>P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the 'rural fringe').</i>	Dwelling densities are likely to be determined by the capability of the land to be serviced by reticulated sewer and / or on-site wastewater disposal, the protection of SSTF and habitat for SSTF and the management of stormwater
<i>P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.</i>	The site adjoins the existing urban edge of Oakdale.
Macarthur South Policies	
<i>Key Policy Directions P11, P12, P13 and P14 are not applicable to this Planning Proposal. The subject land is not with the Macarthur South area</i>	Not applicable
Employment Policies	
<i>P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes</i>	The future development of the site may create short term construction contracts but does not directly provide long term direct employment.
<i>P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.</i>	The proposal does not include Employment Lands.
Integrating Growth and Infrastructure	
<i>P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community.</i>	The capacity and practicality of infrastructure and services is to be investigated with specialist studies and the Gateway process.
<i>P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.</i>	Provision of services and infrastructure can potentially be provided through efficient extension of existing installations subject to agreement from service providers. With the potential to accommodate approximately 200 new residents there may be an increased patronage of local businesses and improved local market for new services and facilities

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Key Policy Direction	Comment
<i>P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.</i>	The site complies
<i>P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.</i>	The site complies
Rural and Resource Lands	
<i>P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.</i>	Specialist studies are required to determine the significance and management requirements for the natural assets of the site. Development shall only be supported if it can be demonstrated that future changes are compatible with the natural assets within the site and the level of protection required for the Warragamba catchment
<i>P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.</i>	Not applicable.

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Rural Living Criteria

Table 3 – Comments on Features of Rural Living in relation to the request for a draft Planning Proposal

Characteristic of Rural Living	Comment in relation to request for draft Planning Proposal
1. Rural setting and character The rural setting is obvious, with farmland and natural areas located between separate towns and villages connected by rural-type roads	The site currently contributes to the rural setting of Oakdale. Future development of the site will mean that the rural setting may be provided by adjoining land further from the village centre. Large residential lots are proposed for part of the rural-urban interface of the site. Particular urban design elements will be required to integrate that part of the site proposed as Zone R2 Low Density Residential with adjoining rural land to the west.
2. Viable agriculture Agriculture and associated industries continue to be a productive, sustainable and visible part of our economy, our	Agricultural uses on surrounding and neighbouring land will need to be provided with appropriate buffers to protect the right to farm



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Characteristic of Rural Living	Comment in relation to request for draft Planning Proposal
community and our landscape	
3. Lifestyle Residents experience and value living within a rural setting irrespective of where and how they live – ie., Whether or not they live in a town, a village, on a rural-residential holding or on a farm for example	Can not be determined at this time but can be encouraged by giving appropriate design treatments to the perimeter of the site to ensure integration between new urban and existing rural land
4. Community Spirit Community spirit and involvement thrive in the towns and villages with separate but interrelated identities	Can not be determined but can be encouraged by providing shared pathways linking the site to Oakdale village and school to increase opportunities for social and leisure interactions between new residents and the existing Oakdale community
5. Environment and heritage The Shire's natural and man-made settings have environmental and cultural heritage significance for our communities – these elements include its waterways and catchments, natural areas, aboriginal heritage, agricultural landscapes, rural heritage and its towns and villages	The significance of natural and cultural assets can be investigated with specialist studies and recommendations made accordingly.
6. Towns and Villages Separate towns and villages (and particularly their centres) are focal points which provide opportunities – working, shopping, business, leisure, civic events, community facilities, education and social interactions	Oakdale village has a limited variety of services and facilities and growth is to be proportional to those limitations in conjunction with environmental limitations
7. Buildings and development New development aims to be sympathetic to the existing form and traditional character of our built environment which is an integral part of our townscapes, rural landscapes and cultural heritage	The scale and density of new development is expected to be potentially compatible with the existing form and character of Oakdale provided that the land is considered for Zones R2 and R5, that remnant vegetation is retained and protected, that natural drainage is managed and enhanced and that suitable design elements are implemented at the rural-urban interface
8. Roads and Transport Residents understand the factors which contribute to the Shire's overall high car-dependence but nevertheless seek opportunities to reduce car reliance and to use alternative modes of transport	Traffic and Transport studies shall be required to make recommendations on accommodating new households which shall be highly car dependent but to also make recommendations to maximise opportunities for movement by modes other than private cars.
9. Infrastructure and services Residents understand that despite the benefits of rural living, it can also mean having to deal with lower levels of services and infrastructure	Reticulated sewer services, potable water and electricity services are essential for a change to residential zoning. Capacity for servicing will need to be determined before rezoning can occur. The close proximity to the Public school is an advantage for potential future residents. Limited services and facilities in Oakdale may remain

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Characteristic of Rural Living	Comment in relation to request for draft Planning Proposal
	unchanged with the proposed development. However, with the potential to accommodate approximately 200 new residents there may be an increased patronage of local businesses and attraction for new services and facilities

5. Issues raised in response to Initial Notification

The issues raised in submissions which are relevant to the assessment of the request are summarised below. Each issue is followed by comments in relation to the request for a draft Planning Proposal to the extent that can be determined at this early stage of the process.

5.1 Rural / existing character

As discussed in Section 1 'Zone R3 Medium Density Residential' it is recommended that, should Council support the preparation of a Draft Planning Proposal for the site, Zone R3 Medium Density Residential not be applied to the site. Instead it is recommended that a draft Planning Proposal investigate the potential for accommodating Zone R2 Low Density Residential and Zone R5 Large Lot Residential within the site subject to determining the limitations of the site as described throughout this report.

Ensuring that any future development of the site is compatible with existing and surrounding land uses is a high priority for this project.

5.2 Protect water catchment

As stated above and throughout this report, the future scale and nature of development shall be largely determined by the methods for stormwater and wastewater management to the standards required for Schedule 2 lands. These parameters shall be defined by SCA and SCA must be satisfied that future development can comply with these standards before any development can be supported.

5.3 Lack of Infrastructure, Services, Public Transport

Potable water, reticulated sewer and electricity are essential and must be available before future residential development can be supported on the site. The capacity and availability of these essential services will be determined before Council makes a final recommendation to the Minister.

The limited services and facilities in Oakdale village including public transport are acknowledged but are not critical to supporting future residential development. There is some (unreliable) potential for an approximate 10% increase in the local population to attract more services and facilities to Oakdale.

5.4 Increased traffic and reduced safety

The privately owned right of carriageway adjacent to the western boundary of the site can not be used for vehicular access for the site.

A detailed Traffic and Movement study is recommended to investigate potential impacts of future development. It is acknowledged that new households will be highly car dependent but the study will be expected to make recommendations to maximise opportunities for movement by modes other than private cars and to protect and, where possible, improve safety for existing traffic, cyclists and pedestrians.

FINANCIAL IMPLICATIONS

Application fees have been paid for this request and payments in accordance with Council's Fees and Charges are expected to cover the administrative costs and costs of staff resources in dealing with the draft Planning Proposal.

This matter has no financial impact on Council's adopted budget or forward estimates.

CONCLUSION

1. Draft Planning Proposal

The request for a draft Planning Proposal should not be supported in the form submitted by the proponent.

The site has potential for further investigation to accommodate new residential lots subject to the provision of:

- potable water
- reticulated sewer services
- electricity
- stormwater management and onsite wastewater management compliant with the standards set by SCA.

It is recommended that Council support the preparation of a draft Planning Proposal for the site which investigates the potential for amending WLEP 2011 to:

- change the zoning of the site from Zone RU1 Primary Production to part Zone R5 Large Lot Residential and part Zone R2 Low Density Residential;
- change the minimum lot size to 4,000 square metres for land within Zone R5 and 450 square metres for land within Zone R2;
- change the Height of Buildings Map to introduce a height limit of 9 metres throughout the site;
- identification of any SSTF or habitat for SSTF of significance on the Natural Resources – Biodiversity Map.

2. Recommended Specialist Studies

The following specialist studies are recommended to be undertaken to investigate the capacity of the site for accommodating future development as anticipated by the abovementioned changes to WLEP, 2011:

- Stormwater Management Plan in accordance with standards and requirements identified by SCA
- groundwater and surface water impact assessment in accordance with requirements specified by SCA
- On-site Wastewater Package Treatment Plant design details in accordance with standards specified by SCA
- Flora and Fauna Assessment in accordance with requirements specified by the Office of Environment and Heritage (OEH) and addressing the Cumberland Plain Woodland Recovery Plan
- Aboriginal archaeological and cultural assessment in accordance with requirements specified by OEH
- Transport and Movement in accordance with requirements specified by Council
- Bush fire hazard management plan in accordance with requirements of NSW Rural Fire Service (RFS)
- Phase 1 Contamination Assessment
- Salinity Assessment

3. Recommended Consultations

Consultation with the following government agencies and departments is considered necessary:

- SCA
- Sydney Water Corporation
- OEH
- NSW RFS
- RMS

The Gateway process may recommend additional consultation requirements.

4. Recommended Community Engagement

Community engagement considered appropriate for the draft Planning Proposal is a 28-day public exhibition period during which time:

- notification letters shall be sent to owners of land adjoining or in close proximity to the site;
- a notice shall be placed in a local newspaper providing details of the public exhibition period and process;
- the draft Planning Proposal, supporting studies and other relevant documentation shall be available for viewing on Council's web site, at Council's Administration Building and (subject to the agreement of the proprietor) at The Dome mixed business premises, Burragorang Road.

The Gateway may determine additional or alternative requirements for community engagement.

ATTACHMENTS

1. Annotated aerial photo of the subject site.
2. Draft layout of future land zoning changes as requested by the proponent.
3. Draft layout of future land zoning changes as recommended in this report.

RECOMMENDATION

1. That Council prepare a draft Planning Proposal for land adjoining Oakdale Public School being Lot 1 DP 835288 (No. 1550) Burragarang Road, Oakdale.
2. That the draft Planning Proposal seek to change the Wollondilly Local Environmental Plan to:
 - change the zoning of the site to part Zone R2 Low Density Residential and part Zone R5 Large Lot Residential as shown in Attachment 3 to this report
 - change the Lot Size Map such that land in Zone R2 shall have a minimum lot size of 450 square metres and land in Zone R5 shall have a minimum lot size of 4,000 square metres
 - change the Height of Buildings maps to impose a 9 metre height limit for the entire site
 - inclusion of significant Endangered Ecological Communities and Habitat for Endangered Ecological Communities in the Natural Resources – Biodiversity Map.
3. That Council submit the draft Planning Proposal to the Minister for Planning and Infrastructure for a Gateway determination and include the following recommendations for consideration in the Gateway process:

Supporting specialist studies required:

- Stormwater Management Plan in accordance with standards and requirements identified by SCA
- Groundwater and surface water impact assessment in accordance with requirements specified by SCA
- On-site Wastewater Package Treatment Plant design details in accordance with standards specified by SCA
- Flora and Fauna Assessment (in accordance with requirements specified by the Office of Environment and Heritage (OEH) and addressing the Cumberland Plain Woodland Recovery Plan
- Aboriginal archaeological and cultural assessment in accordance with requirements specified by OEH
- Transport and Movement in accordance with requirements specified by Council

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- Bush fire hazard management plan in accordance with requirements of NSW Rural Fire Service (RFS)
- Phase 1 Contamination Assessment
- Salinity Assessment.

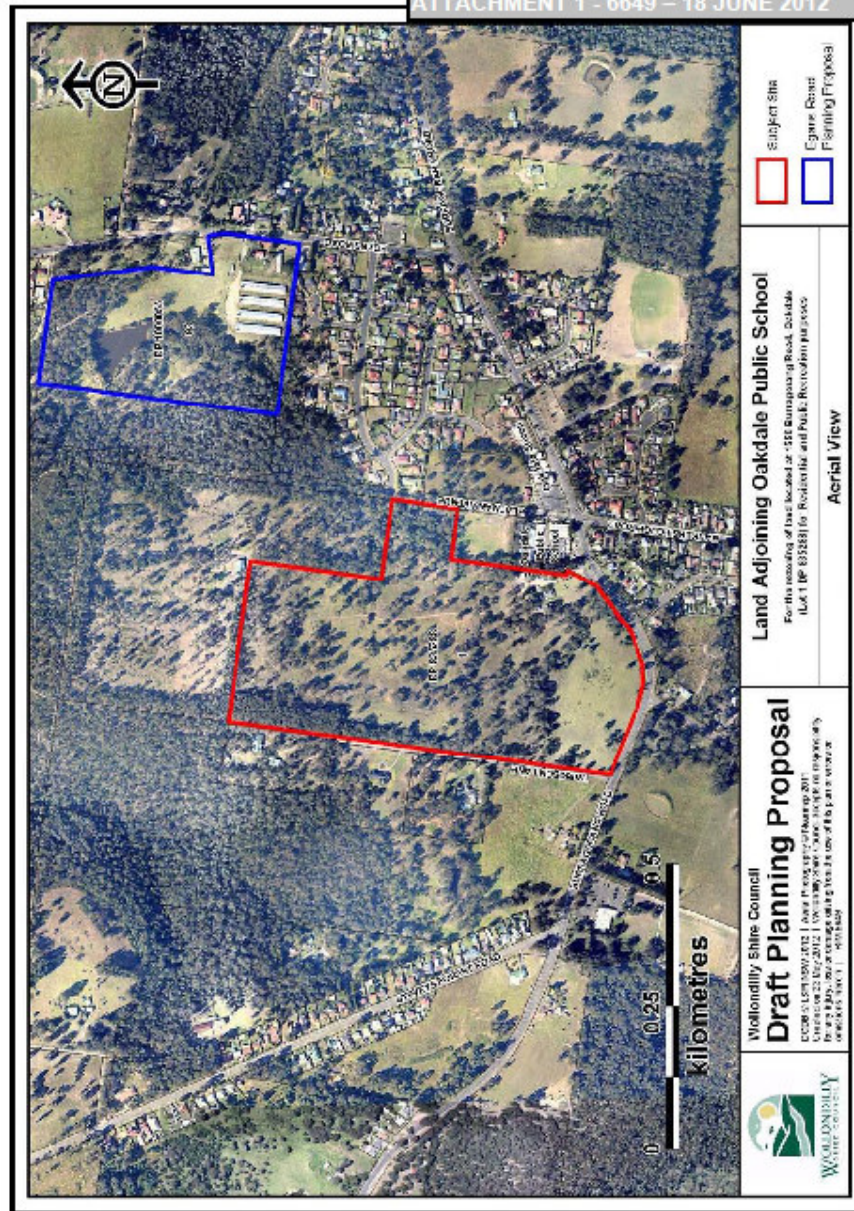
Consultation required with the following agencies and departments:

- SCA
- Sydney Water Corporation
- OEH
- NSW RFS
- RMS.

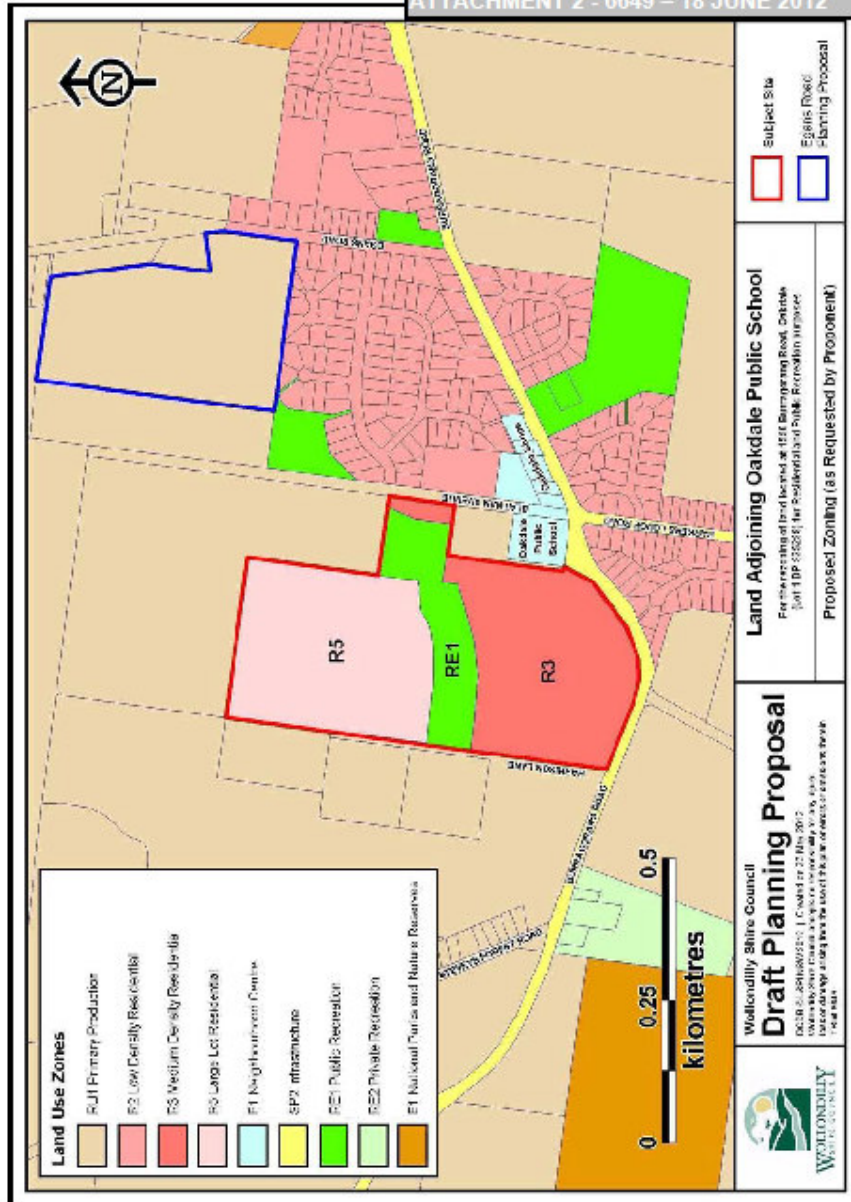
4. That Community Engagement to take the form of a 28 day public exhibition of the draft Planning Proposal, supporting studies and other relevant documentation.
5. That the proponent and those who made a written submission to the initial notification be informed in writing of this recommendation.

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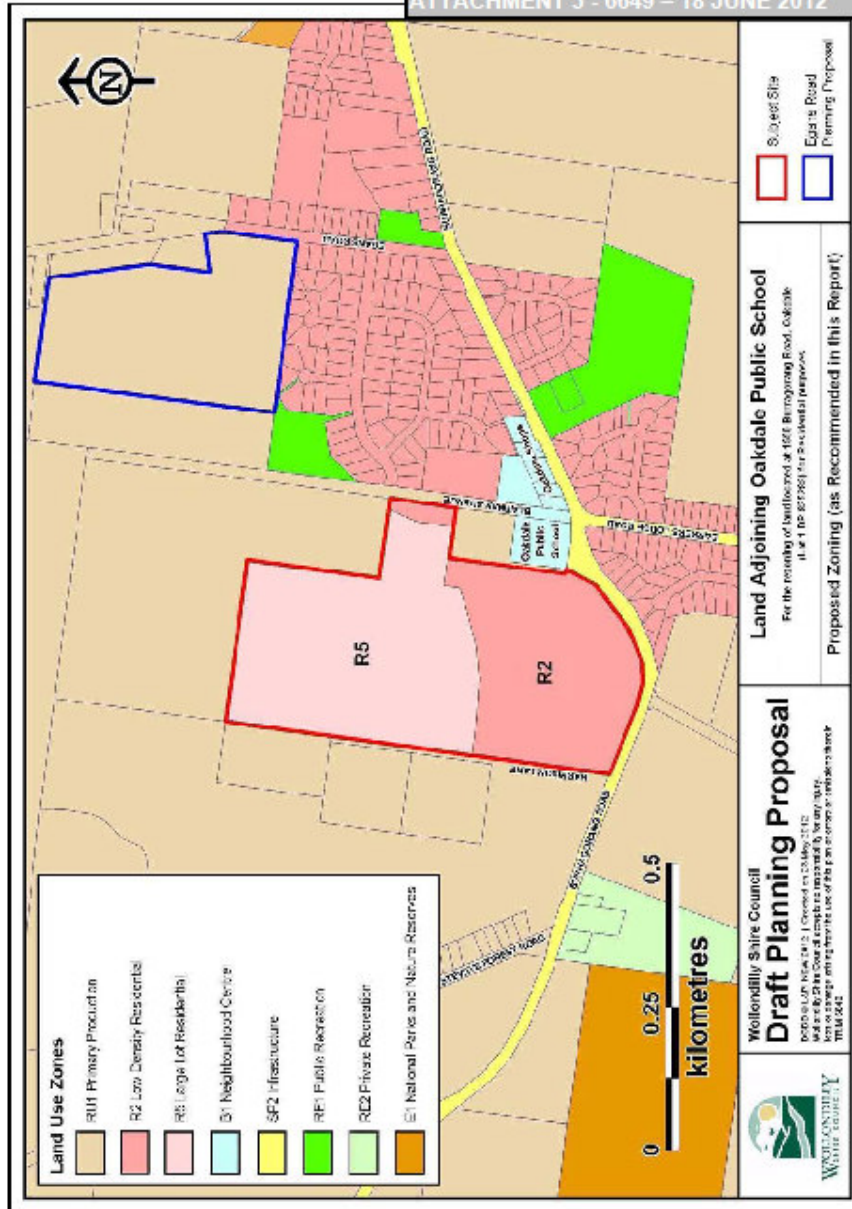


ATTACHMENT 2 - 6649 – 18 JUNE 2012



Planning & Economy

ATTACHMENT 3 - 6649 – 18 JUNE 2012



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WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber,
62-64 Menangle Street, Picton, on Monday 18 June 2012, commencing at 6.32pm

Wollondilly Shire and Its Planning and Economy

PE5 Draft Planning Proposal - Land Adjoining Oakdale Public School
73SPER TRIM 6649

116/2012 Resolved on the motion of Crs Hannan and Landow:

That the draft Planning Proposal for land adjoining Oakdale Public School being Lot 1 DP 835288 (No. 1550) Burragorang Road, Oakdale be deferred and placed in the Agenda for the Council meeting on 16 July, 2012.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs M Banasik, Vernon, Khan, B Banasik, Landow, Hannan and Mitchell

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WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 16 July 2012, commencing at 6.30pm

Wollondilly Shire and Its Planning and Economy

PE4 Draft Planning Proposal - Land Adjoining Oakdale Public School
73SPER TRIM 6649

159/2012 Resolved on the motion of Crs Hannan and Landow:

1. That Council prepare a draft Planning Proposal for land adjoining Oakdale Public School being Lot 1 DP 835288 (No. 1550) Burratorang Road, Oakdale.
2. That the draft Planning Proposal seeks to change the Wollondilly Local Environmental Plan to:
 - change the zoning of the site to part Zone R2 Low Density Residential and part Zone R5 Large Lot Residential as shown in Attachment 3 to this report
 - change the Lot Size Map such that land in Zone R2 shall have a minimum lot size of 450 square metres and land in Zone R5 shall have a minimum lot size of 4,000 square metres
 - change the Height of Buildings maps to impose a 9 metre height limit for the entire site
 - inclusion of significant Endangered Ecological Communities and Habitat for Endangered Ecological Communities in the Natural Resources – Biodiversity Map.
3. That Council submit the draft Planning Proposal to the Minister for Planning and Infrastructure for a Gateway determination and include the following recommendations for consideration in the Gateway process:

Supporting specialist studies required:

- Stormwater Management Plan in accordance with standards and requirements identified by SCA
- Groundwater and surface water impact assessment in accordance with requirements specified by SCA
- On-site Wastewater Package Treatment Plant design details in accordance with standards specified by SCA
- Flora and Fauna Assessment (in accordance with requirements specified by the Office of Environment and Heritage (OEH) and addressing the Cumberland Plain Woodland Recovery Plan
- Aboriginal archaeological and cultural assessment in accordance with requirements specified by OEH



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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 16 July 2012, commencing at 6.30pm

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- Transport and Movement in accordance with requirements specified by Council *which shall include, but not be limited to, the identification of all access points to future development which shall be located so as to minimise the impact on neighbouring dwellings and in particular on the dwellings to the West of the subject land.*
- Bush Fire Hazard Management Plan in accordance with requirements of NSW Rural Fire Service (RFS)
- Phase 1 Contamination Assessment
- Salinity Assessment.

Consultation required with the following agencies and departments:

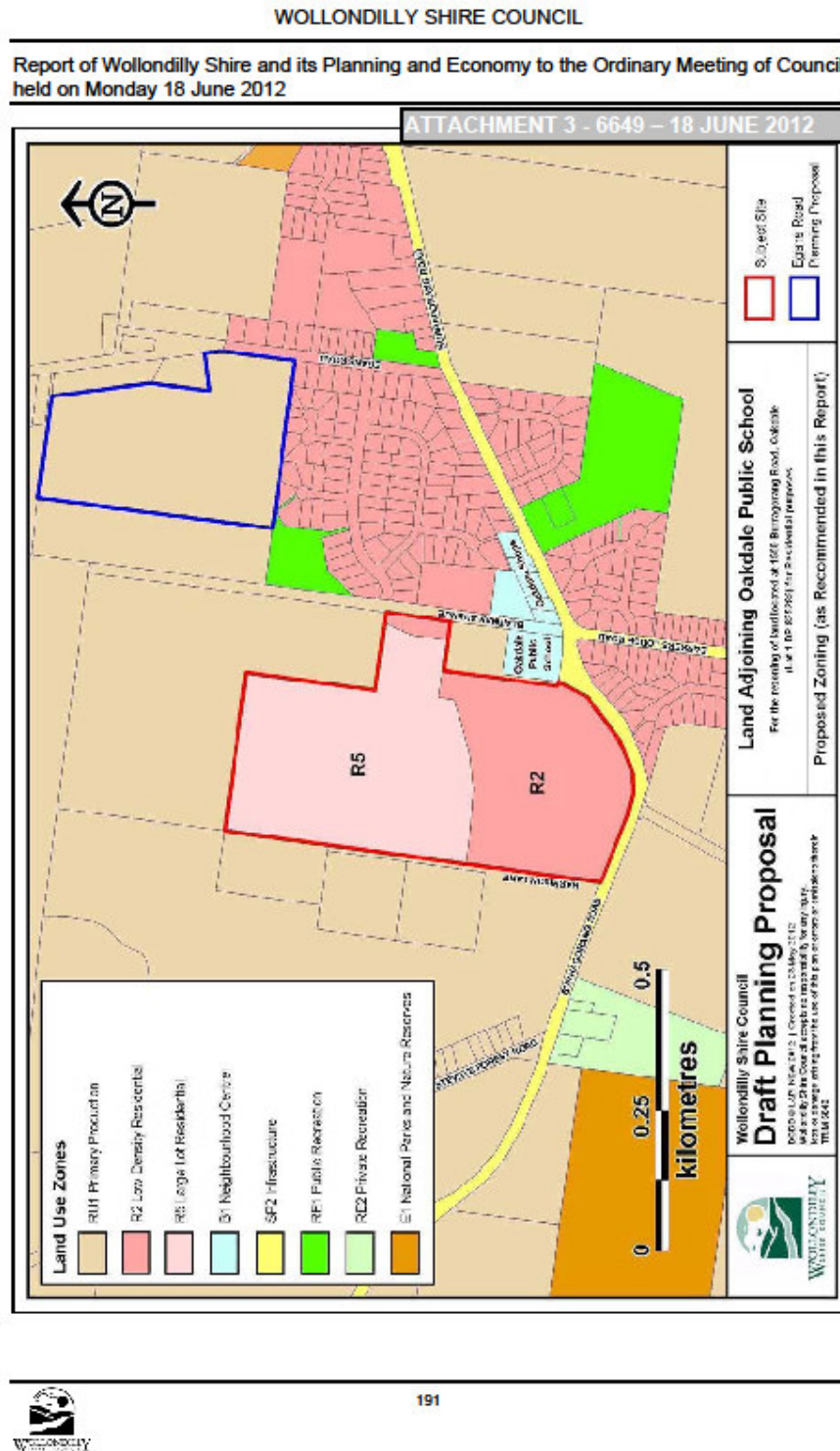
- Sydney Catchment Authority
 - Sydney Water Corporation
 - Office of Environment and Heritage
 - NSW Rural Fire Service
 - Roads and Maritime Service.
4. That Community Engagement to take the form of a 28 day public exhibition of the draft Planning Proposal, supporting studies and other relevant documentation.
5. That the proponent and those who made a written submission to the initial notification be informed in writing of this recommendation.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs M Banasik, Vernon, B Banasik, Landow, Hannan and Mitchell



Attachment 2 - Proposed Land Zoning Map

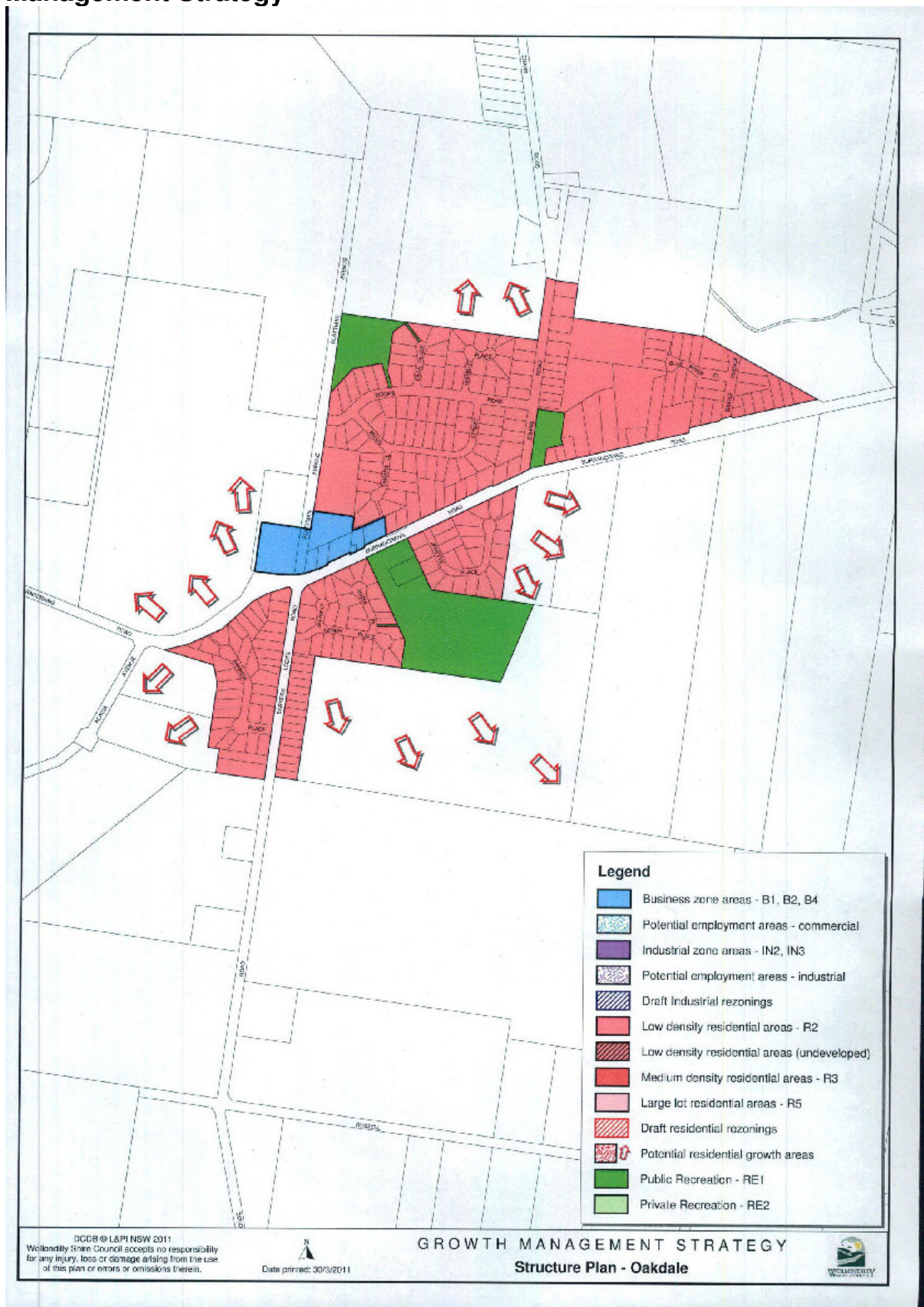


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Attachment 3 – Proposed Lot Size Map

Attachment 4 – Proposed Height of Buildings Map

Attachment 5 – Structure Plan for Oakdale from Wollondilly Growth Management Strategy



Attachment 6

Checklist of Relevant Objectives in the Metropolitan Plan for Sydney 2036

Objective Reference No.	Objective	Comment relative to the Planning Proposal for Queen Victoria Memorial Hospital	Consistent?
A	<i>Strengthening the City of Cities</i>		
A2	To achieve a compact, connected, multi-centred and increasingly networked city structure	This Planning Proposal does not contribute to this objective	Not consistent
A2.1	Consider City of Cities structure	This Planning Proposal does not contribute to the city structure and network	Not consistent
A3	To contain the urban footprint and achieve a balance between Greenfields growth and renewal in existing urban areas	This Planning Proposal will potentially facilitate development on a Greenfield site.	Insufficient information to determine
A8	Plan and coordinate delivery of infrastructure to meet metropolitan housing and employment growth targets	Infrastructure will be necessary for the future residential development. Agencies shall be consulted to determine infrastructure availability should the Planning Proposal proceed.	To be investigated
B	<i>Growing and Renewing Centres</i>		
B1	Focus activity in accessible centres	The Planning Proposal is not consistent with this objective as Oakdale is not an 'accessible centre'	Not consistent
B1.3	Aim to locate 80% of all new housing within walking catchments of existing and proposed centres of all sizes with good public transport	The site has the potential to provide housing within walking distance of the existing public school and the established commercial area of Oakdale	Consistent
B2	To strengthen major and specialised centres to support sustainable growth of the city	The Planning Proposal is not consistent with this objective	Not consistent

C	<i>Transport for a Connected City</i>		
C2	To build on Sydney's strengths by further integrating transport and land use planning and decision-making to support increased public transport mode share	The capacity of existing public transport shall be investigated with a specialist Transport and Movement study should the Planning Proposal proceed	To be investigated
D	<i>Housing Sydney's Population</i>		
D1	To ensure an adequate supply of land and sites for residential development	The Planning Proposal has the potential to contribute to housing supply	Consistent
D1.1	Locate at least 70 percent of new housing within existing urban areas and up to 30 percent of new housing in new release areas	The Planning Proposal has the potential to create new housing on a Greenfield site. The future development would be a minor contribution to the target	Consistent
D1.2	Reflect new subregional housing targets in Subregional Strategies and Local Environmental Plans and monitor their achievement	Monitoring of targets has not yet been established at subregional and LEP level.	Insufficient information to determine
D2	To produce housing that suits our expected future needs	There is potential for provision of a variety of new housing with a variety of lot sizes from 450 to 4,000 square metres	Consistent
D3	To improve housing affordability	The Proposal has potential to add to local housing supply and represents a significant increase to the housing market in the immediate locality	Consistent
D4	Improve the quality of new housing development and urban renewal	Quality of new housing is a matter to be determined by future development applications. Determining lot sizes and zoning boundaries compatible with the features of the site can contribute to potential future housing quality	Consistent
E1	To ensure adequate land supply for economic activity, investment and jobs in the right locations	There is potential for short term construction employment and longer term increased patronage of local services	Consistent
E2	To focus Sydney's economic growth and renewal, employment and education in centres	This Planning Proposal will not prevent the achievement of this objective	Consistent
E4	To provide for a broad range of local employment types in dispersed locations	There is potential for short term construction employment	Consistent

F1	To contain Sydney's urban footprint	This development is not consistent with containment of urban growth	Not consistent
F2	To maintain and protect agricultural activities and resource lands	The site is not currently used for commercial agriculture. The potential for rural land use conflict will be further investigated if the Planning Proposal progresses	To be investigated
G1	To reduce Sydney's Greenhouse gas emissions	The potential impacts would need to be investigated with a specialist study	To be investigated

G3	To integrate environmental targets into land use planning	Environmental targets may be implemented for the site with the potential for restoration and management of native vegetation and riparian areas	Consistent
G4	To improve the health of waterways, coasts and estuaries	Riparian areas are to be investigated with specialist studies should the Planning Proposal proceed	Consistent
G4.1	Achieve water quality outcomes by embedding water sensitive urban design principles and stormwater and catchment objectives and targets in local plans	WSUD principles are more appropriately implemented with any future development applications however concept WSUD principles for the site can be included in a Total Water Cycle Management Plan should the proposal proceed.	Consistent
G4.2	Guide councils in mapping significant riparian corridors	Riparian corridors are to be identified and mapped in accordance with specialist studies should the Planning Proposal proceed	Consistent
G6	To protect Sydney's unique diversity of plants and animals	Specialist studies shall investigate flora, fauna and habitats with the intention for protection and enhancement. The intention is to apply the Natural Resources – Biodiversity and Natural Resources – Water map layers to the site	To be investigated
G7	To improve Sydney's air quality	To be determined by specialist studies	Consistent

G8	Minimise household exposure to unacceptable noise levels	There are no known noise nuisances in the locality which require specialist studies	Consistent
G8.1	Avoid noise-based land use conflict through strategic planning and the development assessment process	Buffers to adjoining rural land uses are to be considered in any future development assessment process and specialist studies for bushfire hazard assessment and rural land use conflict will contribute to informing refinement of lot sizes and building siting.	To be investigated
H1	To ensure equity, liveability and social inclusion are integrated into plan making and planning decision making	The site is an extension of the established Oakdale urban area and is a logical progression for growth and expansion provided the future development is compatible with the constraints of the site and surrounds	To be investigated
H2	To ensure appropriate social infrastructure and services are located near transport, jobs and housing	Public transport and alternative transport options are limited. Local employment opportunities are very limited	To be investigated
H2.1	Plan and coordinate the effective and timely provision of social infrastructure and services	The capacity of local social services and infrastructure are limited. Contributions are expected to result in accordance with Council's Contributions Plan	To be investigated

H4	To continue to identify, enliven and protect places of special cultural, social and community value	Specialist studies of Aboriginal and European heritage significance are expected should the Planning Proposal proceed.	Consistent
H4.4	Strengthen cultural and related activities through identification and protection of appropriate venues, places and clusters	See above	Consistent
I1	To integrate decision-making across government to achieve plan directions	Public agency consultation is expected should the Planning Proposal proceed.	Consistent
I2	To develop strongly integrated land use and infrastructure planning processes	Capacity of essential infrastructure and services will be investigated to determine if the site is suitable for future residential development	Consistent
I3	To align subregional planning with the strategic directions of the Metropolitan Plan	This Planning Proposal contains a checklist on potential consistency with both the Metropolitan Plan (this table) and the Draft South West Subregional Plan (Attachment 7)	Consistent

Attachment 7

Checklist of Relevant Objectives in the Draft South West Subregional Strategy

Objective / Action Reference	Objective	Comment relative to the Planning Proposal for Queen Victoria Memorial Hospital	Consistent?
C1	<i>Ensure adequate supply of land and sites for residential development</i>		
C1.1	Provide 30-40 per cent of new housing in land release areas Provide detailed planning for up to 7,000-8,000 lots per year and infrastructure from 2007-2008	The site is not within a land release area. There is insufficient data available to determine the relative potential contribution of this site to the rate of new housing development in the South West Sydney Region	Insufficient information to determine
C1.2	Apply sustainability criteria for new urban development Assess proposed land releases against sustainability criteria and infrastructure funding Provide 60-70 per cent of new housing in existing urban areas Set subregional housing capacity targets	Sustainability criteria checklist is included in the table below Infrastructure funding shall be investigated This proposal does not provide new housing within an existing urban area The Planning Proposal has the potential to contribute to the supply of new housing and to the housing targets	Consistent To be investigated Not consistent Consistent
C2.1	Focus residential development around centres, town centres, villages and neighbourhood centres	The site adjoins an existing urban area	Consistent
C2.2	Ensure LEPs provide for appropriately located and an adequate amount of housing for seniors and people with a disability	SEPP Seniors Housing is potentially applicable to the site if the zoning is changed to Zone R2 Low density residential	Potentially consistent subject to investigation of site suitability
C2.3	Provide a mix of housing	There is potential for the Planning Proposal to result in a variety of lot sizes from 450 square metre minimum to 4,000 square metres minimum which is expected to translate into some housing variety	Potentially consistent subject to investigation of site suitability
C4	Improve housing affordability	The extent to which the potential development of the site will impact on housing affordability is yet to be determined	To be investigated

C5	Improve the quality of new development and urban renewal Guide design quality content of DCPs and LEPs Identify landmark and exemplary sites and instigate processes to promote excellence in design and planning	Further investigation into the heritage and landscape and scenic elements of the site and its setting are required	To be investigated
D3	Influence travel choices to encourage more sustainable travel Improve local and regional walking and cycling infrastructure through implementation of the Planning Guidelines for Walking and Cycling	Transport levels of service will need to be investigated should the Planning Proposal proceed. There are opportunities for linking the site with a broader local network of shared pathways	To be investigated

E1	<i>Establish targets for sustainable growth</i> Establish environmental targets Ensure planning and infrastructure decisions are made in the context of achieving multiple outcomes: environmental, social and economic	No targets have been set for sustainable growth The Planning Proposal aims to investigate the potential for protection and enhancement of the natural assets within the site being vegetation, habitats and surface and ground water. The Planning Proposal will investigate contamination. There are potential social and economic benefits which may contribute to the future sustainable development of the site subject to further investigation of essential services, facilities and links with other land uses	To be investigated
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E2	<i>Protect Sydney's Natural environment</i>		
E2.1	Improve the health of waterways, coasts and estuaries Embed stormwater and catchment objectives and targets into local planning instruments Undertake stream mapping to identify regionally significant riparian corridors important for protection of aquatic and terrestrial biodiversity values and include in local planning instruments Promote water sensitive urban design and improve stormwater management by ensuring development is consistent with strategic stormwater management plans Implement environmental flows to improve waterway health as outlined in the Metropolitan Water Plan Work with Catchment Management Authorities and local communities to link waterway health initiatives with urban renewal through the provision of open space, better urban design and coordinated stormwater planning	Specialist studies will be conducted on the riparian areas within the site to determine the most appropriate means for protection and enhancement and to guide future WSUD throughout the site The existing surface water patterns are to be investigated for potential inclusion on the Natural Resources – Water map Further consultation with Sydney Catchment Authority is anticipated should the Planning Proposal proceed	To be investigated
E2.2	Protect Sydney's unique diversity of plants and animals Support Councils in the development of LEPs that achieve biodiversity	Those parts of the site likely to contain habitat and riparian buffers are to be recognised in the Natural Resources – Biodiversity and Natural Resources – Water maps so that any future development may be consistent with the objectives of clauses 7.2 and 7.3 to the WLEP 2011	To be investigated

E2.3	Improve Sydney's air quality	Yet to be determined	Consistent
E2.4	Protect Aboriginal cultural heritage	A study specialising in places and items of Aboriginal significance is expected to be conducted should the Planning Proposal proceed	To be investigated
E2.5	Minimise household exposure to unacceptable noise levels	There are no known noise nuisances in the locality.	Consistent

E3	<i>Achieve sustainable use of natural resources</i>		
E3.1	Contain Sydney's urban footprint Apply sustainability criteria for new urban development outside the Growth Centres	The site is not within the existing Metropolitan urban footprint Sustainability criteria checklist – see below	Not consistent See below for sustainability criteria checklist
E4	<i>Protect valuable rural activities and rural resources</i>		
E4.1	Maintain rural activities and resource lands	The site is not currently used for commercial agriculture. Provisions will need to be made for minimising rural land use conflict for adjoining rural lands	To be investigated
E4.2	Protect resource lands from incompatible and inappropriate uses Focus land releases in Growth Centres Implement sustainability criteria for new land releases	The viability of adjoining and nearby lands for agricultural productivity will need to be investigated should the Planning Proposal proceed.	To be investigated
E4.3	Provide greater certainty to encourage investment in resource lands Provide a consistent approach to the zoning system in rural lands and ensure that resource lands are maintained and protected from incompatible and inappropriate uses	See above	To be investigated

F1	<i>Increase access to quality parks and public spaces</i>		
F1.3	Improve access to waterways and links between bushland, parks and centres Continue to develop framework for integrated network of regional recreational trails as part of the open space system in partnership with local government, NPWS and the RMS	Specialist studies are expected to identify opportunities for habitat links, movement links and networks within and adjoining the site should the Planning Proposal proceed	To be investigated

F2	<i>Provide a diverse mix of parks and public spaces</i>		
F2.1	Improve the quality of local open space	The Planning Proposal does not include the direct provision of public open space. Developer Contributions can be levied for financial contributions towards public open space	Consistent
G1	<i>Align subregional and local planning with strategy aims</i>		
G1.2	Improve local planning and assessment Ensure LEPs are consistent with subregional plans	This checklist has been completed in order to assess potential alignment of the Planning Proposal with the Subregional Plan. At this time further investigation is needed to determine the extent to which the proposal may be consistent with the goals	Mostly consistent with some issues to be investigated

Sustainability Criteria

1. Infrastructure Provision	
Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way	To be investigated
Development is consistent with any relevant residential development strategy, subregional strategy, regional infrastructure plan and Metropolitan Strategy	See Attachments 6, 7 and 8
The provision of infrastructure (utilities, transport, open space, and communications) is costed and economically feasible based on Government methodology for determining infrastructure contribution	To be investigated
Preparedness to enter into development agreement.	To be investigated

2. Access	
Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided	To be investigated
Accessibility of the area by public transport and appropriate road access in terms of: — Location/land use; to existing networks and related activity centres. — Network: the areas potential to be serviced by economically efficient public transport services. — Catchment: the area's ability to contain, or form part of the larger urban area which contains adequate transport services. - Capacity for land use/transport patterns to make a positive contribution to achievement of travel and vehicle use goals	To be investigated
No net negative impact on performance of existing subregional road, bus, rail, ferry and freight network	To be investigated
3. Housing Diversity	
Provide a range of housing choices to ensure a broad population can be housed	Potential variety of housing will be reflected in a variety of lot sizes but in general the character is expected to be low density and large lot residential which is typical of the existing character of the locality
Contributes to the geographic market spread of housing supply, including any government targets established for aged, disabled or affordable housing	See above
4 Employment Lands	
5 Avoidance of Risk	
Land use conflicts, and risk to human health and life, avoided	To be investigated
Available safe evacuation route (Flood and Bushfire).	To be investigated
No residential development within 1:100 floodplain	The site is unlikely to be flood affected but this is to be investigated
Avoidance of physically constrained land: high slope; highly erodible	To be investigated
Avoidance of land use conflicts with adjacent, existing or future land use and rural activities as planned under regional strategy	To be investigated
6 Natural Resources	
Natural resource limits not exceeded/ environmental footprint minimised.	Opportunities to protect and enhance the natural assets are to be investigated
Demand for water does not place unacceptable pressure on infrastructure capacity to supply water and on environmental flows.	To be investigated
Demonstrates most efficient/suitable use of land. — Avoids identified significant agricultural land. — Avoids impacts on productive resource lands; extractive industries, coal, gas and other mining, and quarrying	To be investigated

Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy; Requires demonstration of efficient and sustainable supply solution	To be investigated
7 Environmental Protection	
Protect and enhance biodiversity, air quality, heritage, and waterway health	To be investigated
Consistent with Government approved Regional Conservation Plan (if available).	There are no Regional Conservation Plans that apply to the site
Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DEC and DPI). This includes regionally significant vegetation communities; critical habitat; threatened species; populations; ecological communities and their habitats	The site is not large enough to achieve a 'maintain or improve' outcome at a regional scale. Threatened species and habitats to be identified and management strategies recommended
Maintain or improve existing environmental condition for air quality.	To be investigated
Maintain or improve existing environmental condition for water quality and quantity. — Consistent with community water quality objectives for recreational water use and river health (DEC and CMA)	To be investigated
Consistent with catchment and stormwater management planning (CMA and local council).	To be determined with referral to Hawkesbury Nepean Catchment Management Authority
Protects areas of Aboriginal cultural heritage value (as agreed by OEH).	To be investigated
8 Quality and Equity in Services	
Quality health, education, legal, recreational, cultural and community development and other government services are accessible	To be investigated
Available and accessible services. — Do adequate services exist? — Are they at capacity or is some available? — Has Government planned and budgeted to further service provision?	To be investigated
Developer funding for required service upgrade/access is available	To be determined after investigation

Attachment 8

Checklist of Relevant Key Policy Directions of the Wollondilly Growth Management Strategy

Key Policy Direction	Comment
General Policies	
P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.	The proposal, as noted throughout this table, satisfies this Key Policy Directions to the extent that can be determined at this time.
P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)	For those elements which can be determined at this time, the Planning Proposal has the potential to be reasonably consistent with the elements of 'rural living' (see Table 3 below).
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	Initial notification indicates three (3) objections. The issues raised that are relevant to the request are examined in Section 5 below. Further engagement is required with public exhibition of specialist studies and relevant issues shall be further examined
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	The request does not mention personal financial circumstances of the land owner(s).
P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).	The scale of the request is considered to be compatible with, and proportional to, the scale and character of the Oakdale locality subject to Council supporting a change to the request to replace Zone R3 Medium Density with Zone R2 Low Density Residential.
Housing Policies	
P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.	The GMS identifies the need for growth and expansion of Oakdale in proportion to the scale of the existing village and its facilities and services.
P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types.	There is potential to create opportunities for a variety of housing types from small lots and dual occupancies to large residential lots. Seniors housing may also be permitted with consent subject to compliance with the provisions of State Environmental Planning Policy (Seniors Housing) 2004
P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the	Dwelling densities are likely to be determined by the capability of the land to be serviced by reticulated sewer and / or on-site wastewater disposal, the protection of SSTF and habitat for SSTF and the management of stormwater

“rural fringe”).	
P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.	The site adjoins the existing urban edge of Oakdale.
Macarthur South Policies	
Key Policy Directions P11, P12, P13 and P14 are not applicable to this Planning Proposal. The subject land is not with the Macarthur South area	Not applicable
Employment Policies	
P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes	The future development of the site may create short term construction contracts but does not directly provide long term direct employment.
P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.	The proposal does not include Employment Lands.
Integrating Growth and Infrastructure	
P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire’s existing and future community.	The capacity and practicality of infrastructure and services is to be investigated with specialist studies and the Gateway process.
P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.	Provision of services and infrastructure can potentially be provided through efficient extension of existing installations subject to agreement from service providers. With the potential to accommodate approximately 200 new residents there may be an increased patronage of local businesses and improved local market for new services and facilities
P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.	The site complies
P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.	The site complies
Rural and Resource Lands	

P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.	Specialist studies are required to determine the significance and management requirements for the natural assets of the site. Development shall only be supported if it can be demonstrated that future changes are compatible with the natural assets within the site and the level of protection required for the Warragamba catchment
P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispread rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.	Not applicable.

Attachment 9

Checklist of Directions in accordance with Section 117(2) to the *Environmental Planning and Assessment Act, 1979*

Ministerial 117(2)	Direction	Applicable	Consistent	Assessment
1. Employment and Resources				
1.1 Business and industrial Zones		N/A	N/A	
1.2 Rural Zones		Yes	No	The Planning Proposal is not consistent with Direction 1.2 as it changes a rural zone to a residential zone. Due to the inconsistency, the Planning Proposal must include provisions that are discussed in more detail below
1.3 Mining, Petroleum Production and Extractive Industries		Yes	Yes	The Planning Proposal does not change the current provisions relating to the permissibility of mining or extraction of coal, minerals or extractive materials. The site is not within a Mine Subsidence District
1.4 Oyster Production		N/A	N/A	Direction does not apply
1.5 Rural Lands		N/A	N/A	Direction does not apply
2. Environment and Heritage				
2.1 Environmental Protection Zones		Yes	Yes	The Proposal includes the intention to include land in the Natural Resources – Biodiversity and Natural Resources – Water maps to facilitate the protection and conservation of environmentally sensitive areas. This is consistent with the objective of Direction 2.1
2.2 Coastal Protection		N/A	N/A	Direction does not apply
2.3 Heritage Conservation		Yes	Yes	Specialist studies are expected to be conducted for European and Aboriginal items and places of significance should the Proposal proceed. Therefore the Planning Proposal is consistent with the objective of Direction 2.3.
2.4 Recreation Vehicle Area		Yes	Yes	The Planning Proposal does not enable land to be developed as a recreational vehicle areas and therefore complies with the objective of Direction 2.4
3.1 Residential Zones		Yes	To be determined.	This direction applies because the proposal has the potential to extend the existing low density residential zone boundary and establish a new urban edge to the Oakdale village. The Proposal is consistent with objective (a) of Direction 3.1 in that it has the potential to provide some housing variety. Further investigations into infrastructure capacity are needed to determine if the proposal is potentially compatible with objectives (b) and (c).

			As this direction applies, the Planning Proposal must include provisions that are discussed in more detail below.
3.2 Caravan Parks and Manufactured Home Estates	Yes	Yes	The proposal does not change existing LEP provisions for Caravan Parks and Manufactured Home Estates.
3.3 Home Occupations	Yes	Yes	The proposal does not change existing LEP provisions for Home Occupations.
3.4 Integrating Land Use and Transport	N/A	N/A	Direction does not apply
3.5 Development Near Licensed Aerodromes	N/A	N/A	Direction does not apply
3.6 Shooting Ranges	N/A	N/A	Direction does not apply
4. Housing, Infrastructure and Urban Development			
4.1 Acid Sulphate Soils	N/A	N/A	Direction does not apply
4.2 Mine Subsidence and Unstable Land	N/A	N/A	Direction does not apply.

4.3 Flood Prone Land	N/A	N/A	Direction does not apply.
4.4 Planning for Bushfire Protection	Yes	Yes	The site includes land identified as 'bushfire prone land' on Council's maps endorsed by the Commissioner to the NSW Rural Fire Service. A Bushfire Hazard Management Assessment is expected to be conducted should the Planning Proposal proceed. This Assessment will make recommendations as to the ways in which the site can be managed and developed such that future development complies with the objectives of this Direction. The Planning Proposal is intended to include provisions and processes as discussed in more detail below.
5. Regional Planning			
5.1 Implementation of Regional Strategies	N/A	N/A	Direction does not apply
5.2 Sydney Drinking Water Catchments	Yes	N/A	The site is within the Drinking Water Catchment to Warragamba Dam. Specialist studies and consultation with Sydney Catchment Authority is expected to be undertaken to address the requirements of Direction 5.2 to achieve consistency. This is discussed in more detail below.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A	Direction does not apply
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A	Direction does not apply
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	N/A	Direction does not apply
5.6 Sydney to Canberra	N/A	N/A	Although the Sydney Canberra Corridor

Corridor			Strategy 1995 refers to land within Wollondilly Local Government Area the Strategy has been determined to no longer apply to Wollondilly LGA.
5.7 Central Coast	N/A	N/A	Direction does not apply
5.8 Second Sydney Airport: Badgerys Creek	N/A	N/A	Direction does not apply

6. Local Plan Making			
6.1 Approval and Referral Requirements	Yes	Yes	The planning proposal does not seek to include further provisions to WLEP 2011 in respect to the concurrence, consultation or referral of development applications to a Minister of public authority. The planning proposal is consistent with Direction No. 6.1.
6.2 Rezoning Land for Public Purposes	Yes	Yes	The planning proposal will not create, alter or reduce existing zones or reservations of land for public purposes. The planning proposal is consistent with Direction 6.2.
6.3 Site Specific Provisions	N/A	N/A	Direction does not apply
7.1 Implementation of the Metropolitan Strategy for Sydney 2036	Yes	Yes	The planning proposal is consistent to the extent that can be determined at this time and therefore potentially consistent with Direction 7.1.

Further discussion of Section 117(2) Directions

Direction 1.2 Rural Zones

This Planning Proposal is inconsistent with Direction 1.2 because it proposes to change a rural zone to a residential zone. The objective of Direction 1.2 is:
“to protect the agricultural production value of rural land.”

The site is not currently used for self-sustaining commercial agriculture. The potential impacts of changing the LEP provisions for the site on the agricultural potential of adjoining rural land are to be investigated with the specialist studies to be conducted should the proposal proceed.

Council requests that the Director-General make an exception for this Planning Proposal on the grounds that:

- the Growth Management Strategy identifies the site as potentially appropriate to accommodate the future residential growth immediately adjacent to the existing urban edge of Oakdale
- intends to investigate the consequences for potential agricultural production on adjoining and nearby land; and
- in the relative scale of the proportion of rural zoned land to urban zoned land in the Oakdale locality, this Planning Proposal is of minor significance.

Direction 3.1 Residential Zones

As this Direction applies, Council must ensure that the Planning Proposal includes provisions that encourage the creation of housing that will achieve the following in Column 1 below. The comments in Column 2 explain how Council intends to achieve the requirements of Column 1 with this Planning Proposal.

Requirement from Direction 3.1	How this is to be achieved with the Planning Proposal
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Broaden the choice of building types and locations available in the housing market	The site may contribute additional lots to the existing market which features low density and large lot residential.
Make more efficient use of existing infrastructure and services	Capacity of existing infrastructure and services needs to be investigated should the Planning Proposal proceed.
Reduce the consumption of land for housing and associated urban development on the urban fringe	The Planning Proposal applies to a Greenfield site on the urban fringe. The Planning Proposal can not achieve this requirement.
Be of good design	Should the proposal proceed, the existing design guidelines of the Wollondilly Development Control Plan are expected to apply. Some additional guidelines for water management are also expected to ensure future development is compatible with the sensitive environmental features of the site and locality
Contain a provision that residential development is not permitted until land is adequately serviced	Existing Clause 7.1 to WLEP 2011 addresses this requirement
Not contain provisions which reduce the permissible residential density	Residential density shall be determined by the proposed lot size map, biodiversity, riparian lands provisions, bushfire management requirements. There are no other provisions which aim to reduce residential density.

In summary, Council can ensure that the Planning Proposal contains provisions which meet the requirements set out in Direction 3.1 with the exception of aiming to reduce consumption of land on the urban fringe. Further investigations are required to determine whether the Planning Proposal can achieve objectives (b) and (c) to Direction 3.1.

Direction 4.4 Planning for Bushfire Protection

As this Direction applies, Council must complete the following as listed in the table below.

Requirement from Direction 4.4	How this is to be achieved with the Planning Proposal
(4) In the preparation of a Planning Proposal, Council must consult with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway determination under section 56 of the Act and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made	Consultation with the Commissioner of the NSW Rural Fire Service is intended should the Planning Proposal proceed beyond the Gateway process
(5) (a) The Planning proposal must have regard to <i>Planning for Bushfire Protection 2006</i>	A Bushfire Hazard Management Assessment is to be completed should the Planning Proposal progress and this Assessment shall have regard to <i>Planning for Bushfire Protection 2006</i> and any other best practice guidelines applicable at the time
Requirement from Direction 4.4	How this is to be achieved with the Planning Proposal
(5) (b) The Planning Proposal must introduce controls that avoid placing inappropriate developments in hazardous areas	The Bushfire Hazard Management Assessment (mentioned above) is intended to make recommendations as to the identification of land within the site potentially suitable for new housing (if any) and these recommendations will be incorporated into

	the Planning Proposal before the draft amendment is subject to community consultation
(5) (c) The Planning Proposal shall ensure that bushfire hazard reduction is not prohibited within the APZ	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement
(6) (a) The Planning Proposal must, where development is proposed, comply with the Asset protection zones (APZ) incorporating at a minimum (i) an Inner Protection area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ within the property (ii) an Outer protection Area managed for hazard reduction and located on the bushland side of the perimeter road	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement
(6) (b) N/A	
(6) (c) contain provisions for two-way access roads which links to perimeter roads and / or to fire trail networks	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement
(6) (d) The Planning Proposal shall contain provisions for adequate water supply for fire fighting purposes	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement
(6) (e) The Planning Proposal shall minimise the perimeter of the area of land interfacing the hazard which may be developed	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement
(6) (f) The Planning Proposal shall introduce controls on the placement of combustible materials in the Inner protection area	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement

Provided that the Planning Proposal includes the steps as outlined in Column 2 of the above table, the Planning Proposal has the potential to be consistent with Direction 4.4.

Direction 5.2 Sydney Drinking Water Catchments

As this Direction applies, Council must complete the following as listed in the table below.

Requirement from Direction 5.2	How this is to be achieved with the Planning Proposal
4 (a) New development within the Sydney Drinking Water catchment must have a neutral or beneficial effect on water quality	To be investigated with Specialist Studies
4 (b) Future land use in the Sydney Drinking Water Catchment should be matched to land and water capability	Sydney Catchment Authority has provided Land and Water Capability Assessments for the site and specialist studies will be expected to be compatible with these should the Planning Proposal proceed.
4(c) the ecological values of land within a Special area that is owned or under the care, control and management of the Sydney Catchment Authority shall be maintained	Specialist studies are expected to make recommendations as to how this is to be achieved.
5. (a) The proposal must be consistent with	See Attachment 10. The proposal has the

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	potential to comply subject to investigations with specialist studies
5. (b) The proposal must give consideration to the outcomes of the Strategic Land and Water Capability Assessment prepared by the Sydney Catchment Authority	This is intended
5. (c) N/A	N/A
5 (d) Council must consult with the Sydney Catchment Authority (SCA)	Council has consulted with SCA and preliminary response is included in Attachment 11. The recommendations from SCA shall be incorporated into the Planning Proposal should it proceed.
5 (e) Include a copy of any information received from Sydney Catchment Authority prior to the issue of a Gateway determination	See Attachment 11

Provided that the Planning Proposal includes the steps as outlined in Column 2 of the above table, the Planning Proposal has the potential to be consistent with Direction 5.2.

Attachment 10

Checklist of compliance with State Environmental Planning Policies (SEPPs)

	STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)	CONSISTENCY	COMMENTS
1	Development Standards	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP
4	Development Without Consent and Miscellaneous Complying Development	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP
6	Number of Storeys in a Building	Yes	The Planning Proposal will use the Standard Instrument to control building height.
14	Coastal Wetlands	NA	Not applicable in the Shire of Wollondilly.
15	Rural Land-Sharing Communities	NA	Not applicable in the Shire of Wollondilly.
19	Bushland in Urban Areas	NA	Not applicable in the Shire of Wollondilly.
21	Caravan Parks	Yes	The Planning Proposal does not change the current provisions of the LEP in relation to Caravan Parks
22	Shops and Commercial Premises	NA	
26	Littoral Rainforests	NA	Not applicable in the Shire of Wollondilly.
29	Western Sydney Recreation Area	NA	Not applicable in the Shire of Wollondilly.
30	Intensive Agriculture	NA	
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal will not contain provisions that will contradict or will hinder the application of the SEPP.
33	Hazardous and Offensive Development	NA	
36	Manufactured Home Estates	NA	Not applicable in the Shire of Wollondilly.
39	Spit Island Bird Habitat	NA	Not applicable in the Shire of Wollondilly.
41	Casino/Entertainment Complex	NA	Not applicable in the Shire of Wollondilly.
44	Koala Habitat Protection	Yes	To be investigated with specialist studies
47	Moore Park Showground	NA	Not applicable in the Shire of Wollondilly.
50	Canal Estates	NA	N/A
52	Farm Dams and Other Works in Land and Water Management Plan Areas	NA	Not applicable in the Shire of Wollondilly.
53	Metropolitan Residential Development	NA	Wollondilly Shire is currently exempted from this SEPP.
55	Remediation of Land	Yes	The potential for contamination will be investigated.
59	Central Western Sydney Economic and Employment Area	NA	Not applicable in the Shire of Wollondilly.
60	Exempt and Complying Development	NA	
62	Sustainable Aquaculture	NA	Not applicable in the Shire of Wollondilly.
64	Advertising and Signage	NA	
65	Design Quality of Residential Flat Development	NA	
70	Affordable Housing (Revised Schemes)	NA	Not applicable in the Shire of Wollondilly.
71	Coastal Protection	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Affordable Rental Housing) 2009	NA	
	SEPP (Housing for Seniors or People with a Disability)	Yes	The Planning Proposal will not contradict or hinder the application of the SEPP.
	SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP. The SEPP does not apply to Seniors Housing.
	SEPP (Kurnell Peninsula) 1989	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Major Development) 2005	NA	

	SEPP (Sydney Region Growth Centres) 2006	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	The Planning Proposal does not change the existing provisions of the LEP which is consistent with the SEPP
	SEPP (Temporary Structures) 2007	NA	
	SEPP (Infrastructure) 2007	Yes	The proposal is consistent with the Infrastructure SEPP
	SEPP (Kosciuszko National Park - Alpine Resorts) 2007	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Rural Lands) 2008	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP at future stages, post rezoning.
	SEPP (Western Sydney Parklands) 2009	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Western Sydney Employment Area) 2009	NA	Not applicable in the Shire of Wollondilly.
9	Extractive Industry (No 2)	NA	
20	Hawkesbury–Nepean River (No 2 - 1997)	YES	This proposal is consistent with this SREP and specialist studies are expected to examine surface and ground water quality .
27	Wollondilly Regional Open Space	NA	Repealed 26/06/2009.
1	Drinking Water Catchments Regional Environmental Plan No 1	Yes	The Planning Proposal has the potential to be consistent with the provisions of the Drinking Water SEPP. See details below.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The site is within the Sydney Drinking Water Catchment and this Policy therefore applies to the Planning Proposal. The Planning Proposal has the potential to achieve the aims of the Policy through the preparation of a Total Water Cycle Management Plan to be submitted for assessment with other specialist studies and for assessment by Sydney Catchment Authority post-Gateway.

Attachment 11 Preliminary consultation responses from Sydney Water and Sydney Catchment Authority

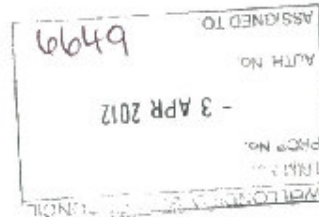


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Website www.sca.nsw.gov.au

Ref: D2012/28687

Peter Wright
Manager, Strategic Planning
Wollondilly Shire Council
PO Box 21
Picton NSW 2571

Attn: Sophie Perry, Senior Strategic Planner



Dear Mr Wright,

Draft Planning Proposal – Land adjoining Oakdale Primary School – Lot 1, DP 835288, 1550 Burragorang Road, Oakdale

Thank you for your letter dated 5 March 2012 inviting the Sydney Catchment Authority (SCA) to comment on the above planning proposal for 1550 Burragorang Road, Oakdale.

It is understood the proposal is for the 23 ha site to be rezoned from RU1 Primary Production to a mix of R3 Medium Density Residential, R5 Large Lot Residential and RE1 Public Recreation, under the Wollondilly Local Environmental Plan 2011 (LEP). The planning proposal proposes amending the minimum 20ha lot size to enable approximately sixty 700m² lots, seven to nine 800 to 975m² lots for dual occupancy, two large lots for a seniors and integrated housing development totalling approximately 50 dwellings, 16 large lots with a minimum lot size of 4,000m² and a child care centre.

As you are aware the subject site is within the Warragamba Special Area Schedule 2 land within the Sydney drinking water catchment. Schedule 2 land serves as a buffer to the strictly protected Warragamba Special Area Schedule 1 lands and the Burragorang water storage. Development within the drinking water catchment is required to comply with State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP) that requires development to have a neutral and beneficial effect (NorBE) on water quality.

Council has noted in its letter that the subject site is outside the mapped servicing boundary for the West Camden Sewage Treatment Plant and is awaiting advice from Sydney Water as to whether the site can be serviced by reticulated sewer if developed to the intensity proposed. In view of this it is understood that Council is seeking advice as to whether the proposal has the potential to meet the objectives of Ministerial Section 117 Direction 5.2 being "to protect water quality in the Sydney drinking water catchment". Under this direction, consideration has to be given as to whether the planning proposal will have a neutral or beneficial effect on water quality, proposed future land uses can match land and water capability for the site and surrounds, and whether there is a potential for impacts to the ecological values of

land within a special area and, if so, how those ecological values can be maintained and protected.

Council has specifically requested that the SCA provide:

- a copy of the Strategic Land and Water Capability Assessment (SLWCA) prepared for this site;
- advice regarding appropriate minimum lot size and on-site wastewater management and disposal in the event that Sydney Water may not be able to service part or all of the site;
- advice on the appropriateness or otherwise of the proposed residential uses indicated in the applicant's concept plan and the proposed means of surface and groundwater management
- advice as to the nature and content of specialist studies which may be required to further investigate the feasibility of the proposal as well as comments as to whether the proposal could or should be modified.

The above requested advice is provided below.

1. Strategic Land and Water Capability Assessment outcomes and minimum lot size for on-site wastewater management

Attached are copies of SLWCA outcomes for unsewered residential development on lots between 2000m² and 4000m² and from 4000m² to 2ha.

1.1. Unsewered sites below 2000m²

SLWCA data is not available for unsewered lots below 2000m² as generally these are found to be too small to cope with development requiring an on-site wastewater management system without posing a risk to water quality.

Development in the part of the site proposed for medium density development (R3) (integrated housing, retirement village, child care centre, single dwelling minimum lot sizes of approximately 700m² and dual occupancy minimum lot sizes of between 800m² and 975m²) would be unlikely to have a NorBE on water quality unless reticulated sewer is available.

1.2. SLWCA outcomes for unsewered sites 2000m² to 4000m²

The attached copy of SLWCA outcomes on the subject site and surrounds for unsewered lots between 2000m² and 4000m² shows that development on lots below 4000m² would pose a high risk to water quality across the whole site, or extreme risk if close to the intermittent watercourse in the eastern section of the site.

Council is advised therefore that unsewered lots below 4000m² in size have low to very low capability of development.

1.3. SLWCA outcomes for unsewered lots more than 4000m²

The attached copy of SLWCA outcomes over the subject site for unsewered lots above 4000m² show that such large lot development would pose a moderate risk to

land within a special area and, if so, how those ecological values can be maintained and protected.

Council has specifically requested that the SCA provide:

- a copy of the Strategic Land and Water Capability Assessment (SLWCA) prepared for this site;
- advice regarding appropriate minimum lot size and on-site wastewater management and disposal in the event that Sydney Water may not be able to service part or all of the site;
- advice on the appropriateness or otherwise of the proposed residential uses indicated in the applicant's concept plan and the proposed means of surface and groundwater management
- advice as to the nature and content of specialist studies which may be required to further investigate the feasibility of the proposal as well as comments as to whether the proposal could or should be modified.

The above requested advice is provided below.

1. Strategic Land and Water Capability Assessment outcomes and minimum lot size for on-site wastewater management

Attached are copies of SLWCA outcomes for unsewered residential development on lots between 2000m² and 4000m² and from 4000m² to 2ha.

1.1. Unsewered sites below 2000m²

SLWCA data is not available for unsewered lots below 2000m² as generally these are found to be too small to cope with development requiring an on-site wastewater management system without posing a risk to water quality.

Development in the part of the site proposed for medium density development (R3) (integrated housing, retirement village, child care centre, single dwelling minimum lot sizes of approximately 700m² and dual occupancy minimum lot sizes of between 800m² and 975m²) would be unlikely to have a NorBE on water quality unless reticulated sewer is available.

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The attached copy of SLWCA outcomes on the subject site and surrounds for unsewered lots between 2000m² and 4000m² shows that development on lots below 4000m² would pose a high risk to water quality across the whole site, or extreme risk if close to the intermittent watercourse in the eastern section of the site.

Council is advised therefore that unsewered lots below 4000m² in size have low to very low capability of development.

1.3. SLWCA outcomes for unsewered lots more than 4000m²

The attached copy of SLWCA outcomes over the subject site for unsewered lots above 4000m² show that such large lot development would pose a moderate risk to

for total suspended solids (TSS), total phosphorus (TP) and total nitrogen (TN). For gross pollutants, the post-development load only needs to be equal to or less than pre-development load.

- Pollutant concentrations for the post-development case (including mitigation measures) must be equal to or better compared to the pre-development case for between the 50th and the 98th percentile over the five-year modelling period. To demonstrate this, comparative cumulative frequency graphs for both the pre- and post-development cases must be provided. Cumulative frequency analysis is not applied to gross pollutants.

The NorBE Assessment Guidelines is available on the SCA website www.sca.nsw.gov.au. The SCA has also developed a water quality information requirement document which provides summary of the SCA's requirements for the management of wastewater and stormwater within the drinking water catchment, which can also be found on the SCA's website.

If you have any queries with regard to the above matters please contact Senior Land Use Planner, Fran Kelly on 4724 2223.

Yours sincerely,



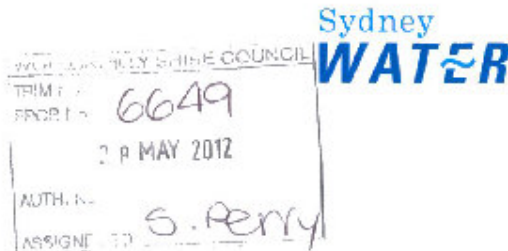
MALCOLM HUGHES
Manager, Planning and Assessments

30/3/12

Attachments: SLWCA outcomes for subject site if unsewered residential development 2000m² to 4000m² and >4000m².

18 May 2012

Ms Sophie Perry
Team Leader, Strategic Planning
Wollondilly Shire Council
PO Box 21,
Picton NSW 2571



**TRIM 6649 Draft Planning Proposal – Land Adjoining Oakdale Primary School at
1550 Burragorang Road, Oakdale**

Dear Sophie,

Thank you for your correspondence of 17 April 2012 requesting comment on the proposed development at the above address. Sydney Water has reviewed the proposal and provides the following comments for Council's consideration.

Water

The drinking water main available for connection is the 300mm main on the north side of Burragorang Road. Detailed requirements will be provided at the Section 73 Application phase.

Wastewater

The nearest Sydney Water sewer system is The Oaks, Oakdale and Belimbla Park Sewerage Scheme. The Minister for Planning's Conditions of Approval for this scheme allowed only the servicing of urban zoned areas within a specified scheme boundary. The proposed development falls outside this approved sewerage scheme boundary.

Additional connections from properties outside of the existing scheme boundary would be possible once the Department of Planning and Infrastructure has agreed to modify the scheme's planning approval and where the following criteria are met:

1. Sydney Water has identified uncommitted spare capacity within the sewerage system
2. The property owner/developer is prepared to pay the full cost of connection
3. The property owner/developer is prepared to comply with Sydney water's connection requirements
4. The property owner/developer has obtained the relevant development consent under NSW planning laws.

Sydney Water has no current plans to request a modification to the scheme boundary. The timing of any future boundary modification request is likely to be linked to the inclusion of the proposed development on the Metropolitan Development Program.

The current scheme was designed to cater for flows within the approved servicing boundary. Detailed modelling is required to determine if there is any uncommitted spare capacity and if any system amplifications are required.

Sydney Water Servicing

Sydney Water will further assess the impact of any subsequent development when the developer applies for a Section 73 Certificate. This assessment will enable Sydney Water to specify any works required as a result of future development and to assess if amplification and/or changes to

Sydney Water Corporation ABN 49 776 773 038

1 Smith St Parramatta 2150 | PO Box 399 Parramatta 2124 | CK 14 Sydney | T 14 20 92 | www.sydneywater.com.au

Delivering essential and sustainable water services for the benefit of the community

the system are applicable. The developer must fund any adjustments needed to Sydney Water infrastructure as a result of the development.

The developer should engage a Water Servicing Coordinator to get a Section 73 Certificate and manage the servicing aspects of the development. The Water Servicing Coordinator will ensure submitted infrastructure designs are sized and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002) and the Sewerage Code of Australia (Sydney Water Edition WSA 02-2002).

Sydney Water requests the Council to continue to instruct proponents to obtain a Section 73 Certificate from Sydney Water. Details are available from any Sydney Water Customer Centre on 13 20 92 or Sydney Water's website at www.sydneywater.com.au.

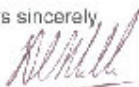
Sydney Water e-planning

Sydney Water has created a new email address for planning authorities to use to submit statutory or strategic planning documents for review. This email address is urbangrowth@sydneywater.com.au. The use of this email will help Sydney Water provide advice on planning projects faster, in line with current planning reforms. It will also reduce the amount of printed material being produced. This email should be used for:

- Section 62 consultations under the Environmental Planning and Assessment Act 1979
- consultations where Sydney Water is an adjoining land owner to a proposed development
- consultations and referrals required under any Environmental Planning Instrument
- draft LEPs, SEPPs or other planning controls, such as DCPs
- any proposed development or rezoning that will be impacted by the operation of a Sydney Water Wastewater Treatment Plant
- any proposed planning reforms or other general planning or development inquiries

If you require any further information, please contact Ainsley Rotgans of the Urban Growth Branch on 02 8649 4004 or e-mail ainsley.rotgans@sydneywater.com.au.

Yours sincerely,



Adrian Miller,
Manager, Growth Strategy